

U.S. DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #107

3/10/93

7:04 p.m. - 9:34 p.m.

1 (Tape 107)

2 MICHELLE CATLIN: Hello. May I speak to Mr.
3 or Mrs. Simmont (Phonetic)?

4 MAX: Hello. Hello.

5 MICHELLE CATLIN: Hello, Mr. Simmont?

6 MAX: Hello?

7 MICHELLE CATLIN: Hello?

8 MAX: Hello? I can't hear you.

9 MICHELLE CATLIN: Hello, Mr. Simmont? This
10 is Michelle Catlin (Phonetic) from the First National
11 Bank of Omaha. I'm calling, Mr. Simmont, to advise --

12 MAX: Miss, there's no one like that here.
13 I believe you have the wrong number, operator.

14 MICHELLE CATLIN: Thank you for your time,
15 sir.

16 * * * * *

17 STEVE: Hello.

18 MAX: Hello, Steve?

19 STEVE: Yes.

20 MAX: This is Max.

21 STEVE: Max, how are you doing?

22 MAX: I'm doing all right.

23 STEVE: Good, good.

24 MAX: How are you feeling today?

25 STEVE: Exhausted. I'm real tired. I think

1 I might be coming down with a sore throat here.

2 MAX: You sound a little tired, but you got
3 a lot to do in there.

4 STEVE: Yeah, with trying to get a lot of
5 these people together to get some more video, as I
6 wasn't doing so well today. They're either sleeping
7 or tired or some one says after me, after me, and --
8 I don't know. I guess I'm worn out today.

8 MAX: Yeah. You do sound a bit tired.

9 STEVE: Yeah.

10 MAX: Well, how do you feel about the
11 progress today?

12 STEVE: Well, I thought we'd been doing very
13 well, to be honest with you. I spent some good
14 moments with John and discussing a lot of the
15 different things that we were picking up on from even
16 a week ago, and trying to, I guess, get something
17 going here again.

18 MAX: I was talking to John a few moments
19 ago and he feels the same way. He felt very good
20 about the, the day. A little discouraged from the
21 morning, he said you gave him a pretty, pretty tough
22 wake up, but things got better after that.

21 STEVE: Well, you know, I was sleeping, --

22 MAX: You're not a morning person, huh?

23

24

25

1 STEVE: -- and the first thing, all of a
2 sudden, it's like, bang, right head on and when I went
3 to bed everything was going fine with you and I and I
4 just took for granted that in the morning, we're going
5 to pick up on it, I had all these things that you and
6 I had talked about --

7 MAX: Hey, I'm here, let's go.

8 STEVE: Yeah, well, that's what I mean, you
9 know, even like the camera, I had plugs in the wall,
10 and then there was no electricity. I thought, what in
11 the heck, see that, I mean, it was the whole business.

12 MAX: Yeah, well, like I said, we kind of,
13 kind of lose influence out here occasionally and, and
14 we have to pay the cost just like you do when
15 something like that happens, so --

16 STEVE: Yeah, well, yeah, we talked about it
17 then for a while, and --

18 MAX: The second video of the kids is in
19 there, I understand. Was that a little more
20 acceptable than the earlier one or --?

21 STEVE: Well, I guess the question that came
22 up was some of them wanted to know where this child
23 was, where that child was. I think there must have
24 been a handful of them that weren't in there and I
25 guess they wondered where they might be or what was

1 | happening with them. You know how it goes.

2 | MAX: Okay.

3 | STEVE: And then, Kathy Schroeder, she came
4 | to me and wanted to know what was the latest, because
5 | she never wanted her youngest one, the little one, the
6 | three year old to be ever separated from the oldest
7 | boy, I guess. He's always been the most responsible,
8 | watching over him, and from what she can understand, I
9 | guess, three are gone and, and he remains on his own,
10 | so --

11 | MAX: I think there's a problem with the
12 | Health and Human Services there. They, I heard a
13 | little bit about that. I believe it's a matter of him
14 | not being a blood relative that they had to go --

15 | STEVE: I wouldn't doubt that.

16 | MAX: -- to go through some further process
17 | before they can resolve that, but --

18 | STEVE: Do you know if --

19 | MAX: -- but it's not in our hands --

20 | STEVE: The father that took the three, I
21 | wonder if he even wants him or, what would, what do
22 | you know about that?

23 | MAX: I sure couldn't, wouldn't even try to
24 | speak for him on that, Steve.

25 | STEVE: Yeah, yeah.

1 MAX: I'm just going --

2 STEVE: I know she's real concerned. She
3 comes to me quite frequently and I, of course, I
4 really don't know much about it, so --

5 MAX: Well, if she has some, of she's really
6 concerned, Steve, and you think it's a point that we,
7 that you're going to pass it along with a request for
8 us to make some specific efforts to check it out, well
9 get the questions and then come to us and we'll see
10 what we can do.

11 STEVE: Right.

12 MAX: If it becomes that big a concern in
13 there.

14 STEVE: There was a number of them that came
15 to me today and they wanted to either resolve -- ask
16 questions of you or John, and I says, right them down
17 by the phone, leave them for me. I know there's at
18 least three or four of them, minimum, and I'm looking
19 right here by the phone, I see nothing, so it's like,
20 I got to go try to remember who said what and, and
21 search them back out and ask what they had in mind.

22 MAX: Well, if you got as much paper before
23 you as I do before me, --

24 STEVE: Oh, I'm sure I don't.

25 MAX: -- I understand that.

1 STEVE: I'm sure I don't.

2 MAX: Well, it sounds like you may with the
3 messages coming from all directions. It's hard being
4 the middleman.

5 STEVE: Yeah, I guess it is.

6 MAX: Let's see, some other things here,
7 looking at my paper right now. Judy's hand.

8 STEVE: It seems to be doing a lot better.
9 She apparently took it on herself to start soaking it
10 in epsom salt along with, I think she's been using
11 hydrogen peroxide, and it's come down in size after,
12 as much as the last ten days, quite surprisingly in
13 the short time. I think she dressed it and redressed
14 it and soaked it about three times between last night
15 and this morning.

