

# The Danforth Report on Waco: One More Justice Department Cover-Up

by Edward Spannaus

On July 21, Special Counsel John Danforth issued an Interim Report “Concerning the 1993 Confrontation at the Mt. Carmel Complex, Waco, Texas,” in which more than 80 people were killed. Danforth’s report, not surprisingly, totally exonerated the U.S. Justice Department and the Federal Bureau of Investigation with respect to responsibility for the deaths resulting from the FBI’s assault on the Branch Davidian headquarters.

Danforth’s primary concern about Waco, was not the tragedy there, but the prevalence of “conspiracy theories” and accusations against the government, or what he termed “the widespread and persistent public belief that the government engaged in bad acts at Waco.” Danforth cited as an example of this, a *Time* magazine poll in August 1999, showing that 61% of the public believed that Federal law enforcement officials started the fire at Waco.

“This is a matter of grave concern,” Danforth wrote. “The readiness of so many of us to accept as true the dark theories about government actions at Waco deserves serious attention by all of us.”

Danforth’s approach is reminiscent of the infamous Warren Commission created after the assassination of President John F. Kennedy in 1963: It is well established that the primary purpose of the Warren Commission was to confirm the “lone assassin” theory, and to officially debunk any allegations of a wider conspiracy.

## Narrow Mandate

In his preface to the report, Danforth said that the charges against the Federal government that he was investigating were: “that its agents deliberately set fire to a building full of people, that they pinned children in the burning building with gunfire, that they illegally employed the Armed Forces in these actions, and that they then lied about their conduct.”

Danforth explicitly said he was *not* addressing the issue of whether it had been appropriate for the Bureau of Alcohol, Tobacco and Firearms to execute a raid on Feb. 28, 1993, or for the FBI “to execute its gas insertion plan on April 19, 1993.” These were questions of judgment, Danforth said—thus excluding the most crucial area of investigation from his probe. “These issues are an evaluation of judg-

ment,” Danforth said, “an evaluation that is outside the scope of the Attorney General’s mandate.”

Even if it were the case that David Koresh and his associates started the fire, there is substantial evidence that the FBI had strong reason to believe that any assault on the Davidian compound would be seen by Koresh as fulfilling his apocalyptic prophecies, and that precipitating a confrontation, rather than waiting it out, would likely end in a fiery holocaust and multiple deaths.

But, from his deliberately narrowed standpoint, Danforth states that he concluded the following: “Government agents did not start or spread the tragic fire on April 19, 1993, they did not direct gunfire at the Branch Davidians, and did not unlawfully employ the Armed Forces of the United States.”

Danforth’s only criticism of the government was its withholding of information, such as that pyrotechnic devices were used—although Danforth stressed that these devices had nothing to do with starting the fire which engulfed the compound and killed most of its inhabitants.

In contrast to earlier hearings in which Senate Republicans lambasted Attorney General Janet Reno for the Waco deaths, Danforth was greeted with lavish praise when he appeared before a Senate Judiciary subcommittee hearing on July 26, chaired by Sen. Arlen Specter (R-Pa.). Even Sen. Charles Grassley (R-Iowa), who has been a persistent (and well-informed) critic of the FBI and the Justice Department, lauded Danforth’s investigation as going “a long way toward restoring the public’s confidence.”

## What About the Justice Department?

Three days after Danforth issued his interim report, it was revealed for the first time that President Clinton himself had had strong disagreements with the FBI plan to launch an assault on the Branch Davidians, and that he had felt pressured by the Justice Department to go along with their operation. “I gave in to the people in the Justice Department who were pleading to go in early,” Clinton told DOJ investigators last April, adding: “I made a terrible mistake.”

The President’s declaration touches on the most critical issue relating to Waco, which is how top Justice Department officials, such as Mark Richard, the number-two career pros-

ecutor in the Criminal Division, put unbearable pressure on Attorney General Reno, and then on President Clinton himself, to approve their assault plan. The FBI used their approval as a pretext to deviate from the plan, which called for a phased, gradually escalated assault over a period to two or three days—not over a few hours, as was actually done.

