

# Bizarre plots planned by Speedway bomber

## Kimberlin case a maze of murder, deceit

By R. JOSEPH GELARDEN

Brett C. Kimberlin schemed to elude justice with a series of bizarre plots designed to murder, maim and rob his enemies, create havoc at Speedway and discredit the chief government prosecutor.

These plots occurred as lawmen followed the trail of the man who terrorized Speedway with bombs in 1978. They were revealed to The Indianapolis Star last week after a federal jury convicted Kimberlin of the bombings.

ON SHEETS of yellow legal pad, Kimberlin asked another inmate in the Marion County Jail to arrange for the murder of Bernard L. (Buddy) Pylitt, the former first assistant U.S. attorney who coordinated his prosecution.

The offer contained a list of 10 names, including a potential prosecution witness, Robert Scott Bixler. Some names had crosses next to them. These indicated those marked for murder, it was learned.

Other names, believed to be persons who cheated Kimberlin in drug deals, were marked by dollar signs. They were to be roughed up and robbed.

"THERE WERE six to be killed, two or three to be roughed up and one or two were to be robbed," a source said.

Instead of following through on Kimberlin's offer, the inmate tipped off authorities.

In a second episode, Kimberlin wanted to convince lawmen of his innocence so he asked another jail inmate, in writing, to create a diversion.

Kimberlin pledged to give the inmate money to post bail. Then the inmate was supposed to plant a bomb — made with the identical components used in the eight Speedway blasts — in the Westside suburb.

THE EXPLOSION was to be timed when Kimberlin was behind bars, thus

creating the impression among police that Kimberlin could not be the real Speedway bomber. Again, the inmate notified investigators.

Kimberlin harbors a special hatred for Pylitt, referring to him as "Pontius" Pylitt. The diminutive bomber outlined a special plan for him.

In his distinctive printed style script, Kimberlin noted Pylitt was a bachelor and, therefore, vulnerable. A jail inmate — a third one — was urged to arrange for a woman to seduce Pylitt in full view of the videotape cameras of a private investigator.

"Pylitt has political ambitions," Kimberlin wrote. "He wants to be governor." Kimberlin wanted to embarrass and discredit him with the videotaped sexual escapade. And, for the third time, Kimberlin's letter found its way to the prosecutor's files.

A similar scheme was proposed to discredit Bixler.

THE INVESTIGATION of the Speedway bombings followed a twist-

ed trail that started with the murder of a housewife near the shadows of the Indianapolis Motor Speedway and wound its way to Ohio, Texas, Colombia and back to Indianapolis.

Along the way, detectives found maimed bodies, broken families, strange relationships and international drug smugglers.

The trail ended as it began — with a brutal murder.

On Saturday, July 29, 1978, Julia Scyphers, a 65-year-old grandmother, was in her living room chatting with her granddaughters at her small home at 1651 Cunningham Drive, Speedway.

About 3 p.m. a man knocked on her door asking about some items she had displayed at a garage sale.

When Mrs. Scyphers went outside to the garage to show him the items, he slipped a .25-caliber pistol from his black briefcase and shot her once in the back of the head. She slumped to the floor beside the family car.

A NOISE, described as the sound

of a falling TV tray, drew the attention of her husband, Fred, 68, and he saw a man pulling out of the driveway in a late-model car.

Speedway police were puzzled by the murder. "She had no enemies," they said.

But she did. Investigators learned her daughter, Sandra Barton, was a close, very close, friend of Brett C. Kimberlin. The relationship between the pair was complicated by his strange affection for Mrs. Barton's pre-teen daughter, Debbie.

Investigators learned Debbie accompanied Kimberlin on several long, unsupervised trips, including holidays in Florida, Mexico and Hawaii.

Mrs. Scyphers violently disapproved of Kimberlin's questionable relationship with Debbie and her mother. The concerned grandmother arranged for Debbie and her sister, Shari, to leave their mother's home.

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# Kimberlin

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and move in with her.

**SEPARATED FROM** Debbie. Kimberlin threatened suicide.

The investigators were told Kimberlin was a Broad Ripple businessman who owned a store that sold natural foods and Earth Shoes and a cafe that served only health foods. He was a vegetarian who practiced transcendental meditation.

