

United States District Court

FILED
MAR 01 1993
CLERK, U. S. DIST. COURT
BY <u>JW</u> DEPUTY

WESTERN DISTRICT OF TEXAS

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

SEARCH WARRANT

residence of Vernon Wayne Howell, and others, Rt 7 Box 471-B, AKA: Mount Carmel Center, Waco, McLennan County, TX, its appurtenances, vehicles, underground structures located on entire premises of the 77 acre compound. See attached photos & property description Attachments A, B and C

CASE NUMBER:

W93-15M

TO: Special Agent Davy Aguilera and any Authorized Officer of the United States

Affidavit(s) having been made before me by S/A Davy Aguilera who has reason to

Affiant

believe that on the person of or on the premises known as (name, description and/or location)

the residence of Vernon Wayne Howell and others, Rt 7 Box 471-B, AKA: Mount Carmel Center, Waco, McLennan County, Texas, its appurtenances, vehicles, underground structures located on entire premises of the 77 acre compound. See Attached photographs and property descriptions.

in the Western District of Texas there is now concealed a certain person or property, namely (describe the person or property)

SEE ATTACHED SHEET FOR CONCEALED PROPERTY (ATTACHMENT D)

I am satisfied that the affidavit(s) and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before February 28, 1993

Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime — 6:00 A.M. to 10:00 P.M.) (at any time in the day or night as I find reasonable cause has been established) and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to DENNIS G. GREEN as required by law.

U.S. Judge or Magistrate Judge

February 25, 1993 8:43 p.m.
Date and Time Issued

at Waco, Texas
City and State

DENNIS G. GREEN
Name and Title of Judicial Officer

U.S. Magistrate Judge

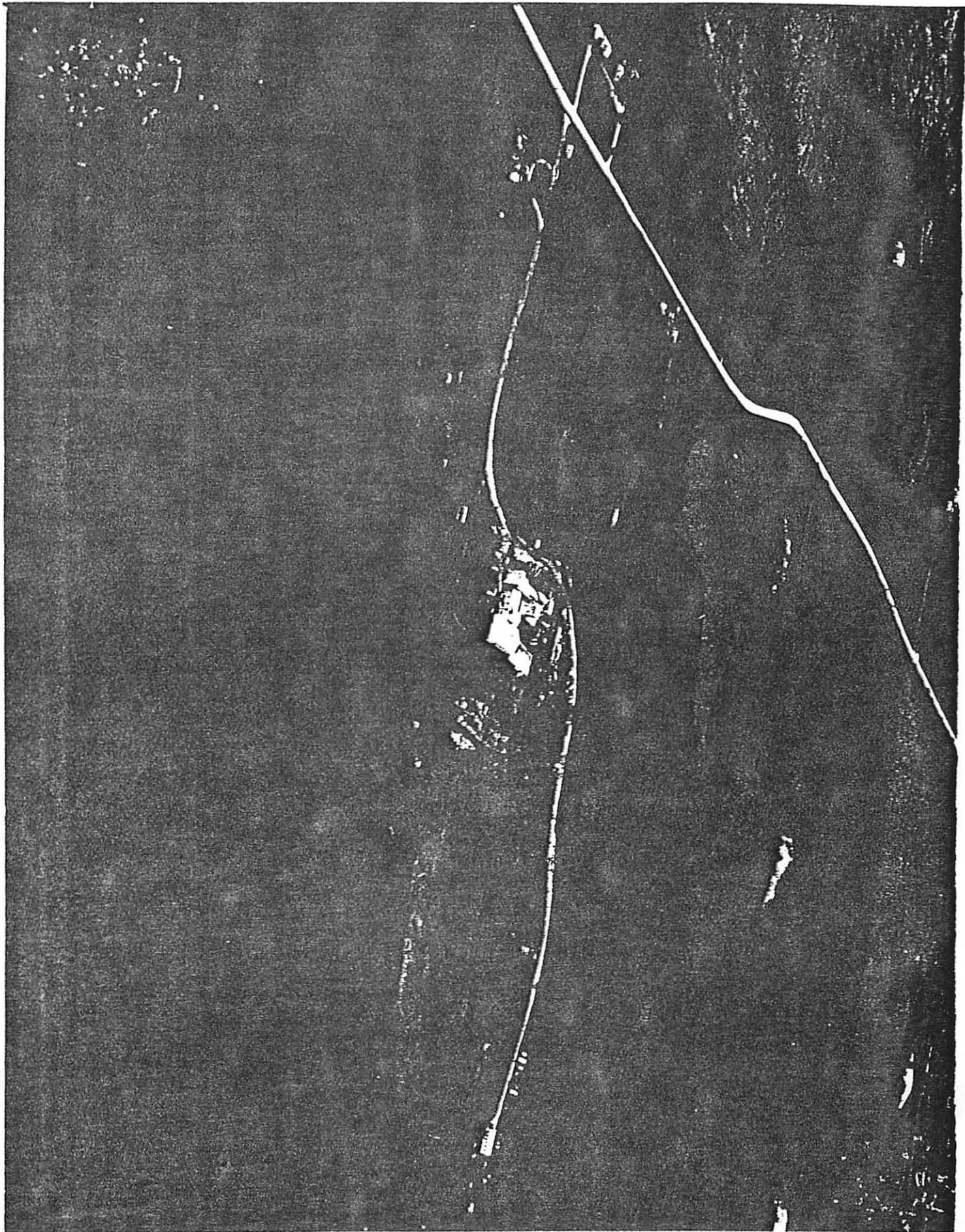
Dennis G. Green
Signature of Judicial Officer

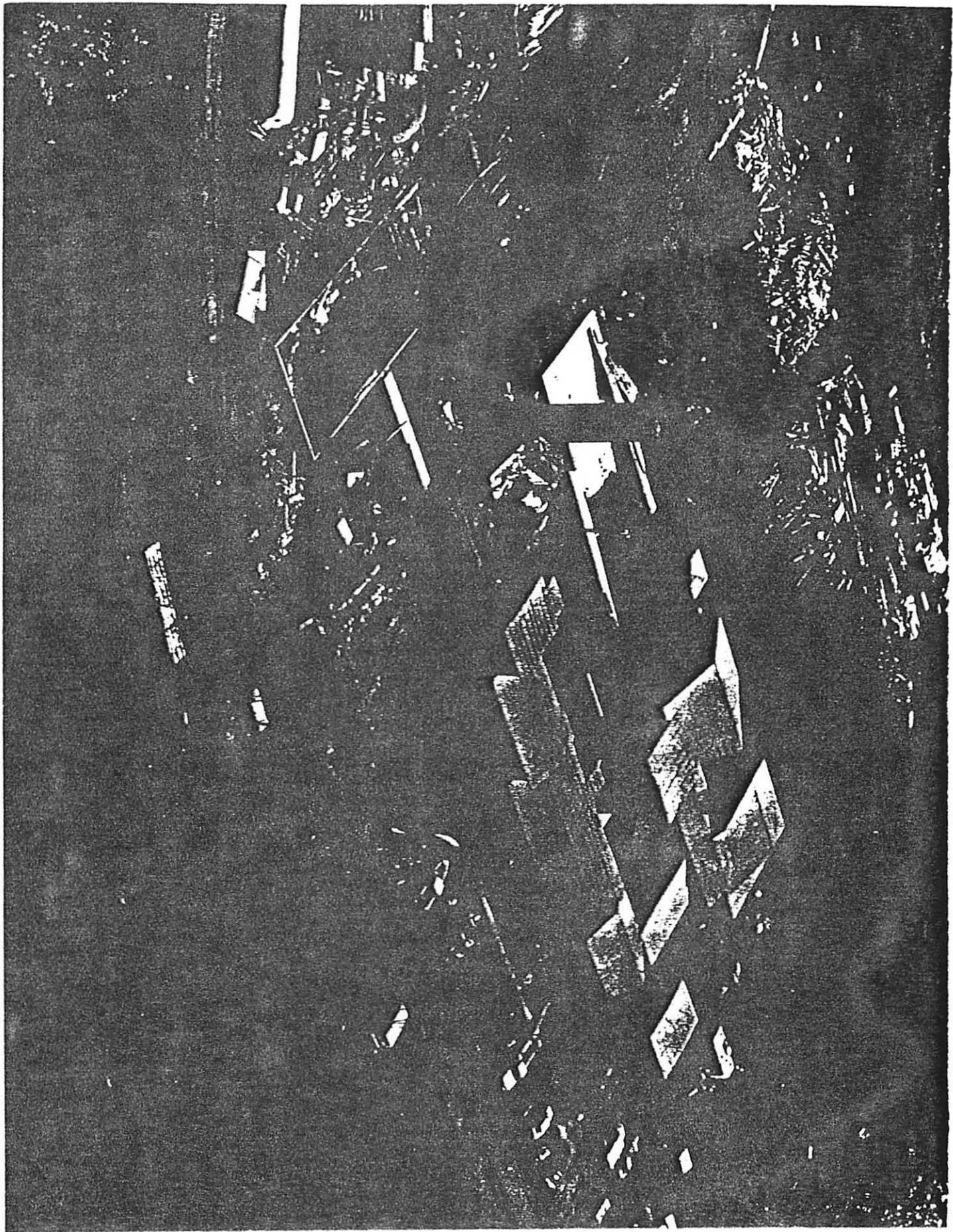
ATTACHMENT A

The residence of Vernon Wayne Howell, and others, described as a large two story tan structure with a light grey composition roof, several breaks in the roof line and white shutters on the windows; with a three or four story square addition to the structure near the center of the complex which appears to be an observation tower. There is a rusty cylindrical water tank at the north end of the structure which is approximately 60 feet in height. There are also numerous vehicles of various makes and models around the structure, as well as several outbuildings located on the premises which is approximately 70 to 80 acres in size. At the entrance driveway to the premises is a small frame shack.

To locate the property begin at Exit number 330, Loop 340 and Texas Highway number 6, at its intersection with Interstate Highway 35, just south of Waco, McLennan County, Texas, go east on Loop 340, which curves into a northerly direction for approximately 8.1 miles to its intersection with Texas Farm Road number 2491. Turn right, or east on Farm Road 2491, and proceed for approximately 5.6 miles to its intersection with Double EE Ranch Road/County Road number 222. Turn left, or north and proceed approximately .4 of a mile to the entrance driveway which is on the right or east side of Double EE Ranch Road. At the entrance to the property is one small mailbox and one large mailbox accompanied by a Waco Tribune Herald delivery box which is yellow in color with black printing upon it. Affiant and other authorized agents seek to search the entire 70-80 acre compound, including all buildings, vehicles and structures on the premises located both above and below the ground.

PHOTOGRAPHS OF PROPERTY ARE ATTACHED AND MADE A PART HERETO.





ATTACHMENT D

The following property is concealed:

A quantity of firearms, including but not limited to: an assortment of AR-15 rifles and AK-47 rifles, and parts thereof, along with a quantity of assorted machinegun conversion parts, which, when assembled, would be classified as machineguns, machinery and implements used or suitable for use in converting semi-automatic weapons to fully automatic and for constructing destructive devices such as pipe bombs and homemade grenades, this machinery would include, but not be limited to metal lathes and milling machines, .50 caliber anti-tank rifle, sten guns, grenade launchers, practice rifle grenades, practice hand grenades, various chemicals, including but not limited to black powder, ignitor cord, aluminum metal powder and potassium nitrate, magnesium metal powder, metals in various forms, inert "pineapple" type hand grenades, pipe bombs and parts thereof, and other suitable casings of unknown description which, when assembled, would be classified as destructive devices as those terms are defined in Section 5845 (b), and Section 5845 (f), Chapter 53, Title 26, United States Code, which are not registered with the National Firearms Registration and Transfer Record, Washington, D.C., as required by law, and documentary and computerized evidence of receipt, ownership and instructions for converting semi-automatic firearms into machineguns, and the construction of improvised explosive weapons, including computer hardware, peripheral equipment and software containing files and directories and the information thereon. This is to include any disks, manuals, printouts and other assorted computer equipment.

RETURN

DATE WARRANT RECEIVED 2-25-93	DATE AND TIME WARRANT EXECUTED UNEXECUTED	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH N/A
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INVENTORY MADE IN THE PRESENCE OF
N/A

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

UNEXECUTED

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

[Signature]

Subscribed, sworn to, and returned before me this date.

