

Initially, Shay had implicated love

By Matthew Brelis
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Before he was tried and convicted for killing a Boston police officer with a bomb intended for his father, Thomas A. Shay was cooperating with the federal government and implicating his lover, who allegedly built the bomb.

Last fall, when Shay, 21, of Quincy, told law enforcement officials that the leftover bomb parts were dumped in a Quincy quarry, investigators turned to US Navy divers and a submarine borrowed from the Woods Hole Oceanographic Institution to explore the quarry's depths, law enforcement sources said.

But the elaborate efforts were fruitless. Boston police detectives and federal agents from the Bureau of Alcohol, Tobacco and Firearms were also unable to locate the South Shore shack next to the radio tower where Shay insisted his lover, Alfred Trenkler, an engineer, built the bomb.

After concluding that Shay had reneged on his agreement to be truthful in exchange for a lesser sentence for himself, the government decided to prosecute him on charges that he orchestrated the Oct. 28, 1991, blast that killed Officer Jeremiah J. Hurley Jr. and wounded fellow bomb squad officer Francis X. Foley.

The agreement prohibited the government from introducing at trial any of Shay's

admissions to them while he was in jail. But Shay's temporary immunity from prosecution covers statements he made to the press. In an interview he gave to a WLVI-TV reporter, he came back to haunt him at a federal trial that ended with his conviction Tuesday.

On the Channel 56 videotape, Shay admits buying parts that were used to build the bomb, but insists he did not know what purpose was.

"That videotape was very important to us," a juror who did not want to be named said during a telephone interview yesterday. The juror also said a tape of a telephone conversation Shay made to a friend while in jail was also important. SHAY

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in San Francisco hiding out after the bombing was important. On the tape, Shay said he was in San Francisco because "The cops still think I did it."

Shay tried to enter into another agreement with the government after his trial started June 28. Shay was willing to enter a so-called Alford plea in which he would acknowledge the government had enough evidence for a jury to find him guilty, but wouldn't admit his guilt, law enforcement sources said.

Defense attorney Amy Baron-Evans would not comment on the Alford plea, saying, "It would not be appropriate to comment on plea discussions if there were any. All I will say is he maintained his innocence and went to trial."

Sources said Assistant US Attorneys Paul V. Kelly and Frank A. Libby Jr. - at the urging of the Boston Police Department and the Hurley and Foley families - rejected the Alford plea.

Shay was found guilty Tuesday of conspiring with Trenkler to kill his father by planting a bomb under his car that detonated in his father's Roslindale driveway while being in-

spected by the Boston police bomb squad. He was also convicted of aiding and abetting the attempted destruction of his father's car - the vehicle under which the bomb was placed.

Trenkler, 36, of Quincy, is scheduled to stand trial for his alleged role in the bombing in October.

It is possible prosecutors will call Shay as a witness at Trenkler's trial.

"If Shay were forced to testify they would be forcing him to commit perjury because he doesn't know anything," Baron-Evans said.

The defense team, headed by Nancy Gertner, tried to raise doubts in jurors' minds about Shay's guilt by attempting to pin the bombing on Shay's father, Thomas L. Shay, a retired auto body mechanic.

But the juror who was interviewed said the jury did not think the elder Shay was capable of making the bomb.

The juror and one other juror both said the jury thought evidence was suppressed that the jury should have been told about, but would not be more specific.

"The deliberations were very traumatic and soul-searching and we did the best job we could," another juror said.