

Richard P. Matsch, 88, Judge in Oklahoma Bombing Case, Is Dead

By **Sam Roberts**

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Judge Richard P. Matsch, who presided with a firm hand over the trials of two men accused in the 1995 bombing of an Oklahoma City federal office building, died on Sunday in Louisville, Colo. He was 88.

Philip A. Brimmer, his successor as chief judge of the United States District Court for the District of Colorado, confirmed the death.

In a statement, Judge Brimmer said that Judge Matsch's handling of the cases had reaffirmed "the public's faith in our judicial system through his firmness, fairness and dignity during a particularly wrenching episode in our nation's history."

Judge Matsch (pronounced maych) was chosen to preside over the trial of Timothy J. McVeigh and Terry Nichols for the April 19, 1995, bombing of the Alfred P. Murrah Federal Building after the chief judge of the 10th Circuit ruled that a reasonable person might doubt the impartiality of the original judge, whose courtroom had been damaged by the blast.

The bombing killed 168 people and was the worst act of terrorism on American soil before the Sept. 11, 2001, attacks.

Judge Matsch was determined that the case would be handled with the same dispassionate military discipline that he routinely imposed in his courtroom. (A portrait of Gen. George S. Patton hung in his chambers.)

Citing extensive publicity that he said had "demonized" the two men, Judge Matsch moved the trial to Denver and later ordered that they be tried separately.

"This is not theater," he announced as court convened in the McVeigh case. "This is a trial."

In 1997, Mr. McVeigh was convicted of murder; the jury recommended the death penalty, and he was executed. Mr. Nichols was convicted of federal charges of involuntary manslaughter and conspiracy and sentenced to life in prison.

The judge said Mr. Nichols's role in the bombing "was not a case of murder but a crime against the U.S. Constitution."

Judge Matsch was no stranger to high-profile matters.

In 1987, he handled the case of two members of a militant anti-Semitic group, the Order, who were accused of murdering Alan Berg, a Jewish talk show host, in Denver. He sentenced each to 150 years in prison.

In 2003, Judge Matsch sentenced a forestry worker to six years imprisonment for starting what was then the state's worst wildfire. (He refused to condemn the defendant to a "life of poverty" by requiring the \$14 million in restitution demanded by prosecutors.)

He was also assigned to preside over a sexual-assault lawsuit filed by a Colorado hotel employee against the basketball star Kobe Bryant. The suit was settled in 2005 after the judge berated both sides for disclosing too many details about the case in court filings.

Judge Matsch resisted repeated attempts to eliminate mandatory busing intended to enforce school integration; he ordered the removal of a nativity scene from Denver's City and County Building; he ruled that the Ku Klux Klan was entitled to speak at the state Capitol on the Rev. Dr. Martin Luther King Jr.'s birthday ("all ideas are equal under the First Amendment," he said); and he declared that adult bookstores did not need municipal permits to operate.

Sporting cowboy boots beneath his robes, Judge Matsch combined a flinty wit with a short fuse, and woe to the lawyer who failed to detect the twitch in his mustache that signaled a growing impatience or an imminent blistering rebuke for wasting the court's time.

The doors to his courtroom closed promptly at 9 a.m. and were locked. Latecomers were simply not admitted.

Richard Paul Matsch was born on June 8, 1930, in Burlington, a city on the Mississippi River in southeastern Iowa, to William J. and Emma Matsch. William Matsch had a grocery store downstairs from their home, and Dick and his three older brothers worked there.

He earned a bachelor's degree in 1951 from the University of Michigan and graduated from the university's law school as well. From 1953 to 1955 he served in the Army, including a stint with a counterintelligence unit on the Korean Peninsula.

He married Elizabeth Murdock in 1958. After raising their five children in metropolitan Denver, they moved to a 30-acre ranch near Boulder, Colo., where the judge would awake at 5:30 every morning and clean up after the horses.

His wife died in 2017. A daughter, also named Elizabeth, died at 24 in 1992, when, in a freak accident on a volcano in Hawaii, she slipped into a cleft filled with superheated steam.

Judge Matsch's survivors include his daughters Katherine Daley, Molly Briggs and Marti Matsch; a son, Dan; and six grandchildren.

After working in private practice in Denver, he served as an assistant United States attorney, a deputy city attorney and a federal bankruptcy judge. He was named to the Colorado district court in 1974 by President Richard M. Nixon. He was chief judge from 1994 to 2000 and assumed senior status in 2003.

Judge Matsch was not a joiner of professional groups and not ideological. But he once revealed, in a 1991 speech to the Denver Bar Association, that he did have a hero, even if he had to reach into fiction to find one.

It was Atticus Finch, the righteous lawyer at the heart of Harper Lee's novel "To Kill a Mockingbird." Finch, the judge said, upheld the highest legal principles no matter how unpopular, and was "the opponent of oppression, the paradigm of propriety, the dean of decent citizens and the core of his community."