Waco siege

The Waco siege was a siege of a compound belonging to the religious group Branch Davidians by American federal and Texas state law enforcement and US military between February 28 and April 19, 1993.[4] The Branch Davidians, a sect that separated in 1955 from the Seventh-day Adventist Church, was led by David Koresh and lived at Mount Carmel Center ranch in the community of Elk, Texas.[5][6][7] nine miles (14 kilometers) east-northeast of Waco. The group was suspected of weapons violations and a search and arrest warrant was obtained by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

The incident began when the ATF attempted to raid the ranch. An intense gun battle erupted, resulting in the deaths of four agents and six Branch Davidians. Upon the ATF’s failure to raid the compound, a siege was initiated by the Federal Bureau of Investigation (FBI), the standoff lasting 51 days. Eventually, the FBI launched an assault and initiated a tear gas attack in an attempt to force the Branch Davidians out. During the attack, a fire engulfed Mount Carmel Center. 76 people died,[8][9] including David Koresh.

Much dispute remains as to the actual events of the siege. A particular controversy ensued over the origin of the fire; a government investigation concluded in 2000 that sect members themselves had started the fire. The events near Waco were cited as the primary motivation behind the Oklahoma City bombing that took place exactly two years later.

1 Background

Main articles: Shepherd's Rod, Mount Carmel Center, Branch Davidians and David Koresh

The Branch Davidians (also known as “The Branch”) is a religious group that originated in 1955 from a schism in the Seventh-day Adventist Church of the Shepherd’s Rod (Davidians), following the death of the Shepherd’s Rod founder Victor Houteff. Houteff founded the Davidians based on his prophecy of an imminent apocalypse involving the Second Coming of Jesus Christ and the defeat of the evil armies of “Babylon”.[10] As the original Davidian group gained members, its leadership moved the church to a hilltop several miles east of Waco, Texas, which they named Mount Carmel, after a mountain in Israel mentioned in Joshua 19:26 in the Bible’s Old Testament. A few years later, they moved again to a much larger site east of the city. In 1959, the widow of Victor Houteff, Florence Houteff, announced that the expected Armageddon was about to take place, and members were told to gather at the center to await this event. Many built houses, others stayed in tents, trucks, or buses, and most sold their possessions.[11]

Following the failure of this prophecy, control of the site (Mount Carmel Center) fell to Benjamin Roden, the prime organizer of the Branch Davidian Seventh-day Adventist Association (Branch Davidians). On his death, control fell to his wife, Lois Roden. Lois considered their son, George Roden, unfit to assume the position of prophet. Instead, she groomed Vernon Howell (later known as David Koresh) as her chosen successor. In 1984, a meeting led to a division of the group, with Howell leading one faction (calling themselves the Davidian Branch Davidians) and George Roden leading the competing faction. After this split, George Roden ran Howell and his followers off Mount Carmel. Howell and his group relocated to Palestine, Texas.[12][13]

After the death of Lois Roden and probate of her estate in January 1987, Howell attempted to gain control of Mount Carmel Center by force. George Roden had dug up the casket of one Anna Hughes from the Davidian cemetery and had challenged Howell to a resurrection contest to prove who was the rightful heir to the leadership. Howell instead went to the police and claimed Roden was guilty of corpse abuse, but the county prosecutors refused to file charges without proof. On November 3, Howell and seven armed companions attempted to access the Mount Carmel chapel, with the goal of photographing the body in the casket as evidence to incriminate Roden. Roden was advised of the interlopers and grabbed an Uzi in response. The Sheriff’s Department responded about 20 minutes into the gunfight, during which Roden was wounded. Sheriff Harwell got Howell on the phone and told him to stop shooting and surrender. Howell and his companions, dubbed the “Rodenville Eight” by the media, were tried for attempted murder on April 12, 1988; seven were acquitted and the jury was hung on Howell’s verdict. The county prosecutors did not press the case further.[14] While waiting for the trial, Roden was put in jail under contempt of court charges because of his use of foul language in some court pleadings, threatening the Texas court with sexually transmitted diseases if the court ruled in favor of Howell. The next day, Perry Jones and a number of Howell’s other followers moved from their headquarters in Palestine, Texas, to Mount Carmel. In
mid-1989, Roden used an axe to kill a Davidian named Wayman Dale Adair, who visited him to discuss Adair’s vision of being God’s chosen messiah. He was found guilty under an insanity defense and was committed to a mental hospital. Shortly after Roden’s commitment, Howell raised money to pay off all the back taxes on Mount Carmel owed by Roden and took legal control of the property.[15]

On August 5, 1989, Howell released the “New Light” audio tape, in which he stated he had been told by God to procreate with the women in the group to establish a “House of David” of his “special people”. This involved separating married couples in the group and agreeing that only he could have sexual relations with the wives, while the men should observe celibacy.[15][16] He also claimed that God had told him to start building an “Army for God” to prepare for the end of days and a salvation for his followers.[16] Howell filed a petition in the Supreme Court of California on May 15, 1990 to legally change his name “for publicity and business purposes” to David Koresh; on August 28, he was granted the petition.[17] By 1992, most of the land belonging to the group had been sold except for a core 77 acres (31 ha). Most of the buildings had been removed or were being salvaged for construction materials to convert much of the main chapel and a tall water tank into apartments for the resident members of the group. Many of the members of the group had been involved with the Davidians for a few generations, and many had large families.[18]

2 Prelude

“If you are a Branch Davidian, Christ lives on a threadbare piece of land 10 miles east of here called Mount Carmel. He has dimples, claims a ninth-grade education, married his legal wife when she was 14, enjoys a beer now and then, plays a mean guitar, reportedly packs a 9mm Glock and keeps an arsenal of military assault rifles, and willingly admits that he is a sinner without equal.”


On February 27, 1993, the Waco Tribune-Herald began publishing “The Sinful Messiah”, a series of articles by Mark England and Darlene McCormick, who alleged that Koresh had physically abused children in the compound and had committed statutory rape by taking multiple underage brides. Koresh was also said to advocate polygamy for himself and declared himself married to several female residents of the small community. According to the paper, Koresh declared he was entitled to at least 140 wives, that he was entitled to claim any of the females in the group as his, that he had fathered at least a dozen children, and that some of these mothers became brides as young as 12 or 13 years old.[19] In addition to allegations of sexual abuse and misconduct, Koresh and his followers were suspected of stockpiling illegal weapons. In May 1992, Chief Deputy Daniel Weyenberg of the McLennan County Sheriff’s Department called the Bureau of Alcohol, Tobacco and Firearms (ATF) to notify them that his office had been contacted by a local UPS representative. A UPS driver described a package that had broken open on delivery to the Branch Davidian residence, revealing firearms, inert grenade casings, and black powder. On June 9, a formal investigation was opened and a week later it was classified as sensitive, “thereby calling for a high degree of oversight” from both Houston and headquarters.[20][21] The documentary Inside Waco claims that the investigation started when in 1992 the ATF became concerned over reports of automatic gunfire coming from the Carmel compound.[22] On July 30, ATF agents David Aguilara and Skinner visited the Branch Davidians’ gun dealer Henry McMahon, who tried to get them to talk with Koresh on the phone. Koresh offered to let ATF inspect the Branch Davidians’ weapons and paperwork and asked to speak with Aguilara, but Aguilara declined.[23][24] Sheriff Harwell told reporters regarding law enforcement talking with Koresh, “Just go out and talk to them, what’s wrong with notifying them?”[25] The ATF began surveillance from a house across the road from the compound several months before the siege. Their cover was noticeably poor (the “college students” were in their 30s, had new cars, were not registered at the local schools, and did not keep a schedule which would have fit any legitimate employment or classes).[26] The investigation included sending in an undercover agent, Robert Rodriguez, whose identity Koresh learned, though he chose not to reveal that fact until the day of the raid.

