

Key Report on OKC Bombing *by William F. Jasper*

Timothy McVeigh has been punished for his crime, but the Final Report of the Oklahoma Bombing Investigation Committee indicates that other perpetrators remain at large.



Final Report on the Bombing of the Alfred P. Murrah Building, April 19, 1995, by the Oklahoma Bombing Investigation Committee, Oklahoma City, Oklahoma: 2001, 576 pages, paperback, \$29.95. Available on or about Aug. 1st from American Opinion Book Services, P.O. Box 8040, Appleton, WI 54912 (add \$7.50 for shipping and handling); by phone at 920-749-3783; or online at www.aobs-store.com.

For six years, former Oklahoma State Representative Charles Key and a small group of dedicated supporters have conducted a heroic and intensive inquiry into the Oklahoma City bombing. Against incredible odds and enormous political pressures, they have produced a critically important report on "the deadliest terrorist attack ever on American soil." Their nearly 600-page study — the size of a Los Angeles telephone book — is an impressive achievement and a vital contribution in the quest for justice. Jam-packed with important court documents, trial transcripts, affidavits, expert testimony, photographs (including 50 full-color evidentiary photographs), illustrations, suspect sketches, FBI and ATF documents, and eyewitness statements, the *Final Report* finally presents the American public with *the* definitive report on the bombing and the subsequent federal investigation/cover-up and trials.

Timothy McVeigh, the convicted and confessed "lone bomber," has been executed, but that does not close this case. Along with millions of other Americans, the members of the Oklahoma Bombing Investigation Committee (OKBIC) are convinced by overwhelming evidence that McVeigh did not act alone and that his co-conspirators are still at large. Unlike most other Americans, however, the OKBIC members have not merely followed the bombing investigation through media reports and government press releases; they have been directly, personally involved, literally immersed in the investigation of the bombing almost since day one.

A Troubling Pattern

Charles Key was serving his fifth term in the Oklahoma legislature as a state representative when the bombing occurred. Within days, victims began contacting him to express concerns about the manner in which the federal

government was conducting the investigation. They implored him, in his capacity as an elected official, to pursue further investigations. Key wrote a letter to the Speaker of the House of the Oklahoma legislature requesting a legislative investigation. The Speaker informed him that such an effort would only interfere with the ongoing federal investigation. As that investigation progressed, though, more and more troubling facts and reports were being brought to Key's attention. Even as world-renowned explosive experts were challenging the government's theory of the bombing, federal authorities moved to demolish the building. This meant destruction of vitally important crime scene evidence that was crucial to solving the crime. At the same time, he was hearing from victims and witnesses about improprieties by federal investigators that pointed to a troubling pattern. At the urging of constituents and victims, he formed the OKBIC as a private, non-profit organization to carry out an independent fact-finding effort concerning the bombing.

Other OKBIC members are:

- V.Z. Lawton, an employee with the U.S. Department of Housing and Urban Development (HUD), who was sitting at his desk in the Murrah Building when the bomb exploded on April 19, 1995. Many of his co-workers at HUD and other federal agencies were killed that day.
- Dale L. Phillips, an Oklahoma City civic leader and insurance company president.
- George B. Wallace, a retired fighter pilot and Air Force lieutenant colonel, currently owner of a recycling company.

Citizens' Inquiry

Together with other survivors and Oklahoma residents, the OKBIC has conducted a truly admirable "citizens' inquiry" which has brought to light much important evidence that otherwise would have remained hidden or, likely, would have been destroyed. Operating on a shoestring budget with volunteer help (and, occasionally, a paid, professional investigator) OKBIC has managed to ferret out many important leads, witnesses, and documents that the multi-million-dollar federal investigation — with all of the manpower, resources, and expertise of the FBI and Justice Department — somehow missed.

From the beginning, Rep. Key and his associates and supporters have faced scathing criticism and condemnation from federal authorities in the Clinton administration, Oklahoma political brokers, and the media. They have been called "irresponsible," "anti-government," "extremists," "wackos," "conspiracy theorists," and other pejorative terms.

On the contrary, they have been very sensible, careful, rational, and methodical. In fact, Key and his OKBIC members have done much to debunk many of the sensational rumors and erroneous stories and much of the wild speculation that has abounded on the Internet and talk radio concerning the bombing. At the same time, they have also exposed the blatant misinformation and disinformation dished out by the federal authorities who were charged with investigating this heinous crime.

An In-depth Examination

The sheer volume of facts and evidence in the case, combined with the six-year time lapse, virtually guarantees that all but those who are steeped in the minutiae of the bombing will have very foggy memories about many of the most important details. That is why the OKBIC *Final Report* is so important. Beginning with the Preliminary Hearing for Timothy McVeigh on April 27, 1995, before U.S. Judge Ronald L. Howland, the report takes the reader step-by-step through the prosecution's case, citing key passages in the court transcripts and pointing out the serious flaws, problems, and discrepancies. At the Preliminary Hearing, FBI Agent Jon Hersley, who would play a prominent role throughout the trials of McVeigh and Terry Nichols, presented the testimony of eyewitnesses identifying McVeigh as the primary suspect in the bombing. The *Final Report* presents excerpts and summaries of this important testimony, which led to the indictment of McVeigh, Nichols, Michael Fortier, and "others unknown."

Very early on, however, a disturbing pattern developed. The witnesses who were deemed sufficiently credible to indict McVeigh suddenly became non-credible. It soon became unmistakably clear that Janet Reno's Department of Justice (DOJ) was determined to tie all culpability for the bombing *solely* to McVeigh and Nichols. The OKBIC report states:

It is important to note that Timothy McVeigh was indicted because of evidence provided by eyewitness accounts of his actions while in the company of other persons in the days [leading] up to, and on the day of, the bombing. However, in the federal trials, prosecutors selectively culled out eyewitnesses to "Others Unknown" and did not call any witness who testified to seeing McVeigh in the company of others.