[Signature]
U.S. Judge or Magistrate

March 1, 1993
Date

RADIO COMMUNICATIONS NET

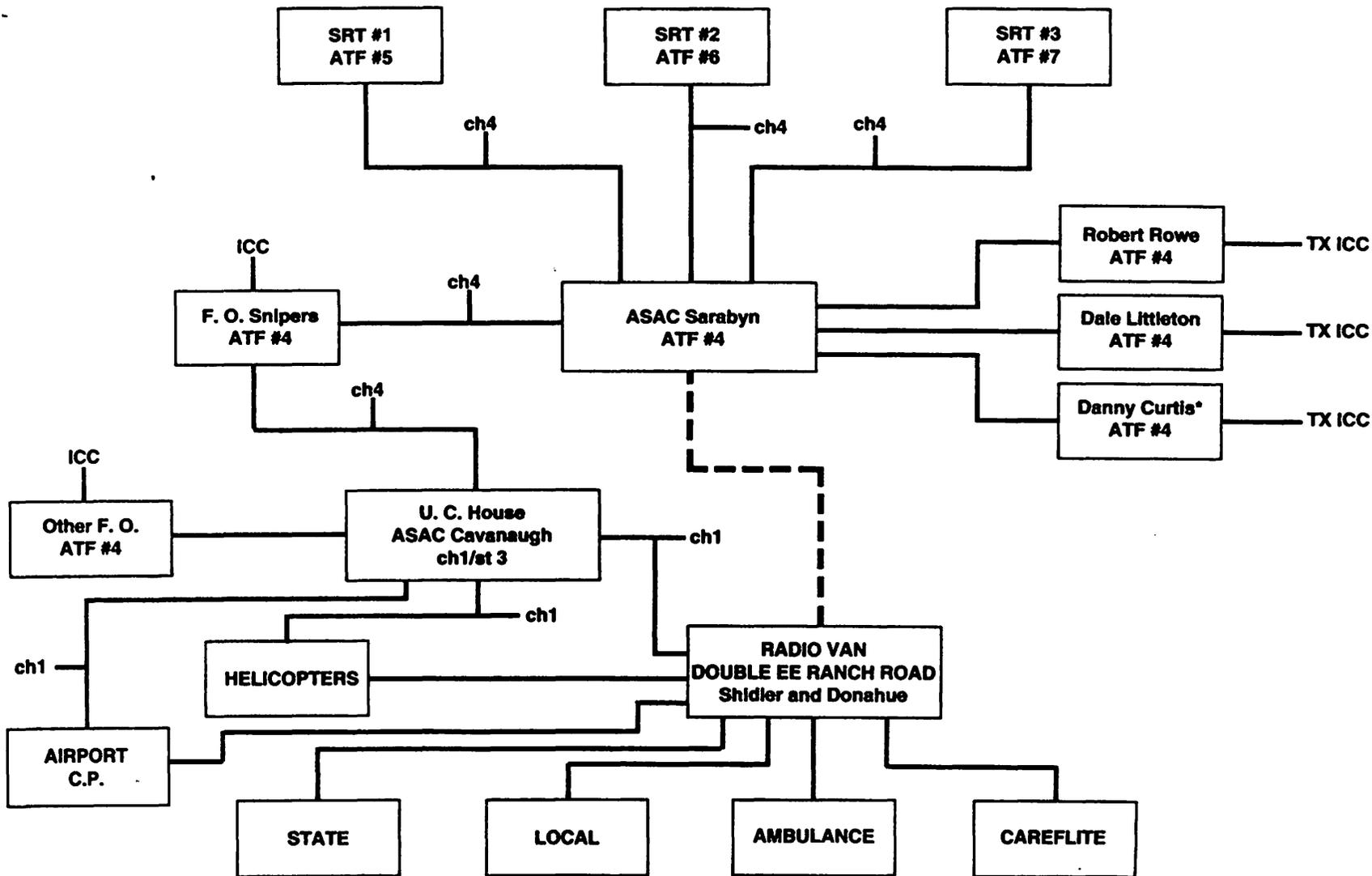


Figure 25: Diagram of communications network used for the raid.

*ATF hand drawn diagram mistakenly lists Curtie Williams

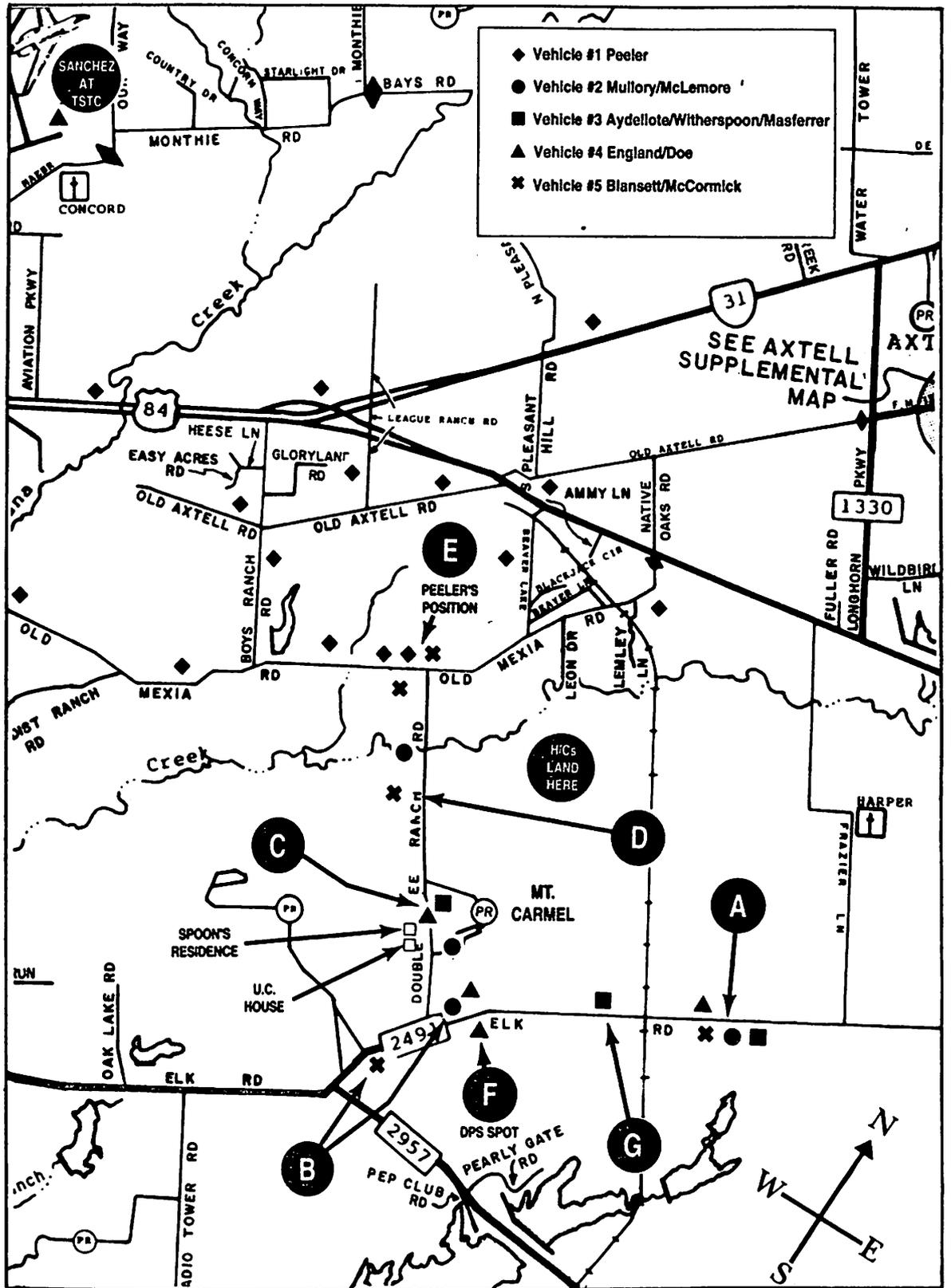


Figure 28: Location of Media Vehicles.

VEHICLE #1	WHITE BLAZER	PEELER
8:30 AM	Arrives the vicinity of Old Mexia Road and Hwy 84. Was lost, cellular telephone calls to Mullony or directions. Found way to Old Mexia Road and Double EE Road, parked on Old Mexia Road (Spot E), had conversation with Jones. Left area, returned following Trooper, parked at Spot E and videos the raid.	
VEHICLE #2	WHITE BRONCO II	MULLONY McLEMORE
7:30 AM	Arrive 1.8 miles past Double EE Road on FR 2491 (Spot A). Received and made calls to Peeler giving directions and admonishing him not to talk to anyone. Talked to England, Doe, Aydelotte, Witherspoon, Masferrer and Blansett at various times while at Spot A.	
9:15 - 9:30 AM	Received call from Peeler, said he saw helicopters, moved from Spot A and drove by DPS Trooper talking to England at Spot F. Turned down Double EE past Compound, on way to Old Mexia Road saw helicopters, turned around and proceeded past Compound to intersection of Double EE and FR 2491 (Spot B). Set up camera, saw cattle trailers, followed them down driveway to back of bus, videos raid.	
VEHICLE #3	SILVER HONDA ACCORD	AYDELOTTE WITHERSPOON MASFERRER
8:30 AM	Arrive on FR 2491, drove past Double EE Road to a location in sight of the compound roof (Spot G). Remained for while, then moved further down FR 2491, met Mullony and McLemore at Spot A. Received cellular call from Sanchez, helicopters moving. Drove down Double EE Road past Compound driveway, parked. Witherspoon to Spoon House, Witherspoon returned to car, then drove down Double EE Road a short distance, stopped, backed up, saw cattle trailers turn down Compound driveway and remained at Spot C.	
VEHICLE #4	WHITE CAVALIER STN WGN	ENGLAND DOE
8:45 AM	Arrive on FR 2491, drove past Blansett/McCormick parked near the intersection of Double E Road and FR 2491 (Spot B), continued to Spot A and are joined by Blansett, told to go to TSTC, to check on Sanchez, drove to TSTC. Met Sanchez, told helicopters are not moving. Returned to FR 2491, followed DPS Trooper to a small depression in road on FR 2491 (Spot F), left car to speak with Trooper. Trooper said road block not in force yet. Saw vehicles 2 and 3 drive by to Double EE Road. Followed to Spot B met Mullony/McLemore, remained there until they saw three helicopters, minutes later saw cattle trailers, followed Mullony/McLemore down Double EE Road to Compound driveway, parked beside Aydelotte's car at Spot C.	
VEHICLE #5	WHITE CAVALIER STN WGN	BLANSETT McCORMICK
8:30 - 8:50 AM	Arrive Double EE Road, took Double EE Road past Compound to Old Mexia Road, turned around just before intersection Old Mexia and Double EE (Spot E). Return to intersection of FR 2491 and Double EE Road (Spot B), England/Doe pass (9:10 AM), followed England/Doe down 2491 to Spot A, told England to check Sanchez. Went back toward Double EE Road, turned down Double EE Road past Compound to Old Mexia, turned around before reaching intersection, and stopped at a ridge and depression (Spot D) and remained there until after shooting started, then moved to Spot E.	
VEHICLE #6	WHITE BRONCO II	SANCHEZ
8:30 - 8:45 AM	Called by Blansett, while in route to Compound told to go to TSTC to check on helicopters. Parked 6 blocks from TSTC tower.	
9:13 AM	Called Blansett, advised saw activity . . .	
9:29 AM	Called Blansett, advised saw helicopters moving . . . decided to go to Compound, led DPS/ATF caravan (Mag Bag Search Team), used Loop 340 to FR 2491.	
9:41 AM	Pulled over briefly, cattle trailers passed him, he tried to pass cattle trailers and called Blansett and told him ATF is coming in cattle trailers. Sanchez is pulled over by ATF on FR2491 . . .	

Legend for Figure 28

RAID DAY FEB. 28, 1993 (SUNDAY) CONTINUED.

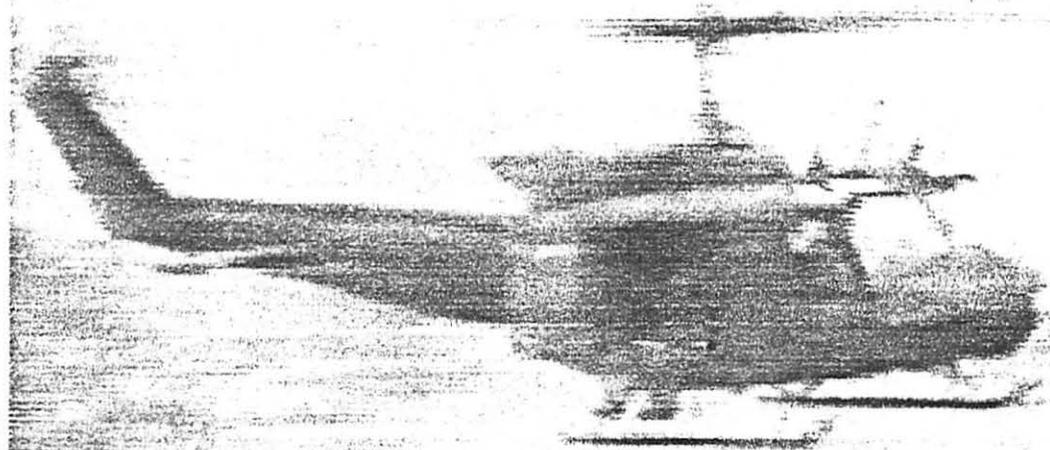
	-	DAVID JONES RETURNS TO THE COMPOUND AND ALERTS KORESE ABOUT RAID.
8:45AM	-	TRIB REPORTERS (3 CARS) ARRIVE COMPOUND AREA. TRIBUNE PHOTOGRAPHER, SANCHEZ ARRIVES TSTC AIRPORT.
8:46AM	-	SANCHEZ CALLS BLANSETT AND REPORTS HELICOPTERS AND POLICE VEHICLES AT TSTC AIRPORT.
9:00AM	-	SARABYN RETURNS TO TSTC CP.
9:05AM	-	RODRIGUEZ DEPARTS COMPOUND
	-	RODRIGUEZ TALKS TO CAVANAUGH.
	-	RODRIGUEZ CALLS SARABYN, WHO IS AT THE TSTC COMMAND POST.
	-	SARABYN, CHOJNACKI AND ROYSTER DISCUSS RODRIGUEZ' INFORMATION AND DECIDE TO "GO".
	-	SARABYN DRIVES TO BELLMEAD
	-	RODRIGUEZ LEAVES U/C HOUSE FOR TSTC COMMAND POST.
9:10AM	-	CHOJNACKI CALLS THE NATIONAL COMMAND CENTER (NCC) IN WASHINGTON, D.C. AND INFORMS THE OPERATION IS A GO.
9:13AM	-	SANCHEZ REPORTS VEHICLES AT TSTC WERE STARTING TO LINE UP AS IF TO MOVE.
9:25AM	-	SARABYN ARRIVES BELLMEAD AND ANNOUNCES OPERATION TO PROCEED.
	-	ATF AGENTS BOARD THE CATTLE TRAILERS AND PREPARE FOR THE RAID.
9:29AM	-	SANCHEZ REPORTS TO BLANSETT, HELICOPTERS ON THE WAY.
9:30AM	-	SARABYN CALLS CAVANAUGH ON CELLULAR PHONE AND GETS UPDATE ON COMPOUND ACTIVITY AND TELLS CAVANAUGH, THEY ARE ON THE WAY TO MT. CARMEL.
9:35AM	-	O'FLAHERTY AND BRISOWSKI GO TO SPOON RESIDENCE TO SECURE.
9:41AM	-	SANCHEZ IS PULLED OVER BY ATF AGENTS AFTER TRYING TO PASS THE CATTLE TRAILERS ON FR 2491. HE SEES ATF AGENTS AND CALLS BLANSETT TELLS HIM THEY ARE ON THE WAY.
9:45AM	-	"MAG BAG" SEARCH TEAM DEPART TSTC EN ROUTE "MAG BAG".
	-	MULLONY/McLEMORE AT FR 2491 AND DOUBLE E SEE, THEN FOLLOW CATTLE TRAILERS INTO COMPOUND, STOPPING AT BUS.

