



Branch Davidian Raid

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BRANCH DAVIDIAN RAID

On February 28, 1993, agents from the alcohol, tobacco and firearms bureau (ATF) were met with gunfire when they tried to serve



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Search and arrest warrants on members of the Branch Davidian religious cult at the apocalyptic sect's compound near Waco, Texas. Four ATF agents and six Davidians died of gunshot wounds that day. A 51-day standoff ensued between more than 100 Davidians inside the compound and 76 federal agents outside the compound.



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On the morning of April 19, the federal bureau of investigation (FBI) ordered tanks to break through the compound's walls, knock open holes, and pour tear gas inside. Around noon fires erupted, burning the compound to the ground. Approximately 80 Branch Davidians died, including their leader, 34-year-old David Koresh. In all, 57 Davidians died in the fire, while 23 died from gunshot wounds. Of these dead, 17 were children, some of whom died from gunshot wounds and some in the fire. Eighteen children and 22 adults left the compound unharmed during the seven-week standoff.

On the two-year anniversary of the Waco siege, Timothy McVeigh detonated a rental truck full of explosives outside the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, killing 168 people. McVeigh later admitted that the Oklahoma City bombing was carried out in part to exact revenge against the federal government for the Branch Davidian raid. McVeigh was eventually convicted on various charges, including first degree murder, and sentenced to die. He was executed in June 2001.

The case began in the spring of 1992 when the FBI received information that Koresh was running a methamphetamine lab at a religious compound near Waco. While investigating Koresh on possible drug charges, the FBI and ATF learned that the cult leader was possibly breaking federal firearms laws as well, allegedly converting semiautomatic weapons into unlawful machine guns. Federal agents also learned that United Parcel Service (UPS) had been regularly delivering firearms components and explosive materials to the Davidian compound over a period of several years. Using UPS invoices, federal agents tracked down serial numbers on weapons as well as explosives that had been delivered to Koresh. One invoice indicated that Koresh had received a shipment containing ammunition magazines for automatic AR-15 rifles, plus a large quantity of powdered aluminum metal, a common ingredient in explosives.

In obtaining the search and arrest warrants, federal authorities provided the

issuing magistrate with evidence indicating that Koresh had spent \$199,715 in the previous year to buy illegal guns, gun parts, and other components, enough to build a fearsome arsenal. Koresh supporters claimed that the Davidians' leader was a gun dealer who had lawfully acquired the weapons. However, after the siege ended, federal authorities found 156 assault rifles, a heavy machine gun, several boxes of grenades, and grenade launchers, all of which Koresh had obtained and possessed in violation of federal weapons laws.

On February 26, 1994, almost a year to the day after the siege began, a federal jury in San Antonio, Texas, acquitted 11 cult members of murder and murder-conspiracy charges in the deaths of the four ATF agents. However, five Davidians were convicted of voluntary manslaughter, and two were convicted on weapons charges. U.S. District Judge Walter Smith sentenced the defendants to serve ten to 15 years in prison, after the much stiffer sentences he initially handed down were overturned on appeal. Following the trial the jury foreperson said that the wrong people had been prosecuted. "The federal government was absolutely out of control there," she said. "[T]he ones who planned the raid and orchestrated it and insisted on carrying out the plan ... should have been on trial."

The FBI blamed the Davidians for igniting the fire. But on August 25, 1999, the FBI conceded that it had used "pyrotechnic" tear-gas canisters during the siege. The Waco controversy had been gathering momentum ever since a 1997 documentary film, "Waco: The Rules of Engagement," uncovered evidence that the FBI had fired flammable tear gas into the Davidians' prairie bunker, sometimes known as Mount Carmel. Attorney General Janet Reno denied knowing about the canisters' flammability but ordered a complete investigation of the raid. On September 9, 1999, Reno named former Republican Senator John C. Danforth of Missouri as special counsel to lead the investigation.

The FBI told investigators that many of the Davidians who died during the conflagration were victims of mass suicide orchestrated by Koresh. But the nine Davidians who escaped the fire denied that any such suicide took place. They claimed that the FBI's tank crushed several fuel containers and that a grenade or some other projectile set off the fire. Before the fire started, however, the FBI

intercepted troubling conversations coming from unidentified Branch Davidians inside Mount Carmel: "I already poured it.... It's already poured. Don't pour it all out, we might need some later. So we only light 'em at first if they come in with that tank, right?" Additionally, FBI snipers said they saw a Davidian start a fire and infrared pictures taken from a plane overhead detected three fires burning in separate parts of the compound before the tanks entered.

On July 21, 2000, Danforth released his findings. Danforth first reported that he "had a lot of difficulty" getting relevant documents from the FBI. Although he was eventually given the documents he requested, Danforth reported that he felt that "there was a spirit of resistance ... in the FBI" against his investigation. Nonetheless, Danforth's investigation concluded that the canisters fired by the FBI did not start any of the fires that consumed the compound, since all available evidence demonstrated that the canisters landed 75 feet from the main building hours before the fires started. Instead, Danforth placed sole blame for the conflagration on Koresh. After reviewing two million pages of documents, 849 interviews, and thousands of pounds of physical evidence, Danforth said it was clear that the only persons who had started any fires at the Branch Davidian compound near Waco, Texas, were the Davidians themselves, probably at the direction of their leader David Koresh.

Survivors of the Branch Davidian raid and family members of those who died during the siege filed a series of wrongful death civil lawsuits against the federal government. The suits were subsequently consolidated into one proceeding before Judge Walter Smith, sitting in the U.S. District Court at Waco. However, Smith dismissed the lawsuit in September 2000, concurring with Danforth's findings that federal agents had not used excessive force in their tear-gas assault on the cult's compound. Smith found that the Davidians themselves had started the fire. Attorneys for the plaintiffs filed an appeal that as of 2003 was pending before the U.S. Court of Appeals for the Fifth Circuit. The attorneys represent the estates of 14

children who died in the fire, a 15-year-old girl who was badly burned, and three parents whose children died in the blaze.

further readings

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cross-references

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