

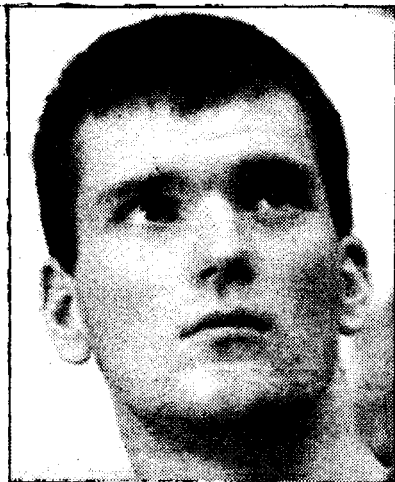
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'I prepared myself if it went the other way. None of us were seeking revenge or anything.'

FRANCIS X. FOLEY

Bomb blast victim

THOMAS A. SHAY
To be sentenced Oct. 6

Shay found guilty in deadly 1991 bomb plot, blast

By Matthew Brelis
GLOBE STAFF

A federal jury yesterday found Thomas A. Shay, 21, guilty of plotting with an engineer friend to plant a bomb under his father's car that killed one Boston police officer and seriously wounded another in 1991.

The jury, which deliberated for 13 hours over three days, found Shay, of Quincy, guilty of conspiring with Alfred Trenkler, 36, of Quincy to kill Shay's father, Thomas L. Shay.

Jurors also found Shay guilty of aiding and abetting in the attempted malicious destruction of the car, causing the death of bomb squad officer Jeremiah J. Hurley Jr. — a charge that carries a maximum penalty of life in prison.

Shay was acquitted of a third charge of receiving explosives.

US District Judge Rya Zobel scheduled sentencing for Oct. 6 and ordered Shay to remain jailed without bail.

Officer Francis X. Foley, who lost an eye and was permanently disabled by the Oct. 28, 1991, blast in the driveway of

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Shay found guilty in deadly 1991 bomb plot, explosion

■ SHAY

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the elder Shay's partner, hung on the edge of his seat as jurors filed into a packed federal courtroom.

"With the first count, I was ecstatic," Foley said. "With the second count I got a little apprehensive, and with the third count I was just relieved."

"I knew that this was a difficult case, and I prepared myself if it went the other way. None of us were seeking revenge or anything," he said.

"Jerry was a great guy, and he would have been happy the way it worked out. He wasn't vengeful, but we both thought that people who commit these acts, build bombs, are terrorists . . . I just hope it gives his family some peace."

Foley praised the prosecutors,

assistant US attorneys Paul V. Kelly and Frank A. Libby Jr., and the Boston police and federal bureau of Alcohol, Tobacco and Firearms agents who investigated the bombing.

Kelly said members of Hurley's family, who left town on a prepaid vacation, are "relieved" by the verdict.

On Oct. 28, 1991, the bomb squad was dispatched to the home the elder Shay shared with his girlfriend at 39 Eastbourne St. in Roslindale to investigate his claim that a suspicious box had fallen from under his car.

Foley and Hurley were examining the remote-controlled device in the elder Shay's driveway when it exploded.

As Boston police, ATF agents and federal prosecutors toiled together to solve the case, the younger Shay emerged as a suspect.

Investigators speculated he had

the motive — a childhood marred by abuse and neglect — and the means — a friend with a history of building a bomb — to kill his father.

Prosecutors alleged Shay enlisted Trenkler to build a bomb. Trenkler has remained jailed without bail since he was indicted with Shay in December on charges they plotted to plant the bomb that killed Hurley. He's scheduled to stand trial in October.

The verdict was the result of painstaking police work, Boston Police Commissioner William Bratton and Terence McArdle, special agent in charge of the Boston ATF office, said at a press conference yesterday.

Law enforcement sources said the verdict is a huge morale boost for the US attorney's office and will help improve relations between federal law enforcement and Boston police.

The evidence against Shay was circumstantial. There were no eye-

witnesses testifying they saw Shay place the bomb under his father's car.

ATF agents and explosives experts testified they reconstructed the bomb from debris and determined that a Radio Shack toggle switch was used in the device. ATF agent Dennis Leahy found a Radio Shack receipt dated 10 days before the bomb indicating that a person who identified himself as "SAHY" purchased the same model toggle switch.

That receipt, coupled with Shay's admission in a WLVJ-TV (Ch. 56) interview that he purchased the toggle switch for Trenkler without knowing it was going to be used in a bomb, presented strong circumstantial evidence.

The trial had poignant testimony from police officers recounting Hurley's last words, admonishing fellow officers to tell his family he loved them. It also had testimony about

gay lifestyles, and how Shay and Trenkler knew each other and occasionally met in the Back Bay area known as "the Block" where gay men meet.

Throughout the trial, Shay frequently smiled at spectators. Yesterday, he appeared stunned by the verdict. He sat slumped over in his chair and stared ahead. He looked at the jury only when clerk Francis Dello Russo polled each individually.

Shay had no comment as he was led from the courtroom.

His mother, Nancy Shay, said her son is innocent.

"He is a very loving and giving child. I think he made the whole thing up and got himself in trouble by talking. He has a fascination with the media."

Thomas L. Shay, the intended target of the bomb, said, "The whole thing is very sad and emotional" and refused further comment.

Shay's attorneys, Nancy Gertner,

Amy Baron-Evans and Jefferson Boone, tried to cast doubt on the prosecution's contention that Shay tried to kill his father to avenge a childhood spent in and out of foster homes and punctuated by neglect and abuse, as well as Shay's hope that he would inherit money from a civil suit his father had brought. They suggested Shay's father planted the bomb to further his civil suit.

They wanted to introduce testimony by a psychiatrist that Shay craved media attention and had a compulsion to say what he thought people wanted to hear whether or not it was true.

Zobel prohibited that testimony from coming in, but also blocked key government testimony — a Radio Shack clerk identifying Shay as the individual who purchased the toggle switch, and Trenkler's role in a 1996 bombing.

Baron-Evans said they will appeal.