

# Lawyer: Shay was told of bomb-case evidence

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The lawyer for bombing defendant Thomas A. Shay yesterday sought to lessen the impact of Shay's admissions concerning involvement in the 1991 bombing death of a Boston police officer by presenting evidence that Shay may have falsely incriminated himself.

In a videotaped interview with WLVI-TV (Channel 56) anchorwoman Karen Marinella, Shay said last October that he purchased some of the bomb's components at a Radio Shack store 10 days before the bombing. Yesterday, Shay's former attorney, William McPhee of Quincy, testified in US District Court that he informed Shay about the Radio Shack evidence in May 1992. McPhee said he obtained that information, including a copy of an incriminating Radio Shack sales receipt, from assistant US Attorney Paul V. Kelly, who was then investigating Shay.

McPhee's testimony may provide an opening for Nancy Gertner, Shay's attorney, to argue that Shay's admissions on Channel 56 were Shay's reckless attempts to explain away the evidence he knew the government was planning to use against him.

In the videotape, which was played to the jury on Tuesday, Shay, 21, of Quincy, said he purchased electronic parts for Alfred Trenkler, 37, of Quincy. Shay said he did not realize what Trenkler was up to until after the explosion occurred in Roslindale on Oct. 28, 1991, killing Boston Police officer Jeremiah J. Hurley Jr. and maiming his partner, Francis X. Foley.

Gertner and Kelly are scheduled to make closing statements this morning to the jury, which is expected to begin deliberating this afternoon.

Shay and Trenkler are charged with conspiring to build and detonate the bomb. Trenkler is to be tried separately later.