



Department of Justice

STATEMENT

OF

JANET RENO

ATTORNEY GENERAL

BEFORE

THE

SUBCOMMITTEE ON CRIME

COMMITTEE ON THE JUDICIARY

AND THE

SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND
CRIMINAL JUSTICE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

UNITED STATES HOUSE OF REPRESENTATIVES

CONCERNING

EVENTS SURROUNDING THE BRANCH DAVIDIAN STANDOFF

PRESENTED ON

AUGUST 1, 1995

Three days after the Waco standoff began, David Koresh promised the FBI that he and his followers would surrender immediately after a tape he had made was broadcast on the radio. The tape was broadcast. What did Koresh do? He broke his word. He didn't surrender. In fact, while the tape was being broadcast, Koresh and his followers were not gathering their belongings and preparing to surrender peacefully; instead, they were busy rehearsing a plan to blow themselves up and take as many agents as possible with them by walking out of the compound with explosives strapped to their waists.

That became the pattern. On March 19 and 20, Koresh said he would come out "soon." He didn't. In early April, he said he would come out after Passover. He didn't. On April 14, he let his lawyers believe he needed only a few days to complete his manuscript on the Seven Seals and would then surrender. The FBI showed Koresh's April 14 letter to an expert at Syracuse University, who concluded it was another ploy, another delaying tactic. But the FBI kept negotiating. They kept asking Koresh when he would finish the Seven Seals and come out. On April 15, the negotiators asked Steve Schneider, Koresh's second-in-command, whether he had seen any finished pages of the manuscript. Schneider said he hadn't. On April 16, the negotiators asked Steve Schneider again whether Koresh had completed the First Seal. Schneider said no. On the 17th,

Schneider said he couldn't say whether it would be "six months or six years."

It is easy, in hindsight, to suggest the so-called "surrender offer" of April 14 was a missed opportunity. But we considered it carefully. We didn't dismiss it casually.

Even though Koresh broke every promise he made, and even though he never gave the FBI any reason to believe he would surrender peacefully, the FBI kept negotiating, kept trying, every way they knew how, to talk Koresh into leaving. But he never gave them a specific date. When I took office on March 12, 1993, the most urgent issue I faced was how to bring the standoff to a safe and peaceful end.

Remember why we were in Waco in the first place: Four federal agents had been killed trying to arrest Koresh and to seize illegal explosives and illegal weapons -- including hand grenades, grenade launchers and machine guns. We couldn't just walk away from it.

Day after day, FBI negotiators tried to arrange a surrender. During the standoff, the FBI had 949 conversations with Koresh or his lieutenants, totalling almost 215 hours. At the urging of the FBI, ~~the~~ the local sheriff attempted to get Koresh to surrender. So did several lawyers and others, who were given extraordinary

access to the compound.

We faced an impossible situation. Koresh wouldn't leave, period. He had told the FBI as early as March 7 that no more children would be released. What to do next? We studied intelligence reports. We met with outside experts. The perimeter was becoming increasingly unstable, with frequent reports of outsiders, including at least one militia group, on the way either to help Koresh or attack him. The FBI's Hostage Rescue Team was nearing its seventh week at Waco, and experts had advised me that they would soon have to be pulled back for retraining if they were to maintain their state of readiness. We checked on the Davidians' food and water supplies, and I was advised they had provisions to last a year. I asked the FBI to check the water supply again, and I was advised that the water supply was plentiful, and was constantly being replenished.

Clearly, a dangerous situation was becoming more dangerous, especially for the children. We had received allegations that Koresh had sexually abused the children in the past, including Kiri Jewell, when she was just ten years old. We also had received allegations that Koresh had physically abused the children. For example, a former Davidian alleged that Koresh had once spanked a young child for forty minutes, so hard that her bottom was bleeding. That child was only eight months old. During the standoff, the environment in which Koresh forced those

children to remain continued to deteriorate. Human waste was being dumped into the courtyard.

The FBI submitted a plan to use an irritant gas incrementally, beginning at one end of the compound, to shrink the usable space to induce Koresh to start letting his people go. I asked whether the gas could cause permanent harm, especially to the children and the elderly. Dr. Harry Salem told me, as he told you again last week, that CS was the safest, best-studied tear gas in the world. He told me the gas would not cause any permanent harm to the children and the elderly.

