

Military helps re-create Waco siege

Investigators trying to trace agents' actions in '93 conflict

By Guillermo X. Garcia
USA TODAY

WACO, Texas — Radar-laden military aircraft and hundreds of camouflaged soldiers are assembling here in an unusual crime-scene re-creation to determine whether FBI sharpshooters fired on the Branch Davidian compound the day it burned to the ground in 1993.

The secret re-creation is set for Sunday, weather permitting. It will be held at a remote location inside Fort Hood, an Army base 50 miles from where the Davidians' Mount Carmel compound stood.

With the assistance of the British navy, several U.S. Army platoons and other, Waco Special Counsel John Danforth hopes to re-create the conditions that existed at the compound the day Davidian leader David Koresh and more than 80 adults and children died.

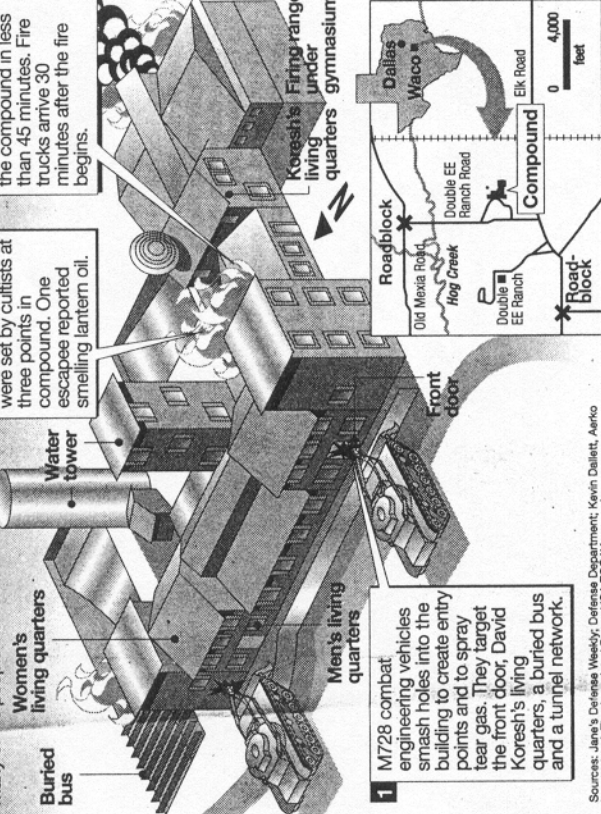
The Waco re-creation is the product of a series of events, beginning last August, which raised serious questions about the government's conduct in the final hours of the 51-day siege. After years of denials came disclosures that federal authorities did use potentially flammable tear-gas canisters in the final assault.

Though the FBI has continued to assert that the canisters could not have caused the fire, the disclosures helped raise broader questions about the use of force against the Davidians. In September, Attorney General Janet Reno appointed Danforth, a former senator, to re-examine the government's conduct in the case. Danforth called for a re-creation of the event, as did plaintiffs in a wrongful-death lawsuit filed on behalf of those who died in the assault. The government was opposed to the re-creation.

Whatever the result Sunday, it is expected to have implications in Danforth's inquiry and the civil lawsuit, scheduled for trial in May. The lawsuit alleges that government actions and negligence caused the tragedy.

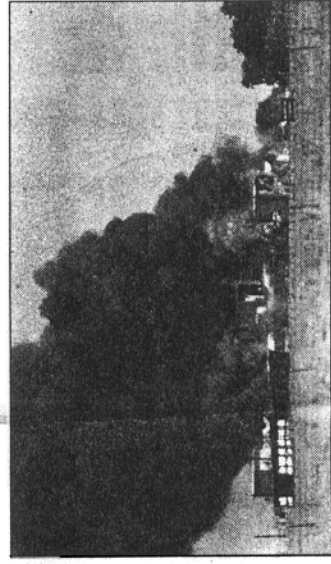
Waco: Revisiting a disaster

The day — April 19, 1993 — began with members of the Branch Davidian cult being awakened by a phone call, ordering them to come out. By early afternoon, fire — set by the cultists, says the FBI — had destroyed the compound and killed many of the people inside.



Sources: Jane's Defense Weekly; Defense Department; Kevin Dallett, Aero International; The Associated Press; USA TODAY research

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By Susan Weems, AP file photo

In April 1993: Flames engulf the Branch Davidian compound near Waco, Texas. More than 80 adults and children were killed.

Sunday, officials will fly a British Royal Navy Lynx Mk8 helicopter and an FBI Night Stalker fixed-wing craft in the same patterns the government used to fly aircraft the day of the fire. Forward-Looking Infrared cameras on the Lynx and Night Stalker will film soldiers on the ground crouching, kneeling and standing as they fire tracer ammunition.

The film will help determine what caused more than 100 flashes to appear on an FBI infrared tape taken during the siege's last hours. Soldiers on the ground will wear body suits, camouflage and other types of sniper suits similar to what FBI sharpshooters wore that day. They will fire different types of weapons as the aircraft overhead record the discharges.

nades launched by a 60-ton FBI tank. Officials have claimed the gunshots were self-inflicted.

The Justice Department says that the FBI fired two projectiles — the tear gas canisters — and that it is unlikely they caused the fire. Federal officials say Koresh ordered that fires be lighted to end the standoff in the apocalyptic manner he had predicted.

