

ABC NEWS NIGHTLINE
Guest: Attorney General Janet Reno
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The editor of the report is Steve Ginsburg. Tim Ahmann, Eric Beech, Melissa Bland, Peter Ramjug and Paul Schomer assisted in editing this report.

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TED KOPPEL: This has been a brutally long day for Attorney General Janet Reno, starting well before dawn, as she monitored developments in Waco. She has acted as the point person for the Clinton administration, beginning at a Justice Department news conference this afternoon and through a series of interviews all evening long, culminating in this one.

Ms. Reno, I think it was Harry Truman who first coined that "the bucks stops here" phrase, and what he meant was that no matter how much responsibility is disseminated throughout the government, there can be only one final authority and that is the president. Why isn't the president taking full responsibility for this action?

ATTORNEY GENERAL JANET RENO: This was a judgment I made. I investigated it completely. I did all the--I asked the questions, I talked to the experts when I had questions, and I think the responsibility lies with me.

Q: Did you not check it out with the president? I mean, given the consequences now, and I realize we're operating with 20/20 hindsight, shouldn't this have been a decision that the president made?

ATTORNEY GENERAL RENO: I consulted with the president, told him that this was a decision that I had made, that I was willing to assume responsibility for it.

Q: You have said several times during the course of this afternoon and evening that one of the reasons that the decision was made was because of violence against children. Is that correct?

ATTORNEY GENERAL RENO: What we did when the FBI went in was to try our best to negotiate a peaceful resolution to this matter. The FBI tried not to use force initially. It tried to negotiate. We

had concern for the children because we had received reports that the children had been sexually abused. We then received reports of the children being, of the infants being beaten. I was - startled by that, I specifically asked and followed up to make sure that the reports were confirmed, to the extent that we could without being in the compound ourselves.

What impressed me is that the bureau, time after time, asked Koresh for some evidence that the children were okay. The bureau sent in videotapes, asking Koresh to do something to prove that the children were okay. Negotiators consistently asked that the children be sent out. We did not receive verification that the children were okay. The sanitation situation within the compound, we were told, was beginning to deteriorate.

At that point negotiators told us that they did not feel that further negotiation would help. They felt that it was at an impasse, that at this point, they did not believe that Koresh was going to come out.

There was the possibility of a mass suicide. Sources said yes, he had mentioned it, but they did not think he would do it. But again, we tried different things to see what his response would be and at that point he did not respond with any such threats.

Q: Let me just interrupt--

ATTORNEY GENERAL RENO: But most importantly, Mr. Koppel, the problem was that this could have happened at any time. The possibility of mass suicide was there if we wanted two months or three months. The possibility was there that had we gone in in two months, we would have not found the children, we would have found them dead or in terrible condition. We made the best judgment we could based on what we thought was nonlethal force.

Q: I don't think anyone, Ms. Reno, questions your motivation but the question I do have is what recent information did you have about the children, and from whom?

ATTORNEY GENERAL RENO: The information that the bureau received concerning the children was from people who came out after the bureau took over the operation.

Q: But that was some weeks ago.

ATTORNEY GENERAL RENO: That was some weeks ago. We had not had any verification concerning the well-being of the children since that time.

Q: But nor did you have any information that the children had been mistreated since that time.

ATTORNEY GENERAL RENO: Having indication that children had been **sexually** abused or beaten at any time within the past two months by somebody who was keeping them under those circumstances without in any way verifying to us that the children were okay, to me indicates a great risk with respect to the children.

Q: I guess the question that I'm getting to is if it was the brutalizing of the children in one way or another that was the motivation for this, and if that took place some weeks ago, why didn't the FBI's action take place some weeks ago?

ATTORNEY GENERAL RENO: Because we made a balancing judgment. We looked at it and we tried our level best to get them out without having to resort to any intrusion into the compound through tear gas or something else. That having failed, our negotiators, our professional negotiators having told us that it wasn't going anywhere, we felt we had to begin to take the next step to exert pressure.

Q: We've got to take a break. When we come back, we'll be joined by one of the last people outside the compound to have had a face **to face** conversation with David Koresh, his lawyer.
(Commercial announcements)

Q: And we're back live once again with Attorney General Janet Reno and David Koresh's lawyer Dick DeGuerin.

Mr. DeGuerin, it not irrelevant, as the attorney general points out, that these are the same people, after all, who killed four members of the AFT and wounded 16 other agents.

DICK DeGUERIN (counsel to David Koresh): The ATF. Also, there were six, at least six of their people that were killed at the same time. And let's look at how this thing started.

They went there with a search warrant that didn't authorize them to storm the compound. They went in there like Marines on Iwo Jima. And they stormed the compound without warning and shot the first shots. I'm thoroughly convinced of that.

Q: Is that a settled matter? I've heard arguments on both sides.