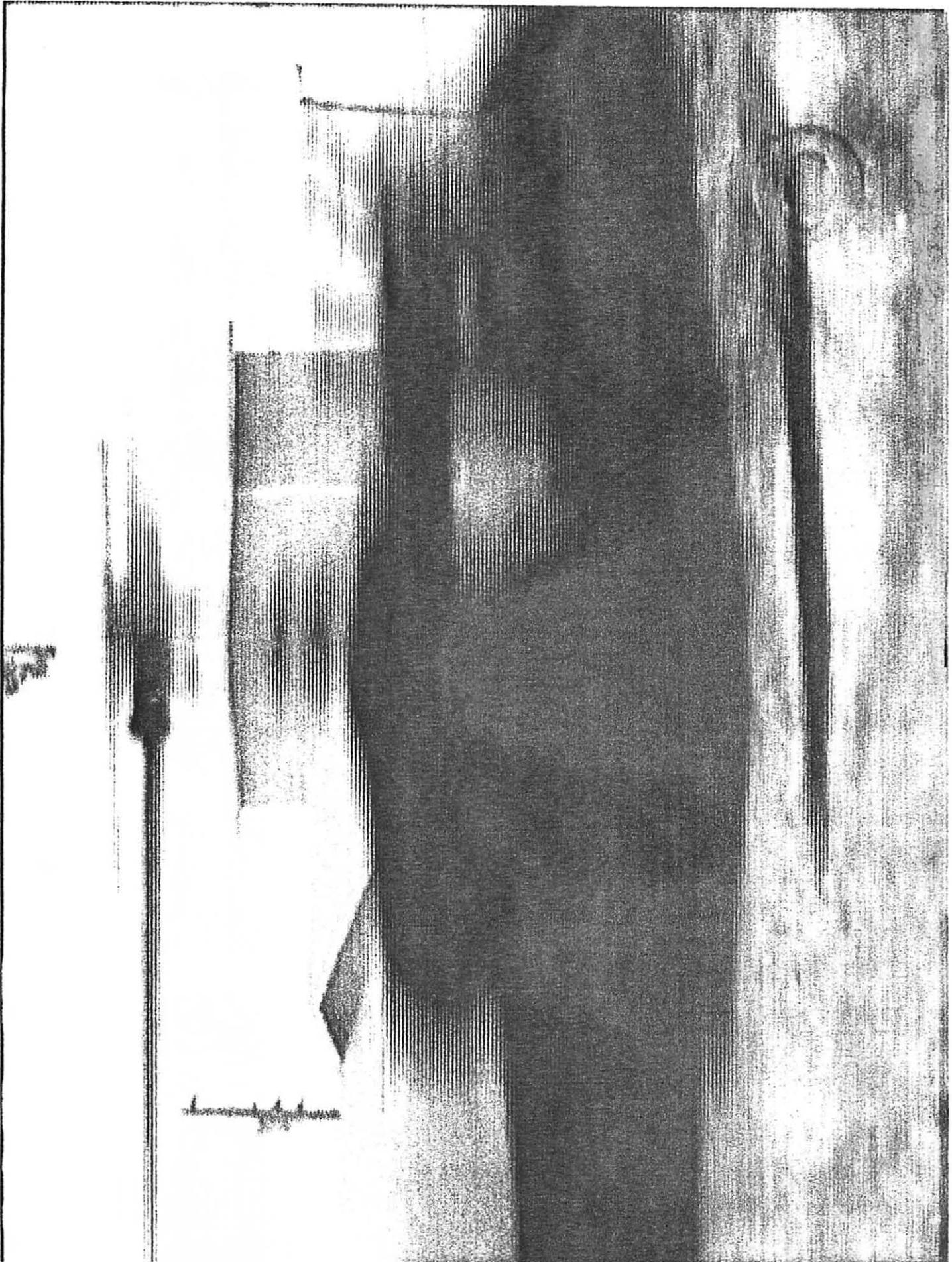


ASSAULT #1: By Air

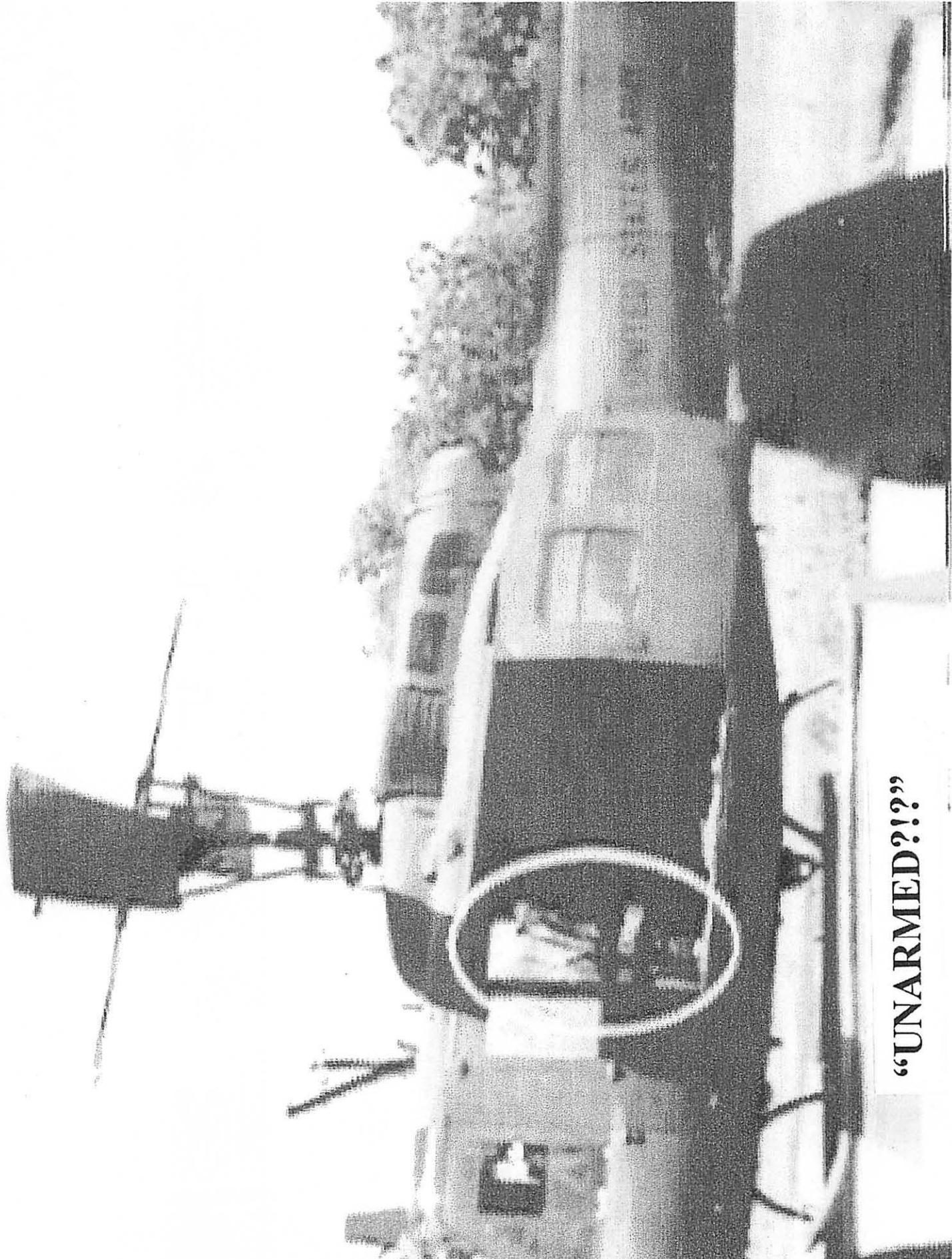
**3 armed helicopters attack from above – shooting down into occupied church on a Sunday morning
photographic and video evidence of helicopter's doors were OPEN**











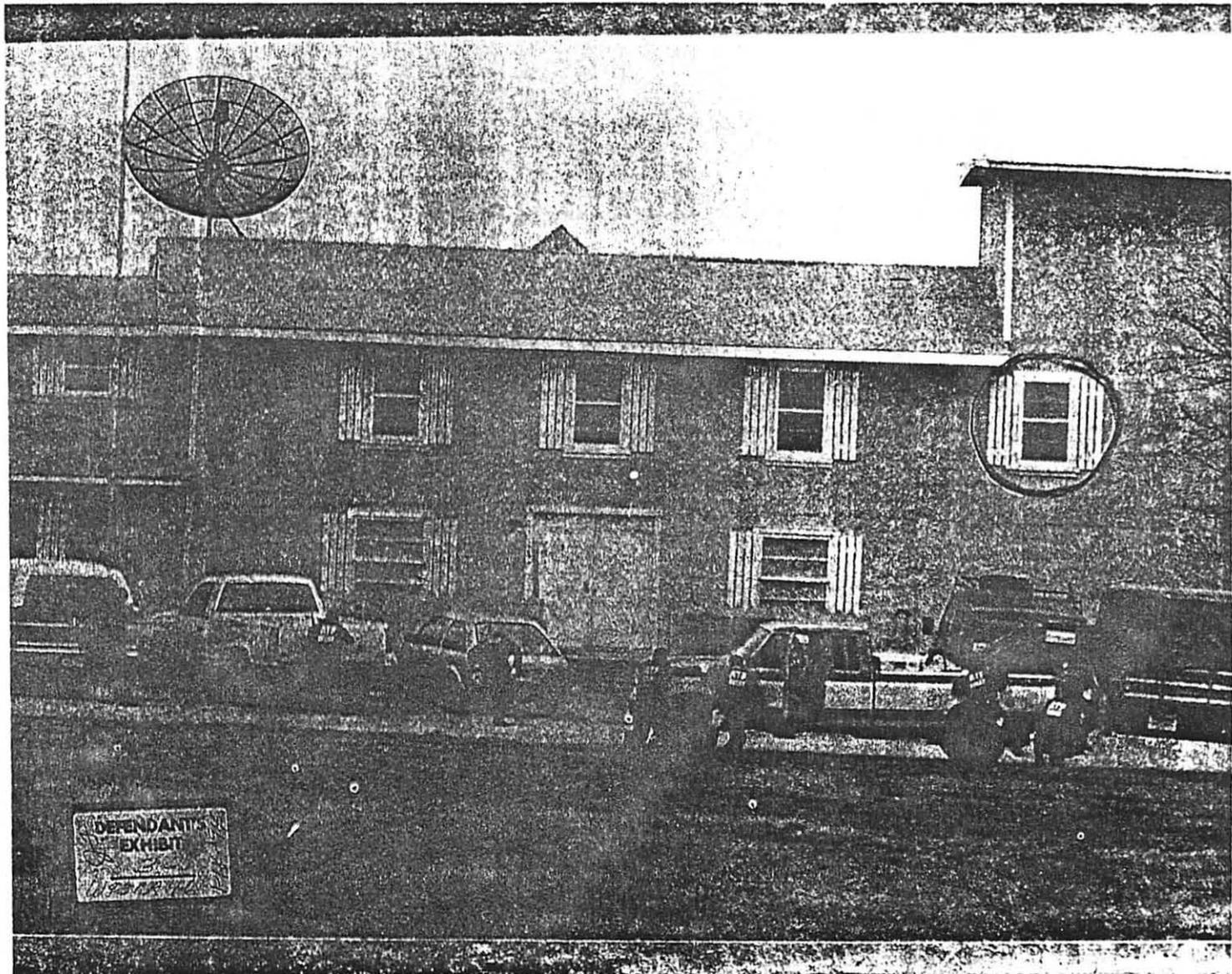
“UNARMED?!?”

