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Bonds Indicted By BALCO Federal Grand Jury

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SAN FRANCISCO -- Barry Bonds has more to worry about than an asterisk now. On Thursday, his very freedom was put in jeopardy when a federal grand jury indicted him on five felony counts of perjury and obstruction of justice, charges that could result in a maximum sentence of 30 years in prison if he's convicted.

The five-count indictment -- four counts of perjury and one of obstruction of justice -- could put baseball's home run king in prison for up to 30 years.

The White House quickly weighed in on the indictment. President Bush is a former owner of the Texas Rangers.

"The president is very disappointed to hear this," Bush spokesman Tony Fratto said. "As this case is now in the criminal justice system, we will refrain from any further specific comments about it. But clearly this is a sad day for baseball."

Meanwhile, the San Francisco Giants issued a short statement calling it "a sad day."

"This is a very sad day," the team said in a prepared statement. "For many years, Barry Bonds was an important member of our team and is one of the most talented baseball players of his era. These are serious charges. Now that the judicial process has begun, we look forward to this matter being resolved in a court of law."

The indictment capped one of the longest federal grand jury investigations in Northern California history -- a proceeding that introduced the sports world to the acronym BALCO (Bay Area Laboratory Co-Operative) and led to the downfall of American track and field world and Olympic champions Marion Jones, Kelli White and Tim Montgomery.

It touched the NFL with several current and former players called to testify including former All-Pro linebacker Bill Romanowski.

It also sparked the ongoing debate surrounding Major League Baseball and its problems with athletes taking performance enhancing drugs. It's a debate that has gone to such lengths that the home run ball that Bonds ripped out of AT&T Park to break Hank Aaron's all-time record was headed to the Baseball Hall of Fame tattooed with an asterisk.

The indictment indicated that investigators had obtained "positive tests for the presence of anabolic steroids and other performance-enhancing substances for Bonds and other professional athletes."

The charges against Bonds stem from his Dec.4, 2003 grand jury testimony when he allegedly testified that he did not knowingly take performance enhancing drugs. Armed with the positive drug tests and other testimony, Bonds was pressed several times during his grand jury testimony on whether he knew he used performance-enhancing drugs.

Attorney: "Well, when you say you don't think he (trainer Greg Anderson) would do that (provide performance-enhancing drugs), to your knowledge, I mean, did you ever take any steroids he gave you?"

Bonds: "Not that I know of."

Attorney: "Okay. So I got to ask, Mr. Bonds. There's this number associated on a document with your name, and corresponding to Barry B. on the other document, and it does have these two listed anabolic steroids as testing positive in connection with it. Do you follow my question?"

Bonds: "I follow where you're going, yeah."

Attorney: "So I guess I got to ask the question again. I mean, did you take steroids? And specifically this test is in November of 2000. So, I'm going to ask you in the weeks and months leading up to November 2000, were you taking steroids..."

Bonds: "No, I wasn't at all. I've never seen these documents. I've never seen these papers."

In later testimony, Bonds was asked:

Attorney: "Did Greg ever talk to you or give you anything called human growth hormone?"

Bonds: "No."

Attorney: "And again just to be clear and then I'll leave it, but he (Anderson) never gave you anything that you understand to be growth hormone? Did he ever give you anything like that?"

Bonds: "No."

Anderson was convicted in the BALCO case on grand jury charges, served time in jail and returned to prison when he refused to testify again against Bonds. With Bonds indictment, a federal judge ordered Anderson to be released after spending nearly a year in jail.

But others have allegedly testified to the grand jury that Bonds had admitted to using steroids produced by BALCO including the slugger's former mistress Kimberly Bell and a former childhood friend Stevie Hoskins.

Bonds broke Hank Aaron's record with his 756th home run on Aug. 7 -- an event not without plenty additional drama brought on by the federal drug probe.

Major League Baseball Commissioner Bud Selig grudgingly attended the games leading up to Bonds historic homer and Aaron did not travel to AT&T Park to witness the feat in person.

Upon hearing of the indictment, Selig withheld judgment, saying, "I take this indictment very seriously and will follow its progress closely."

The large banners commemorating the record still hang from the light posts on either side of the main center-field scoreboard at AT&T Park.

Bonds is by far the highest-profile figure caught up in the steroids probe, which also ensnared track star Marion Jones. She pleaded guilty in October to lying to federal investigators about using steroids and faces up to six months in prison.