DeGUERIN: It's settled in my mind. It's settled in my mind. I've talked with the people that were there. I was inside. I saw the **bullet** holes in the door. I saw where several people died inside.

Q: Forgive me for interrupting. But you can see bullet holes. I don't know how you can determine the chronology of whether those bullet holes were made before or after somebody else fired.

DeGUERIN: That's true but it fits in what I was told by the folks inside. It fits in what little we've learned from the AFT briefings. At one point they finally admitted that the AFT fired first. I have a pretty good idea, from talking to my client and others inside, exactly what happened, and I think that once we concentrate on that, once the Senate or House hearings concentrate on that, once a trial concentrates on that, then the truth is going to come out. That's what I believe David wanted to come out, and that's why I think he would have come out peacefully.

This didn't have to happen. This could have been resolved peacefully, but this wasn't simply a turning up of the pressure. This was a massive escalation of the pressure. I don't think Ms. Reno has ever been at the business end of a tank with spewing tear gas. She might not call it just turning up the pressure.

Q: Ms. Reno, I realize you didn't take over as attorney general until this unfortunate affair was already several weeks under way, but from what you have learned and from the briefings that you have had from the FBI and, I assume, also from ATF, do you have any quarrel with what Mr. DeGuerin just said?

ATTORNEY GENERAL RENO: Like you, Mr. Koppel, I can't understand how he suggests an order of firing based on the number of holes in the door. These ATF agents had raid jackets on that clearly identified themselves. They clearly identified themselves and they were met with a hail of fire. Four agents lie dead, 15 are wounded. Hand grenades were tossed on them when people clearly knew they were AFT agents.

And I think we have got to come back to the point that the FBI didn't set this fire. This fire was set by David Koresh.

DeGUERIN: It's not a question of who set the fire. It's who escalated it, who provoked it. And running tanks into their living room and spewing tear gas was not calculated to bring about a peaceful resolution.

Let's get back to the original business of how the AFT stormed this compound. It was the AFT throwing grenades. I found a grenade. I was given a grenade and turned it over to the AFT the first time I went in there.

This didn't need to happen. It didn't need to happen on February 28 the way it happened and it didn't need to happen today.

ATTORNEY GENERAL RENO: I couldn't agree more, sir. I think it's

one of the great tragedies of this time. And I think we've all got to look forward to what we can do about people like David Koresh, who put themselves in this situation and then set that place afire.

Q: There are, and I'm going to go momentarily a little bit off the subject of the day, Ms. Reno, but there are other groups like this around the country, equally heavily armed. What, if anything, have you learned from this that would cause you to take a different kind of approach?

ATTORNEY GENERAL RENO: One of the things that I've said consistently, Mr. Koppel, is that 'I made the best judgment I could based on all the information we had, after inquiry, after talking with the experts, after trying to weigh all the terrible possibilities that might occur now or later.

I've made the judgment. It's my judgment. I stand by it. But one of the things I try to do is to be accountable to people, to answer questions, to respond, to review matters, to see what can be done, and I will do that as we proceed through this matter to see what could be done under similar situations. Number one, to prevent it from even occurring in the first place to the extent of having an armed camp like that. And two, to see what could be done in terms of negotiation or anything else that we didn't consider, that we tried to consider every possible option.

Q: Did you also consider the possibility of, in effect, just building a fence around the place and saying we're going away, let us know when you want to come out?

ATTORNEY GENERAL RENO: We considered that and we had a situation where people had killed four people, had wounded 15 others, were heavily armed and I did not think it was safe for the surrounding area to let people go free in those circumstances.

Q: What is now going to happen to the people who have survived today's conflagration and who are now--I don't know if they're in the hospital or if they're in custody. What, in fact, is their legal status?

ATTORNEY GENERAL RENO: Some are in the hospital, some are in custody and the evidence will be reviewed and appropriate action taken.

Q: Let me ask you, if I may, one more question and then, as I promised, we'll let you go. I've said repeatedly it's been a horribly long day for you. And believe me, I ask this question

with sympathy. But in other countries and in other governments, were a minister takes full responsibility for an unfortunate action, even if it was not entirely his or her fault, sometimes they resign.

ATTORNEY GENERAL RENO: If that be the case, if that's what the president wants, I'm happy to do so. But I think in these situations, what's done is that somebody makes the best judgment they can. If they review everything carefully, if they are accountable to the people, if they proceed in an open and accountable way, people will know what they have tried to do, the reason they have tried to do it.

And in this situation, I don't think anybody has ever dealt with a David Koresh who would purposefully set people afire in that number.

Q: Ms. Reno, I'm very grateful to you for being with us this evening. You are, of course, welcome to spend the rest of the broadcast with us, if you want to listen to what some of the other guests have to say, but if you feel the need to leave, believe me, I do understand it. Thanks very much indeed.

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