Former Branch Davidian Marc Breault claimed that Koresh had “M16 lower receiver parts”[15] (combining M16 trigger components with a modified AR-15 lower receiver is, according to ATF regulations, “constructive possession” of an unregistered machinegun; the manufacture of a firearm that would be classified as a machine gun[27] (the Hughes Amendment to the Firearm Owners Protection Act of 1986 outlawed civilian ownership of any newly manufactured machine guns manufactured after the date of enactment[28]). According to the affidavit presented by ATF investigator David Aguilara to U.S. Magistrate Dennis G. Green on February 25, 1993, the Branch Davidian gun business, the Mag Bag, had purchased many legal guns and gun parts from various legal vendors, such as 45 semi-automatic AR-15 lower receivers from Olympic Arms. Deliveries by UPS for the Mag Bag were accepted and paid for at Mount Carmel Center by Woodrow Kendrick, Paul Fatta, David Koresh, or Steve Schneider. These purchases were traced by Aguilara through the normal channels used to track legal firearms purchases from legal vendors. None of the weapons and firearms were illegally obtained nor illegally owned by the Mag Bag; however, Aguilara affirmed to the judge that in his training and experience, in the past other purchasers of such le-
gal gun parts had modified them to make illegal firearms. The search warrant was justified not on the basis of there being proof that the Davidians had purchased anything illegal, but on the basis that they could be modifying legal arms to illegal arms, and that automatic weapon fire had been reported from the compound.\[29] The affidavit of Aguilera for the search warrant claimed that there were over 150 weapons in the compound. The paperwork on the AR-15 components cited in the affidavit showed that they were in fact legal semi-automatics; however, Aguilera told the judge: “I have been involved in many cases where defendants, following a relatively simple process, convert AR-15 semi-automatic rifles to fully automatic rifles of the nature of the M-16.”\[30] Aguilera stated in the affidavit and later testified at trial that a neighbor had heard machine gun fire; however, Aguilera failed to tell the magistrate that the same neighbor had previously reported the noise to the local Waco sheriff, who investigated the neighbor’s complaint. Paul Fatta, who was also involved in the failed takeover of the group in 1987, told The New York Times that Koresh and he had visited the sheriff after the surveillance had been spotted and claimed that the sheriff’s office told them their guns were legal.\[31]

3 Raid

3.1 Preparations

Using the affidavit filed by Aguilera that alleged that the Davidians had violated federal law, the ATF obtained search and arrest warrants for Koresh and specific followers on weapons charges due to the many firearms they had accumulated (Search Warrant W93-15M for the “residence of Vernon Wayne Howell, and others”, signed by U.S. Judge or Magistrate Dennis G. Green, dated 25 February 1993 8:43 pm at Waco, Texas).\[32] The search warrant commanded a search “on or before February 28, 1993” in the daytime between 6:00 am and 10:00 pm. ATF made a claim that David Koresh was operating a methamphetamine lab, in order to establish a drug nexus and obtain military assets under the War on Drugs. However, the evidence was stale, partly based on an unreliable “hot spot” detected by infrared surveillance, partly based on disgruntled ex-members who had left six years earlier, and it ignored all the evidence that the lab had been dismantled by Koresh when he took charge and had been given to the Sheriff for destruction.\[33]\[34] The commander of the Special Forces detachment questioned the request, and the ATF obtained only a training site at Fort Hood, Texas from February 25–27 with safety inspections for the training lanes, and was given only medical and communications training and equipment.\[34]

ATF had planned their raid for Monday, March 1, 1993, with the code name “Showtime”.\[35] The ATF would later claim that the raid was moved up a day, to February 28, 1993, in response to the Waco Tribune-Herald ’s “The Sinful Messiah” series of articles (which the ATF had tried to prevent from being published).\[36] Beginning February 1, ATF agents had three meetings with Tribune-Herald staff regarding a delay in publication of “The Sinful Messiah”. The paper was first told by ATF that the raid would take place February 22, which they soon after changed to March 1, and then ultimately to an indefinite date. ATF agents felt the newspaper had held off publication at the request of the ATF for at least three weeks. In a February 24 meeting between Tribune-Herald staff and ATF agent Phillip Chojancki and two other agents, ATF could not give the newsmen a clear idea of what action was planned or when. The Tribune-Herald informed ATF they were publishing the series, which included an editorial calling for local authorities to act. Personnel of the Tribune-Herald found out about the imminent raid after the first installment of “The Sinful Messiah” had already appeared on February 27.\[36]

Although the ATF preferred to arrest Koresh when he was outside Mount Carmel, planners received inaccurate information that Koresh rarely left it.\[37] The Branch Davidian members were well known locally and had cordial relations with other locals. The Branch Davidians partly supported themselves by trading at gun shows and took care always to have the relevant paperwork to ensure their transactions were legal.\[38] Branch Davidian Paul Fatta was a federal firearms licensed dealer and the group operated a retail gun business called the Mag Bag. When shipments for the Mag Bag arrived, they were signed for by Fatta, Steve Schneider, or Koresh. The morning of the raid, Paul Fatta and son Kalani were on their way to the Austin, Texas gun show to conduct business.\[39]

3.2 February 28

The ATF attempted to execute their search warrant on a Sunday morning, February 28, 1993. Any advantage of surprise was lost when a KWTX-TV reporter who had been tipped off about the raid asked for directions from a U.S. Postal Service mail carrier who was coincidentally Koresh’s brother-in-law.\[42] Koresh then told undercover ATF agent Robert Rodriguez that they knew a raid was imminent. Rodriguez had infiltrated the Branch Davidians and was astonished to find that his cover had been blown. The agent made an excuse and left the compound. When asked later what the Branch Davidians had been doing when he left the compound, Rodriguez replied, “They were praying.” Branch Davidian survivors have written that Koresh ordered selected male followers to begin arming and taking up defensive positions, while the women and children were told to take cover in their rooms.\[22] Koresh told them he would try to speak to the agents, and what happened next would depend on the agents’ intentions.

Despite being informed that the Branch Davidians knew a raid was coming, the ATF commander ordered that the
raid go ahead, even though their plan depended on reaching the compound without the Branch Davidians being armed and prepared.\[22\] While not standard procedure, ATF agents had their blood type written on their arms or neck after leaving the staging area and before the raid, because it was recommended by the military to facilitate speedy blood transfusions in the case of injury.\[40,41\]

ATF agents stated that they heard shots coming from within the compound, while Branch Davidian survivors claimed that the first shots came from the ATF agents outside. A suggested reason may have been an accidental discharge of a weapon, possibly by an ATF agent, causing the ATF to respond with fire from automatic weapons.\[18\] Other reports claim the first shots were fired by the ATF “dog team” sent to kill the dogs in the Branch Davidian kennel.\[42\] Three Army National Guard helicopters were used as aerial distraction and all took incoming fire, but they did not return fire.\[43\] During the first shots, Koresh was wounded, shot in the wrist.\[44\] Within a minute of the raid starting, Branch Davidian Wayne Martin called emergency services, pleading for them to stop shooting.\[44\] The resident asked for a ceasefire, and audiotapes record him saying, “Here they come again!” and, “That’s them shooting! That’s not us!”\[44\]

The first ATF casualty was an agent who had made it to the west side of the building before he was wounded. Agents quickly took cover and fired at the buildings while the helicopters began their diversion and swept in low over the complex, 350 feet away from the building.\[43\] The Branch Davidians fired on the helicopters and hit them, without injuring the crew, and the helicopters immediately stopped the mission and landed.\[43\] On the east side of the compound, agents hauled out two ladders and set them against the side of the building. Agents then climbed onto the roof with the objective of securing the roof within 30 seconds to reach David Koresh’s room and the arms storage. On the west slope of the roof, three agents reached Koresh’s window and were crouching beside it when they came under fire. One agent was killed and another wounded. The third agent scampered over the peak of the roof and joined other agents attempting to enter the arms room. The window was smashed, a flashbang stun grenade thrown in, and three agents entered the arms room. When another tried to follow them, a hail of bullets penetrated the wall and wounded him, but he was able to reach a ladder and slide to safety. An agent fired with his shotgun at Branch Davidians who were shooting at him until he was hit in the head and killed. Inside the arms room, the agents killed a Branch Davidian gunman and discovered a cache of weapons but then came under heavy fire and two were wounded. As they escaped, the third agent laid down covering fire, killing a Branch Davidian. As he made his escape, he hit his head on a wooden support beam and fell off the roof, but survived. An agent outside provided them with covering fire but was shot by a Branch Davidian and killed instantly. Dozens of ATF agents took cover, many being positioned around the edges of the clearings between the buildings, firing in support of the agents inside.\[43\]