16 MAX: I'm glad to hear that it's improving.

17 STEVE: Yeah.

18 MAX: It sure looked bad and from what you
19 had said it was something of -- really concern to all
20 of us. John was telling me that you made mention of
21 her wrist being sorer than her finger, and that
22 concerned me, like, you know, there was something
23 traveling up the arm. What's the --

24 STEVE: Oh, yeah, well, see she was
25 reaching, apparently, out for something that Sunday.

1 She was in the room when a bullet, a bullet came
2 through the wall and it, it hit her in the finger,
3 traveling along the top part of the bone and right
4 around where the knuckle is, where the finger joins
the hand, it went in, it went in.

5
MAX: We can see it.

6
STEVE: Yeah, you saw that then.

7
MAX: You said the wrist. Was that the
8 soreness from the actual wound or is this a, a
9 infection type thing creeping up the arm? Blood
10 poisoning or something?

11
STEVE: Apparently, maybe it was a
miscommunication, but it was --

12
MAX: Okay.

13
STEVE: -- it's the finger, mainly, that the
14 problem is. The shoulder seems to be okay, it doesn't
15 seem like there's any problems there.

16
MAX: Okay, well, he mentioned the wrist
17 being sorer than the finger and that was what
concerned me, but you clarified that.

18
STEVE: Right, okay, yeah. I don't, I don't
19 know of anything with the wrist, actually.

20
MAX: And David, how is he feeling this
21 morning? I understand it's been some time since he's
22 been --

23

24

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1 STEVE: Yeah, he's been, since you talked to
2 him last, he's been in the same place, he's not moved
3 --

4 MAX: That's been over 24 hours.

5 STEVE: Exactly, exactly, and the wound's
6 been draining, the headache seemed to have lasted
7 quite some time. He had a lot of soreness and wasn't
8 feeling well. In fact, I think someone might be
9 speaking to him, now, finally, after all this time. I
could go check just to make sure. Hang on a minute.

10 MAX: We'll get around to him. I just
11 wanted to know --

12 [gap]

13 STEVE: Yeah, he says -- I just went in
14 there and looked and he says he's had a real -- that
15 headache has just not stopped, he still has a
16 headache, he, the ooziess slowed up, the draining,
and -- are you there Max?

17 MAX: Yes, I'm here.

18 STEVE: Okay, and he says he's, he's not
19 still recovered from feeling well, he's just laying
there just -- he's just not feeling well at all.

20 MAX: Is, is it all related to the wound -

21 STEVE: Yeah.

22 MAX: -- or is it something different?
23
24
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1 STEVE: No, it's related to the wound,
2 because --

3 MAX: We talked to some people that said he
4 would occasionally, or had occasionally had some
5 problems with headaches, and I just wondered if this
6 was something different.

7 STEVE: Not really. From what I understand,
8 the first one he's had was just last night about the
9 time, I think, you got on the phone, no, even earlier
10 because it was in the day I remember him complaining
11 about -- and he never, he's not a person to have
12 headaches in the first place. That's what was
13 surprising about it.

14 MAX: Is, are you monitoring his signs? Do
15 you still have a nurse looking at him?

16 STEVE: Right, they, they, when he spends
17 sleeping and doing real well sleeping, they've decided
18 to leave him be. But, you know, when he comes around
19 like that then they'll check with him and, and keep an
20 eye on him.

21 MAX: Well, I'd like to suggest that, you
22 know, someone, again, sort of keep up, monitoring. If
23 he's not feeling better it's still not too late for an
24 infection or some think like that, and if he, you
25 know, loses too much, if his acuity and sharpness

1 here, I think the whole process we're involved in will
2 suffer, so we want to make sure he stays as healthy --

3 Could you take some steps or encourage him to, to
4 take the blood pressure occasionally and make sure
5 that you get a good, accurate reading? Check for
6 fever, pulse, and just, you know, overall condition to
7 make sure --

8 STEVE: Yeah, I try to do that, you know, as
9 much as possible, but, you know, of course, there are
10 times where he's either in a frame of mind or in pain
11 to the place where he just wants to be resting and not
12 be bothered unless he wakes up and -- So I try to
13 tell these, the nurses to keep an eye on, on him for
14 that and to feel frequently they can take the vital
15 signs.

16 MAX: This whole process is slowing down
17 considerably without someone at the helm.

18 STEVE: Yeah.

19 MAX: So we'd like to see him stay, stay up
20 and active or get some attention, get some medical
21 attention, you know, one way or the other.

22 STEVE: I'm not sure why, but, you know,
23 through the day I had a pretty strong signal with John
24 on the phone, but I don't, but the signal is extremely
25 weak, I mean, I can hear you, but it's not like --

1 MAX: I just have a soft voice, Steve, and I
2 catch myself getting sincere and getting quiet
3 occasionally. I'll try to speak up for you.

4 STEVE: No, it's actually, it's actually the
5 signal. Oh, just a minute. (Speaks to the
6 background)

7 MAX: Is it on your end?

8 STEVE: Oh, I guess, it was presented to him
9 today that the guys in the back there, there was a
10 \$14,000 investment, the Harley Davidson, and he's,
11 he's concerned because he was told that they ran it
12 over and buried it and he wants to know what, how that
13 relates to the negotiations or how that relates to you
14 and I working this out and to, finishing up this
15 process. I mean, I don't know --

16 MAX: You lost me, Steve.

17 STEVE: Pardon?

18 MAX: You lost me on that one. Could you
19 rephrase that?

20 STEVE: Okay, see, in the back, in the back
21 here, on the north side where that white block barn
22 is, you know, there, we, of course, monitor and watch,
23 but they've run over and buried different motorcycles,
24 they've moved them out of the garage into the
25 elements. Then they've done things like knocked them

1 over, they've taken, like, maybe the tank or whatever,
2 and run over the top of one and buried it under dirt.