But, the fashionable business appeared to be an elaborate cover-up. Narcotics detectives had long counted Kimberlin on their list of major marijuana smugglers.

Police added the drug smuggling to the weird Julia Scyphers-Sandra Barton-Debbie relationship and began a quiet inquiry into his background.

A month later, Sept. 1, within an hour, three bombs blasted the quiet suburb. Over the next five days, there were five additional explosions.

Although the blasts seemed to be set in areas where they would cause damage but not injury, an exploding gym bag in the parking lot of Speedway High School hurled Carl D. DeFong into the air, shattering his leg (it was later amputated) and injuring his wife, Sandra.

**EVEN BEFORE** the last bomb blast, local agents from the Treasury Department's Bureau of Alcohol, Tobacco and Firearms (ATF) joined a hundred-man task force investigating the explosions.

At the head were ATF agents Bernard C. (Ben) Neihaus, 37, and Patrick M. Donovan, 31.

Neihaus, an Indianapolis native, was born on Palmer Street on the Southside, just across the street from Sacred Heart School. His mother, Helen Neihaus, once was vice-chairman of the county Democratic Party.

Donovan, a veteran of nine years of ATF service, moved here from Milwaukee after he obtained a degree from Wisconsin State University.

Carefully gathering fragments and debris at the bomb sites for study by ATF crime-lab experts, the investigators soon learned the blasts were caused by crude but effective bombs. The devices used modified blue-and-white Mark Time appliance timers to send sparks from a 6-volt dry cell battery through an electric blasting cap shoved into one or more sausage-like tubes of Tovex 200. Tovex is a water gel explosive produced to replace dynamite.

**AS ATF AGENTS** and other policemen tracked persons who bought the timers at their only local sales outlet, Graham Electronics, others tried to uncover a motive for the blasts.

Kimberlin seemed to be the only one with a possible motive — to distract police attention from the Scyphers murder and delay or halt their quiet investigation of him.

The reported strategy didn't work. Fifty to 100 ATF agents poured into Indianapolis and began a 24-hour surveillance of him, snapping pictures from hidden locations.

The pictures were mixed with others and shown to sales clerks at the Graham stores to see if they could pick out the man who bought the timers.

They said Kimberlin looked like the man.



**Brett C. Kimberlin in 1978**  
Wearing Department of Defense uniform

As agents sorted out details, the owner of a Westside print shop called investigators from the U.S. Army to report a customer asking him to reproduce military drivers licenses and other government materials.

**ARMY INVESTIGATORS**, puzzled by the incident, called FBI agent Chester Jackson.

On Sept. 20, 1978, Army detectives saw a little man, dressed as a security guard, drive up to the print shop in a white 1970 Chevrolet Impala.

About that time Jackson arrived. He went inside to check out the complaint and asked the security guard for identification.

When the routine request was refused, Jackson ordered the security guard to sit in a chair. Jackson intended to take the man's name and let him go, but, moments later, he saw him try to eat some of the fake military licenses.

Calling the office of the U.S. district attorney for instructions, he was told if the man wouldn't give his name, he should be jailed. Jackson complied.

The next day, Jackson was talking to Pylitt and Kennard P. Foster, an assistant U.S. attorney, and Foster asked if the security guard ever identified himself.

**"YA,"** DRAWLED Jackson. "He said his name was Kimberline or something."

The name rocked Pylitt and Foster. "Damn, we're looking at that guy in the Speedway bombings," Pylitt snapped.

The government lawyers quickly set in motion a two-pronged attack. One was directed at obtaining a search warrant for the 1970 Impala. The other went to Jackson County where Kimberlin was supposed to have a hideout tucked in the Hoosier National Forest, near Huston.

When FBI agent Jack Yara popped open the Chevy's trunk, he bent over and began inventorying the contents. Then he let out a yell and motioned to

Neihaus.

"He pointed to the suitcase, bearing the initials BCK, and I went blank," Neihaus testified. "Then I recognized the blue-and-white plastic covers. They were Mark Time timers. I was stunned."

