

State rests its case in Shay bomb trial

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After almost three weeks of testimony, the prosecution in the bombing trial of Thomas A. Shay rested its case yesterday, after presenting evidence that Shay admitted involvement in the 1991 bomb blast that killed Boston Police Officer Jeremiah J. Hurley Jr.

Shay's own admissions during a 32-minute television interview, and a receipt from a Radio Shack store indicating that he may have purchased some of the bomb's components 10 days before its detonation, were among the strongest pieces of evidence presented by the prosecution.

Shay, 21, of Quincy, is charged with conspiring to build and detonate the bomb. He could be sentenced to life in prison if convicted. The jury in US District Court is expected to begin deliberating tomorrow.

Nancy Gertner, Shay's attorney, called a series of witnesses yesterday to testify to Shay's whereabouts on the days before the Oct. 28, 1991 explosion.

It was during that period that an explosive device was attached to the car of Shay's father, Thomas L. Shay, of Eastbourne Street in Roslindale. Bomb squad investigator Hurley was killed and his partner, Francis X. Foley, maimed when the device exploded as they examined it.

Scott Critcher, a clerk at Store 24 in Quincy, testified that he saw Thomas A. Shay on the three evenings preceding the explosion — one evening at a party Critcher threw, and two evenings at the Store 24. He said Shay was in and out of the store most of the evening.

Other persons at Critcher's party testified to seeing Shay there.

Assistant US Attorneys Paul V. Kelly and Frank Libby Jr. contend that Shay conspired with Alfred Trenkler, 37, of Quincy, to kill Shay's father with a bomb to revenge Shay's childhood of neglect and abuse. They also contend that Shay wanted to kill his father to inherit the proceeds from a pending lawsuit Shay's father had filed. Trenkler will be tried separately at a later date.

In earlier testimony, Trenkler and Shay were linked by Edward Carrion, who said he had an on-and-off relationship with Shay from 1988 to 1991. Carrion said he saw Shay and Trenkler together in a Back Bay location known as "the Block," where gay men go to meet others.

Carrion also testified that he dropped Shay off at the Milton home of Trenkler's parents in the summer and fall of 1991. But Trenkler's mother and stepfather, Josephine and Jack Wallace, testified yesterday that they could not recall Trenkler ever bringing Shay to their home.

Trenkler's roommate, John Cates, also testified that he never met Shay. He testified that he was with Trenkler during most of the three days preceding the bomb explosion.

Gertner is expected to call additional witnesses today.

In the videotaped interview with Shay by WLVI-TV (Ch. 56) anchor Karen Marinella, Shay said Trenkler built the bomb without his prior knowledge, though he admitted to willingly purchasing some of the bomb's components at Trenkler's request.

"I never asked Al Trenkler to do any type of physical harm by use of explosives or otherwise. He did this on his own without my knowledge, and I really don't know why.

"I did make purchases of electronic goods at a number of stores for Trenkler . . . after the explosion I knew who built it because he said in September, early October of 1991, that he was building a surprise for me."

"So he builds a bomb, tries to kill my father and thinks that I'm going to collect a half million dollars because my father's in a lawsuit with some people . . . I'm guilty of knowing who built the bomb after the fact."

Gertner has attempted to show that Shay was mentally unstable and willing to say virtually anything to news reporters so long as he got the attention he craved. Judge Rya Zobel denied Gertner's request to call a psychiatrist as a witness to testify about Shay's mental condition.