

13

PROCEEDINGS

14

(Reconvened at 1:30 p.m.)

15

THE COURT: Be seated, please.

Honor?

16

MR. TIGAR: May I approach, please, your

17

THE COURT: Yes.

18

(At the bench:)

court

19

(Bench Conference 93B1 is not herein transcribed by

transcript.)

20

order. It is transcribed as a separate sealed

21

22

23

24

25

10997

1

(In open court:)

2

(Jury in at 1:36 p.m.)

apologize

3

THE COURT: Hello, members of the jury. We

with

4

for the delay. I had one of these little private talks

next

5

the lawyers about scheduling, so we're ready for the

6

witness.

7 MR. MACKEY: We are. Regina Bonny, please.
8 THE COURTROOM DEPUTY: Would you raise your
right
9 hand.
10 (Regina Bonny affirmed.)
11 THE COURTROOM DEPUTY: Would you have a seat,
please.
12 Would you state your full name for the record
and
13 spell your last name.
14 THE WITNESS: Regina Bonny, B-0-N-N-Y.
15 THE COURTROOM DEPUTY: Thank you.
16 THE COURT: Proceed, please.
17 DIRECT EXAMINATION
18 BY MR. MEARNS:
19 Q. Ms. Bonny, where do you live?
20 A. In Oklahoma City.
21 Q. How long have you lived in Oklahoma City?
22 A. All my life.
23 Q. Where do you work?
24 A. For the Midwest City Police Department.
25 Q. Where is the Mid -- where is Midwest City located?

10998

Regina Bonny - Direct

1 A. It's approximately 10 miles east from Oklahoma

City.

City? 2 Q. Is Midwest City essentially a suburb of Oklahoma

3 A. Yes.

Police 4 Q. How long have you been working for the Midwest City
5 Department?

6 A. A little over 12 years.

7 Q. And what do you do for them?

8 A. I work the narcotic investigations.

9 Q. How long have you been working narcotics
investigations?

10 A. Approximately 10 years.

11 Q. Did there ever come a time when you were assigned
to a 12 federal narcotics task force?

13 A. Yes.

14 Q. When were you assigned to that?

15 A. I was assigned in February of 1993 to the Drug
Enforcement 16 Administration.

17 Q. And where was that federal task force, that DEA
task force 18 located in April of 1995?

19 A. The Alfred P. Murrah Building.

20 Q. What floor of the Murrah Building?

21 A. The ninth floor.

22 MR. MEARNS: May I have the ninth floor of
Exhibit

23 952, please.

24 BY MR. MEARNS:

25 Q. Do you recognize this diagram, Ms. Bonny?

10999

Regina Bonny – Direct

1 A. Yes, I do.

2 Q. Could you indicate with that electric pen that you
have up

3 on the witness stand -- not that one. There should be
one

4 that's connected to a wire. Okay. If you could reach
down

5 underneath the screen and just draw a large circle
around the

6 office space where the DEA task force was located in
April of

7 1995.

8 A. There was task force in both ends of DEA. We were
kind of

9 scattered.

10 Q. Okay. And if you could clear -- during the time
that you

11 were assigned to this task force, did you get to know
the

12 different people who were employed by the DEA or
assigned to

13 that task force?

14 A. Yes.

desks or 15 Q. And did you get to know where they -- where their

16 offices were located?

17 A. Yes.

the DEA 18 Q. If you could clear that pen and begin first with

offices and 19 office space on the left and take us through those

locations in 20 just tell us who was assigned in those particular

21 April of 1995.

Michelle set 22 A. Okay. Right in here, Rona set (sic) here and

23 here.

24 Q. What are Rona and Michelle's last names?

25 A. Michelle's last name was Lehman. Ms. Rona Chafey.

11000

Regina Bonny - Direct

1 Q. Okay.

2 A. Carrol Fields sat right there.

space. 3 Q. Okay. If you could continue through the office

(sic). 4 A. Okay. Don Webb sat in here, office by himself

5 Dave Schickendanz set here.

6 Phil Long set here.

7 Judy Hoke sat next to Phil Long.

8 Carrie Lenz set here.

9 Ken McCullough.

10 Joe Wyzinski.

11 Mike Bakios.

12 Rob Ryan sat over here.

DEA 13 Q. And were there DEA employees also assigned to that
14 office space on the right of this chart?

15 A. Yes.

desks 16 Q. And could you tell us who -- who had offices or
17 assigned in that area of the ninth floor.

18 A. Yes. My desk was right -- right here.

19 Frank Marino's was right in here.

20 Kevin Waters was right here.

21 Steve Day was in here.

22 Eddie Joe Dillard was in here.

23 And V. Underwood was in here.

that? 24 Q. Was anyone assigned to that office space behind

25 A. No.

11001

Regina Bonny - Direct

the 1 Q. In April of 1995, did the DEA also occupy space on

2 seventh floor of the Murrah Building?

3 A. Yes.

4 MR. MEARNS: If we could have the seventh
floor --

5 floor of Exhibit 952, please.

6 BY MR. MEARNS:

7 Q. Could you clear the pen for us, Ms. Bonny.

8 Could you tell us who then was assigned to
that green

9 DEA office space that we see in the upper right-hand
corner.

10 A. Yes. Donetta -- I can't remember Donetta's last
name. My

11 mind just went blank.

12 Dave Fry.

13 Betty Robins.

14 There was two others. I can't remember their
names.

15 THE COURT: Perhaps you can suggest some names
and see

16 if she can --

17 BY MR. MEARNS:

18 Q. Do you recall that there were five people assigned
in that

19 space?

20 A. Yes.

21 Q. What were those people responsible for? What kind
of

22 investigations?

enforcing 23 A. They were responsible for the pharmaceutical,
24 pharmaceutical laws.

for 25 Q. Those are -- do you use the term "diversion agents"

11002

Regina Bonny - Direct

1 that?

2 A. Yes.

3 Q. Did you have a lot of interaction with the
diversion agents

4 with DEA?

5 A. No.

6 Q. And is that how you're not necessarily familiar
with all of
7 the people that were necessarily assigned in that
space?

8 A. Right.

9 Q. I want to direct your attention now to Wednesday,
April 19,

10 1995. Were you working that day, Ms. Bonny?

11 A. Yes.

12 Q. What time did you get to work that morning?

13 A. It was around -- between 8 and 8:15 a.m.

14 Q. What did you do after you arrived at work?

15 A. I dropped my briefcase and my purse off at my
office. I

with the 16 walked down to the main office, got my coffee, talked

17 girls a little bit.

18 Q. Who did you see that morning?

19 A. I saw Rona, Carrie, Carrol, and Shelly, and Dave
20 Schickendanz.

women that 21 Q. How long did you have the conversation with the

22 you've identified?

normally 23 A. It was for quite a while. I stayed longer than I

24 did.

25 Q. Where did you go after you had that conversation?

11003

Regina Bonny - Direct

a 1 A. I walked back down to my office and started typing

2 report.

get back 3 Q. And what time -- approximately what time did you

4 to your office?

and 5 A. It was five or ten minutes I had been down there,

6 that's when I heard the explosion.

ten 7 Q. So you were back in your office for about five or

8 minutes before the explosion?

9 A. Right.

10 Q. Tell us about what happened when you experienced
the
11 explosion.

12 A. I was sitting down, typing. The first thing that
happened
13 was the lights went out. My computer went off. I
stood up. I
14 heard the explosion. The last thing I remember seeing
was a
15 coat rack. The next thing I knew, I was down on my
knees, and
16 my arms were above my head, and I was -- there was
stuff on top
17 of me.

18 Q. Were you knocked -- excuse me. Were you knocked
19 unconscious for a short period of time?

20 A. Yes.

21 Q. What did you see when you regained consciousness?

22 A. A lot of rubble that was on top of me and in front
of me,
23 so I just started digging my way out.

24 Q. What did you do?

25 A. I got my hands free and used my hands to pull
things off of

11004

Regina Bonny - Direct

1 me.

2 Q. How long did that take?

3 A. It took a little while. I -- I don't know how much
time.

4 Q. What did you do next?

5 A. After I was able to get the stuff off of me, I
crawled

6 underneath the desk and was able to find a place where
I could

7 stand up. I looked around. I knew -- when I looked
around, I

8 noticed that -- I knew then that a bomb had exploded
just by

9 the destruction.

10 Q. So what did you do?

11 A. I instantly started hollering to see if anybody
could hear

12 me, and then I heard the two ATF agents hollering for
help.

13 Q. So what did you do?

14 A. I went to where they were hollering at. The first
agent I

15 came to, he was covered in rubble.

16 Q. Who was that? Do you recall seeing Mr. Staggs that
17 morning?

18 A. Yes. It wasn't Skaggs (sic). It was Vernon,
Vernon

19 Buster.

20 Q. What did you do when you saw Mr. Buster?

21 A. I started pulling the rubble off of him. I got the
rubble

22 off of him. And there was a piece of metal in his
back, and he
23 told me he couldn't get up. So I pulled the metal out
of his
24 back and then he got up. I looked him over to make
sure that
25 he was okay as far as bleeding real bad, and he was
okay then.

11005

Regina Bonny - Direct

1 And then I went to Jim Skaggs (sic).
2 Q. What did you do at that point?
3 A. He was sitting down. And he had a very bad head
injury. I
4 got him to stand up. I told him I was going to take
his shirt
5 off and -- and put it around his head. I unbuttoned
his shirt
6 and I stuffed part of the shirt into the hole of his
head and
7 wrapped it around his head, and I told him to hold his
shirt
8 tight against his head. And then I told them both that
we
9 needed to get out of the building. It took us a while
to find
10 a stairway. When we found it, I took them both
outside. I
11 asked some people out there to get them medical help.
And then

were at, 12 I saw Dave Schickendanz. I asked him where the girls
I go 13 and he told me they were still up in the building. So
14 back up in the building to get the girls out.

building? 15 Q. What did you see when you got back into the

the 16 A. I was running up the stairs, and there was a man on

stairways. I 17 stairway who was having problems getting down the

started 18 asked him if he needed help, and he told me yes. I

and they 19 helping him down, and somebody come up from behind me

20 said that they would take him down, and I said okay.

21 Q. So what did you do next?

And I 22 A. I continued going up the stairs to the ninth floor.

23 got to our office, and the DEA office was not there.

anybody who 24 Q. Did you speak to or have a conversation with

25 was on the ninth floor at that time?

11006

Regina Bonny - Direct

1 A. Yes.

Frane? 2 Q. Did you speak to an ATF agent by the name of Luke

3 A. Yes, I did.

4 Q. At that point, did you then exit the building for
the last
5 time?

6 A. I went on different floors hunting for people. And
then
7 I -- I exited and I went hunting for help. And found
my
8 husband in the intersection, and my husband took me to
the
9 doctors at that point.

10 Q. How many employees of the Drug Enforcement
Administration
11 were killed in the explosion on April 19th?

12 A. Five.

13 Q. And did you know all of those people?

14 A. Yes.

15 MR. MEARNS: Your Honor, may Agent Tongate
display
16 Government Exhibit 1082?

17 THE COURT: Yes.

18 MR. TIGAR: Subject to our discussion, your
Honor.

19 THE COURT: Yes. Same position.

20 BY MR. MEARNS:

21 Q. Ms. Bonny, the first person depicted in the upper
left is
22 Shelly Bland; is that correct?

23 A. Yes. Yes.

24 Q. What was Ms. Bland's position with the DEA?

25 A. She typed the agents' and the task force officers'
reports,

11007

Regina Bonny - Direct

1 and she was learning how to do asset forfeiture.

2 Q. How long had she been employed by the DEA?

3 A. Approximately one year.

4 Q. The next woman over to the right of that is Rona
Chafey.

5 How long had she been employed by the DEA?

6 A. A little over a year.

7 Q. And what did she do?

8 A. She typed task force officers' reports and agents'
reports.

9 Q. The next woman is Carrol Fields. What was her
position

10 with the DEA?

11 A. She was the office manager. She handled
everything.

12 Q. And as of April 19th, 1995, how long had Ms. Fields
been

13 working for the DEA?

14 A. 30 years.

15 Q. On the second row, the first -- the woman pictured
there is

16 Carrie Lenz; correct?

17 A. Yes.

18 Q. And what did Ms. Lenz do for the DEA?

19 A. She did asset forfeiture.

20 Q. And how long had she been working for the DEA?

21 A. For approximately -- it was three or four years.

Ken
22 Q. And the fifth person pictured on the chart is Agent

23 McCullough; correct?

24 A. Yes.

25 Q. And he was, in fact, a DEA agent?

11008

Regina Bonny - Direct

1 A. Yes.

DEA?
2 Q. How long had Agent McCullough been working for the

3 A. Approximately three or four years.

federal law
4 Q. And on April 19th, 1995, was Agent McCullough a

official
5 enforcement officer engaged in the performance of his

6 duties?

7 A. Yes.

did you
8 Q. Prior to coming to court this afternoon, Ms. Bonny,

of the
9 put the names of these five individuals on a floor plan

10 ninth floor of the Murrah Building?

11 A. Yes.

12 MR. MEARNS: Your Honor, that is -- we've
identified

13 that as Government Exhibit 952I.

14 THE COURT: All right. Same position with
respect to

15 that?

16 MR. TIGAR: Yes.

17 MR. MEARNS: Thank you.

18 THE COURT: Mr. Tigar, do you have some
questions?

19 CROSS-EXAMINATION

20 BY MR. TIGAR:

21 Q. Good afternoon, ma'am.

22 A. Hello.

23 Q. My name is Michael Tigar. I'm one of the lawyers
that

24 Chief Judge Russell appointed in the case way back in
May of

25 1995.

11009

Regina Bonny - Cross

1 A. Yes.

2 Q. I wonder, could you -- can you answer just a couple
of

3 questions?

4 A. Sure.

5 Q. Okay. The DEA, that's called -- that's the Drug
6 Enforcement Administration; right?

7 A. Yes.

8 Q. And their law enforcement responsibilities include
9 detecting and investigating and helping to prosecute
people
10 that are using illegal drugs; right? Is that one of
the things
11 they do?

12 A. That are using -- that are distributing drugs.

13 Q. Distributing drugs. Right. That's -- I mean, they
go
14 after drug dealers; right?

15 A. Yes.

16 Q. And then there was the particular thing you were
working
17 on. Was that the diversion program? Were you working
in the
18 diversion program?

19 A. No.

20 Q. Oh, but other people in the office were doing that?

21 A. The people that was on the seventh floor --

22 Q. Okay.

23 A. -- was working on diversion.

24 Q. That means diverting things out of the regular
25 pharmaceutical use for illegal sale; is that right?

11010

Regina Bonny - Cross

1 A. I couldn't tell you their responsibilities. I
didn't work

2 with them.

3 Q. All right. You worked with the agents that were
going

4 after the illegal drugs, the street drugs; is that what
you

5 were doing?

6 A. Yes.

7 Q. Okay. Now, I wanted to ask you a couple of
questions about

8 your going up and down those stairs --

9 A. Okay.

10 Q. -- if that's okay.

11 A. Uh-huh.

12 Q. Did you see -- was there -- there was a lot of
debris and

13 rubble; correct?

14 A. Yes.

15 Q. And was there water dripping down that you could
see? I

16 mean, did it look like water pipes were broken or
anything like

17 that?

18 A. Not where I was at.

19 Q. Okay. And was the -- were the ceiling -- did they

have

20 those -- the suspended ceilings, you know, with the
ceiling

21 tiles, in the --

22 A. They did have.

23 Q. -- in those floors? And those were coming down;
right?

24 A. Yeah. Those were gone.

25 Q. That was a part of the debris that was in there;
correct?

11011

Regina Bonny - Cross

1 A. Yes.

2 Q. And things that were in the office were broken up
and just

3 hurled around by the force of the explosion; is that
what you

4 saw?

5 A. Yes.

6 MR. TIGAR: Okay. Thank you very much. I
have

7 nothing further. Thank you for answering my questions.

8 MR. MEARNS: She may be excused, your Honor.

9 THE COURT: I take it that's agreed.

10 MR. TIGAR: Yes, of course.

11 THE COURT: You may step down. You're
excused.

12 Next, please.

13 MR. MACKEY: FBI Agent Donald Sachtleben.

14 THE COURT: All right.

15 THE COURTROOM DEPUTY: Would you raise your
right
16 hand, please.

17 (Donald Sachtleben affirmed.)

18 THE COURTROOM DEPUTY: Would you have a seat,
please.

19 Would you state your full name for the record
and
20 spell your last name.

21 THE WITNESS: Donald Sachtleben, spelled
22 S-A-C-H-T-L-E-B-E-N.

23 THE COURTROOM DEPUTY: Thank you.

24 MS. WILKINSON: Thank you, your Honor.

25 DIRECT EXAMINATION

11012

Donald Sachtleben - Direct

1 BY MS. WILKINSON:

2 Q. Mr. Sachtleben, you're an agent with the FBI; is
that

3 right?

4 A. Yes, I am.

5 Q. How long have you been an agent?

6 A. Just over 14 years now.

7 Q. And did you attend undergraduate university at
8 Northwestern?

9 A. Yes. I received a bachelor's degree from
Northwestern.

10 Q. And where did you attend law school?

11 A. Yes, I did. De Paul University.

12 Q. Now, where were you assigned back in April of 1995?

13 A. At that time, I was assigned to the San Francisco
field
14 office.

15 Q. And after the bombing on April 19th, 1995, were you
sent to
16 Oklahoma City?

17 A. Yes. I traveled to Oklahoma City that same day,
arriving
18 about 1:00 in the morning on the 20th.

19 Q. So I take it you didn't go to the crime scene on
20 April 19th?

21 A. No. I called in and then went to a hotel.

22 Q. Okay. That morning on April 20th, were you
assigned to be
23 a team leader?

24 A. Yes, I was.

25 Q. What was the number of your team?

11013

Donald Sachtleben - Direct

1 A. Team No. 5.

2 Q. And can we call you the "parking lot guy"?

3 A. I think so.

4 Q. Were you in charge of the parking lot at the crime
scene

5 across from the Murrah Building?

6 A. Yes. Yes. My -- the parameter or area that my
team was

7 assigned to was, in fact, the parking lot across from
the

8 building, as well as the Athenian Building next to it.

9 Q. And because of the nature of the damage to that
area, did

10 you and your team stay in that one area, and was that
assigned

11 a separate grid area?

12 A. Yes. We designated that as Grid No. 5, and my team
stayed

13 there pretty much the whole time that I was at the
scene.

14 Q. When did you and your team begin examining evidence
in the

15 parking lot across from the Murrah Building?

16 A. Approximately midday on the 20th.

17 Q. I said "examining." Maybe I'm wrong. Or
collecting

18 evidence, would that be --

19 A. Looking at the scene and beginning to collect, yes.

20 Q. Can you tell us first what you saw when you looked
at the

21 parking lot that first day.
22 A. Well, on the morning of the 20th, when I first
walked
23 through the parking lot, I saw a good number of cars in
that
24 parking lot that had damage to them. I saw a good deal
of
25 debris scattered around the cars. Some of the debris
appeared

11014

Donald Sachtleben - Direct

1 to me to have been from the building; that is, I could
see
2 window frames and pieces of rubble. And that pretty
much
3 covered the -- the surface of the parking lot.
4 Q. Okay. How did you first conduct your search of the
parking
5 lot area?
6 A. The first thing I did was to designate from my team
several
7 individuals to photograph the entire parking lot. In
addition
8 to that, I assigned some of the team members to sweep
out an
9 area in the northeast corner of the parking lot that we
could
10 then use as a -- a collection point, administrative
point for

11 the team.

12 Q. Okay. And did you keep track of the cars that were
in the
13 parking lot?

14 A. Yes. I did also -- while the photographers were
working, I
15 assigned several people to go around and number each
car and,
16 while they were doing that, to collect information on
license
17 plate, the vehicle identification number, that sort of
thing.

18 Q. Now, during that time that you and your fellow
teammates
19 were in the parking lot, did you actually seize some
evidence?

20 A. On the 20th, yes, we did -- we did seize some
evidence on
21 the 20th.

22 Q. And did you continue to do that in the days
following the
23 bombing?

24 A. Yes, we did.

25 Q. Before we get to some of the evidence you seized,
could I

11015

Donald Sachtleben - Direct

1 show you a few pictures of the parking lot so you can
orient

2 the jury.

3 A. Okay.

4 Q. I'm going to show you what is not yet in evidence
marked

5 Defendant's Exhibit 1666. Do you recognize that
picture?

6 A. Yes, I do.

7 Q. Okay. And I don't know if you can see it here, but
up in

8 that corner, do you see these -- some personnel walking
along

9 there?

10 A. Yes.

11 Q. Does that help you recognize this picture?

12 A. Yes, it does.

13 Q. How does it help you recognize the picture?

14 A. Well, the -- I believe from -- it's a little fuzzy
image

15 here, but I believe that that is our team arriving at
the scene

16 or -- or at the scene, rather, that day, the 20th.

17 MS. WILKINSON: Your Honor, we'd offer
Defendant's

18 Exhibit 1666.

19 MR. TIGAR: That's D1666, your Honor.

20 MS. WILKINSON: D1666, sorry.

21 THE COURT: All right. So you don't have any
22 objection to it?

23 MR. TIGAR: No, your Honor. This is one I've

been

24 waiting for.