ASSAULT #1: By Air



99

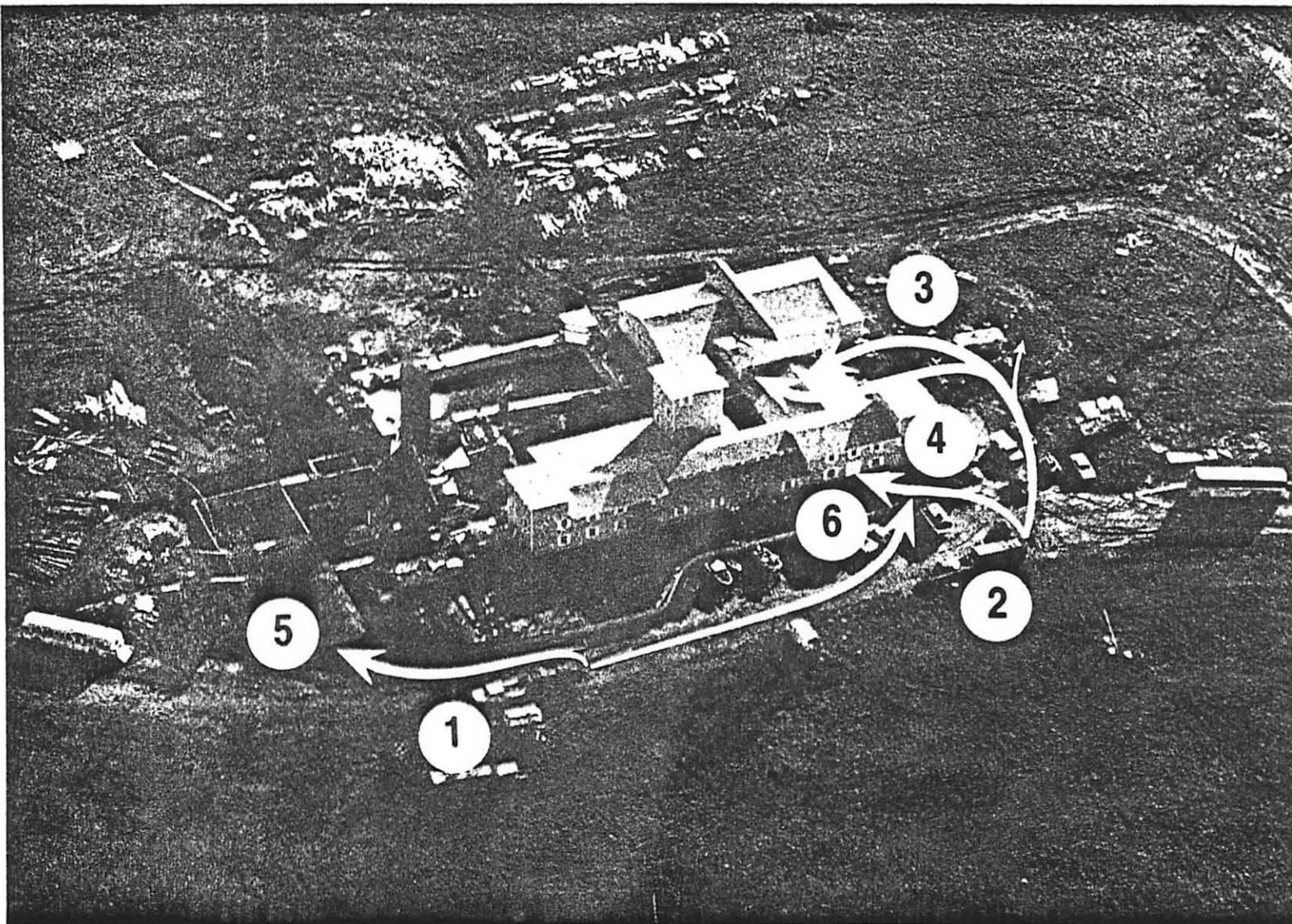
Photographic evidence of shots fired from helicopter into roof of Mt. Carmel Center
(Page 99 of Treasury Report)



ASSAULT #2: The Front Door

An unarmed Davidian Child playing near front door is slaughtered by federal agents as raid begins

Figure 24: Photograph indicating planned deployment for SRTs.



1 - ATF Trailer

2 - ATF Trailer

3 - New Orleans SRT - To Roof

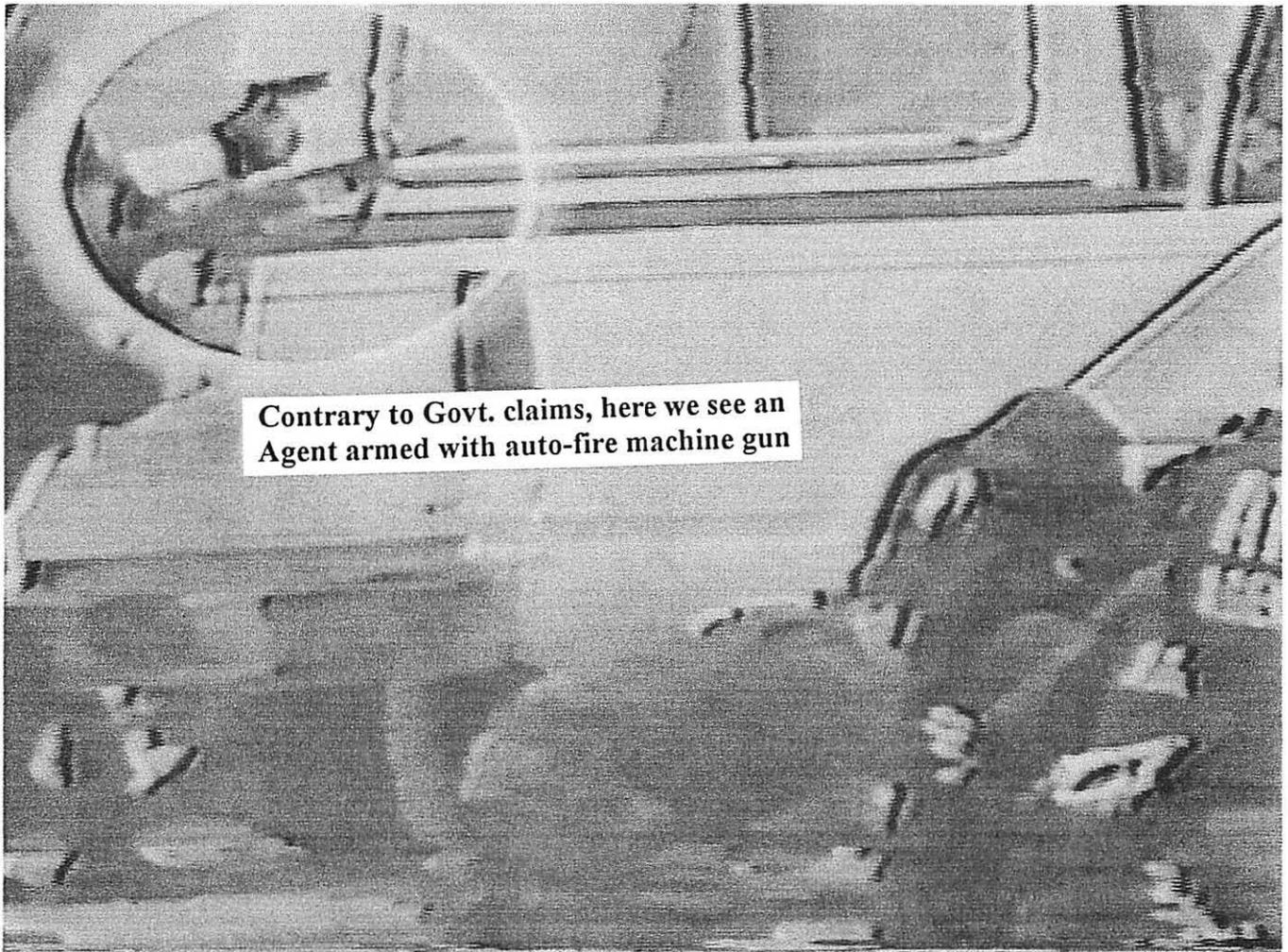
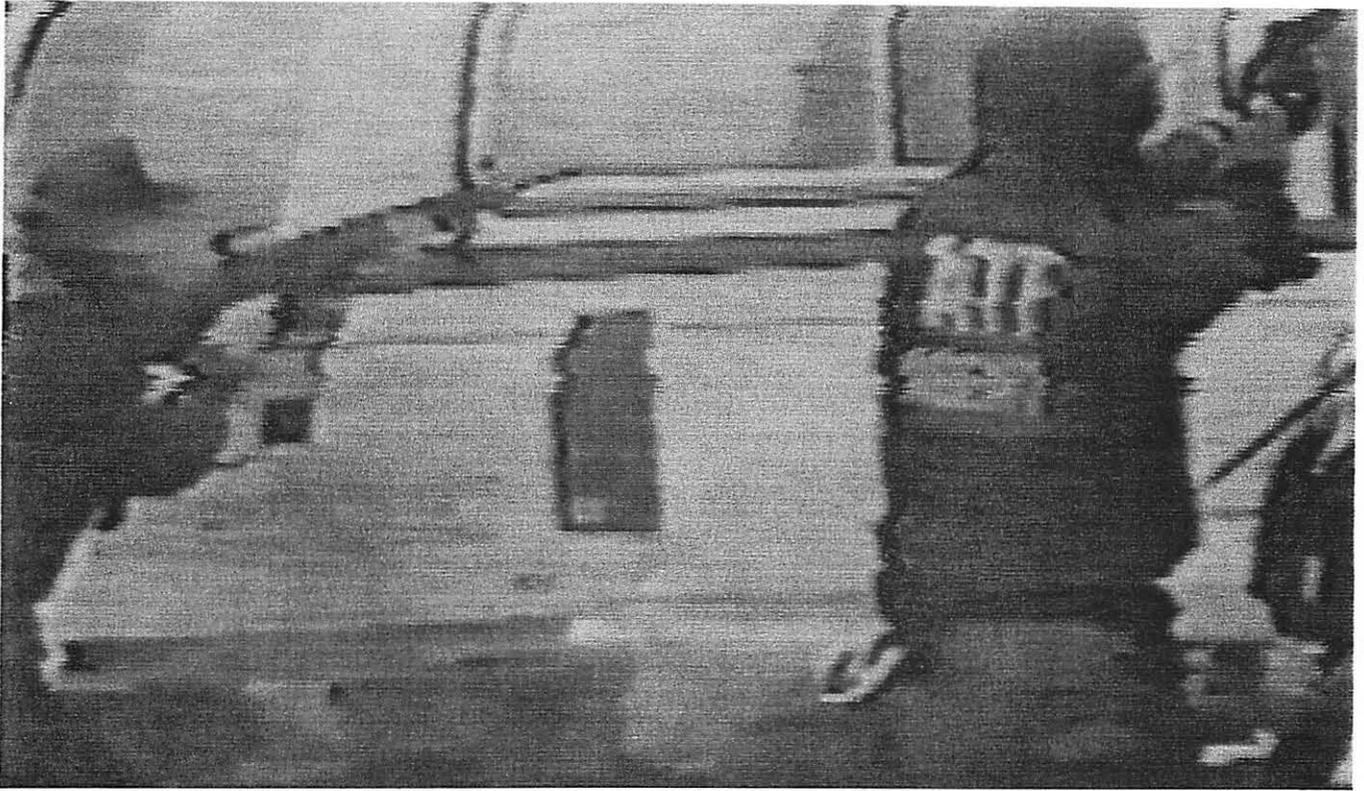
4 - Dallas SRT - To Second Floor; Houston SRT to First Floor

5 - Portion of Houston SRT/Arrest Team - Secure Pit

6 - Dallas SRT - To Second Floor; Houston SRT to First Floor



Here, agents fire indiscriminately...
NO ACQUIRED TARGET
in violation of ATF's own policy.
NO evidence of Davidian return-fire.



Window #85



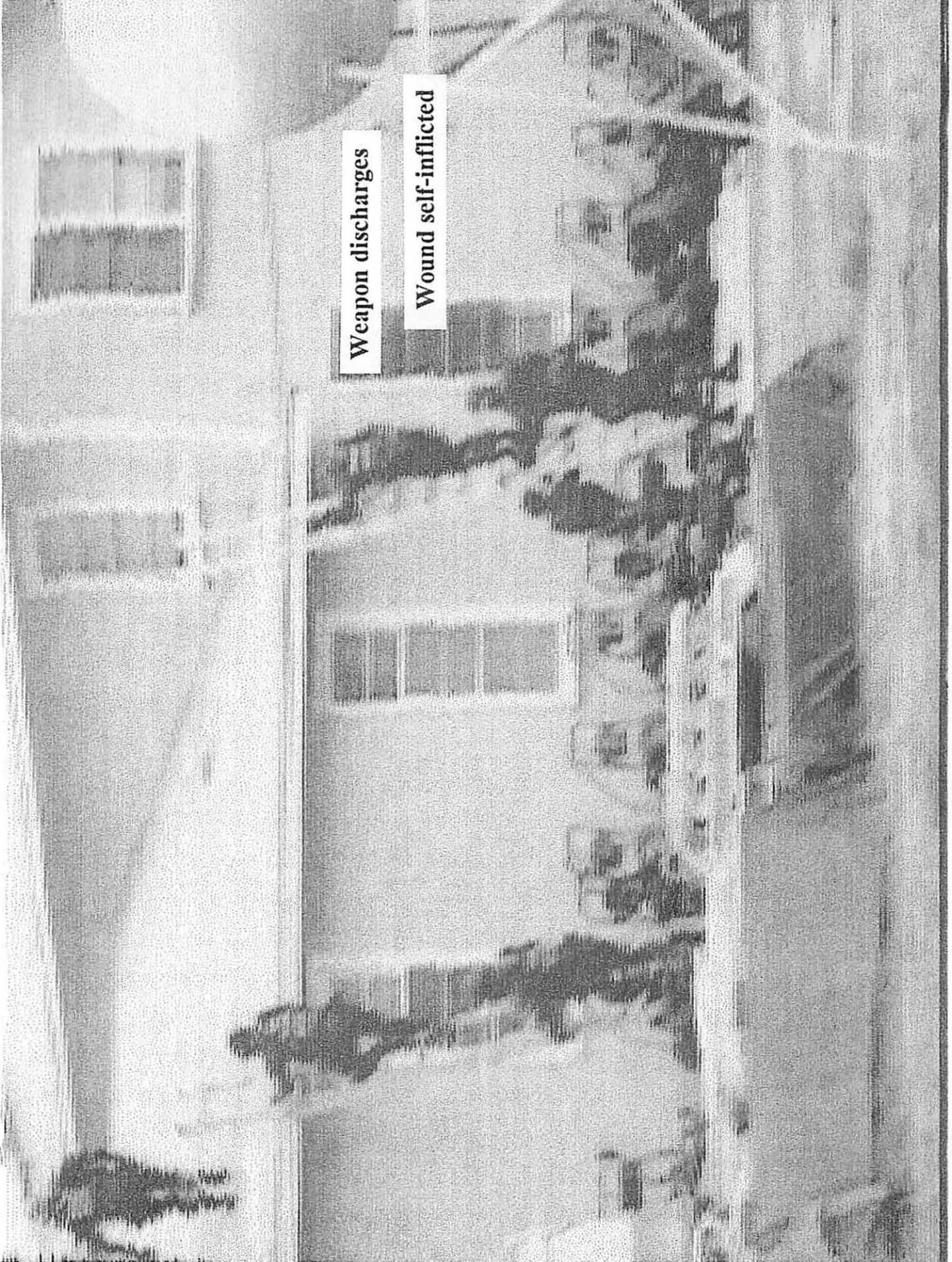
ASSAULT #3: The “Debacle” at Window 85

**Federal agents shoot themselves and each other – ATF injured it’s own men.
No evidence of Davidians shooting back.**





Agent reaches for weapon



Weapon discharges

Wound self-inflicted



GUNSHOT RELATED DEATHS SUSTAINED BY ATF ON FEBRUARY 28, 1993

(according to CA-6 Forms submitted by ATF)