3 MAX: Oh.

4 STEVE: And, you know, these are the kind of
5 things -- He's wondering what this, what the program
6 is.

7 MAX: Well, like I said, I'm twelve miles
8 away, Steve, I've, I'm looking at a picture here at a
9 map, trying to figure out where the barn is so I can
10 direct somebody's --

11 STEVE: Okay, he said he paid, like, 11,000,
12 you know, that, 11,000 went to that bike and it's
13 worth about 14, and he made that investment for women
14 and children as -- Like, even the black corvette, he
15 got it very cheap, and, and the reason for that, it's
16 an investment where, of course, after a little time
17 it's turned back in and there's money for, for passing
18 out to what our beliefs are and, of course, supporting
19 those that come here with really no money and --

20 MAX: Well, I, it's unfortunate, and like I
21 told you yesterday and we personally had an experience
22 with -- we, I don't have control over everything that
23 happens and --

24 STEVE: Right.

25 MAX: I don't even know who, you know,

1 personally, those people up there, close to you.
2 They, -- and we're, because of our lack of success
3 here and progress in resolving this thing, some other
4 people are having their say right now, and that's,
5 that's kind of out of our hands.

6 The, the best, you know, answer I can give you,
7 Steve, is, Dave, whoever's listening, that, that's an
8 issue that you can take up when you come out. The
9 attorney's file suit for the price of the motorcycle.

10 That's just the way, you know, the situation is
11 handled, it's, -- but as for right now, --

12 STEVE: Mas, even you're --

13 MAX: --for me telling somebody to go out
14 there and stop it? I can't do it.

15 STEVE: Max, have you ever, is this the
16 usual way that these agencies work? Apparently it is,
17 huh? Total disregard of property and all that sort of
18 thing, huh?

19 MAX: Oh, I'm not, it's not any standard
20 procedure, I don't think this is standard procedure
21 from where you are either. This is a very abnormal
22 situation for everybody concerned, --

23 STEVE: Yeah.

24 MAX: -- and you're gonna, I think we can
25 expect some abnormal things happening from both sides,

1 and it has.

2 STEVE: Can you imagine --

3 MAX: (indiscernible)

4 STEVE: -- if we had --

5 MAX: -- conversation.

6 STEVE: Can you imagine if we had, or went
7 and did something that contrary to, of course, the
8 agreements we've had with you, like that? You know,
9 we see that -- like, these guys, watch these guys,
10 like, they, they're tearing up the property, of
11 course, with these tanks, these bulldozers, whatever
12 they are, and they got one stuck in the back, of
13 course, and another one the track came off and they're
14 pulling that all over the place --

15 MAX: Well --

16 STEVE: And of course, these guys have the
17 ability to -- it's just like their attitude here is
18 not they don't want to do anybody harm or anything
19 like that, but on one hand we, we have that your guys,
20 they get itchy and nervous if they see someone going
21 out and dropping water off, old water or something
22 like that, you know, the usual thing that we've always
23 done for the time we've been here, but I mean, those
24 are the things that, and it hardly makes sense, you
25 know, it hardly makes any sense.

1 MAX: No, a lot of this doesn't make sense
2 to, to us out here and I'm sure a lot of it doesn't
3 make sense to you in there.

4 STEVE: No, I, you know --

5 MAX: But, there are things that we can
6 resolve --

7 STEVE: I'm talking about the one way, I'm
8 talking about the one-way street, you know, I mean,
9 you expect us to comply and to call you and so forth
10 and, you know, part of life, of course, is drinking
11 water and, and disposing of water, and I get a call
12 frequently from you guys about, you know, the simple
13 things of life that are, that are natural and that are
14 needful, and here, there are other things going out
15 there that, destroying of property, the digging up of,
16 you know, dirt and the taking over buildings and, and
17 wrecking the buildings and, I mean, it's, hmmm.

18 MAX: Well, I hate to see things like that
19 happening, but what bothers me even more is that
20 things like that, and things like the signs for the
21 media and things like fire crackers in the middle of
22 the night and the moonings and all these other
23 peripheral issues are taking away from the idea that
24 we need to keep communicating. We need to make some
25 progress --

1 STEVE: Well, you know, you and I have been
2 doing that.

3 MAX: -- on saving some lives and bringing
4 people to safety.

5 STEVE: What were you saying about the signs
6 now, or what was that now?

7 MAX: Oh, just the sheets that you hang out
8 the window, the signs, you know, that the media flags
9 on and, and keeps --

10 STEVE: I like that. Don't, don't you, I
11 like that --

12 MAX: It's your right, sure.

13 STEVE: Yeah, don't you like that?

14 MAX: It's, there's nothing wrong with that.
15 But it's just not centered to the issue.

16 STEVE: Oh, but it is. No, no --

17 MAX: No more than the Harley Davidson
18 motorcycle --

19 STEVE: Really, it is.

20 MAX: -- is centered to the issues.

21 STEVE: You know, I want your rights always
22 to be guaranteed.

23 MAX: Your rights are out here waiting on
24 you, Steve.

25 STEVE: Max, I want your rights to always be

1 guaranteed for you. Whether you're an atheist, an
2 agnostic, a buddhist or whatever.

3 MAX: That has nothing --

4 STEVE: I really respect, I respect that
5 because I can't judge you. Who knows if I'm right or
6 wrong or whatever else. But that's what I love so
7 much -- I've traveled around the world and what an
8 awesome country because of this constitution because
9 people fled the tyranny of the old world. But now
10 that tyranny is resurfacing, just like -- when you
11 read Abraham Lincoln and Madison and Jefferson, they
12 warned about the very things that these agencies like
13 you're involved in are doing and have become. I mean,
14 not that -- I mean, you mean well, you've got a
15 position there and on the whole, if you're after drug
16 people or you're after people that are trying to
17 destroy or harm this freedom, it makes sense. I've
18 always had respect for that agency, like I've told
19 you, but, obviously, you know, you can see some--
20 who's watching the watchdog, is the question, and
21 there's definitely been atrocities that have been
22 taken place, freedom's that are eroding, and it
23 concerns a lot of Americans that have minds that can
24 think and compare and in relation to, I heard what Bob
25 Ricks said this morning, on that press conference, and

1 that really bothered me. How he kind of, more or
2 less, warned the press and the man that suggested
3 about seeing if we're still here, I mean, here the guy
4 is --

5 MAX: What part bothered you, Steve?

6 STEVE: This morning, when Bob Ricks
7 mentioned about any interference of press or anything
8 of that nature. And these people are concerned about
9 rights, their own rights. I mean, if what happened to
10 us, by the ATF, in the manner it happened, happened to
11 us so easy, and there's been no real investigation
12 yet, everybody's concerned. I mean, if this didn't
13 happen to me and I was on the outside looking in,
14 where you are, I'd be extremely concerned like they
15 are.

