

Govt.'s proposed
Redaction of
Shay, Jr.'s
Statements

Interview 10/17/92

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CONDENSED TRANSCRIPT AND CONCORDANCE

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[1] EXHIBIT: CHANNEL 56 INTERVIEW

[2] DATE: 10/17/92

[4] PARTICIPANTS: 1 THOMAS SHAY [5] 2. KAREN MARINELLA

[7] SHAY: Today is October 17, 1992. It is almost one [8] year after the death of Jeremiah Hurley and [9] the maiming of his partner Francis X. Foley, [10] a year after a bomb exploded and left one [11] officer dead and one destroyed for life, two [12] families destroyed without ever having any [13] chance of repair until the builder of that [14] device and conspirators are behind bars for [15] life.

[16] I, Tommy Shay, am guilty of something in that [17] case, but do not know what. I don't have the [18] average 20 year old male history. From age 5 [19] to 18, I was in the Department of Social [20] Services care. [21] I have no history of violence, not one record [22] of assault or otherwise from age 5 until now. [23] I am the one that had violence used against [24] him, and there is evidence that thirteen [25] years of my life, I was robbed of ever being [26] able to love someone or care.

[1] I was sexually abused by counselors, by [2] doctors and by my therapists. It was [3] mistreated physically, mentally and [4] emotionally.

[5] Today, my feelings toward life are dim. [6] There is no love. There is no caring. I [7] have lost my friends and family and, [8] especially, my self-esteem, trust, love, [9] care, pride to be an American or actually to [10] be alive.

[11] There are no smiles. There is no happiness. [12] Just a big emptiness. If ever I'm guilty of [13] any wrongdoing, it would be done or had been [14] done mentally by using words.

[15] I never asked Al Trenkler to to do any [16] type of physical harm by use of explosive or [17] otherwise. He did this on his own without my [18] knowledge, and I really don't know why.

[19] I did make purchases of electronic goods at a [20] number of stores for Trenkler, but my [21] knowledge of what I was buying was for [22] Trenkler's work.

[23] After the explosion, I knew who built it [24] because he said in

September, early October [25] of 1991, that he was building me a surprise. [26] I really didn't know what it was. I thought

[1] it was remote control car.

[2] In October, I saw some electrical equipment [3] in a bag, and he said it was part of my [4] surprise. We dumped this bag in a 300 depth [5] of water. He said the cops would never find [6] the stuff, and I didn't know what he meant.

[7] The ATF incited a 100-man driving task force [8] to find the package. The Coast Guard and the [9] Navy are also involved. District Attor- [10] U.S. Attorney Paul V. Kelly said, it doesn't [11] matter how much money this task force will [12] take to find the package, it could go from [13] \$1,000 to \$1,000,000, doesn't matter as long [14] as they convict Al Trenkler.

[15] By order of the federal government and the [16] federal authorities, I cannot disclose the [17] whereabouts of the package. I am asking you, [18] the citizens of this state, to help me.

[19] If you saw Al Trenkler or myself or both of [20] us at any time, whether in a store or a bar [21] or anywhere, please call 566-7058 or write [22] down the information and send it anonymously [23] to Tommy Shay, 10 Albany [Phonetic] Heights, [24] Plymouth, Mass, 02360.

[25] This information is vital to this case. The [26] streets of Boston are not safe anywhere in

[1] the Commonwealth - or in the Commonwealth.

[2] Please think back from September until [3] October 27th of 1991 if you saw myself or [4] Alfred Trenkler anywhere. Every piece of [5] information is vital.

[6] Thank you.

[7] MARINELLA: All right. [8] [Pause in video]

[9] MARINELLA: All right. Why don't we start - please [10] explain to me your relationship with this Al [11] Trenkler.

[12] Who is he? How did you meet him? What was [13] he to you? What is he to you?

[14] SHAY: One question at a time, please.

[15] I met Al Trenkler late 1989, possibly early [16] 1990, at a bar, and I got a ride home to [17] Quincy from him,

and he was a student at [18] Wentworth Tech. He was into electronics.

[19] I - I'm into building things, and we talked [20] and that's how I kind of got to know him, and [21] my relationship with him was, basically, an [22] acquaintance like a very good friend.

[23] MARINELLA: Mm-hmm. You - you weren't lovers.

[24] SHAY: We got to cut that out.

[25] MARINELLA: Okay. Well, I'm trying to establish just [26] what-

[1] SHAY: You-

[2] MARINELLA: -I mean, how close you-

[3] SHAY: You can't-

[4] MARINELLA: -are to this person.

[5] SHAY: You can't use none of that gay stuff in this.

[7] MARINELLA: Okay.

[8] SHAY: You know?

[9] MARINELLA: Okay. I'm trying-

[10] SHAY: Can't be in that-

[11] MARINELLA: -to establish-

[12] SHAY: You know, I'll get screwed in the jail here.

[13] MARINELLA: All right.

[14] SHAY: Tell them-

[15] MARINELLA: All right. I don't - okay. That - that [16] isn't what I - who I really meant. I just [17] - I'm trying to find out how close you are [18] to this guy. I mean, it's - it's not a [19] casual acquaintance.

[20] SHAY: Okay.

[21] MARINELLA: It's someone you've known for-

[22] SHAY: Are we still rolling here?

[23] CAMERA PERSON: Mm-hmm.

[24] SHAY: Okay.