Branch Davidians killed in the 9:45 am raid were Winsten Blake (British), Peter Gent (Australian), Peter Hipsman, Perry Jones, and Jaydene Wendell; two at the hands of the Branch Davidians themselves.\[47\] Nearly six hours after the 11:30 am ceasefire, Michael Schroeder was shot dead by ATF agents who alleged he fired a pistol at agents as he attempted to re-enter the compound with Woodrow Kendrick and Norman Allison.\[22\] The news media initially reported Schroeder was shot breaking out of Mount Carmel. His wife claimed that he was merely returning from work and had not participated in the day’s earlier altercation.\[46\] Schroeder had been shot once in the eye, once in the heart, and five times in the back.\[48\]

The local sheriff, in audiotapes broadcast after the incident, said he was not apprised of the raid. Alan A. Stone’s report states that the Branch Davidians did not ambush the ATF and that they “apparently did not maximize the kill of ATF agents”, explaining that they were rather “desperate religious fanatics expecting an apocalyptic ending, in which they were destined to die defending their sacred ground and destined to achieve salvation.”\[49\] A 1999 federal report later noted:

The violent tendencies of dangerous cults can be classified into two general categories—defensive violence and offensive violence. Defensive violence is utilized by cults to defend a compound or enclave that was created specifically to eliminate most contact with the dominant culture. The 1993 clash in Waco, Texas at the Branch Davidian complex is an illustration of such defensive violence. History has shown that groups that seek to withdraw from the dominant culture seldom act on their beliefs.
that the endtime has come unless provoked.\textsuperscript{[50]}

\section*{3.3 Chronology of events on February 28}

\section*{4 Siege}

ATF agents established contact with Koresh and others inside the compound after they withdrew. The FBI took command soon after as a result of the deaths of federal agents, placing Jeff Jamar, head of the Bureau’s San Antonio field office, in charge of the siege as Site Commander. The FBI Hostage Rescue Team (HRT) was headed by HRT Commander Richard Rogers, who had previously been criticized for his actions during the Ruby Ridge incident. As at Ruby Ridge, Rogers often overrode the Site Commander at Waco and had mobilized both the Blue and Gold HRT tactical teams to the same site, which ultimately created pressure to resolve the situation tactically due to lack of HRT reserves.

At first, the Davidians had telephone contact with local news media and Koresh gave phone interviews. The FBI cut Davidian communication to the outside world. For the next 51 days, communication with those inside was by telephone by a group of 25 FBI negotiators.\textsuperscript{[22]} The final Justice Department report found that negotiators criticized the tactical commanders for undercutting negotiations.\textsuperscript{[51]}

In the first few days, the FBI believed they had made a breakthrough when they negotiated with Koresh an agreement that the Branch Davidians would peacefully leave the compound in return for a message, recorded by Koresh, being broadcast on national radio.\textsuperscript{[22]} The broadcast was made, but Koresh then told negotiators that God had told him to remain in the building and “wait”.\textsuperscript{[22]} Despite this, soon afterwards negotiators managed to facilitate the release of 19 children, ranging in age from five months to 12 years old, without their parents.\textsuperscript{[11]} However, 98 people remained in the building.\textsuperscript{[22]} The children were then interviewed by the FBI and Texas Rangers, some for hours at a time.\textsuperscript{[11]} Allegedly, the children had been physically and sexually abused long before the standoff.\textsuperscript{[52]} This was the key justification offered by the FBI (both to President Bill Clinton and to Attorney General Janet Reno) for launching tear gas attacks on the compound to force the Branch Davidians out.\textsuperscript{[53]}

During the siege, the FBI sent a video camera to the Branch Davidians. In the video tape made by Koresh’s followers, Koresh introduced his children and his “wives” to the FBI negotiators including several minors who claimed to have had babies fathered by Koresh. (Koresh had fathered perhaps 14 of the children who stayed with him in the compound.) Several Branch Davidians made statements in the video.\textsuperscript{[54]} On day nine, Monday March 8, the Branch Davidians sent out the video tape to show the FBI that there were no hostages, but

in fact everyone seemingly was staying inside on their own free will. This video also included a message from Koresh.\textsuperscript{[22]} The negotiators’ log showed that—when the tape was reviewed—there was concern that the tape’s release to the media would gain sympathy for Koresh and the Branch Davidians.\textsuperscript{[55]} Videos also showed the 23 children still inside the compound, and child care professionals on the outside prepared to take care of those children as well as the previous 21 released.\textsuperscript{[11]} As the siege continued, Koresh negotiated more time, allegedly so that he could write religious documents which he said he needed to complete before he surrendered. His conversations—dense with Biblical imagery—alienated the federal negotiators, who treated the situation as a hostage crisis.

As the siege wore on, two factions developed within the FBI,\textsuperscript{[22]} one believingnegotiation to be the answer, the other, force. Increasingly aggressive techniques were used to try to force the Branch Davidians out (for instance, sleep deprivation of the inhabitants by means of all-night broadcasts of recordings of jet planes, pop music, chanting, and the screams of rabbits being slaughtered). Outside the compound, nine Bradley Fighting Vehicles (carrying M651 CS tear gas grenades and Ferret rounds) and five M728 Combat Engineer Vehicles (CEVs) (obtained from the U.S. Army) began patrolling.\textsuperscript{[22]} The armored vehicles were used to destroy perimeter fencing and outbuildings and crush cars belonging to the Branch Davidians. Armored vehicles repeatedly drove over the grave of Branch Davidian Peter Gent despite protests by the Branch Davidians and the negotiators. Two of the three water storage tanks on the roof of the main building had been shot at and holéd in the initial ATF raid. Eventually the FBI cut all power and water to the compound, forcing those inside to survive on rain water and stockpiled military MRE rations.\textsuperscript{[22]} Criticism was later leveled by Schneider’s attorney, Jack Zimmerman, at the tactic of using sleep- and peace-disrupting sound against the Branch Davidians: “The point was this—they were trying to have sleep disturbance and they were trying to take someone that they viewed as unstable to start with, and they were trying to drive him crazy. And then they got mad ’cos he does something that they think is irrational!”\textsuperscript{[56]}

Despite the increasingly aggressive tactics, Koresh ordered a group of followers to leave. Eleven people left and were arrested as material witnesses, with one person charged with conspiracy to murder.\textsuperscript{[22]} The children’s willingness to stay with Koresh disturbed the negotiators, who were unprepared to work around the Branch Davidians’ religious zeal. However, as the siege went on, the children were aware that an earlier group of children who had left with some women were immediately separated, and the women arrested. During the siege, a number of scholars who study apocalypticism in religious groups attempted to persuade the FBI that the siege tactics being used by government agents would only reinforce the impression within the Branch Davidians that they were
part of a Biblical "end-of-times" confrontation that had cosmic significance.\textsuperscript{[57]} This would likely increase the chances of a violent and deadly outcome. The religious scholars pointed out that—while, on the outside, the beliefs of the group may have appeared to be extreme—to the Branch Davidians, their religious beliefs were deeply meaningful, and they were willing to die for them.\textsuperscript{[57]}

Koresh's discussions with the negotiating team became increasingly difficult. He proclaimed that he was the Second Coming of Christ and had been commanded by his father in heaven to remain in the compound.\textsuperscript{[22]} One week prior to the April 19 assault, FBI planners considered using snipers to kill David Koresh and possibly other key Branch Davidians.\textsuperscript{[58]} The FBI voiced concern that the Branch Davidians might commit mass suicide, as had happened at Jonestown where over 900 Peoples Temple members and other people killed themselves or were murdered at leader Jim Jones's behest in 1978, although Koresh had repeatedly denied any plans for this when confronted by negotiators during the standoff, and people leaving the compound had not seen any such preparation.\textsuperscript{[59]}