16 MAX: Do you see, in those press
17 conferences, when they show the photograph -- that
18 portion of the room where the audience is seated, all
19 of the reporters out there, all of the microphones in
20 front of those people, all of the questions that are
21 asked? They are people asking questions. We are
22 going to be challenged, ATF's going to be challenged.
23 You're going to be challenged when you come out. But
24 that's what this system is about.

25 STEVE: But it bothers me --

1 MAX: It's kind of like a religious thing.

2 STEVE: It bothers me --

3 MAX: If everybody had similar beliefs, --

4 STEVE: Max, but it never use, --

5 MAX: -- there wouldn't be any use in the
6 system --

7 STEVE: Max --

8 MAX: -- but we have different beliefs.

9 STEVE: You're --

10 MAX: -- and the system is there to settle -

11 STEVE: Your agency never use to exist.

12 MAX: -- the disputes.

13 STEVE: And this country got along
14 fantastic, and now there's so many like you, there's,
15 of course, the ATF, there's, there's another
16 department off the IR-- there's just so many policemen
17 in this state, I mean, it's going to be, this use to
18 be a many states working together, now it's more
19 federal, too much power at the top. It's not like it
20 use to be. It was never meant to be this way by the
21 constitution. I mean, you -- definitely there's
22 things going on that should not really be happening.

23 MAX: Well, what you're saying is all these
24 agencies traditionally have a great reputation, and
25 you believed in them as long as they were not

1 concerned with your activities.

2 STEVE: No, no, no.

3 MAX: In essence, you're saying, both drug
4 dealers --

5 STEVE: As long as they're --

6 MAX: (indiscernible)

7 STEVE: -- they're indirect, like, for
8 instance, you have the power, to think your agency can
9 tell the press what to do and, I never knew that was
possible in this country until right now.

10 MAX: All you --

11 STEVE: I guess I haven't been watching very
12 carefully.

13 MAX: All you have to do to change that is
14 come out.

15 STEVE: And the way you guys can take
16 control and tell them where to be, when to be and what
to happen and what not to happened?

17 MAX: Steve.

18 STEVE: I mean, it's totally amazing.

19 MAX: Steve, they'll be just as many
20 microphones and just as many cameras --

21 STEVE: I'm talking about, no, no --

22 MAX: -- waiting on you.

23 STEVE: -- I'm talking about the power you
24
25

1 guys wield right now. I'm, I mean, hear the press,
2 they can't do this, they can't do that. You warned
3 them that if they even say something over the airwaves
4 and -- I'm just wondering what you might have done to
5 this man who has such a vigilance and an eye out for
6 freedom, and he's concerned about the rights of the
7 constitution of any individual of being violated. I'm
8 concerned about those kinds of things and I mean that
9 for yourself included. For everybody in this country.
10 And there, I mean, I see it happening.

11 MAX: Steve.

12 STEVE: It's been happening for 10, 20, 30
13 years already. No question about it. So whether, you
14 know, when this is all said and done -- I mean, it
15 still keeps continues to go downhill, and what happens
16 with an organization like your own? It continues to
17 do the same kind of a thing, I mean --

18 The ATF, that's one organization I'm definitely
19 am concerned about after all this. I'm definitely
20 concerned.

21 MAX: Understood, understood. And I don't
22 think you're the only one asking questions.

23 STEVE: What are they existing for in the
24 first place? Why doesn't the FBI, I mean, what are
25 they really needed for? The FBI has always taken care

1 of those kind of things as far as I was concerned.

2 MAX: Well, well, well. Like I said,
3 there'll be as many microphones, as many cameras, as
4 many reporters --

5 STEVE: Oh, boy, I hate to --

6 MAX: -- waiting out there for you --

7 STEVE: -- hear you parrot the same thing
8 over and over again, Max. But I guess that's the ways
9 it's got --

10 MAX: -- as there is for us.

11 STEVE: That's the way it's got to be,
12 doesn't it?

13 MAX: You've got to come out to talk to
14 them. They don't want to come in there, it's not,
15 it's not safe in there. That's been proven, hasn't
16 it?

17 STEVE: You are, --

18 MAX: That's an unsafe area.

19 STEVE: That's not even, that's not even --

20 MAX: Whatever reason, it's an unsafe area.

21 STEVE: -- the issue. You know that's not
22 the issue.

23 MAX: No, it's not. People, the same thing
24 --

25 STEVE: I mean, we'll be, --

1 MAX: -- all those involved, that's the
2 issue.

3 STEVE: I mean, I already know, when we're
4 out, it's all going to be swept under and on the
5 atrocities go, goes on and that which -- There's no,
6 there's no question in my mind, there's very powerful,
7 sharp men, devious men that aren't normal -- that,
8 that just loves families and have a God and have a
9 church and want to do the best for their fellow men
10 and live on this world. There are men -- that
11 programs, they want to see enacted upon everybody,
12 that don't, that aren't patriotic to any one given
13 country. I mean, I'm a person that's always loved
14 history, and when I was young and looked on this Viet
15 Nam war, for instance, going on for ten years, I
16 couldn't, it didn't make sense to me that a country so
17 powerful as the United States, with the technology
18 they had, able to force Japan in the Second World War
19 to quickly want to end it, why we kept on sending
20 manpower against manpower against countries that had
21 just millions and millions -- nothing made sense.
22 And that we wouldn't bomb past a certain boundary line
23 but they would, they could do all the atrocities.

24 I mean, one can't help but to start ask-- what is
25 going on, who's in control? No matter who you vote

1 for, it seems like it progressively gets worse.