Videos and photographs taken that day seem to contradict the government's argument over how many devices were fired and from what direction. The government says the tear gas canisters were fired at the bunker away from the main building. However, a Texas Ranger forensic report indicates the canisters were fired from behind the main building, not from the area where the FBI had said it fired the projectiles.

Cadell charges that only gunfire can explain the bursts of light in the surveillance footage, which he says come from areas around the compound where FBI snipers were positioned. The government has said sunlight reflecting off water, glass, mirrors, trash or abandoned automobiles at the site could explain the flashes.

"The government is desperate to generate a flash on (Sunday's) test by any means other than gunfire," Cadell says.

Reno declined to comment on the re-creation. However, she described the tragic outcome as "extraordinarily painful then, and it continues to be."

Sunday's test should take a few hours but could be delayed until Monday if weather conditions do not closely match those on the day of the fire. A front this week brought cool, rainy weather to Waco, 200 miles south of Dallas. Sunday's forecast calls for overcast skies, which would likely cause the test to be postponed.

Earlier, several newspapers, including *The New York Times* and *The Dallas Morning News* argued at a court hearing that the re-creation should not be "shrouded in secrecy," because to do so would only increase public skepticism about the FBI's details and the government's role in the siege's fiery conclusion. The federal judge hearing the case rejected the news organizations' request.

Experts then will compare Sunday's tape with FBI surveillance tapes taken April 19, 1993, the day of the fire.

"After this test, people will know definitively and quickly, without sophisticated computers or experts interpreting algorithms, whether those flashes were gunfire or not," says Mike Cadell, a lawyer for plaintiffs in the civil lawsuit.

The test may also be crucial in determining whether rifle fire from government snipers might have hindered Davidian members from evacuating the burning building, as Cadell claims. The Justice Department has denied that FBI riflemen fired on the compound that day. The fire ended the siege that began when federal Bureau of Alcohol, Tobacco and Firearms agents attempted to arrest Koresh on weapons possession charges.

Some members died from gunshots in the siege's final frantic hours. Others died in the fire, which Cadell blames on tear-gas pyrotechnic gra-

Law enforcement agencies did learn from Waco standoff

By Robin Wagner-Pacifi

Next month's planned re-enactment by investigators of the final day of the standoff between the Branch Davidians and federal agents will focus our attention again on that 1993 siege in which at least 75 cult members died.

Waco is but one of the many standoffs between "anti-system" groups and the state in recent years. Although the quality of law-enforcement responses has varied, it's important to acknowledge that some of the better moments have come post-Waco.

Yes, the charges that law enforcement agencies used incendiary devices in Waco are serious and disturbing. And, yes, accusations of cover-ups within and across agencies should be investigated. Line crossings between civilian and military roles, deadly force and constraining force, incendiary and non-incendiary devices, must be exposed.

They have been revealed in past cases. The inquisitorial hearings after the 1985 standoff between the MOVE group and the Philadelphia Police Department, which left 11 MOVE members dead and two city blocks burned, for example, were haunted by the "non-incendiary" explosives a helicopter dropped on the MOVE house, where the fire began.

But in more recent standoffs — including both the Montana Freemen and the Republic of Texas group — little to no force was employed by law enforcement agencies, and the standoffs ended peacefully. What was different?

In March 1996, the FBI arrested Montana Freemen leader LeRoy Schweitzer on the outskirts of the ranch that the Freemen had renamed Justus Township. Charges included threatening to kill a federal judge and issuing false financial documents.

Avoiding a standoff

Schweitzer's arrest set off a confrontation between the Freemen at the ranch and the FBI. However, unlike Waco, the FBI set up its posts at a fair distance from the ranch. Attorney General Janet Reno made it clear that this was not an armed perimeter and that the situation was not a standoff.

Individuals respected by the Freemen were brought in to negotiate. The Critical Incident Response Group, an FBI unit created after Waco, coordinated the FBI's tactical and negotiating wings.

The results: a peaceful ending. The remaining Freemen were taken into custody, with no destruction of property and no loss of life.

In the 1997 Republic of Texas case, all but two members of the group agreed to a cease-fire (not a "surrender") and gave themselves up to Texas officials. The Texas Rangers, who played a key role, had a large force ready to move into the group's "embassy." But a Texas Ranger captain who had acted as a liaison between state and federal officials during the Waco siege, and was mindful of the tragic results there, met some of the group's symbolic demands, avoiding a violent confrontation. He persuaded them to participate in a formal "laying down of arms" ceremony, then submit to arrest. The two holdouts ran into the Davis Mountains. One later was shot and killed; the other arrested.

Defusing confrontation

These more optimal results show how various law enforcement agencies have taken different approaches to groups with strong ideological and religious beliefs — approaches that preempt the use of deadly force, that reframe the ongoing events, and that can short-circuit the other side's expectations. This can be as simple as avoiding such terms as "perimeter," "standoff" and "surrender," which all emphasize the situation's confrontational nature.

Standoffs always are about much more than the weapons that do or do not get used. They are about history, culture, ideas and language, as officials' more recent responses have shown. It is exactly this accumulated knowledge and these innovative approaches that need to be encouraged as we re-enact — and thereby re-confront — what happened in Waco.

Swarthmore College professor Robin Wagner-Pacifi's book, Theorizing the Standoff: Continuity in Action, will be published in March.

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