25 THE COURT: All right. D1666 received.

11016

Donald Sachtleben - Direct

1 MS. WILKINSON: May we exhibit it, please?

2 THE COURT: Yes. Surely.

3 BY MS. WILKINSON:

4 Q. Now, Mr. Sachtleben, does this show the entire
parking lot?

5 A. No. This shows perhaps the northeast quadrant of
the

6 parking lot.

7 Q. Okay. Let me see if I can take it back a little
bit so we

8 can show the entire picture first. Now, let's orient
the jury

9 if we could.

10 A. Okay.

11 Q. Down here, this vehicle right here, do you
recognize that?

12 A. Yes, I do.

13 Q. And where was that located in the parking lot in --
in

14 relation to the Murrah Building?

15 A. That is the closest to the Murrah Building of the
parking

16 lot. The parking lot -- what you're pointing at there,
that
17 would be the south edge of the parking lot for --
perhaps for
18 convenience's sake -- we used to refer to that as the
front of
19 the parking lot, meaning that it faced the Murrah
Building.

20 Q. So is 5th Street right there between the --

21 A. Yes.

22 Q. -- vehicle we're pointing to and the Murrah
Building?

23 A. Yes, it is.

24 Q. So if you were in a portion of the Murrah Building,
would
25 you be looking out on the parking lot the direction of
this

11017

Donald Sachtleben - Direct

1 photograph?

2 A. Yes. This photograph was taken from a crane that
was in
3 between the parking lot and the Murrah Building.

4 Q. Okay. And that's why we're getting this angle
zooming down
5 on the parking lot?

6 A. Yes.

7 Q. All right. Now, back here, before this was
exhibited to

8 the jury, you were telling them that you recognized --
or you
9 thought you recognized them; is that right? Some of
this
10 personnel?

11 A. Yeah. It's a little difficult to see here on the
screen;
12 but when I saw this photograph earlier in hard copy, I
believed
13 I recognized them.

14 Q. All right. Now, down here, do you see where I'm
going with
15 my pen? This area. Tell the jury what area that is.

16 A. That is the northeast corner of the parking lot.
That is
17 the area that we swept out when we first began looking
for
18 evidence in the parking lot.

19 Q. Now, why did you sweep out that area?

20 A. Well, I felt it was important that the team have a
place
21 where they could meet, gather their equipment, store
any
22 equipment at the scene. And to do that, it was
obviously
23 important to clear out any evidence that might have
been
24 located in that area first.

25 Q. Now, let's move this picture a little if we can.
But do

11018

Donald Sachtleben - Direct

1 you recognize what this is right here?

2 A. Yes. That's a tree.

3 Q. All right. And is that somewhere in the parking
lot?

4 A. Yes. It's in the -- sort of the center of the
parking lot.

5 Perhaps a little bit to the northern portion of the
parking

6 lot.

7 Q. And can we use that as a point of reference when we
look

8 through these other photographs of the parking lot?

9 A. We could, yes.

10 Q. Okay. Now, let's go back down here to these
vehicles here.

11 Did you see some vehicles that had been damaged by some
sort of

12 fire?

13 A. Yes. Some of the vehicles exhibited charring that
I would

14 have associated with a fire.

15 Q. All right. And did you see other types of damage
to

16 certain vehicles?

17 A. Yes. I observed what I believed to be some
significant

18 blast-wave damage to the vehicles.

19 Q. Okay. And now let's look back here. From
reviewing just
20 this photograph, can you tell, were all the vehicles on
this
21 portion of the parking lot damaged by fire?
22 A. No. They were not.
23 Q. Let me see if I can give you a picture of the other
portion
24 of the parking lot. This hasn't been exhibited yet,
but it's
25 defense -- D1665.

11019

Donald Sachtleben - Direct

1 MS. WILKINSON: I'd move for its admission, if
there's
2 no objection.
3 MR. TIGAR: No objection, your Honor.
4 THE COURT: D1665 received.
5 BY MS. WILKINSON:
6 Q. Now, does this show the other side of the parking
lot?
7 A. Yes, it does.
8 Q. Okay. And here, we are at the tree; correct?
9 A. Yes.
10 Q. And so over this way in the photograph, we're
looking to
11 the right?

12 A. Yes.

13 Q. All right. Now, can you orient the jury again down
here.

14 What are we looking at? Excuse me. Right down here,
what are

15 we looking at?

16 A. Well, this again is the -- what I would call the
front of

17 the parking lot, meaning the 5th Street side closest to
the

18 Murrah Building. And you see there a portion of the
sidewalk.

19 Q. Okay. I want to focus in, if I can. In this
portion here,

20 do you see this area right there?

21 A. Yes.

22 Q. Do you know what happened in that area?

23 A. That was an area that the fire department was using
on the

24 20th when I arrived, and it appeared to me as if some
of the

25 material on the ground had been pushed back by the fire

11020

Donald Sachtleben - Direct

1 department personnel there.

2 Q. And were -- at that point when you saw it, was the
fire

3 department using that to put out fires or as part of

the rescue

4 mission?

5 A. It appeared to me as part of the rescue mission.
There

6 were no fires at that time.

7 Q. Okay. Now, I don't think you can see it in that
8 photograph, but I'm going to show you another one
that's closer

9 up. Do you see this little item there? I don't know
if you

10 can see it on your screen. It appears to be a box.

11 A. I see an item there.

12 Q. Okay.

13 A. Yes.

14 Q. Now, before we go to the other photograph that
shows that,

15 tell the jury what this building is right back here.

16 A. That is a portion of the Athenian Building.

17 Q. All right. And this building back here?

18 A. That is the Journal Record Building.

19 Q. All right. Now, if we go down to this corner area
that I'm

20 drawing out from this doorway basically, what did --
how would

21 you describe this portion of the parking lot?

22 A. I would call that the northwest corner of the
parking lot.

23 Q. Okay. And in that northwest corner of the parking
lot, did

24 you see much damage due to burning of vehicles?

there
25 A. Not that much. I believe one or two vehicles back

11021

Donald Sachtleben - Direct

1 had exhibited fire.

2 Q. Okay. Now, let me show you --

Defense
3 MS. WILKINSON: I move for its admission,

4 1662.

5 MR. TIGAR: I'm sorry, your Honor. D1662.

6 MS. WILKINSON: Excuse me.

counsel
7 MR. TIGAR: I didn't hear what she said. If

about
8 is going to put in all of the ones that we were talking

9 yesterday --

1664,
10 MS. WILKINSON: I'm only going to use 1662 and

remainder of
11 but we have no objection to the admission of the

12 the 1660 series.

13 MR. TIGAR: All right.

14 THE COURT: And what do they consist of?

1661,
15 MS. WILKINSON: I believe the other ones are

16 1663, and 1667.

with a D 17 MR. TIGAR: We should have 1661 through 1667

18 in front of each one.

19 MS. WILKINSON: That's fine, your Honor.

D1661 20 THE COURT: All right. They are received,

21 through D1667. Okay.

22 BY MS. WILKINSON:

zoom -- 23 Q. Okay. Now, Agent Sachtleben, let me see if I can

24 there we go. So we get the tree again.

25 A. All right.

11022

Donald Sachtleben - Direct

1 Q. Is that the portion of the tree right here?

2 A. Yes, it is.

3 Q. And do you see this barrel right here?

4 A. Yes, I see a white plastic bucket there.

5 Q. And do you see that box?

6 A. Yes, I do.

7 Q. Can you read what that box says?

8 A. I -- it's kind of fuzzy here, but I believe it says

9 "bleach."

there? 10 Q. And do you know why that bleach and barrel were

11 A. Well, I observed the -- the fire department using

them in

12 what appeared to be some decontamination -- excuse me
--

13 decontamination of their boots, clothing, and other
gear.

14 Q. Let me show you 1664. What angle are we looking at
when we

15 look at 1664?

16 A. We're looking pretty much due west along 5th with
the

17 Athenian Building in the background there.

18 Q. All right. For those of us that aren't very good
with

19 north, south, east and west, can you orient us to the
street

20 and the Murrah Building?

21 A. Yes. The Murrah Building is to our left in this
22 photograph. And 5th Street runs, again, along the left
side of

23 the photograph.

24 Q. Why don't you take that black pen there attached to
the

25 wire and draw on the screen and show the jury, if that
would be

11023

Donald Sachtleben - Direct

1 easier.

2 A. All right. The Murrah Building would be right
here. And

3 this is the direction in which 5th Street runs.

4 Q. So for purposes of your search, would this be
called the

5 front of the parking lot?

6 A. That is what we called it, yes.

7 Q. Okay. Now, in these photographs we've just looked
at --

8 and let me put 1665 back up, and you can just press the
side of
9 your pen. There are lots of vehicles; is that right?

10 A. Yes.

11 Q. And did you process all the vehicles that were in
this

12 parking lot?

13 A. Yes, I did.

14 Q. What did you do with the vehicles after they were
15 processed?

16 A. I released them to the custody of the Oklahoma City
Police
17 Department.

18 Q. And before you did that, did you recover some metal
19 fragments from some of those vehicles or around the
area?

20 A. Yes, I did.

21 MS. WILKINSON: Your Honor, if I could have
the

22 witness step down to identify a piece.

23 THE COURT: You may, yes. You may step down.

24 BY MS. WILKINSON:

25 Q. Okay. I want you to take a look at 743. Do you
recognize

11024

Donald Sachtleben - Direct

1 that?

2 A. Yes, I do.

3 Q. Okay. And this is one portion of 743; is that
right?

4 A. That's correct.

5 Q. Is this another portion right here? Can you tell?

6 A. Yes. They are connected. They are connected
there; and

7 then this piece here, this narrow piece of metal is
also a part

8 of it.

9 Q. And did you recover Government's 743?

10 A. Yes, I did.

11 Q. Where was -- if you could turn and face the jury.
Where

12 was 743 recovered?

13 A. This was recovered from a Chevrolet van that was
parked in

14 the front of the parking lot, and it was actually
embedded in

15 the Chevrolet van.

16 Q. On what day did you retrieve it from the Chevrolet
van?

17 A. That would have been April 24th.

18 MS. WILKINSON: Your Honor, we'd move for the
19 admission of 743.

20 MR. TIGAR: May I inquire, your Honor?

21 THE COURT: Yes. You may.

22 MR. TIGAR: What's the most convenient way?
Should I
23 just stand beside the agent?

24 THE COURT: I think it's easier.

25 MR. TIGAR: It will be very brief. Yes.

11025

Donald Sachtleben - Voir Dire

1 VOIR DIRE EXAMINATION

2 BY MR. TIGAR:

3 Q. Hello, Agent. My name is Michael Tigar. I'm one
of the
4 lawyers helping Terry Nichols.

5 Is this what we're looking at, this bent piece
of
6 metal?

7 A. Well, we're looking at this piece of metal which
connects
8 then to this piece of metal, and then this piece of
metal was
9 originally attached to it. But since the -- its
recovery, it's

10 come apart.

11 Q. All right. And this was in that Chevrolet van that
was at
12 the front of the parking lot that you identified, that
white
13 van?

14 A. Yes.

15 Q. That -- that one?

16 A. Yes.

17 Q. Okay. Now, when you saw it, was it -- did it have
rubble
18 on it?

19 A. No. Not -- not really.

20 Q. It was in pretty much this condition?

21 A. Pretty much. I couldn't see all of it, obviously.
It was
22 in the van.

23 Q. Had it been -- what, it had been propelled somehow
into the
24 van?

25 A. Looked that way to me, yes.

11026

Donald Sachtleben - Voir Dire

1 MR. TIGAR: No objection, your Honor.

2 THE COURT: 743 received.

3 DIRECT EXAMINATION CONTINUED

4 BY MS. WILKINSON:

what's

5 Q. Agent Sachtleben, I'm not sure the jury can see

some

6 attached to this. This is a portion of frame rail or

7 portion of some rail; right?

8 A. This -- you're talking about this piece?

else

9 Q. No. This piece. But behind it, is there something

10 attached?

assembly.

11 A. Yes. That, I've come to know as the steering

12 MR. TIGAR: Excuse me, your Honor. Personal

13 knowledge?

14 MS. WILKINSON: Just what it appears to be for

15 purposes of description.

16 THE COURT: Yes.

don't

17 MS. WILKINSON: The jury can't see it, and I

18 think I can lift it up.

what

19 THE COURT: I understand. But don't rely on

20 somebody else told you it is.

witness

21 MS. WILKINSON: Right. We'll have another

22 state what it is.

23 BY MS. WILKINSON:

24 Q. But it appeared to you to be a steering wheel?

25 A. It appeared to me to be a portion of the steering

assembly.

11027

Donald Sachtleben - Direct

1 Q. This whole thing was inside that van?

2 A. Yes. That entire object.

3 Q. If you can take your seat for a minute -- actually,
you can
4 stand right here and I'll get the pictures.

5 Agent Sachtleben, before coming to court
today, did
6 you review some photographs, Government's Exhibit 745
and 744?

7 A. Yes, I did.

8 Q. And do those show this piece before you removed it
from the
9 van?

10 A. Yes, they do.

11 MS. WILKINSON: Your Honor, we'd offer
Government's
12 Exhibit 744 and 745.

13 VOIR DIRE EXAMINATION

14 BY MR. TIGAR:

15 Q. Agent, looking here at 745 --

16 A. Yes.

17 Q. -- you recovered this thing here, 743, on the 24th;
is that
18 right?

19 A. That's correct.
20 Q. Well, when you recovered it, was there all this
black smoke
21 in there?
22 A. No.
23 Q. No. So this picture was taken when?
24 A. Sometime prior to my arrival.
25 Q. Right. And by the time you got there on the 20th,
all the

11028

Donald Sachtleben - Voir Dire

1 fires were out; right?
2 A. That's correct.
3 Q. But other than the thick, black smoke and the
flames that
4 are depicted here, it's the same scene?
5 A. Yes, it is.
6 Q. All right.
7 MR. TIGAR: No objection on that one.
8 BY MR. TIGAR:
9 Q. Now, this is 744; correct?
10 A. That's right.
11 Q. The picture. Now, is this a picture that was taken
under
12 your direction?

13 A. Yes, it was.

14 Q. And did you take a picture -- was your purpose to
take a
15 picture of this Item 743 in place before you recovered
it?

16 A. Yes.

17 Q. And was that the practice of your team, to take a
picture
18 of these items before they were recovered?

19 A. In some instances, yes.

20 Q. All right. And you were the one that directed this
be
21 taken?

22 A. Yes.

23 MR. TIGAR: No objection on that one, either.

24 THE COURT: 744, 745 received. May be shown.

25 DIRECT EXAMINATION CONTINUED

11029

Donald Sachtleben - Direct

1 BY MS. WILKINSON:

2 Q. Agent Sachtleben, I think it's just easier if we
just stand
3 right here. I'll hold it up. This is 745; correct?

4 A. Yes, it is.

5 Q. Tell the jury what they are looking at.

6 A. We're looking into the parking lot, so the
orientation here

7 would be from the general vicinity of the Murrah
Building into
8 the parking lot, the northerly direction, if you will.
And you
9 can see here this Chevrolet van and just these little
portions
10 of these "leaves," I guess you can call them, right
here.

11 Q. And you told Mr. Tigar that you had a picture taken
before
12 you retrieved this item from the van; is that right?

13 A. That's right.

14 Q. And this is 744. What does this show?

15 A. This is looking back toward the Murrah Building
taken from
16 the parking lot, and we're looking here into the Chevy
van.

17 And you can generally see how the item was embedded
into the
18 front of the van.

19 Q. And I take it you weren't able to just pull this
piece out
20 of the van?

21 A. No. It took us a little bit of time. We had to
pretty
22 much cut away the entire front portion of this van and
23 basically peel it out of there.

24 Q. I'm going to show you another piece of evidence.

25 I can't see the -- maybe you can help me out
here. I

11030

Donald Sachtleben - Direct

1 don't see the Government exhibit sticker. It should be
there.

2 A. 742.

3 Q. Do you recognize 742?

4 A. Yes, I do.

5 Q. Did you retrieve that?

6 A. Yes, I did.

7 Q. When did you retrieve that?

8 A. That was retrieved on April 23d.

9 Q. And where did you retrieve it?

10 A. From the front portion of the parking lot on the
ground in
11 between some of the cars.

12 MS. WILKINSON: Your Honor, we'd offer 742.

13 VOIR DIRE EXAMINATION

14 BY MR. TIGAR:

15 Q. So this was -- this was lying on the ground?

16 A. Yes.

17 Q. And was it covered with any of this rubble or did
it have
18 any of this rubble over any part of it at the time you
19 recovered it?

20 A. Not that I recall.

21 Q. Did you take a picture of it in place before you
recovered

22 it?

23 A. I don't recall doing that, no.

24 MR. TIGAR: No objection, your Honor.

25 THE COURT: 742 is received.

11031

Donald Sachtleben - Direct

1 DIRECT EXAMINATION CONTINUED

2 BY MS. WILKINSON:

3 Q. Agent Sachtleben, maybe you can help me. I think
there

4 might be a little room. If you can put that on the
corner of

5 the table so the jury can see it.

6 A. Certainly.

7 Q. And what does this appear to be to you?

8 A. It appears to be a -- a large, heavy-gauge metal
sort of a

9 U shape, a U-bolt perhaps here.

10 Q. All right. And tell us again where you found it in
the

11 parking lot.

12 A. Front edge of the parking lot. There were several
rows of

13 cars there, and it was just between those rows of cars.

14 Q. You can take your seat.

15 Now, when you processed the parking lot area,
did you
16 begin in a certain portion of the parking lot?
17 A. Yes. We -- I directed that we begin at that
northeast
18 corner where I had had them clear out the area, and we
19 basically worked out from that area into the rest of
the
20 parking lot.

21 Q. And after you finished processing the parking lot,
did you
22 allow others to come in and use it for other purposes?
23 A. Yes, I did.

24 MS. WILKINSON: No further questions, your
Honor.

25 THE COURT: All right. Mr. Tigar.

11032

Donald Sachtleben - Cross

1 CROSS-EXAMINATION

2 BY MR. TIGAR:

3 Q. Hello again, Agent.

4 A. Hello.

5 Q. We were looking earlier at this picture which is in
6 evidence as Government's 745. That over here on this
side,
7 that's the -- the Chevy van from which you recovered
this big

8 piece here; correct? Government 743.

9 A. Yes.

10 Q. And as you said, when we asked about it before,
this -- all

11 these fires here had been put out; correct?

12 A. Yes.

13 Q. But what we're seeing here in the orange are the
flames of

14 the burning vehicles; correct?

15 A. It appears that way.

16 Q. And the Chevy van apparently -- did it look as
though it

17 had caught fire?

18 A. No.

19 Q. The Chevy van you depict at the time you recovered
it as --

20 in Government Exhibit 744 and you see -- this melting
of the

21 inside upholstery of the Chevy van?

22 A. Could be.

23 Q. Well, did you -- did you inspect it?

24 A. I did.

25 Q. Did it appear to you that it had been melted?

11033

Donald Sachtleben - Cross

1 A. I couldn't tell if that was a melting or -- or what

kind of

2 damage that was, but it's -- it's possible it was
melting.

3 Q. All right. Now, looking back again at 745, do you
see this

4 wheel here?

5 A. Yes.

6 Q. Now, is that, as you observed it, the wheel of one
of the

7 automobiles in the parking lot, or is that a wheel from
the --

8 that came from somewhere else?

9 A. No. I believe that's a wheel of one of the
vehicles. In

10 fact, I think it's still connected to the vehicle right
there.

11 Q. As you can see it. Now, does that wheel appear to
you to

12 have been distorted?

13 A. Possibly. I -- it's kind of hard to tell from that
14 photograph.

15 Q. Well, the -- do you remember having noticed that
wheel at

16 the time that you were looking there?

17 A. I don't particularly recall that particular wheel.

18 Q. Now, sir, so that we can orient ourselves. This is
what's

19 in evidence as Government's 940.

20 A. Yes.

21 Q. And here's where the -- the Murrah Building is --

or was;

22 correct?

23 A. Yes.

24 Q. And then there's N.W. 5th Street; right?

25 A. Yes.

11034

Donald Sachtleben - Cross

we're 1 Q. And the parking lot there, that's the parking lot
2 talking about; correct?

3 A. That's correct.

closest to 4 Q. The northeast corner you referred to is up here
5 the Journal Record Building; right?

6 A. Yes.

side by 7 Q. And this -- the parking lot is bounded on the other
8 the Athenian Building, the brick building?

9 A. Yes.

be the 10 Q. Okay. Now, how did you receive your assignment to
11 search agent in charge of Grid 5?

attended 12 A. I received it at an administrative meeting that I
13 on the morning of the 20th.

Agents Dave 14 Q. And that was a meeting presided over by Special

15 Williams and Rick Hahn; is that right?
16 A. They were there. I don't know that they were
presiding
17 over it.
18 Q. Did you understand that they were to be the crime-
scene
19 coordinators?
20 A. Yes.
21 Q. And did you -- you said you recovered 743 on the
24th of
22 April; correct?
23 A. Yes.
24 Q. And -- refresh my recollection. When did you
recover this
earlier? I
25 other piece, the U-bolt piece we were looking at

11035

Donald Sachtleben - Cross

1 don't know where it is.
2 A. The 23d.
3 Q. The 23d. There it is. This one. This one.
4 A. Yes.
5 Q. Now, when you recovered this U-bolt piece, which is
6 Government's --
7 A. It's on the red tag.
8 Q. On the red. I see. 742. Did it have this

discoloration

9 on it? The white and --

10 A. Yeah. To some extent, it did, yes.

11 Q. -- the rust?

12 A. Uh-huh.

13 Q. Well, has anything happened to change the
appearance of it

14 since you recovered it that you can remember?