2 Then you come to find out there's a group called
3 the Council and Foreign Relations, and all these
4 presidential candidates have come from that group for
5 a number of years. Are you aware of that, Max?

6 MAX: I'm not as familiar with that part of
7 history as you seem to be.

8 STEVE: You really aren't, huh?

9 MAX: No.

10 STEVE: From about 1920 and the '20's, the
11 Council on Foreign Relation, which it has, something
12 like -- I'm told, 16 or 1800 members of the greatest
13 industrialists; politicians, meaning congressmen;
14 international bankers -- These are the men that get
15 together and draw up what needs to be done in this
16 world, and they're not so concerned about America. If
17 you're not, if you don't know about it, I'd do a lot
18 of research -- I'd talk to an admiral of the United
19 States --

20 MAX: I'm concerned, I'm concerned about
21 today. My concern --

22 STEVE: No, I'm concerned about you --

23 MAX: -- is right here and now, and the
24 people in there.

25 STEVE: -- and this country and all you

1 people. I mean, what has got to be done with this
2 situation will be done. And I'm working with you to
3 get it resolved now and we're still, we're heading in
4 that direction just like in --

5 MAX: No, you, you're not working with me
6 right now, Steve, you've got your --

7 STEVE: No, no, no. No, I am.

8 MAX: -- spurs up for some reason, --

9 STEVE: I am, in fact, --

10 MAX: -- and you're riding me around the
11 room with history.

12 STEVE: -- contrary, on the contrary --

13 MAX: It's not the thing that needs to be
14 done right now.

15 STEVE: If you'd been listening to
16 conversations I had with John, that's not so. All day
17 long we have been working on it and as you and I were
18 last night.

19 MAX: Well, let's get back to the way we
20 were last night, okay?

21 STEVE: I'm listening.

22 MAX: Okay. The main issue now, is the
23 safety of all those concerned and what it's going to
24 take to, to resolve this without anyone getting hurt.
25 You and John talked about a little bit of what would

1 happen when you came out and I had asked you if one of
2 our -- signing off, I signed with you, --

3 STEVE: Um-hum.

4 MAX: -- to do some research to look into
5 the law books that Wayne might have had there, to talk
6 with Wayne about it and find out what the legal
7 process mandates in this situation when you come out.

8 Did you do that?

9 STEVE: No, I never had the time today,
10 actually. I wanted to, but I was on the phone so
11 frequently with John throughout this day, and along
12 with that, talking to people, trying to get them ready
13 to get on tape and then I had problems with that. It
14 was one of those days where it just did not go my way.

15 MAX: I felt it was an important -- I hoped
16 you would feel it was an important part of the, the
17 solution and would have made some, some efforts to do
18 that. Maybe you could give Wayne the, the assignment
19 of, --

20 STEVE: Oh, yeah, I'll talk to him --

21 MAX: -- of finding that section of the code
22 --

23 STEVE: -- definitely.

24 MAX: -- that deals with --

25 STEVE: Most definitely.

1 MAX: -- the federal process. Okay. That
2 might be --

3 STEVE: That would not be a problem at all.

4 MAX: I think that would be something to
5 give Wayne to --

6 STEVE: I think you're right.

7 MAX: -- to feel he's being used
8 appropriately, and he could probably do a good job of,
9 of coming out of there with the section of the --

10 STEVE: I think you're right. By nature, he
11 is a researcher.

12 MAX: Okay. That's great. And to share
13 those, if you would, after you've had a chance to, to
14 analyze them and understand them, and I know that you
15 can with the, the way your mind works. Look them over
16 and then either synopsise or present them to David in
17 such a way that it might relieve any concerns he might
18 have.

19 You can be able to explain to him, then, what's
20 going to happen.

21 STEVE: All right.

22 MAX: And how -- what the steps are going to
23 be. Okay?

24 STEVE: We'll do that.

25 MAX: And that would be a very constructive,

1 I think, thing to do.

2 STEVE: They're handing me a plate of food
3 right now.

4 MAX: Yeah, I hear it.

5 STEVE: How about if I give you a call back?

6 MAX: Well, how about the tape? We, we got
7 the issue here hanging with the tape. You were going
8 to send us something out?

9 STEVE: I hardly have any, I've got a 150
10 minute tape and --

11 MAX: Oh, it is?

12 STEVE: -- I thought I was going to fill
13 this thing up and I hardly have nothing even on it.

14 MAX: Oh, you don't have to fill it up.
15 Just send out what you have. I don't --

16 STEVE: Let me call you right back, okay,
17 I'm going to --

18 MAX: You know, if we get one that long, do
19 you realize it'll take, how long it'll take to
20 transcribe it and everything before we can see --

21 STEVE: Okay, but I don't have anything but
22 150 tapes left here.

23 MAX: We'll send you out whatever you want.
24 Send, use half of it, send it out. If you run out of
25 tape, we'll send you some.

1 STEVE: I'm going to eat and I'll call you
2 right back when I'm finished.

3 MAX: Work on the tape, please.

4 STEVE: Okay?

5 MAX: All right. Enjoy your meal.

6 STEVE: Okay, I'll talk to you in a bit.

7 MAX: Bye.

8 STEVE: Good-bye.

9 * * * * *

10 SHERRI: Hello.

11 JOHN: Hi, who's this?

12 SHERRI: This is Sherri.

13 JOHN: Sherri, this is John.

14 SHERRI: I know.

15 JOHN: Happy Birthday.

16 SHERRI: Oh, you know too, huh?

17 JOHN: Yeah.

18 SHERRI: Thank you. Here's Steve, just a
19 minute.

20 JOHN: Okay.

21 STEVE: Hello.

22 JOHN: Hey, guy, how are you?

23 STEVE: Hello, is this John?

24 JOHN: Yeah.

25 STEVE: No, kidding?

1 JOHN: You know, I'm the bearer of,
2 hopefully, good tidings and some not so exciting
3 tidings. I understand that the, the floodlights, the
4 spotlights, whatever you want to call them, just went
5 on on the, --

6 STEVE: Okay.

7 JOHN: -- on the outside of the building,
8 the south side of the building.

9 STEVE: Let me tell you about it now, 'cause
10 I was just told, --

11 JOHN: Yeah, go ahead.

12 STEVE: I was just told the same thing.
13 Since we moved in here they had these floodlights out
14 there that when a dog or anything runs -- and that's
15 what tripped it off, was a dog -- you know that we've
16 -- no one's gone out, and it's over by the gymnasium

17 JOHN: Huh-huh.

18 STEVE: -- so no one, since this all came
19 about, has even been over in that area, nor can they
20 get to the switch to even turn the thing off, unless,
21 of course, we work that out with yourselves, but,
22 since this all took place, --

23 JOHN: Well, you don't have to go outside to
24 do it, do you?

25 STEVE: Oh, yes, of course, because the

1 switch for that is in the gym.