[25] MARINELLA: It's not a casual acquaintance.

[26] SHAY: Let me say Al Trenkler and I shared that I

[1] was abused as a child under the Department of [2] Social Services care sexually, and so wasn't [3] he by his father, and I think because of [4] this, he thinks that my father put me in the [5] Department of Social Services and then he [6] went berserk out of his mind and possibly [7] went out and built this surprise for me to [8] make me maybe happy, you know, but-

[9] MARINELLA: So the two of you are very close.

[10] SHAY: Well, no. You see, he's an

Not relevant

OK

10/17/92

No Stone missing

2/28/92

Argument not relevant

Boston

acquaintance. I [11] would talk to him once a month, maybe twice a [12] - twice a month. You know, it wasn't like I [13] was with him twenty-four/ seven.

[14] MARINELLA: You weren't with him all the time?

[15] SHAY: No.

[16] MARINELLA: But your relationship or your friendship or [17] your acquaintance went over a period of two [18] years?

[19] SHAY: Three years.

[20] MARINELLA: Three years? Okay.

[21] And you talked to him regularly.

[22] SHAY: Yeah. We, you know, went out and did things. [23] Went bowling and the movies and stuff like [24] that.

[25] MARINELLA: You were friends.

[26] SHAY: Friends. Well, ac - he was an acquaintance.

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[1] I have friends that I spend twenty-four/seven [2] with, and I have friends that I talk to every [3] now and then.

[4] MARINELLA: And he was one of those-

[5] SHAY: Right-

[6] MARINELLA: -somebody you'd see now and then.

[7] SHAY: Right.

[8] MARINELLA: Okay. So what happens in this relationship [9] that makes him care about - I mean, if it's [10] a casual acquaintance, I don't understand why [11] he would-

[12] SHAY: We have the same feelings. We have - he was [13] abused and I was abused, and we relate.

[14] MARINELLA: Mm-hmm.

[15] SHAY: That's a relating. He couldn't do anything [16] about it and neither could I. We cried [17] together. We talked. He was - he - as an [18] acquaintance, he was there if ever I needed [19] him.

[20] MARINELLA: Mm-hmm.

[21] SHAY: Not like my friends, but he was an [22] acquaintance. It wasn't like - you know, I [23] wouldn't call him every, you know, day of the [24] week. I have friends that I call every day [25] of the week.

[26] MARINELLA: Mm-hmm. Okay. So you talked a lot about the

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[1] abuse issues in the course of your [2] relationship. At what - at what point - I [3] mean, was he angry about your

situation? [4] About what had happened to you?

[5] SHAY: He was angry that it - that it had happened [6] to me and maybe that was my father's fault or [7] my mother's fault because it was in those [8] schools.

[9] MARINELLA: Okay. So he builds a bomb.

[10] SHAY: So he builds a bomb, tries to kill my father [11] and thinks that I'm going to be happy over [12] it, maybe even thinks that I'm going to [13] collect a half million dollars because my [14] father's in a lawsuit with some people.

[15] MARINELLA: Okay. Now, let's get into some of that a [16] little bit. You - you - you said that you [17] are guilty of something in this case.

[18] SHAY: I'm guilty of knowing who built the bomb [19] after the fact. I did not know anything [20] about the bomb or explosives in this case at [21] any time before October 29th at ten a.m.

[22] MARINELLA: Okay.

[23] SHAY: Not one piece of information. I had maybe [24] hints or thoughts or just discoveries in my [25] head, but never to put them together and make [26] something of killing anybody or harming

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[1] anybody.

[2] MARINELLA: Mm-hmm. But you helped purchase the [3] equipment for this bomb. You're admitting [4] that.

[5] SHAY: I'm admitting that, but not to the fact that [6] I was helped to purchase stuff to build the [7] bomb. I was helping to purchase stuff for [8] his work to build antennas or lights or [9] whatever.

[10] MARINELLA: Now, you said that he had you purchase these [11] things-

[12] SHAY: That's right.

[13] MARINELLA: Why did you purchase them? Why did he tell [14] you to purchase them-

[15] SHAY: Because I like to handle money and he's got [16] you know, mega hundred dollar bills, and I'm [17] always, you know, like the Radio Shack clerk [18] on Mass Ave. recognized me.

[19] I don't know really why he recognized me, but [20] Al had me go in there and purchase these [21] things. He said, go across the street. He [22] gave me a list. I went in there. I got the [23] stuff. Al came in behind me and he

knew [24] that I liked to purchase, you know, I like to [25] be the guy with the money and, you know, go [26] out to a restaurant, whatever, and buy the

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[1] stuff.

[2] MARINELLA: Mm-hmm.

[3] SHAY: So he had me doing all the purchasing.

[4] MARINELLA: Mm-hmm.

[5] SHAY: But not until October 29th, the day after, [6] did I piece everything together and say, [7] gee, I'm the one that bought the stuff, I'm [8] going to - I'm doing - going to be the one [9] to pay because I bought something-

[10] MARINELLA: Mm-hmm-

[11] SHAY: -without the knowledge of what it was going [12] to be for.

[13] MARINELLA: What kinds of things were you buying? Tell [14] me.

[15] SHAY: A toggle switch, a AA battery holder, wires, [16] you know, electrical supplies.

[17] MARINELLA: Explosives? Did you buy-

[18] SHAY: No-

[19] MARINELLA: -explosives?

