Statement of Dick J. Reavis

I would like to thank the members and staff of this committee for the opportunity to talk to our government about the 1993 events at Mt. Carmel. It is my purpose to give you an overview of what happened there, and insofar as I can, to explain why.

The community that we today know as Mt. Carmel was founded in 1934 after a Bulgarian immigrant named Victor Houteff was ousted from the Seventh Day Adventist Church, a Protestant denomination which now claims some 8 million members around the globe, a million of them in the United States. Houteff bought land in the Waco area, and with his followers, raised an encampment which included a community store and a theological school. At Mt. Carmel during Houteff's reign, each morning students swore allegiance to a flag of Christianity, and afterwards, to the flag of the United States. Yet the settlement lived in peace with its neighbors.

Houteff called his community Mt. Carmel, after a Biblical reference, and called his organization the Davidian Seventh Day Adventist Association. While he lived, Mt. Carmel prospered and its faithful put down roots, though they regarded their long stay with irony. The original settlers hadn't planned to be in Waco for long. They thought that Houteff was "the antitypical Elijah," here on earth to announce the Second Coming of Christ. When the announcement was made—it never was—they expected to move to Palestine to greet the Returned Savior on Mt. Zion. This expectation never died at Mt. Carmel, and David Koresh's followers still look forward to a future reunion in today's Israel.

During Houteff's tenure at what would be called the Old Mt. Carmel, the residents adopted a set of rules for self-government which, in effect, made their leader a king. All authority derived from the man whom the followers believed was a living prophet. Nothing in those rules had changed by the time of Koresh's rise as Mt. Carmel's leader, in 1987. For nearly fifty years before the events of 1993, Mt. Carmel lived in obedience to a theological king. Yet there was no conflict with the outside world.

A struggle for succession ensued when Victor Houteff died in 1955, and its winner, at least in the Waco area, was a faction that called itself the Branch Davidian Seventh Day Adventist Association, led by Benjamin Roden. Roden settled his flock at what was then called the New Mt. Carmel, the site that we know as Mt. Carmel today.

Seventh Day Adventists of all stripes base their faith on the Bible and upon the voluminous writings of a 19th century American seer, Ellen G.
White. Davidians—and there are still groups which bear the name and practice—cite Houteff’s works as inspired as well. Roden’s Branch Davidians added the works of their leader to the sect’s canon, and when Benjamin Roden died in 1978, his successor, Lois Roden, contributed new doctrines of her own. In honor of her innovations—Lois is best-known for saying that the Holy Spirit is female—she renamed the group the Living Waters Branch Davidian Seventh Day Adventist Association. When David Koresh, then known as Vernon Howell, drifted into Mt. Carmel in 1983, Lois Roden was its prophet. Howell was an acolyte in a group with a cumbersome name and an increasingly complex theology, and his status called upon him to follow, not lead. One may call a group such as this a cult—or a nation, or even a menagerie—but terms like that do violence to the facts. The followers of David Koresh did not practice a new religion—their religion was Christianity—and they were not sufficiently organized or widespread as to be a denomination. They were a sect, like thousands of other groups that have uneventfully come and gone in the past.

A part of the prophecies that Vernon Howell inherited from the Bible and his predecessors called for a confrontation between God’s believers and the forces of an apostate power which, in the fundamentalist milieu, is usually identified as the United States or the United Nations. Koresh’s interpretation of these doctrines was that the confrontation would probably take place in 1995. Perhaps in preparation for that eventuality, in late 1991 he began buying guns and studying armaments. In the process, he learned that fortunes can be made by vendors at weekend gun shows. Within a few months, Koresh and a handful of associates were not only buying but also selling goods at the shows—ammunition vests, or “mag bags,” gas masks and Meals-Ready-to-Eat, or packaged military rations. They did it for fun, to learn, and to make a profit. They were later accused of having “stockpiled” weapons; all gun dealers do that. Gun traders’ “stockpiles” are generally called “inventories.”

Gun show activity at Mt. Carmel did not involve all or even a great number of its residents. Mt. Carmel’s gun show guys were like its hot rod mechanics and musicians. They were a knot, or circle, or subset of the general population, a crowd of men who had hobby interests that were only indirectly related to theological objectives and beliefs.

