

# FBI whistleblower testifies that government scientist lied

McALESTER, Okla. (AP) — A government scientist lied when he claimed that ammonium nitrate crystals found on Oklahoma City bombing debris had been embedded by the force of the blast, an FBI whistleblower testified Wednesday at bombing conspirator Terry Nichols' state murder trial.

Frederic Whitehurst, testifying for the defense, said an FBI forensic scientist he trained himself, Steven Burmeister, also lied when he testified that the crystals came from the kind of fertilizer believed to have been used in the bombing.

Whitehurst said there was not enough evidence to support either of Burmeister's conclusions.

"He is my student. And I trust him like a brother. But he lied under oath. He lied," Whitehurst said, appearing to grimace with emotion.

The bomb destroyed the Oklahoma City federal building on April 19, 1995, killing 168 people. Judge Steven Taylor told jurors that closing arguments are tentatively scheduled to begin Monday afternoon.

Whitehurst said he questioned Burmeister's truthfulness after reviewing transcripts of his testimony at the 1997 federal trials of Nichols and bomber Timothy McVeigh, who was executed in 2001.

Burmeister's testimony was the same when he testified at Nichols' state trial last month. Prosecutors have said Burmeister's discovery is key to proving Nichols helped McVeigh gather components and build the bomb.

Whitehurst is an FBI whistleblower whose mid-1990s allegations of shoddy work inside the FBI lab led to widespread changes.

The Justice Department inspector general's office investigated the lab for 18 months and criticized the facility for flawed scientific work and inaccurate, pro-prosecution testimony in major cases, including the Oklahoma City bombing.

The Associated Press last year reported that Burmeister himself alleged to the Justice Department's inspector general that the bombing evidence was tainted by shoddy work and contamination problems, then recanted the allegation a few months before he testified in the McVeigh trial.

Whitehurst's testimony focused on a shredded piece of plywood recovered two days after the bombing that authorities believe came from the cargo container of the Ryder truck that delivered the bomb. The debris, found in a parking lot across the street from the Alfred P. Murrah Federal Building, is the only direct evi-

dence of the explosive used.

Whitehurst said he saw the crystals through a microscope after Burmeister discovered them, but that it was impossible to say whether the crystals were embedded or sprinkled on the debris as a result of contamination.

Whitehurst testified that Burmeister began referring to the

crystals as embedded following a meeting with federal prosecutors involved in McVeigh's trial.

Nichols, 49, could face the death penalty if convicted of 161 counts of murder in the bombing. A federal jury found him guilty in 1997 of bombing-related charges, and a judge sentenced him to life in prison.