[20] SHAY: I didn't buy no explosives. Nope.

[21] MARINELLA: But you went with him on a trip where [22] explosives were purchased?

[23] SHAY: But not the explosives that were in the bomb.

[24] MARINELLA: Different explosives.

[25] SHAY: Different explosives.

[26] MARINELLA: When were the explosives in the bomb

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[1] purchased?

[2] SHAY: I don't know.

[3] MARINELLA: That wasn't in Maine? That wasn't that [4] trip-

[5] SHAY: Nope-

[6] MARINELLA: -to Maine?

[7] SHAY: Nope.

[8] MARINELLA: Something else all together.

[9] SHAY: That's right.

[10] MARINELLA: And you never thought anything of this. I [11] mean, he's sending you with a list of pretty [12] bizarre stuff, I would think.

[13] SHAY: Well, I mean, I don't know too much about [14] towers or computers or all the fields that [15] he's in, but, I mean, it's like - it's not [16] everyday stuff to me, but it seemed like

*Don't
ask her*

[17] everyday stuff to him.
 [18] MARINELLA: What was he saying to you that this was going [19] to be used for?
 [20] SHAY: For antennas, for towers, that something was [21] broken in a tower in Norwood or the tower [22] that he works at in Hingham.
 [23] MARINELLA: And this was over what? A three month period [24] of time or so?
 [25] SHAY: Yeah. I must have gone to, I'd say, between [26] 25 and 50 stores with him and purchased all

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[1] kinds of stuff, but everything - there's [2] only two things that I purchased that were [3] inside that explosive device that killed [4] Officer Hurley and-
 [5] MARINELLA: What were those two things?
 [6] SHAY: The toggle switch and the AA battery holder.

[7] MARINELLA: Okay. And in that three month period, I [8] mean, that's a lot of stuff he had you buy, a [9] lot of stores you were going into. Nothing [10] clicked? Nothing said, this is a little bit [11] weird?

[12] SHAY: No. No. I mean, actually, the only weird [13] part about it was all the money that I got [14] back from - in the receipts, I got to keep [15] the receipts.

[16] MARINELLA: Mm-hmm.
 [17] SHAY: Trying to find them at my house right now, [18] and I got to keep the money, you know. If I [19] paid with a 50, and it was \$5 worth of stuff, [20] I got to keep the \$45, so-

[21] MARINELLA: That seemed okay.
 [22] SHAY: Yeah. Well, it - it was a deal.

[23] MARINELLA: Um.

[24] SHAY: You know?

[25] MARINELLA: But even that you didn't think was [26] suspicious?

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[1] SHAY: No. I thought it was kind of weird that he [2] was letting me keep all the money after I [3] spend these fifties and hundreds.

[4] MARINELLA: Now, you had told me earlier that you got [5] little hints. You started to think something [6] was up. You did say that earlier. You got [7] hints, but you never really saw the whole [8] picture. What kind of hints? I mean-

[9] SHAY: You know-
 [10] MARINELLA: -did you think-
 [11] SHAY: -I'm building-
 [12] MARINELLA: -he was building-
 [13] SHAY: -a surprise. I started to think, you know, [14] what has he - I thought he was building me a [15] remote control car because I had loved-
 [16] MARINELLA: Mm-hmm-
 [17] SHAY: -to play, you know, cars and trucks similar [18] to the stuff and, you know, then he said, I'm [19] - we're going to go and dump this stuff, I'm [20] going to go out, you know, and go dump this [21] stuff under 300 depth of water.

[22] I'm thinking - he says, you know, the police [23] are never going to find it, and I said to [24] myself, what does he mean by this. The [25] police? What's the police have to do with my [26] surprise?

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[1] MARINELLA: Did you ask?

[2] SHAY: I did ask what the police had to do with my [3] surprise, and he just said, you know, mumbled [4] something. I don't know.

[5] MARINELLA: And that was the end of the conversation.

[6] SHAY: Yeah. I didn't know anything about actual [7] bombs. Never mind the stuff we talked about, [8] but actual bombs being made like the 1996 [9] bomb that was found in the Quincy Fish [10] Company truck, I never knew anything about [11] that until the 28th.

[12] MARINELLA: Mm-hmm. And on the 28th, you knew [13] everything.

[14] SHAY: On the 28th, at about twelve o'clock, I [15] started to piece things together and after my [16] jailing at the Dedham House of Correction and [17] my release, I thought it was time for me to [18] get out of here because I just didn't want [19] any involvement.

[20] I was scared. My youthfulness came back into [21] me, and I was scared like a little boy, and I [22] just needed to get out of there. I didn't [23] want any part of it because I had nothing to [24] do with it. I did have something to do with [25] it, but the knowledge of what had happened [26] was nothing, no part of it

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[1] MARINELLA: So you went to

California.
 [2] SHAY: So I went to California, and the reason I [3] used James Kehoe's military ID, the military [4] ID was expired. I cannot be charged with [5] that charge of using a military ID.
 [6] The reason I used it is because of the new [7] name and his ID was 22 years old. I was 20 [8] at the time, and that was, you know, bar time [9] for me.
 [10] MARINELLA: Okay.
 [11] SHAY: Because of the way I wanted it.

[12] MARINELLA: So if you felt all about that your [13] involvement was minimal and that you couldn't [14] get in trouble, why have you kept this to [15] yourself for so long? Why?