2 JOHN: Yeah, but I mean you don't have to
3 physically go outside the building to do it, though,
4 right?

5 STEVE: No, you do have to physically go
6 outside of this building and into that one to do it.
7 There's not a way to get to that building other than
8 going outside.

9 JOHN: I mean, outside, outside.

10 STEVE: Exactly.

11 JOHN: You can stay inside a building,
12 right?

13 STEVE: Well, no, you have to go outside to
14 go into that building of which the switch is inside
15 that building. You understand what I'm saying?

16 JOHN: Well, you just walk from one building
17 to another, right?

18 STEVE: Yeah, but you go outside to do it.

19 JOHN: Okay. What's the problem?

20 STEVE: Well, that -- I don't know. Well,
21 before, you know, everybody gets excited if lights
22 come on or --

23 JOHN: Oh, no, you know --

24 STEVE: -- someone walks around --

25 JOHN: -- you know how it happened the other

1 night, these people start jumping through their
2 shorts, you know, the lights are on, the lights are
3 on. It's a, it's an offensive thing and, and --

4 STEVE: But what's strange --

5 JOHN: We can resolve it real easy, right?

6 STEVE: Yeah.

7 JOHN: You tell me what you have to do to
8 turn them off and I'll explain to them what you have
9 to do to turn them off.

10 STEVE: John, but what's, what's strange
11 about it is, you know, they've been off and on for
12 ever since the Sunday in the first place. How, but I
13 was asking --

14 JOHN: What can I tell you, huh?

15 STEVE: That's what I'm saying -- but last
16 night Max called me so excited and I says, well,
17 what's wrong?

18 JOHN: Hey, we also mentioned to you that
19 nothing positive has happened in about four days, four
20 and a half days and these people --

21 STEVE: I think it has.

22 JOHN: -- are getting concerned. I think it
23 has, Max thinks it has --

24 STEVE: After talking with John, talking
25 with yourself and Max, --

1 JOHN: Hey, we think it has, but you
2 understand that we are the communicators, right?

3 STEVE: Um-hum.

4 JOHN: And we have people to answer to and
5 they look at the issue of, hey --

6 STEVE: Well, what I wanted to --

7 JOHN: -- since Heather came out four days
8 ago, what positive has happened?

9 STEVE: Well, you know --

10 JOHN: So when something happens, like the
11 lights going on, they want the lights to go off, and
12 if it's --

13 STEVE: I believe they're off, aren't they?

14 JOHN: -- if it's some-- Are they off now,
15 you think?

16 STEVE: Probably, because they only come on
17 when those dogs are running around there.

18 JOHN: What can I tell you about the dogs?
19 We don't have a lot of control over the dogs, do we?

20 STEVE: Let's find somebody here to go run
21 out and turn them off then, I guess.

22 JOHN: Hey.

23 STEVE: Yeah?

24 JOHN: We don't want somebody just wandering
25 around outside now.

1 STEVE: Well, you want them turned --

2 JOHN: If you just go from one building to
3 another building. Just tell me what they're gonna do
4 so I can tell somebody not to be concerned.

5 STEVE: Well, let me see. Just a minute.

6 JOHN: Sure.

7 [gap]

8 STEVE: Okay. I was just talking to someone
9 that can go out there and take care of that.

10 JOHN: Okay, will they --

11 STEVE: And --

12 JOHN: They have to walk out of the
13 building, that you're in --

14 STEVE: Right.

15 JOHN: -- across a little court yard area or
16 something?

17 STEVE: Right.

18 JOHN: And then into the gym?

19 STEVE: And he's wondering, too, the
20 chickens, apparently, have gone on. The same person -

21 JOHN: Steve, it sounds like you lost
22 control of the chickens?

23 STEVE: No, I know, it is a bit humorous.

24 But he says, can I take care of the chickens, they can
25 watch me at the same time, I'll go over to the gym, do

1 the switch there, and then go over by the chickens,
2 get that food and, and throw it in there with them
3 and, --

4 JOHN: Okay.

5 STEVE: -- take care of them.

6 JOHN: Okay. Let me check on that --

7 STEVE: You want to call me right back?

8 JOHN: Yeah, you bet, because I'd like to
9 let somebody know what we're doing --

10 STEVE: Okay.

11 JOHN: -- and not to have concern, and if,
12 and if you want to handle the other matter, that's
13 fine too.

14 STEVE: Okay, I'm still halfway through my
15 meal here, so --

16 JOHN: Chow down, chow down.

17 STEVE: Okay. Talk to you in a bit.

18 JOHN: We'll call you back in just a few
19 minutes.

20 * * * * *

21 JOHN: Hello.

22 STEVE: John?

23 JOHN: You bet.

24 STEVE: Yeah, it is John. Okay, is he ready
25 to go out there?

1 JOHN: Not quite, not quite.
2 STEVE: Okay. Well just give me a buzz
3 then, I'm still waiting.
4 JOHN: Okay. Let me, let me ask you
5 something.
6 STEVE: Yeah?
7 JOHN: You still eating or are you finished
8 eating?
9 STEVE: I'm still eating.
10 JOHN: Okay. It should be just a matter of
11 minutes, --
12 STEVE: All right.
13 JOHN: -- so I'll give you a call right back
14 as soon as they're ready, huh?
15 STEVE: Okay, sounds good.
16 JOHN: Okay?
17 STEVE: Sure, bye.
18 JOHN: Bye-bye.
19 * * * * *
20 STEVE: Hello?
21 JOHN: Hey, Steve?
22 STEVE: Yeah.
23 JOHN: All set.
24 STEVE: Okay.
25 JOHN: Can you, can you tell me what they're

1 gonna do, now? What the fellow's going to do?