	Name	Team	Injury	Cause	Hospital where treated
1	Conway Lebleu	NO	Death	Gunshot	N/A*
2	Todd McKeehan	NO	Death	Gunshot	N/A*
3	Robert Williams	NO	Death	Gunshot	N/A*
4	Steven Willis	HOU	Death	Gunshot	N/A*

GUNSHOT AND SHRAPNEL RELATED INJURIES SUSTAINED BY ATF ON FEBRUARY 28, 1993

(according to CA-1 Forms submitted by ATF)

1	Clayton Alexander	NO	Two gunshot wounds - thigh in left leg; thigh in right leg	Gunshot	Providence
2	Roland Ballesteros	HOU	Gunshot wounds to the hand	Gunshot	Hillcrest
3	Bill Buford	NO	Gunshot wounds to both legs	Gunshot	Hillcrest
4	Samuel Cohen	DAL	Shrapnel fragments to lower right thigh	Shrapnel	Hillcrest
5	Eric Evers	HOU	Gunshot and shrapnel wounds to chest and shoulder area	Gunshot/ Shrapnel	Hillcrest
6	Mark Handley	HOU	Shrapnel wounds in right leg	Shrapnel	Hillcrest
7	Walter Glen Jordan	NO	Gunshot wounds to both legs	Gunshot	Hillcrest
8	Kenneth King	NO	Gunshot wounds to arms, chest and legs	Gunshot	Providence
9	Mark Murray	DAL	Buck shot wounds to left shoulder	Gunshot	N/A*
10	Gary Orchowski	HOU	Shrapnel wound to the right hand	Shrapnel	Hillcrest
11	Joseph Patterson	DAL	Shrapnel wounds to right cheek	Shrapnel	N/A*
12	Gerald Petrilli	DAL	Shrapnel wounds to right hand, wrist, forearms and left upper arm	Shrapnel	Hillcrest
13	Clair Rayburn	HOU	Gunshot wound to the hand	Gunshot	Hillcrest
14	John Risenhoover	HOU	Gunshot wounds to both legs	Gunshot	Hillcrest
15	Robert Rowe	HOU	Shrapnel wounds to right hand; large abrasion on face	Shrapnel	N/A*
16	Michael Russell	DAL	Wound to back of left shoulder	Gunshot	N/A*
17	Larry Shiver	HOU	Multiple shrapnel wounds to left lower extremity, tissue loss to left medial calf, soft tissue injury to left thigh	Shrapnel	Hillcrest
18	Steven Steele	DAL	Shot in lower lip and left hand; injured lower back and left leg	Gunshot	Hillcrest
19	Robert White	DAL	Bullet wound to left shoulder, neck and bruise to right shin	Gunshot	N/A*
20	Curtis Williams	HOU	Bullet fragments and puncture wound to upper thigh of left leg	Gunshot	N/A*

*N/A means Not Applicable, treated by EMT at scene, or by private physician.

**SERIOUS NON-GUNSHOT RELATED INJURIES SUSTAINED BY ATF ON
FEBRUARY 28, 1993**

(according to CA-1 Forms submitted by ATF)

	Name	Team	Injury	Cause	Hospital where treated
1	Keith Constantino	NO	Broken hip, extensive injuries to both knees and legs	Falling from roof	Hillcrest
2	Terry Lee Hicks	NO	Torn ligament between 3rd & 4th vertebra in neck; possible ruptured disk between 7th and 8th vertebra in neck; bruised or crushed nerve between 7th and 8th vertebra	Moving for cover	N/A*

**OTHER NON-GUNSHOT RELATED INJURIES SUSTAINED BY ATF ON
FEBRUARY 28, 1993**

(according to CA-1 Forms submitted by ATF)

1	Wendel Frost	N/A	Ears subject to extreme noise levels causing possible hearing loss	Noise of two .308 highpowered rifles	N/A*
2	Felix Garcia	N/A	Severe irritation to left heel	ATF boots	N/A*
3	Steven Jensen	HOU	Severe back pain - lower back and right leg, muscle spasms	Carrying dead & wounded from scene	N/A*
4	Kenneth Latimer	HOU	Sprain/pull to right shoulder	Warrant execution	N/A*
5	Charles Meyer	N/A	Rib and back injury on left side	Diving for cover	N/A*
6	John Henry Williams	HOU	Two top front teeth chipped	Moving for cover	N/A

*N/A means Not Applicable, treated by EMT at scene, or by private physician.



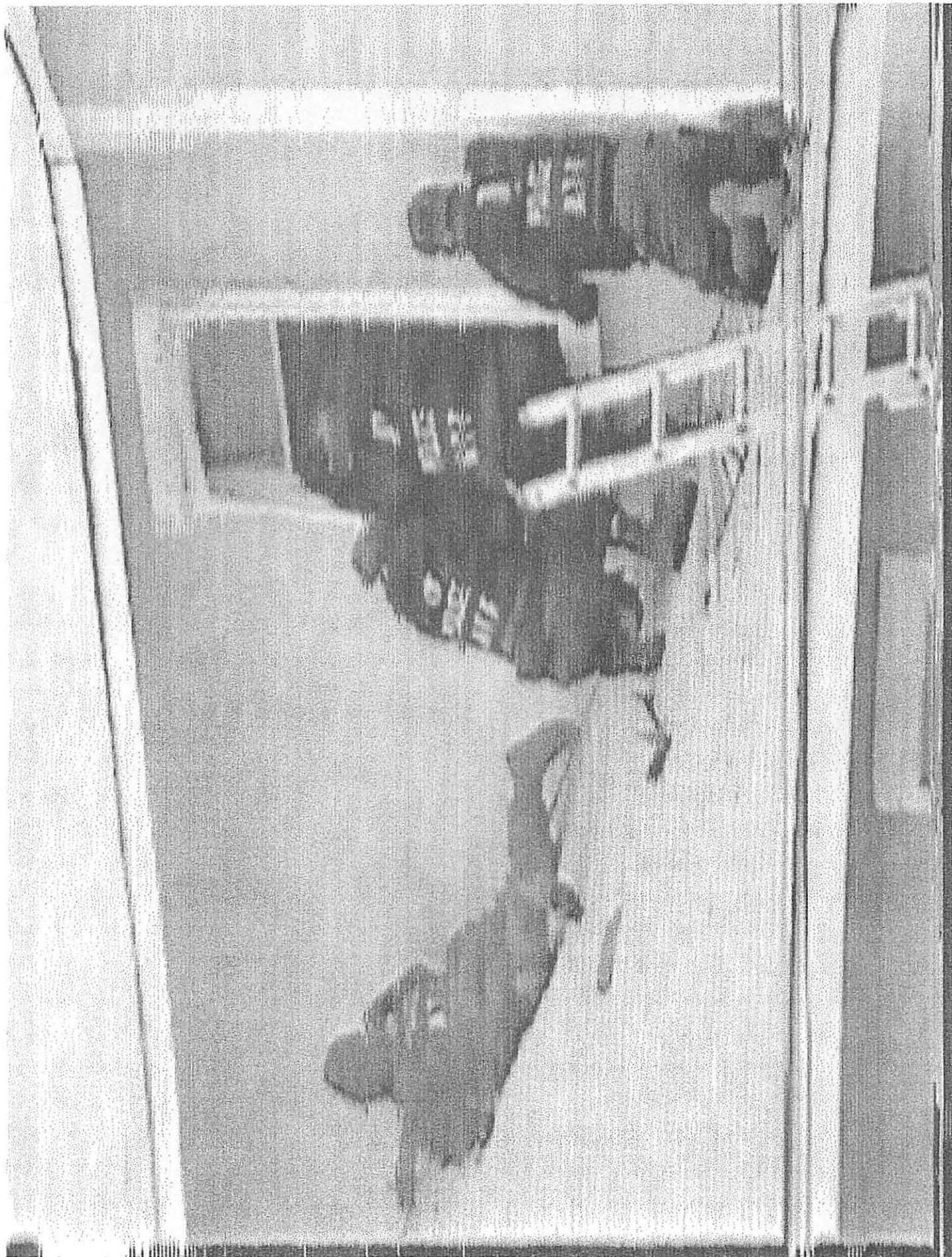
{SA Conway LeBleu d.
{SA Todd McKeehan d.
{ Kenny King – co-team leader NEO SRT

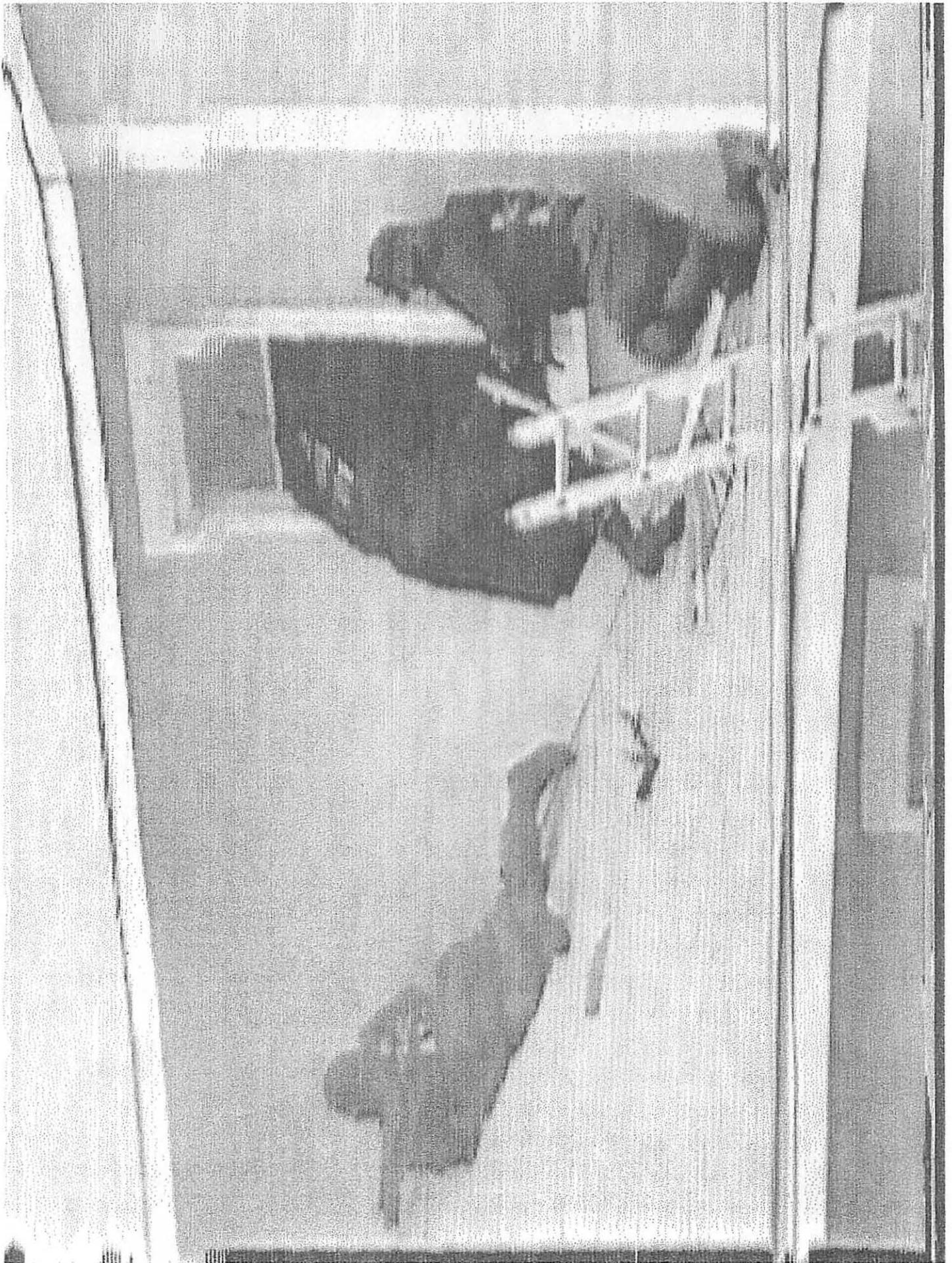
ATF SA David Millen
New Orleans Field Division