[16] SHAY: Well-

[17] MARINELLA: If you - if you're blaming somebody else for [18] having done this, why-

[19] SHAY: -actually - no, no, no, no, no, no, no. [20] It's a fact. There's no blame here. These [21] are facts.

[22] MARINELLA: Okay. I change the tense then. Okay.

[23] SHAY: Al Trenkler's lawyer went to go make - Terry [24] Segal went to make a deal with Paul Kelly [25] Paul Kelly would rather give me the deal, a [26] person that is not violent, that has no

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[1] record of assaults.

[2] My whole life, I mean, this guy has my [3] records for 20 years. I haven't had any kind [4] of violence my whole life, and he knows it, [5] and he knows that Al Trenkler is the [6] dangerous one so he offered me, in April, 20 [7] years, and he offered me ten - five and down [8] to three years here to go to a white collared [9] prison with - out of 8,000 inmates, a [10] federal prison, 3,500 are appellants so it's [11] a very, you know, three years, I can do [12] standing on my head.

[13] MARINELLA: But why didn't you come out right away with [14] the truth?

[15] SHAY: Well, because I didn't know and I didn't want [16] to dump something on somebody after the cops [17] had already been dumping on him. I didn't [18] want to throw it all on him until I found out [19] myself, and how I found out myself is because [20] he - how do I say this - Al Trenkler told [21] the police only me and Tom Shay

NOT here

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know, he [22] said, we're the only people that know.
 [23] He went to Paul Kelly and said, I want to [24] make a deal.
 [25] I believe that if my testimony - my proffer, [26] is what it was called, proffer doesn't come

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[1] and corroborate, then I believe that Al [2] Trenkler, if he gives himself up, will say [3] Tom Shay had no involvement because I had no [4] actual involvement, no knowledge, until after [5] it exploded.
 [6] MARINELLA: Mm-hmm.
 [7] SHAY: [My guiltiness is knowing who did it or [8] thinking about who did it after the bomb and [9] then fleeing-
 [10] MARINELLA: Mm-hmm-
 [11] SHAY: -not to tell anybody.
 [12] MARINELLA: Right.
 [13] SHAY: That's my guiltiness.
 [14] MARINELLA: And - and my question is, Why didn't you? I [15] mean, you were very visible on - on camera, [16] you've called all of us, you have repeatedly [17] told me you knew absolutely nothing about [18] this case.
 [19] Why have you, A, waited so long to say [20] anything and - and why are you now-
 [21] SHAY: I wasn't-
 [22] MARINELLA: -saying something-
 [23] SHAY: -sure. I was not sure that Al Trenkler did [24] it or not. There is still a piece missing in [25] the case. Al Trenkler doesn't know it. I [26] don't know it. The Feds don't know it.

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[1] Boston Police don't know it. Paul Kelly [2] doesn't know it.
 [3] [My father knew that was a bomb. How did he [4] know? Nobody knows. My father denies that [5] he ever had any threats. Paul Kelly talked [6] to him the other day, and Paul Kelly said, [7] Tom Shay, you know, did you get some threats, [8] I don't believe you. He said, I think you're [9] a liar because I think you got threats or [10] something in that sense.
 [11] MARINELLA: So-
 [12] SHAY: That's the piece missing.
 [13] MARINELLA: You think-
 [14] SHAY: How did my-
 [15] MARINELLA: -Trenkler knew your father?
 [16] SHAY: [I didn't - I'm not saying that. I'm saying [17] that. There's a - still a piece missing and [18] the puzzle

can't be solved until we get that [19] piece. How did my father know it was a bomb?
 [20] MARINELLA: I'm sure it looked like a bomb. Wires, [21] batteries, switches.
 [22] SHAY: From my knowledge-
 [23] MARINELLA: I wouldn't touch it.
 [24] SHAY: From my knowledge, my father picked it up [25] three times and threw it, but then Paul Kelly [26] said my father changed his story. He picked

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[1] it up carefully, placed it, placed it again [2] and placed it again, and here come these [3] officers, and they go to lift it up with a - [4] a file, lift it up and it blows up on them.
 [5] MARINELLA: Kills one.
 [6] SHAY: Kills one and them maimed Officer Foley.
 [7] MARINELLA: Yeah. You haven't - when was the last time [8] you heard from Al Trenkler?
 [9] SHAY: 1991, before - well, I got a - I got a note [10] through a guard at the Nashua Street jail in [11] Boston, but I can't prove that.
 [12] MARINELLA: Saying?
 [13] SHAY: From Al Trenkler saying he wanted to talk to [14] me. Said don't tell them anything, you know, [15] don't say anything about your purchases. [16] That's exactly what it said.
 [17] MARINELLA: Mm-hmm. But now you're saying-
 [18] SHAY: [But - but once the - once the purchase came [19] through from Radio Shack, and I found out [20] that I'm the one that built - built, excuse [21] me - purchased part of the built - [22] building, then I - it kind of hit me. You [23] know?
 [24] MARINELLA: Mm-hmm.
 [25] SHAY: A man's dead out there. There are five [26] children and a wife lost forever, family

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[1] destroyed. Never mind another family [2] destroyed.
 [3] I don't know if Francis X. Foley can ever put [4] his life together. I hope he does, but [5] nobody will ever be able to put their life [6] together until the streets are safe again.
 [7] MARINELLA: Mm-hmm.
 [8] SHAY: I feared that.
 [9] MARINELLA: What do you need to do?
 [10] CAMERA PERSON: [Unintelligible]

