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“There’s been an explosion!” “Where?” “In downtown Oklahoma City.” “They think it’s a gas explosion.” “It’s the Alfred P. Murrah Building.” “Oh my God!” “The front of the building is missing!” “What? I know people in there.”

Those are my first memories after arriving at the Department of Justice Advocacy Institute (“Institute”) in Washington, D.C., where I was teaching a class on the morning of April 19, 1995. I called the U.S. Attorney’s Office in Oklahoma City after arriving at the Institute. I was able to confirm that the Murrah Building was involved, but the office had no details. The Murrah Building housed several federal agencies: the Social Security Administration; the U.S. Department of Housing and Urban Development; the Bureau of Alcohol, Tobacco and Firearms; the Secret Service; the Drug Enforcement Administration; the Army and Marine recruiting offices; the Department of Veterans Affairs; the General Accounting Office; the U.S. Department of Defense; the U.S. Customs Service; the U.S. Department of Agriculture; the U.S. Department of Transportation; the Federal Highway Administration; the Defense Investigative Service; and the General Services Administration.¹ The

1. Jana Hayes, *Who Worked in the Alfred P. Murrah Federal Building Before it was Bombed?*, OKLAHOMAN, (Apr. 17, 2025), <https://www.oklahoman.com/story/news/2025/04/17/who-worked-in-the-murrah->

Murrah Building also housed the Federal Employees Credit Union and the “America’s Kids” Child Care Development Center.²

I was told to return to Oklahoma City the next day and report to the Command Post that had been established on Sixth Street, approximately three blocks to the east of the Murrah Building. I tried several times to call my husband but was unable to reach him most of the day. Later that evening in my hotel room, I spoke to my husband for the first time. Mike Weaver was missing. Mike was a lawyer at the Department of Housing and Urban Development (“HUD”). He was also my eldest son’s baseball coach. My husband and three sons were headed over to their house to help and support Mike’s family. It rained heavily in Oklahoma City the night of April 19. The rain caused much anxiety for families who were waiting for their loved ones to be pulled from the rubble.

I arrived at Ronald Reagan Washington National Airport early in the morning on April 20 and told the ticket agent I needed a flight to Oklahoma City. The airline representative asked me, “Are you from Oklahoma City?” I told her I was. She offered her prayers and support and booked the flight home for me.

I returned to Oklahoma City in mid-afternoon on April 20. I walked into the Command Post, and it was abuzz with activity. The first floor was full of law enforcement officers, both state and federal, and some military members. On the second floor was a large room with a conference table. Phone lines hanging from the ceiling were attached to phones on the conference table. Each phone was manned by law enforcement officers (including my husband, an agent for the Oklahoma State Bureau of Investigation) who were answering calls to an “800” number. A tip line had been established to aid law enforcement in identifying and apprehending the person or persons responsible for the bombing. The officers and agents manning the phones completed lead sheets which were then given to another group of law enforcement officers, who were responsible for following up with interviews and evidence collection. I saw my husband in the room, gave him a kiss, and asked him how Mike’s family was doing.

I walked into an adjacent room where the Special Agent in Charge of the Oklahoma City Division of the FBI, the Director of the FBI, the Principal Associate Deputy Attorney General, and the U.S. Attorney for the Western District of Oklahoma, as well as other officials, were

building-before-the-1995-okc-bombing/82796617007/ [https://perma.cc/5WRQ-YQMB].

2. *Id.*

gathered.

In the basement of an adjacent building was a team of my fellow Assistant U.S. Attorneys (“AUSA”) who were reviewing stacks of interview reports known as “302s.” AUSAs from the U.S. Attorney’s Office in Oklahoma City manned the Command Post twenty-four hours a day, absorbing the facts from every interview report. They worked every day, seven days a week, for weeks after the bombing, helping with arrest and search warrants.

Upon entering the basement, I was told that a fellow AUSA’s son had been injured in the daycare, and the granddaughter of one of our paralegals was missing. The husband of another paralegal was also missing—he worked for HUD. I learned that four Secret Service agents and two employees were missing, as were a favorite DEA agent and Customs agent. The list of the missing was overwhelming, and I began to understand the enormity of the event and how it directly affected my office, my family, and me.