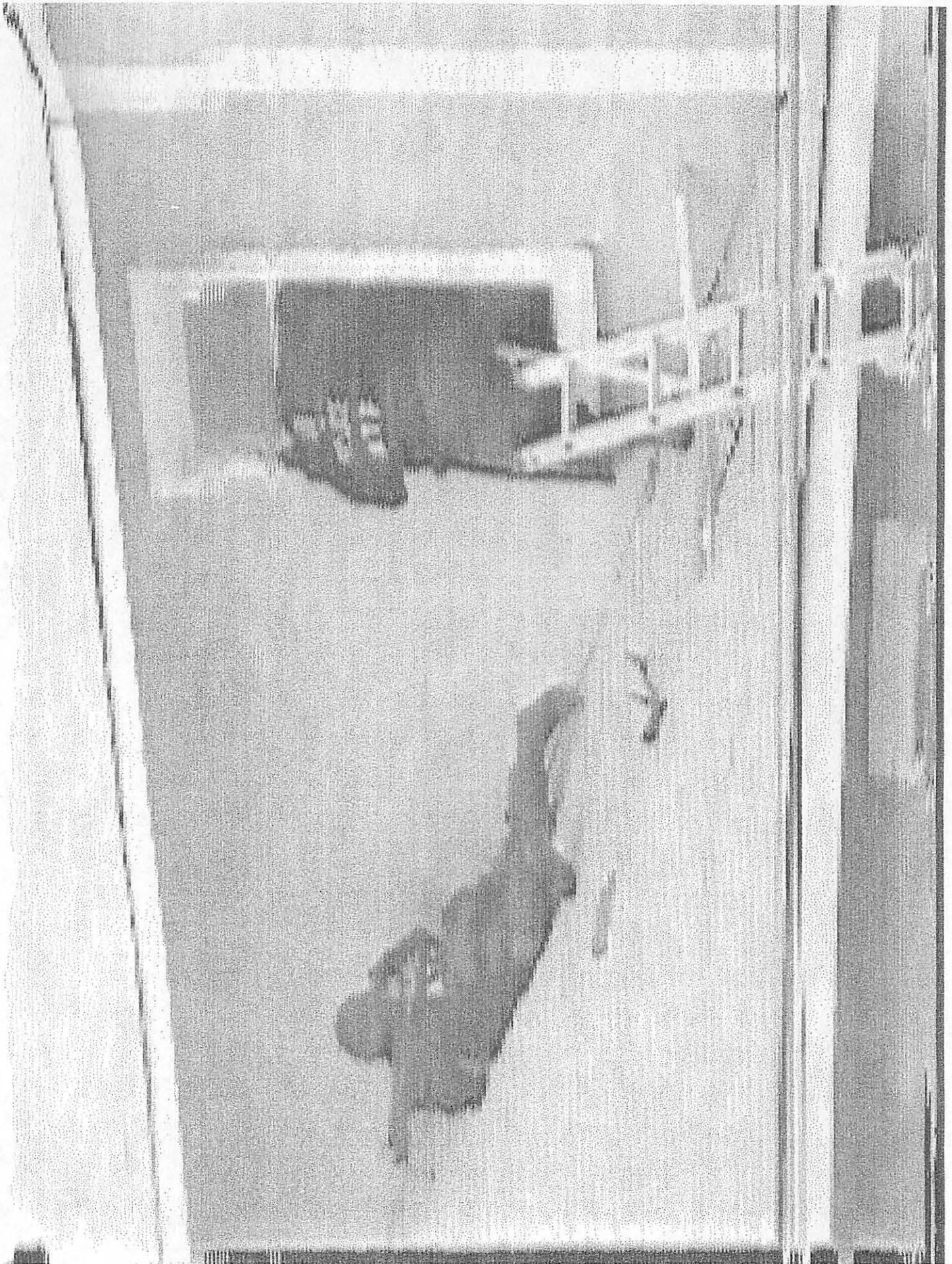
William Buford? (RAC-Little Rock, AR)
Team Leader SRT #1 – New Orleans
A founder of the ATF SRT program.

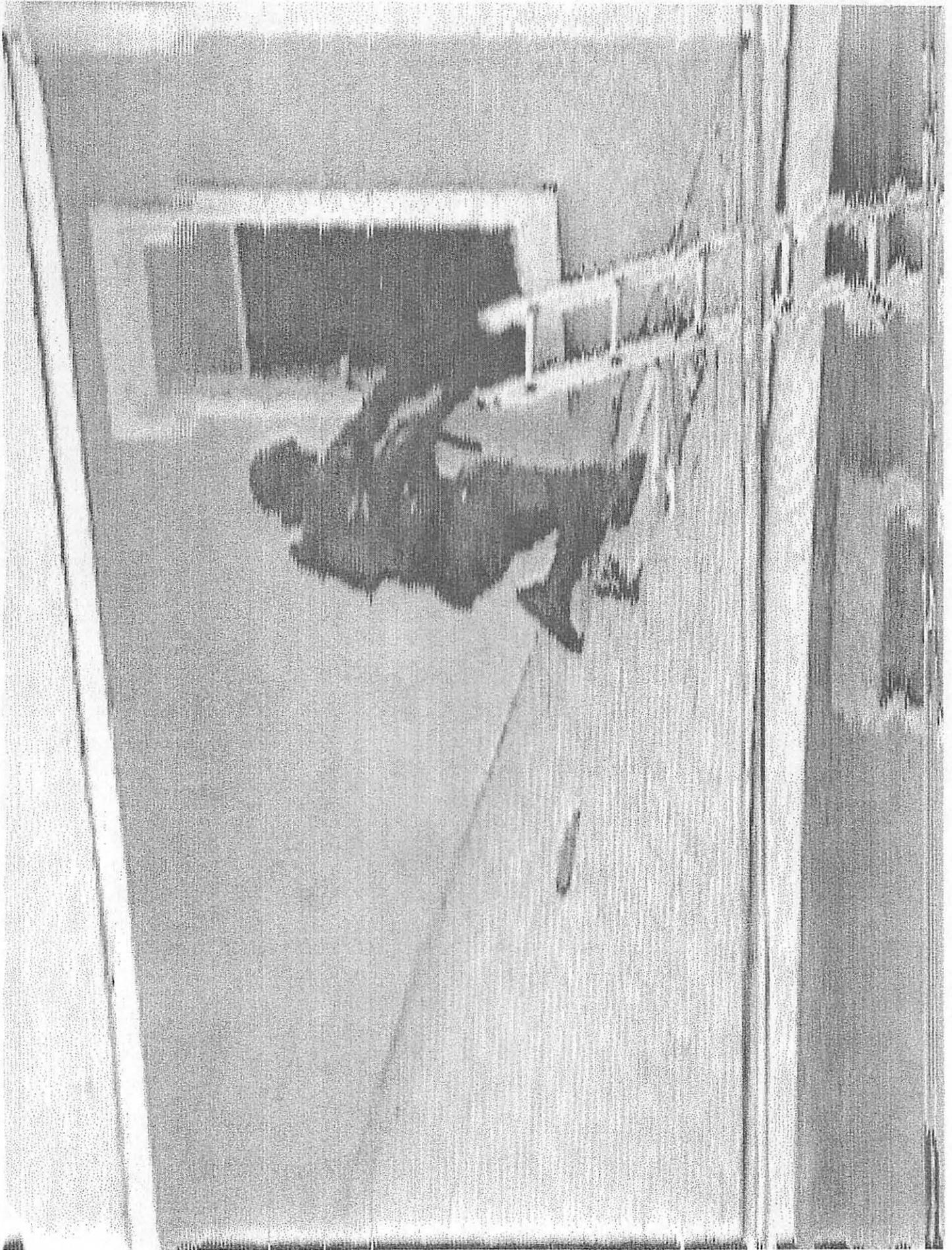
SA Glen Jordan?

SA Keith Constantino?





