

Analysis: Evidence of more conspirators involved in bombing of the Murrah Federal Building in Oklahoma City



NPR All Things Considered

May 7, 2004 | MICHELE NORRIS, ROBERT SIEGEL

MICHELE NORRIS, ROBERT SIEGEL

All Things Considered (NPR)

05-07-2004

Analysis: Evidence of more conspirators involved in bombing of the Murrah Federal Building in Oklahoma City

Host: MICHELE NORRIS, ROBERT SIEGEL

Time: 8:00-9:00 PM

MICHELE NORRIS, host:

From NPR News, this is ALL THINGS CONSIDERED. I'm Michele Norris.

ROBERT SIEGEL, host:

And I'm Robert Siegel.

The defense team for Oklahoma City bombing conspirator Terry Nichols is presenting its case in McAlester, Oklahoma. Nichols was convicted on federal charges of conspiracy and sentenced to life in prison in 1997. Now he's facing the death penalty if he is convicted on the state charges in Oklahoma. When the bomb blew up the Murrah Federal Building, Terry Nichols was hundreds of miles away in Kansas. Just how big a role he played in Timothy McVeigh's plot was a key issue in his federal trial. Yet throughout the prosecutions of both men, there've been lingering questions about whether there were other conspirators who were never brought to justice. NPR's Wade Goodwyn has been exploring those questions, and he has this report.

WADE GOODWYN reporting:

On the morning of April 19th, 1995, Rodney Johnson was driving his rented catering truck down the one-way street in front of the Murrah Building just before 9 AM. Off to his left, he saw two men about to cross in the middle of the street directly in the path of his truck.

Mr. RODNEY JOHNSON: Yes, I had to brake to miss them. Now you have to understand we're in a heavy vehicle. I always have to look farther ahead than you would most--because you can't stop the truck on a dime. Timothy McVeigh glanced over.

GOODWYN: Johnson says he has no doubt that the man who looked at him was Timothy McVeigh. And Johnson said there was another man walking with McVeigh. Johnson calls this man what the FBI first called him: John Doe #2.

Mr. JOHNSON: They were in step together. John Doe #2 was right behind Timothy McVeigh, and I mean right behind Timothy McVeigh. So there's no doubt in my mind they were together.

GOODWYN: Now let's go back in time about 25 minutes and move a few blocks away to Johnny's Tire & Auto Shop. At 8:35 AM, Mike Morose was the mechanic on duty when a yellow Ryder truck pulled into the driveway.

Mr. MIKE MOROSE (Mechanic): He looked like he--kind of lost the way he pulled in. He asked me where Fifth and Harvey was. I kind of directed him to where it was. He didn't understand what I was saying, so he got out of the vehicle. And I walked him maybe 15 feet away from the vehicle and pointed toward downtown area.

GOODWYN: Morose is certain that the young man he gave directions to was Timothy McVeigh. He picked McVeigh out of an FBI line-up, and his eyewitness account was used by the government to bind McVeigh over for trial. But there was something else Mike Morose saw that morning. There was somebody sitting in the passenger seat of that Ryder truck.

Mr. MOROSE: He seemed to be dark-skinned. The reason I say dark-skinned--I'm fair-complected, and he wasn't fair-complected. He had dark hair and he had a baseball cap on.

GOODWYN: Even though Rodney Johnson and Mike Morose can put Timothy McVeigh in Oklahoma City just minutes before the bomb went off, they were never called to testify. Neither were any of the other witnesses, nearly two dozen people, according to the FBI, who say they saw Timothy McVeigh in Oklahoma City during the hours before the explosion. Why didn't the government put them on the stand? Because every one of them would have said they saw McVeigh with between one and four other people that morning. The government had plenty of other evidence against McVeigh, and prosecutors didn't want to bring up the subject of other possible co-conspirators.

(Soundbite of videotape)

Unidentified Man: Any assassinations, massacres or incinerations of our people will be met with massive retaliation.

