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FROM THE DESK OF AL TRENKLER

FAX TRANSMITTAL COVER SHEET

PAGES, INCLUDING COVER SHEET: 11

TERRY SEGAL
MAT FEINBURG
 TO: *MAT HAMHOLTZ* DATE: *14 SEP 93*

CONCERNING: *SUPPRESSION HEARING NOTES*

STATEMENT OF CONFIDENTIALITY

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SHOULD THIS TRANSMITTAL BE COMPLETE OR ILLEGIBLE
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[1]

SUPPRESSION HEARING

NOV 5 FRANK TIERNEY - QPD.

PAGE 3-40 OF SUPPRESSION HEARING

STATES HE WAS FAMILIAR WITH ME FROM A CASE IN 1986, POSSESSION OF AN INFERNAL MACHINE, A FISH TRUCK WAS BLOWN UP IN WEST QUINCY. - ALTHOUGH THE ORIGINAL QPD POLICE REPORT WAS NOT ENTERED AS EVIDENCE, THE FISH TRUCK WAS NOT HARMED IN ANY WAY SHAPE OR FORM. - TIERNEY IS NOT TELLING THE TRUTH CONCERNING THE EVENT IN 1986, THE TRUCK, AS REPORTED IN THE QPD REPORT, SHOWED NO VISIBLE SIGNS OF DAMAGE.

PAGE 3-58

TIERNEY STATES HE OBSERVED TRENKLER BY THE BACK DOOR OF 133 ATLANTIC STREET.

PAGE 3-75

TIERNEY STATES HE WAS IN THE BACK OF THE HOUSE AND HE (TRENKLER) WAS BY THE BACK DOOR.

Q. HOW FAR AWAY WERE YOU FROM HIM

A. EIGHT FEET

Q. WAS HE OUTSIDE OR INSIDE THE HOUSE?

A. OUTSIDE

Q. HE WAS STANDING BY THE BACK DOOR?

A. THAT'S CORRECT

Q. DID HE SEE YOU?

A. NOT THAT I KNOW OF

Q. ALL RIGHT. YOU WALKED AROUND THE BACK, YOU WERE EIGHT FEET AWAY FROM HIM, YOU SAW HIM, AND HE DIDN'T SEE YOU?

A. THAT'S RIGHT

...A. THE SIDE OF HIM, HIS SIDE WAS TO ME, NOT HIS BACK OR HIS FRONT. HIS SIDE WAS TO ME.

...Q. WHICH DIRECTION WAS HIS (TRENKLER) HEAD FACING WHEN YOU OBSERVED HIM AT THE BACK DOOR?

A. THE SIDE OF THE HOUSE.

Q. FACING THE SIDE OF THE HOUSE?

A. RIGHT

Q. HIS BACK WAS MORE OR LESS TO THE BACKYARD?

A. NO. HIS BACK WAS MORE OR LESS TO THE STREET

Q. AND IS THIS -- WAS THERE A LIGHT ON IN THE BACKYARD?

A. I DIDN'T NOTICE ONE

IF WE ARE TO BELIEVE THIS LOGIC, IF I WAS STANDING IN THE BACK YARD WITH MY BACK TO THE STREET AND MY FACE TOWARD THE BACK OF THE HOUSE, FIRST OF ALL THE LIGHTS WOULD HAVE BEEN ON BECAUSE OF THE MOTION DETECTOR TO THE SIDE OF THE BACK DOOR, AS SEEN IN EX.1-EXTERIOR PHOTO'S OF 133 ATLANTIC STREET, SECOND, IF SOMEONE WAS STANDING IN THE BACK YARD, ALL THE DOGS WOULD BE BARKING, AND IF I WAS IN THE POSITION THAT TIERNEY STATES, THERE IS NO POSSIBLE WAY I WOULD NOT

[2]