An investigation of Mt. Carmel was opened by the Bureau of Alcohol, Tobacco and Firearms in June 1992, when it was learned that a resident had mail-ordered a box of dummy grenades. The investigation led to the home of Henry McMahon and his girlfriend, Karen Kilpatrick, who were financial partners of Koresh in some of his gun show activities. In July 1992, while two ATF agents were questioning him, McMahon telephoned Koresh, who said that he’d be happy to show the agents the guns that were inside Mt. Carmel. McMahon, in a statement to the ATF, and Kilpatrick, in sworn court testimony, say that McMahon offered the telephone to ATF agent Danny Aguilera while Koresh was still on the line. Aguilera wouldn’t take the call. Not one ATF agent spoke to Koresh until the raid of Feb. 28.
Among the things that I hope that your committee will be able to
discover during its process is what, exactly, the ATF was doing to further the
Koresh investigation between August and November of 1992, or alternately,
what case agent Aguilera was doing. The search warrant sworn by Aguilera
reflects no activity during that span, as if the agency had dropped or
suspended the case. In November, December, and January, Aguilera and
others interviewed dissident former residents of Mt. Carmel, and about two-
thirds of the text of the agency’s search warrant affidavit comes from those
interviews. The former residents had little personal knowledge about guns
and only the barest anecdotes about Koresh’s fascination with armaments.
Instead, they told tales of child abuse and statutory rape. My own inquiries
have convinced me that Koresh was guilty of statutory rape, and that many of
the adults at Mt. Carmel were guilty of contributing to the delinquency of
minors. But the ATF has no jurisdiction over those offenses, no authority to
investigate allegations of that kind.

On the merits, Aguilera’s affidavit was weak. He was looking for
bombs and machine guns. David Koresh had not bought any of those. The
fear was that he’d assembled them What Aguilera had traced were gun parts.
It was as if the agent had encountered a suspect who had purchased both a
hacksaw and a shotgun: these are legal items of trade, but possession of a
sawed-off shotgun is ordinarily an offense. Aguilera did not know whether or
not Koresh had converted any weapons to automatic fire—though apparently
he had—nor did he have any significant, timely, or pointed information about
any attempt to do so.

The Treasury Department, in its September 1993 report on the
Mt. Carmel events, maintained that there was no written plan for the
“dynamic entry” staged by the ATF. The lack of written plans, or their
withholding by the ATF, puts serious obstacles in the way of any journalist.
The Treasury report claims that the raid was code-named Trojan Horse, but
no documents testify to this. The only evidence that’s available comes from
agents who participated in the assault. And they say that it was referred to as
“Showtime,” raising the suggestion that the raid was staged with publicity,
not necessity, in mind.

ATF executives and former executives, I believe, have deliberately tried
to mislead the Congress and the public on this point. In an April 1993
appearance before a House subcommittee on appropriations, ATF intelligence
chief David Troy testified that the raid was necessary to arrest Koresh,
because, “We never saw him off the compound until after we had an arrest
warrant for him...”. He did not tell the subcommittee that the arrest warrant
was issued just three days earlier, on Feb. 25, and that ATF agents had begun
training for the raid on Feb. 24.

In June 1993, ATF executive Dan Hartnett told another Congressional
committee that the agency didn’t arrest Koresh outside, “because there was no
time...from a time in January until the day of the raid that we had ever seen
him off the compound.” The date, had he given it, might have been Jan. 17,
when Koresh visited what is known as the Spoon residence, next door to the
house where ATF undercover agents were conducting surveillance. Or it
might have been as late as Jan. 29, when Koresh visited a Waco area auto
machine shop, or Feb. 24, when, according to sworn testimony, he visited a
junkyard in town.

Most of you are familiar with reports that the raid failed, resulting in
the death of four agents and the wounding of others, because the residents of
Mt. Carmel had been tipped to an attack. The official explanation is that the
raiders hoped to catch Mt. Carmel’s males working on a construction project,
a tornado shelter or “pit”—yards away from their weapons, which were kept
indoors. The Treasury report says that two agents who had the authority to
cancel the raid, Phil Chojnacki and Charles Sarabyn, should have done so
when they were told that surprise had been lost. Because they didn’t, they
were ultimately dismissed from their jobs. But they were reinstated after
appealing to civil service arbitration. In his appeal, agent Sarabyn’s attorney
argued that, “For the agency to contend that ‘surprise’ ....[was] the focus of
Agent Sarabyn is to misstate the decision to proceed with the raid...” Indeed,
according to Sarabyn’s brief, while the raiders were assembling, they were told
that it had been raining at Mt. Carmel, that the “pit” was knee-deep in water,
and that no one was likely to be outside.

Controversy still surrounds most of the events that followed, and
unless your committee can clarify the facts, it should. An egregious example
is the role played by National Guard helicopters in connection with the
assault. The Treasury report says that the helicopters were to arrive
simultaneously with the ground troops; testimony in the San Antonio trial
indicates that they may have arrived a few seconds later. Neither of these
reports squares with the facts. Two television newsmen, Dan Mulloney and
John McLemore, were a half-mile to a mile south of Mt. Carmel when the
helicopters came into view. The reporters removed their equipment from
their vehicle and managed to film the third pass of the helicopters over Mt.
Carmel at close range. After that third pass, the helicopters flew away.
Mulloney and McLemore were reloading their equipment when the cattle
trailers carrying the ground raiders drove past. They followed the raiders into
Mt. Carmel and produced the footage that we all have seen. Not only their
sworn testimony but their film shows that the ground troops reached Mt.
Carmel after the helicopters had left.

