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Sunny, 42
TV: PAGE 58
LOTTERIES: PAGE 80

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Wednesday, March 25, 1992

Hub bombing suspect seized in Calif.

By SHELLEY MURPHY

A Roslindale man has emerged as a suspect in a bomb blast that allegedly was intended for his father, but killed a Boston Police bomb squad officer last October, sources said.

Thomas A. Shay, 19, has not been charged with the Oct. 28 bombing outside his father's Roslindale home that killed Officer Jeremiah J. Hurley Jr., but was arrested yesterday in San Francisco on a fugitive war-

rant issued in an unrelated case.

By forcing Shay, of Quincy, to return to Boston to face charges pending against him in state court, investigators hope

Turn to Page 32

Roslindale bombing suspect nabbed by feds in California

From Page 1

question him about the Roslindale blast, sources said. A federal grand jury probe focusing on allegations that Shay and at least one accomplice were involved in the blast, sources said.

Shay was hanging out in San Francisco's Tenderloin district, an area frequented by gays, junkies, pimps and prostitutes, when he was arrested at 11 a.m. yesterday by Boston Police detectives and federal Alcohol, Tobacco and Firearms agents from Boston.

The agents were armed with warrants issued Friday by U.S. Magistrate Judge Joyce Gordon Alexander charging Shay with fleeing Massachusetts to avoid prosecution for killing in a bomb threat to Boston's Back Bay MBTA station in November 1990.

"Obviously, they're interested in more than phoning in a bomb threat," said Attorney William McPhee, who represents Shay. "I think their interest is misplaced. I don't think I have any information that would help the federal government in their investigation. Nor do I believe he is a principal in the Roslindale bombing."

Sources said investigators don't believe Shay told them everything he knew about the

bombing when they questioned him last October.

Shay's father, Thomas L. Shay, 47, summoned police to his 39 Eastbourne St. home on Oct. 28, claiming that a suspicious black box had fallen from under his car.

When the bomb squad arrived, the elder Shay told them he had repeatedly handled the device and even tossed it aside at one point.

But the bomb exploded almost immediately as it was being inspected by members of the Boston Police bomb squad — killing Hurley and seriously injuring his partner, Officer Francis X. Foley.

In a bizarre press conference three days after the bombing, the younger Shay announced that he was the target of the bomb.

When asked by a reporter if he had anything to do with the bombing, he said: "I don't have the technique to build a bomb. I didn't even graduate from high school. My profession is massage. Until you can prove I'm guilty, here I am. I work with my hands on bodies — not electricity or anything like that."

Shay's parents and a number of his friends have been subpoenaed to the federal grand jury investigating the blast.

McPhee confirmed that in-

vestigators attempted to serve Shay with a subpoena in February at his mother's Quincy home, but were unable to locate him.

The federal grand jury subpoena sought handwriting samples, photographs and fingerprints from Shay.

Assistant U.S. Attorney Paul Kelly, who is prosecuting the case, said, "I'm not in a position to comment on the status of the investigation or even of its existence."

The bombing is under intense investigation by ATF, Boston Police, Suffolk County District Attorney Newman Flanagan's office and U.S. Attorney Wayne A. Budd's office.

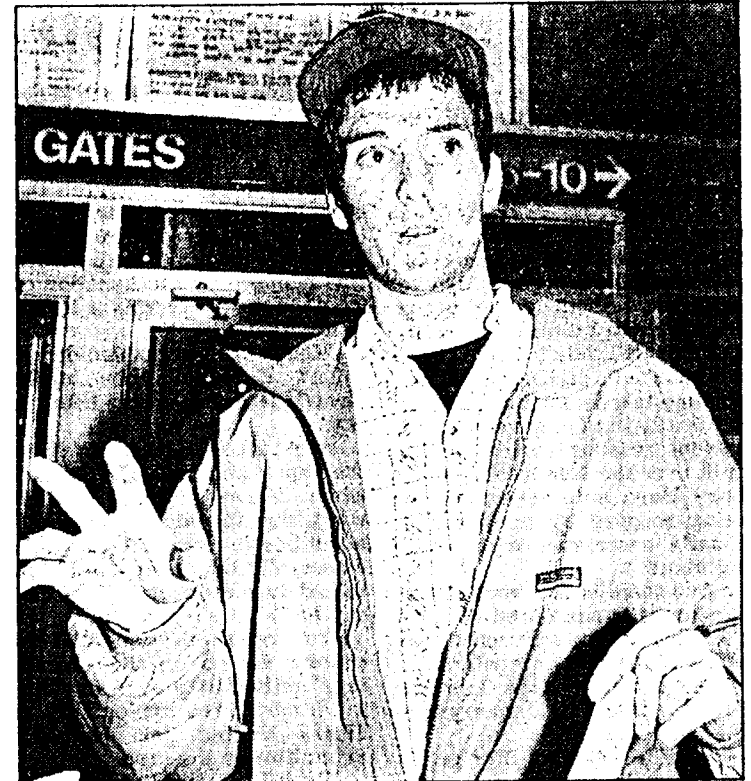
A \$65,000 reward is being offered in exchange for information leading to the successful prosecution of those responsible for the bomb.

In San Francisco, U.S. Magistrate Judge Joan Brennan ordered federal marshals to take Shay into custody and turn him over to local authorities for rendition to Massachusetts.

A hearing is scheduled for tomorrow at state court in San Francisco on Shay's rendition.

McPhee said he's already advised officials that Shay won't fight his removal to Massachusetts.

"We'd like to get him back to Boston as quickly as possible to



SUSPECT: Thomas Shay Jr. speaks with reporters in October about the bomb blast at his father's Roslindale home that killed a Boston police officer.

Herald file photo by Jim Mahoney

defend the charges (on telephoning in a threat to bomb an MBTA station)," said McPhee, stressing, "He's not charged with anything that has to do with the police officer's death."

When asked if Shay would cooperate with the ongoing investigation into the Roslindale blast, McPhee said, "Currently, since they're taking such an interest in him as a subject or

target ... it wouldn't make sense for him to cooperate unless we got assurances they weren't going to prosecute him."

The younger Shay has a lengthy history of psychiatric problems and spent time in eight institutions, according to court records.

L. Kim Tan contributed to this report.