

Document: Oklahoma City Bombing Was Taped

by John Solomon, Associated Press Writer

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WASHINGTON - A Secret Service document written shortly after the 1995 Oklahoma City bombing described security video footage of the attack and witness testimony that suggested Timothy McVeigh may have had accomplices at the scene.

"Security video tapes from the area show the truck detonation 3 minutes and 6 seconds after the suspects exited the truck," the Secret Service reported six days after the attack on a log of agents' activities and evidence in the Oklahoma investigation.

The government has insisted McVeigh drove the truck himself and that it never had any video of the bombing or the scene of the Alfred P. Murrah building in the minutes before the April 19, 1995, explosion.

Several investigators and prosecutors who worked the case told The Associated Press they had never seen video footage like that described in the Secret Service log.

The document, if accurate, is either significant evidence kept secret for nine years or a misconstrued recounting of investigative leads that were often passed by word of mouth during the hectic early days of the case, they said.

"I did not see it," said Danny Defenbaugh, the retired FBI agent who ran the Oklahoma City probe. "If it shows what it says, then it would be significant."

Secret Service spokesman Charles Bopp declined to discuss the video footage reference, saying it would be addressed by witnesses later this week at the capital murder trial of McVeigh co-defendant Terry Nichols. "It is anticipated Secret Service employees will testify in court concerning these matters," he said.

Other documents obtained by AP show the Secret Service in late 1995 gave prosecutors several computer disks of enhanced digital photographs of the Murrah building, intelligence files on several subjects in the investigation and a file detailing an internal affairs inquiry concerning an agent who reconstructed key phone evidence against McVeigh.

"These abstract sheets are sensitive documents which we have protected from disclosure in the past," said a Secret Service letter that recounted discussions in late 1995 with federal prosecutors on what evidence would be turned over to defense lawyers.

Lawyers for Nichols say they have never been given the security video, photo disks or internal investigative file referenced in the documents.

The trial judge has threatened to dismiss the death penalty case if evidence was withheld. McVeigh was executed in 2001 on a separate federal conviction. Nichols was sentenced to life in prison on federal charges before being tried by the state this year.

The government has maintained for years that McVeigh parked the Ryder rental truck carrying a massive fertilizer bomb outside the Murrah building and left alone in a getaway car he parked around the corner. The bombing killed more than 160 people.

The only video prosecutors introduced at trial showed the Ryder truck without any visible passengers as it passed a security camera inside a high-rise apartment building a block away from the Murrah building.

But the Secret Service log reported on April 24 and April 25, 1995, that there was security footage showing the Ryder truck pulling up to the Murrah building. The log does not say where such video came from or who possessed it.

A log entry on April 25 states that the security footage allowed agents to determine the time that elapsed between suspects leaving the truck and the explosion.

An entry a day earlier on the same log reported that the security video was consistent with a witness' account that he saw McVeigh's getaway car in the lead before a woman guided the truck to its final parking spot in front of the Murrah building.

"A witness to the explosion named Grossman claimed to have seen a pale yellow Mercury car with a Ryder truck behind it pulling up to the federal building," the log said. The witness "further claimed to have seen a woman on the corner waving to the truck."

A Secret Service agent named McNally "noted that this fact is significant due to the fact that the security video shows the Ryder truck pulling up to the Federal Building and then pausing (7 to 10 seconds) before resuming into the slot in front of the building," the log said. "It is speculated that the woman was signaling the truck when a slot became available."

Defenbaugh said the FBI had talked to several witnesses suggesting two people had left the truck, but prosecutors never introduced the scenario at trial because it couldn't be corroborated. That's why a new security video would be significant, he said.

"It would have taken the investigation in a very specific direction," Defenbaugh said. "Rather than having to go down an eight-lane highway during rush hour, we would have gone down a faster path with just two or four lanes."

Defenbaugh said the FBI kept a log similar to the Secret Service document inside the Oklahoma City investigation command center that might help solve the mystery of the video. Justice officials declined to discuss documents, citing the ongoing Nichols' trial.

In addition to the witness mentioned in the Secret Service document, a woman working in Murrah's Social Security office who was rescued from the rubble and a driver outside the building both reported to the FBI seeing two men leave the truck, according to government documents.

The Secret Service log contained other information about the case — including that McVeigh made 30 calls to an Illinois gun dealer in the months before the attacks to seek dynamite and that the gun dealer subsequently failed a lie detector test. The Secret Service lost six employees in McVeigh's bombing, the single largest loss in agency history.

Nichols' attorneys last week asked the judge to dismiss the case on grounds the government withheld evidence, including the security video footage.

New documents obtained by AP show the Secret Service provided prosecutors other evidence that may not have been provided to defense lawyers, including a file showing the Secret Service agent who reconstructed crucial phone evidence against McVeigh was subjected to an internal affairs investigation and eventually cleared for her conduct in the case.

FBI officials say that file details allegations the agent wrongly collected grand jury-subpoenaed phone information about McVeigh's calls without FBI knowledge, and kept it for weeks while she produced analysis that helped the investigation.

The internal investigation caused complications for prosecutors. They decided it tainted the agent as a witness and they chose instead to hire an outside expert to re-do the phone analysis for trial, officials said.

Bopp said the Secret Service did nothing wrong.

"The Secret Service worked cooperatively with the FBI and other federal state and local law enforcement throughout the investigation," Bopp said. "The expertise of the Secret Service on electronic crimes and telecommunications provided unique and timely information to the ongoing investigation."

On the Net:

The FBI: <http://www.fbi.gov>

The documents obtained by The Associated Press can be viewed at <http://wid.ap.org/documents/okc/okcdoc2.pdf>