

## **Bonds reportedly told grand jury he unwittingly used steroids**

Posted on Tue, Dec. 07, 2004

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Knight Ridder Newspapers

IN THE SPACE OF 24 HOURS, the BALCO Laboratories scandal has engulfed three of the biggest names in sports -- the Giants' Barry Bonds, Jason Giambi of the New York Yankees, and track and field star Marion Jones.

In a story posted on its Web site Thursday night, the San Francisco Chronicle reported that Bonds last winter told a grand jury investigating the Burlingame, Calif., clinic that he took clear and cream substances but believed them to be flaxseed oil and an arthritis treatment.

Hours earlier, ABC released a transcript of an interview with BALCO founder Victor Conte Jr. in which he says he created an illegal drug program for Jones weeks before she won an unprecedented five track and field medals at the Sydney Olympics in 2000.

And Wednesday night, the Chronicle reported that Giambi told the grand jury he received steroids from Greg Anderson, a co-defendant -- along with Conte and two other men -- in the BALCO criminal case.

According to the Chronicle's account, Bonds told the grand jury that Anderson, his personal trainer, gave him "clear and cream substances" during the 2003 season. Anderson, Bonds said, told him they were the nutritional supplement flaxseed oil and an arthritis cream.

Prosecutors allege that BALCO executives gave athletes substances called "the clear," a steroid taken orally, and "the cream," a steroid rubbed onto the body.

"I never asked Greg" about what the products contained, Bonds testified. "When he said it was flaxseed oil, I just said, `Whatever.'"

Bonds denied using drugs during his testimony when prosecutors showed him documents indicating he had taken performance-enhancing substances over a three-year period, the Chronicle reported.

According to the report, the documents detailed Bonds' use of human growth hormone, Depo-Testosterone, THG, a testosterone gel, insulin and Clomid, a female fertility drug that is supposed to increase the effectiveness of testosterone.

The report said the documents included a laboratory test result that could reflect steroid use

and what appeared to be schedules of drug use with billing information.

According to the transcript, Bonds said he had no knowledge of calendars and other records indicating he had used drugs, the newspaper reported. It said Bonds said he had never paid Anderson for steroids and had never knowingly used them.

The paper also reported that Bonds said he thought Anderson gave him legal products to treat his arthritis and fatigue. According to Bonds' testimony, Anderson brought the substances into the Giants' clubhouse at "once a homestand."

"Barry's testimony is what it is," said Michael Rains, Bonds' lawyer. "Anybody whose grand jury testimony is leaked is a victim."

Tonight, for an hour at least, the focus shifts to Conte and Jones. According to transcripts of ABC's "20/20" news program, Conte says he watched the track star inject herself with human growth hormone (hGH) after he taught her how.

Jones' lawyer, Richard N. Nichols, on Thursday denied the charges.

--Jones used the designer steroid THG, the blood-boosting drug EPO, hGH and insulin.

--Half the players in baseball are using anabolic steroids, and 80 percent are taking stimulants.

--He created a program, including illegal drugs, to develop Tim Montgomery, Jones' boyfriend, into a world-record sprinter. The story of how that worked was outlined by the Mercury News in May.

Conte told the news program that he worked with Jones from just before the Sydney Games to September 2001. Regarding hGH, he said, "After I instructed her how to do it and dialed it up, she did the injection with me sitting right there next to her."

Nichols questioned Conte's credibility.

"Victor Conte is a man facing a 42-count federal indictment, while Marion Jones is one of America's most decorated female athletes," he said in a prepared statement. "Mr. Conte's statements have been wildly contradictory, while Marion Jones has steadfastly maintained her position throughout: She has never, ever used performance-enhancing drugs."

Conte is one of four Bay Area men facing charges of money laundering and distributing illegal drugs to elite athletes. His lawyer, Robert Holley, declined to comment Thursday.

Conte justified his actions during the ABC interview, saying, "It's not cheating if everybody is doing it -- and if you've got the knowledge that that's what everyone is doing, and those are the real rules of the game, then you're not cheating."

In his grand jury testimony, Giambi admitted using steroids given to him by Anderson. The leaked testimony was published the day Conte and his lawyers requested a hearing over pre-

trial publicity that they allege was generated by the government.

According to the report, Giambi testified that he met Anderson in November 2002 in Japan when Anderson accompanied Bonds on a tour by major league baseball players. Giambi asked, "Hey, what are the things you're doing with Barry?"

By 2003, according to the account of the testimony, Anderson was sending Giambi packets of drugs that included testosterone, THG and various pills. Giambi said Anderson described using THG and a testosterone cream as an "alternative" to injectable steroids, according to the report.

Anderson's lawyer, J. Tony Serra, said he could not comment on grand jury proceedings. He added that Anderson "never knowingly provided illegal substances to anyone."

Major League Baseball began testing for steroids in 2003, and the government alleges that in response to this, players began trooping to BALCO. Conte told ABC he gave Anderson THG and testosterone cream, but not for any specific athlete.

Giambi used hGH and the steroid Deca Durabolin obtained from a source in a Gold's Gym in Las Vegas, according to the account of his testimony. The Chronicle said it had "reviewed" the testimony; it did not say how it was obtained.

Giambi's agent, Arn Tellem, said he and the Yankees star would not comment.

U.S. Attorney Kevin V. Ryan requested that the Justice Department conduct a formal investigation into the source of the leak. The government, defense lawyers and defendants have access to the transcripts. "Violations of grand jury secrecy rules will not be tolerated," he said.