2 STEVE: Okay, he's going to go out, he's
3 going to go out the back door, and then --

4 JOHN: Is that near the tall building or
5 what?

6 STEVE: Let's see, no, the back door is
7 actually, where would it be? It's like, is that east?
8 That's east or northeast. It's where the, the
9 building is kind of long, it's like parallel to the
10 swimming pool.

11 JOHN: Okay, okay.

12 STEVE: So he's going to go out that door,
13 he's going to walk over to the gym and in the gym,
14 there's a switch on the wall inside there.

15 JOHN: Okay, okay.

16 STEVE: And he's going to come back across -

17 - JOHN: To the chicken coup?

18 STEVE: Yeah.

19 JOHN: And feed the chickens?

20 STEVE: Right.

21 JOHN: Okay. Can you tell me whether the,
22 the fellow that's going out going to have a t-shirt on
23 or a hat?

24 STEVE: He's got a, he's got a jacket that's
25 black with, like, turquoise, what would you say,

1 stripes are they? He's, he's a black guy, also.

2 JOHN: He's a black male?

3 STEVE: Yeah.

4 JOHN: With a black jacket, turquoise --

5 STEVE: And he's got, he's got glasses on.

6 JOHN: Okay.

7 STEVE: Okay?

8 JOHN: Okay. So, he's, he's going out now,
9 then?

10 STEVE: Right.

11 JOHN: Okay, it's fine.

12 STEVE: Okay, and I'll talk to you soon.

13 JOHN: Now he's not carrying anything, huh?

14 STEVE: Nothing. He's got nothing in his
15 hands carrying anything.

16 JOHN: Fine. Hey, that's super.

17 STEVE: Okay, and I'll call you as soon as I
18 finish here which will probably be about fifteen,
19 twenty minutes.

20 JOHN: Hang on. Oh, can you ask him to
21 carry a flashlight with him?

22 STEVE: (to the background) Would you carry
23 a flashlight with you?

24 JOHN: And leave it on?

25 STEVE: (to the background) You have a

1 flashlight then?

2 He didn't like the idea of carrying a flashlight,
3 I guess.

4 JOHN: Well, it's going to be for his safety
5 and for ours, you know, I mean, we don't --

6 STEVE: Okay.

7 JOHN: It's going to make it a lot easier --

8 STEVE: As long as it's for his safety,
9 that's fine.

10 JOHN: That's the issue. That's the issue.

11 STEVE: Okay.

12 JOHN: Does he, he got a flashlight?

13 STEVE: Okay, talk to you --

14 JOHN: We're in business?

15 STEVE: Yeah, where in business. Talk to
16 you in a few minutes.

17 JOHN: Okay. Finish your food.

18 STEVE: Okay.

19 JOHN: All right, bye-bye.

20 * * * * *

21 STEVE: Hello?

22 JOHN: Hey, Steve.

23 STEVE: Hey, John, what's happening?

24 JOHN: Just want to make sure that your
25 man's in, finished --?

1 STEVE: That guy -- I just went down there
2 to find out -- I told him, let me know as soon as it's
3 all through. Here, come to find out, the guy goes
4 out, does just the gym, comes back in there, looking
5 around for a better flashlight or something, no one
6 tells me, so I just went down and says, why are you so
7 slow, what are you doing? I, I don't know.

8 JOHN: Hey, the lights are out in the gym
9 though, right?

10 STEVE: Yeah, he, he got that aspect done, I
11 mean, but I -- wouldn't you know, I picked the slowest
12 guy that there is in the whole --

13 JOHN: Hey, they never said it'd be easy,
14 did they?

15 STEVE: Well, I guess not.

16 JOHN: Now, the way those lights are set up
17 now, they're not going to back on, are they?

18 STEVE: They shouldn't because when you flip
19 the switch down, apparently, --

20 JOHN: Yeah.

21 STEVE: -- that should take care of it.

22 JOHN: Okay, okay.

23 STEVE: But after all this time, apparently,
24 no one had done that.

25 JOHN: Hey, maybe we can feed the chickens a

1 little later, huh?

2 STEVE: Yeah.

3 JOHN: Hey, that's a concern huh?

4 STEVE: Anyway. So, what's happening now?

5 JOHN: Listen. I wanted to cover a couple
6 of issues with you.

7 STEVE: Okay.

8 JOHN: I know that you and John, the other
9 John, --

10 STEVE: Yeah. What is John's last name?
11 Unless he doesn't, it doesn't matter, but --

12 JOHN: Number 2.

13 STEVE: Okay, John Number 2. Hey, now, that
14 doesn't sound too good.

15 JOHN: It does to me.

16 STEVE: Okay.

17 JOHN: Huh? I think it sounds pretty good
18 to me.

19 STEVE: Okay.

20 JOHN: Or Number 2, John. Whichever way you
21 want to put it.

22 STEVE: All right.

23 JOHN: In fact, he'll be talking to you in
24 the morning anyhow, I'm sure.

25 STEVE: All right, yeah.

1 JOHN: This afternoon he discussed basically
2 what would happen when you all come out of there.

3 STEVE: Right.

4 JOHN: And, and you told him that you and
5 David had discussed this and there was no problem with
6 it --

7 STEVE: Right.

8 JOHN: -- that you fully understood it. And
9 I just wanted to really kind of reassure you that, you
10 know, you probably had a lot of concerns, as do a lot
11 of people in there, and that they're going to come out
12 of there and then they're going to be lost. They're
13 not going to have some guidance. They're not going to
14 have somebody to, to really talk with them everyday
15 and deal them everyday as you and David have over this
16 period of time, and it's a pretty valid concern. I
17 understand that, but, you know, when you come out,
18 basically, John explained to you the formalities of
19 coming out and that you'll go downtown to Waco, to
20 the, to the federal building, and the first thing
21 that's going to happen, is people who need medical
22 attention are going to get medical attention. That's
23 the very first thing that's going to happen. And, and
24 what happens after that is an initial appearance
25 before a U.S. Federal judge, and that means the U.S.

