

Inmate's testimony may swing trial

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Author: TIM TALLEY | Page: A6

McALESTER, Okla. - Conversations between Timothy McVeigh and a fellow death row inmate could become key evidence in the murder trial of Oklahoma City bombing conspirator Terry Nichols.

Testimony also could suggest that McVeigh named others involved in the attack.

Over prosecution objections, Judge Steven Taylor has authorized inmate David Paul Hammer to testify for defense attorneys who think McVeigh gave Hammer the identity of John Doe No. 2, a mystery man some claim to have seen with McVeigh on the day of the bombing.

Nichols' attorneys say that McVeigh had substantial help planning and executing the April 19, 1995, attack and that Nichols was set up to take the blame.

But prosecutors describe Hammer in court documents as "one of the least credible sources ever to serve time" in an Oklahoma prison.

Nichols, already serving a life sentence in federal prison for his role in the bombing, faces 161 state murder charges that could carry the death penalty. Opening statements are scheduled for Monday.

The state trial is sure to include vigorous debate about testimony from Hammer, whose convictions included kidnapping, robbery and escape before he was transferred to federal prison for killing a cellmate in Pennsylvania.

Hammer, who is scheduled for execution June 8, has written about McVeigh in an upcoming book titled *Secrets Worth Dying For*.

But McVeigh, in a letter to a former defense investigator days before his execution in 2001, disputed Hammer's credibility and called Hammer's book a "scam," writing that he limited communication with Hammer because "I know he's a big, fat rat."

Hammer says McVeigh told him Nichols helped store ingredients used to assemble explosives, but backed out when asked to take part in the bombing.

Hammer also contends that McVeigh told him the bomb, made of ammonium nitrate and fuel oil, was made at an Oklahoma City warehouse, not in Nichols' home state of Kansas, as authorities have claimed.

Authorities acknowledge that Nichols was at his home in Herrington, Kan., on the day the bomb went off. But they allege Nichols worked with McVeigh to prepare the 4,000-pound bomb and helped McVeigh pack it inside a truck.

Prosecutors have asked the judge to block Hammer from testifying about a gang of white-supremacist bank robbers the defense alleges were involved in the deadly blast.

Authorities allege that Nichols robbed an Arkansas gun dealer in November 1994 to help finance the bomb plot, but defense attorneys think the robbery was committed by a gang associated with the Aryan Republican Army.

The judge will permit Hammer to rebut the testimony of another man who had conversations with McVeigh, Michael Fortier.

Fortier, the prosecution's star witness against Nichols, is serving a 12-year federal prison sentence for knowing about the bomb plot and not telling authorities.

Fortier previously has testified that McVeigh indicated Nichols was deeply involved in the bomb plot. He said McVeigh and Nichols detonated explosives in the Arizona desert and experimented with ingredients that were later used in the bombing. First glance First glance

The state murder trial of Oklahoma City bombing conspirator Terry Nichols begins Monday.

Among those expected to testify is a death row inmate who had conversations with convicted bomber Timothy McVeigh.

Photo

Nichols