5 Final assault

Newly appointed U.S. Attorney General Janet Reno approved recommendations by the FBI to mount an assault, after being told that conditions were deteriorating and that children were being abused inside the compound.\textsuperscript{[52]} Reno made the FBI's case to President Bill Clinton. Recalling the April 19, 1985, The Covenant, The Sword, and the Arm of the Lord (CSAL) siege in Arkansas (which was ended without loss of life by a blockade without a deadline), President Clinton suggested similar tactics against the Branch Davidians. Reno countered that the FBI was tired of waiting; that the standoff was costing a million dollars a week; that the Branch Davidians could hold out longer than the CSAL; and that the chances of child sexual abuse and mass suicide were real because Koresh and his followers were crazy. Clinton later recounted: "Finally, I told her that if she thought it was the right thing to do, she could go ahead."\textsuperscript{[60]} Over the next several months, Janet Reno's reason for approving the final gas attack varied from her initial claim that the FBI had told her that Koresh was sexually abusing children and beating babies (the FBI later denied evidence of child abuse during the standoff) to her claim that Linda Thompson and her one-woman "Unorganized Militia of the United States" was on the way to Waco to aid or attack Koresh.\textsuperscript{[61]}

Because the Branch Davidians were heavily armed, the FBI's arms included .50 caliber (12.7 mm) rifles and armored CEVs. The assault took place on April 19, 1993. CEVs used booms to puncture holes in the walls of buildings of the compound so they could pump in CS gas ("tear gas") and try to flush out the Branch Davidians without harming them. The stated plan called for increasing amounts of gas to be pumped in over two days to increase pressure. Officially, no armed assault was to be made, and loudspeakers were used to tell the Branch Davidians that there would be no armed assault and to ask them not to fire on the vehicles. FBI agents had been permitted to return any incoming fire, but no shots were fired by federal agents on April 19. When several Branch Davidians opened fire, the FBI's response was to increase the amount of gas being used.\textsuperscript{[22]}
FBI also delivered 40-millimetre (1.6 in) CS grenade fire from M79 grenade launchers; very early in the morning, the FBI fired two military M651 rounds at the Branch Davidian construction site. Around mid-morning, the FBI began to run low on 40mm Ferret CS rounds, and asked Texas Ranger Captain David Byrnes for tear gas rounds; the tear gas rounds procured from Company "F" in Waco turned out to be unusable pyrotechnic rounds and were returned to the Company "F" office after the fire.\[^{62}\] 40mm munitions recovered by the Texas Rangers at Waco included dozens of plastic Ferret Model SGA-400 Liquid CS rounds, two metal M651E1 military pyrotechnic tear gas rounds, two metal NICO Pyrotechnik Sound & Flash grenades, and parachute illumination flares.\[^{62,63}\] After more than six hours, no Branch Davidians had left the building, sheltering instead in a cinder block room within the building or using gas masks.\[^{64}\] The FBI claimed that CEVs were used to punch large holes in the building to provide exits for those inside.

At around noon, three fires broke out almost simultaneously in different parts of the building and spread quickly. The government maintains the fires were deliberately started by Branch Davidians.\[^{122,65}\] Some of the Branch Davidian survivors maintain that the fires were accidentally or deliberately started by the assault.\[^{66,67}\] Only nine people left the building during the fire.\[^{22,65}\] The remaining Branch Davidians, including the children, were either buried alive by rubble, suffocated by the effects of the fire, or shot. Many who suffocated from the fire were killed by smoke or carbon monoxide inhalation and other causes as fire engulfed the building.\[^{65}\] According to the FBI, Steve Schneider—Koresh's top aide, who "probably realized he was dealing with a fraud"—shot and killed Koresh and then killed himself with the same gun.\[^{68}\] Footage of the blaze was broadcast live by television crews.

### 5.1 Chronology of events of April 19

### 5.2 Fatalities of April 19

In all, 76 Branch Davidians died\[^{9}\] and nine survived the fire on April 19 (five others had been killed in the initial ATF raid and buried on the grounds, one had been killed by ATF after the raid, and 35 had left during the FBI standoff).\[^{65}\] Fatalities included:

- Chanel Andrade, 1, American
- Jennifer Andrade, 19, American
- Katherine Andrade, 24, American
- George Bennett, 35, British
- Susan Benta, 31, British
- Mary Jean Borst, 49, American
- Pablo Cohen, 38, Israeli
- Abedowalo Davies, 30, British
- Shari Doyle, 18, American
- Beverly Elliot, 30, British
- Doris Fagan, 51, British
- Yvette Fagan, 32, British
- Lisa Marie Farris, 24, American
- Raymond Friesen, 76, Canadian
- Sandra Hardial, 27, British
- Diana Henry, 28, British
- Paulina Henry, 24, British
- Phillip Henry, 22, British
- Stephen Henry, 26, British
- Vanessa Henry, 19, British
- Zilla Henry, 55, British
- Novellette Hipsman, 36, Canadian
- Floyd Houtman, 61, American
- Sherri Jewell, 43, American
- David M. Jones, 38, American
- Bobbie Lane Koresh, 2, American
- Cyrus Koresh, 8, American
- David Koresh, 33, American
- Rachel Koresh, 24, American
- Star Koresh, 6, American
- Jeffery Little, 32, American
- Nicole Gent Little (pregnant), 24, Australian
- Dayland Lord Gent, 3, Australian\[^{72}\]
- Paiges Gent, 1, American
- Livingston Malcolm, 26, British
- Anita Martin, 18, American
- Diane Martin, 41, British
- Lisa Martin, 13, American
- Sheila Martin, Jr., 15, American
- Wayne Martin, Jr., 20, American
- Wayne Martin, Sr., 42, American
- Abigail Martinez, 11, American
A large concentration of bodies, weapons, and ammunition was found in the bunker. The Texas Rangers’ arson investigator report assumes that many of the occupants were either denied escape from within or refused to leave until escape was not an option. It also mentions that the structural debris from the breaching operations on the west end of the building could have blocked a possible escape route through the tunnel system. An independent investigation by two experts from the University of Maryland’s Department of Fire Protection Engineering concluded that the compound residents had sufficient time to escape the fire, if they had so desired.

Autopsies of the dead revealed that some women and children found beneath a fallen concrete wall of a storage room died of skull injuries. Autopsy photographs of other children locked in what appear to be spasmic death poses are consistent with cyanide poisoning, one of the results produced by burning CS gas. The U.S. Department of Justice report indicated that only one body had traces of benzene, one of the components of solvent-dispersed CS gas, but that the gas insertions had finished nearly one hour before the fire started, and that it was enough time for solvents to dissipate from the bodies of the Branch Davidians that had inhaled the tear gas. Autopsy records also indicate that at least 20 Branch Davidians were shot, including five children under the age of 14. Three-year-old Dayland Gent was stabbed in the chest. The medical examiner who performed the autopsies believed these deaths were mercy killings by Branch Davidians trapped in the fire with no escape. The expert retained by the U.S. Office of Special Counsel concluded that many of the gunshot wounds “support self-destruction either by overt suicide, consensual execution (suicide by proxy), or less likely, forced execution.”

6 Aftermath

Remains of a swimming pool left on the grounds of Mount Carmel Center in 1997

The new ATF Director, John Magaw, criticized several aspects of the ATF raid; for instance, he compared the
raid leaders Phillip Chojnacki going with a helicopter team and Chuck Sarabyn going in one of the horse trailers to a football team’s coach and assistant coach going onto the field with the players. Magaw made the Treasury “Blue Book” report on Waco required reading for new agents. A 1995 GAO report on use of force by federal law enforcement agencies observed that, “on the basis of Treasury’s report on the Waco operation and views of tactical operations experts and ATF’s own personnel, ATF decided in October 1995 that dynamic entry would only be planned after all other options have been considered and began to adjust its training accordingly.”

Nothing remains of the buildings today other than cement foundation components, as the entire site was bulldozed two weeks after the end of the siege. Only a small chapel, built years after the siege, stands on the site.

6.1 Trial

The events at Waco spurred both criminal prosecution and civil litigation. On August 3, 1993, a federal grand jury returned a superseding ten-count indictment against 12 of the surviving Branch Davidians. The grand jury charged, among other things, that the Branch Davidians had conspired to, and aided and abetted in, murder of federal officers, and had unlawfully possessed and used various firearms. The Government dismissed the charges against one of the 12 Branch Davidians on lesser charges, including aiding and abetting the voluntary manslaughter of federal agents. Eight Branch Davidians were convicted on firearms charges.