[11] MARINELLA: Please do. Did you bring one in? [12] [Pause in video]
 [13] MARINELLA: Okay. In the course of your relationship [14] with Mr. Al Trenkler, you never sat down and [15] - and talked about how you could get revenge [16] on your father or-
 [17] SHAY: Nope. Nope, nope.
 [18] MARINELLA: Or how you might hurt your father for-
 [19] SHAY: Nope-
 [20] MARINELLA: -hurting you-
 [21] SHAY: Nope, no, no, no, no, no-
 [22] MARINELLA: -all those years?
 [23] SHAY: [My father and I have a good rela - had a [24] good relationship until he thought I could do [25] something like this. We have never fought. [26] You know, we haven't had words together,

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[1] nothing. There's no - there's no love/hate [2] relationship like Charles K. Austin says.
 [3] MARINELLA: Well, you've told me many times that you [4] hated your father-
 [5] SHAY: No, no, no, no-
 [6] MARINELLA: -for-
 [7] SHAY: -no, no, no. For what?
 [8] MARINELLA: You've told me many times on the phone-
 [9] SHAY: No. I - I never-
 [10] MARINELLA: -that you felt-
 [11] SHAY: -that-
 [12] MARINELLA: -deserted as a child, unloved-
 [13] SHAY: Deserted and unloved-
 [14] MARINELLA: And you hated him-
 [15] SHAY: -is not hate. That's not hate. Hold on. [16] Then I got to go back on my words here [17] because-
 [18] MARINELLA: Okay-
 [19] SHAY: -I never said I hated my father. Hate - [20] hating someone and taking a gun or a bomb to [21] them is two different things. You know?
 [22] Hate, that's - a dislike, I should say. I [23] should have used my words better when I [24] talked to you-
 [25] MARINELLA: Okay-
 [26] SHAY: -whenever I said that, but I dislike him for

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[1] deserting me and my mother, you know, back [2] when I was five years old. My mother worked [3] three, four jobs to just get meat on the [4] table.
 [5] MARINELLA: So you were never

167
 STREET
 BOSTON
 POLICE

OP
 date
 name
 address

What do you
 think?

sitting around with this [6] guy, have - maybe have a couple of drinks or [7] something and - and you talk about how much [8] you dislike your father and-

[9] SHAY: No, no-

[10] MARINELLA: -how you - you're resentful

[11] SHAY: I never said that I disliked my father or [12] anything like that to Al Trenkler. I said [13] that it's my father's responsibility of why I [14] was in those schools.

[15] MARINELLA: Mm-hmm.

[16] SHAY: Al Trenkler took it as, geez, this guy's a [17] real asshole. You know? This kid spent 15 [18] years in all these schools, you know, and [19] then I told him the stor - story about Mary. [21] I was in the Baird Center here in Plymouth, [22] Mass, for a year. I got out. I moved to - [23] to Hyde Park. I'm in a new school. I'm just [24] getting in. [25] I'm making friends in the neighborhood, and [26] then all of a sudden, my father moves me into

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[1] a house where I can't even turn on the TV [2] without asking this Mary Flanagan.

[3] Now that - that kind of pissed - that - [4] that's something that pissed me off, but not [5] enough to kill somebody.

[6] MARINELLA: Mm-hmm.

[7] SHAY: Or even hurt them or to scare them. Not my [8] father, not my family. Now, I could do this [9] to somebody that tried to hurt my family or [10] something like that. I could do that to Al [11] Trenkler right now. I could - I could do [12] something to Al Trenkler right now, but-

[13] MARINELLA: But based on the stories that you told Al [14] Trenkler, he dreamed up this whole scenario [15] all by himself for a reason you don't know?

[16] SHAY: I'm telling you, we share the same thing.

[17] MARINELLA: Mm-hmm.

[18] SHAY: Al Trenkler was abused by his father. I was [19] abused by other people.

[20] MARINELLA: Okay.

[21] SHAY: He couldn't get back at his father so he [22] decides to get back at my father.

[23] MARINELLA: Okay.

[24] SHAY: That's how Paul Kelly sees

it. That's how [25] the Feds see it. That's how I see it.

[26] MARINELLA: All right. I'm going to pursue this a little

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[1] bit here. Bear with me. Thousands of [2] children in this state are abused sexually, [3] emotionally, physically every year in this [4] state. They don't go out and build bombs.

[5] SHAY: No comment. I have - I can't think of [6] anything to tell you. I just poured out my [7] heart today and here you are again. The [8] light's going dim, too.

[9] MARINELLA: This isn't - a lot of people are going to [10] hear this, Tom, and I have to ask these [11] questions, and they're going to say this is [12] hard to believe.

[13] This is hard to believe, A, that this kid [14] went out and bought all this stuff and had [15] absolutely no knowledge that this was going [16] to become a bomb.

[17] SHAY: That's my story.

[18] MARINELLA: They're finding it very hard to believe right [19] now. Why should we believe this?

[20] SHAY: Well, I-

[21] MARINELLA: Well, tell me-

[22] SHAY: -can't say anything anymore.

[23] MARINELLA: I'm here. Tell me why we should believe [24] this.

[25] SHAY: I - I can't say anything no more. You know? [26] I just told you and if they don't believe it,

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[1] I - I've got - right now, I've got \$10 [2] million at hand from the U.S. Government.