GOODWYN: What you are listening to is a videotape made by the prime candidates as McVeigh's co-conspirators. In front of a home movie camera, a man sits at a desk with a gas mask on. A large map of the United States is on the wall behind him with pushpins marking the cities where they have allies. The members of this group call themselves the Aryan Republican Army. They were racist, deeply anti-Semitic bank robbers. The FBI called them the Midwest bank bandits. They were the most prolific and successful bank robbers since the Jesse James gang, knocking off 22 banks in the two years leading up to the Murrah Building explosion. But bank robbing was just a means to a goal, and their goal, just like Timothy McVeigh's, was to overthrow the US government.

(Soundbite of videotape)

Unidentified Man: We have many technicians. We have the technology, the material ...(unintelligible) to make weapons of mass destruction, and those of you that know these things know how simple they are to make.

GOODWYN: The story of the Aryan Republican Army, aka the Midwest bank bandits, revolves around the leaders of the gang, Peter Langan and Richard Guthrie. Guthrie had been in the Navy. He'd gone through Navy SEAL and explosive ordnance training before he was cashiered for displaying swastikas and threatening his superior officers. He got himself on the Secret Service's radar after threatening to kill former President George Bush in 1992. In an effort to trap Guthrie, the Secret

Service got Langan out of jail in Georgia.

Probably nobody knows more about the conspiracy theory surrounding the Oklahoma City bombing than J.D. Cash, a reporter for the Idabel McCurtain Gazette in the small southeastern Oklahoma town of Idabel. Cash says the Secret Service misread Langan. Instead of trapping Guthrie, Langan took off with him.

Mr. J.D. CASH (Reporter, Idabel McCurtain Gazette): And I don't think from day one that he ever intended to do anything but double-cross them.

GOODWYN: The Aryan Republican Army cased their bank targets carefully. They would often leave bombs behind to slow the police pursuit. When Georgia authorities eventually asked the Secret Service for Langan back, they were told their prisoner was probably dead. He wasn't; he was robbing banks.

Mr. CASH: And so this was a bureaucratic's way of saying, 'Everything's all messed up and it's not our fault.' So they lost control of him.

GOODWYN: So what do these racist, anti-Semitic bank robbers have to do with Timothy McVeigh? Indiana State University professor of criminology Mark Hamm believes he has the answer. Hamm had just finished the first draft of his book about the Midwest bank bandits, and he sent it to Peter Langan to do some fact checking.

Professor MARK HAMM (Indiana State University): And upon reading that in his prison cell, he wrote me back and encouraged me to look in the direction of a wider conspiracy into the Oklahoma City bombing.

GOODWYN: Hamm was intrigued by Langan's little hint, and he began a whole new line of investigation. From his own prior book research, Hamm already had a detailed time line of the movements of the Midwest bank bandits. Now he put together a time line for McVeigh. He was amazed at what he found.

Prof. HAMM: There were four instances between 1993 and April of 1995 when members of the Aryan Republican Army and Timothy McVeigh were, in fact, in the same towns on the same day, and these were not places like Chicago or Los Angeles. These were places like Rogers, Arkansas.

GOODWYN: Hamm says that one convergence could be considered a wild coincidence, but that four occasions in the same town on the same day he considers

overwhelming evidence. Hamm believes the bombing plot may have been furthered at a militia compound near the Oklahoma-Arkansas border called Elohim City. There were dozens of like-minded white supremacists who lived there, including family members and followers of Richard Wayne Snell, a leader of the movement. For years, Oklahoma authorities had a file open on Elohim City, and according to one police investigator, Timothy McVeigh visited more than 20 times. And the Aryan bank robbers liked to stay there, too. In fact, the idea to blow up the Murrah Federal Building came from Richard Wayne Snell. Snell evaded federal taxes and eventually the IRS seized his property. Snell decided to flatten the Murrah Building because that's where the IRS was. Before he could get to that, Snell was arrested and executed by the state of Arkansas for murdering a pawnbroker. Want to know what date Snell was executed? April 19th, 1995, eight hours and 58 minutes after Timothy McVeigh made Snell's twisted ambition come true. Snell had bragged for weeks to his death row guards that on the day of his execution there would be a bombing in retaliation. Professor Hamm doesn't think any of this is coincidence.