The Justice Department’s own internal report on Waco, documented that Richard, a Deputy Assistant Attorney General in the Criminal Division, played the crucial role as the go-between from the FBI to Reno. Richard, aided by other FBI and DOJ officials, pressured Reno to approve the plan to assault the compound, after she had initially refused to okay it. (When she first declined the FBI’s entreaties, Richard declared: “The FBI will not be pleased.”)

Reno finally agreed, with the proviso that the assault would be a phased, gradual, step-by-step escalation lasting two to three days, to give those inside a chance to come out. After she submitted to the pressure from Richard and the FBI, she then briefed President Clinton, stressing to Clinton that April 19 would *not* be “D-Day,” i.e., a sudden, one-day operation—which is, of course, exactly what the FBI did do, by using armored vehicles to break into the compound and insert gas within a matter of a couple of hours of the launching of the assault.

### **Nobody Held Responsible**

Former U.S. Attorney General Ramsey Clark, who represents some Davidian survivors, said Danforth “failed to look at what really happened. He doesn’t focus on the obvious.” Clark, quoted in the *Los Angeles Times*, said, “History will record . . . these assaults on the Mount Carmel church center remain the greatest domestic law enforcement tragedy in the history of the United States.”

Attorney Dick DeGuerin, who represented Davidian leader David Koresh during the 1993 siege, says the Danforth report fails to hold anyone responsible for the bad decisions made by the government. “It’s clear those were bad decisions, and nobody has been held responsible for them,” DeGuerin told UPI.

DeGuerin, who visited Koresh five times inside the besieged compound, says that he believes Koresh would have eventually surrendered. “There were 80 other people in there, and they are all dead,” the attorney said. “You can’t justify sending tanks and tear gas into their homes when there was no arrest warrant for them. . . . You can’t blame all those people for the sins of David Koresh.”

DeGuerin added that he thinks that the FBI’s action pushed Koresh into a corner. “I think that Koresh, and a few others, if they started the fire, were driven to do it by that action, and the FBI had reason to believe that was what the result would be, and yet they went ahead with that plan.”

Patrick Caddell, the lead attorney for the Davidian plaintiffs in the civil case, said: “We had received indications from Danforth’s office that they intended to toe the govern-

ment’s line on every issue.” One of the things he found most troubling, Caddell said, was Danforth’s assertion that the FBI’s commanders at Waco did not violate the plan approved in Washington, when the FBI sent in tanks to dismantle the Davidian headquarters on the first day of the siege.

### **Another ‘Waco’: the LaRouche case**

Lest anyone doubt that the Justice Department’s permanent bureaucracy is capable of directing such a bloodbath, one should recall another incident—which has never received Congressional scrutiny or any official investigation, by a special counsel or otherwise. That is the Justice Department-directed raid against facilities associated with *EIR* Founder Lyndon LaRouche, in Leesburg, Virginia on Oct. 6-7, 1986. According to admissions by agents of the Justice Department’s task force, run out of the Criminal Division by Richard, Jack Keeney, and others in the permanent bureaucracy, this was intended to culminate in a Waco-style assault on the farm where LaRouche was residing, with the intention of killing LaRouche and others.

The Leesburg operation involved a force of more than 400 Federal, state, and local officers, and was conducted in coordination with Pentagon special operations support units, and included paramilitary units and the FBI’s Hostage Rescue Team waiting for the orders to launch the assault—orders which never came, only because higher authorities in Washington went over the heads of the strike-force commanders and the Justice Department’s Criminal Division.

It is no accident that Danforth’s investigation, as has every other investigation of Justice Department misconduct, has left the DOJ permanent bureaucracy, which is centered in the Criminal Division, unscathed. That nest of corruption is centered around its senior member, Deputy Assistant Attorney General John Keeney, who started his career in the Department in 1951, working in the McCarthyite Internal Security Section as an ally of J. Edgar Hoover. Keeney, along with Richard and a handful of other long-term career prosecutors, in fact runs the Criminal Division and the Justice Department, no matter what political appointees are nominally in charge. Until Congress gets up the courage to take this apparatus on—which of necessity involves taking up the LaRouche case—we will continue to see cover-up after cover-up, of which the Danforth report is only the latest.

***To reach us on the Web:***  
**[www.larouchepub.com](http://www.larouchepub.com)**