The *Final Report* next takes the reader through the federal trials of McVeigh and Nichols, with judicious selections from the transcripts highlighting the major holes in the government's presentation. That includes, of course, the problem of the forensic evidence pertaining to the explosive device in the Ryder truck. The testimony of explosives experts at the trials, together with the report of the DOJ's Inspector General (IG) censuring the explosives analysis of the FBI crime laboratory, caused the government's bomb theory to blow up in the prosecution's face.

Explosive Evidence

This leads directly to the *Final Report's* important Chapter 5, "Damage to the Alfred P. Murrah Building," which surveys and analyzes the available evidence concerning the nature of the explosives used in the bombing of the Murrah Building. The report examines the expert opinions of renowned authorities who challenge the government's contention that the bombing involved only the device in the Ryder truck. Readers of THE NEW AMERICAN are familiar with the statements of nuclear physicist Sam Cohen, Brigadier General Benton Partin, NASA scientist C. Frederick Hansen, and others who authoritatively assert that the truck bomb could not have caused the extensive structural damage sustained by the Murrah Building without the use of additional contact charges placed on the building's large, steel-reinforced concrete columns.

A completely new in-depth analysis of photographic, seismic, and blast data by Robert D. Vernon, president of Microlithic Technologies, adds even more credibility to the already overpowering evidence that high-explosive charges were used along with the truck bomb. The excellent color photographs and computer-generated illustrations of the Murrah Building greatly enhance the effectiveness of Vernon's compelling presentation.

A significant portion of the Vernon study is devoted to examination of the evidence concerning the size of the crater created by the truck bomb. "Of all the items of physical evidence at the Murrah Building site, the crater, its location, and its dimensions are the single most significant indication of the location and performance of the explosive device that was allegedly contained in the Ryder truck. Yet no item of evidence has been more widely misreported and misrepresented."

Vernon shows that government statements, press reports, the government's expert witnesses at the trials, and supposed "expert" studies all greatly inflated the size of the crater, which thereby provided "evidence" for a much bigger truck bomb, thus rendering the government's scenario more plausible.

FBI Special Agent Dave Williams, one of the FBI lab "experts" singled out for special censure in the previously mentioned IG report, claimed that the crater was 32 feet in diameter. A study by a federal Building Performance Assessment Team (BPAT) composed of personnel from the Federal Emergency Management Agency (FEMA) and the American Society of Civil Engineers (ASCE) lists the crater diameter as 28 feet.

As Vernon demonstrates from photographic evidence, though, "the actual, penetrating crater cannot reasonably be construed to exceed 18 feet in its longest dimension." This is very significant. Vernon notes: "The very foundation upon which all further BPAT blast loading calculations were based — an explosive charge equivalent to 4,000 pounds of TNT — was a deceptively

overstated crater diameter.... According to the BPAT's own calculations, a lesser air blast ... would have been insufficient to have caused column G16 [A7] to fail in shear."

But, as Vernon points out, the prestigious members of the BPAT study were not entirely to blame for the misinformation in their report, since they were not allowed actual access to the bombing site, and were forced to depend on data provided by the FBI. In other words, these eminent engineers were used to provide a false cover of authoritative support for the phony crater story favored by the DOJ/FBI team.

Experts for the defense were also denied access to measure the crater. "Why was access to the evidence of the size and nature of the crater deliberately withheld from the defense team?" Vernon asks. "Was this impropriety not comparable to the recently revealed withholding of thousands of evidence documents from the defense by the FBI?"

In its chapter entitled "Government Improprieties," the *Final Report* lists many other persistent errors and abuses by the FBI and federal prosecutors, including: quashing reports of undetonated devices found in the Murrah Building; failure to follow up leads on John Does; refusal to release surveillance videos confiscated after the bombing; refusal to check 1,034 crime scene fingerprints against possible suspects; intimidation of witnesses; altering evidence; destroying evidence; lying to the court; judicial improprieties, and much more.

The chapters dealing with prior warning of the bomb attack and the search for the identities of additional John Does seen with McVeigh are also important, both for the new evidence and witnesses presented, as well as for the assembling of previously released material all in one handy, accessible report.

Detailed Documentation

The massive appendix in the Final Report includes more than 150 pages of documentation, including police reports, documents from ATF and FBI files, witness affidavits, Freedom Of Information Act documents, suspect sketches, expert statements, and technical reports. Among these documents, can be found, for instance, ATF field documents and trial documents relative to undercover informant Carol Howe and the subjects of her investigation at Elohim City. Also, a photocopy of the traffic ticket issued to McVeigh near that rural compound and a copy of his phone record showing his call to Elohim City for Andreas Strassmeir. The report is fully indexed making it doubly valuable for researchers.

The *Final Report* is *the* comprehensive reference work on the Oklahoma City bombing. But it is also far more than that. It is a window into the dark recesses of corruption and government criminality and abuse that have become all too-

common features of everyday life in America. It is also a shining example of what private citizens dedicated to the pursuit of truth can accomplish. It is unfortunate that the OKBIC was unable to bring this important report to the American people months earlier, when it may have been able to exercise a bigger impact on the ongoing efforts to force the release of evidence and documents still being suppressed. But it is not too late to put the information in it to use. As the report points out, it is up to the American people to force Congress to step up to the plate and perform its constitutional duties of overseeing and investigating the executive branch agencies responsible for the abuses and criminal activities documented in this study.

For more information on the Oklahoma City bombing case, see www.thenewamerican.com/focus/okc/.