15 A. It looks perhaps a little more corroded than when I
first

16 saw it, but it's generally the same appearance.

17 Q. Now, when you recovered these items, these heavy
ones, what

18 did you do with them?

19 A. Labeled them, packaged them as appropriately, and
then

20 brought them at the end of the shift to the Evidence
Control

21 Center.

22 Q. How did you -- did you personally take them to the
Evidence

23 Control Center?

24 A. Yes.

25 Q. In what sort of a conveyance?

11036

Donald Sachtleben - Cross

1 A. Depended on the day. We had various vehicles

available to

2 us, and we would use whichever vehicle was available
that

3 afternoon.

4 Q. Did -- now, at any time during your search
activity, did

5 you ever see a Ryder truck that had been brought down
there by

6 the ATF?

7 A. I saw a Ryder truck. I don't know that it was
brought down

8 by the ATF.

9 Q. Did you see a Ryder truck with barrels in the back
--

10 A. No.

11 Q. -- that you remember?

12 A. I did not.

13 Q. All right. At your briefings, it would be asked by
-- you

14 would discuss at your briefings what sorts of things
you ought

15 to be looking for; correct?

16 A. We did, yes.

17 Q. And when was the first briefing at which the idea
that this

18 bomb had been carried in a Ryder truck mentioned, if
you

19 recall?

20 A. It was fairly early on. I don't know if it was the
first

21 day, but the first couple of days.

22 Q. So that you think the 20th or 21st?

23 A. Certainly, yeah.

24 Q. And you're familiar with sort of generally how the

25 investigation proceeded; correct?

11037

Donald Sachtleben - Cross

1 A. Yes.

2 Q. And you're familiar that it was very soon that
pieces of

3 the Ryder truck were identified; that there was a VIN
number,

4 and that someone formed a hypothesis that that was the
truck

5 that was involved; right?

6 A. Yes.

7 MR. TIGAR: Excuse me, your Honor. There's a
cup of

8 water. I am going to put it back over here on this
table.

9 BY MR. TIGAR:

10 Q. Now -- now, do you remember a discussion that you
ought to

11 be looking for plastic?

12 A. I -- yes. Along with other items, yes.

13 Q. And when's the first of the meetings at which you
can

14 remember hearing that you ought to be looking for
plastic?

15 A. I don't recall the date that that first came up.

16 Q. Who -- who was discussing that?

17 A. I do not recall who brought that to our attention.

18 Q. Do you remember either Special Agent Williams or
Special
19 Agent Hahn discussing the notion that blue plastic
might have
20 been involved in this?

21 A. No.

22 Q. Do you remember them ever discussing that any
particular
23 color of plastic should be searched for?

24 A. Not particularly, no. I just knew that -- that
plastic was
25 one of the items that we discussed looking for.

11038

Donald Sachtleben - Cross

1 Q. All right. And you don't remember when that was
first
2 raised?

3 A. No.

4 Q. All right. Now, was Mr. Burmeister a part of your
team?
5 A. No, he was not.

6 Q. Was Mr. Kelly a part of your team?

7 A. No. They were a separate team.

8 Q. Well, did you observe that Mr. Kelly had any
responsibility

9 for searching for items within your area?

10 A. Absolutely.

11 Q. And how was it that Mr. Kelly got some
responsibility for

12 searching in the area that had been assigned to you?

13 A. Well, actually, their search began before ours did.
When I

14 arrived midmorning of the 20th, they had already begun
-- I

15 observed them conducting a search and I discussed with
them the

16 areas that they were searching.

17 Q. And when you say "they," you mean Mr. Kelly, Ronald
Kelly?

18 A. Yes.

19 Q. And for -- for our information, who is he?

20 A. Mr. Kelly is a chemist in the FBI Laboratory.

21 Q. And was Mr. Kelly -- who else do you mean by
"they"?

22 A. I recall Mr. Burmeister, Mr. Kelly, and there were,
I

23 believe, one or two others with them, someone taking

24 photographs, someone else assisting them.

25 Q. And when -- when is the first time that you can
remember

Donald Sachtleben - Cross

1 seeing Mr. Kelly there? That morning of the 20th?

2 A. I don't know if -- I know I talked to Mr.
Burmeister on the

3 20th. I don't recall talking to Mr. Kelly that day.

4 Q. Now, where was Mr. Burmeister?

5 A. In that parking lot.

6 Q. And was he participating in searching things?

7 A. Yes.

8 Q. What area of the parking lot was Mr. Burmeister in?

9 A. He was in -- I observed him -- and we discussed
later -- in

10 basically the entire parking lot. Mostly, when I saw
him on

11 the 20th, it was in the western portion, though.

12 Q. And did you have a discussion with him about what
he was

13 looking for?

14 A. Yes.

15 Q. Now, you arrived at about 12 -- about 1:00 in the
morning

16 on the 20th at Will Rogers Airport?

17 A. Yes.

18 Q. Was it raining then?

19 A. No.

20 Q. Did it rain later that night?

21 A. I don't recall, sir. I was asleep.

though it 22 Q. Okay. When you -- was it wet on the ground as

23 had been raining when you got into Will Rogers?

24 A. Absolutely, yes.

rain 25 Q. I mean -- and was it -- was it wet like the gentle

11040

Donald Sachtleben - Cross

type wet? 1 that droppeth from heaven or an Oklahoma gully-washer-

wet. 2 A. It was my first visit to Oklahoma, sir, but it was

the 3 Q. All right. Now -- and when you got out there to

signs 4 parking lot on the 20th, was -- was there -- were there

5 that the parking lot had been rained on?

6 A. I saw some water, yes.

northwest 7 Q. All right. Now, you said that you chose that

where you 8 corner as your area that was going to be the place

9 would collect evidence; correct?

10 A. Northeast corner, sir.

that is 11 Q. Excuse me. You're right. Northeast corner. And

12 the corner that's closest to the YMCA; correct?

13 A. Yes.

back up 14 Q. That is to say, if you were standing -- put 940
hand, the 15 here, if I may -- here, this -- where I'm putting my
16 finger is the northeast corner; correct?

17 A. That's right.

correct? 18 Q. That's directly across the street from the YMCA;

19 A. Yes, yes, it is.

here's 20 Q. That orients us. And you testified earlier --

your group 21 Defendant's D1666. That's the photograph that shows

22 there; correct?

23 A. It appears to, yes.

debris 24 Q. Now, what's -- is this green stuff in here grass or

25 of some kind?

11041

Donald Sachtleben - Cross

leaves 1 A. It's -- it's foliage. It's not grass. It's some
2 off the tree, other types of loose debris.

move this 3 Q. Okay. And the green that surrounds -- if I can

knocked 4 over, here -- that's also the foliage that's just been

5 right off that tree; correct?

6 A. Yes.

7 Q. And there's a bunch of broken white stuff around
here.

8 That's some kind of debris, is that?

9 A. Yes.

10 Q. And what kind of debris is that?

11 A. It's kind of hard to tell from this photograph.
There was
12 quite a bit of -- of paper. There was some sheet
metal, other
13 things that appeared as though they had come from the
Murrah
14 Building.

15 Q. And you see this sign that is laying on the ground
here.

16 Did that appear to be a sign -- see where that fellow
is
17 standing? Here. Let's go in. We can look. There. I
don't
18 know if you can -- can you see that or is it too fuzzy?

19 A. It's a bit fuzzy. I --

20 Q. A bit fuzzy. Let me go out again. This machine is
21 supposed to compensate for that, but -- there we go.
There --
22 it looks like somebody standing here; correct?

23 A. Yes.

24 Q. And that sign appeared to be a sign that had been
simply
25 tipped over by some sort of a force such as a blast
wave;

11042

Donald Sachtleben – Cross

1 correct?

2 A. Yes.

3 Q. Now, you were shown earlier a picture of a box and
a

4 barrel. Do you remember that, sir?

5 A. Yes.

6 Q. Now, do you see -- see the barrel; correct?

7 A. Uh-huh. Yes, sir. Excuse me.

8 Q. And in the box, do you see bags?

9 A. It looks like some sort of plastic.

10 Q. That looks like a plastic bag. Can you make out
the logo

11 on that bag there?

12 A. No.

13 Q. All right. Now, at the time you arrived on the
20th, there

14 were -- this is not -- in the original picture, do you
see what

15 I'm pointing to here? A little bottle? Would it help
if I

16 passed this up to you and then we could ask you about
it?

17 A. Could be. Sure.

18 Q. Do you see some Ozarka water bottles on the ground
there?

19 A. Oh, yes. Yes.
20 Q. And -- and do you remember those being there on the
morning
21 of the 20th?
22 A. Yes.
23 Q. They didn't look like they were deposited by any
force of
24 any blast, did they?
25 A. They didn't appear to have any damage on them, no.

11043

Donald Sachtleben - Cross

1 Q. All right. So are -- is that more consistent with
somebody
2 having drunk some Ozarka water and dropped the bottle
on the
3 ground?
4 A. Seemed reasonable.
5 Q. Now, who was it that had access to this area?
6 A. On the 20th?
7 Q. Yes, sir.
8 A. On the 20th, there were quite a few rescue workers
around
9 that area.
10 Q. And by "rescue workers," you mean people from the
various
11 agencies not only in Oklahoma City and Oklahoma County,
but

to 12 those who had come from many, many parts of the country
13 help; correct?
yeah, 14 A. On the 20th, I think it was mostly Oklahoma, but
15 there was quite a few different agencies there.
the 16 Q. And those folks were, because of the importance of
that 17 rescue effort, free to come and go across that area; is
18 right?
there was 19 A. Across the front, mostly, but yes, there was --
20 quite a bit of traffic along the front edge there.
clear 21 Q. You didn't have any responsibility to tell them to
22 off, did you?
23 A. No, sir.
24 Q. And you didn't tell anybody to clear off, did you?
25 A. I did not.

11044

Donald Sachtleben - Cross

these cars 1 Q. Okay. Now, in addition to that, you said that
over to 2 that were there were being inventoried and then turned
3 the Oklahoma authorities; is that right?

4 A. After we looked at them for evidence, yes.

5 Q. Now, you said that you recovered 743 on the 24th.
Did that

6 mean that you were not releasing any cars until after
that?

7 A. No. Each day, as we went through the vehicles,
those that

8 we completed that day, we turned over to the local
authorities.

9 Q. Now, you stated on direct examination that some of
these

10 cars had damage that looked like they had been on fire;
11 correct?

12 A. Yes.

13 Q. And did it look like they were just burned out
hulks of

14 cars?

15 A. I wouldn't -- a few were -- looked like they had
been

16 almost totally consumed in the fire. Others just had
moderate

17 fire damage.

18 Q. And when we say "a few," these two vehicles here
where my

19 finger is, they are just burned out; correct?

20 A. They -- yes. They looked as though they had had
21 extensive --

22 Q. And up there, this vehicle and the pickup truck
next to it

23 looks just plain burned out, doesn't it?

ones in 24 A. They had, I would say, less fire damage than the
25 the front.

11045

Donald Sachtleben - Cross

many of 1 Q. Now, the ones that were fire damaged in that way,
2 them had the tires entirely burned off, did they not?

really 3 A. To some extent, although, usually, a tire won't
4 completely be consumed in a fire.

Government 5 Q. Well, I'm going to ask you to look at now
6 Exhibit 745 in evidence. You saw a big version of that
Does 7 earlier. I'm going to zoom in on this tire. This car.
8 it look like the tire is gone from that rim?

much left, 9 A. I really can't see. There doesn't appear to be
still 10 but, usually, there's -- there's some portion of it
11 attached.

talking 12 Q. Now, earlier, on direct examination, we were
overview of the 13 about -- I'm going to put up D1665. This is an
and see 14 whole parking lot; correct? Let me turn the light on
15 if I can make it brighter. There.

16 A. No. I would call that about the left two-thirds.
17 Q. Two-thirds. All right. And over here, the brick
part,
18 that's the Athenian Building; right?
19 A. Yes.
20 Q. And the roof of the Athenian Building and part of
the
21 superstructure had tumbled down into the parking lot,
had it
22 not?
23 A. Yes.
24 Q. And you can see that rubble along here; correct?
25 A. That's correct.

11046

Donald Sachtleben - Cross

1 Q. And you noticed that some of it is actually
deposited on
2 this car that's left there; right?
3 A. Yes.
4 Q. Now, this building back here, the tan one is the
Journal
5 Record Building; correct?
6 A. Yes.
7 Q. And portions of the roof of that have also fallen
down
8 here; is that correct?

9 A. That's correct.

10 Q. And you see this area here in the front where --
with my
11 finger, that's where a skip loader or front-end loader
had come
12 in and pushed some things back; right?

13 A. It appears that way. I didn't see it.

14 Q. It looked -- now, during the week, as automobiles
were
15 removed from this area, was the skip loader in there
cleaning
16 up after it? Pushing things around?

17 A. No. Generally, what I did was to clean around the
vehicle
18 first and then pull the vehicle out and we processed
them.
19 That is, we went through the vehicles, looking for
evidence
20 over on -- on Robinson Street.

21 Q. Now, did your responsibility include anything to do
with
22 the crater?

23 A. No.

24 Q. Could you see the crater from where you were?

25 A. Yes.

11047

Donald Sachtleben - Cross

1 Q. Did there come a time when it was filled in?

2 A. No. I really don't recall ever -- filling in.

blast 3 Q. Well, when you got there, there was a big hole,

4 crater in front of the Murrah Building; correct?

5 A. There was a hole covered in a blue tarp when I

first 6 arrived.

7 Q. Did you ever see anybody fill that hole with earth

or other 8 fill material?

9 A. Not that I can recall, no.

10 Q. Okay. Now, sir, did there come a time when you

were there 11 that the FBI established a sift site?

12 A. Yes.

13 Q. Now, was that sift site, while you were there, ever

located 14 in the parking lot that was a part of your

responsibility? 15 A. No.

16 Q. Okay. Were -- were you aware that the sift site

was -- was 17 later there or you didn't -- you don't know one way or

another? 18 A. I wasn't there when that occurred.

19 Q. Okay. And you just -- you don't know whether or

not it did 20 or you just weren't --

21 A. I do not have any knowledge of that.

22 Q. Okay. Now, how long did you stay?

23 A. I left on May 5.

24 Q. And were these meetings with Special Agent Williams
and

25 Special Agent Hahn held every day during the time you
were

11048

Donald Sachtleben - Cross

1 there?

2 A. I saw Mr. Hahn most days. I don't recall seeing

3 Mr. Williams every day.

4 Q. But they were responsible for the overall
management of the

5 crime scene until the time you left; is that correct?

6 A. Yes.

7 MR. TIGAR: I have nothing further, your
Honor.

8 THE COURT: Any redirect?

9 MS. WILKINSON: Just one. Mr. Tigar, could I
have

10 D1665?

11 MR. TIGAR: There you go.

12 MS. WILKINSON: Thank you.

13 REDIRECT EXAMINATION

14 BY MS. WILKINSON:

15 Q. Mr. Sachtleben, you began your search on what day
at the

16 parking lot?

17 A. April 20th.

18 Q. And you finished it on what day?

19 A. Roughly April 28th.

20 Q. And you were there every day, April through --
April 20th

21 through April 28th?

22 A. Yes.

23 Q. So there was no sift site in the parking lot during
that

24 time period; is that your testimony?

25 A. No.

11049

Donald Sachtleben - Redirect

1 Q. Okay. Now, I want to focus again on this northwest
corner

2 here of the parking lot. On April 21st, had you gotten
to that

3 portion of the parking lot to do your search?

4 A. No.

5 MS. WILKINSON: No further questions, your
Honor.

6 MR. TIGAR: Briefly, your Honor.

7 THE COURT: All right.

8 RECROSS-EXAMINATION

9 BY MR. TIGAR:

you see 10 Q. Did -- I want to put this back up there again. Did
on the 11 anybody else other than your team searching over here
12 21st?

13 A. The 21st, Mr. Burmeister, Mr. Kelly, and several
other 14 individuals that were affiliated with his group were in
that 15 area. Yes.

16 Q. And you saw them there on the 21st; is that right?

17 A. Yes.

18 MR. TIGAR: Nothing further, your Honor.

19 MS. WILKINSON: This witness can be excused.

20 THE COURT: Agree to excuse?

21 MR. TIGAR: Oh, yes, your Honor.

22 THE COURT: You may step down. You're
excused.

23 Next, please.

24 MR. MACKEY: FBI Agent Bob Morton.

25 THE COURTROOM DEPUTY: Would you raise your
right

11050

1 hand, please.

2 (Robert J. Morton affirmed.)

3 THE COURTROOM DEPUTY: Would you have a seat,
please.
4 Would you state your full name for the record
and
5 spell your last name.

6 THE WITNESS: My name is Robert J. Morton,
7 M-o-r-t-o-n.

8 THE COURTROOM DEPUTY: Thank you.

9 THE COURT: Ms. Wilkinson.

10 DIRECT EXAMINATION

11 BY MS. WILKINSON:

12 Q. Good afternoon, Agent Morton.

13 A. Good afternoon.

14 Q. You work for the FBI?

15 A. Yes, I do.

16 Q. How long have you been with the FBI?

17 A. Over nine years.

18 Q. You're an agent with them?

19 A. Yes, ma'am, I am.

20 Q. Where are you currently assigned?

21 A. I'm assigned to the Chicago field division.

22 Q. And were you assigned there in April of 1995?

23 A. Yes, I was.

24 Q. Did you have any additional responsibilities back
in April
25 of 1995 other than being an agent?

11051

Robert J. Morton - Direct

1 A. Yes, I did.

2 Q. What were they?

3 A. I was a team leader on an Evidence Response Team.

4 Q. What does a team leader do?

5 A. An Evidence Response Team is a group of trained
agents who
6 collect evidence. The team leader is responsible for
managing
7 the team on callouts, ensuring that crime scene is
worked
8 properly and documentation is -- is accumulated and the
9 evidence is collected.

10 Q. On April 19th, were you directed to report to
Oklahoma City
11 to assist with the investigation of the bombing crime
scene?

12 A. Yes, I was.

13 Q. And did you go there with your other fellow members
of the
14 Chicago ERT?

15 A. Yes, I did.

16 Q. Did you fly or drive?

17 A. We drove.

18 Q. Why did you drive?

19 A. We drove because we realized that a lot of people
were

20 flying in to get to the scene and we wanted to bring
enough

21 equipment with us to process the crime scene when we
got there.

22 Q. And you did that?

23 A. Yes, we did.

24 Q. Now, did you work for -- on Agent Daly's team when
you were

25 there?

11052

Robert J. Morton - Direct

1 A. Yes, I did.

2 Q. And did you collect evidence while you were there?

3 A. Yes, I did.

4 Q. And today, can you tell us about one of the pieces
of

5 evidence that you recovered.

6 A. Yes, I can.

7 Q. Do you recall working on -- I believe it was April
28th,

8 1995?

9 A. Yes, I do.

10 Q. Did you recover a large piece of a metal fragment
then?

11 A. Yes, I do (sic).

12 Q. What did you recover?

truck 13 A. I recovered a large piece of what appeared to be

14 framework.

recognize 15 Q. All right. Can you step down and tell us if you

16 that piece over here on the table.

17 A. It's this one.

18 Q. Government's Exhibit 731?

19 A. Yes.

20 Q. And where did you find this?

Building on 21 A. I found it in the rubble of the Murrah Federal

22 the northwest corner.

23 MS. WILKINSON: Your Honor, we'd offer 731.

24 MR. TIGAR: No objection, your Honor.

25 THE COURT: All right. 731 is received.

11053

Robert J. Morton - Direct

where 1 Would you, back at the witness stand, restate

2 you found it. It was a little hard to hear.

3 MS. WILKINSON: Sure.

of the 4 THE WITNESS: I found the piece in the rubble

5 building, the northwest corner of the building.

6 THE COURT: Thank you.

7 BY MS. WILKINSON:

8 Q. I'm going to show you what's not yet in evidence,
9 Government's Exhibit 843. Do you recognize this aerial
10 photograph?

11 A. Yes, I do.

12 Q. And does this fairly and accurately depict the
crime scene
13 approximately the time you saw it?

14 A. Yes, it does.

15 MS. WILKINSON: Your Honor, we'd offer 843.

16 MR. TIGAR: I'm sorry.

17 No objection.

18 THE COURT: 843 is received.

19 MR. TIGAR: Do you have it?

20 MS. WILKINSON: Yes.

21 BY MS. WILKINSON:

22 Q. Agent Morton, using this -- first, can you orient
the jury
23 on what they are looking at, please.

24 A. This is the Murrah Federal Building. This is the
parking
25 lot across the street. This would be Harvey and then
that

11054

Robert J. Morton - Direct

1 would be Fifth and Fourth Street.

could tell 2 Q. Would it be easier if I turned it north and you
just 3 the jury and identify where you found the piece you
4 showed.

portion 5 A. Yes. The piece I found was -- was on the northwest
here. 6 of the building, which would be -- it would be right

building 7 Q. Okay. And you're pointing to the left side of the
8 if you're looking down?

9 A. Right.

10 Q. Where was it?

building. 11 A. It was in the rubble in this portion of the

12 Q. Actually inside the building?

13 A. Inside the building.

your 14 MS. WILKINSON: We have no further questions,
15 Honor.