HAVE SEEN HIM STANDING THERE. ALSO, AS SEEN IN EX.1, AND FROM MY DRAWING (SHOULD BE THE SAME AS EX.-4 DIAGRAM OF 133 ATLANTIC STREET, AND THE PHOTO'S FROM EX.-1), THE ENTIRE BACKYARD IS FENCED IN. THE ONLY WAY INTO THE BACKYARD IS THROUGH A GATE ON THE SIDE OF THE HOUSE. IF I WAS STANDING IN THE BACKYARD AND TIERNEY WAS TO WALK TO THE BACKYARD, HE WOULD HAVE TO OPEN THE GATE, WHICH I WOULD HAVE HEARD. NEVER MIND THE FACT THAT IF I WERE IN THE POSITION TIERNEY STATES I WAS, I WOULD HAVE SEEN HIM, SINCE THE ONLY PLACE HE COULD HAVE BEEN STANDING IN THE BACKYARD,

1), WOULD HAVE CAST A SHADOW,

2). HE WOULD HAVE HAD OBSCURED VISION SINCE THE SPOTLIGHTS POINT DIRECTLY AT THE CORNER OF THE HOUSE, AT THE ONLY POSITION THAT HE COULD HAVE BEEN IN, IN THE BACKYARD.

3), AS JOHN CATES TESTIFIED, I WAS IN BED AT THIS TIME

LEAHY

EXHIBIT 16 - REPORT OF INTERVIEW WITH ALFRED W. T. NOV 6

IN HIS REPORT LEAHY STATES "OBSERVED IN THE APARTMENT WAS AN EXPOSED SPEAKER WITH SPEAKER MAGNET ATTACHED ON A SHELF NEAR THE KITCHEN. THE SPEAKER WAS NOT ATTACHED TO A STEREO, TELEVISION OR OTHER ELECTRONIC DEVICE."

EXHIBIT 26 - PROPERTY TRANSMITTAL 31 JAN 92

"AT THIS TIME THE INTERIOR OF THE APARTMENT WAS PHOTOGRAPHED BY SPECIAL AGENT OFFRINGA. UPON THE COMPLETION OF THESE PHOTOGRAPHS, THE REMAINDER OF THE SEARCH TEAM ENTERED THE APARTMENT."

"THE FOLLOWING ITEMS WERE DISCOVERED AND RETAINED FOR EVIDENTIARY PURPOSES:

1. ONE (1) BLACK MINIATURE SPEAKER, APPROXIMATELY 7" X 3 1/2". "

EXHIBIT 3 - INTERIOR PHOTOGRAPHS OF 133 ATLANTIC STREET

TAKING THESE EXHIBITS INTO ACCOUNT, ON NOVEMBER 5 THE AGENTS MAKE NOTE OF THE MINIATURE SPEAKER ON A SHELF NEAR THE KITCHEN. ON JAN 31, THE AGENTS PHOTOGRAPH AND SEIZE THE SAME MINIATURE SPEAKER FROM THE SAME EXACT LOCATION WHERE IT REMAINED FOR ALMOST THREE (3) MONTHS. IF THIS WAS SUCH A VITAL PIECE OF EVIDENCE, WHY WAS IT LEFT FOR ALMOST THREE MONTHS TOTALLY UNDISTURBED BY MYSELF OR JOHN CATES.

* NOT SURE OF SIGNIFICANCE OF THE ABOVE, JUST AN OBSERVATION

[3]

EXHIBIT 26 KERR REPORT

"TRENKLER REQUESTED THAT A BREIFCASE WHICH WAS LOCATED WITHIN THE APARTMENT BE TURNED OVER TO HIM PRIOR TO THE SEARCH."

EXHIBIT 3 - INTERIOR PHOTO'S OF 133 ATLANTIC

IN LOOKING THROUGH THE PHOTO'S, THE BREIF CASE IS NOT VISIBLE. IF AGENT KERR STATES THAT THE BREIFCASE WAS IN THE APARTMENT, WHY IS IT NOT VISIBLE IN THE PHOTO'S. THE REASON, IT WAS IN MY POSSESSION FROM THE TIME I LEFT TO TAKE JOHN CATES TO WORK (EXHIBIT 24 - MONIZ SURVEILANCE) UNTIL I RETURNED TO THE APARTMENT WHILE THE SEACH WAS ALREADY UNDERWAY.