Prof. HAMM: By April of '95, Richard Snell was the grand old man of the American radical right. He was involved in a number of the early terrorist attacks. He was the originator of the plan to bomb the Murrah Federal Building, so McVeigh's bombing of the Oklahoma City federal building was a goodbye present, a going-away gift.

GOODWYN: There is also evidence that McVeigh may have robbed banks with the Aryan Republican Army. Witnesses in Overland Park, Kansas, helped authorities create two sketches of the robbers. One sketch looks like Richard Guthrie; the other sketch resembles Timothy McVeigh--narrow face, slightly sunken cheeks, sharp nose, the thin, almost lipless mouth. When the bandits hit a bank in Middleburg, Ohio, the surveillance video shows members of the gang and someone who looks very much like McVeigh. The FBI agents who investigated that robbery thought it looked so much like McVeigh that they sent stills from the video to their lab for confirmation. In a highly unusual move, the FBI lab destroyed that photographic evidence, even though those bank robbing cases were still on appeal.

But if the FBI's handling of that evidence seems surprising, so does the bureau's approach to the fingerprint evidence taken from McVeigh's hotel room in Junction City, Kansas. The Dreamland Hotel was where McVeigh stayed until he left to bomb the building. On April 15th a man named Jeff Davis delivered an order of Chinese food to McVeigh's room. Davis testified in Nichols' first trial that the person who answered the door was not Timothy McVeigh. Davis helped create a sketch of the man and it looked nothing like McVeigh or Terry Nichols. So who was this man with

McVeigh right before he blew up the building?

Ms. KATHY WILBURN(ph): We go to the Dreamland Motel and we talked with Leah McGowan, the owner there. You know, there was numerous people seen coming and going from McVeigh's room.

GOODWYN: Kathy Wilburn lost her two grandchildren to Timothy McVeigh's plot. Chase and Colton Smith, two and three years old, were in the day care directly above where McVeigh parked his truck. When Wilburn heard that the FBI had taken 20 unaccounted-for fingerprints from McVeigh's hotel room, she believed the FBI was on the verge of solving the plot. But to her surprise, the FBI flatly refused to run those fingerprints through its database. The government spent more than \$80 million investigating the Oklahoma City bombing, and the FBI's explanation for why it won't run those 20 fingerprints makes Wilburn furious.

Ms. WILBURN: Well, I've set through Nichols' trial, wanting to learn everything I could possibly learn about what really happened, and I'm watching FBI agent Louis Hupp, the agent in charge of the fingerprints, testify under oath that he tried on three different occasions to run the fingerprints. Goes, 'I tried to run them, but my superiors wouldn't let me. I was told it wasn't cost-effective.' I was incredulous.

GOODWYN: Kathy Wilburn could not contain herself, and during a break, she approached the FBI agent in charge, John Hersley.

Ms. WILBURN: The trial took a break. Everybody left the courtroom, and I'm in there with agent John Hersley, the case agent in charge, and I'm saying, 'You know, John, you know, what's going on? Why don't you run the fingerprints?' And John says, 'Well, now, Kathy, we're going to, but we just don't want to give Michael Tigar any more ammunition to point the finger at someone else. When this trial is over, we're going to run the fingerprints.' To this day, the fingerprints have never been run.

GOODWYN: Michael Tigar was Terry Nichols' lawyer in the federal case, and his cross-examinations of the FBI agents was at times scathing and intense. The jury declined to find Nichols guilty of murder. Instead, it convicted him of conspiracy. Afterwards, the jury foreman said, 'The government dropped the ball. I think there are other people out there.'

The FBI's refusal to compare the unknown fingerprints from McVeigh's hotel room even against the fingerprints they already have on file for Richard Guthrie, Peter

Langan and the other members of their gang demonstrates how the bureau can control the direction of a case by what it will and will not investigate. The FBI declined to comment on tape for this piece. The bureau's official position is that the Oklahoma City bombing case is solved. Kathy Wilburn disagrees. She says there are numerous bombing victims who've come to believe that there were others unknown with McVeigh on that beautiful spring morning. Wilburn says she and the others like her have given up on the government. They're now hoping Nichols' defense team will force the truth out. Wade Goodwyn, NPR News.

Content and Programming copyright 2004 National Public Radio, Inc. All rights reserved.