The convicted Branch Davidians, who received sentences of up to 40 years, were:

- Kevin A. Whitecliff—convicted of voluntary manslaughter and using a firearm during a crime.
- Jaime Castillo—convicted of voluntary manslaughter and using a firearm during a crime.
- Paul Gordon Fatta—convicted of conspiracy to possess machine guns and aiding Branch Davidian leader David Koresh in possessing machine guns.
- Renos Lenny Avraam (British national)—convicted of voluntary manslaughter and using a firearm during a crime.
- Graeme Leonard Craddock (Australian national)—convicted of possessing a grenade and using or possessing a firearm during a crime.
- Brad Eugene Branch—convicted of voluntary manslaughter and using a firearm during a crime.
- Livingstone Fagan (British national)—convicted of voluntary manslaughter and using a firearm during a crime.
- Ruth Riddle (Canadian national)—convicted of using or carrying a weapon during a crime.
- Kathryn Schroeder—sentenced to three years after pleading guilty to a reduced charge of forcibly resisting arrest.

Six of the eight Branch Davidians appealed both their sentences and their convictions. They raised a host of issues, challenging the constitutionality of the prohibition on possession of machine guns, the jury instructions, the district court’s conduct of the trial, the sufficiency of the evidence, and the sentences imposed. The United States Court of Appeals for the Fifth Circuit vacated the defendants’ sentences for use of machine guns, determining that the district court had made no finding that they had “actively employed” the weapons, but left the verdicts undisturbed in all other respects, in United States v. Branch, 91 F.3d 699 (5th Cir. 1996), cert. denied (1997).

On remand, the district court found that the defendants had actively employed machine guns, and re-sentenced five of them to substantial prison terms. The defendants again appealed. The Fifth Circuit affirmed, in United States v. Castillo, 179 F.3d 321 (5th Cir. 1999). The Branch Davidians pressed this issue before the United States Supreme Court. The Supreme Court reversed, holding that the term “machine gun” in the relevant statute created an element of the offense to be determined by a jury, rather than a sentencing factor to be determined by a judge, as had happened in the trial court, in Castillo v. United States, 530 U.S. 120 (2000). On September 19, 2000, Judge Walter Smith followed the Supreme Court’s instructions and cut 25 years from the sentences of five convicted Branch Davidians, and five years from the sentence of another. All Branch Davidians had been released from prison as of July 2007.

6.2 Civil suits

Several of the surviving Branch Davidians, as well as more than a hundred family members of those who had died or were injured in the confrontation, brought civil suits against the United States Government, numerous federal officials, the former governor of Texas Ann Richards, and members of the Texas Army National Guard. They sought monetary damages under the Federal Tort Claims Act (FTCA), civil rights statutes, the Racketeer Influenced and Corrupt Organizations Act, and Texas state law. The bulk of these claims were dismissed because they were insufficient as a matter of law or because the plaintiffs could advance no material evidence in support of them.
The court, after a month-long trial, rejected the Branch Davidians’ case. The court found that, on February 28, 1993, the Branch Davidians initiated a gun battle when they fired at federal officers who were attempting to serve lawful warrants. ATF agents returned gunfire to the building, the court ruled, in order to protect themselves and other agents from death or serious bodily harm. The court found that the government’s planning of the siege—i.e., the decisions to use tear gas against the Branch Davidians; to insert the tear gas by means of military vehicles; and to omit specific planning for the possibility that a fire would erupt—was a discretionary function for which the government could not be sued. The court also found that the use of tear gas was not negligent. Further, even if the United States Government were negligent by causing damage to the buildings before the fires broke out, thus either blocking escape routes or enabling the fires to spread faster, that negligence did not legally cause the plaintiffs’ injuries because the Branch Davidians started the fires.

The Branch Davidians appealed. Their only serious contention was that the trial court judge, Walter S. Smith, Jr., should have recused himself from hearing their claims on account of his relationships with defendants, defense counsel, and court staff; prior judicial determinations; and comments during trial. The Fifth Circuit concluded that these allegations did not reflect conduct that would cause a reasonable observer to question Judge Smith’s impartiality, and it affirmed the take-nothing judgment, in Andrade v. Chojnacki, 338 F.3d 448 (5th Cir. 2003), cert. denied (2004).

### 6.3 British nationals

Thirty-three British citizens were among the members of the Branch Davidians during the siege. Twenty-four of them were among the 80 Branch Davidian fatalities (in the raid of February 28 and the assault of April 19), including at least one child. Two more British nationals who survived the siege were immediately arrested as “material witnesses” and imprisoned without trial for months.

Derek Lovelock was held in McLennan County Jail for seven months, often in solitary confinement. Livingstone Fagan, another British citizen, who was among those convicted and imprisoned, says he received multiple beatings at the hands of correctional officers, particularly at Leavenworth, Kansas. There, Fagan claims to have been doused inside his cell with cold water from a high-pressure hose, after which an industrial fan was placed outside the cell, blasting him with cold air. Fagan was repeatedly moved between at least nine different facilities. He was strip-searched every time he took exercise, so he refused exercise. Released and deported back to the UK in July 2007, he still held on to his religious beliefs.

### 6.4 Role of anti-cult activists

In the weeks preceding the raid, self-described cult expert Rick Ross, a Cult Awareness Network affiliated deprogrammer appeared on major networks such as NBC and CBS. Ross would later describe his role in advising authorities about the Davidians and Koresh, and what actions should be taken to end the siege. He was quoted as saying that he was consulted by the ATF and he contacted the FBI on the March 4, 1993, requesting “that he be interviewed regarding his knowledge of cults in general and the Branch Davidians in particular”. The FBI reports that it did not rely on Ross for advice whatsoever during the standoff, but that it did interview and receive input from him. Ross also telephoned the FBI on March 27 and March 28, offering advice about negotiation strategies, suggesting that the FBI “attempt to embarrass Koresh by informing other members of the compound about Koresh’s faults and failures in life, in order to convince them that Koresh was not the prophet they had been led to believe”. The ATF also contacted Ross in January 1993 for information about Koresh.

Several writers have documented the pivotal role the Cult Awareness Network had upon the government’s decision making concerning Waco. Mark MacWilliams notes that several studies have shown how “self-styled cult experts like Ross, anticult organizations like the Cult Awareness Network (CAN), and disaffected Branch Davidian defectors like Breault played important roles in popularizing a harshly negative image of Koresh as a dangerous cult leader. Portrayed as ‘self-obsessed, egomaniacal, sociopathic and heartless’, Koresh was frequently characterized as either a religious lunatic who doomed his followers to mass suicide or a con man who manipulated religion for his own bizarre personal advantage.”

According to religious scholars Phillip Arnold and James Tabor who made an effort to help resolve the conflict, “the crisis need not have ended tragically if only the FBI had been more open to Religious Studies and better able to distinguish between the dubious ideas of Ross and the scholarly expertise.”

In a New Yorker article in March, 2014, writer Malcolm Gladwell wrote that Arnold and Tabor told the FBI that Koresh needed to be persuaded of an alternative interpretation of the Book of Revelation, one that does not necessarily involve a violent end. They made an audiotape which was played for Koresh, and seemed to convince him. However, the FBI waited only three days before beginning the assault, instead of an estimated two weeks for Koresh to complete a manuscript sparked by this alternate interpretation, and then come out peacefully.
7 Controversies

Rolland Ballestros, one of the agents assigned to the ATF door team that assaulted the front door, told Texas Rangers and Waco police that he thought the first shots came from the ATF dog team assigned to neutralize the Branch Davidians’ dogs, but later at the trial he insisted that the Branch Davidians had shot first.[91] (Ballestros was not called by the government in the later trials.) The Branch Davidians claimed that the ATF door team then opened fire at the door and they returned fire in self-defense. An Austin Chronicle article noted, “Long before the fire, the Davidians were discussing the evidence contained in the doors. During the siege, in a phone conversation with the FBI, Steve Schneider, one of Koresh’s main confidants, told FBI agents that ‘the evidence from the front door will clearly show how many bullets and what happened.’”[92] Houston attorney Dick DeGuerin, who went inside Mount Carmel during the siege, testified at the trial that protruding metal on the inside of the right-hand entry door made it clear that the bullet holes were made by incoming rounds. DeGuerin also testified that only the right-hand entry door had bullet holes, while the left-hand entry door was intact. The government presented the left-hand entry door at the trial, claiming that the right-hand entry door had been lost. The left-hand door contained numerous bullet holes made by both outgoing and incoming rounds. Texas Trooper Sgt. David Keys testified that he witnessed two men loading what could have been the missing door into a U-Haul van shortly after the siege had ended, but he did not see the object itself. Michael Caddell, the lead attorney for the Branch Davidians’ wrongful death lawsuit explained, “The fact that the left-hand door is in the condition it’s in tells you that the right-hand door was not consumed by the fire. It was lost on purpose by somebody.” Caddell offered no evidence to support this allegation, which has never been proved.[92] However, fire investigators stated that it was “extremely unlikely” that the steel right door could have suffered damage in the fire much greater than did the steel left door, and both doors would have been found together. The right door remains missing, and the entire site was under close supervision by law enforcement officials until the debris—including both doors—had been removed.[92]

