

Memorandum



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| Subject Proffer by Tom Shay, Jr. | Date October 14, 1992 |
| To File | From Paul V. Kelly |

Tom Shay Jr. gave a proffer to SA Jeff Kerr, SA Tom D'Ambrosio and me on October 6, with a follow-up on October 9. The most notable things he had to say were as follows:

1. He was sexually abused by his father as a young child, between 20-30 times.
2. He has known Al Trenkler for 2-3 years and had a sexual relationship with him as recently as the 6-8 week period prior to the bombing (10/28/91).
3. He was living outside of Massachusetts and returned sometime in August, 1991 to give a deposition in his father's pending lawsuit.
4. He met Trenkler at the 1270 Club (Boylston St.) shortly after his return to the area.
5. Two weeks later, Trenkler invited him out on a friend's boat to go scuba diving for the day. During this boat trip, Trenkler, Shay and another unidentified white male (mid-30's, dark hair, mustache, 200-220 lbs., tattoos on upper body, named "John" or "Jo Jo") tossed 3 grenades into the ocean somewhere off Provincetown. The grenades were beige in color and resembled World War II German grenades.
6. He saw Trenkler again a week later in the Fenway area. Trenkler gave him a ride home to Quincy.
7. At some point during the meetings described above (most likely during the boat trip), Shay and Trenkler talked about several personal matters, including their families, their sexuality etc. Trenkler told Shay that

he had been sexually abused by his natural father as a young child.

8. Shay, in turn, told Trenkler that he too had been sexually abused by his father as a child.
9. He further told Trenkler that he believed his dad had some form of cancer and would die soon, and that if his father were dead he would "get \$500,000." (Shay later tried to clarify this statement by saying he told Trenkler that if his father died he'd "be rich" -- meaning, according to him, from his father's inheritance, which included a coin collection).
10. Trenkler told Shay that he was going to build him a "surprise," but did not elaborate on what he meant by that. Shay claims that Trenkler knew that he (Shay) had a birthday approaching.
11. In or around October 18, Shay and Trenkler spent a great deal of time together over 2-3 days. Shay recalls one day in which he accompanied Trenkler to the Christian Science Building, to Radio Shack, and then to a tower that Trenkler had done some work on which was located either in Norwood, or in the Marshfield area.
12. During this 2-3 day time frame, Shay brought Trenkler to his mother's apartment and intended to have him stay the night. At or about 3:00 a.m., Ms. Shay returned home, got very angry, and tossed Trenkler and her son out of the house. (Ms. Shay confirmed this during an interview by ATF on October 8, 1992). After leaving the house in Quincy, Shay claims that he and Trenkler went to Manchester, MA. and stayed with a friend of Shay's.
13. Shay admits that it was he who made the purchase at Radio Shack on October 18 involving the receipt for "Sahy." Trenkler sent him into the store with a handwritten list of items to buy and a \$50 bill. Shay paid for the items with a \$20 bill, after learning that the store would not accept the \$50 bill. Shay claims he believed the items were needed by Trenkler to repair an antenna, and that they did not relate to the "surprise" that Trenkler was building.
14. Following the Radio Shack purchase, they drove to the alleged tower. During the ride, Shay observed (and handled) several small magnets that were located in Trenkler's car. The magnets were round, the size of a quarter, and "looked like they went to a Tyco set."
15. In and around October 18, he and Trenkler also shopped for electronics equipment and other materials at other

AT TRIAL SHAY
SAYS SIZE MOTHER
Saw ME REPORT

stores, including You-Do-It Electronics and B-J's Wholesalers.

16. Approximately one week after the trip to Radio Shack, Shay beeped Trenkler to go out for a ride. Trenkler picked him up and told him they were taking a ride to the Quincy Quarries.
17. Upon arrival, Trenkler took a large black plastic trash bag (actually 3 bags inside one another) filled with various items and tossed it in one of the quarries. Trenkler told Shay that the items in the bag were "part of the surprise.... only you and I will know about it.... and the cops will never find it." Shay observed several items in the bag, including wire, tape, electrical components, and surgical gloves. Trenkler placed the remaining unused Hefty bags and container inside the bag along with a large cider block, and then knotted the bag and tied some kind of heavy fishing line around it. Shay then punched holes in the bag with his finger to release any air and make it easier to sink. Trenkler threw it out the first time, but it got stuck on a ledge not far under the water. Shay pulled it up (the line cut threw the gloves he was wearing), and threw it out again. This time it dropped very, very deep. Trenkler then cut the line.
18. Shay believes Trenkler saw this as an opportunity to take revenge against Shay's father, and his own (for the sexual molestation).
19. Trenkler told Shay that he obtained dynamite and blasting caps from a guy in New Hampshire who blows up granite.
20. The day after the explosion (October 28), Trenkler came to see Shay at his mother's apartment in Quincy. He asked Shay "how'd you like the surprise?" Trenkler explained that he meant the explosion. He further stated "I almost made you rich." Shay claims he got very upset and told Trenkler never to tell anyone about that ... "I'll never tell anybody if you never tell anybody."
21. Shay has been over to Trenkler's apartment between 3 and 9 times, and stayed overnight 3-4 times over the 2-3 years he has known him.
22. Trenkler owned a remote control car which Shay saw at Trenkler's apartment. It was a black dune buggy with yellow tires. (Shay drew us a diagram of the control unit).

DID NOT GIVE
IN APARTMENT
PRIOR TO
SEPT OF 1990

23. Trenkler came to visit Shay a second time in December, 1991 following Shay's release from jail on the state warrant. This visit occurred on same day that Jimmy Keough cut his wrists. Shay told Trenkler that he was leaving town. Trenkler tried to convince Shay not to leave the area because it "would look bad" and because "they'll find you." Trenkler said he was staying around; he then gave Shay some money.
24. Trenkler told Shay about the 1986 bomb. He also told him that he beat the charge by offering the police some information on a drug investigation.

cc: AUSA Frank Libby