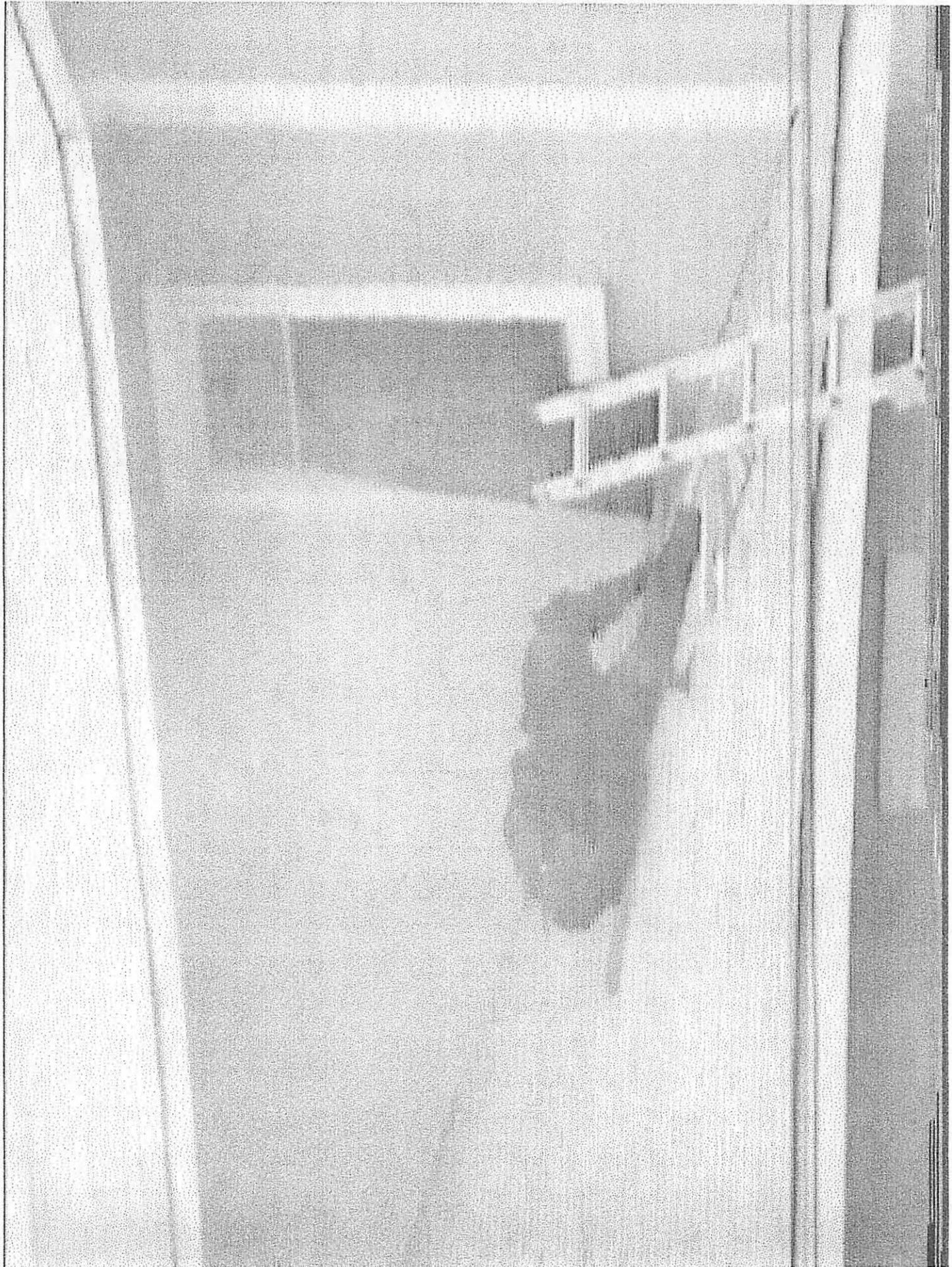


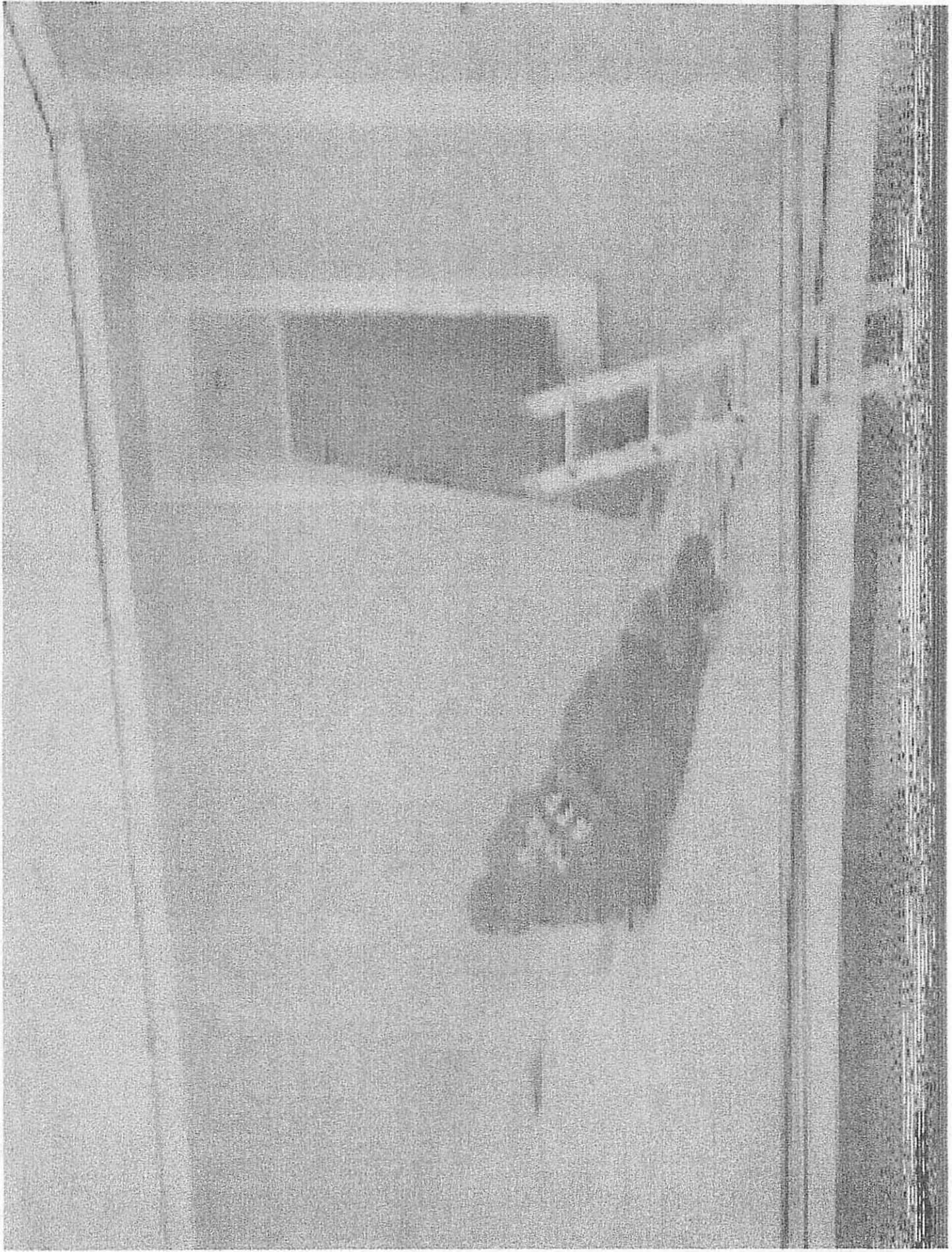


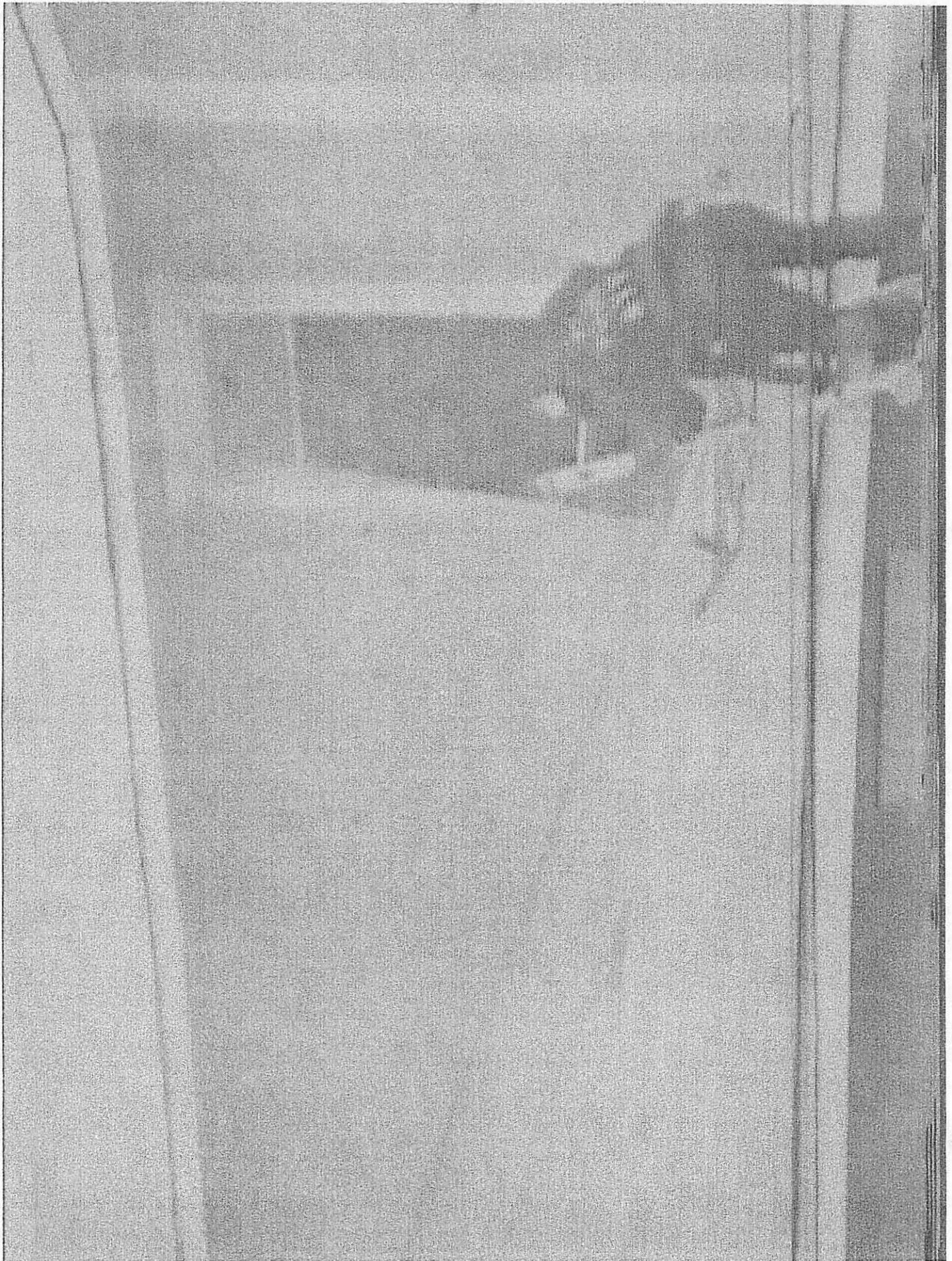












UNITED STATES CODE

TITLE 18

CRIMES AND CRIMINAL PROCEDURE

PART I—CRIMES

CHAPTER 109—SEARCHES AND SEIZURES

Sec.

§ 2234. Authority exceeded in executing warrant

Whoever, in executing a search warrant, willfully exceeds his authority or exercises it with unnecessary severity, shall be fined not more than \$1,000 or imprisoned not more than one year.

UNITED STATES CODE

TITLE 18

CRIMES AND CRIMINAL PROCEDURE

PART I—CRIMES

CHAPTER 13—CIVIL RIGHTS

§ 242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if bodily injury results shall be fined under this title or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

UNITED STATES CODE
TITLE 18
CRIMES AND CRIMINAL PROCEDURE

PART I—CRIMES

CHAPTER 13—CIVIL RIGHTS

§ 247. Damage to religious property; obstruction of persons in the free exercise of religious beliefs

(a) Whoever, in any of the circumstances referred to in subsection (b) of this section—

(1) intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so; or

(2) intentionally obstructs, by force or threat of force, any person in the enjoyment of that person's free exercise of religious beliefs, or attempts to do so;

shall be punished as provided in subsection (c) of this section.

(b) The circumstances referred to in subsection (a) are that—

(1) in committing the offense, the defendant travels in interstate or foreign commerce, or uses a facility or instrumentality of interstate or foreign commerce in interstate or foreign commerce; and

(2) in the case of an offense under subsection (a)(1), the loss resulting from the defacement, damage, or destruction is more than \$10,000.

(c) The punishment for a violation of subsection (a) of this section shall be—

(1) if death results, a fine in accordance with this title and imprisonment for any term of years or for life, or both;

(2) if serious bodily injury results, a fine in accordance with this title and imprisonment for not more than ten years, or both; and

(3) in any other case, a fine in accordance with this title and imprisonment for not more than one year, or both.

(d) No prosecution of any offense described in this section shall be undertaken by the United States except upon the notification in writing of the Attorney General or his designee that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice.

(e) As used in this section—

(1) the term "religious real property" means any church, synagogue, mosque, religious cemetery, or other religious real property; and

(2) the term "serious bodily injury" means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

UNITED STATES CODE

TITLE 18

CRIMES AND CRIMINAL PROCEDURE

PART I—CRIMES

CHAPTER 51—HOMICIDE

Sec.

§ 1111. Murder

(a) Murder is the unlawful killing of a human being with malice aforethought. Every murder perpetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing; or committed in the perpetration of, or attempt to perpetrate, any arson, escape, murder, kidnapping, treason, espionage, sabotage, aggravated sexual abuse or sexual abuse, burglary, or robbery; or perpetrated from a premeditated design unlawfully and maliciously to effect the death of any human being other than him who is killed, is murder in the first degree.

Any other murder is murder in the second degree.

(b) Within the special maritime and territorial jurisdiction of the United States,

Whoever is guilty of murder in the first degree, shall suffer death unless the jury qualifies its verdict by adding thereto "without capital punishment", in which event he shall be sentenced to imprisonment for life;

Whoever is guilty of murder in the second degree, shall be imprisoned for any term of years or for life.

Two of the helicopters were forced to land in a field to inspect for damage. Agents discovered that bullets had pierced the skins of each of the helicopters. The third helicopter, although also struck by gunfire, was able to remain airborne. It circled overhead to watch for additional attackers. Due to the damage, the two helicopter pilots initially decided not to attempt to fly them back to the command post. Chojnacki requested the third helicopter to land and take him back to the command post. While the pilots inspected the helicopters, agents climbed a small hill to determine how far they were from the Compound. From the hill they concluded that the group was still within range of hostile fire. They recommended to the helicopter pilots that if the helicopters could be flown, they should leave the area. The pilots decided that the helicopters were flightworthy and they returned to the command post without further incident.

The Raid Team Arrives

As the cattle trailers entered the driveway there was no sign of activity inside or outside the Compound. The approaching agents realized the absence of activity was a bad omen. When one agent noted over the radio, "There's no one outside," a second agent responded, "That's not good."

The trucks stopped in front of the Compound's main building as planned. Figure 31 shows their position. Agents with fire extinguishers for holding the Compound's dogs at bay were the first to exit the trailer. One agent opened the gate in the wall in front of the Compound, and another discharged a fire extinguisher at the dogs. Simultaneously, agents began exiting the second trailer. Koresh appeared at the front door and yelled, "What's going on?" The agents identified themselves, stated they had a warrant and yelled "freeze" and "get down." But Koresh slammed the door before the agents could reach it. Gunfire from inside the Compound burst through the door. The force of the gunfire was so great that the door bowed outward. The agent closest to the door was shot in the thumb before he could dive for cover into a pit near the door. Then gunfire erupted from virtually every window in the front of the Compound. The Dallas and Houston SRTs, which were approaching the front of the Compound and the pit area to the left, took the brunt of the initial barrage. Agents scrambled for cover. One of the first shots fired hit the engine block of the lead pickup truck. Consequently, neither the first, nor the second vehicle were able to leave.

As the Dallas and Houston teams attempted to get to the front of the Compound, the New Orleans team, which had been concealed in the second trailer, approached the east side

of the Compound. As they left the trailer, the agents heard gunfire. At first, the agents thought it came from the dog teams. During training the agents had been told that they might hear the dog teams firing at the dogs if they were not able to subdue them with fire extinguishers. However, they quickly realized that the gunfire was coming from the Compound. While one agent provided cover from the ground, seven others approached the wall and climbed to the roof. Conway LeBleu, Todd McKeehan, Kenny King, and David Millen were to enter Koresh's bedroom on the west pitch of the roof, while Bill Buford, Keith Constantino and Glen Jordan were to enter the window on the east pitch of the roof. That window led to the room that ATF intelligence indicated contained the weapons. But soon after the agents reached the roof, they came under heavy gunfire. Special Agent Millen was able to retreat back to the east pitch of the roof where he stood guard outside the armory. Special Agent LeBleu and Special Agent McKeehan were killed.

Special Agent King was shot six times before managing to roll himself off the roof and into the courtyard behind the Compound. (See Figure 32.) As he lay trapped in the courtyard, too injured to move, King repeatedly called over his radio that he had been shot several times and was bleeding badly. Agents hearing King's pleas, tried to rescue him. New Orleans Field Division SAC, Pete Mastin, contacted Cavanaugh and asked whether the forward observers could suppress fire from the tower while agents on the ground attempted to rescue King. The forward observers directed rifle fire at the area of the tower from which shots had been directed at the agents. However, as the agents attempted to move toward the rear of the Compound, gunfire from other areas stopped them. Despite the agents' best efforts, the intensity of the gunfire made it impossible to rescue King until the final cease-fire, approximately an hour and a half later.

At the arms room, Agent Jordan managed to "break and rake" the window and Agent Buford threw a distraction device into the room. Buford, Constantino and Jordan entered. Inside, Agent Buford saw a person armed with an assault rifle backing out of a doorway in the far left corner of the room. That individual began firing into the room from the other side of the thin walls. The agents returned fire, but without automatic weapons, which are used to deliver a defensive spray of gunfire, they could not suppress the attacker's fire. The shots fired at the agents inside the room passed through the wall to where Special Agent Millen was positioned on the roof. Shots were also fired at Millen from the first floor up through the roof. He escaped the attacks by sliding down the ladder to the ground.

Inside the room, Buford was shot twice in the upper thigh. Agent Constantino provided cover for Buford and Jordan while they ran back for the window, dove out onto the pitched roof and then dropped to the ground. As Agents Chisolm and Bonaventure dragged Buford out of the line of fire, they were fired upon. A bullet creased Buford's nose. Agent Chisolm threw his body over Buford to protect him²⁶. When the shooting stopped, Chisolm and Bonaventure pulled Buford to a safe position. Chisolm, the medic for his team, observed Buford's wounds and began administering an IV to him.

Immediately after Buford and Jordan were out of the arms room, the firing stopped. As Constantino was deciding whether to hold his position or make a run for the window, a cult member entered the room aiming an assault rifle at him. He fired two or three shots at Constantino. Constantino returned fire and the man fell. Constantino ran for the window, but as he was going through it, he struck his head, knocked off his helmet and dropped his weapon. Dazed, he rolled off the roof and fell to the ground, severely fracturing his hip and leg and causing extensive injury to both knees. As he lay on the ground, vulnerable to the cult's guns, he saw two agents who had taken cover near the wall of the Compound. Constantino put his hand out and Special Agents David Millen and Charles Smith dragged him out of the line of fire. (Contrary to some publicly disseminated accounts, none of the agents that entered the armory were killed.)

Special Agents Steven D. Willis and Robert J. Williams were killed during the ambush. Agent Willis, a member of the Houston raid support team, had taken cover behind a van parked near the right front corner of the Compound. Special Agent Williams, New Orleans SRT, was providing cover for his teammates mounting the roof. Intense gunfire forced him to seek cover behind a large metal object on the ground to the east side of the Compound.