Helicopters had been obtained from the Alabama and Texas National Guard on the pretext that there was a drug laboratory at Mount Carmel.[34][93] There were, however, no drug-related charges on the arrest warrant served on the morning of February 28, 1993.[94][95] The official version of events has always stated that the helicopters were merely used as a diversion, that the crew only had 9 millimeter sidearms, and that no shots were made from them.[43]

Critics suggest that, during the final raid, the CS gas was injected into the building by armored vehicles in an unsafe manner, which could have started a fire. While two of the three fires were started well inside the building, away from where the CS gas was pumped in, survivor David Thibodeau claimed in a 1999 interview with Reason that damage to the building allowed the gas to spread, stating, “They started to break the walls, break the windows down, spread the CS gas out.” The FBI had planted surveillance devices in the walls of the building, which captured a number of conversations which the government claims are evidence that the Davidians started the fire.[71]:287 The recordings were imperfect and many times difficult to understand, and the two transcriptions that were made had differences at many points.[71]:287 According to reporter Diana Fuentes, when the FBI’s April 19 tapes were played in court during the Branch Davidian trials, few people heard what the FBI audio expert claimed to hear; the tapes “were filled with noise, and voices only occasionally were discernible. [...] The words were faint; some courtroom observers said they heard it, some didn’t.”[96] The Branch Davidians had given ominous warnings involving fire on several occasions.[97] This may or may not have been indicative of the Branch Davidians’ future actions, but was the basis for the conclusion of Congress that the fire was started by the Branch Davidians, “absent any other potential source of ignition.” This was prior to the FBI admission that pyrotechnics were used, but a yearlong investigation by the Office of the Special Counsel after that admission nonetheless reached the same conclusion, and no further congressional investigations followed. During a 1999 deposition for civil suits by Branch Davidian survivors, fire survivor Graeme Caddock was interviewed. He stated that he saw some Branch Davidians moving about a dozen one gallon cans of fuel so they would not be run over by armored vehicles, heard talk of pouring fuel outside the building, and, after the fire had started, something that sounded like “light the fire” from another individual.[98] Professor Kenneth Newport’s book The Branch Davidians of Waco attempts to prove that starting the fire themselves was pre-planned and consistent with the Branch Davidians’ theology. He cites as evidence conversations the FBI recorded during the siege, testimonials of survivors Clive Doyle and Graeme Caddock, and the buying of diesel fuel one month before the start of the siege.[71]

Attorney General Reno had specifically directed that no pyrotechnic devices be used in the assault.[69] Between 1993 and 1999, FBI spokesmen denied (even under oath) the use of any sort of pyrotechnic devices during the assault; however, pyrotechnic Flite-Rite CS gas grenades had been found in the rubble immediately following the fire. In 1999, FBI spokesmen were forced to admit that they had used the grenades; however, they claimed that these devices—which dispense CS gas through an internal burning process—had been used during an early morning attempt to penetrate a covered, water-filled construction pit 40 yards away.[69] and were not fired into the building itself. According to FBI claims, the fires started approximately three hours after the grenades had been fired.[69] When the FBI’s documents were turned
over to Congress for an investigation in 1994, the page listing the use of the pyrotechnic devices was missing. The failure for six years to disclose the use of pyrotechnics despite her specific directive led Reno to demand an investigation. A senior FBI official told Newsweek that as many as 100 FBI agents had known about the use of pyrotechnics, but no one spoke up until 1999. On May 12, less than a month after the incident, Texas state authorities bulldozed the site, rendering further gathering of forensic evidence impossible.

The FBI received contradictory reports on the possibility of Koresh’s suicide and was not sure about whether he would commit suicide. The evidence made them believe that there was no possibility of mass suicide, with Koresh and Schneider repeatedly denying to the negotiators that they had plans to commit mass suicide, and people leaving the compound saying that they had seen no preparations for such a thing. There was a possibility that some of his followers would follow Koresh if he committed suicide. According to Alan A. Stone’s report, during the siege the FBI used an incorrect psychiatric perspective to evaluate Branch Davidians’ responses, which caused them to over-rely on Koresh’s statements that they would not commit suicide. According to Stone, this misevaluation caused the FBI to not ask pertinent questions to Koresh and to others on the compound about whether they were planning a mass suicide. A more pertinent question would have been, “What will you do if we tighten the noose around the compound in a show of overwhelming power, and using CS gas, force you to come out?”

Alan A. Stone wrote:

The tactical arm of federal law enforcement may conventionally think of the other side as a band of criminals or as a military force or, generically, as the aggressor. But the Branch Davidians were an unconventional group in an exalted, disturbed, and desperate state of mind. They were devoted to David Koresh as the Lamb of God. They were willing to die defending themselves in an apocalyptic ending and, in the alternative, to kill themselves and their children. However, these were neither psychiatrically depressed, suicidal people nor cold-blooded killers. They were ready to risk death as a test of their faith. The psychology of such behavior—together with its religious significance for the Branch Davidians—was mistakenly evaluated, if not simply ignored, by those responsible for the FBI strategy of “tightening the noose”. The overwhelming show of force was not working in the way the tacticians supposed. It did not provoke the Branch Davidians to surrender, but it may have provoked David Koresh to order the mass-suicide.

7.1 The Danforth Report

The Oklahoma bombing in April 1995 made the media revisit many of the questionable aspects of the government’s actions at Waco, and many Americans who previously supported those actions were now asking for an investigation. By 1999—as a result of certain aspects of the documentaries discussed above, as well as allegations made by advocates for Branch Davidians during litigation—public opinion held that the federal government had engaged in serious misconduct at Waco. A Time poll conducted on August 26, 1999, for example, indicated that 61 percent of the public believed that federal law enforcement officials started the fire at the Branch Davidian complex. In September of that year, Attorney General Reno appointed former U.S. Senator John C. Danforth as Special Counsel to investigate the matter.

In particular, the Special Counsel was directed to investigate charges that government agents started or spread the fire at the Mount Carmel complex, directed gunfire at the Branch Davidians, and unlawfully employed the armed forces of the United States. A yearlong investigation ensued, during which the Office of the Special Counsel interviewed 1,001 witnesses, reviewed over 2.3 million pages of documents, and examined thousands of pounds of physical evidence.

