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Dear George,

Your yesterday's Ruby Ridge piece on the FBI lab reminds me that the case records in my FOIA lawsuits ~~is~~ <sup>are</sup> loaded with unrefuted allegations ranging from the destruction of evidence to perjury.

The Act's investigatory files exemption was amended in 1974 over FBI mendacity in my first suit for the JFK scientific test results. When we refiled that suit rather than rely on lawyer arguments I attributed perjury to the lab agent, John Wilty, under oath myself so one of us was a perjurer. Judge John Pratt, apparently embarrassed by that, threatened Jim and me. When we were adamant the DJ "defense" of the perjury charge was that I could make such allegations ad infinitum since I knew more about the assassination and its investigations than anyone then employed by the FBI. And Pratt accepted that.

Under oath myself I alleged FBI perjury at least a half-dozen times, all ignored by the courts.

It withheld all its King assassination information from the Memphis prosecutor until he complained to the DJ.

There is also a bit of this in the NEVER AGAIN! Afterword.

If it has not occurred to you, I suggest that Clinton's yesterday speech on abused women and those killed by husbands and boyfriends should encourage your publisher to send him a review copy and if that is not yet available, a set of proofs. Your book should help his campaign immeasurably.

I do not think the Post will mention NEVER AGAIN! or even think of reviewing it but I have the documents based on which I allege a de facto conspiracy not to investigate the crime and all those I use in the Afterword.

I do allege perjury by the autopsy prosecutors, all of them.

To date not a peep from them, from JAMA or Specter or anyone else.

Specter was wise to say that he did not think further questioning is indicated.

He has his own past with the FBI in such matters in the JFK case!

best,

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# FBI Lab Was Accused of 'Ineptitude'

*Prosecutors in Standoff Called Bureau 'Oblivious' to Import of Weaver Trial*

By George Lardner Jr.  
Washington Post Staff Writer

Government lawyers who unsuccessfully prosecuted Randy Weaver in the standoff at Ruby Ridge complained after the trial that the FBI, particularly its laboratory, seemed "oblivious" to the importance of the case and the fact that it involved a killing by an FBI sniper.

In a lengthy 1993 memo to Justice Department investigators, disclosed yesterday at a Senate subcommittee hearing, prosecutors Ronald Howen and Kim Lindquist accused FBI lab experts and other agents of such "institutional inertia and ineptitude" that the prosecutors were forced to hire outside consultants.

In one instance, Howen and Lindquist said, an FBI diagram purportedly showing the trajectory of the FBI bullet that killed Vicki Weaver was "dramatically erroneous" in that it showed the sniper shooting directly into the Weavers' Idaho cabin "which was not the case at all."

The prosecutors said one of their biggest problems with the FBI lab occurred when they were trying to find "shooting reconstruction" experts within the bureau. They said an FBI lab supervisor told them "shooting reconstruction is not a forensic field and that the bureau was not involved in such."

When prosecutors decided to hire a prominent outside expert, they said the same supervisor—not named in their memo but identified in a separate report as James Cadigan—called them back, said "there indeed was" such a thing as shooting reconstruction and "and that he was in fact the FBI expert in that area."

Lindquist said he felt "disgust" and "anger" on hearing that and regarded the call as "simply an effort on the part of the ever image-conscious FBI to save face."

The FBI lab has come under fire in recent weeks because of allegedly sloppy work, biased findings, and misleading reports in other cases. The criticisms stemming from the

Ruby Ridge investigation were compounded yesterday when Cadigan, supervisory agent of the FBI lab's firearms and toolmarks unit, was called as a witness before the Senate subcommittee on terrorism.

With two attorneys sitting behind him, one of them a former FBI general counsel, Cadigan admitted no mistakes, disputed various statements attributed to him, and defended his and the FBI lab's work.

A 1993 court ruling held the FBI in contempt of court in the Weaver case, in part because of the lab's failure to respond to various requests in a timely manner. But Cadigan said, "I don't think that I would say that the laboratory or myself was at fault."

He said, "Any delays that occurred would be the result of the length of time that it takes to conduct these kinds of examinations."

A Justice Department task force that investigated the Ruby Ridge case said it found "a lack of cooperation and initiative by the laboratory" in performing tests beyond those specifically required. The task force report said that if the laboratory's response in the Ruby Ridge matter was "typical" of its work in high-profile homicide cases, "we wonder about the response to matters of less importance."

The Ruby Ridge siege in Idaho began on Aug. 21, 1992, after a U.S. marshal conducting surveillance of the Weaver property and Weaver's 14-year-old son, Sammy, were killed in a gunfight that started when another marshal shot the youth's dog. The next day, an FBI sniper shot and killed Vicki Weaver as she was holding the cabin door open for her white separatist husband and two others running for cover after the sniper's first shot.

Senators at yesterday's hearing expressed frustration and dismay over Cadigan's testimony. A routine Justice Department audit of the lab last year found that "the FBI could provide faster services, strengthen accountability of requests and speci-

mens, enhance quality assurance practices, and provide safer conditions for its employees."

Cadigan said he was "unfamiliar" with the report and "I don't recall reading it."

Asked about his reported refusal to test Sammy Weaver's clothing to see what caliber bullet killed him, Cadigan said "I do not recall refusing" although the task force report said that he did. An outside expert hired by the prosecution said the fatal bullet came from a 9mm submachine gun used by one of the surviving marshals.

Sen. Patrick J. Leahy (D-Vt.) pointed out that there were only two weapons—the 9mm submachine gun and a .223-cal. rifle—that could have killed the teenage Weaver, but Cadigan doubted he could "accept" such an assumption.

"I think you're playing games a little bit on this," Leahy told him.

No one on the subcommittee asked Cadigan about the lab's failure to find a bullet hole in the backpack of William Degan, the deputy U.S. marshal who was killed. This hole, evidently made by a bullet fired by a fellow marshal during the gunfight, was discovered by defense lawyers near the end of trial.

Asked why Cadigan was not asked about this, Sen. Larry E. Craig (R-Idaho) told a reporter: "He'd already proven himself enough of an embarrassment today."

Subcommittee Chairman Arlen Specter (R-Pa.) said he regarded Cadigan's testimony as "unsatisfactory. I didn't think continued questioning was really warranted." Specter said he hopes to conclude "phase one" of the Ruby Ridge hearings this month with a second appearance by former FBI deputy director Larry Potts and testimony by FBI Director Louis J. Freeh, Deputy Attorney General Jamie S. Gorelick and perhaps Attorney General Janet Reno.

He said "phase two" hearings may be held after the Justice Department concludes its investigation of an alleged FBI coverup.