

Slow search continues for suitable McVeigh trial jurors

■ **BOMBING:** Six of the seven prospective jurors interviewed so far would support the death penalty

By Paul Queary
The Associated Press

DENVER — Timothy McVeigh's trial moved into a second day today with one prospective juror saying she has already made up her mind about his guilt and another saying he should "pay for his crime" if he is convicted.

So far, seven prospects have been interviewed and all have expressed strong opinions about the highly publicized case in which McVeigh is accused in the Oklahoma City bombing that left 168 people dead and hundreds injured.

Six prospects have said they would be willing to recommend the death penalty should McVeigh be convicted. Three admitted they were reluctant to serve at all.

No. 414, a middle-aged woman who works with learning disabled

children, expressed reservations about the death penalty, but said she would be willing to recommend it for such a heinous crime. "If he has done this ... you pay for your crime," she said.

Earlier today, McVeigh's attorney, Stephen Jones, asked Juror No. 851, "As you sit here today, you believe he's guilty based on what you've read?"

"Yes sir," said the woman, a mother with a 4-year-old child.

Jones also quoted a jury questionnaire on which she wrote, "I can't help but believe he's guilty based on the media reports."

The woman said earlier she has avoided news reports since receiving her jury summons, a five-week period in which *The Dallas Morning News* and *Playboy* posted stories on the Internet about McVeigh's purported confessions. Jones has claimed the jury pool was tainted by those accounts.

Among the spectators in the front row were McVeigh's divorced parents, Bill McVeigh of Pendleton, N.Y., and Mildred Frazer of Fort Pierce, Fla. U.S.

"This could have been one of our children. We have to have some compassion, not for McVeigh the son, but for the father."

— Tom Kight
Father of bombing victim

District Judge Richard Matsch agreed to allow them to view the trial even though they may be witnesses.

Tom Kight, whose stepdaughter, Frankie Merrill, died in the bombing, told reporters he sympathized with the defendant's father.

"This could have been one of our children," Kight said. "We have to have some compassion, not for McVeigh the son, but for the father."

The exhaustive interrogation of potential jurors has covered their views of not only the death penalty and news coverage of the case, but opinions about the American

government, the justice system and even the O.J. Simpson trial.

Even McVeigh's attorney, Stephen Jones, said the questioning had progressed "slowly." McVeigh himself nodded and smiled at each potential juror on the first day of questioning, but his expression hardened as discussions turned to the death penalty.

The potential jurors were shielded from the view of most courtroom spectators and were referred to only by numbers.

A woman who said she has had two nervous breakdowns, No. 630, said she feared serving on the jury would bring on more health problems.

The woman, a personal shopper at a department store, said one of her clients suggested the federal government may be involved in a conspiracy surrounding the bombing. She said she wasn't sure if she shared that view.

Then there was No. 858. When asked about the government sieges at Ruby Ridge, Idaho, and Waco, Texas, the middle-aged man said he thought the govern-

ment failed to handle them as well as they could have. "To me, in my mind, they were overkill."

A churchgoing grandmother in her 60s, said she cried and prayed for the victims as she watched TV coverage of the bombing. Her dominant memory of McVeigh was the footage of him in an orange jail jumpsuit being led out of a county jail in Oklahoma.

"I felt very sorry for him," she said. "For such a young man to waste his life."

Starting from a pool of about 350, Matsch and attorneys must find 64 jurors who cannot be challenged for legal cause and are open to imposing the death penalty.

Each side will be able to dismiss 20 candidates, and then to use three more peremptory challenges to whittle the number to 12 jurors and six alternates. The process could take weeks.

McVeigh, 28, could face a death sentence if convicted on murder, conspiracy and weapons-related charges in the April 19, 1995 blast. Co-defendant Terry Nichols is to be tried later.

Amendment: OCA must collect 97,601 signatures of support

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Constitution, the Full-Faith and Credit Clause, mandated that states recognize the marriage contracts of every state. Yet, with the 1995 passing of the federal Defense of Marriage Act, states were allowed an exception to the credit clause. In addition, the federal bill provided a definition of marriage as one man and one woman.

Even though the federal bill was passed, if the Hawaii ruling stands after appeal, Joel Corcoran, co-director of the Lesbian and Gay Law Students Association, said he believes same-sex couple marriage contracts coming out of Hawaii could be recognized in Oregon.

If passed in Oregon, though, the OCA's Family Act would prevent this from occurring.

Corcoran, a paid political consultant who worked heavily against the OCA's 1994 Measure 13 campaign, says he is strongly against the initiative.

The OCA's measures in the past cut to a person's self-identity," Corcoran said. "This goes far beyond that. This is an undue intrusion into people's personal lives."

Corcoran said he believes the measure would be found unconstitutional based on a 1996 U.S. Supreme Court ruling against Colorado's Measure 13. Measure 13 would have denied recognition of gay status. Cor-

coran said the court held that a state can't make a class of citizens strangers to the state's laws because of public disapproval or hatred. He said he believes this would apply to the Family Act as well.

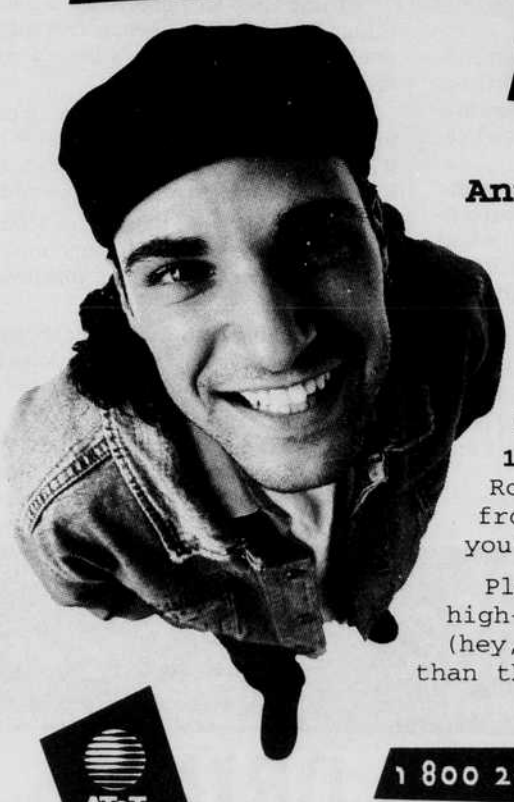
Stephanie Carnahan, director of Lesbian, Gay, Bisexual and Transgender Educational and Support Services, agreed with Corcoran's assessment even though she has not yet seen the Family Act. She said she believed the term "family act" sets up gays and lesbians as predators or enemies of families.

"This is a familiar tactic by the OCA to throw out buzzwords to get people's attention," Carnahan said.

Mabon said the Colorado ruling left the OCA without the ability to continue their 1994 Measure 13 campaign. Instead, the OCA believed the root of the problem came down to a definition of family status and therefore the group focused on same-sex marriages as opposed to gay special rights.

Mabon said the initiative, which was filed eight months ago, has been in state court hands ever since it was filed because the OCA didn't agree with the initial ballot explanation given to the initiative. Recently, the Oregon Supreme Court gave the initiative a ballot title the OCA could agree with, he said, and the organization will begin to collect signatures.

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