In the “Final report to the Deputy Attorney General concerning the 1993 confrontation at the Mt. Carmel Complex, Waco Texas” of November 8, 2000, Special Counsel Danforth concluded that the allegations were meritless. The report found, however, that certain government employees had failed to disclose during litigation against the Branch Davidians the use of pyrotechnic devices at the complex, and had obstructed the Special Counsel’s investigation. Disciplinary action was pursued against those individuals. Allegations that the government started the fire were based largely on an FBI agent’s having fired three “pyrotechnic” tear gas rounds, which are delivered with a charge that burns. The Special Counsel concluded that the rounds did not start or contribute to the spread of the fire, based on the finding that the FBI fired the rounds nearly four hours before the fire started, at a concrete construction pit partially filled with water, 75 feet (23 m) away and downwind from the main living quarters of the complex. The Special Counsel noted, by contrast, that recorded interceptions of Branch Davidian conversations included such statements as “David said we have to get the fuel on” and “So we light it first when they come in with the tank right [...] right as they’re coming in.” Branch Davidians who survived the fire acknowledged that other Branch Davidians started the fire. FBI agents witnessed Branch Davidians pouring fuel and igniting a fire, and noted these observations contemporaneously. Lab analysis found accelerants on the clothing of Branch Davidians, and investigators found deliberately punctured fuel cans and a homemade torch at the site. Based on this evidence and testimony, the Special Counsel concluded that the fire was started by the Branch Davidians.
8 Equipment and manpower

8.1 Government agencies

- **Raid (February 28):** 75 federal agents (ATF and FBI); 3 helicopters manned by 10 Texas National Guard counter-drug personnel as distraction during the raid and filming.\(^{[93]}\)\(^{[102]}\) Ballistic protection equipment, fire retardant clothing, regular flashlights, regular cameras (i.e. flash photography), pump-action shotguns and flashbang grenades.\(^{[103]}\)
  - 9mm handguns, 9mm MP5 submachine guns, 223 AR-15 rifles, a .308 bolt-action sniper rifle.\(^{[104]}\)

- **Siege (March 1 through April 18):** Hundreds of federal agents; 2 Bell UH-1 Iroquois helicopters.\(^{[105]}\)

- **Assault (April 19):** Hundreds of federal agents; military vehicles (with their normal weapon systems removed); 9–10 M3 Bradley infantry fighting vehicles, 4–5 M728 Combat Engineering Vehicles (CEVs) armed with CS gas, 2 M1A1 Abrams main battle tanks, 1 M88 tank retriever.\(^{[102]}\)\(^{[105]}\)

- **Support:**\(^{[102]}\) 1 Britten-Norman Defender surveillance aircraft;\(^{[106]}\) a number of Texas National Guard personnel for maintenance of military vehicles and training on the use of the vehicles and their support vehicles (Humvees and flatbed trucks); surveillance from Texas National Guard counter-drug UC-26 surveillance aircraft and from Alabama National Guard; 10 active-duty U.S. Army Special Forces (Delta Force) soldiers as observers and trainers (also present during assault); 2 senior U.S. Army officers as advisers, 2 members of the British Army’s 22nd Special Air Service (SAS) Regiment as observers;\(^{[107]}\) 50+ men in total.\(^{[108]}\)

8.2 Branch Davidians

The Branch Davidians were well armed with small arms.\(^{[108]}\)\(^{[109]}\) Possessing 305 total firearms, including numerous rifles (semi-automatic AK-47s and AR-15s), shotguns, revolvers and pistols;\(^{[65]}\)\(^{[70]}\)\(^{[110]}\) 2 .50 caliber weapons with armor-piercing ammunition and 46 semi-automatic firearms modified to fire in full automatic mode (included on above list): 22 AR-15 (erroneously referred to as M16), 20 AK-47, 2 HK SP-89, 2 M-11/Nine.\(^{[70]}\)\(^{[110]}\) Texas Rangers reported “at least 16 AR-15 rifles.”\(^{[65]}\) 2 AR-15 lower receivers modified to fire in full automatic mode.\(^{[110]}\) 39 “full auto sears” devices used to convert semi-automatic weapons into automatic weapons; parts for fully automatic AK-47 and M16 rifles; 30-round magazines and 100-round magazines for M16 and AK-47 rifles; pouches to carry large ammunition magazines; substantial quantities of ammunition of various sizes.

Other items found at the compound included about 1.9 million rounds of “cooked off” ammunition;\(^{[65]}\) grenade
launcher parts; flare launchers; gas masks and chemical warfare suits; night vision equipment; hundreds of practice hand grenade hulls and components (including 200+ inert M31 practice rifle grenades, 100+ modified M-21 practice hand grenade bodies, 219 grenade safety pins and 243 grenade safety levers found after the fire);[110] Kevlar helmets and bulletproof vests; 88 lower receivers for the AR-15 rifle; and approximately 15 sound suppressors or silencers (the Treasury reports lists 21 silencers).[110] Texas Rangers report that at least six items had been mislabeled and were actually 40mm grenades or flash bang grenades from manufacturers who sold those models to the ATF or FBI exclusively.[111][112] former Branch Davidian Donald Bunds testified he had manufactured silencers under direct orders of Koresh).[40]

The ATF knew that the Branch Davidians had a pair of .50 caliber rifles, so they asked for Bradley armored vehicles, which could resist that caliber.[113] During the siege, Koresh said that he had weapons bigger than .50 rifles and that he could destroy the Bradleys, so they were supplemented with two Abrams tanks and five M728 vehicles.[113][114] The Texas Rangers recovered at least two .50 caliber weapons from the remains of the compound.[65][70] There is the question of whether the Branch Davidians actually fired the .50 caliber rifles during the raid or during the assault. Various groups supporting gun bans, such as Handgun Control Incorporated and the Violence Policy Center have claimed that the Branch Davidians had used .50 caliber rifles and that therefore these types of firearms should be banned.[115][116] The ATF claims such rifles were used against ATF agents the day of the search. Several years later, the General Accounting Office, in response to a request from Henry Waxman, released a briefing paper titled “Criminal Activity Associated with .50 Caliber Semi Automatic Rifles” which repeated the ATF’s claims that the Branch Davidians used .50 caliber rifles during the search.[117] FBI Hostage Rescue Team snipers did report sighting one of the weapons, readily identifiable by its distinctive muzzle brake, during the siege.[118]

9 Legacy

9.1 Oklahoma City bombing

Timothy McVeigh cited the Waco incident as a primary motivation[119] for the Oklahoma City bombing, his April 19, 1995 truck bomb attack that destroyed the Alfred P. Murrah Federal Building, a U.S. government office complex in downtown Oklahoma City, and destroyed or damaged numerous other buildings in the vicinity. The attack claimed 168 lives (including 19 children under the age of 6) and left over 600 injured in the deadliest act of terrorism on U.S. soil prior to the September 11 attacks, and as of 2015 it remains the deadliest act of domestic terrorism in American history.[120] Within days after the bombing, McVeigh and Terry Nichols were both in custody for their roles in the bombing. Investigators determined that the two were both sympathizers of an anti-government militia movement and that their motive was to avenge the government’s handling of the Waco and Ruby Ridge incidents.[121] McVeigh testified that he chose the date of April 19 because it was the second anniversary of the deadly fire at Mount Carmel. In March 1993, McVeigh drove from Arizona to Waco in order to observe the federal standoff. Along with other protesters, he was photographed by the FBI.[122] A courtroom reporter also claims to have seen McVeigh outside the courthouse at Waco, selling anti-government shirts and posters.[123]

9.2 Events matching the date

Other events sharing the date of fire at Mt. Carmel have been mentioned in discussions of the Waco siege. The April 20, 1999, Columbine High School massacre might have been timed to mark either an anniversary of the FBI’s assault at Waco or Adolf Hitler’s birthday.[124] Some of the connections appear coincidental. April 19 was the date from the American Revolution’s opening battles (“the shot heard round the world”) and was also the date of the opening of the siege on the CSAL group in Arkansas in 1985. On April 17, 2013, a fertilizer plant exploded at West near Waco,[125] two days after the Boston Marathon bombings that some speculatively connected to an upcoming 20th anniversary of the Waco incident of 1993, as well as to an anniversary of the Virginia Tech massacre of April 16, 2007.[126][127]

9.3 Films, books and other works

The Waco siege has been the subject of a number of documentary films and books. The first film was a made-for-television docudrama film, In the Line of Duty: Ambush at Waco, which was made during the siege, before the April 19 assault on the church, and presented the government’s view of the initial ambush of February 28, 1993. The scriptwriter, Phil Penningroth, has since disowned his screenplay.[128] The first book about the incident was 1993’s Inside the Cult co-authored by ex-Branch Davidian Marc Breault, who left the group in September 1989, and by Martin King who interviewed Koresh for Australian TV in 1992. In July 1993, true crime author Clifford L. Linedecker published his book Massacre at Waco, Texas. Shortly after, in 1994, a collection of 45 essays called From the Ashes: Making Sense of Waco was published, about the events of Waco from various cultural, historical, and religious perspectives. The essays in the book include one by Michael Barkun that talked about how the Branch Davidians’ behavior was consistent with other millenarian religious sects and how the use of the word cult is used to discredit religious organizations, one by James R. Lewis that discussed the large amount of evidence there
was that the FBI lit the fires, and many others. All of these perspectives, however, are united in the belief that the deaths of the Branch Davidians at Waco could have been prevented and that “the popular demonization of nontraditional religious movements in the aftermath of Waco represents a continuing threat to freedom of religion”.[129] Other scholarly articles after the tragedy also condemn the government’s actions, especially on the day of the final siege, but also on the days leading up to it. An article by Stuart A. Wright that was published in Nova Religio discussed how the FBI mishandled the situation, saying that “there is no greater example of misfeasance than the failure of the Federal Bureau of Investigation (FBI) to bring about a bloodless resolution to the 51-day standoff”.[130] Some of Wright’s major concerns about the operation include that the FBI officials, especially Dick Rogers, behaved increasingly aggressively and impatiently, when the conflict could have been resolved by more peaceful negotiation. He mentions that Dick Rogers said in an interview with the FBI that “[w]hen we started depriving them, [we were] really driving people closer to him [Koresh] because of their devotion to him”,[130] which was very different from what he said in the Department of Justice report. Because of these tactics, Wright says, pressure was added unnecessarily, creating conflict.