The April 19 operation began with clear announcements of our intentions, repeated time and time again, aimed at giving the Branch Davidians opportunities to leave safely. The Davidians responded with heavy gunfire from the tower and other parts of the compound. Yes, we had hoped the Davidians might not react violently if we used the gas in a slow, incremental manner. But those hopes were dashed by the Davidians and their guns. Our response was measured. We inserted gas, then waited, then inserted more gas. We were very careful never to insert more gas than a fraction of the safe limit. Six hours went by. Six hours. Still, no one came out.

~~The rest~~, you know. The Branch Davidians' words were recorded while they spread the fuels used to ignite the fire that

resulted in the deaths of all but nine. FBI agents risked their lives to rescue several of them. Others emerged through holes the tanks had made in the walls after it was learned that other exits had been blocked from the inside.

We will never know whether there was a better solution. Had we not acted when we did, and Koresh brought things to a sudden and violent finish, as he had rehearsed, we would probably be here today anyhow, and you would be asking why we had not done something sooner; why we had not tried to use tear gas to resolve the situation. Everyone involved in the events of April 19 made their best judgments based on all the information we had. We all mourn the tragic outcome. But the finger of blame points in one direction -- it points directly at David Koresh.

We didn't misunderstand Koresh. We didn't suffer from misinformation. I wasn't misled. The fate of the Branch Davidians was in David Koresh's hands, and he chose death for the men and women who had entrusted their lives to him. And he, David Koresh, chose death for the innocent children of Waco.

We have tried as hard as we can to study what happened at Waco, to learn from our experience, and to make changes so that as we go forward we can be as prepared as possible to deal with future situations. Let me describe briefly some of the steps I have directed the FBI to take to improve our capacity to respond

to complex hostage/barricade incidents in the future:

- The FBI has selected a group of more than 30 Senior Agents for additional training in hostage/barricade situations, and these "crisis managers" will be called upon to assist the on-scene commander during a crisis. This system was used very effectively in the immediate aftermath of the Oklahoma City bombing, and I am very proud of the results.

- The FBI is increasing the size, composition, and equipment of the Hostage Rescue Team, or HRT, to permit the replenishment of resources and personnel during long-term hostage/barricade situations.

- The FBI has increased the number of negotiators stationed at HRT headquarters, and additional training seminars have focused on identifying negotiating psychology and strategies.

- The FBI has formed a Critical Incident Response Group to deal with crisis situations. This group has also been used successfully in the investigation of the Oklahoma City bombing. In addition, they have provided training to key officials in the Justice Department and the FBI.

- The FBI's Special Weapons and Tactics, or SWAT teams, are now better able to assist the HRT in a crisis. The FBI has increased its SWAT Team capabilities. There are now 9 enhanced SWAT teams strategically placed around the country. SWAT Teams now cross-train with the Hostage Rescue Team, and the SWAT Training Unit is now under the direct supervision of the HRT commander.

- The FBI is in the process of establishing a long-term relationship with the crisis resolution centers at both Michigan State University and George Mason University to call on their behavioral science expertise during a crisis incident. The FBI has also created a resource list of experts knowledgeable about both mainstream and non-mainstream religions, and will be in a position to tap both their expertise and their contacts within the religious community in the event of a future crisis.

- The FBI is continuing its research into non-lethal and less-than-lethal technologies, such as CS gas, as alternatives to the use of deadly force.

Ladies and gentlemen, Chairman McCollum and Chairman Zelif, and members of the subcommittees: This was an event that began with the murder of four government agents, and ended with the self-inflicted death of David Koresh and his followers inside the

Compound.

I would do anything to change what happened. I welcome your constructive suggestions, so that we can be as prepared as possible to deal with any situation like this in the future. But we must never forget the most important truth about Waco: David Koresh bears the responsibility for the deaths of his followers, for the deaths of four federal law enforcement agents, and for the deaths of 25 children. Those innocent children, and those brave law enforcement agents, are the true victims of Waco.

Thank you very much.