On the afternoon of April 20, I learned that the rear axle of the Ryder Truck was found in front of the Regency Tower Apartments. The Regency Tower is a twenty-four-story residential building located one block to the west of the Murrah Building. The rear axle provided the Vehicle Identification Number (“VIN”), and Ryder System Inc. was able to provide information that the truck was leased out of Junction City, Kansas. That same afternoon, a number of FBI agents descended on Elliot’s Body Shop in Junction City to interview the employees and obtain evidence.

Agents obtained a copy of the rental agreement. The agreement was signed by “Robert D. Kling.” “Robert Kling” was a fake name, so agents requested the assistance of a forensic artist to provide a composite sketch of the person or persons who rented the Ryder truck on April 17, 1995. Armed with that sketch, law enforcement scoured Junction City looking for anyone who had seen the men depicted in the sketch.

Later, on Thursday afternoon of April 20, agents arrived at the Dreamland Motel. They spoke with the owner, Lea McGown, and showed her the composite sketch. She said that the man depicted in the sketch looked like the man who had stayed in room twenty-five. The man arrived on Friday, April 14, and left on Monday, April 17. She further stated that when he left the man was driving a Ryder truck. Agents asked for the registration card for room twenty-five. The name on the registration card was “Tim McVeigh.” A printout of the calls McVeigh made from room twenty-five was also obtained. That evidence helped law enforcement identify and successfully prosecute the co-conspirators.

By the evening of April 20—just one day after the bombing—the FBI had a name. They were also identifying his accomplices. I went home that night exhausted. I hugged my three sons and tried to explain that their father and I would be helping to find the people responsible for the bombing. Bodies from the Murrah Building were being identified, families were being notified, and funerals were being scheduled.

There were so many funerals. So many that I can't remember them all. I do remember attending Kenny McCullough's funeral and seeing his wife, daughter, and son. The church in Edmond was packed. I attended the funeral for Mike Weaver, my son's baseball coach. The boys on the baseball team, including Mike's son Tim, all wore their uniforms to the funeral and sat together as a team in the front of the church. The boys finished that season without their head coach on third base. After that season, my son never played baseball again.

In the morning briefing at the Command Post on April 21, law enforcement and prosecutors were given the name of "Tim McVeigh." An ATF agent by the name of Mark Michalic ran a National Crime Information Center check on the name and learned that "Tim McVeigh" had been stopped and arrested on I-35 at 10:20 a.m. on April 19—just seventy-six miles north of Oklahoma City. He had been arrested by Trooper Charles Hanger and had been taken to the Noble County Jail in Perry, Oklahoma. On a whim, Agent Michalic called the Noble County Jail to see if McVeigh was still in custody. "He is?" The deputy replied, "Yes, but he is on his way to the courthouse for his bond hearing." Michalic quickly told the deputy, "Turn that ol' boy around and put him back in the cell. I think some FBI agents want to talk to him." An announcement was made to everyone in the Command Post: "We have McVeigh!" There it was—just forty-eight hours after the bombing—law enforcement had identified and taken into custody the person who had committed this horrific act.

I first saw McVeigh on the evening of April 21. McVeigh's initial appearance was scheduled that evening at Tinker Air Force Base. The federal courthouse was damaged extensively as a result of the bombing, so arrangements were made to hold the hearing in a building at Tinker. It was getting dark. Prosecutors from the U.S. Attorney's Office, including myself, drove in Suburbans to Tinker. When we arrived, we were ushered into a two-story building. Military members with rifles lined the stairway to the second floor and the conference room where the initial appearance was held. There was a table at the front of the room for Magistrate Judge Ronald Howland. Two tables were set up: one for the defense lawyers and

the other for the prosecutors. We waited in the conference room for some time—waiting for our first look at McVeigh. I remembered thinking that McVeigh must be a monster and was surprised when he walked into the room. He was young, tall, with a “high and tight” haircut, and was clean-shaven. He looked like the boy next door. When questioned by Magistrate Judge Howland, he stood at attention and responded with “Yes, sir” or “No, sir.” The judge read McVeigh the complaint and range of punishment. He then detained him at the government’s request. It was over in a few minutes, and the next day we started the work of collecting evidence in preparation for the trial.

