

Deliberations begin in Shay bombing case

By Sean P. Murphy
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The jury in the bombing trial of Thomas A. Shay began its deliberations yesterday afternoon, after attorneys for both sides in the case focused their closing statements on Shay's own admissions concerning the bomb blast that killed a Boston police officer in 1991.

The jury suspended its deliberations after two hours, and will resume on Monday morning in US District Court.

In his closing statement, assistant US Attorney Paul V. Kelly urged the jury to rely on Shay's own words in finding him guilty of conspiring to build the bomb which killed Officer Jeremiah Hurley Jr.

Kelly replayed a videotaped interview of Shay telling WLVI-TV (Ch. 56) anchor Karen Marinella that he was "guilty" of purchasing a toggle switch used by his friend and lover, Alfred Trenkler, to build the bomb.

Kelly told the jury that explosive experts found a Radio Shack toggle switch in the debris, and that Radio Shack sale records indicate that a man named "Sahy" purchased the switch 10 days before the bomb exploded at the Roslindale home of Shay's father.

Kelly contends that the clerk meant to type "Shay," instead of "Sahy."

"Officer Hurley was the victim of a couple of misguided domestic terrorists," Kelly said.

But Nancy Gertner, Shay's attorney, cautioned the jury not to believe anything Shay said to police or a news reporter. She portrayed him as so starved for attention that he falsely incriminated himself just to remain the focus of news media attention.

"This is a defendant who can't keep his mouth shut, who will say anything to anyone," she said. "But is anything he says reliable?"

In fact, she said, of what he said to the news media has proven to be false. She said Shay knew from his

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NANCY GERTNER
Defense attorney

former attorney that investigators had obtained a copy of the Radio Shack sales receipt, and that Shay had simply "regurgitated" that information in his interview with Marinella.

"This was not a confession," she said. "It's was a reconstruction of the government's case. It was a fabrication."

Gertner discounted the contention that Shay sought to revenge his childhood of neglect by killing his father, Thomas L. Shay. She said the son left his father a warm and loving thank-you note shortly before the bombing.

Gertner also dismissed as a possible motive Shay's expectation of an inheritance from his father, saying the younger Shay could have joined his father as a plaintiff in a lawsuit his father filed against the owners of a Dedham service station for injuries he allegedly suffered when a bomb exploded at the station while both the father and son were there if he were so interested in its proceeds.

She argued that Shay's father had a better motive to construct the bomb and plant it on his own car.

Gertner said the father might have believed the service station owners could be intimidated into quickly settling the case out of court if Thomas L. Shay reported to the police that he had found a bomb attached to his car.

Shay, 21, of Quincy, faces a possible life sentence if convicted. Trenkler, 37, of Quincy, is scheduled to be tried in the fall.