Bonds finished the year with 762 homers, seven more than Aaron, and is currently a free agent. In 2001, he set the season record with 73 home runs.

Bonds could not immediately be reached for comment. One of his attorneys, John Burris, didn't know of the indictment before being alerted by The Associated Press and said he would call Bonds to notify him.

"I'm surprised," Burris said, "but there's been an effort to get Barry for a long time. I'm curious what evidence they have now they didn't have before."

Defense attorney Mike Rains said he spoke briefly with Bonds but did not describe his reaction. At an evening news conference, he read a statement accusing federal prosecutors of "unethical misconduct" and declined to take questions.

"Every American should worry about a Justice Department that doesn't know if waterboarding is torture and can't tell the difference between prosecution on the one hand and persecution on the other," Rains said.

Bonds is scheduled to appear in U.S. District Court in San Francisco on Dec. 7.

He has never been identified by Major League Baseball as testing positive for steroids.

The Hall of Fame currently has an exhibit dedicated to Bonds' record-breaking 756th home run.

"As a historic museum, we have no intention of taking the exhibit down," Hall vice president Jeff Idelson said.

Bonds was charged in the indictment with lying when he said he didn't knowingly take steroids given to him by Anderson. Bonds is also charged with lying that Anderson never injected him with steroids.

"Greg wouldn't do that," Bonds testified when asked if Anderson ever gave him any drugs that needed to be injected. "He knows I'm against that stuff."

Anderson's attorney, Mark Geragos, said the trainer didn't cooperate with the grand jury that indicted Bonds.

"This indictment came out of left field," Geragos said. "Frankly I'm aghast. It looks like the government misled me and Greg as well, saying this case couldn't go forward without him."

Anderson did not comment as he left a federal prison east of San Francisco.

Prosecutors promised Bonds they wouldn't charge him with any drug-related counts if he testified truthfully. But according to the indictment, Bonds repeatedly denied taking any steroids or performance-enhancing drugs despite evidence to the contrary.

For instance, investigators seized a so-called "doping calendar" labeled "BB" during a raid of Anderson's house.

"He could know other BBs," Bonds replied when shown the calendar during his testimony.

Asked directly if Anderson supplied him with steroids, Bonds answered: "Not that I know of."

According to the indictment, Bonds even denied taking steroids when prosecutors showed him the results of a test from November 2000 that showed a "Barry B" testing positive for two types of steroids.

"I've never seen these documents," Bonds said. "I've never seen these papers."

The indictment does not explain where prosecutors obtained those results, but they likely were conducted at the Bay Area Laboratory Co-Operative, or BALCO. Bonds first visited BALCO in November 2000 and submitted to the series of urine and drug tests conducted by BALCO founder Victor Conte on every athlete who went through the lab.

The test results may have been seized when federal agents raided BALCO in September 2003.

Conte said Thursday the tests were administered to protect athletes from taking legal supplements contaminated with illegal steroids. But he said he had no way of knowing Bonds' test results because the samples were assigned numbers rather than names.

"The reason for the testing wasn't to circumvent the system," Conte said. "It was to protect the athletes."

Bonds said that at the end of the 2003 season Anderson rubbed some cream on his arm that the trainer said would help him recover. Anderson also gave him something he called "flax seed oil," Bonds said.

Bonds then testified that prior to the 2003 season, he never took anything supplied by Anderson -- which the indictment alleges was a lie because the doping calendars seized from Anderson's house were dated 2001.

Bonds has long been shadowed by allegations that he used performance-enhancing drugs. The son of former big league star Bobby Bonds, Barry broke into the majors with the Pittsburgh Pirates in 1986 as a lithe, base-stealing outfielder.

By the late 1990s, he had bulked up to more than 240 pounds -- his head, in particular, becoming noticeably bigger. His physical growth was accompanied by a remarkable power surge.

Speculation of his impending indictment had mounted for more than a year, but the specter of steroid allegations have shadowed him for much longer.

Bonds joins a parade of defendants tied to the BALCO investigation, including Anderson, who served three months in prison and three months of home detention after pleading guilty to steroid distribution and money laundering.

Conte also served three months in prison after he pleaded guilty to steroids distribution. But Conte has long insisted that Bonds didn't get steroids from his lab.