[3] I've got hundreds of guys working on the [4] case. I've got all these people. They're [5] believing it. They're our government. So, I [6] mean, they're the people that - they're the [7] ones that are running this country.

[8] Now, they seem to believe me because they [9] know that's the truth. They know that that's [10] what's going on.

[11] MARINELLA: You going to change that light?

[12] SHAY: You don't believe me. That's all right.

[13] MARINELLA: I have to ask these questions, Tom. I mean, [14] I mean, I - how many things have - have we [15]

talked about the past few months that perhaps [16] haven't happened yet or perhaps the truth was [17] stretched a little bit?

[18] I mean, you've told me from day one you knew [19] nothing about this from day one, and now this [20] is a complete turnaround so I have to ask you [21] why I should believe this now. I have to. [22] Tell me.

[23] SHAY: I don't have an answer for you. Maybe I do [24] have an answer for you. My friends have been [25] dumped on. My family has been dumped on. [26] I've been dumped on.

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[1] I saw no reason to cooperate with anybody and [2] tell them what was going on or what I thought [3] or anything until it comes down to me. Here [4] I sit in jail on - I don't know what I'm [5] saying here. Going to have to cut this out.

[6] MARINELLA: So you're sitting in jail and the guy-

[7] SHAY: For a cri - I'm sitting in jail for a crime [8] I didn't commit. Paul Kelly's telling me, [9] don't worry, Tom, that case is going to [10] evaporate. I'm sitting here for something [11] I'm never going to even go to jail for, a [12] bomb threat that another inmate may - made.

[13] The reason? Because Paul Kelly said, well, I [14] have enough evidence to indict you because [15] you purchased a piece of this bomb, you know.

[17] Well, okay. I'd rather be here on this [18] charge than be here for, you know, you know, [19] be indicted on the death of a cop. Why be [20] indicted on the death of a cop when I can be [21] indicted for knowing after the fact or some [22] three - you know, I'm in jail for three [23] years. I'll be going to jail for three years [24] for something I didn't even know. Never [25] mind.

[26] MARINELLA: Well, you knew it after the fact and-

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[1] SHAY: After-
[2] MARINELLA: -and - and you-
[3] SHAY: Then I took off-
[4] MARINELLA: But you were certainly questioned a lot by [5] authorities and, I would assume, denied to [6] them, just as - as you've denied to me all [7] these months that you knew anything so - I [8] mean, you did

keep information for a period [9] of time.

[10] SHAY: Well, I've kept infor- there are certain [11] little things you know, that - let me say [12] it to you this way.

[13] The first time I went into Paul Kelly's [14] office, we made a deal and I talked to him. [15] I took hypnosis and I told him stuff. I told [16] him maybe Al Trenkler did this on his own and [17] I didn't know it.

[18] The whole time, I said that and that's the [19] truth. I was pointing and leading up to [20] that. Maybe he did it on his own-

[21] MARINELLA: Mm-hmm-

[22] SHAY: -and I didn't know it, and then I went in [23] the second time. They screwed me twice. [24] First they said, oh, we'll get rid of this [25] case, and then they brought a new case [26] against me. Then they get rid of that case

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[1] and they bring a new case against me.

[2] So until, you know, there's nothing I'm [3] holding back now. I've already spilled my [4] guts, but, hopefully, you'll find something [5] and this case will get over with.

[6] Why you should believe me? I really don't [7] know. I don't know why you should believe [8] me. I mean, I've got the government [9] believing me. We're talking about millions [10] of dollars here. I mean, if they're willing [11] to spend millions of dollars and believe me, [12] then that's a good reason for you to believe [13] me.

[14] MARINELLA: Or maybe they're working with you now. I, [15] mean, for the first time, you're finally [16] saying some things and-

[17] SHAY: And they add up-

[18] MARINELLA: -they're starting to be able to put this - [19] this case together finally. Is this a case [20] where maybe somebody was trying to scare you [21] dad, you did know about it ahead of time-

[22] SHAY: Nope-

[23] MARINELLA: -and it got out of control?

[24] SHAY: Nope.

[25] MARINELLA: No maybes, huh?

[26] SHAY: No maybes.

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[1] MARINELLA: You're not lying on that one?

[2] SHAY: Nope.

[3] MARINELLA: Because it would - it's scary. I mean, [4] it's-

[5] SHAY: How did my dad know it was a bomb? There's a [6] theory-

[7] MARINELLA: How didn't you know it was a bomb?

[8] SHAY: Because I never knew it was put there.

[9] MARINELLA: You said you were getting him - you said you [10] were having-

[11] SHAY: I said I was getting-

[12] MARINELLA: -inklings-

[13] SHAY: I said I was getting hints-

[14] MARINELLA: Did you know he was going to try to scare [15] your father?

[16] SHAY: Nope. Nope.

[17] MARINELLA: Did you hope he was going to try to scare [18] your father?

[19] SHAY: No. There's no reason to scare my father. [20] For what?

[21] MARINELLA: Mm-hmm.

[22] SHAY: One week before that bomb went off, me and my [23] father were at the track. Two weeks, my [24] father put up \$200 for dental work. Me and [25] my father were getting along. There was no [26] need for anything.

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[1] I'm going to scare my - or do something to [2] my father, it's going to be with words. You [3] know? It's not going to be with action.