EXHIBIT 7 DAMBROSIO REPORT

"SA DAMBROSIO POINTED OUT TO TRENKLER THE CONTINUAL INCONSISTENCIES IN THE STATEMENTS HE HAS MADE BETWEEN NOVEMBER AND THIS DATE. TRENKLER STATED THAT HE WAS CONFUSED IN NOVEMBER WHEN INTERVIEWED AND THAT SINCE THAT TIME HE HAS HAD TIME TO THINK ABOUT HIS RELATIONSHIP WITH WITH TOM SHAY"

EXHIBIT 16 LEAHY REPORT

"MR TRENKLER WAS NOTICEABLY SHAKEN AND ASKED HOW WE LOCATED HIM"

FROM HEARING NOTES

IT HAS BEEN DETERMINED THAT THE AGENTS AND BPD WERE AT 133 ATLANTIC STREET AT OR AROUND 11:30 PM

BASED ON THE ABOVE, IT SHOULD BE APPARENT THAT THESE PEOPLE CAME INTO THE APARTMENT AT 11:30 PM AND EXPECTED ME TO ACCOUNT FOR MY EVERY MOVE FOR THE LAST YEAR'S WORTH OF TIME WITHOUT ANY TIME TO REFLECT ON MY PAST AND WITHOUT THE BENEFIT OF ANY NOTES OR ANY OTHER WRITTEN REFERENCE. THEY WERE EXPECTING ME TO REMEMBER EVERY DETAIL CONCERNING TOM SHAY. ALSO THE FACT THAT LEAHY MAKES NOTE THAT I WAS VISIBLY SHAKEN WOULD INDICATE THAT I WAS NOT IN THE BEST OF THINKING STATES.

OF COURSE THREE MONTHS LATER I WOULD HAVE TIME TO REFLECT ON MY MOVEMENTS AND MY LIMITED RELATIONSHIP WITH TOM SHAY (AS STATED IN D'AMBROSIO'S REPORT)

[4]

EXHIBIT 14 D'AMBROSIO AFFIDAVIT
FROM PAGE 10

"TRENKLER DREW A CRUDE SCHEMATIC DIAGRAM OF THE WIRING CIRCUIT FOR THE DEVICE HE BUILT IN 1986. TRENKLER WAS THEN ASKED, BASED ON HIS KNOWLEDGE, HOW HE WOULD WIRE A REMOTE CONTROL DEVICE UTILIZING DYNAMITE. HE THEN SKETCHED A DIAGRAM INDICATING A POWER SOURCE, RECEIVER, SAFETY SWITCH, AND TWO BLASTING CAPS INSERTED INTO TWO STICKS OF DYNAMITE"

EXHIBIT 16 LEAHY REPORT

"MR. TRENKLER ALSO DISCUSSED HIS CONSTRUCTION AND BUILDING PROCEDURES OF THE BOMB THAT HE WAS ARRESTED FOR IN QUINCY IN DETAIL TO INCLUDE DRAWING A DIAGRAM OF THE INTERNAL COMPONENTS AND ELECTRICAL WIRING SYSTEM. MR. TRENKLER ALSO WHEN ASKED HOW HE WOULD BUILD AND WIRE THE INTERNAL COMPONENTS OF THE BOMB THAT HAD KILLED BOSTON POLICE OFFICER JERRY HURLEY DREW A DIAGRAM OF AN ELECTRICAL DETONATOR (BLASTING CAP) TO EACH STICK OF DYNAMITE; SHOWING TWO STICKS OF DYNAMITE AND TWO ELECTRICAL DETONATORS IN THE BOMB"

EXHIBIT 5 REPLICA OF WIRING DIAGRAM BY AWT ON 5 NOV

IN LOOKING AT THE DIAGRAM(S) DRAWN BY AGENT D'AMBROSIO AND TAKING INTO ACCOUNT THE TWO ABOVE STATEMENTS, BOTH DRAWINGS LOOK ALMOST IDENTICAL. NOWHERE IS THERE ANY INDICATION OF ANYTHING THAT WOULD BE INDICATIVE OF A SWITCH, SAFETY OR OTHERWISE. THESE TWO DRAWINGS SHOW NOTHING THAT WOULD INDICATE WHAT WAS A POWER SUPPLY VS. A RECEIVER, SHOW NO ANTENNA, NO BATTERIES, NO SERVO UNIT, NO INTERNAL WIRING, AND NO SWITCH.

