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Gun used to kill prosecutor is focus of massive search

By **Steve Miletich***Seattle Times staff reporter*

FBI agents are conducting an unusually sweeping search for a customized gun used in the killing of Seattle federal prosecutor Thomas Wales, according to the owner of a Minnesota arms company and sources familiar with the investigation.

The gun, an Eastern European-made semiautomatic pistol called a Makarov, had been fitted with a replacement barrel that leaves telltale marks on bullets. The search, one of the most laborious gun sweeps in FBI history, is taking place in all 50 states, as agents track down more than 3,500 barrels sold to gun owners and dealers.

Agents hope to tie the gun barrel to the killer. A Bellevue airline pilot has emerged as the lead suspect, according to court records, but no charges have been filed.

Wales, 49, who worked in the U.S. Attorney's Office in Seattle, was shot to death in his Queen Anne home late on Oct. 11, 2001, as he sat at a basement computer.

The Minnesota company, Federal Arms Corporation, received a federal grand-jury subpoena for the names of all customers who bought the custom gun barrels before Wales' death, company president and owner Tim Gow said yesterday.

Gow said his company got "a lot of flak from our customer base," people who were upset about invasions of privacy after FBI agents contacted them.

Gow said he complied with the subpoena because "we really had no choice" and because he felt a moral obligation "to cooperate and help in any way we can to catch this individual."

"I've never seen such a large net being cast in the 15 years I've been in the business," Gow said.

The U.S. Justice Department and the FBI have made the Wales case a top priority and are offering a \$1 million reward for information.

Charles Mandigo, the FBI special agent in charge in Seattle, would not comment specifically on the ongoing search. "We are pursuing many different avenues in this investigation and ... an avenue of this nature is one we would pursue," Mandigo said.

The gun search began after spent casings were recovered outside Wales' home. The casings contained distinctive marks identifying the weapon as a Makarov pistol, sources said.

Further, several bullet slugs removed from Wales' body and from the scene were traced to the type of replacement barrels made only by Federal Arms.

These recovered slugs displayed rifling marks, "lands and grooves" left as the bullet passes through the barrel. Those marks identified the barrel as a replacement instead of the original Makarov barrel.

The Makarov, a rare collector's item until after the fall of the Soviet Union, requires an unusual size of bullet. Many owners modify the weapon so they can use common, less-expensive ammunition.

Wales, however, was shot with .380-caliber bullets fired through the slightly larger 9-mm replacement barrel.

The killer might have believed that smaller bullets would not pick up the distinctive lands and grooves as they moved through the barrel.

But one source said that if the gun is recovered, the FBI will be able to match the weapon to the ballistic evidence.

"It's not that sloppy a fit," the source said.

A national firearms expert, Lucien Haag, of Carefree, Ariz., who has conducted tests on .380-caliber bullets fired in a 9-mm Makarov, said "the strong likelihood is you'd never be able to match" the mismatched rounds to the murder weapon, even if it were found.

But with the recovered casings, he said, "you should be able to match it."

FBI agents began the search last fall and have tracked down hundreds of people who bought the barrels directly from Federal Arms or from dealers.

Dealers have been asked to provide the names of customers from sales records.

But the task has been complicated because dealers are not required to keep sales records for gun parts. Under federal law, dealers are required only to keep records of gun sales.

Every pistol and barrel obtained by agents is being test-fired, and the bullets are sent to the FBI lab in Washington, D.C.

Owners of the barrels are being eliminated one by one in hopes of narrowing the pool to a small group that can be investigated in depth.

Agents hope the gun can be found but believe it has already been disposed of.

A more-likely result, sources say, is finding someone who sold the barrel or the customized gun to a person who turns out to be the killer.

Authorities liken this search to the sweeping FBI hunt in the Unabomber case, in which agents, after finding "Nathan R" on a piece of evidence, tried to locate every Nathan R in the country.

Before the search was exhausted, a suspect of different name, Theodore Kaczynski, was turned in by his brother.

In the current search, each FBI field office is participating. Agents tried to keep the project secret by not mentioning Wales' name when they questioned people, but Makarov owners began sharing information in Internet chat rooms on gun topics. Gun Week magazine published an article in its most-recent edition about the searches.

A Virginia man, John Grove, said he initially refused to turn over his pistol with a replacement barrel but did so when he was given a subpoena, the magazine reported.

"It's not right," Grove was quoted as saying. He said his pistol was returned but not its barrel. "It's not the right way to go about any investigation at all."

Most people have voluntarily surrendered their pistols, a source said, but a few have been brought before a grand jury in Seattle and required to surrender their weapons.

The grand jury is focusing on the Bellevue pilot, according to court documents filed in Seattle earlier this year. The pilot had been prosecuted by Wales in a fraud case involving a military-helicopter-rebuilding business.

The charges were dropped against the pilot, but a company with which he was associated pleaded guilty.



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