[4] MARINELLA: But if you didn't do it - I mean, yeah, you [5] - you're - you're still saying you didn't [6] do it. Someone else could have done it for [7] you.

[8] SHAY: When did I pay them? With what?

[9] MARINELLA: The money that you might have gotten if he [10] had been killed-

[11] SHAY: No, no, no, no, no. My lawyers proved that [12] in - only after death from people in [13] automobile accidents, you people collect the [14] money even if they're dead or alive.

[15] MARINELLA: But did you know that ahead of time?

[16] SHAY: I did know that. This Allen Pransky, my [17] father's lawyer, told me.

[18] MARINELLA: You looked into it.

[19] SHAY: Hum?

[20] MARINELLA: You looked into it-

[21] SHAY: No-

[22] MARINELLA: -ahead of time?

[23] SHAY: This is in 1990-

[24] MARINELLA: Mm-hmm-

[25] SHAY: -I knew about that.

[26] MARINELLA: Again, I'm just asking because so many things

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[1] that you and I have talked about in the past [2] few months, A, haven't happened or, B, the [3] truth-

[4] SHAY: I always thought-

[5] MARINELLA: -has been stretched-

[6] SHAY: -I was going to get indicted. Truth getting [7] stretched?

This is all - well, I never saw [8] Al Trenkler build the bomb so he might not [9] have, but little pieces add up.

[10] I purchased the Radio Shack stuff for Al [11] Trenkler. Then the stuff's found in the bomb [12] that killed the cop. Al Trenkler's the one [13] that had the stuff so Al Trenkler must have [14] built it, the one that has something of [15] building a bomb.

[16] He's in electronics and, also, like a [17] fingerprint, the bomb that he built in '86 is [18] exactly - there's only two different things [19] about it was what I was told by the Feds, [20] what - what was in the bomb. It was like a [21] fingerprint in '86 to the '91.

[22] MARINELLA: Mm-hmm.

[23] SHAY: That's - that adds up-

[24] MARINELLA: You know what people are going to think when [25] they hear this. I mean, they've been [26] listening to you for months like I have say I

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[1] know nothing. They're looking at you now [2] with raised eyebrows saying, ah ha, he did [3] know.

[4] SHAY: No. How did I know?

[5] MARINELLA: After the fact, you knew.

[6] SHAY: After the fact.

[7] MARINELLA: You've been telling us forever you didn't [8] know anything.

[9] SHAY: That's right. I was trying to protect my [10] friend until I knew for myself. I'm not [11] going to say, oh, Joe Schmo went out and [12] built the bomb. I don't know. I want to put [13] the pieces together and find out first.

[14] MARINELLA: You're not an investigator. Let them do it.

[15] SHAY: No, but I - I have investigative techniques. [16] In my mind, I can put things together. Once

[17] Terry Segal - my lawyer Jefferson Boone told [18] me that Terry Segal was trying to make a deal [19] with this, I thought to myself, shit. You [20] know? [21] Why should he be making the deal? I had [22] nothing to do with this. My story doesn't [23] corroborate. I - but if I had - if there [24] were two of me, if I was twins, I'd bet my [25] other half, his life or my life, I should [26] say, that Al Trenkler's going to come in and

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[1] say Tom Shay didn't have anything to do with [2] this, this is the story.

[3] MARINELLA: Why would you bet that?

[4] SHAY: What?

[5] MARINELLA: Why would you bet that?

[6] SHAY: Because I didn't have anything to do with it.

[7] MARINELLA: Or he could come in and say that you helped [8] conspire. You might not have built it, but [9] you might have conspired to build it.

[10] SHAY: He's the dangerous one.

[11] MARINELLA: Why?

[12] SHAY: He's the one that built it.

[13] MARINELLA: Some might say that if you helped conspire, [14] you'd be a dangerous one, too.

[15] SHAY: Anybody can go out and hire a hit man. [16] Anybody. You can go down to, we'll say [17] Roxbury, I mean, pay somebody \$50 to go and [18] take somebody out.

[19] MARINELLA: Mm-hmm.

[20] SHAY: It's easy.

[21] MARINELLA: Right.

[22] SHAY: But a bomb? Why a bomb? Why am I going to [23] go out and, you know, get somebody to build a [24] bomb for me instead of going down to Roxbury [25] to get - pay somebody \$50 to go out and take [26] somebody out? Why?

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[1] MARINELLA: You tell me.

[2] SHAY: I don't want-

[3] MARINELLA: I don't know-

[4] SHAY: -the excitement. People that do that go out [5] and do stuff like that easy. They want to do [6] it quick, you know, not a lot of cops. Never [7] mind - a police officer is dead.

[8] MARINELLA: Are you feeling guilty?

[9] SHAY: Why should I feel guilty? I didn't do [10] anything.

[11] MARINELLA: Are you feeling guilty because this cop is [12] dead? It's almost a year. You have known [13] information for a year and haven't said [14] anything.

[15] SHAY: No. Wrong. Every time I was in Paul Kelly's [16] office, the U.S. Attorneys Office, I always [17] said Al Trenkler had done it, had done this [18] on his own. I've always stuck to that story, [19] and I always will stick to that story.

[20] Everything up until today I've told you is [21] just - I should say stuff that has poured [22] out of mouths by police, my family and [23] myself, but it just all built up into a ball [24] until today. Stuff is happening today. [25] Maybe between \$10,000 and \$20,000 has already [26] been spent. I mean, they're going out and

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[1] hiring divers and, you know-

[2] MARINELLA: Mm-hmm.