This is an important observation because the first shots fired at Mt.
Carmel were not fired at the ground troops, or by the ground troops, but at
the helicopters—or from them. In the San Antonio trial, prosecutors argued
that Kevin Whitecliff, a survivor who is now in prison, had fired upon the
helicopters. Jerry Seagraves, the Warrant Officer who piloted a helicopter that
carried several ATF executives in combat uniform, denied that anyone
discharged a weapon from his craft. But he confessed that the ATFers on
board were armed. A prosecution witness at the trial, former Mt. Carmel
resident Marjorie Thomas, testified by deposition that one of the helicopters
fired into the window where she stood. Attorneys Jack Zimmermann and
Dick DeGuerin, who entered Mt. Carmel during the 51-day siege, both say that they saw bullet holes in ceilings. Debris around the holes convinced them that bullets had entered from above. Residents of Mt. Carmel who are willing to testify under oath say that Winston Blake, one of their number, was killed by aerial shots.

The inclusion of military aircraft in the raid is itself subject to controversy. My understanding of our law is that military forces may not be used against the civilian population except in furtherance of drug interdiction. In its requests for Department of Defense and National Guard training and equipment, ATF planners asserted that a methamphetamine lab was being operated at Mt. Carmel, and that eleven of its residents had records of drug involvement.

The charges are mostly exaggerations and fabrications from old cloth. It is probably true that five of those named had used drugs prior to taking up residence at Mt. Carmel, and one of the five had been arrested for pot possession in 1983, some five years before he accepted the sect’s faith. But the truth ends there.

Among those named on the ATF’s list of eleven, published in the Congressional Record, are Donnie Joe Harvey and Roy Lee Wells. Koresh kicked them out of Mt. Carmel in 1988 when he retook the property from a rival and assumed his kingship there. The ATF knew that these men were long gone from Mt. Carmel because its informant on the drug issue told them so. According to the story he and others tell, Koresh expelled the pair because they had never been believers and somebody—he suspected them—had been operating a drug lab on the premises.

The ATF told the Congress and people that Margaret Lawson had been arrested in Los Angeles in 1988 while attempting to smuggle some 10 pounds of cocaine into the country. Lawson says that she never left Texas after joining the Koresh group in 1987. Los Angeles police and customs authorities say that they’ve never heard of her, and she is an unlikely suspect: Margaret Lawson would have been 71 years old at the time of the supposed offense. I also checked into the charges raised against Michael and Kathryn Schroeder and found them to be likewise without basis. No record of these arrests exists, and the agency has not explained its accusations. The ATF apparently abused the trust of the National Guard and the Department of Defense in order to wheedle assistance.

Shots were fired at Mt. Carmel almost as soon as the ground raiders climbed out of their vehicles. In interviews shortly after the event, several of the raiders said that their initial assumptions, drawn from their understanding of the raid plan, were that the first shots were fired by ATF agents at Mt. Carmel’s dogs. The residents claimed that the first shots directed toward human beings were fired through one of the building’s twin front doors, and if that’s true, it’s a serious charge: federal law enforcement officers are forbidden to fire at unseen targets. During the 51-day siege, David Koresh and his assistant, Steven Schneider, repeatedly told FBI negotiators that the front doors would prove that the ATF had broken its rules. But when Texas
Rangers took charge of the ashes of Mt. Carmel—some three hours after FBI and ATF agents left—they could not find the door in question. Video footage shows that it had been in place only hours earlier, and its twin was found, uncharred and unstained by smoke.

The events of the 51-day siege are less dramatic, perhaps, but no less worrisome, especially from a mother’s point of view. There is ample evidence that the field command, or FBI troops on the ground, attempted to sabotage any progress that the agency’s negotiators made. Most troubling of all, they played fast with requests from the residents for milk. On March 4, David Koresh requested six gallons of milk in exchange for the release of a child named Heather Jones. An FBI negotiator agreed. “Let’s get her out and then let me send you the milk,” he pledged. But no milk was sent. On March 7, FBI spokesman Bob Ricks told the press that, “We said we’re ready and willing to bring the milk in, and they rejected the offer to deliver milk.” This was not true: what was true, as transcripts and tapes of the negotiations show, was that instead of sending in six gallons of milk in exchange for Heather, as it had promised to do, the FBI was demanding that Koresh first surrender an additional four children. On March 8, through local sheriff Jack Harwell, Koresh was at last able to secure the milk’s delivery. In the press, Harwell was credited with having talked Koresh into “accepting” it.