NEVER MIND THE FACT THAT THIS "DRAWING" WAS DONE OVER A YEAR AND A HALF AFTER I ALLEDGEDLY DREW IT AND FROM THE MEMORY OF AN AGENT RECALLING WHAT TRANSPIRED IN THE PAST. IF THIS WAS OF SUCH SIGNIFICANCE, AS STATED BY D'AMBROSIO,
1) WHY WAS IT NOT TAKEN THE NIGHT IT WAS "DRAWN",
2) WHY WAS IT NOT DRAWN WHILE IT WAS STILL FRESH IN THE MINDS OF THE AGENTS,
3) WHY WOULD THE AGENTS WAIT UNTIL NOV 20 TO ASK RICH BROWN IF THE DRAWING STILL EXISTED.

[5]

EXHIBIT 10 McARTHY REPORT

"RICHARD BROWN RETURNED AROUND 4:30PM TO THE OFFICE DRIVING HIS LINCOLN AND LEFT SOON THEREAFTER. THIS VEHICLE WAS FOLLOWED TO 25 MECHANIC ST. WHERE THE OPERATOR RICHARD BROWN PICKED UP AL TRENKLER AND RETURNED TO THE WEYMOUTH OFFICE. AL TRENKLER'S VEHICLE A WHITE CELICA WAS FOUND IN THE DRIVEWAY NEXT TO 25 MECHANIC ST. PARKED UP IN THE BACK OF THE PARKING LOT...AT APPROX. 8:15PM RICHARD BROWN AND AL TRENKLER CLOSED AND LEFT THE OFFICE AND WERE FOLLOWED THROUGH-OUT THE QUINCY AREA UNTIL BROWN DROPPED TRENKLER AT THE 133 ATLANTIC ST. ADDRESS.

3-48 HEARING PAGE 3-48 - TIERNEY

Q. YOU LEFT THE STATION ABOUT 5:30,CORRECT?

A. RIGHT

Q. YOU WENT TO FINIAN'S, AND YOU HAD SURVEILLANCE FOR ABOUT AN HOUR OR SO; IS THAT RIGHT?

A. THAT'S CORRECT

Q. ABOUT WHAT TIME ARE YOU AT 133 OR IN THE VICINITY OF 133 ATLANTIC STREET?

A. I'D SAY ABOUT 7,7:30

3-53

Q. DO YOU RECALL WHERE YOU WENT AFTER THAT?

A. WE RECEIVED INFORMATION THAT THEY HAD FOUND A WHITE TOYOTA UP ON MECHANICS STREET...AND THIS TOYOTA BELONGED TO MR. TRENKLER

Q. WHAT DID YOU SEE WHEN YOU GOT IN?

A. WE SAW THE CAR IN THE LOT, BUT THERE WAS NO ONE AROUND THE CAR AT THIS TIME.

ACCORDING TO THE McARTHY REPORT, POLICE KNEW AT APROX. 4:30PM WHERE MY CAR WAS AND THAT RICH BROWN HAD PICKED ME UP AT 25 MECHANIC ST.. IF THEY KNEW THAT RICH HAD PICKED ME UP AT MECHANIC STREET, AND TAKEN ME BACK TO THE OFFICE, THEN THEY MUST, AT THIS POINT IN TIME, KNOW WHO I AM AND WHAT I LOOK LIKE. FURTHER, POLICE NOW KNEW WHERE I WAS FROM APROX 4:30PM UNTIL 8:15PM. FURTHER STILL, POLICE KNEW I LEFT ARCOMM WITH RICH BROWN AND THAT RICH DROVE ME BACK TO 133 ATLANTIC STREET.

DET. TIERNEY WITH DET. MAHONEY OF BPD LEFT THE QPD STATION AT ABOUT 5:30 TO SET UP SURVEILLANCE FOR ABOUT AN HOUR. WHY WOULD THEY DO THIS WHEN McARTHY STATES THAT AT 4:30PM RICH BROWN WAS FOLLOWED TO MECHANIC STREET AT WHICH POINT RICH PICKS ME UP AND THE POLICE FOLLOW RICH AND I BACK TO THE WEYMOUTH OFFICE. AT THIS POINT IN TIME THE POLICE ARE FULLY AWARE OF MY WHEREABOUTS, WHY WOULD POLICE BE WATCHING ONE LOCATION WHERE I WAS JUST SEEN LEAVING WHILE OTHER POLICE ARE WATCHING ANOTHER LOCATION WHERE MY PRESENCE IS KNOWN?