Neihaus quickly called his partner, Pat Donovan, who called Pylitt, ordering preparation of a second search warrant, this one for the suitcase.

**INSIDE THE** suitcase, they discovered the key to the bombing case — timers modified to turn on electric current, lead shot, dry-cell battery. Later lab reports showed traces of a chemical found only in Tovex.

Federal investigators learned later that evening that the search of the Jackson County property — later called a Kimberlin family retreat — uncovered a buried steel tank. The tank held 1,000 pounds of marijuana. Because they could not determine the owner of the drug, it was confiscated as contraband, but no one was arrested.

"It was a big day," Neihaus acknowledged.

Later, agents would learn Kimberlin and his construction workers bought some explosives in 1975 to blast away rock so they could bury the steel tank.

They bought the explosives, two cases of Tovex 200 — the same explosive later linked to the Speedway bombs — at the DuPont sales outlet at Belmont, Ind.

**ABOUT TWO WEEKS** after he was arrested, Kimberlin was released from jail. The charges were dropped because state and federal prosecutors wanted to dig deeper into his background and decide whether he should be charged on state or federal charges.

Once, a source recalled, Kimberlin bragged that his brother, Scott, had traveled to India where he supposedly studied transcendental meditation with a famous guru. He said his brother learned the hidden arts of the mysterious East and passed them on to him. "Brett bragged the cops might arrest him but would never hold him. You see, he claimed his brother taught him how to levitate and disappear. He said he just could disappear from jail."

After several requests, Mrs. Barton agreed to an interview with Neihaus and Donovan. It took place on the evening of Nov. 17, 1978 — the same night four young persons who worked at a Speedway Burger Chef restaurant were kidnapped and slain. Mrs. Barton told a story that was later expanded into an alibi for Kimberlin.

**(ALTHOUGH** surprised by the event, investigators never have been able to establish any credible link between the Burger Chef murders and the bombings.)

Searching for Kimberlin's Mercedes-Benz sedan, investigators located it in a Dayton (Ohio) repair shop. Kimberlin later testified the car was towed there when it developed electrical problems on Sept. 13, 1978.

There is information the Mercedes was really stored in Indianapolis for a while before it was taken to the Dayton body shop.

"We think it was at the home of a Kimberlin girlfriend," said a source. "At the time, she was a law clerk for U.S. Magistrate Thomas Faulconer. Faulconer's office is next door to the office occupied by the federal prosecutors. The closeness caused some worry that sensitive information might be leaked to Kimberlin. No leak was ever detected."

Around Feb. 8, 1979, Neihaus and Donovan were surprised when a Texas-based customs agent called them asking about Bixler.

**BIXLER**, a pilot, was trying to rent a small airplane at an airport near Alice, Texas. The customs agent, playing a hunch, entered Bixler's name in a national crime computer and learned he was a suspected drug trafficker. The computer reported more information could be obtained from Neihaus.

When Neihaus described Kimberlin, the customs agent said Kimberlin was standing next to Bixler in the airport.

Informed about Kimberlin's links to the marijuana smuggling trade, customs agents began to check him out.

They discovered he and other Hoosiers were openly renting heavy equipment to carve a secret airstrip and a road out of the sagebrush.

In fact, Kimberlin and his aides operated so openly, some local drug traffickers got out of the deal. "He will either get arrested or robbed and killed by rival drug gangs," they said.

On Friday night, Feb. 16, 1979, Kimberlin and his associates set up at the secret air strip under the eye of the federal agents. The watchers waited until U.S. Navy radar screens spotted a lumbering airliner over the Gulf of Mexico, heading for South Texas.

**THE NAVY** called the customs agents, who radioed the watchers. Federal drug agents scrambled on two planes to tail the airliner.

The scheme was thwarted when dense fog covered the airstrip and the pilots couldn't land. "I have to abort," the pilot radioed to Kimberlin and company. "I am out of fuel and got to land."