16 THE COURT: Mr. Tigar.

17 MR. TIGAR: Thank you, your Honor.

18 CROSS-EXAMINATION

19 BY MR. TIGAR:

you 20 Q. Agent Morton, you recovered the piece of metal that
21 showed us on the 28th; correct, sir?

22 A. Yes, sir.

23 Q. And you'd been there since when?

24 A. Since the 20th, sir.

25 Q. In Oklahoma City. What time did you get there on
the 20th?

11055

Robert J. Morton - Cross

1 A. Around noon.

2 Q. Did you immediately join a team at noon?

3 A. We checked into the hotel and approximately 2:00,
we were

4 at the command post.

5 Q. And were you on supervising Special Agent Daly's
team?

6 A. Yes, sir, I was.

7 Q. Were you on his team for the whole period of time
that you

8 were in Oklahoma City?

9 A. Yes, I was.

10 Q. Your first assignment, was it not, was to search
one of the

11 grids?

12 A. That's correct.

13 Q. And then, you were moved to searching in the rubble
of the

14 Murrah Building, itself; correct?

15 A. That's correct, sir.

anyone 16 Q. And as a part of your search, were you directed by
17 to search for particular kinds of things?
look for. 18 A. We would receive updates daily on -- on things to
remember 19 Q. And when -- when's the first update you can
parts of 20 receiving about looking for things that appeared to be
21 a Ryder truck?
22 A. I think I recall actually the very first day.
on 23 Q. And when was the time that you received an update
24 looking for plastic?
25 A. Exactly what day, I don't recall.

11056

Robert J. Morton - Cross

plastic; 1 Q. There came a time when you began to look for
2 correct?
3 A. Correct.
some blue 4 Q. And in fact, you recovered some white plastic and
5 plastic; right?
6 A. That's correct.
7 Q. And you turned that in to your team leader?
8 A. That's correct.

9 Q. And when you would turn items in to the team
leader, the
10 team leader would decide whether it was a keep or not
keep;
11 right?
12 A. That's correct.
13 Q. Okay. Now, the piece of metal that you identified
here
14 today, was that photographed in place?
15 A. No, it was not.
16 Q. All right. Did you have a photographer on your
team?
17 A. Yes, we did.
18 Q. That was Agent Schwabech?
19 A. At various times, various members could assume the
duties
20 of the photographer.
21 Q. Agent Schwabech -- Greg Schwabech -- you know who
that is;
22 right?
23 A. Yes, he was.
24 Q. He was on your team at least some of the days?
25 A. He was on the team all of the days.

11057

Robert J. Morton - Cross

1 Q. In addition to that, you had a sketcher; correct?
2 A. Correct.

3 Q. Did you sketch the item in place?
4 A. No, sir.
5 Q. And your sketcher was named Daniel W. Gane;
correct?
6 A. Kane. Yes.
7 Q. Kane. I'm sorry. I couldn't read it. And he is
an FBI
8 employee; correct?
9 A. Yes.
10 Q. But not a special agent?
11 A. He is a special agent.
12 Q. Pardon?
13 A. No, sir. He is a special agent.
14 Q. Okay. And then you had a Special Agent Kevin
Blair;
15 correct?
16 A. Yes, sir.
17 Q. And Blair was the recorder; right?
18 A. Correct.
19 Q. And what's the recorder's job?
20 A. He was typing all the entries into the computer to
print
21 out the sheet for the daily collection of evidence.
22 Q. So would Special Agent Blair then do that computer
work at
23 the end of each day's shift? Or did he have a laptop
on the
24 scene?

25 A. We had a laptop.

11058

Robert J. Morton – Cross

1 Q. So he would go around with a laptop?

2 A. Correct.

3 Q. Okay.

4 MR. TIGAR: Thank you, your Honor. I have
nothing
5 further.

6 MS. WILKINSON: This witness can be excused.

7 THE COURT: May he be excused?

8 MR. TIGAR: Yes.

9 THE COURT: You may step down. You're
excused.

10 Next?

11 MR. MACKEY: Yes, your Honor. ATF Agent David
12 Opperman.

13 THE COURT: Okay.

14 THE COURTROOM DEPUTY: Raise your right hand.

15 (David Opperman affirmed.)

16 THE COURTROOM DEPUTY: Would you have a seat,
please.

17 State your full name for the record and spell
your

18 last name.

R-M-A-N. 19 THE WITNESS: David Girard Opperman, O-P-P-E-

20 THE COURTROOM DEPUTY: Thank you.

21 THE COURT: Mr. Mackey.

22 MR. MACKEY: Thank you, your Honor.

23 DIRECT EXAMINATION

24 BY MR. MACKEY:

and 25 Q. Mr. Opperman, tell the jury, please, where you live

11059

David Opperman - Direct

1 work.

2 A. I work for the Bureau of Alcohol, Tobacco and
Firearms in

3 Houston.

4 Q. And how long have you worked for ATF?

5 A. Seven-and-a-half years.

6 Q. And in April of 1995, were you an agent then for
ATF?

7 A. Yes, sir.

8 Q. Were you called to assist in the collection of
evidence at

9 the bomb scene in downtown Oklahoma City?

10 A. Yes, I was.

11 Q. When did you arrive?

12 A. About 10 p.m. the night of the 19th.

13 Q. And approximately how long did you stay to assist
in those
14 efforts?

15 A. Till the first week of May, I believe.

16 Q. I have some questions limited to one piece of
evidence,

17 Agent Opperman; and let me direct your attention, if I
could,

18 to Saturday, April 22d. Were you carrying out those
duties on

19 that day?

20 A. Yes, I was.

21 Q. And did you have occasion to search an area located
on the

22 northeast corner of Robinson and 6th Street?

23 A. Yes, I did.

24 Q. And on that day and in that place, did you retrieve
certain

25 physical evidence?

11060

David Opperman - Direct

1 A. Yes, sir.

2 Q. Prior to coming to court this afternoon, Agent
Opperman,

3 did you take a look at a photograph previously admitted
into

4 evidence as 728?

5 A. Yes, sir.

6 Q. And does that photograph depict the site of the
collection

7 of a certain piece of evidence?

8 A. Yes, it does.

9 MR. MACKEY: Your Honor, with Agent Tongate's
10 assistance, I'd like the witness to show where the
building is

11 on the photograph.

12 THE COURT: All right.

13 BY MR. MACKEY:

14 Q. Agent Opperman, does that aerial photograph capture
the

15 area of 6th Street and Robinson?

16 A. Yes, it does.

17 Q. Okay. Either stand up and point it out to the
jury, or

18 with the aid of the pointer, just show them what
building in

19 particular you searched and recovered evidence from
that day.

20 A. It would have been on this building right here.

21 Q. All right. Now, just for our orientation, since
it's an

22 aerial, could you point out the Murrah Building?

23 A. The Murrah Building is right here.

24 Q. All right. And approximately what distance from
the bomb

25 crater was it that you recovered evidence in that
intersection

11061

David Opperman – Direct

1 you've described?

2 A. It's a block and a half to two blocks.

3 Q. Would you describe, Agent Opperman, exactly where
it was

4 that you found this particular item.

5 A. We located it on the rooftop of the building.

6 Q. And how tall a building?

7 A. One-story building.

8 Q. I'm going to show you now at this time what's not
been

9 admitted yet, Government Exhibit 789. It should come
up on

10 your screen in a moment.

11 Do you recognize what's shown in that
photograph?

12 A. Yes, sir.

13 Q. And what is that, please.

14 A. This is a piece of the truck frame that we
recovered from

15 the top of this building.

16 Q. Does that accurately depict the location of that
item of

17 evidence as you found it on Saturday, April 22?

18 A. Yes, it does.

19 MR. MACKEY: Your Honor, I'd move to admit

Government

20 Exhibit 789.

21 MR. TIGAR: No objection.

22 THE COURT: Received.

23 BY MR. MACKEY:

24 Q. Describe what the jury is looking at, please, Agent

25 Opperman.

11062

David Opperman – Direct

of truck 1 A. This is a section of approximately a 4-foot piece

that 2 frame that we found located on top of this building

3 Saturday.

that 4 Q. And have you seen the photograph that also depicts

location to 5 item of evidence, but gives perspective as to its

6 the Murrah being?

7 A. Yes, sir.

not yet 8 Q. Let me show you now Government Exhibit 788. It's

9 admitted. And is that that photograph?

10 A. Yes, it is.

this piece 11 Q. And does that accurately depict the proximity of

12 to the Murrah building?

13 A. Yes, it does.

14 MR. MACKEY: Your Honor, I would move to admit
Exhibit

15 789 -- excuse me. 788.

16 MR. TIGAR: No objection, your Honor.

17 THE COURT: Received.

18 BY MR. MACKEY:

19 Q. And talk through the photograph, if you would, for
the

20 jury, as to what we're seeing, please.

21 A. This photograph was taken to show the perspective
of where

22 we located this piece of evidence to the Murrah
Building

23 itself.

24 Q. And in which direction as we're looking towards the
Murrah

25 Building? If you wouldn't mind, just take the pen
that's up

11063

David Opperman - Direct

1 there with the wire on it. Reach down below the
tabletop and

2 press on the computer screen and just put a checkmark
or X

3 where the Murrah Building is located.

4 A. This is the Murrah Building here.

5 Q. And just circle the item of evidence again.

6 And please tell us again the approximate
distance
7 between the Murrah Building and the site of the
evidence.

8 A. It's a block and a half to two blocks.

9 Q. Now, according to this photograph, there is another
10 structure that stands between the Murrah Building and
the site
11 of the evidence; is that correct?

12 A. Yes, sir.

13 Q. Could you just circle that building.

14 And how tall was that structure?

15 A. It's a three-story building.

16 Q. Agent Opperman, after these photographs were taken,
did you
17 then actually physically remove the item of evidence?

18 A. Yes, sir.

19 Q. Let me ask you at this time, with the Court's
permission,

20 to step down to the table here in front of you and
examine,

21 please, Government Exhibit 787 and tell the jury
whether that's

22 the same piece of evidence that you found on the
rooftop on

23 Saturday, April 22d.

24 A. Yes. This is the same piece here.

25 Q. And how do you recognize it?

11064

David Opperman – Direct

1 A. The damage to it located here and these grooves in
it and
2 comparing it to the photographs.

3 MR. MACKEY: I would move for the admission of
4 Government Exhibit 787.

5 MR. TIGAR: No objection, your Honor.

6 THE COURT: Received.

7 BY MR. MACKEY:

8 Q. Agent Opperman, one final question: Do you recall
what the
9 weather conditions were like on that day?

10 A. Saturday morning, it was cold and windy and rainy.

11 MR. MACKEY: Thank you. That's all I have.

12 THE COURT: Mr. Tigar?

13 CROSS-EXAMINATION

14 BY MR. TIGAR:

15 Q. Good afternoon, Agent. My name is Michael Tigar.
I'm one
16 of the lawyers appointed to help out Terry Nichols.

17 You recovered this on the Saturday?

18 A. Yes, sir.

19 Q. And that would be what date? I'm --

20 A. The 22d.

team
21 Q. 22d. And were you -- and you were part of a search
correct?
22 that was assigned to search that particular area;
23 A. Yes. Yes, sir.
24 Q. You had arrived there on the 19th; correct?
25 A. Yes, sir.

11065

David Opperman - Cross

1 Q. So it -- and had it rained the night of the 19th?
2 A. I drove through rain getting there.
3 Q. All right. So -- you got there late on the 19th?
4 A. 10 p.m.
5 Q. Had it quit by the time you got there?
6 A. Yes, sir.
7 Q. And you probably checked into a motel and got some
sleep;
8 right?
9 A. That's exactly what I did.
10 Q. Did it look like it had rained more overnight when
you were
11 sleeping, when you got up in the morning?
12 A. I -- I don't recall.
13 Q. Okay. But you do recall that on that Saturday,
there was
14 more wind and rain; correct?

15 A. Yes, sir.

Court's 16 Q. Now, could you step down here, please, with the
17 permission.

18 THE COURT: Yes.

19 BY MR. TIGAR:

this? 20 Q. Now, when you found this piece -- how heavy is

21 A. I'd say 50 to 70 pounds.

turn 22 Q. All right. I'll do my best. I got it. I want to
where it 23 around and come over here to the jury. And do you see
one of 24 looks like there's been some pinging or hammer work on
the jury 25 these edges here? See -- I don't want to rest it on

11066

David Opperman - Cross

condition it 1 box. Let's see. See right there? Is that the

sheared? 2 was when you found it, just like that where it had

3 A. I don't remember.

4 Q. But --

5 A. I don't remember examining that that close.

tearing of 6 Q. Okay. But, all of this distortion here, this

it; 7 the metal: That was what it looked like when you found

8 isn't that right?

9 A. I believe so.

10 Q. Pretty -- pretty much like that; right?

11 A. Yes.

folded 12 Q. And this folding back, the way that this is just

when 13 like a piece of cloth: That was the way it looked like

14 you found it; correct?

15 A. Yes, sir.

mark 16 Q. And you see here where there's actually a fracture

17 here?

18 A. Yes.

right? 19 Q. On the edge? That was the way when you found it;

20 A. I --

21 Q. As best you can remember?

22 A. I don't recall. I don't remember.

metal you 23 Q. Right. This looks pretty much like the piece of

to say, 24 found with all of these distortions on it; is that fair

25 sir?

1 A. Yes.

2 MR. TIGAR: Okay. I have nothing further,
your Honor,
3 of the witness.

4 THE COURT: All right.

5 MR. MACKEY: He may be excused.

6 THE COURT: Agree to excuse him?

7 MR. TIGAR: Yes, your Honor.

8 THE COURT: You're -- you may leave. You're
excused.

9 THE WITNESS: Thank you.

10 MR. MACKEY: Your Honor, we'll need five
minutes to

11 get this table out and bring another one in for the
next two
12 witnesses.

13 MR. TIGAR: I want to warn Government counsel:
I'm
14 not sure that's on there exactly right.

15 THE COURT: All right. We'll take a recess
now. Even

16 though it's a little earlier than normally so you can
readjust
17 these things.

18 Members of the jury, we'll take our mid-
afternoon

19 break, then, at this time for the usual 20-minute
period with

20 the usual cautions: keeping open minds, avoiding

discussion

21 about the case or anything connected with it and
anything

22 outside of our evidence.

23 You're excused now. 20 minutes.

24 (Jury out at 2:58 p.m.)

25 THE COURT: All right. We'll recess.

11068

1 (Recess at 2:58 p.m.)

2 (Reconvened at 3:18 p.m.)

3 THE COURT: Please be seated.

4 You've changed the set again.

5 All right.

6 (Jury in at 3:19 p.m.)

7 THE COURT: Okay. Next please.

8 MR. MACKEY: Call at this time ATF Agent
Lowell

9 Sprague.

10 THE COURT: Thank you.

11 THE COURTROOM DEPUTY: Would you raise your
right

12 hand, please.

13 (Lowell Sprague affirmed.)

14 THE COURTROOM DEPUTY: Would you have a seat,
please.

and 15 Would you state your full name for the record

16 spell your last name.

17 THE WITNESS: Lowell Sprague, S-P-R-A-G-U-E.

18 THE COURTROOM DEPUTY: Thank you.

19 THE COURT: Mr. Ryan.

20 MR. RYAN: Thank you, your Honor.

21 DIRECT EXAMINATION

22 BY MR. RYAN:

23 Q. Agent Sprague, where do you live?

24 A. Tulsa, Oklahoma.

25 Q. And how are you employed?

11069

Lowell Sprague - Direct

Tobacco, and 1 A. I'm a special agent for the Bureau of Alcohol,

2 Firearms.

3 Q. How long have you been an agent with the ATF?

4 A. Since May of 1985.

5 Q. Where are you currently assigned?

6 A. Tulsa field office.

7 Q. And how long have you been assigned there?

8 A. Since May of 1985.

9 Q. Do you have -- did you have any law enforcement
experience

10 prior to 1985?
11 A. Yes, I did. I was employed by the U.S. Secret
Service and
12 prior to that, the Tulsa Police Department, beginning
in 1976.
13 Q. For the past 21 years, you've been involved in law
14 enforcement?
15 A. That's correct.
16 Q. Where were you on the morning of April 19, 1995?
17 A. I was in Tulsa.
18 Q. What were you doing?
19 A. I was at the Drug Enforcement Administration field
office
20 there in Tulsa.
21 Q. Did information come to you that morning about what
had
22 just occurred in Oklahoma City?
23 A. Yes, it did.
24 Q. And what did you do?
25 A. I immediately received orders to report to Oklahoma
City

11070

Lowell Sprague - Direct

1 and assist in any way I could.
2 Q. On the afternoon -- excuse me. On the afternoon of
3 April 19, did you participate in a search of 5th Street

in

4 Oklahoma City?

5 A. Yes, I did.

6 Q. And approximately what time did you do that?

7 A. It was late in the afternoon or early in that evening.

8 Q. And in the course of that search that afternoon, did you

9 come across a vehicular part?

10 A. Yes, I did.

11 Q. Did you mark and tag it?

12 A. I did.

13 MR. RYAN: Your Honor, may I approach the exhibits?

14 THE COURT: Yes.

15 BY MR. RYAN:

16 Q. Agent Sprague, let me first ask you if you can identify

17 what's been marked as Government's Exhibit 734?

18 A. Yes, sir.

19 Q. And that is the truck part you found on the afternoon of

20 April 19?

21 A. That is.

22 Q. I also ask you if you can identify Exhibit 733?

23 A. Okay. That depicts the same vehicle part.

24 Q. Do both of these photographs accurately represent what you

25 saw on the afternoon of April 19?

11071

Lowell Sprague - Direct

1 A. Yes, they do.

2 MR. RYAN: Your Honor, we would offer
Government's

3 Exhibits 733 and 734.

4 MR. TIGAR: No objection, your Honor.

5 THE COURT: They are received, may be shown.

6 MR. RYAN: Thank you, your Honor.

7 BY MR. RYAN:

8 Q. Now, if you would, Agent Sprague, show us what
we're

9 looking at in this photograph.

10 A. This is the front axle to the -- to a vehicle, a
large

11 vehicle. That is the south curb line of 5th Street.

12 This is looking, I believe, west -- or
eastbound to

13 the intersection of Broadway right up here.

14 Q. And about how far is this front axle located in
terms of

15 where the Murrah Building is located?

16 A. I would say well over a city block.

17 Q. Let me give you a different perspective with
Exhibit 733.

18 And again, if you would, point out the front axle of

the

19 vehicle to the jury.

depicts 20 A. This would be the front axle here. This photograph

This is 21 the axle and then continues westbound down 5th Street.

22 the south curb line of 5th Street here.

here, 23 Q. All right. What building is this we're looking at

24 this white one?

25 A. I believe that's the YMCA building.

11072

Lowell Sprague - Direct

1 Q. And this tall building here in the distance?

2 A. Would be the Regency Tower building.

3 Q. Can you see the Murrah Building on this photograph?

also on the 4 A. No, you can't. It would be over here on the --

5 south side of 5th Street.

of the 6 Q. And you're indicating to the top left-hand corner

7 building?

8 A. That's correct.

9 Q. I mean of the photograph?

10 A. That's correct.

permission 11 MR. RYAN: Your Honor, may the agent have

12 to step down?

13 THE COURT: Yes.

14 BY MR. RYAN:

15 Q. Agent Sprague, if you would without displaying the
exhibit

16 to the jury, could you look under the tarp and see if
this --

17 what's been marked as Government's Exhibit 732 is the
axle that

18 you located on the afternoon of April 19?

19 A. Yes, I can.

20 Q. And is it?

21 A. Yes, it is.

22 Q. And how do you know that?

23 A. There is a tag affixed to the axle that I filled
out,

24 completed and affixed to the axle that date.

25 Q. Do you also recognize the axle itself?

11073

Lowell Sprague - Direct

1 A. I do.

2 MR. RYAN: Your Honor, the Government would
offer

3 Exhibit 732.

4 MR. TIGAR: May I just look at it, your Honor?

5 THE COURT: Yes. Certainly.

6 MR. TIGAR: No objection, your Honor.

7 THE COURT: 732 is received.

8 You can take the cover from it there.

9 MR. RYAN: Thank you, your Honor.

10 BY MR. RYAN:

11 Q. Do you know how much this thing weighs?

12 A. I don't, no. I know it's heavy, though.

13 Q. And would you show the members of the jury what
you're

14 speaking of when you say the front axle that you found
on 5th
15 Street.