[6]

DET. TIERNEY STATES THAT HE WAS AT 133 ATLANTIC STREET AT 7 TO 7:30PM AND WAS TOLD, BY MIKE GREEN, THAT I WAS NOT HOME. PAGE (3-51 LINE 15)

IF THE BPD KNEW WHERE I WAS BETWEEN 4:30 PM AND 8:15PM, THEN AT 7 TO 7:30 PM, WHY WOULDN'T DET TIERNEY, WHO WAS WITH A BPD OFFICER, NOT BE INFORMED THAT POLICE HAD LOCATED ME.

IT'S OBVIOUS THAT ALL PARTIES CONCERNED KNEW PERFECTLY WELL WHERE I WAS BETWEEN 4:30PM AND THE TIME RICH BROWN DROPPED ME OFF AT 133 ATLANTIC STREET (EX 10 McARTHUR REPORT).

ON PAGE 3-53,4,5 TIERNEY STATES THAT HE RECEIVED INFORMATION THAT "THEY" HAD FOUND A WHITE TOYOTA ON MECHANICS STREET AND THIS TOYOTA BELONGED TO MR. TRENKLER. TIERNEY THEN STATES THAT HE WENT TO MECHANICS ST. AND WAITED AROUND FOR HALF AN HOUR TO 45 MINUTES THEN AT 9:00PM HE WENT TO A DONUT SHOP, THEN WENT BACK TO MECHANICS STREET AND MET WITH "OTHER POLICE OFFICERS, BOSTON POLICE AND MEMBERS OF THE ATF" AND THEN DECIDED TO GO BACK TO 133 ATLANTIC STREET AT ABOUT 10:30. WELL WHAT HAPPENED TO THE PEOPLE FOLLOWING RICH AND MYSELF FROM ARCOMM TO 133 ATLANTIC STREET AT 8:15PM? DID WE DISAPPEAR? ACCORDING TO THE McARTHUR REPORT, POLICE KNEW MY WHEREABOUTS FROM 4:30+PM UNTIL I WAS DROPPED OFF AT ATLANTIC STREET AFTER RICH BROWN AND I LEFT THE OFFICE AT 8:15PM.

WHAT HAPPENED TO CAUSE THE POLICE TO WAIT TO ARRIVE AT ATLANTIC STREET AT 11:30PM, WHEN IT IS OBVIOUS THAT POLICE KNEW MY WHEREABOUTS STARTING IN THE LATE AFTERNOON.

JOHN CATES TESTIFIED THAT HE WAS HOME IN THE APARTMENT AT 5:30 TO 6:00PM (3-109). IF TIERNEY CAME INTO THE BASEMENT AREA AT 7 TO 7:30PM, SURELY JOHN WOULD HAVE NOTICED

- 1) BECAUSE HE WOULD HAVE HEARD TWO PEOPLE COMING DOWN THE STAIRS
- 2) JOHN'S DOG WOULD BARK IF ANY STRANGERS WERE IN THE HOUSE
- 3) MIKE GREEN WOULD HAVE TALKED TO JOHN ABOUT POLICE ASKING QUESTIONS.

ALSO JOHN CATES TESTIFIED THAT I HAD ARRIVED AT 8 TO 8:15PM WHICH WOULD GO ALONG WITH McARTHUR'S STATEMENT THAT RICH BROWN AND I LEFT THE WEYMOUTH OFFICE AROUND 8:15PM AND WERE FOLLOWED TO 133 ATLANTIC STREET, WHERE RICH DROPPED ME OFF FOR THE EVENING.