[3] SHAY: This case is going to be opened. They're [4] going to find the stuff and, you know-

[5] MARINELLA: You told me 18 times this is the story you're [6] going to stick to. First, it was, I didn't [7] know anything, I'm sticking to it. Then it [8] was, my father did it, I'm sticking to it, [9] Then it was, Trenkler did it, I'm sticking to [10] it.

[11] SHAY: But-

[12] MARINELLA: Next it's going to be, okay, I knew ahead of [13] time, I made a mistake, I didn't think it was [14] going to get this far out of control, I'm [15] sticking-

[16] SHAY: I'll never-

[17] MARINELLA: -to it.

[18] SHAY: I'll never say that. Also, I have a book [19] coming out.

[20] MARINELLA: Another thing.

[21] SHAY: Another thing. My lawyer's already hired a [22] - a ghost writer.

There's going to be a [23] book. There's already going to be a book. [24]

There are already two people on it, one guy [25] from the Parkway Transcript and another [26] person writing a book, but I already got

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[1] copyrighting for this.

[2] MARINELLA: Mm-hmm. So this is the story, huh?

[3] SHAY: This is the story. [Laughs]

[4] MARINELLA: Okay. We'll see.

Two shots- [5] [Pause in video]

[6] SHAY: Look through the lawyer and stuff-

[7] MARINELLA: Mm-hmm-

[8] SHAY: -but not directly from him.

[9] MARINELLA: I think you've had a lot of time in here to [10] think or not here, but other places, and my [11] personal feeling is that you're mad that [12] you're in here and he's not and that's why [13] you're talking.

[14] SHAY: You bet. You're right. You're right. I had [15] to, you know, come out and let every - let [16] the world know what's going on, you know. [17] The - the inmates in here call me a rat, but [18] I'm not going to let Al Trenkler go out and [19] make a deal with somebody for something and [20] then say something about me that I didn't do.

[21] Why - why shouldn't I go out and get the [22] better deal? They don't want me.

[23] MARINELLA: Mm-hmm.

[24] SHAY: Because anybody can hire a hit man, like I [25] said. Anybody can have somebody killed for [26] money. I didn't have any money.

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[1] [Pause in video]

[2] MARINELLA: You say, just to keep on that vein, that [3] you're running scared right now because of [4] that, because you're afraid he might get away [5] with something and you're going to end up [6] stuck in here-

[7] SHAY: That's right-

[8] MARINELLA: -and you're running scared and that's why [9] you're - you're talking.

[10] SHAY: That's right. I-

[11] MARINELLA: In fact, you're talking-

[12] SHAY: -decided-

[13] MARINELLA: -so that it's going to be to your advantage. [14] You're - you've got enough time to - to [15] make up a story, if you will. You're in here [16] spending your time figuring out how you can [17] get him in jail and protect yourself at the [18] same time. You're running scared.

[19] SHAY: I'm - if you were in my shoes, which you're [20] not, you would do exactly what I'm doing. [21] You'd spill the beans like me because we're [22] at a two - almost a two week deadline before [23] they want to close

this case.]

[24] They want to just indict me and indict [25] Trenkler and get it over with, but they want [26] Trenkler, in a way, more than they want me

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[1] because anybody can hire a hit man, like I [2] said, but the man that built the bomb is more [3] important than anybody in this case.

[4] He is more important. They know my history. [5] I've never - never ever in my life, and [6] we're talking three cabinets of files that [7] Paul Kelly's gone through, never in my life [8] went to hit somebody or said to another kid, [9] can you go hit that guy for me or anything in [10] my life.

[11] I'm a nonviolent person. I let people hit - [12] I've gotten beaten up here twice.

[13] MARINELLA: Mm-hmm.

[14] SHAY: Let them beat me up and then I walk away. [15] You know? I don't care.

[16] MARINELLA: You're scared though.

[17] SHAY: Scared of going to jail for 20 years for [18] something I didn't do, yes. Don't-

[19] MARINELLA: And this something-

[20] SHAY: -I have a right-

[21] MARINELLA: -being the actual building of the bomb-

[22] SHAY: What?

[23] MARINELLA: You did not put the pieces together.

[24] SHAY: That's right. I did not put the pieces [25] together.

[26] MARINELLA: And you think that-

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[1] SHAY: And Paul Kelly knows and the Feds know and [2] the Boston Police know that I don't have the [3] technique or anything even if I had somebody [4] sitting beside me because my fingerprints [5] aren't on that bomb, but there could be a [6] half a fingerprint on that bomb that could be [7] Al Trenkler's. [8] [Pause in video]
[9] I had one day, one day to come out and say [10] what I was going to say. My lawyer knew it [11] and I knew it because my lawyer came here. [12] He - he never comes out here, and he comes [13] out here and he tells me, Tom, you got one [14] day, they're either going to indict you - [15] [Pause in video]

[16] SHAY/ - if I didn't make the deal - deal, [17] Trenkler would have, and I would be, you [18] know, on the front page of every newspaper as [19] the man that killed the cop.

[20] I didn't kill nobody. I didn't hire anybody [21] to kill anybody. I didn't put no pieces [22] together. I purchased a piece without the [23] knowledge of - of what that - what it was [24] going to. I thought it was going to a - an [25] -

[26] I didn't want to say anything about