16 THE COURT: Maybe you can elevate that lift.

17 MR. RYAN: Yes. Thank you, your Honor.

18 THE WITNESS: It would be this piece right
here,

19 Exhibit 732. Here's the tag with my initials and date
that I
20 affixed to it that evening.

21 MR. RYAN: Thank you, you can be seated.

22 That's all the questions I have, your Honor.

23 THE COURT: All right. Mr. Tigar?

24 MR. TIGAR: Thank you.

25 CROSS-EXAMINATION

Lowell Sprague – Cross

1 BY MR. TIGAR:

2 Q. Good afternoon, Agent. I'm Michael Tigar, one of
the
3 lawyers appointed to help out Terry Nichols.

4 Did -- this item here was photographed in
place before
5 it was recovered; correct?

6 A. That's correct.

7 Q. And was that done under your direction?

8 A. No, it was not.

9 Q. Were you a part of a search team that day?

10 A. I was.

11 Q. And was that an ATF search team or a joint search
team?

12 A. It was a joint effort.

13 Q. This was on the 19th?

14 A. That's correct.

15 Q. And in the afternoon?

16 A. Late afternoon. Early evening.

17 Q. Who was in command of the search process or crime-
scene
18 processing at that point?

19 A. I'm not sure who was in command.

20 Q. Did you later meet Agent David Williams?

21 A. Not that I recall.

22 Q. Now, you put on this axle this tag and the red
tape.

23 Correct?

24 A. I put the tag on. I don't know about the red tape.

25 Q. Okay. And -- and on the -- this writing on the
side here:

11075

Lowell Sprague - Cross

1 Can you see what I'm holding up, the tag?

2 A. No, sir, I can't.

3 THE COURT: You may step down so you can see
what

4 Mr. Tigar is referring to.

5 BY MR. TIGAR:

6 Q. This is your writing on the tag; correct?

7 A. That's correct.

8 Q. And the initials LHS; and that's you; correct?

9 A. That's correct.

10 Q. Now, the writing on the other side, which is

11 50508028Q987DW: That is not your writing; correct?

12 A. That is not. That's correct.

13 MR. TIGAR: Excuse me, your Honor.

14 Sorry, sir.

15 BY MR. TIGAR:

16 Q. That was put on afterwards; right?

17 A. It must have been. It wasn't there when I affixed
it.

it. 18 MR. TIGAR: It was not there when you affixed
19 Thank you, your Honor. No further questions.
20 THE COURT: All right. Excusing him?
21 MR. RYAN: Yes, your Honor.
22 THE COURT: You're excused.
23 THE WITNESS: Thank you.
24 THE COURT: Next.
25 MR. MACKEY: Yes. FBI Agent Todd McCall.

11076

1 THE COURT: All right.
2 THE COURTROOM DEPUTY: Raise your right hand.
3 (Anthony McCall affirmed.)
4 THE COURTROOM DEPUTY: Would you have a seat,
please.
5 Would you state your full name for the record
and
6 spell your last name.
7 THE WITNESS: Anthony Todd McCall, M-C-C-A-L-
L.
8 THE COURTROOM DEPUTY: Thank you.
9 THE COURT: Proceed.
10 MR. GOELMAN: Thank you.
11 DIRECT EXAMINATION

12 BY MR. GOELMAN:

13 Q. Agent McCall, do you work for the FBI in Dallas?

14 A. Yes, I do.

15 Q. How long have you been a special agent in Dallas?

16 A. I've been in Dallas six-and-a-half years.

17 Q. And in April, 1995, were you one of the leaders of
the

18 Dallas FBI Evidence Response Team?

19 A. Yes, I was.

20 Q. When did you first hear about the bombing in
Oklahoma City?

21 A. At about 9:15 a.m. on Wednesday, April 19.

22 Q. And were you later directed to drive up to assist
in the

23 investigation, later on the 19th?

24 A. Yes, I was.

25 Q. At about 10:30 in the evening on the 19th, did you

11077

Anthony McCall - Direct

1 coordinate a search on N.W. 5th Street right in front
of the

2 Murrah Building?

3 A. Yes, I did.

4 Q. And at the time of that search, did you know
anything about

5 cars?

6 A. Yes, I do; and at that time I did, also.

7 Q. Okay. Did you during that search recognize some
pieces

8 that you thought were debris from a large vehicle?

9 A. Yes, I did.

10 Q. And with the Court's permission, I'm going to ask
you to

11 step down and see if you can find three different
pieces under

12 the tarp here.

13 THE COURT: You may do that.

14 THE WITNESS: Thank you.

15 THE COURT: They're not in evidence. They
oughtn't be

16 displayed.

17 MR. GOELMAN: I'd inquire of Mr. Tigar through
the

18 Court if he has any objection to doing it this way and
having

19 him identify these objects.

20 MR. TIGAR: If I can look at it, your Honor.
I don't

21 think so.

22 These pieces?

23 MR. GOELMAN: This one, this one, and that
one.

24 MR. TIGAR: No objection, your Honor.

25 THE COURT: All right.

11078

Anthony McCall - Direct

1 BY MR. GOELMAN:

2 Q. Agent McCall, I want you to take a look at what's
been

3 marked for identification Government's Exhibit 757 and
tell me

4 if you recognize that.

5 A. Yes, I do.

6 Q. What is it?

7 A. This is what used to be a torque converter from an
8 automatic transmission.

9 Q. How do you know -- when did you first see that
torque

10 converter?

11 A. I saw this torque converter on N.W. 5th Street in
front of
12 the Murrah Building probably about 10:30 that evening.

13 Q. How do you know that's the same item you saw?

14 A. First of all, the damage that was -- that had been
done to

15 the torque converter, I noticed there were some dents
in the

16 torque converter that looked like had been made by a
bolt head.

17 And additionally, there is a tag on the side with my
initials

18 on it.

19 Q. Could you take a look at that -- I think it's

marked

20 Government's Exhibit 759. No, it's 760. It's the
medium-size

21 item there?

22 A. Yes. This is a crankshaft from the -- a motor that
was

23 also there on N.W. 5th Street in front of the Murrah
Building

24 that was also picked up that night at about 5:30.

25 Q. How can you identify this as the same crankshaft
that you

11079

Anthony McCall - Direct

1 saw on April 19?

2 A. First of all, I remember looking at the piston and
pushrods

3 that were still attached to the crankshaft; and again
there is

4 a tag on this item with my initials on it.

5 Q. Directing your attention now to the big piece of
metal.

6 A. Yes. This is also a section of a frame from a
truck that

7 was also in front of the Murrah Federal Building. A
couple of

8 things that got my attention when I first saw this:
The bent

9 and twisted end at one end and then the other end that
was

10 somewhat -- almost undamaged with the bracket still
bolted to

11 it and again a tag with my initials.

12 MR. GOELMAN: Your Honor, we offer
Government's

13 Exhibits 757, 760, and 763.

14 MR. TIGAR: No objection, your Honor.

15 THE COURT: They are received.

16 MR. GOELMAN: Take a seat, please, Agent
McCall.

17 May I approach, your Honor, to show him some
18 photographs?

19 THE COURT: Yes.

20 BY MR. GOELMAN:

21 Q. Mr. McCall, I'm showing you what's been marked for
22 identification as Government's Exhibit 759. Do you
recognize

23 what's depicted there?

24 A. Yes, I do.

25 Q. And is that a fair and accurate depiction of the
way that

11080

Anthony McCall - Direct

1 particular piece looked when you saw it?

2 A. Yes, it is.

3 MR. GOELMAN: Move to admit Government's 759,
your

4 Honor.

5 MR. TIGAR: May I inquire, your Honor?

6 THE COURT: You may.

7 VOIR DIRE EXAMINATION

8 BY MR. TIGAR:

9 Q. Agent, did you cause this or ask this photograph be
taken?

10 A. No, I did not.

11 Q. And when you recovered these items, was it dark?

12 A. Yes, it was.

13 Q. But can you -- even though this -- this does not
appear to

14 have been taken in the dark. Right?

15 A. That's correct.

16 Q. But these positions are the positions that you
remember

17 these items being; is that right?

18 A. That's correct.

19 Q. And are you able to tell that in part by the
relative

20 position of the white line and so on, things like that?

21 A. Yes.

22 MR. TIGAR: Okay. No objection, your Honor.

23 THE COURT: All right. Received.

24 DIRECT EXAMINATION CONTINUED

25 BY MR. GOELMAN:

11081

Anthony McCall - Direct

1 Q. Agent McCall, can you please describe for the jury
what
2 they're seeing in this photograph.

3 A. The item that I mentioned a few moments ago, the
torque
4 converter, is right here in the center of the picture.

This is
5 the centerline of the street. The Murrah Federal
Building

6 would have been to the left of the photographer. The
7 photographer would have been standing in the street
facing the

8 north-northwest, with the apartment building down the
street

9 and again, like I said, the Murrah Building to the left
of the
10 photographer and again the torque converter sitting
there in
11 the street.

12 Q. There appears to be some fluid around the torque
converter.

13 Was that the case when you first saw it?

14 A. When we appeared at the scene, the first time I saw
that,

15 yes, there -- I would have seen that fluid on that --
on the

16 street. Later in the evening when this was picked up,
it had

17 rained and the entire street was wet.

18 Q. Were you able to determine what that fluid was when
you saw

19 it?

20 A. Based on my knowledge of cars, it would have been
21 transmission fluid, because a torque converter is full
of

22 transmission fluid.

23 Q. Thank you. I want to show you what's been marked
for

24 identification as Government's Exhibit 761. Can you
see the

25 crankshaft that you recovered in this picture?

11082

Anthony McCall - Direct

1 A. Yes, I can.

2 Q. Is there anything different about this picture and
the way

3 the scene appeared when you saw it when you arrived on
4 April 19?

5 A. There was no smoke; and then when I recovered the
item,

6 there was yellow crime-scene tape on the item.

7 Q. Is that picture an accurate depiction of the way
the part

8 itself looked and the location of the part?

9 A. That's the right location; but before I recovered
the part,

on the 10 someone had taken yellow crime-scene tape and placed it

11 item itself.

your 12 MR. GOELMAN: Move to admit Government 761,

13 Honor.

14 MR. TIGAR: No objection, your Honor.

15 THE COURT: Received.

16 BY MR. GOELMAN:

tied 17 Q. Can you please point out the crankshaft that you've

18 here in court in this picture.

is 19 A. The crankshaft is right here. The torque converter

is there 20 right there, and the car that was in the other picture

would 21 towards the center of the street. Again, this picture

facedown N.W. 22 have been taken by the photographer -- was facing

Robinson, and 23 5th Street with their back to the intersection of

converter about 24 again the crankshaft right there and the torque

25 20 feet closer to the crater.

11083

Anthony McCall - Direct

1 Q. Can you identify what would have been the right

lane of

2 traffic if you were headed east on N.W. 5th Street?

then

3 A. There would have been a lane for parking here, and

and

4 there would have been a lane for driving here and here

5 here.

line on the

6 Q. And the crankshaft is right on top of the white

7 right side of the right lane?

8 A. That's correct.

marked

9 Q. Agent McCall, finally I'm showing you what's been

10 for identification Government's 764.

11 A. Yes.

in

12 Q. Do you see one of the pieces that you've identified

13 court in this picture?

14 A. Yes, I do.

location and

15 Q. Is this a fair and accurate depiction of its

16 its appearance when you saw it on April 19?

17 A. Yes, it is.

your

18 MR. GOELMAN: Move to admit Government's 764,

19 Honor.

20 MR. TIGAR: 754?

21 MR. GOELMAN: 764.

22 MR. TIGAR: Oh, 764. Thank you. No

objection.

23 THE COURT: Received.

24 BY MR. GOELMAN:

25 Q. Can you point out the piece of truck rail that you

11084

Anthony McCall - Direct

1 recovered on the 19th.

2 A. Here on this pile of debris is the frame section
itself

3 that we recovered. This is the end that is damaged,
this is

4 the end that is undamaged, and this is debris that had
cascaded

5 out of the building from the explosion; and this
picture was

6 taken by a member of my Evidence Response Team.

7 Q. Can you tell from this picture where in relation to
the

8 street and the curb and the front of the Murrah
Building you

9 found the piece of side rail?

10 A. This picture would have been taken with the
photographer

11 facing a westerly direction. The building would have
been to

12 the photographer's left, and the street would have been
to the

13 photographer's right. This would have been the right
area

14 right here.

15 Q. Can you see lines from the street itself on this
picture?

16 A. I can't see any right now, no.

17 Q. Thank you, Agent.

18 Finally, Agent McCall, I want to show you
what's
19 already in evidence as Government's Exhibit 728 and
have you
20 indicate where you found these three pieces of debris.

21 A. The building right here: That blue dot right there
is the
22 crater itself. The frame would have been just about 15
feet to
23 the east of the crater. The torque converter would
have been
24 about 60 or so feet to the east of the crater, and then
the
25 remaining piece, the crankshaft, would have been about
80 or so

11085

Anthony McCall - Direct

1 feet to the east of the crater, almost in a straight
row.

2 MR. GOELMAN: Thank you, Agent McCall.

3 That's all I have, your Honor.

4 THE COURT: What was that exhibit number?

5 MR. GOELMAN: 728.

6 MR. TIGAR: 728: It's in, your Honor.

7 THE COURT: Thank you.

8 Go ahead, Mr. Tigar.

9 MR. TIGAR: Thank you, your Honor.

10 CROSS-EXAMINATION

11 BY MR. TIGAR:

12 Q. Hello again, Agent. I'm Michael Tigar, one of the
lawyers

13 appointed to help out Terry Nichols.

14 You know cars; right?

15 A. I know a little bit about cars.

16 Q. You rebuild cars, don't you?

17 A. I've rebuilt a couple of Mustangs -- or actually
working on

18 one. I've rebuilt another.

19 Q. So when you saw these things, you knew what you
were

20 looking at; right?

21 A. Yes, sir.

22 Q. Now, looking here at this -- this is a piece of
crankshaft?

23 A. Yes, sir.

24 Q. The one that I'm pointing to here, which is --

25 MR. TIGAR: Excuse me, your Honor.

1 Can you help me out here what exhibit number
that is,

2 sir?

3 MR. GOELMAN: 760.

4 MR. TIGAR: Thank you, Mr. Goelman.

5 BY MR. TIGAR:

6 Q. This is 760; right?

7 A. Yes, sir.

8 Q. Now, in its original state, these pieces here like
this

9 were connected to something; right?

10 A. That's correct.

11 Q. So in order to get to where it is, this thing has
to have

12 been torn out of the place where it originally was;
right?

13 A. Yes, sir.

14 Q. And it bears marks around the edge that's
consistent with

15 that; right?

16 A. I would believe so, yes.

17 Q. And in addition to that, did you see scorching on
there?

18 Do you see what looks like scorching, or does it look
more like

19 just what you'd see normally in a shop working on an
engine?

20 A. I didn't closely examine the piece when I picked it
up. I

21 picked it up and tagged it and put it in the truck.
22 Q. Okay. And similarly, you told us this torque
converter in
23 real life -- this torque converter is just, you know,
like
24 perfectly round; right?
25 A. That's correct.

11087

Anthony McCall - Cross

1 Q. What time of day did you get up there, sir?
2 A. I arrived in Oklahoma City at approximately 1:30
p.m.
3 Q. And so you were in a position to see the situation
when it
4 was light; correct?
5 A. Yes, sir, I was.
6 Q. Now, at the time you arrived -- here is
Government's
7 Exhibit 761.
8 MS. WILKINSON: Mr. Tigar, there is no screen
here.
9 MR. TIGAR: There is only one screen.
10 THE COURT: I think the jury may be able to
see it.
11 MR. TIGAR: Well, all right. I'll try.
12 BY MR. TIGAR:
13 Q. This is the picture you were shown. I'm putting it

up here

14 instead of using the big one -- that has all that black
smoke;

15 correct?

16 A. That's correct.

17 Q. Now, that fire had been put out; correct?

18 A. There was no smoke when I arrived, no.

19 Q. So your visibility of the scene was unobstructed;
correct?

20 A. That's correct.

21 Q. This black smoke here looks like it reduced
visibility down

22 to some very short distance; right?

23 A. I was not there, so --

24 Q. Well, you can see here that you can hardly make out
some of

25 these details; correct?

11088

Anthony McCall - Cross

1 A. Correct.

2 Q. So that's consistent with visibility having been
reduced to

3 a very short distance; right?

4 A. If you say so.

5 Q. Well, I'm just asking you, sir, your interpretation
of the

6 picture. Does it look like it's a short distance?

7 A. It would appear to be a short distance.

but

8 Q. Something -- I mean impossible to tell, you know,

9 short?

10 A. Correct.

11 Q. On the order -- all right.

764.

12 Now, this picture -- you were shown a picture,

13 Maybe we should get the big one.

14 THE COURT: All right.

15 MR. TIGAR: If I may, your Honor.

16 BY MR. TIGAR:

of

17 Q. If we can look at this together: That's that piece

18 frame rail; correct, sir?

19 A. That's correct.

to --

20 Q. And that -- your Evidence Recovery Team asked you

picture

21 excuse me -- You asked somebody in your team to take a

22 of it; right?

23 A. That's right.

24 Q. You had a photographer with you?

25 A. That's right.

11089

Anthony McCall - Cross

1 Q. Now, had Agents Williams and Hahn arrived yet?

2 A. I believe they had.

3 Q. Were they the ones that were directing which parts
you were

4 to search?

5 A. No.

6 Q. Somebody else made that assignment; is that
correct?

7 A. No. I made the assignment.

8 Q. Oh, you were making the assignment what to search.

9 Now, it appears in this picture there is some
pink

10 here around this.

11 A. Correct.

12 Q. What's that?

13 A. I believe that's paint.

14 Q. Did you direct someone to spray-paint with pink
around the

15 item before it was recovered?

16 A. No, I did not.

17 Q. Do you know who did?

18 A. No, I do not.

19 Q. Is that a standard technique in evidence recovery,
to mark

20 the location of an item that's to be recovered with
pink paint,

21 or with some other kind of paint?

22 A. It's not mine, no.

the pink 23 Q. When you first saw this item, the frame rail, was
24 paint already there?
25 A. Yes, it was.

11090

Anthony McCall - Cross

things 1 Q. Were you directed to look for things and pick up
2 that had pink paint around them?

3 A. No, I was not.

knowledge as 4 Q. So you're telling us that you -- you have no
5 to how that paint got there; correct?

6 A. I have no idea.

item 7 Q. Now, was it you that made the decision to have the
8 photographed in place before it was moved?

9 A. Yes.

10 Q. And why did you do that?

taken of 11 A. A practice we tried to adhere to, have pictures
12 evidence items before they were moved.

is it 13 Q. In fact, it is FBI procedure also to make a sketch,
14 not?

15 A. Generally, it is.

16 Q. Did you make a sketch in this instance showing
where this

17 item had been recovered?

18 A. I do not believe so.

19 Q. You thought that a picture was adequate; correct?

20 A. At that point in time, we were trying to get more
equipment

21 into the scene, so we picked up the item and took
pictures and

22 did what we could at the time.

23 Q. Did the best you could; right?

24 A. That's correct.

25 Q. But -- now, you stated that at some point the rain
began;

11091

Anthony McCall - Cross

1 correct?

2 A. That's correct.

3 Q. What time did the rain start to your memory?

4 A. It was about 8 p.m. when a pretty strong storm came
5 through.

6 Q. Thunderstorm?

7 A. Yes.

8 Q. Now, you're from Houston; right?

9 A. Dallas.

10 Q. Dallas. Excuse me. You know what a thunderstorm

is?

11 A. Yes, I do.

12 Q. And that was one; correct?

13 A. That was one.

14 Q. Now, how long did that last?

15 A. It lasted at least 30 minutes.

16 Q. Now, was there rain later, then, in the evening?

17 A. I do not recall any more rain after that storm
passed.

18 Q. Okay. And how did the morning of the 20th dawn, if
you
19 remember?

20 A. I was still there at the scene, and I believe it
dawned
21 with fairly clear skies.

22 MR. TIGAR: Thank you. No further questions,
your

23 Honor.

24 Thank you, sir.

25 MR. GOELMAN: I just have one question, your
Honor.

11092

1 THE COURT: All right.

2 REDIRECT EXAMINATION

3 BY MR. GOELMAN:

had that 4 Q. Mr. McCall, Mr. Tigar asked you whether or not you
5 piece sketched?

6 A. Correct.

on 7 Q. What was the priority when you were doing searches
8 April 19, 1995?

so that 9 A. Priority was to get as much debris off the streets
10 we could get emergency rescue equipment and other heavy
11 equipment in to obtain victims out of the building.

12 MR. GOELMAN: I have nothing further.

13 MR. TIGAR: No questions, your Honor.

14 THE COURT: All right. Excused, I assume?

15 MR. GOELMAN: Yes, your Honor.

16 MR. TIGAR: Yes, your Honor.

excused. 17 THE COURT: You may step down. You're

Ed 18 MR. MACKEY: Your Honor, our next witness, Mr.
19 Paddock.

witness 20 Your Honor, we can proceed for a while. This
the 21 may need to ask the Court's indulgence to shift some of
22 physical evidence.

when 23 THE COURT: All right. You just let me know
24 you're ready to do that.

may 25 MR. TIGAR: Once again, your Honor, although I

11093

1 wish to voir dire on some items, we have no objection
to all 2 the covers being taken off at this point.

3 MS. WILKINSON: Thank you.

4 MR. TIGAR: If that's going to assist in the
5 presentation.

6 MS. WILKINSON: That would assist. Thank you.

7 THE COURT: All right.

8 (Edward Paddock affirmed.)

9 THE COURTROOM DEPUTY: Would you have a seat,
please.

10 Would you state your full name for the record
and 11 spell your last name.

12 THE WITNESS: Edward Michael Paddock, P-A-D-D-
O-C-K.

13 THE COURTROOM DEPUTY: Thank you.

14 DIRECT EXAMINATION

15 BY MS. WILKINSON:

16 Q. Good afternoon, Mr. Paddock.

17 A. Good afternoon.

18 Q. Are you here to tell us what you know about Ford
trucks?

19 A. Yes, ma'am.

20 Q. Okay. Can you tell us what your profession is?

21 A. I'm a mechanical engineer, more specifically an
automotive

22 mechanical engineer.

