

Death Row Inmate May Hold Key To Nichols' Defense Hammer Knew Timothy McVeigh In Prison

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McALESTER, Okla -- Defense attorneys working to keep bombing conspirator Terry Nichols out of Oklahoma's death chamber believe a federal death row inmate may hold the key.

David Paul Hammer served time with Timothy McVeigh on federal death row. During almost two years of conversations, Hammer claims McVeigh revealed the secrets of Nichols' alleged involvement in the Oklahoma City bombing -- and the names of others who were involved.

In a telephone interview with The Associated Press, Hammer said McVeigh claimed members of a white supremacist bank robbery gang helped plan the attack and gather components for the ammonium-nitrate-and-fuel-oil bomb that destroyed the Oklahoma City federal building.

Although Nichols participated in the plot, McVeigh said co-conspirators never charged were responsible for the theft of explosives from a Kansas rock quarry and the robbery of an Arkansas gun dealer -- activities attributed to Nichols, Hammer said.

"He said that Nichols did help him gather the stuff and helped him store it," Hammer said. But McVeigh claimed Nichols cooperated only because he was concerned for the safety of his family.

"He told us flat out that he threatened to kill Nichols' family," Hammer said.

McVeigh also claimed that Nichols did not help make the homemade bomb at a lake in north-central Kansas the day before the April 19, 1995, attack that killed 168 people.

"Nichols backed out. He didn't show up," Hammer said.

Instead, McVeigh and others assembled the device in an Oklahoma City warehouse the night before.

Hammer's statements support defense claims that McVeigh had substantial help in planning and executing the bombing and that Nichols was set up to take the blame.

Judge Steven Taylor has authorized Hammer to testify at Nichols' state murder trial, but the inmate's credibility may be an issue if he takes the stand.

Hammer, who was raised in Oklahoma, was serving state sentences totaling 1,217 years for a series of crimes, including kidnapping, armed robbery and assault with intent to kill, before he was transferred to federal prison in 1993.

While at the Oklahoma State Penitentiary, Hammer used a prison employee's credit card to send flowers to the warden and obtained thousands of dollars in merchandise from a Tulsa department store by working the phones.

Taylor authorized Hammer's testimony to rebut Michael Fortier, the prosecution's star witness against Nichols. Fortier has said McVeigh said Nichols was deeply involved in the bomb plot.

Fortier is serving a 12-year federal prison sentence for knowing about the bomb plot and not telling authorities.

Prosecutors began presenting their case on March 22. Testimony is scheduled to resume Monday.

Nichols, 49, is already serving a life prison sentence for the deaths of eight federal law enforcement officers in the bombing. In Oklahoma he is charged with 161 counts of first-degree murder for the deaths of the other 160 victims and one victim's fetus.

McVeigh was convicted on federal murder charges and executed on June 11, 2001.

Authorities acknowledge that Nichols was at his home in Herington, Kan., on the day of the explosion. Nichols, however, worked with McVeigh to prepare the 4,000-pound bomb and helped McVeigh pack it inside a Ryder truck, they allege.

Hammer, 45, claims to have had "hundreds" of conversations with McVeigh at recreation areas and adjoining cells on death row at the U.S. Penitentiary in Terre Haute, Ind.

A June 8 execution date was set for Hammer after he waived pending appeals for the 1996 death of a cellmate in a federal prison in Pennsylvania.

Hammer provided details about his conversations with McVeigh in the book "Secrets Worth Dying For."

Hammer said McVeigh revealed the names of others involved in the bomb plot. They include John Doe No. 2, a second person believed to have been with McVeigh on the day of the bombing.

McVeigh said John Doe No. 2 and other coconspirators were members of the Aryan Republican Army, according to Hammer.

McVeigh said he was heavily involved with the bank robbery gang and participated in seven bank robberies, Hammer said.

"He talked about the Adrenalin rush in robbing the banks," Hammer said. "At times he drove the getaway car."

ARA bank robbers "provided a security detail" while McVeigh and others gathered components for the bomb that destroyed the federal building, Hammer said.

McVeigh said Nichols did not burglarize a rock quarry near Marion, Kan., where detonation cord, blasting caps and other explosives like those used in the bomb were stolen.

Testimony at Nichols' trial revealed that a drill bit found in Nichols' home was used to drill out a lock at the quarry.

"Tim and two guys from the ARA did it," Hammer said.

Nichols also was not responsible for the robbery of Roger Moore, an Arkansas gun dealer. Prosecutors allege Nichols robbed Moore of guns and coins to finance the bomb plot.

Hammer said the robbery was set up by McVeigh and conducted by ARA members. McVeigh said he was at a gun show in another state when the robbery occurred.

"He made sure he had an alibi at the time of the robbery," Hammer said.

Defense attorneys may question a member of the bank robbery gang at Nichols' trial.

Peter Langan, serving life in prison for a string of bank robberies in the 1990s, has said at least three fellow gang members were in Oklahoma around the time of the bombing and one later confided to him that they had become involved.