Seventy-six people died during the April 19 fire at Mt. Carmel. The blaze culminated an assault in which tanks rammed Mt. Carmel and injected tear gas into its recesses. This assault was made with the approval of Attorney General Janet Reno, after, she says, consultation with Justice Department figures and experts provided to her by the FBI. Her advisors, she insists, told her that “CS gas, or tear gas, is a non-lethal, non-flammable, particulant that causes no long-term harmful effects, even to infants, pregnant women, and the elderly, and persons with open wounds...The propellant used with the CS gas was carbon dioxide which is also non-flammable.”

Reno’s reference to “the propellant” involves one of the key issues surrounding the fire. CS is a white powder. It becomes a gas only when mixed with other substances. As Reno pointed out, the CS used in the initial phase of the April 19 assault was mixed with carbon dioxide, which is essentially harmless. But the initial phase of the assault lasted less than five minutes. After that, canisters of CS mixed with methylene chloride were fired into windows and openings at Mt. Carmel for about six hours. Documents that I’ve run across, pages from standard reference works in the chemical field, and notably, a monograph published by the UN’s World Health Organization, show that methylene chloride is hardly beneficent. The WHO bulletin, written for the benefit of workers who must handle this chemical on their jobs, is blunt. “Do not use methylene chloride in the vicinity of a fire, a hot surface (e.g., a portable heating unit), or during welding,” it cautions. “Another reference warns that methylene chloride “forms flammable mixture with air” and says that, “poisonous gases are produced in fire.” A notice from the American Chemical Society says that “closed containers exposed to heat may explode.” The WHO monograph
advises that inhalation of methylene chloride vapors can cause, "headache; nausea; dullness; dizziness; irritation of respiratory tract...effects on the central nervous system, such as behavioural disturbances...unconsciousness, death." In a word, methylene chloride—formerly an ingredient in paint strippers—is not the sort of chemical that you want to throw into an enclosed setting, especially where children are present.

I have reviewed all of the evidence that I know to be available to the public, and I cannot tell you who ignited the fire that burned Mt. Carmel to the ground. My own suspicion is that a spark or a flame from one of the lanterns in use inside—Mt. Carmel's electricity supply was cut off March 9—ignited an atmosphere saturated with methylene chloride fumes. But I do not know what happened, nor do I know anyone who does.

However, I do know that David Koresh was planning to surrender as late as the night before the fatal blaze. I have read transcripts of the telephone conversations between Mt. Carmel and the FBI, and they show that in accord with a promise made on April 14, he was for the first time in his life writing an explanation of the Seven Seals, the biblical mystery that he thought explained who and what he was. The negotiation transcripts show that Koresh claimed to have finished work on his exposition of the First Seal, and to have penned a rough draft of the Second Seal. Survivors say that he spent most of the night of the 18th working on the project. One of them leaped out of the fire carrying in her pocket a computer disc containing a version of his First Seal exegesis: I am sure that the document is available to you today. Perhaps, as FBI spokesmen claimed, the project was merely a ruse, and Koresh would have betrayed or altered the promise that he'd made to God. We will never know. What we do know is that the agency's claim that he was not working on the Seals was false, and the FBI knew as much at the time.

In the early stages of writing my book about the world of Mt. Carmel and the events of 1993, I sought, as any journalist should, the aid of my government. I asked the ATF and FBI to put me in touch with the raiders and besiegers of Mt. Carmel. I was told that they were under a gag order, and I believe that they still are. I peppered the Freedom of Information offices of both agencies with requests for documents, and a few were eventually granted to me. But the provisions of FOIA have been undermined. Though our laws require a timely response to public requests, FOIA processing now takes six months to five years: some of the documents that I eventually tapped by other means were promised to FOIA supplicants—for delivery in 1999 or 2000! Thanks to your recent inquiries, some of those documents are now being released. I would hope that through your influence, you can restore compliance with the Freedom of Information Act among all of the agencies that you oversee.

Two years have passed since the events at Mt. Carmel, yet the public has not been fully informed. We have never been told exactly how many men and women participated in the Feb. 28 raid, though estimates place the number at between 75 and 100. All of the raiders were presumably
interviewed by the Texas Rangers as part of their investigation of the affair, and federal prosecutors no doubt are in possession of those interview reports. But less than two dozen of them have been declassified. As a journalist and as a citizen, I see no reason for such secrecy. Nothing good comes of it, and conspiracy theories thrive in the shadows that secrecy casts. In a democracy, the people are supposed to rule. We cannot rise to our task without information. If our government is accountable to us, it will tell us—through you, if in no other way—all that it can. My sincerest wish is that you will succeed in bringing the light of truth to the controversial subject that lies ahead in your investigation.