A material witness warrant was issued for Terry Nichols, and he voluntarily turned himself in on April 21, 1995. On May 10, enough evidence was gathered implicating Nichols in the bombing conspiracy. A bond hearing was set for May 18 at the federal prison in El Reno. I was asked to conduct the hearing on behalf of the government. I remember preparing for the hearing and reviewing 18 U.S.C. § 3142.³ I remember panicking the day of the hearing because I could not remember the standard for detention or the facts which supported dangerousness, although I had previously prepared and conducted many detention hearings before. That was the first realization that something was different.

We heard rumors that the Executive Office of United States Attorneys within the DOJ was going to bring prosecutors to Oklahoma City to prosecute the case against McVeigh and Nichols. The AUSAs, particularly those who had been working on the case since the beginning, were angry and frustrated. This was our city and our friends who had been killed. I remember Attorney General Janet Reno visiting the office in late April or early May 1995, and she told us that Joe Hartzler from the Central District of Illinois would be the lead prosecutor. Over the next several weeks, prosecutors from outside of Oklahoma were brought in to prosecute the OKC Bombing cases. One by one, prosecutors from Oklahoma City left the Command Post and returned to their duties at the U.S. Attorney’s Office. I also returned to the office but was later asked by the U.S. Attorney to continue working on the case.

In the months and weeks that followed, the FBI gathered 1,000,000 telephone and Ryder truck records; interviewed 30,000 witnesses; gathered numerous motel records and databases; executed numerous search warrants for McVeigh’s car, his clothing, and Terry Nichols’s home in Herington, Kansas; and had numerous items analyzed by the FBI lab,

3. 18 U.S.C. § 3142(e) (1994).

including the clothes McVeigh was wearing when he was arrested. That analysis identified the presence of high explosives such as nitroglycerine in the left and right pockets of McVeigh's jeans, as well as on a pair of earplugs. Pentaerythritol tetranitrate ("PETN") was identified in his jeans pockets and on two t-shirts. The presence of PETN was also found on the earplugs. A grand jury convened to gather evidence and hear witness testimony. On August 10, 1995, the grand jury issued an eleven-count indictment against Timothy James McVeigh and Terry Lynn Nichols. In October 1995, Attorney General Janet Reno authorized prosecutors to seek the death penalty against the two men.

From August 1995 to February 1996, agents and prosecutors worked to prepare for trial. Telephone records were analyzed, timelines were created, lab reports were received, and survivors and family members were interviewed in preparation for the penalty phase, in the event McVeigh and Nichols were convicted. I remember having difficulty focusing on the reports. I couldn't remember the content of what I was reading. I don't remember how many trips we took to Terry Nichols's home in Herington, Kansas, and to the quarry where agents believed Nichols and/or McVeigh stole the Primadet cord and other explosives. We drove around Geary Lake to visualize where agents believed McVeigh and Nichols built the bomb by filling barrels with ammonium nitrate and fuel oil in the back of the Ryder truck the Sunday before the bombing. I was still having trouble retaining and organizing my thoughts. I had never experienced this before as a trial lawyer. I had previously tried many complicated white collar and public corruption cases and was always able to easily absorb the facts and organize the evidence.

In September of 1996, lawyers for McVeigh filed a motion for severance, under the Federal Rules of Civil Procedure Rule 14, citing "mutually antagonistic defenses."⁴ Nichols's defense team also requested a separate trial. In October of 1996, Judge Matsch granted the motions for separate trials for the two defendants stating that "each defendant is entitled to a jury's separate and independent evaluation of the evidence received against him."⁵ A joint trial was not going to happen.

The next blow came in November 1995, when defense lawyers filed a motion to change the venue of the trial from Oklahoma City to another judicial district. The primary reason for the requested venue change was

4. See *United States v. McVeigh*, 169 F.R.D. 362, 370 (D. Colo. 1996) ("Both defendants seek severance on the ground that their defenses are so antagonistic as to prevent a fair joint trial.")

5. *Id.* at 364.

the intense media coverage of the bombing in Oklahoma City and the entire state of Oklahoma. Judge Matsch had previously been appointed by the Tenth Circuit Court of Appeals after the district judges in Oklahoma City recused. Those of us from the U.S. Attorney's Office in Oklahoma City were terrified the trial would be moved. The families and survivors pleaded with us to keep the trial in Oklahoma. They wanted to see and hear the evidence against McVeigh and Nichols, and many of them could not afford to be in another location for weeks on end to watch the trial.