1 Federal judge will explain to those who are being
2 charged with something, what they are being charged
3 with, what their rights are. You know, there are
4 constitutional rights; to a lawyer, -- every right
5 they have because federal judges take their time
6 explaining these things because they never want any
7 question raised that they haven't been clear in
8 explaining these things and that people totally
9 understand their rights. And there may be some people
10 in there that, like you say, the fellow with the
flashlight that may not be too quick, huh?

11 STEVE: Um-hum.

12 JOHN: Some people don't understand them as
quickly as others, so, --

13 STEVE: Well, this is true.

14 JOHN: Federal judges want to make it as
15 clear as possible. If, for say, there is somebody
16 that did not speak English in there, and I think most
17 all do, don't they?

18 STEVE: Right. Everybody does.

19 JOHN: You know, if, if there was somebody
20 that didn't speak English, they would certainly have
21 a, an interpreter present. I mean, we don't play
games in the federal system.

22 After that would happen, okay, or as part of the
23
24
25

1 initial appearance, the U.S. District judge or U.S.
2 Magistrate judge, as they're, they're addressed, will
3 set an initial appearance date --

4 STEVE: Okay.

5 JOHN: -- and set bond. Now, the, the
6 crucial thing is that everybody that would appear that
7 judge will be met by someone from the U.S. probation
8 office, which is really the arm of the judicial branch
9 that sits down and obtains background information from
10 people. And it's crucial because the information they
11 get from the individuals is relayed to the judge as of
12 whether they're penniless, whether they're destitute,
13 you know --

14 STEVE: Huh-huh.

15 JOHN: They can't afford a lawyer, one, one
16 will be provided by the court, and they go through the
17 whole background of the individual so probation can
18 inform the judge at the initial appearance, Your
19 Honor, you know, this person says they've never had a
20 traffic ticket in their life, you know.

21 STEVE: Hum-hum.

22 JOHN: They have no prior problems, and the
23 judge then assesses this, looks at it and says, well,
24 I'm going to set bond at whatever. So, he's looking
25 at a person's background, their life, their education,

1 their, you know, --

2 STEVE: Right.

3 JOHN: -- the whole thing. And they take
4 their time doing this. Believe me, the federal judges
5 don't jump into these things blindly, and particular
6 -- you know, an incident like this that's happened --
7 notoriety, the publicity that this has had, they
8 can't, they can't afford to do anything in a slipshod
9 manner. So, one thing I should tell you, you know,
10 and you can pass it on is that we were informed, not
11 long ago, that David's mother has hired a lawyer in
12 Houston. Now I wish I could give you the name of the
13 lawyer.

14 STEVE: Right.

15 JOHN: He's a, he's a pretty well known
16 lawyer --

17 STEVE: Oh, he is.

18 JOHN: You know, and I don't mean just well
19 known, well respected, competent lawyer.

20 STEVE: Okay.

21 JOHN: I'm sure that's concern to other
22 people in there that they're going to either have to
23 do the same thing where they're going to have to have
24 lawyers appointed to them, and I'm sure the vast
25 majority of, of the folks in there don't have a lot of

1 money, you know, to dole out for something like that,
2 --

3 STEVE: Right.

4 JOHN: But it, but it's a concern, you know.
5 You know, if you had a lawyer that you were
6 interested in being contacted, I'm sure we could make
7 arrangements to do that. And I'm being candid with
8 you, you know, if --

8 STEVE: Right.

9 JOHN: -- you have one, or, in discussions
10 with Wayne. Maybe Wayne knows one around here that he
11 could offer you some good advice.

12 STEVE: Maybe I won't even need one, huh?

13 JOHN: That's even better advice, isn't it?

14 STEVE: Yeah, --

15 JOHN: I mean, I, it really is.

16 STEVE: Yeah.

17 JOHN: It really is. But I don't want to,
18 to get out on a pipedream that we're not going to
19 appear before the judge.

20 STEVE: Um-hum.

21 JOHN: I, I think we got to be pretty
22 sincere about this that you will probably appear, the
23 judge and David will and many will and many won't.
24 You know, I'm pretty, pretty realistic about that too.
25

1 Some of the people that I, I viewed on the tapes that
2 you sent out?

3 STEVE: Um-hum.

4 JOHN: And I'm not talking just about the,
5 you know, the children.

6 STEVE: Right.

7 JOHN: The children don't enter into this
8 really, but you've got an awful lot of, lot of women
9 and other people in there that, they have nothing to
10 fear.

11 STEVE: Right.

12 JOHN: Well, not from the judicial system.
13 What they do, they probably fear they're losing some
14 guidance, right?

15 STEVE: Probably.

16 JOHN: A very valid fear.

17 STEVE: Yeah.

18 JOHN: That today they have David, today
19 they have you and if this ends tonight, if this ends
20 tomorrow, if this ends on Sunday and all of a sudden,
21 David's taken away from them, you're taken away from
22 them, --

23 STEVE: Well, --

24 JOHN: -- their leadership, their guidance
25 is taken away from them, --

1 STEVE: I would like to say that's true
2 about myself, but it, actually, it is not. I mean,
3 I'm just like they are, I'm a student --

4 JOHN: Well, yeah, but still, you're a
5 mature, educated person, and if David's not feeling
6 good, if David's down on his luck, they have to look
7 at someone for guidance, right? I don't mean
8 religious, spiritual, hey, this is what I'm telling
9 you must be done, this is what has, --

9 STEVE: No, --

10 JOHN: The day to day, --

11 STEVE: I don't know that they would look to
12 me, in fact, I really --

13 JOHN: Well, maybe they'll look at a group
14 of you.

14 STEVE: Possibly.

15 JOHN: You know, but they're gonna look for
16 someone because, you know, I didn't meet the two
17 elderly, --

18 (End of tape 107)

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