[7]

JEFF KERR DAY THREE

3-87

- Q. DO YOU RECALL AT ANY TIME THAT EVENING WHETHER YOU WERE TOLD ABOUT AN ADDRESS WHERE MR. TRENKLER RESIDED?
- A. AT NO TIME DID I HAVE AN ADDRESS OF MR. TRENKLER.
- Q. NOW, AFTER YOU LOST THE SURVEILLANCE FOR THE LAST TIME, WHERE DID YOU AND OTHER MEMBERS OF THE SURVEILLANCE TEAM GO?
- A. TO THE PARKING LOT, THE REAR OF 25 MECHANIC, THER'S A LARGE OPEN PARKING LOT, AND ALL THE VEHICLES GROUPED DOWN THERE. WE SAT AROUND FOR APPROXIMATELY 30 MINUTES TO 45 MINUTES.
- Q. AND WHAT TIME OF THE EVENING WAS IT WHILE THE SURVEILLANCE TEAM WAS AT THIS PARKING LOT NEAR MECHANICS STREET?
- A. WHAT TIME DID WE ARRIVE?
- Q. GIVE US -- YOU SAID YOU WERE THERE 45 MINUTES, SO TELL US WHEN YOU WERE THERE.
- A. I'D SAY THE TIME WAS BETWEEN QUARTER PAST 10 TO 11 O'CLOCK

3-55

IF TIERNEY WAS AT THE MECHANICS STREET PARKING LOT JUST AFTER 9:00PM (3-55 LINE 1-6), AND HE STATES, WHEN HE WENT BACK TO THE MECHANIC STREET PARKING LOT, THAT HE MET WITH POLICE AND ATF, WAS HE HIDING THE FACT THAT HE KNEW WHERE I LIVED, THAT HE KNEW WHAT I LOOKED LIKE. KERR STATES THAT HE AT NO TIME DURING THE NIGHT OF THE 5TH DID HE HAVE AN ADDRESS UNTIL ALMOST 11:00PM AND DID NOT HAVE A DESCRIPTION OF WHAT I LOOKED LIKE. IF WE ARE TO BELEIVE THIS, THAT WOULD MEAN THAT

- 1) McARTHUR NEVER MENTIONED THE FACT THAT I WAS FOLLOWED TO 133 ATLANTIC STREET JUST AFTER 8:15PM
- 2) TIERNEY, KNOWING MY ADDRESS AS OF 5:30 PM, NEVER TELLS AGENT KERR, ATF, OR ANY OTHER BPD OFFICERS THAT HE KNOWS WHAT I LOOK LIKE AND KNOWS MY ADDRESS EVEN THOUGH TIERNEY IS WITH A BOSTON POLICE OFFICER WHO COULD EASILY RADIO THE REST OF THE "TEAM" TO GIVE THEM THIS INFORMATION.
- 3) TIERNEY, AT A GATHERING JUST AFTER 9:00PM ON MECHANICS STREET WITH THE ATF AND BPD, FAILS TO INFORM THESE PARTIES THAT HE HAS CONFIRMED MY ADDRESS AS EARLY AS 5:30 PM EVEN THOUGH HE IS WITH BPD MAHONEY, WHOSE SOLE PURPOSE IS TO FIND OUT FROM QPD TIERNEY DETAILS OF MY DESCRIPTION AS WELL AS MY LIVING QUARTERS.

[8]

SO IF WE SUM THIS UP:

4:30 RICH BROWN LEAVES OFFICE
4:30+ RICH BROWN PICKS AL UP AT MECHANIC STREET
6:00+ JOHN CATES ARRIVES HOME
8:15 RICH + AL LEAVE OFFICE
8:30 RICH DROPS AL AT 133 ATLANTIC STREET
11:30 ATF + BPD ARRIVE AT 133 ATLANTIC

4:30PM SURVEILLANCE TEAM SEES RICH B. LV OFFICE
4:30+ SURVEILLANCE TEAM FOLLOWS TO MECHANIC STREET AND SEES
AL PICKED UP BY RICH B.
4:30+ SURVEILLANCE TEAM FOLLOWS RICH + AL BACK TO WEYMOUTH
OFFICE
5:30PM MAHONEY MEETS TIERNEY AT QPD, TIERNEY GETS MY
ADDRESS, MAHONEY + TIERNEY SET UP SURVEILLANCE AT
FINIANS
6:15+ KERR ARRIVES AT WEYMOUTH OFFICE SURVEILLANCE
7:30+ MAHONEY + TIERNEY GO TO 133 ATLANTIC STREET
7:45+ MAHONEY + TIERNEY GO TO MECHANIC STREET
8:15PM SURVEILLANCE TEAM FOLLOWS RICH + AL TO ATLANTIC
STREET
9:00PM MAHONEY + TIERNEY GO TO DONUT SHOP
9:00+ MAHONEY + TIERNEY GO TO MECHANIC ST + MEET AFT + BPD
10:30 MAHONEY + TIERNEY GO BACK TO 133 ATLANTIC STREET
11:00 SURVEILLANCE TEAM "LEARNS" OF MY ADDRESS
11:30 ENTIRE TEAM RAIDS 133 ATLANTIC STREET
1:00AM AL TAKEN TO MECHANIC STREET-SEARCH CAR
1:00AM+AL TAKEN TO WEYMOUTH OFFICE
2:00AM AL TAKEN TO 7 WHITELAWN AVE
2:30+ AL TAKEN BACK TO 133 ATLANTIC STREET

