

The Juror

Relying on Judaism, forewoman Niki Deutchman spares the life of Oklahoma City bombing abettor Terry Nichols

By Debra Nussbaum Cohen, Jewish Telegraphic Agency



Left to right, Niki Deutchman, Terry Nichols and Nichols' lead defense attorney Michael Tigar. Tigar apparently knew of Deutchman's Jewishness. Photos by Reuters

Growing up in northern Idaho, Niki Deutchman had no idea that she would one day play a pivotal role in one of America's most infamous trials. But she did have an inkling that she would become a Jew.

Deutchman was the forewoman of the jury that was unable to decide the fate of Terry Nichols for his role in the April 19, 1995, bombing of an Oklahoma City federal building which killed 168 people. While a majority of jury members favored the death penalty, a few disagreed, including Deutchman, whose stance and public comments after this month's trial infuriated many of the people affected most directly by the bombing, particularly relatives of the dead.

Deutchman's central role in sparing Nichols' life has turned the spotlight on the 47-year-old childbirth educator from Denver and reignited debate over the death penalty.

In a telephone interview, Deutchman, who has received several death threats, talked of her path to Judaism and her faith's impact on the way she handled the case.

"Being Jewish helped me to be able to keep an open mind and really consider the evidence," said Deutchman, who became a Jew 24 years ago, after a lifelong interest in Judaism. "In Judaism, there are a lot of sides to every question."

The jury convicted Nichols of conspiracy and involuntary manslaughter. It acquitted him of two bomb-related counts and of murder.

The jury would have had to vote unanimously for his execution. The most severe penalty that the judge in the case, Richard Matsch, may now impose is a life sentence.

Deutchman, who said that she wore a Star of David necklace at the Jan. 7 news conference following the jury's dismissal, said that she did not consult with her rabbi or any others about her position on the death penalty in this case. But she said that she plans to talk about the issue further with the rabbi of her Reform congregation in Denver.

"My feeling has been — and I may re-evaluate it now — that the death penalty is something that is not for us to judge, but probably something between each person and God."

At the same time, she said that "if someone is truly a threat in a big way to others, and has been found guilty of a crime, then maybe the threat needs to be removed," she said. "I had to be able to feel like the death penalty had some sort of place to be able to serve on this jury."

Judaism, too, has a mixed view of the death penalty. While many Jews are opposed to the death penalty, it is not forbidden by Jewish law. However, in times when Jewish courts had the ability to impose capital sentences, it "never, ever was" employed, said Rabbi Michael Brody, the director of the Beit Din of America, an Orthodox religious court.

Deutchman's rabbi, Steven Foster of Denver's Reform Temple Emanuel, said: "The death penalty as it was reflected in the Bible was really the first insurance program. The notion of 'a life for a life' was not intended to take a life," but was instead intended to provide compensation to relatives of murder victims.

He noted that the Reform movement has taken the position that the death penalty "is contrary to the worldlier of our people."

When he learned that his congregant was on the Nichols jury, Foster told her that he didn't want to discuss the trial with her, that he didn't want "to compromise" her, he said. But when the trial was over, he called Deutchman to tell her that he was proud of her "for taking her stand."

Although Deutchman was advised by her attorney and law enforcement officials not to speak to the press — since she had received death threats — she answered JTA's questions.

Deutchman, who, this week, was preparing to teach a childbirth education course from a Jewish perspective, said that her goal was "to do justice, rather than vengeance."

She was critical of the government's handling of the case, saying: "The evidence that the government presented did not convince me beyond a reasonable doubt that Nichols is indeed so involved in this whole thing that he is a major threat. I had to follow the law."

In her news conference, she went further, saying that the government had "dropped the ball," and that the prosecutors had used "distortion and innuendo."

She also said that "Terry Nichols wasn't directly present or implicated with anything," and praised Nichols' lead defense attorney, Michael Tigar, who, according to news stories, tried to charm jury members by framing his questions and comments in a way that he thought that they could relate to.

In his summation, Tigar, who apparently knew of Deutchman's Jewishness, spoke about family relationships, using the biblical patriarch, Joseph, and his brothers as a model.

While growing up in a Christian home in northern Idaho, Deutchman

had a keen interest in things Jewish.

"I did a lot of Bible study on my own," she said. "When I asked my Sunday-school teachers about what being Jewish was all about, they wouldn't know how to answer, and they didn't care. They just sent me off to read some Bible passage, which didn't even deal with the questions, just to get rid of me."

After two years of college at the University of Idaho, Deutchman wanted to travel and went to Israel on a Brandeis University program.

When she returned to the United States, she contacted a rabbi who encouraged her to begin reading about Judaism. Three years later, she underwent a Reform conversion. Six months after that, she was converted according to Jewish law, she said.

She later married a Jewish man, and, together, they have a daughter who is now 13 and preparing to become a bat mitzvah.

Deutchman has been attending Temple Emanuel each Saturday morning as she prepares for her own, adult bat mitzvah, which is scheduled for June. She said that she, her husband and daughter are regular temple goers.

Under fire from many in her area for allowing Nichols to live, when so many of his victims are

dead, Deutchman has found her synagogue a haven.

"The rabbis and the cantor and some of the congregants have been very supportive," she said.

None of the congregants, she said, "has said anything, even if they didn't agree, and I appreciate that." ■

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