The change of venue hearing began on January 30, 1996. The defense lawyers presented evidence of the extensive media coverage and argued that neither McVeigh nor Nichols could receive a fair trial in Oklahoma. In the end, Judge Matsch ruled in favor of a change of venue and the case was transferred to Denver, Colorado.

My husband and I discussed whether I should withdraw from the prosecution team. I had three sons: twelve, eleven, and eight years old. The trial was not scheduled to start until early next year. I would miss at least a year of their lives. With separate trials for each of the defendants, it could be longer. In the end, we decided that I needed to stay on the case—to represent Oklahoma. Besides the U.S. Attorney, Pat Ryan, I was the only Oklahoman on the prosecution team. Deep inside, I was concerned about my ability to perform in such a high-profile case. The case meant so much to the survivors, the families, and to every Oklahoman. Of course, I never revealed my concerns or the pressure I placed on myself. I just moved forward.

I moved to Denver, Colorado, on June 1, 1996. Agents and prosecutors were moved into a long-term-stay hotel in downtown Denver, just a block away from the office building where investigators and the OKC Bombing team worked. In the months and weeks preceding

the start of the trial, we were allowed to return home for a weekend twice a month. During trial, there would be no trips home.

The trial against McVeigh began with jury selection on March 31, 1997. Previously, Judge Matsch had summoned 700 potential jurors to the Jefferson County Fairgrounds to complete a jury questionnaire, which vetted each potential juror's criminal history; views on the death penalty; views on the Waco and Ruby Ridge incidents; views on the government and law enforcement; and media exposure about the bombing. A jury was seated and sworn in on April 24, 1997, and the presentation of the evidence began. Pat Ryan and I were responsible for the presentation of the first few witnesses who were in Oklahoma City on the morning of April 19, 1995.

The purpose of this testimony was to set the scene for the Denver jury, so they would have a sense of the sights, smells, and sounds in Oklahoma City that morning. Then step-by-step the evidence was rolled out for the jury. The trial lasted twelve weeks with 231 witnesses testifying. The evidence was overwhelming. The jury returned a verdict of guilty against McVeigh on June 2, 1997. The death penalty phase of the trial began, and on June 13, 1997, the jury returned a death sentence for McVeigh.

After the death sentence was announced and court adjourned, Pat Ryan, other employees from Oklahoma, and I walked over to the Holy Ghost Catholic Church to meet with the survivors and families. The church had served as a safe haven for the survivors and families during the trial. There were tears and words of appreciation for the agents and prosecutors. We were overwhelmed. I remember crying uncontrollably. A priest handed me a rosary. He told me that he wanted me to have the rosary and that he had prayed the rosary over the course of the trial for the survivors and families. It is a cherished possession of mine.

I moved back home within a couple weeks after the trial ended and told Pat Ryan that I could not stay for the Nichols trial. When I returned to Oklahoma City, I was shocked that the city seemed to have healed while I was still stuck in April 1995. It took several months of therapy, after my return, for me to understand that my lack of memory, inability to focus, and my anger were the result of unresolved trauma. With the benefit of time and as I reflected on how my participation in the investigation and trial inhibited my ability to think clearly, I began to understand why Attorney General Janet Reno brought in prosecutors from outside of Oklahoma.

The OKC Bombing case was significant for a number of reasons. It forever changed so many families. It hurt so many people in Oklahoma City and beyond. It was—and still is—the largest domestic terrorism case in the country. It changed Oklahoma City. So many victims and families sought and needed justice, and it was our responsibility to properly investigate and prosecute the case. I remember the words of Principal Associate Attorney General Merrick Garland who told us that the investigation and prosecution had to be right. No corners could or would be cut. The country was watching. “We search for the truth. We seek justice. The Courts require it. The victims cry for it. And God demands it.”⁶

6. David McDaniel Kelly, *A Message to All*, DAILY OKLAHOMAN (Oct. 4, 1995),

<https://www.oklahoman.com/story/news/1995/10/04/message-to-all/62377528007/>
 (“[S]crawled on a wall of the bomb-damaged Journal Record Building in downtown Oklahoma City. The message refers to the April 19 bombing that left 169 people dead and destroyed the Alfred P. Murrah Building and damaged many others.”).