The plane, a four-engine DC-4, was carrying 10,000 pounds of high-grade Colombian marijuana wrapped in burlap. As the pilot headed for the airport at Cotulla, Texas, about 100 miles away, the aircrew kicked the million-dollar cargo out the door. Texas police, riding horses, later found marijuana bales strewn across 125 miles of desert.

Meanwhile, the watchers arrested the Kimberlin gang after a wild chase through the tumbleweeds and sagebrush. They confiscated an arsenal of weapons, including a futuristic electronic stun gun called a TASAR, pistols with silencers, AR-15 rifles, poison-tipped bullets and makeshift security guard uniforms.

**AFTER THE** arrest, Neihaus was



**Brett C. Kimberlin's 1970 Chevrolet**  
Car in which bomb components found

ordered to Texas where he talked with Kimberlin. Kimberlin denied the Speedway bombing and involvement in the "pot bombing."

"I was just going for a ride in the desert one night, doing nothing illegal, and I got busted. It will all be cleared up in a few days," Kimberlin predicted.

Neihaus obtained photos of the nine men arrested in the "Texas pot bombing." He brought them back to Indianapolis and showed them to Fred Scyphers.

"This is the guy that came to the door that day," Scyphers told Neihaus. "But I want to see him in person before I swear to it."

Neihaus huddled with Marion County Prosecutor Steven Goldsmith who issued a murder warrant for the man, William (Bill) Bowman of West Manchester, Ohio.

**BOWMAN**, out on bond on the Texas caper, was arrested on Feb. 27 and appeared in Marion County Municipal Court on March 1.

Fred Scyphers was in the audience and identified Bowman.

It looked like the Julia Scyphers murder was solved.

A federal grand jury indicted Kimberlin in the Speedway bombing case on Feb. 28.

On March 11, Neihaus was home when he got a call from Austin, Texas. It was Sandra Barton's sister, Patricia Strait, who had worked closely with police to help solve the murder of her mother.

"You better sit down, you won't believe this," she predicted. "I was raking my yard and found a sack under a cedar tree next to my house."

A surprised Neihaus told her not to touch the bag. He dispatched an agent from the ATF office at Austin to take charge of the explosives.

**THE BAG** contained blasting caps, blue-and-white Mark Time timers, an AR-15 rifle and 14 plastic-covered sausages of Tovex 200 with factory markings that led right back to the two cases of Tovex bought by Kimberlin at Belmont, Ind., in 1975.

According to sources, Kimberlin knew the Straits were helping police in the Julia Scyphers murder probe. He once tried to get Neihaus to investigate the Straits, who took in Sandy Barton's daughters after their grandmother was murdered. Informants reported Kimberlin left the bag at the Strait residence to frame them for the Speedway bombings.

On March 14, 1979, only three days after the explosives were discovered by Mrs. Strait, Fred Scyphers died of cancer at his Speedway home.

On May 24, the Marion County Grand Jury declined to indict William Bowman for the murder of Julia Scyphers. With the death of the chief witness, there was no case against him.

**IN NOVEMBER**, Kimberlin entered a guilty plea to a conspiracy charge in the Texas marijuana smuggling case. He was sentenced to serve four years in jail.

Kimberlin was tried on the Speedway bombing case in September 1980. A federal jury was unable to reach a decision on the bombing charges, but convicted him of impersonating a federal officer and other minor charges. Judge James E. Noland ordered him to serve a 12-year term.

On Oct. 20, 1980, at Dayton, Ohio, Scott E. Kimberlin was murdered in a robbery. He was shot with what is believed to be his own gun. It was an AR-15 rifle purchased at the Outdoor Sports Headquarters, Dayton, on Sept. 13, 1978, by a relative of a man suspected of working with Brett in drug schemes. The man bought a box of .223 caliber bullets at the same time.

**ON SEPT. 20, 1978**, Brett Kimberlin was arrested after he got out of a 1970 Chevrolet bought at Dayton on Sept. 13, 1978. Federal agents found a box of 223 ammunition bought from the Outdoor Sports Headquarters in the trunk of the white Chevrolet.

Last Thursday, a federal jury convicted Brett Kimberlin of the Speedway bombing charges.

He faces several lifetimes in prison. He said he will appeal. He is 27 years old.