23 Q. Could you tell the jury just briefly about your
educational

24 background.

25 A. I received an associate's degree from the
University of

11094

Edward Paddock – Direct

1 Scranton in Pennsylvania in 1962, I received a
bachelor's of

2 mechanical engineering from the University of Detroit
in 1965,

3 and I received a master's of mechanical engineering
from the

4 University of Michigan in 1968.

5 Q. And did you have on top of that any other
education?

6 A. At one time I thought I might be a patent attorney
and

7 attended law school at night, but -- and received a
juris

8 doctorate in 1973 from Wayne State University in
Detroit.

9 Q. But you've never practiced law; is that right?

10 A. No, ma'am.

11 Q. You had a real job?

12 A. Yes, ma'am.

13 Q. Okay. And why don't you tell the jury where you
worked for

14 the past 34 years.

15 A. Starting in 1962 as a cooperative engineering
student, I

16 started out at Ford Motor Company and went alternating
17 three-month periods to school and to work and stayed
with Ford

18 for 34 years until last December 31.

19 Q. And during your time, or your career at Ford, did
you have

20 a variety of different jobs?

21 A. Yes, ma'am.

22 Q. At certain times in your career, did you focus on
trucks?

23 A. I focused on trucks primarily throughout my entire
career.

24 Q. And can you give the jury a description of the
types of

25 jobs you did for Ford?

11095

Edward Paddock – Direct

a test 1 A. Well, I was a trainee, I was a draftsman, I was

2 engineer, a development engineer, a durability

engineer, a

3 design engineer, a design supervisor in several
different

4 organizations within truck operations, and that's a
thumbnail

5 sketch.

6 Q. And during that time, you learned a lot about Ford
trucks;

7 is that right?

8 A. An awful lot, yes.

9 Q. And what was your last job before you retired from
Ford?

10 A. I was a design analysis engineer in one of the
advanced

11 engineer departments.

12 Q. What did you do as a design analysis engineer?

13 A. I provided technical support to younger engineers
in the

14 company, to outside people, such as suppliers, to
attorneys. I

15 helped defend product liability lawsuits and that type
of

16 thing.

17 Q. In that capacity, were you ever called to testify?

18 A. Yes, ma'am.

19 Q. And have you testified in court previously?

20 A. Yes, ma'am.

21 Q. Now, you told us you retired last December from
Ford?

22 A. Yes, ma'am.

- 23 Q. Where are you currently employed?
24 A. I'm employed by a company called Failure Analysis.
25 Q. And what does Failure Analysis do?

11096

Edward Paddock – Direct

1 A. Well, Failure Analysis is part of a much larger
2 organization called the Failure Group, and the Failure
Group is
3 an international engineering consulting firm which
specializes
4 in the analysis of failures, primarily related to
disasters;
5 and in the Detroit office, I specialize in engineering
failures
6 associated with automotive products.

7 Q. How long have you worked for Failure, then?

8 A. Since January 3 of this year.

9 Q. Did you complete all your -- let me start with
this: Were
10 you asked by the federal government to assist in the
11 investigation of the Oklahoma City bombing?

12 A. Yes, ma'am.

13 Q. And were you asked to look at metal debris that was
14 recovered from the crime scene in downtown Oklahoma
City?

15 A. Yes, ma'am.

16 Q. And did you do some analysis?

17 A. Yes, ma'am.

18 Q. And did you complete all of that analysis before
you
19 retired from Ford?

20 A. Yes, ma'am.

21 Q. Now, can you tell us when you were contacted by the
FBI to
22 assist in this investigation?

23 A. Well, I happened to be in Oklahoma City on April 25
of
24 1995, and I was contacted just about that time.

25 Q. What were you asked to do?

11097

Edward Paddock – Direct

1 A. At the time, I was asked to visit with the FBI and
to
2 render assistance in providing part identification.

3 Q. Did you do that at that time?

4 A. Yes, ma'am.

5 Q. Do you recall how long you spent in Oklahoma City
at that
6 time?

7 A. Five days.

8 Q. And over the past two years, have you continued to
inspect
9 metal fragments that were recovered from the crime

scene?

10 A. Yes, ma'am.

11 Q. And did you make any identifications of those
parts?

12 A. Yes.

13 Q. How did you do that?

14 A. I consulted a variety of Ford documents and
engineers'

15 drawings.

16 Q. Could you give us an idea of what type of documents
you

17 looked at?

18 A. Well, I started out with the invoice for the
vehicle. I

19 looked at the -- something we call the technical
specification

20 list, which is a summary of major parts. I looked at
the bill

21 of materials which contains all of the parts on the
vehicle. I

22 looked at the engineering drawings of many of the parts
and an

23 exemplar vehicle.

24 Q. During your participation in this investigation, do
you

25 recall how many parts you identified from the crime
scene?

11098

Edward Paddock - Direct

1 A. I want to say it was about 195 or '96, right in
that order,

2 just a little bit shy of 200.

3 Q. Today, have you only selected a few that you want
to show

4 the jury?

5 A. Yes, ma'am.

6 Q. Now, you told us that you were contacted by the FBI
back

7 shortly after the bombing; is that right?

8 A. Correct.

9 Q. And did you receive from them a VIN number?

10 A. Yes, I did.

11 Q. And what were you asked to do with that VIN number?

12 A. I was asked to investigate and to identify the type
of

13 vehicle and the parts on that particular vehicle if I
could.

14 Q. Were you able to do that, knowing the VIN number?

15 A. In part, yes.

16 Q. Tell us about that.

17 A. Well, I was able to pull the bill of materials,
which

18 identified hundreds of parts on the vehicle; and it
also

19 allowed me to pull engineering drawings, which I
utilized to

20 identify other parts.

21 Q. At some point did the FBI show you a rear axle

which had a

22 confidential VIN number on it?

23 A. Yes, ma'am.

24 Q. And did you inspect that?

25 A. Yes.

11099

Edward Paddock – Direct

VIN? 1 Q. And did that assist you in determining the public

2 A. Yes.

vehicle 3 Q. Can you tell the jury a little bit about what a

4 identification number does.

which is 5 A. Well, a vehicle identification number is something

National 6 required by the federal government, primarily the

digits in it, 7 Highway Traffic Safety Administration. It has 17

identifying 8 and all of those digits mean something in terms of

9 this particular vehicle.

assist you in 10 Q. And have you prepared a chart to assist -- or

the 11 explaining to us what those 17 digits told you about

12 Ryder -- excuse me -- about the Ford truck?

13 A. Yes.

that
14 Q. Were you able to determine when you reviewed all
truck?
15 paperwork whether Ford had actually manufactured that

16 A. Yes.

17 Q. What did you determine?

18 A. I determined that Ford did, indeed, manufacture
that
19 vehicle.

20 Q. In what year?

21 A. In 1993.

22 Q. And did you determine what happened to that truck
after it
23 came off the Ford assembly line?

24 A. It was eventually sold to a company, Ryder Truck
Rental.

25 Q. And when was it sold to Ryder?

11100

Edward Paddock - Direct

1 A. It was delivered to Ryder March 1 of 1993.

2 Q. If -- if you look at the 17 digits on the VIN
number, will
3 you able to -- or are you able to determine identifying
4 information including the information you've just
shared with
5 us about the year of the manufacturing of the Ford
truck?

6 A. Yes.

7 MS. WILKINSON: Your Honor, we'd offer
Government's

8 Exhibit 798 for demonstrative purposes.

9 MR. TIGAR: No objection, your Honor.

10 THE COURT: All right. 798 received, may be
used for

11 demonstrative purposes.

12 MS. WILKINSON: May I ask Agent Norman to come
forward

13 to put it up?

14 THE COURT: Yes.

15 You maybe want to use the easel there.

16 BY MS. WILKINSON:

17 Q. Mr. Paddock, is it fair to say this chart has a lot
of

18 information on it?

19 A. Yes, ma'am.

20 Q. Okay. Could you start at the top and tell us
what's

21 highlighted in yellow there.

22 A. At the top is highlighted the 17-character VIN
number.

23 Q. And you have, I see, certain numbers underneath
those 17

24 characters. Is that right?

25 A. Correct.

11101

Edward Paddock - Direct

front of 1 Q. Can you use your pointer -- I think it's there in
or if you 2 you, and you can step down if you keep your voice up,
with 3 can do it with the light and tell the jury starting
this 4 Category 1 what those characters indicate to you about
5 truck.

6 A. Well, the first three indicate the world
manufacturer,
7 which is Ford Motor Company.

8 It also identifies it as an incomplete
vehicle, which

9 means that it's not ready to perform its intended
function. It
10 needs something else done to it, which is the addition
of a
11 body by someone else.

12 Q. Could we stop right there for a moment. Could you
tell us
13 when Ford manufactured this truck, did they manufacture
the box
14 that was on the truck?

15 A. Not on the back, no, ma'am.

16 Q. So what portions of the truck did Ford manufacture?

17 A. They manufactured that thing which is called the
chassis

18 cab, which is the frame, all the suspension, and the

cab, which

19 is where people sit and drive the unit.

20 Q. Do you know who manufactured the box that was put
on top of

21 your Ford truck before it was sold to Ryder?

22 A. Yes, ma'am.

23 Q. Who was that?

24 A. Morgan Body.

25 Q. Now, if you could continue and tell us what was the
next

11102

Edward Paddock - Direct

1 category.

2 A. The next digit is an "N," identified is the brake
class.

3 All vehicles fall into a brake class, and that's
something

4 required by the federal standard.

5 The next three digits, F72, that means it's a
-- that

6 means it's a Ford F700 chassis cab with a low-profile
option.

7 It's a special vehicle which has a low profile to
accommodate

8 certain aftermarket bodies such as this Ryder truck.

9 The J is the engine, which is a 7-liter,
electronic,

10 fuel-injected Ford.

used to 11 The 4 is a check digit. It's a digit which is
if 12 calculate and determine that all those other 16 digits,
computer 13 they're properly recorded, will result in a 4. It's a
14 technique to verify proper input.

standard, 15 The P is a letter designated by the federal
16 which means it's a 1993 model year vehicle.

this 17 The V is the plant which Ford uses to produce
18 vehicle.

manufactured? 19 Q. And what plant is that where this vehicle was

20 A. That's the Kentucky truck plant down -- outside of
21 Kentucky.

F700 22 Q. Is that the only Ford truck plant that makes the
23 series?

24 A. Yes, ma'am.

25 That was outside of Louisville, Kentucky.

11103

Edward Paddock - Direct

1 Q. Sorry. Go ahead.

for a 2 A. And the A is the first -- first of six digits used

3 sequence number; in other words, it's A26077. If it
went to
4 100,000, it would be a B00001.
5 Q. You can take your seat.
6 Is that a number that helps you determine when
it came
7 off the assembly line in terms of --
8 A. Not very well, no.
9 Q. And is it unique to that vehicle?
10 A. It is unique to that and all other Ford vehicles,
yes.
11 Q. Can you tell the jury what a confidential VIN is?
12 A. A confidential VIN varies, and it is that part of
the VIN
13 after the 4; and it may have eight, seven, six digits
in it.
14 It all depends.
15 Q. In this case, what was the CVIN for this truck?
16 A. The CVIN was PVA26077.
17 Q. Is that a unique number for this truck?
18 A. Yes, ma'am.
19 Q. And does -- where does Ford put the entire public
VIN on
20 this F700 series truck?
21 A. It's put on a certification label required by
NHTSA, and
22 that label is affixed to the door, or the B pillar.
23 Q. Why is it put on the door and not on the window
like our

24 cars have?

look at 25 A. These trucks tend to be so high that if you went to

11104

Edward Paddock - Direct

you 1 the VIN number -- say a police officer or whatever --

2 couldn't reach it, you couldn't see it.

the 3 Q. Now, we heard early in this case a little bit about

that on 4 confidential VIN number. Do you or does Ford place

5 various parts of the truck?

6 A. Yes.

7 Q. Why do they do that?

agencies 8 A. To assist a -- police officers and law enforcement

the 9 in identifying vehicles which may have been stolen and

10 parts stripped and sold.

11 Q. On what portions of the truck do you mark the CVIN?

the 12 A. We mark it on the rear-axle housing, we mark it on

on the 13 transmission, we mark it on the frame, and we mark it

14 engine.

what I'll 15 Q. Now, in front of us we have quite a few pieces --

16 call unidentified -- metal fragments from the crime
scene. And

17 you've reviewed these before coming to court?

18 A. Yes.

19 Q. Have you also brought some exhibits to compare
these pieces

20 to?

21 A. Yes.

22 Q. How did -- or how did you come by these exhibits,
or let's

23 call them exemplars?

24 A. We tracked down the next sequentially built Ryder
truck,

25 and that would be the vehicle with the last digit of an
8, and

11105

Edward Paddock - Direct

1 purchased it from Ford -- from Ryder Truck Rental. And
when I

2 say "we," I mean Ford Motor Company.

3 Q. So are these exemplars made from the truck that was
of the

4 next F700 series truck off the Ford assembly plant?

5 A. Yes.

6 Q. And how did you take the truck and make it into
these

7 exemplars?

8 A. We just dismantled it piece by piece and

reassembled it

9 after we had cleaned it up and painted it.

10 Q. Will this assist you in showing the jury what these
pieces

11 looked like before they were involved with the
explosion?

12 A. Yes, ma'am.

13 Q. And you can -- we can look at this piece right in
front

14 here with the front bumper. This looks rather cleaned
up. Is

15 this what the truck looked like when you purchased it?

16 A. No, it was dirty and rusty, and we cleaned it up
and

17 repainted it.

18 Q. And did you add any additional paint for purposes
of

19 explaining your testimony to the jury?

20 A. Yes.

21 Q. What did you do?

22 A. We painted various parts, which I had identified as
23 fragments found at the bomb scene, in different colors
to

24 assist in picking them out from all black parts.

25 Q. And did you also cut away certain portions of the
exemplars

11106

Edward Paddock - Direct

1 to show the jury certain portions of the truck?

2 A. Yes.

is, the

3 Q. We'll move this one; but can you describe what this

4 wheel that I'm pointing to?

5 A. That's the wheel and the tire.

6 Q. What did you cut away from there?

inside

7 A. We cut away part of the wheel so one could see the

8 or the brake system.

scene --

9 Q. Now, did you examine the rear axle from the crime

10 that was recovered from the crime scene?

11 A. Yes, ma'am.

12 Q. Could you step down, Mr. Paddock.

jury. And

13 If you can push that right in front of the

show the

14 we need to move this exemplar -- is that right -- to

15 rear axle?

16 A. Yes.

17 MS. WILKINSON: Your Honor, we'd offer 791 for

18 demonstrative purposes, the exemplar of the rear axle.

19 MR. TIGAR: May I inquire of counsel?

20 THE COURT: Sure.

21 VOIR DIRE EXAMINATION

22 BY MR. TIGAR:

I'm

23 Q. Let me -- 791 -- Hi, there. I'm Michael Tigar.

24 helping out Terry Nichols.

25 This is 791, the rear-axle exemplar?

11107

Edward Paddock - Voir Dire

1 A. Yes, sir.

2 MR. TIGAR: No objection to that, your Honor.

3 THE COURT: All right.

4 DIRECT EXAMINATION CONTINUED

5 BY MS. WILKINSON:

6 Q. Okay, Mr. Paddock. This is the rear axle that was
7 recovered at the crime scene, which is 637A -- I'm
looking at

8 the wrong one. I think it's 630.

9 It's 630. And did you examine this piece?

10 A. Yes, ma'am.

11 Q. And did you determine what it is?

12 A. Yes.

13 Q. What did you determine that it is?

14 A. It is the thing that houses all of the internal
parts of

15 the axle called the rear-axle housing.

16 Q. And did you examine the CVIN here?

17 A. Yes, ma'am.

18 Q. What did you determine about that?

19 A. It is the vehicle that was eventually sold to
Ryder, and it

20 has a partial VIN number of PVA26077.

21 Q. And can you describe for the jury just briefly what
the

22 rear-axle housing consists of?

23 A. Well, it primarily consists of the housing itself
and the

24 two tubes upon which all the bearings, spindles, the
wheels and

25 eventually the tires.

11108

Edward Paddock – Direct

1 Q. And can you describe for them what this rear-axle
housing

2 looked like before when it was attached to the Ford
truck?

3 A. Well, essentially it looked like the part we have
marked as

4 791.

5 MS. WILKINSON: Your Honor, I don't know if
some of

6 the jurors want to stand to -- because this is so
close.

7 THE COURT: Well, all right.

8 BY MS. WILKINSON:

9 Q. Go ahead. You can explain how this was attached
originally

10 using the exemplar.

11 A. Well, basically the attached -- out at each outer
end were

12 all the bearings which held the brake assembly. We had
a brake

13 assembly at each end which we cover with a hub at each
end, to

14 which we mounted the wheels, two on each side.

15 Q. And this portion where the CVIN is -- where is that
on our

16 exemplar?

17 A. In the same place roughly, and it has the next
sequential

18 number, which is PVA26078.

19 Q. And this damage here right in the center area?

20 A. That's a tear caused by high forces.

21 Q. Now, you told us this was attached to the wheel
rim; is

22 that right? And the brakes?

23 So to remove this rear-axle housing from that
portion,

24 what would you have to do?

25 A. You'd have to disconnect the U-bolts, which are
mounted

11109

Edward Paddock - Direct

1 roughly in this area on each side, and those U-bolts go
up to a

2 spring, and the spring is mounted to the frame; and
that's what

3 bolts everything together.

4 Q. Since I mentioned a U-bolt, can you identify this,
5 Government's Exhibit 742?

6 A. Yes. 742 is actually -- three pieces together
here. One

7 is the U-bolt, and one is a shock bracket, and one is a
spring

8 cap. And at one time, the spring cap was on the top.
The

9 springs went through the U-bolt, and the lower part was
bolted

10 to the axle.

11 Q. Now, this U-bolt: Was it in this shape when it was
12 attached to the axle?

13 A. No, it looks exactly like the letter U inverted,
and it is

14 in its original condition.

15 Q. Where on this rear-axle housing --

16 A. It would go roughly right in that area when it was
in its

17 original condition.

18 Q. Mr. Paddock, during your analysis, did you also
look at

19 portions of the engine?

20 A. Yes, ma'am.

21 Q. And were you able to determine that certain items
from the

truck? 22 crime scene were part of the engine of the F700 Ford

23 A. Yes.

807 for 24 MS. WILKINSON: Your Honor, I'd offer Exemplar

25 demonstrative purposes.

11110

Edward Paddock – Direct

1 MR. TIGAR: May I just look, your Honor?

2 THE COURT: Sure.

3 MR. TIGAR: No objection, your Honor.

4 THE COURT: Received for the demonstrative
purpose.

5 BY MS. WILKINSON:

6 Q. Now, Mr. Paddock, do you see this item right here?

7 A. Yes, ma'am.

8 Q. What is that?

9 A. That's a crankshaft that was in the original 7-
liter

10 engine.

11 Q. You were pointing to Government's Exhibit 760. Is
that

12 right?

13 A. Yes, ma'am.

14 Q. And did you examine this crankshaft?

15 A. Yes.

16 Government's

Q. And did you compare it to the exemplar,
17 Exhibit 807?

18 A. Yes.

19 Q. Can you show the jury where the crankshaft would be
in the
20 engine?

21 A. Well, the crankshaft starts naturally at the front
of the
22 engine. This would be the front of the engine where
your fan
23 and your radiator is situated, and I would be at the
rear of
24 the engine where the transmission is situated; and the
25 crankshaft runs from front to rear and is marked with a
casting

11111

Edward Paddock – Direct

1 part number which I've highlighted in yellow.

2 Q. Now, have you cut away this exemplar, Government's
Exhibit
3 807, to show the jury the crankshaft?

4 A. Yes. We've cut away the entire right side of the
engine
5 plus the top.

6 Q. Can you describe how the engine was constructed and
how the
7 crankshaft was inside the engine before you did this
cutaway?

the 8 A. Basically, it was mounted from the bottom with all
the 9 journals and the bearings, and the cutaway portion of
10 engine looked exactly like the remaining portion on the
11 opposite side.

of the 12 Q. How difficult would it be to get the crankshaft out
13 engine?

14 A. You couldn't unless you completely dismantled it.

15 Q. Turn it sideways.

16 I don't know how easy it is for the jury to
see this.

17 It's too heavy for me to lift, Government -- no, leave
that
18 right there, please -- all right. 757. Can you lift
that up
19 and show the jury.

20 Did you determine what Government's Exhibit
757 was?

21 A. Yes. It is the torque converter which is mounted
to the
22 transmission and to the engine, and it originally
looked like

23 the part which is on the back of our other exemplar.

24 Q. Can you describe for the jury the changes in
Government's

25 Exhibit 757? How does it look different from the
original?

11112

Edward Paddock - Direct

output 1 A. Well, it's obviously deformed on one side, and the
2 shaft is displaced relative to its internal parts.

3 Q. Why don't you put it down before I ask you another
4 question.

5 How was the torque converter, Mr. Paddock,
attached to 6 the engine?

7 A. It comes in as part of the transmission and it is
then 8 bolted to the flywheel which is on the engine itself.

9 Q. What type of metal is used to keep the crankshaft
and the 10 torque converter in the engine?

11 A. It's a casting that comes actually on the
transmission.

12 Q. How difficult is it to remove the torque converter
from the 13 engine?

14 A. Again, you have to dismantle the torque converter
or a part 15 of it from the engine.

16 Q. On this little dolly is 713. Do you recognize
that?

17 A. Yes. It is the --

18 Q. Don't pick it up. Why don't we turn it towards --
if you

19 can push it.

