

< Trial

FROM B1

JUDGE DELAYS START UNTIL SEPTEMBER

Concerned about impact of MLK event

about 2½ hours after his arrest. He also wasn't immediately told of the reason for his arrest when he asked. The FBI has testified that behavioral-science experts told them to wait to question Harpham to try to gain his trust.

"Does the government pick and choose what rule of law they can comply with?" Quackenbush said. "The rule of law applies to all of us, including those FBI agents."

Statements eliminated as evidence under Quackenbush's ruling include Harpham asking the federal agents how long they had "known" of him.

Harpham was arrested on a bridge near his home outside Addy, Stevens County, and taken to the sheriff's office at the County Courthouse, where federal agents taped a 10-minute conversation without advising Harpham of his rights, though court documents say he said nothing incriminating. Harpham requested the recording be stopped about 11 a.m., and he was read his rights.

Quackenbush criticized the FBI for taking Harpham to a judicial building but not bringing him before a judge. Harpham was taken to Spokane to appear before a federal magistrate later that afternoon.

Assistant U.S. Attorney Joseph Harrington said investigators were obeying the "six-hour rule," which calls for federal defendants to appear before a judge within six hours of arrest. But Quackenbush said the rule doesn't circumvent Miranda requirements. "My concern is that what took place violates the law," Quackenbush said. Harpham, 37, is charged with committing a hate crime, using a firearm in relation to a crime of violence.

Spokane bomb trial pushed back due to King memorial event

8/22 B1/10



Kevin W. Harpham

BY MEGHAN M. CUNIFF
Spokesman-Review staff reporter

SPOKANE — The dedication of a Martin Luther King Jr. memorial in Washington, D.C., has prompted a federal judge to delay Monday's trial of a man accused of planting a bomb along the planned route of a Spokane march to honor the civil-rights leader. Kevin W. Harpham's trial will instead begin with jury selection Sept. 12, U.S. District Court Judge Justin Quackenbush ruled Friday.

The King memorial will be officially unveiled next Sunday but it opens Monday. A national advertising campaign promotes the ceremony, and local events are planned, Quackenbush said. Defense lawyers had requested the delay after Quackenbush raised concerns that attention to the delay after Quackenbush

the dedication ceremony could unduly influence jurors, according to court testimony. Quackenbush said 15 jurors, including three alternates, will be selected from a group of 60. In addition, Quackenbush ruled Friday that jurors will not hear statements Harpham made after his arrest March 9 because FBI agents did not read him his rights as the Constitution requires. Harpham's defense attorneys had asked the judge to suppress the statements because he wasn't read his Miranda warnings until

Harpham was arrested on a bridge near his home outside Addy, Stevens County, and taken to the sheriff's office at the County Courthouse, where federal agents taped a 10-minute conversation without advising Harpham of his rights, though court documents say he said nothing incriminating.

authorized possession of an unregistered explosive device. He's being held without bail at the Spokane County Jail. The hate-crime charge alleges Harpham targeted the MLK Unity March in downtown Spokane on Jan. 17 "because of actual or perceived race, color and national origin of any person." He faces 30 years to prison if convicted.

gins@seattletimes.com | News Tip newstips@seattletimes.com

Terminology/Labelling
Disparity (not called terrorist)

See > TRIAL, B6