The first documentary film that was critical of the official reports were Waco, the Big Lie,[131] and Waco II, the Big Lie Continues, both produced by Linda Thompson. Thompson’s films made a number of controversial allegations, the most famous of which was her claim that footage of an armored vehicle breaking through the outer walls of the compound, with an appearance of orange light on its front,[132] was showing a flamethrower attached to the vehicle, setting fire to the building. As a response to Thompson, Michael McNulty released footage to support his counter-claim that the appearance of light was a reflection on aluminized insulation that was torn from the wall and snagged on the vehicle. (The vehicle is an M728 CEV, which is not normally equipped with a flamethrower.[133]). McNulty accused Thompson of “creative editing” in his film Waco: An Apparent Deviation. Thompson worked from a VHS copy of the surveillance tape; McNulty was given access to a beta original. However, McNulty in turn was later accused of having digitally altered his footage, an allegation he denied.[134] The next film was Day 51: The True Story of Waco, produced by Richard Mosley and featuring Ron Cole, a self-proclaimed militia member from Colorado who was later prosecuted for weapons violations.[135] Thompson’s and Mosley’s films, along with extensive coverage given to the Waco siege on some talk radio shows, galvanized support for the Branch Davidians among some sections of the right including the nascent militia movement, while critics on the left also denounced the government siege on civil liberties grounds. America Wake Up (Or Waco) is a 2000 film by Alex Jones that documents the 1993 incident with the Branch Davidians.

In 1997, filmmakers Dan Gifford and Amy Sommer produced their Emmy Award-winning documentary, Waco: The Rules of Engagement,[94][96] presenting a history of the Branch Davidian movement and a critical examination of the conduct of law enforcement, both leading up to the raid and through the aftermath of the fire. The film features footage of the Congressional hearings on Waco, and the juxtaposition of official government spokespeople with footage and evidence often directly contradicting the spokespeople. In the documentary, Dr. Edward Allard (who held patents on FLIR technology) maintained that flashes on the FBI’s infra-red footage were consistent with grenade launcher and automatic small arms fire from FBI positions at the back of the complex toward the locations which would have been exits for Branch Davidians attempting to flee the fire. Waco: The Rules of Engagement was nominated for a 1997 Academy Award for best documentary and was followed by another film in 1999, Waco: A New Revelation.[137] In 2001, another Michael McNulty documentary, The F.L.I.R. Project, researched the aerial thermal images recorded by the FBI, and using identical FLIR equipment recreated the same results as were recorded by federal agencies April 19, 1993. Subsequent government-funded studies[138] contend that the infra-red evidence does not support the view that the FBI improperly used incendiary devices or fired on Branch Davidians. Infra-red experts continue to disagree and filmmaker Amy Sommer stands by the original conclusions presented in Waco: The Rules of Engagement.

The documentary The Assault on Waco was first aired in 2006 on the Discovery Channel, detailing the entire incident. A British-American documentary, Inside Waco, was produced jointly by Channel 4 and HBO in 2007, attempting to show what really happened inside by piecing together accounts from the parties involved. Branch Davidian survivor David Thibodeau wrote his account of life in the group and of the siege in the book A Place Called Waco, published in 1999. The City of God: A New American Opera, an opera by Joshua Armenta dramatizing the negotiations between the FBI and Koresh, premiered in 2012, utilizing actual transcripts from the negotiations as well as biblical texts and hymns from the Davidian hymnal.[139] In 2015, Retro Report released a mini documentary looking back at Waco and how it has fueled many right-wing militias.[140]

10 See also

- Siege of Lal Masjid, Pakistan, 2007
- Operation Blue Star, Golden Temple, Amritsar, India, 1984
- Arrest of Sant Rampal, India, 2014
- Critical Incident Response Group of the FBI, formed in response to the incident
• Heaven’s Gate (religious group)
• Ken Ballew raid
• Montana Freemen
• Rainbow Freemen
• MOVE
• Movement for the Restoration of the Ten Commandments of God
• Two Guys Naked in a Hot Tub, an episode of South Park that heavily references Waco when a meteor shower party is confused by the authorities for a suicidal cult.
• YFZ Ranch

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In United States law, a Machine Gun is defined (in part) by Theodore H. Fiddleman, David B. Kopel (June 28, 1993).


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1.5.2 2. Were shots fired from the heli-House of Representatives report, Activities of Federal Law Enforcement Agencies Toward the Branch Davidian complex in Waco, Texas – Column”

1.3.5 5. True Army Project Megiddo, Clifford L. Linedecker, Section 4, chapters

1.5.2 2. Were shots fired from the helicopter? House of Representatives report, Activities of Federal Law Enforcement Agencies Toward the Branch Davidian complex in Waco, Texas – Column”

1.3.5 5. True Army

“TF’s basis for the assault on Waco is shot full of holes – ATF received” also final version of Danforth report, pages 24–25 (footnote 26), 33, 42–43, 132, 134.


House of Representatives report, “c. Pre-raid military assistance requested by ATF and assistance actually received”. Also Section 4, chapters “1.3.5 5. True Army National Guard role only made clear 24 hours prior to the raid” and “1.5.2 2. Were shots fired from the helicopters?”. Also final version of Danforth report, pages 24–25 (footnote 26), 33, 42–43, 132, 134.

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Chuck Hustmyre, “Trojan Horse: Inside the ATF raid at Waco, Texas,” TruTV Crime Library, 2003. An account by an ATF agent, Chuck Hustmyre, who was part of the raiding party.


[63] Texas Rangers, Department of Public Safety, Branch Davidian Evidence, Investigative Report No. 1, September 1999; Investigative Report No. 2, January 2000 (PDFs available at Texas Rangers website). The Army considers the M651 a pyrotechnic device and that it is known to cause fires, note that the Army does not have a formal definition for “pyrotechnic device” (from Casteel memo). Army Tech Manual for the M651 (TM 3-1310-243-10 January 1975) warns the M651 can penetrate 3/4” plywood at 200 meters and “projectile may explode upon target impact.” During inventory of the Waco evidence the Texas Rangers also found flash bang grenades in FBI evidence envelopes labelled as Branch Davidian silencers.


[79] p. 7403 of the trial transcripts.


[81] United States v. Branch

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House investigators determined that “someone” at BATF lied to the military about the Davidians being involved with drugs in order to get U.S. Army Special Forces and other military aid, in violation of the Posse Comitatus Act. Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight and the Subcommittee on Crime of the Committee on the Judiciary at the Oversight Hearings on Federal Law Enforcement Conduct in Relation to the Branch Davidians: V. Military involvement in the Government operations at WACO.


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s: Graeme Craddock Testimony on Waco Fire, October 1999 civil suit deposition regarding April 19, 1993 fire at Branch Davidian home and church.

[116] VPC Criminal Use of the .50 Caliber Sniper Rifle.


[120] Prior to 9-11, the deadliest act of terror against the United States was the bombing of Pan Am Flight 103, which killed 189 Americans.


[132] passage of “Waco: The Big Lie” showing the tank scene


[134] Day 51 Waco Tragedy Memorial & Information, link to film


[138] a, b, c, d, and e.


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