20 Did you examine 713?

21 A. Yes. That is the ring gear.

22 Q. What is a ring gear?

23 A. A ring gear is something which went inside the rear
axle

24 and is actually the thing that turns or is turned by
the engine

25 which turns the transmission, which turns your drive
line which

11113

Edward Paddock - Direct

1 turns your ring gear, which turns your wheel and makes
your

2 vehicle go.

3 Q. Can you show us on the rear-axle exemplar, 791,
where this

4 ring gear would have been when the truck was
manufactured?

5 A. It would have been -- it would have been mounted
internal

6 to the housing which we looked at before, and the shaft
would

7 have come out towards the front of the vehicle.

8 Q. And again, how -- what is the manufacturing process
for

9 putting this wheel-axle housing together and the ring
gear?

10 A. Well, this all comes into the Ford plant. We

purchase it

11 from Rockwell Standard, and we install it in one piece.

12 Q. How difficult would it be to get the ring gear out
of the

13 rear-axle housing?

14 A. Again, you'd have to dismantle all of the bolts and
15 everything which hold it and its other associated parts
16 together.

17 Q. Instead of moving back to the other exemplar, can
we look

18 at this exhibit here, Government's Exhibit 722, I
believe it

19 is. Excuse me.

20 722. Did you examine that?

21 A. Yes.

22 Q. And did you determine what it is?

23 A. It is a front wheel. There are six wheels on this
vehicle.

24 I think we found five. It originally started out
looking like

25 the white one that is on our rear-axle exhibit. This
happens

11114

Edward Paddock - Direct

1 to be a front, and I can tell that by all of the parts
which

2 are still attached to it.

3 Q. And obviously, this has changed shape considerably?

4 A. Yes.

5 Q. Is that fair to say? Do you notice any other
changes to

6 it?

7 A. No.

8 MS. WILKINSON: I believe at this time, your
Honor, we

9 need just a few minutes to move the exhibits.

10 THE COURT: Rearrange things?

11 MS. WILKINSON: Yes.

12 THE COURT: If you'd like to stand and stretch
at this

13 time, members of the jury, feel free to do so.

14 This is one reason we don't have carpeting in this
room.

15 MR. TIGAR: Your Honor, may I stand and watch
this in

16 a convenient location?

17 THE COURT: Yes. Certainly.

18 MR. TIGAR: Thank you, your Honor.

19 BY MS. WILKINSON:

20 Q. Okay, Mr. Paddock. We're not going to be able to
move all

21 these pieces because they're a bit too heavy. Why
don't you

22 start, if you could, by describing to the jury what
this

23 exemplar shows and then we'll compare the pieces.

24 A. Well, the exemplar shows the front part of the
vehicle,
25 normally where the engine would be situated right in
this area;

11115

Edward Paddock - Direct

1 and it has the bumper, the two side rails. We call
them
2 longitudinal side rails. This particular vehicle had a
3 reinforced frame side rail, and that's done by putting
on a
4 second piece over the initial piece, and that's called
a liner.
5 It's pretty hard to pick out right here because it's
painted
6 black.

7 It also has the front axle and the steering
associated
8 with the vehicle, such as the steering gear, the tie
rod, the
9 steering arms, the upper and lower control arms; and
that's
10 essentially it.

11 Q. Now, it's hard to see over this bumper, but there
is a gray
12 area you painted. What is this?

13 A. That's the steering gear which we purchased from a
company,
14 Bendix.

15 Q. Is that attached to the frame rail?

16 A. Yes, ma'am. Painted gray.

17 Q. Do you recall looking at a piece of the truck that
shows

18 the steering gear and the frame rail?

19 A. Yes. And that piece is right here.

20 Q. 743?

21 A. Yes, ma'am.

22 Q. All right. And what did you identify in
Government's

23 Exhibit 743?

24 A. Well, the parts -- the gray part -- part number is

25 highlighted on the side of that steering gear in black,
and I

11116

Edward Paddock - Direct

1 identified that part number.

2 Q. Okay. And have you identified other portions of
the frame

3 rail recovered from the crime scene?

4 A. Yes. Exhibit 763.

5 Q. That is this large piece right here?

6 A. Yes.

7 Q. And what did you determine about this piece?

8 A. That's the right-hand front frame rail, and it has
the

9 bracket which secures the bumper.

10 Q. Can you show the jury on the exemplar?

11 A. Here's the bracket right up here. And you can't
see it

12 because really the bumper is on here, but it's painted
gray;

13 and you can see a part of it just through this little
step

14 hole.

15 Q. Is there any way you and I can move this, or is it
too

16 difficult to turn this?

17 A. I think it's probably best left where it is.

18 Q. Okay. I'll take your word for it.

19 Now, this large piece, Government's Exhibit
732: Were

20 you able to identify this?

21 A. Yes. That's the front axle.

22 Q. And can you show the jury where that is on your
exemplar?

23 A. It actually starts way out at this end. This
little grease

24 cap, which we showed on the white wheel before, holds
all the

25 bearings, holds disc brakes, comes across the vehicle,
under

11117

Edward Paddock - Direct

to the 1 the engine, holds the other side set of springs up and
2 other spindle, and it also holds the steering arm.

to 3 Q. And how is it -- what is the manufacturing process
4 attach this to the frame rail?

5 A. It's a forged steel piece.

rear 6 Q. And how difficult would it be to remove that front
7 axle from the F700 series Ford truck?

8 A. To remove it?

9 Q. Yes.

disconnect 10 A. You'd have to take all of the U-bolts out and

take the 11 the shock absorbers, take some of the steering off,
12 wheels off.

piece of 13 Q. Now, I want to go back, if I could, to this large
14 frame rail that you identified.

15 A. Yes.

exhibit -- 16 Q. Can you tell us the differences you see in this
17 and if you can read me the exhibit number again.

18 A. 763.

frame rail 19 Q. The differences you see in 763 from the piece of
20 on the exemplar?

our 21 A. Well, it started out as perfectly straight. All of

they're 22 frame rails are ladder-frame construction, which means
side to 23 perfectly straight and have a series of cross-members
24 side which are bolted in.

of 25 Q. Now, over here you have another exemplar of a piece

11118

Edward Paddock - Direct

1 frame rail. Is that right?

2 A. Yes.

3 Q. Can you tell the jury what that shows.

numbers 4 A. This particular piece has two confidential VIN

side. 5 stamped in it. And it is marked in yellow on this

and it's 6 Again, because this is the outside, this is the liner,

7 marked on the bottom in the actual frame rail piece.

or did 8 Q. I don't know if I can find it, but did you recover

of 9 you identify a small piece of frame rail with a portion

10 those numbers?

11 A. Yes.

jury 12 Q. I don't think I see it in here. Can you tell the

13 approximately what it looked like.

14 A. It was a small metal piece of torn steel, and it
had the
15 letters "PVA260" stamped in it.

16 Q. Were you able to identify it as a portion of the
same
17 Ryder -- Ford Ryder truck that you've identified
earlier?

18 A. Yes. And it came from the frame, as opposed to the
liner.

19 Q. Now, back on this table, Government's Exhibit 787.
I don't
20 know if you can lift that a little bit. Did you
identify that?

21 A. Yes. 787 is part of the left-hand frame, and we
matched
22 this up by comparing the engineering drawings and some
of the
23 holes in this piece.

24 Q. Set that down.
25 This is Government's Exhibit 731. Were you
able to

11119

Edward Paddock - Direct

1 identify that?
2 A. Yes. And this is part of the rear right-hand frame
rail,
3 and we identified this by matching up pieces in the
liner that
4 we found.

the 5 Q. And tell us what this would have looked like before

6 blast.

7 A. Again, it would have all been straight channel
section,

8 essentially like the exhibit that we just looked at.

9 Q. What type of metal is this?

10 A. It's a steel, 50,000 PSI unit.

11 Q. Now, let's go back to your exemplar if we could for
a

12 minute.

13 This shows what portion of the truck?

14 A. The front portion from roughly the engine/
transmission

15 forward.

16 Q. Okay. And how much further back does the frame
rail go if

17 we were to have the entire truck here in the courtroom?

18 A. Well, the wheelbase is 225 inches, which is roughly
19 20 feet; and then after that, it's another 100 inches,
which

20 would be 8 feet.

21 Q. And you would have frame rail all along --

22 A. Yes.

23 Q. -- those measurements you were talking about?

24 Do you recall approximately how far back the
rear axle

25 is on the truck?

11120

Edward Paddock – Direct

roughly 1 A. It would be 220 inches from this axle, which would

2 be, again, 20 feet.

3 Q. Now, during your examination, were you also able to
4 identify portions of the bumper?

5 A. Yes.

6 Q. I'm sorry. Go ahead.

7 A. Several parts of the bumper.

8 Q. How were you able to do that?

through 9 A. To identify them? We were able to identify them

license 10 the little square holes which are used to mount the

to step 11 plate, in addition to the square holes which are used

12 up on the vehicle. They're step holes.

right? 13 Q. You've cut away the front tire for us. Is that

14 A. Yes.

inside the 15 Q. Were you able to identify certain portions from

16 wheel rim?

parts. 17 A. Yes, we were able to identify various brake system

18 Q. Point those out to the jury, please.

and
the
pads

19 A. We identified the brake caliper, part of the rotor;
20 they're hard to discern, but inside being squeezed by
21 caliper are the brake pads. We identified the brake
22 without the linings.

something

23 Q. Across the bottom of the truck here, you have
24 painted in yellow. What is that?

goes from

25 A. Yes. That's something called a tie rod, and it

11121

Edward Paddock – Direct

vehicle

1 the left side of the vehicle to the right side of the
turns

2 so that when your left tire turns, your right tire
3 equally.

recovered at

4 Q. And did you identify a portion of the truck
5 the crime scene as the tie rod?

different

6 A. Yes. We found the entire tie rod in three
7 pieces.

highlighted,

8 Q. And over on this side, you have a few pieces
one is in

9 which I think are difficult for the jury to see; but

10 yellow, and there is a part number here?
11 A. Yes. That's one of the steering arms, the upper
steering
12 arm. It has a Ford part number which is unique to
heavy
13 trucks. It also has a Ford logo on it.
14 Q. What about this portion in blue and portion in
green?
15 A. The same for those portions. The steering links
and the
16 output of the steering gear have Ford part numbers on
them
17 which are identical to the build list as well as the
exemplar
18 we looked at.
19 Q. You can take your seat. Thank you.
20 After you examined all the metal fragments
from the
21 crime scene, did you come to a conclusion, Mr. Paddock?
22 A. Yes, ma'am.
23 Q. What was your conclusion?
24 A. I concluded that based on the metal fragments which
I
25 looked at and various other Ford documents which I
looked at

11122

Edward Paddock – Direct

1 that there was one vehicle involved in the Oklahoma
City

2 bombing which was built by Ford and had a unique
vehicle 3 identification number.

4 Q. And what was that VIN number?

5 A. It was 1FDNF72J4PVA26077.

6 MS. WILKINSON: We have no further questions,
your 7 Honor.

8 THE COURT: Thank you.

9 Mr. Tigar.

10 CROSS-EXAMINATION

11 BY MR. TIGAR:

12 Q. Good afternoon again, sir.

13 A. Hello, sir.

14 Q. I mentioned my name before. I'm Michael Tigar, one
of the 15 lawyers helping out Terry Nichols.

16 You worked for Ford for how long, sir?

17 A. Just a little over 34 years.

18 Q. And we've never met; right?

19 A. No, sir, we haven't.

20 Q. Okay. Now, your role in this case was to -- that's
even 21 funnier than you know, sir.

22 The -- your role in this case was to meet with
the 23 Government and help to reconstruct all these truck
parts that

24 were found at the scene; correct?

25 A. Essentially, yes.

11123

Edward Paddock – Cross

different 1 Q. And to do that, you had to consult a number of

2 sources. Correct?

3 A. That is correct.

Ford 4 Q. But you're relying on your expertise as a long-time

5 employee and mechanical engineer to bring us this

6 reconstruction; correct?

7 A. Yes.

seen here? 8 Q. Now, did Ford do the reconstructions that we've

9 A. In terms of putting this all together?

10 Q. Yes, putting it together.

11 A. Essentially, yes.

12 Q. And do you have any idea of the cost of that?

13 A. No, sir.

14 Q. Not even a ballpark guess?

15 A. No, sir.

for it? 16 Q. Do you know if Ford billed the federal government

17 A. They did not.

18 Q. Now, these Ford trucks have a lot of plastic parts;
19 correct?

20 A. They have some nonmetallic parts, yes.

21 Q. I mean, for example, the little thing that holds
the -- do

22 you use fuses, or circuit breakers in the F700?

23 A. Circuit breakers. Well, little fuses. Not circuit
24 breakers like we would see in a house.

25 Q. The little, tiny bus-brand fuses with the little
wire in

11124

Edward Paddock - Cross

1 them we can see?

2 A. Yes. They're blue, green, yellow.

3 Q. And the breaker-box cover, for example, would be
plastic;

4 right?

5 A. Well, it would be nonmetallic.

6 Q. Nonmetallic. There are a lot of nonmetallic parts
in a

7 Ford truck; correct?

8 A. In comparison to the number of parts, I would say
no, but

9 there are some.

10 Q. But there are some. And this VIN number that
you've told

11 us about here: That VIN number was supplied to you on

the 25th

12 of April, was it not, the first day you began work?

13 A. That's correct.

14 Q. Because it was your understanding that there was
never any

15 dispute that a Ryder truck had been rented at Elliott's
Body

16 Shop in Junction City, Kansas, and that that same Ryder
truck

17 had been the one that blew up in front of the Murrah
Building;

18 right?

19 A. I have no idea about that.

20 Q. Well, did you know that this was a Ryder truck?

21 A. Yes.

22 Q. And there was never any question about that from
the first

23 day; right?

24 A. I never had any question. I don't know about
anybody else.

25 Q. Nobody ever told you different; correct?

11125

Edward Paddock – Cross

1 A. No.

2 Q. All right. And the -- and the Ryder truck in
question was

3 the one with that VIN number; correct?

4 A. Yes.

5 Q. Now, Ford did not manufacture the box or any part
of it.

6 Correct?

7 A. Correct.

8 Q. That was done by Morgan Body Shop?

9 A. Correct.

10 Q. Now, you've talked to us some about this rear-axle
11 assembly. Are the two rear wheels independently
suspended?

12 A. No.

13 Q. That is, if you put a weight over the differential,
which
14 is in the rear there, and that presses down, the two
axles

15 don't come up --

16 A. No.

17 Q. -- do they?

18 A. Not like a car. No.

19 Q. Not like a car. So it's -- that weight is going to
press

20 them both down equally; right?

21 A. It could change a little bit side to side depending
where

22 the load is, yes.

23 Q. But --

24 A. Generally, it would be equal.

25 Q. Generally equally; right?

11126

Edward Paddock – Cross

1 A. Yes.

if we 2 Q. That is different from the experience we would have

camber 3 put weight in a car and we could watch the two wheels

4 out?

5 A. Yes.

6 Q. Or change angles; correct?

7 A. Yes.

Rockwell; is 8 Q. The axles in question are supplied to you by

9 that right?

10 A. Correct.

series 11 Q. And are the rear axles the same for all the F700

12 trucks regardless of wheelbase?

13 A. No.

14 Q. Are they axles that you use unique to the 225-inch
15 wheelbase truck?

16 A. For Ryder, yes.

225-inch 17 Q. Ryder. And do you make anything other than the

18 wheelbase truck for Ryder?

19 A. I can't answer that. I don't know.

20 Q. If Ryder were to order -- I mean, do you know -- is
that
21 axle that you get from Rockwell also used on other Ford
trucks
22 other than the 225-inch wheelbase ones that you sell to
Ryder?
23 A. It may be, but it may be modified slightly.
24 Q. Now, in the process of doing your work in this
case, did
25 you consult the Ford Truck Body Builders Layout Book?

11127

Edward Paddock - Cross

1 A. Yes.
2 MR. TIGAR: May I have just a moment, your
Honor?
3 THE COURT: Yes.
4 BY MR. TIGAR:
5 Q. I'm going to show you, sir, what I've marked as
Defendant's
6 D1364 and ask you if that is a section of the Ford Body
7 Builders Layout Book that you consulted in connection
with your
8 work in this case?
9 A. Yes, it is.
10 MR. TIGAR: We offer it, your Honor.
11 MS. WILKINSON: May I see it?
12 THE COURT: Yes.

give you 13 MR. TIGAR: You can either approach, or I'll

14 a copy.

15 MS. WILKINSON: I'll take a copy.

16 MR. TIGAR: Here's a copy.

Honor. 17 MS. WILKINSON: We have no objection, your

18 THE COURT: D1364 is received.

19 BY MR. TIGAR:

20 Q. That's not the whole book, is it?

21 A. No, sir, it's not.

which is 22 Q. And I wanted to just ask you to look at this page,

showing 23 Bates' stamped 3. Is that the cab and chassis layout

measurements that 24 the various dimensions or showing the various

25 are going to be taken?

11128

Edward Paddock - Cross

vehicle 1 A. It's a generalized illustration of this type of

using 2 which has letters that can be filled in with dimensions

3 other documents.

then you'd 4 Q. All right. So that's the sort of overview, and

5 need other documents for particular trucks that you

were going

6 to build for particular customers; is that right?

7 A. Even this truck, yes.

8 Q. Even this Ryder truck?

9 A. Correct.

10 Q. All right. What is the diameter of the wheel rim
on this

11 truck?

12 A. 19.5 inches.

13 Q. Now, is -- what are the -- what's the range of
diameters on

14 the Ford trucks' wheels, if you know?

15 A. I couldn't tell you.

16 MR. TIGAR: Thank you very much. No further
17 questions.

18 THE COURT: Any redirect?

19 MS. WILKINSON: I do, your Honor. I have one
exhibit.

20 THE COURT: All right.

21 MS. WILKINSON: If I can get to it.

22 REDIRECT EXAMINATION

23 BY MS. WILKINSON:

24 Q. Mr. Paddock, as part of your task to assist the FBI
in

25 identifying the truck parts, did you assist in laying
out the

Edward Paddock - Redirect

1 truck parts on a drawing or schematic of the
measurements of

2 the Ford Ryder truck?

3 A. Yes.

4 Q. And did you try -- did you and others try and place
the

5 parts that remained from the crime scene on the
schematic to

6 show what was left of the Ryder truck?

7 A. Yes.

8 Q. Do you recognize Government's Exhibit 824A?

9 A. Yes, ma'am.

10 Q. And is this a photograph of that -- that was taken
after

11 you did that work?

12 A. Yes.

13 MS. WILKINSON: Your Honor, we'd offer 824A.

14 MR. TIGAR: May I inquire, your Honor?

15 THE COURT: Of course.

16 VOIR DIRE EXAMINATION

17 BY MR. TIGAR:

18 Q. Now, Mr. Paddock, does this show only parts that
were on

19 the Ryder as it came out of the Ford factory?

20 A. No.

21 Q. That is, are there any aftermarket parts in here?

22 A. There are several body parts on that -- on that
picture,
23 yes.
24 Q. Without showing it to the jury, can you identify
for me the
25 aftermarket parts?

11130

Edward Paddock - Voir Dire

1 A. Well, this would be the aftermarket body, and these
would
2 be the aftermarket parts, in this area. The bumper,
all of the
3 bumper, rear parts.

4 Q. And those were manufactured by Morgan?

5 A. I don't know if Morgan manufactured them or
purchased them.

6 Q. So you have no personal knowledge of whether these
parts
7 that are on this portion are manufactured by the Ford
Motor
8 Company; is that right?

9 A. I know they weren't manufactured by Ford. They
were --

10 Q. And you don't know by whom they were; correct?

11 A. That's correct.

12 Q. And thus, you would not be able to, as you sit
there

13 today -- to recognize them as to whether or not they

were ever

VIN 14 part of a truck that rolled down the road carrying that

15 number; correct?

16 A. That's correct.

17 MR. TIGAR: We object to that, your Honor.

18 MS. WILKINSON: May I ask him just one
question, your

19 Honor?

20 THE COURT: Yes.

21 REDIRECT EXAMINATION CONTINUED

22 BY MS. WILKINSON:

23 Q. Did you review with members of Morgan at some point
the

24 specifications for the Morgan box? Did you meet with
them?

25 A. Just in general. No.

11131

Edward Paddock – Redirect

1 Q. And do you know if anyone else assisted in placing
some of

2 these items here from Morgan that you pointed out to
Mr. Tigar?

3 A. Yes.

4 Q. And did you review it after that was done?

5 A. Yes.

6 MS. WILKINSON: Your Honor, we'd offer --

Honor. 7 MR. TIGAR: We persist in our objection, your
8 THE COURT: Yes. Sustained.
9 MS. WILKINSON: We have no further questions,
your
10 Honor.
11 MR. TIGAR: No questions, your Honor.
12 THE COURT: Are you excusing this witness?
13 MS. WILKINSON: Yes, we are.
14 THE COURT: All right. You may step down, and
you're
15 excused.
16 And you can take some of the poster boards.
17 We won't try to move all this right now.
We'll go
18 ahead with another witness.
19 MR. MACKEY: And that would be Mr. Alton
Wilson.
20 MR. TIGAR: Sorry. I didn't hear.
21 MR. MACKEY: Alton Wilson.
22 THE COURTROOM DEPUTY: Raise your right hand.
23 (Alton Wilson affirmed.)
24 THE COURTROOM DEPUTY: Would you have a seat,
please.
25 Would you state your full name for the record
and

1 spell your last name.