Throughout the vicious firefight, ATF agents demonstrated extraordinary discipline and courage. Special Agents Bernadette Griffin, Jonathan Zimmer and Martin Roy were pinned down behind a shed when Special Agent Jordan, who had been wounded in the arms room, staggered over to where they were and collapsed on them. Special Agent Griffin discovered that Jordan's arm was bleeding profusely. She elevated his arm and compressed the wound with her hand until the cease-fire, 90 minutes later. Special Agent Chisolm, relinquishing his own protected location, came to their location and rendered

²⁶ There were many acts of sacrifice and heroism during the attack on the agents, only some of which can be recounted here.

medical aid. Special Agent Tim Gabourie, a medic with the Dallas SRT, who also repeatedly exposed himself to gunfire to treat several wounded agents, had one of his medical bags shot out of his hand by .50-caliber gunfire. He braved gunfire in an unsuccessful effort to reach Special Agent Willis who died during the battle.

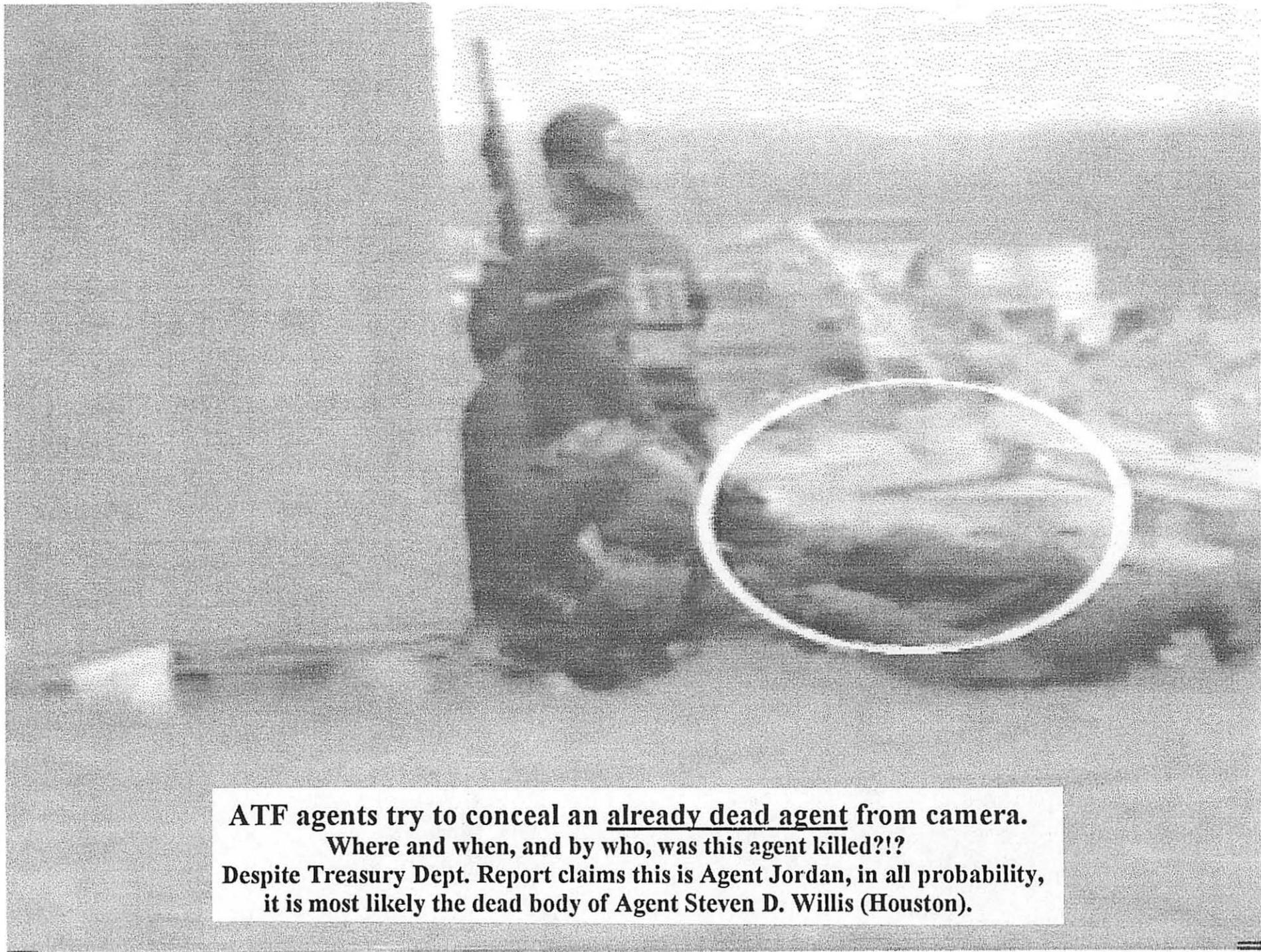
In the face of insurmountable, unrelenting automatic and semiautomatic weapons fire from virtually every area of the Compound, the agents had no choice but to remain in their covered positions. The openness of the terrain made retreat impossible. They returned fire when possible, but conserved their ammunition. They also fired only when they saw an individual engage in a threatening action, such as pointing a weapon. Neither of these constraints applied to those in the Branch Davidian Compound who had a virtually limitless supply of ammunition (Several hundred thousand rounds of ammunition were later found in the Compound) and could fire at will. They even fired at the undercover house and at the reporters parked on the road in front of the Compound.

In addition to the agent fatalities, the cult's weapons inflicted vicious wounds on other agents. For example, one agent was shot in both legs by a shotgun. Another agent was shot in the left leg by one bullet while a second passed through his left leg and lodged in his right leg. There were many other serious wounds and related injuries which are listed in Figures 33 and 34.

In contrast to the extensive casualties inflicted upon the agents, there were few casualties among the cult members. (See Figure 35.) Autopsies revealed that two cult members were killed by agents in the entry teams returning fire. Autopsies of two other cult fatalities reveal that they were shot at close range: Perry Jones was killed by a shot in his mouth, a manner of death consistent with suicide; Peter Hipsman was wounded but was later killed by a cult member who shot him at close range in the back of his skull—an apparent mercy killing, although the autopsy revealed that his initial wound would not have been fatal. Koresh was wounded both in the pelvic area and in his wrist.

The Cease-Fire

According to McLennan County 911 records, Branch Davidian Wayne Martin called the Waco 911 emergency service at 9:48. His call was handled by Deputy Larry Lynch. Martin sounded very frightened and Lynch heard gunfire in the background. Deputy Lynch attempted to speak with Martin, but Martin did not respond and at 10:02, Martin hung up.



ATF agents try to conceal an already dead agent from camera.

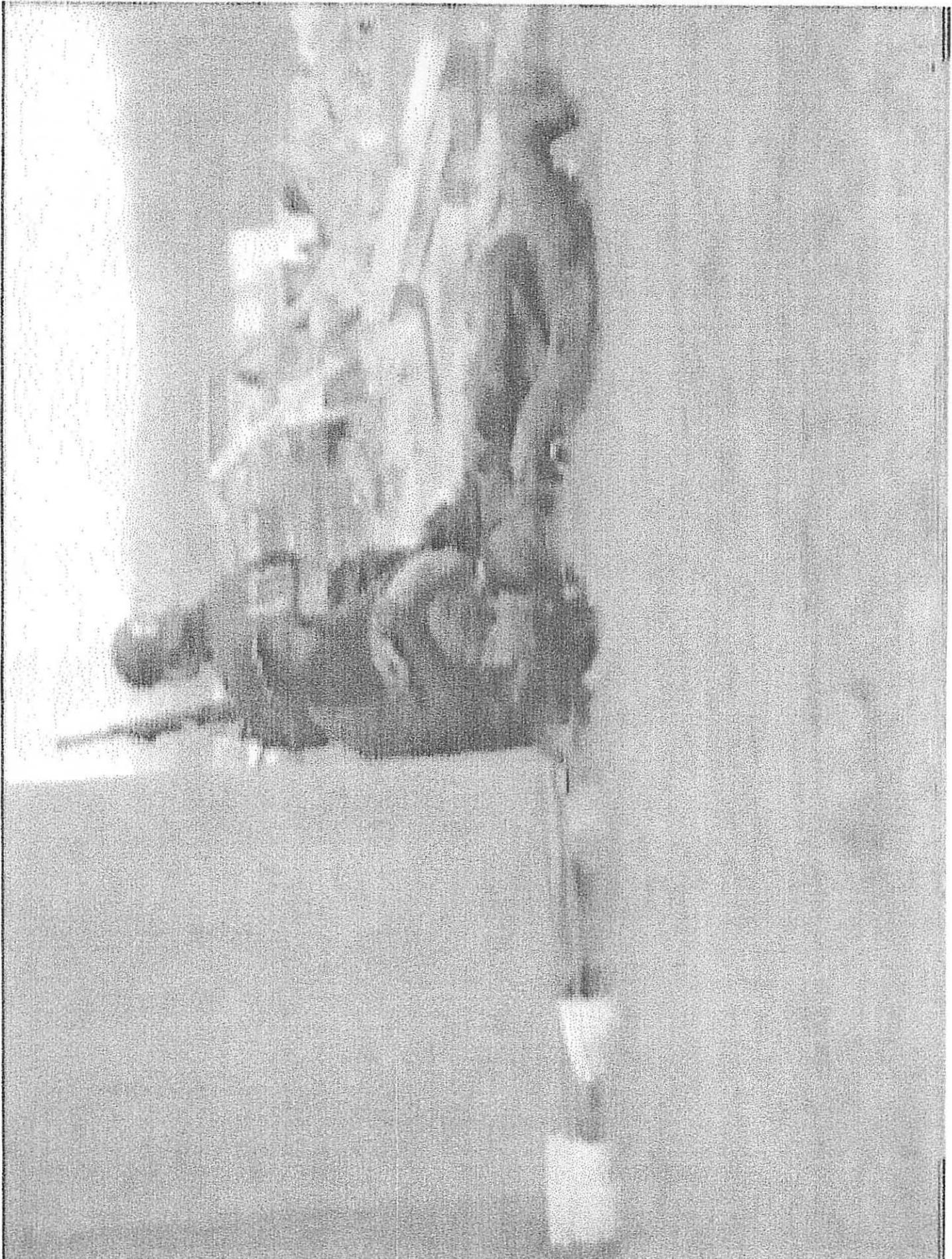
Where and when, and by who, was this agent killed?!?

Despite Treasury Dept. Report claims this is Agent Jordan, in all probability, it is most likely the dead body of Agent Steven D. Willis (Houston).









BRANCH DAVIDIAN DEATHS ON FEBRUARY 28, 1993

CULT MEMBERS KILLED BY CULT MEMBERS

NAME	NUMBER OF WOUNDS	WEAPON DISTANCE TO WOUND (RANGE)	WEAPON CALIBER/ TYPE OF AMMUNITION	LOCATION OF WOUNDS/ CAUSE OF DEATH
WINSTON BLAKE	1	TWO TO THREE FT.	.223	CRANIOCEREBRAL TRAUMA
PETER HIPSMAN	4	(a) ONE TO TWO FT.	9 MM. WINCHESTER SILVERTIP JACKETED HOLLOW POINT	(a) UPPER POSTERIOR NECK
		(b) LESS THAN 1 INCH	9 MM. COPPER JACKETED SOFT POINT	(b) RT. PARIETAL SCALP
		(c) MORE THAN 4 FT.	9 MM. COPPER JACKETED HOLLOW POINT	(c) LOWER LEFT ANTERIOR CHEST
		(d) MORE THAN 4 FT.	UNKNOWN (NOT RECOVERED) PROBABLY BULLET (a)	(d) ENTRY TO POST-LATERAL ARM W/ EXIT OF ANTEROLATERAL ARM DEATH DUE TO (a) & (b) CRANIOCEREBRAL TRAUMA
PERRY JONES	1	WEAPON IN MOUTH	UNKNOWN (NOT RECOVERED)	CRANIOCEREBRAL TRAUMA-GUNSHOT WOUND TO MOUTH

CULT MEMBERS KILLED BY ATF

NAME	NUMBER OF WOUNDS	WEAPON DISTANCE TO WOUND (RANGE)	WEAPON CALIBER/ TYPE OF AMMUNITION	LOCATION OF WOUNDS/ CAUSE OF DEATH
PETER GENT	1	DISTANT	9 MM. HYDROSHOCK	PERFORATION OF AORTA GUNSHOT TO UPPER LF. CHEST
MICHAEL SCHROEDER	6	(a) DISTANT	9 MM. HYDROSHOCK	(a) RT. ANTERIOR SHOULDER
		(b) DISTANT	9 MM. HYDROSHOCK	(b) RT. LOWER FLANK
		(c) DISTANT	9 MM. HYDROSHOCK	(c) LEFT THIGH
		(d) DISTANT	9 MM. HYDROSHOCK	(d) RT. TEMPORAL SCALP
		(e) DISTANT	UNKNOWN (NOT RECOVERED)	(e) RT. SUPRA-AURICULAR REGION - EXIT RT. POSTIOR AURICULAR SURFACE
		(f) DISTANT	UNKNOWN (NOT RECOVERED)	(f) GRAZING GUNSHOT WOUND OF THE LEFT CHEST. DEATH DUE TO MULTIPLE GUNSHOT WOUNDS
JAYDEAN WENDELL	1	DISTANT	9 MM. HYDROSHOCK	CRANIOCEREBRAL TRAUMA-GUNSHOT WOUND TO HEAD

BRANCH DAVIDIAN INJURIES SUSTAINED ON FEBRUARY 28, 1993

NAME	NATURE OF INJURY
DAVID JONES	*GUNSHOT WOUND TO GLUTEUS MAXIMUS
DAVID KORESH	GUNSHOT WOUND TO PELVIC RIM AND LEFT WRIST
JUDY SCHNIEDER	*GUNSHOT WOUND TO INDEX FINGER
SCOTT SONOBE	*GUNSHOT WOUND TO LEG

*ALLEGED WOUNDS



Figure 31: Photograph of Compound after 2/28/93 raid, which includes the ATF cattle trailers in the foreground.