

Oklahoma City bombing case file too massive to search, FBI tells Utah judge

By Geoffrey Fattah, Deseret News

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SALT LAKE CITY — If there is previously undisclosed footage from the 1995 Oklahoma City bombing, the FBI's investigation case files are so massive, it would be impossible to find, a top FBI official told a Utah federal judge this week.

In a declaration filed in U.S. District Court, the FBI's top records manager, David M. Hardy, stated that his agency had conducted a reasonable search for video footage requested through a Freedom of Information Act by Salt Lake City attorney Jesse Trentadue.

Due to past evidence that Hardy had provided false and misleading information to a court in another case, U.S. District Judge Clark Waddoups ordered Hardy to declare that he or any of the involved federal agents had not provided the court with incomplete or misleading information. Waddoups expressed concern about the previous unrelated case: "When the deception was revealed, the government argued that it had authority to mislead the court and requested an opportunity to brief the issue."

In his declaration, Hardy assured the court that he had not misrepresented information, nor had misled the court. Hardy went on to say that the FBI did what it could to search an electronic filing system of all files related to the Oklahoma City bombing investigation. "The OKBOMB investigation was one of the largest investigations in the FBI's history," Hardy wrote, adding because of the "urgency and magnitude" of the early days of the investigation, not every document was serialized. All evidence from the case was relocated to a warehouse containing about 450,000 pages of documents.

"A manual search of this material would be extremely time consuming and unprecedented in the history of the FBI FOIA program," Hardy stated.

That does not give much comfort to Trentadue, who for the past several years has gone up against several federal agencies in his quest to solve his brother's death. Trentadue's brother died in a federal detention center in Oklahoma. He believes federal agents beat his brother to death during an August 1995 interrogation — mistaking him for another man they were looking for, connected to the bombing.

Trentadue claims the FBI has surveillance footage from a police dashcam taken at the Alfred P. Murrah Building in Oklahoma City that shows the man who looks like his brother. His brother was living in California and had been picked up on a federal parole violation. He was then transported to Oklahoma City for processing.

Trentadue said he believes the FBI is continuing to hide evidence. Hardy told Waddoups that a manual search of the evidence files would take over a year and a half at an estimated rate of 800 pages a day.

"They are, in plain English, in contempt of the court's order," Trentadue said.

The FBI has repeatedly declined to comment, citing pending litigation.

E-mail: gfattah@desnews.com