2 THE WITNESS: Alton L. Wilson, W-I-L-S-O-N.

3 THE COURTROOM DEPUTY: Thank you.

4 DIRECT EXAMINATION

5 BY MS. WILKINSON:

6 Q. Mr. Wilson, where are you employed?

7 A. With the Federal Bureau of Investigation.

8 Q. Are you an agent?

9 A. Yes, I am.

10 Q. How long have you been an agent?

11 A. 14 years.

12 Q. Where are you currently assigned?

13 A. The Atlanta, Georgia field division.

14 Q. Where were you assigned back in April of 1995?

15 A. The New York field division.

16 Q. And after the bombing in Oklahoma City, were you
tasked to

17 come out, to go out to Oklahoma City to assist with the
18 investigation?

19 A. Yes, I was.

20 Q. And were you working at the crime scene on April
21,

21 Friday, 1995?

22 A. Yes, I was.

23 Q. And were you working with other FBI agents at that

time and

24 other FBI staff?

25 A. Yes, I was.

11133

Alton Wilson - Direct

1995? 1 Q. What was your task on the morning of April 21,

lot across 2 A. My task was to assist in a search in the parking

3 from the Murrah Building.

4 Q. Okay. And who were you working with on that day?

5 A. Ronald Kelly.

when you 6 Q. And what portion -- well, did there come a time

lot? 7 were searching the northwest portion of the parking

8 A. Yes.

9 Q. And did you recover certain pieces of evidence?

10 A. Yes, I did.

evidence was 11 Q. And do you recall where a particular piece of

12 recovered that day?

13 A. Yes, I do.

Exhibit 664? 14 Q. Can you look in your folder for Government's

15 It should be in that other folder there.

16 No, in -- see that? There you go.

on it? 17 Does that have a Government's exhibit sticker

18 A. Yes, it does. It reads 664B.

19 Q. 664B?

20 A. And I see a 664A sticker on it as well.

for a 21 MS. WILKINSON: Your Honor, may I look at it

22 second?

23 THE COURT: Yes.

24 BY MS. WILKINSON:

25 Q. Are there two bags there, Mr. Wilson?

11134

Alton Wilson - Direct

1 A. Yes.

2 Q. How is that bag marked?

3 A. 664A.

4 Q. Okay. And do you see 664 inside that bag?

5 A. Yes, I do.

6 Q. Do you recognize the bag, 664A?

7 A. Yes, I do.

8 Q. How do you recognize the bag?

on it, 9 A. I recognize it because of the markings that I put

recognize 10 the CT4/21-06 as well as the date 4-21-95. I also

11 the initials of Ronald Kelly.

12 Q. Now, were you and Mr. Kelly in the parking lot when
that
13 was recovered?

14 A. Yes, we were.

15 Q. Do you recall where in the parking lot it was
recovered?

16 A. Yes, I do.

17 Q. And if I showed you an exhibit, could you -- of the
parking
18 lot -- a photograph of the parking lot, could you mark
for the
19 jury where you saw it in place before it was seized?

20 A. Yes, I can.

21 MS. WILKINSON: Maybe if we just use the
photograph

22 instead.

23 Mr. Tigar, could I have Exhibit D1665?

24 BY MS. WILKINSON:

25 Q. Now, can you see that photograph there?

11135

Alton Wilson - Direct

1 A. Yes.

2 Q. Do you see there is a pen up there attached to a
wire?

3 Can you show the jury generally -- circle the
area you

4 were searching that morning on April 21, 1995.

5 You have to go down underneath and write on
the
6 screen.

7 A. Okay. Can you repeat your request?

8 Q. Just circle the general area that you were
searching that
9 morning.

10 MR. TIGAR: May we have a picture of that
picture,
11 your Honor?

12 THE COURT: I don't know. It hasn't been
working
13 lately. We'll try.

14 MR. TIGAR: Can we have a try?

15 THE COURTROOM DEPUTY: We can try.

16 MR. TIGAR: Thank you, your Honor.

17 Thank you, Ms. Hasfjord.

18 THE COURTROOM DEPUTY: Should be okay.

19 BY MS. WILKINSON:

20 Q. Okay. Can you click the side of your pen to erase
that
21 area.

22 Now, can you go back down and put an X in the
area
23 where you recovered Government's Exhibit 664.

24 Now, is that marking exactly where you found
it?

25 A. It's approximate.

Alton Wilson - Direct

1 Q. It was in that back corner of the parking lot?

2 A. That is correct.

3 Q. Now, did you see who picked it up from that area?

4 A. Yes, I did.

5 Q. Who picked it up?

6 A. Ronald Kelly.

7 Q. Was he wearing gloves?

8 A. As far as I recall, he was.

9 Q. And what did he do with it?

10 A. He packaged it.

11 Q. In the plastic bag, Government's Exhibit 664A?

12 A. That is correct.

13 Q. And what happened to it then?

14 A. I entered the item on the recovery log, and I also
put the

15 annotations CT4/21-06 followed by the date 4-21-95 on
the bag,

16 and then Mr. Kelly recorded his initials on the bag.

17 Q. Did you seal the bag?

18 A. Yes, I did.

19 Q. And did you take custody of it at this time?

20 A. Yes, I did.

your 21 MS. WILKINSON: We have no further questions,
22 Honor.
23 THE COURT: Mr. Tigar?
Honor? 24 MR. TIGAR: May I have just a moment, your
25 THE COURT: Surely.

11137

Alton Wilson - Direct

ask one 1 MS. WILKINSON: Your Honor, I just failed to
2 question, if I could, if Mr. Tigar doesn't mind.
3 THE COURT: All right.
4 BY MS. WILKINSON:
Exhibits 5 Q. Mr. Wilson, after you took custody of Government's
6 664 and 646A, at some point did you turn it over to
somebody 7 else?
8 A. Yes, I did.
9 Q. To whom did you turn it over?
10 A. I turned it over to Special Agent Steve Burmeister.
11 MS. WILKINSON: Thank you.
12 THE COURT: Now Mr. Tigar.
13 MR. TIGAR: Thank you.
14 CROSS-EXAMINATION

15 BY MR. TIGAR:

16 Q. Good afternoon, sir.

17 A. Good afternoon.

helping

18 Q. My name is Michael Tigar. I'm one of the lawyers
19 out Terry Nichols.

20 MR. TIGAR: May I have just another moment?

21 THE COURT: Sure.

22 BY MR. TIGAR:

23 Q. Now, did you take a photograph of this item?

24 A. I did not.

25 Q. Did you see someone take a photograph of this item?

11138

Alton Wilson - Cross

1 A. Yes, I did.

being

2 Q. And you said that there was a log kept of what was
3 seized?

4 A. That is correct.

5 Q. Now, who was in charge of your search team?

6 A. SA -- or Special Agent -- Steve Burmeister.

Burmeister,

7 Q. And the search team then consisted of Mr.

8 Mr. Kelly, and yourself. Is that correct?

9 A. That is correct.

10 Q. And were you using a standard form to log in the
evidence?

11 A. Yes, I was.

12 Q. And was that form -- had that form been provided by
the
13 people who were in charge of the search?

14 A. I'm sorry?

15 Q. Had that form been provided by the crime-scene
directors
16 for the search?

17 A. Yes.

18 Q. Did that form have a grid map for you to mark where
you
19 found the various items?

20 A. Yes, it did.

21 Q. Did you mark on the grid map where you found this
item?

22 A. I did not.

23 Q. I'm going to show you what I have marked as
Defendant's

24 E89 -- marked as Defendant's E89, shown to Government
25 counsel -- consisting of eight numbered pages. I ask
you if

11139

Alton Wilson - Cross

1 you recognize that as a document prepared on that day?

2 A. Yes, I do.

there

3 Q. And would you just leaf through each of the pages
4 just to make sure, sir.

5 A. Certainly.

6 Q. Please don't take my word for it.

7 Been through it, sir?

8 A. Yes, I have.

9 MR. TIGAR: We offer it, your Honor.

10 MS. WILKINSON: No objection.

11 THE COURT: It's E89, did you say?

89.

12 MR. TIGAR: Yes, E, as in Echo, your Honor,

13 THE COURT: Received.

14 BY MR. TIGAR:

--

15 Q. Now, looking at the first page here, sir, if I may

16 MR. TIGAR: Thank you, Ms. Hasfjord.

17 BY MR. TIGAR:

Could

18 Q. Could you click -- there is a pen on a wire there.

I

19 you click the side button there? That will get rid of,
20 think, that mark.

21 Could you click it again?

22 A. You're welcome.

and this

23 Q. This is from April 21, '95, a crime-scene search,
24 is your standard form; correct?

25 A. That is correct.

11140

Alton Wilson – Cross

1 Q. And that is you, Special Agent Wilson, and Ronald
Kelly.

2 Is that correct?

3 A. That is correct.

4 Q. And Ron Kelly is an FBI chemist; right?

5 A. I know him to be an examiner.

6 Q. Now, on the -- we're going to look at the last page
here.

7 This is a diagram of the parking lot. Correct?

8 A. That is correct.

9 Q. And if I were to turn it around like this, we'd see
north

10 is towards the top of the page; correct?

11 A. Yes, sir.

12 Q. So to orient ourselves, the Murrah Building would
be off

13 the bottom of the page; right?

14 A. That's correct.

15 Q. And to further orient ourselves, here's that tree
--

16 correct -- that's in the parking lot?

17 A. That's correct.

18 Q. The area that you were searching that you described
earlier

19 is generally the area that's bounded by this double
line. Is

20 that correct, sir?

21 A. That is correct, sir.

22 Q. Now, who prepared -- who participated in preparing
this

23 document that I'm looking at or that we're looking at
together,

24 sir?

25 A. I do not know who that person was, sir.

11141

Alton Wilson - Cross

1 Q. Did at sometime -- did you get this document with
all of

2 the automobiles marked on it and numbered?

3 A. Yes, I did.

4 Q. So that when you got it, it had all of these cars
and

5 numbers; correct?

6 A. That is correct.

7 Q. Now -- and you then put some numbers on it; right?

8 A. Yes, I did.

9 Q. And I know that we don't have both of our
television sets

10 here, but these numbers that are not in the car boxes,
the 11,

11 the 12, the 2, the 3 -- those are your numbers;

correct?

12 A. That is correct, sir.

13 MR. TIGAR: All right. May I approach -- will
the

14 Court inquire of the jurors, are the jurors able to see
the

15 numbers that we're displaying?

16 THE COURT: Are you able to read that?

17 BY MR. TIGAR:

18 Q. All right. Now, when you recovered the item about
which

19 you testified on direct examination, sir, did you give
it a

20 number?

21 A. Yes, I did.

22 Q. And what number was that?

23 A. That number was CT4/21-06.

24 Q. And -- the last two digits, the 06 -- those -- you
were

25 using the last two digits of what you found to put on
the

11142

Alton Wilson - Cross

1 sheet; correct?

2 A. That is correct, sir.

3 Q. And, for instance, if you recovered something that
had all

4 those numbers except the 06 was a 03, that would be
this thing

5 up here between Car No. 21 and Car No. 73; correct?

6 A. I don't see --

7 Q. Down at the bottom. I'm sorry. I've got it off
the edge.

8 A. Would you please repeat your question, sir.

9 Q. Sure. I'm going to turn this around the other way.
Going

10 to put north at the bottom. Would that make it easier
to read

11 these numbers?

12 A. Yes.

13 Q. Because otherwise, the numbers are upside down;
correct?

14 A. That's correct.

15 Q. Now, you see here at the top it says "03."

16 A. Yes.

17 Q. Now, that 03, if we found that piece of evidence,
if you

18 were talking about that, you'd know it because you
would have

19 put that number, number, number, number; and it would
be an 03

20 instead of an 06. Is that correct?

21 A. That is correct.

22 Q. Now, is it correct, sir, that you -- you're telling
us that

23 you found the item that you're talking about over here

24 somewhere between Car No. 6 and Car No. 5? Right?

25 A. No, sir.

11143

Alton Wilson – Cross

1 Q. Where do you say you found this number 06?

2 A. Can I circle the area with this pen?

3 Q. Yes. Could you do it on the screen?

4 A. Sure.

5 Q. Go underneath it there.

6 A. That area there.

7 Q. Now, you have circled an area that is -- whoops.

And I

8 moved it. That is somewhere defined by 13, 14, 7 and
8.

9 Correct?

10 A. That is correct.

11 Q. Well, where is 06?

12 A. Well, like I said earlier, I inadvertently left off
Item 06

13 from the diagram.

14 Q. Now, did you see Agent Kelly pick up 06?

15 A. Yes, I did.

16 Q. And before he picked it up, did he call a
photographer over

17 to photograph it?

18 A. Yes, he did.

19 Q. It's your testimony that before -- that the
photographer
20 photographed it before it was touched?
21 A. That is correct, sir.
22 Q. And after it was -- is it Agent Kelly that picked
it up, or
23 you picked it up?
24 A. Mr. Kelly picked up the item.
25 Q. Mr. Kelly, because he's not an agent. Right?

11144

Alton Wilson - Cross

1 A. That's correct.
2 Q. Mr. Kelly picked it up?
3 A. That's correct, sir.
4 Q. And then he handed it to you?
5 A. That is after the item was photographed, Mr. Kelly
picked
6 the item up, packaged it, handed it over to me.
7 Q. And what did you do with it? You say you put it in
an
8 envelope; right?
9 A. Again, I put the annotation on it CT4/21-06 and the
date
10 4-21-95, after which time Mr. Kelly recorded his
initials on
11 the bag.
12 Q. Now, did you take that item to the evidence

recovery area?

13 A. Yes, I did.

14 Q. And was that evidence recovery area a warehouse
somewhere,

15 or was it a vehicle that was going to take things to
the

16 warehouse?

17 A. It was a warehouse area.

18 Q. Now, was that the warehouse in which all of the
evidence

19 that the Bureau was collecting had been stored?

20 A. That is correct, sir.

21 Q. That was a -- and did you actually go into the
warehouse to

22 store it someplace?

23 A. Yes, I did.

24 Q. And where did you actually -- where did you go in
and store

25 it?

11145

Alton Wilson - Cross

1 A. Where at --

2 Q. Where did you go in and take it?

3 A. To the front table, where items were being entered
into

4 storage.

5 Q. Was that Agent Elliott that was in charge of that

at that

6 point?

7 A. Yes, he was.

8 Q. So you met Agent Jim Elliott?

9 A. That is correct.

10 Q. A gentleman with glasses and looks like he had long
service

11 as an agent?

12 A. That is correct. Now, I hasten to add at that
point Agent

13 Burmeister was present as well.

14 Q. Now, when did Agent Burmeister come on the scene?

15 A. Agent Burmeister met me there at that facility.

16 Q. So he was not there at the time that you were
collecting

17 these items in the parking lot on the 21st; is that
right?

18 A. That is correct.

19 Q. Now, when had you arrived there at the -- in
Oklahoma City?

20 A. What date did I arrive --

21 Q. Yes, what day?

22 A. -- in Oklahoma City? That would have been
Thursday,

23 April 20, 1995.

24 Q. And when you arrived, you started going to these
briefings

25 people were having; correct?

11146

Alton Wilson – Cross

1 A. I attended one or two, yes.

2 Q. And you were assigned to cover a part of the
parking lot

3 and look for any particular kind of evidence, or just
whatever

4 was in the parking lot?

5 A. Just whatever was in the parking lot.

6 Q. Now, can -- is it fair to say that that parking lot
was a

7 mess?

8 A. It's fair to say that.

9 Q. Yes. And that is to say, over in the portion where
you

10 were searching, the Athenian Building roof had rained
down

11 bricks. Is that right?

12 A. That could have been the case. I would not have
known that

13 to be a fact.

14 Q. You saw a brick building that was over here --
putting back

15 up what's been received as E89 -- if you could click
your pen,

16 we'll get rid of that, sir.

17 You saw this area that's bounded on the side
here as

18 that brick building; correct?

19 A. That is correct.

20 Q. And there was debris from the collapse of the roof
and the
21 brick building that had rained down on this area; is
that
22 right, sir?

23 A. That's correct.

24 Q. And was there -- and when you first saw this item,
can you
25 remember what its orientation was?

11147

Alton Wilson - Cross

1 A. Yes, I can.

2 Q. What was its orientation? What did it look like?

3 A. It was a piece of what appeared to be from the box
panel of
4 a Ryder truck.

5 Q. Right.

6 A. It was slightly angled off the ground. It appeared
to be
7 resting on a piece of metal. The colored side or the
painted
8 side of this piece was face up; that is, the yellow-
and-red
9 side.

10 Q. Now, this time we're talking about here is the
morning of

11 the 21st; correct?

12 A. That is correct.

13 Q. About what time?

14 A. At approximately 10:30 a.m.

15 Q. And the ground was wet, wasn't it?

16 A. I do not recall the ground being wet, sir.

17 Q. Were you present when a thunderstorm came through
the

18 evening of the 19th?

19 A. I was not.

20 Q. You were not, because you didn't get there till the
20th;

21 right?

22 A. That is correct.

23 MR. TIGAR: Will your Honor indulge me for a
moment?

24 THE COURT: Yes.

25 BY MR. TIGAR:

11148

Alton Wilson - Cross

1 Q. Now, in addition to yourselves and Agent Kelly, was
there a

2 photographer present?

3 A. Yes, there was.

4 Q. And who was that?

5 A. I do not recall exactly who that person was, sir.

take 6 Q. And were you instructing the photographer on how to

7 pictures of the evidence in place?

8 A. Myself and Mr. Kelly basically instructed that
person how

9 to take pictures of the items.

10 MR. TIGAR: If your Honor please, I have about
30 more

11 minutes with respect to the photographs, and so on,
that were

12 taken of this evidence, your Honor.

13 THE COURT: Well, we'll recess.

14 MR. TIGAR: I'm sorry that I couldn't complete
the

15 examination, your Honor.

16 THE COURT: You may step down.

17 THE WITNESS: Thank you, your Honor.

18 THE COURT: Did the machine make a workable
picture of

19 the marking?

20 MR. TIGAR: Yes, your Honor, the machine did.
Is it

21 the Court's wish that -- this is D1665, I believe. May
we mark

22 this as D1665A and may it be received?

23 THE COURT: Sure.

24 MS. WILKINSON: No objection.

25 THE COURT: Yeah. D1665A.

11149

1 MR. TIGAR: We offer it, your Honor.

2 THE COURT: All right.

3 We can turn off the -- whatever this machine
is
4 called.

5 Members of the jury, we'll recess now; and
tomorrow is
6 a holiday, and then we'll resume on Friday, the 28th,
at our
7 usual time. And again, our schedule will be the usual
Friday
8 schedule.

9 Now, we've gone -- we've come a long way, but
we have
10 a ways to go. So, of course, during the time of the
recess,
11 please withhold judgment in your own minds about the
things
12 that you've seen and heard here, waiting, as you know
you must,
13 until you've heard it all. And also, avoid discussion
of the
14 case with all persons, including other jurors, and be
very
15 careful about anything that you may be viewing,
reading, seeing
16 in any respect to avoid things that are outside the
evidence in

evidence 17 this case, knowing that you're going to decide on the

18 and the law given to you in this room.

until 19 So with those cautions, we'll again excuse you

20 Friday morning at 8:45, and we hope you have a pleasant
21 holiday.

22 You're excused.

23 (Jury out at 5:04 p.m.)

recess till 24 THE COURT: All right. Trial will be in

25 8:45 Friday morning.

11150

1 (Recess at 5:05 p.m.)

2 * * * * *

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21 PLAINTIFF'S EXHIBITS

Withdrawn	22	Exhibit	Offered	Received	Refused	Reserved
	23	731	11052	11053		
	24	732	11073	11073		
	25	733-734	11071	11071		

11152

1 PLAINTIFF'S EXHIBITS (continued)

Withdrawn	2	Exhibit	Offered	Received	Refused	Reserved
	3	742	11030	11030		
	4	743	11024	11026		
	5	744-745	11027	11028		
	6	757	11079	11079		
	7	759	11080	11080		
	8	760	11079	11079		
	9	761	11082	11082		
	10	763	11079	11079		
	11	764	11083	11083		
	12	787	11064	11064		

13	788	11062	11062		
14	789	11061	11061		
15	791	11106	11107		
16	798	11100	11100		
17	807	11109	11110		
18	824A	11129		11131	
19	843	11053	11053		

DEFENDANT'S EXHIBITS

Withdrawn

21	Exhibit	Offered	Received	Refused	Reserved
22	D1364	11127	11127		
23	D1661-D1667	11021	11021		
24	D1662	11021			
25	D1665	11019	11019		

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DEFENDANT'S EXHIBITS (continued)

Withdrawn

2	Exhibit	Offered	Received	Refused	Reserved
3	D1665A	11148	11149		
4	D1666	11015	11015		
5	E89	11139	11139		

* * * * *

REPORTERS' CERTIFICATE

8 We certify that the foregoing is a correct
transcript from

9 the record of proceedings in the above-entitled matter.
Dated

10 at Denver, Colorado, this 26th day of November, 1997.

11

12

13

Paul Zuckerman

14

Carpenter

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Bonnie