[9]

DAY ONE PAGE 69 D'AMBROSIO

Q. DID YOU HAVE CONVERSATION DURING THAT TEN MINUTE PERIOD WITH MR. TRENKLER?

A. YES I DID.

THE COURT: DID MISS LaCOURSE LEAVE?

THE WITNESS: YES SHE DID.

MR. LIBBY: IF I MAY YOUR HONOR.

Q. WHAT DID YOU SAY AND WHAT DID HE SAY?

A. BASICALLY, I SAT THERE, AND RATHER THAT SIT IN SILENCE, I SAID TO MR. TRENKLER, "YOU KNOW, AL, SINCE I FIRST MET YOU IN NOVEMBER, WE'VE LEARNED NOTHING BUT INCONSISTENCIES IN YOUR STORY ABOUT YOUR RELATIONSHIP WITH TOM SHAY."

I THINK IT IS PRETTY OBVIOUS THAT D'AMBROSIO STARTED THE CONVERSATION HERE - RATHER THAN SIT IN SILENCE, I SAID TO MR. TRENKLER...

[10]

EXHIBIT 10 McARTHUR REPORT

"UPON ARRIVAL WE SPOKE TO THE SECRETARY WHO INFORMED US THE TWO OWNERS RICHARD BROWN AND ALFRED TRENKLER WERE NOT IN THE OFFICE BUT SHE EXPECTED THEM TO RETURN. AS A RESULT OF THE ABOVE INFORMATION WE LEFT THE OFFICE AND SET UP A SURVEILLANCE ON THE BROAD ST. LOCATION WITH SEVERAL ADDITIONAL UNITS FROM THE HOMICIDE UNIT AND A.T.F. PARTICIPATING. INFORMATION WAS RECEIVED DURING THIS SURVEILLANCE FROM THE QUINCY P.D. THROUGH SGT. DET. WILLIAM MAHONEY ON TWO ADDRESSES THEY HAD CONNECTED BROWN AND TRENKLER TO , 133 ATLANTIC ST. AND 35 ARNOLD ST. IN QUINCY ...RICHARD BROWN RETURNED AROUND 4:30 TO THE OFFICE DRIVING HIS LINCOLN AND LEFT SOON AFTER THIS VEHICLE WAS FOLLOWED TO 25 MECHANIC ST. WHERE THE OPERATOR RICHARD BROWN PICKED UP AL TRENKLER AND RETURNED TO THE WEYMOUTH OFFICE."

3-87 KERR LINE 18

Q. DID YOU HAVE ANY CONTACT OR CONVERSATION WITH DETECTIVE WILLIAM MAHONEY FROM THE HOMICIDE SQUAD ANY TIME DURING THIS SURVEILLANCE ACTIVITY

A. NO, SIR

Q. DO YOU RECALL AT ANY TIME THAT EVENING WHETHER YOU WERE TOLD ABOUT AN ADDRESS WHERE MR. TRENKLER RESIDED?

A. AT NO TIME DID I HAVE AN ADDRESS OF MR. TRENKLER

FROM THIS IT OBVIOUS THAT:

1) MAHONEY, WHO WAS WITH TIERNEY, WAS INDEED IN CONTACT WITH THE BPD AND THE ATF BEFORE 8:15PM AND HAD LET BPD AND ATF KNOW WHAT MY ADDRESS WAS (TIERNEY + MAHONEY HAD A POSITIVE ID ON 133 ATLANTIC STREET BY 7:30PM) SO UNLESS EVERYONE WAS KEEPING THIS INFORMATION A SECRET FROM AGENT KERR, HE LIES WHEN HE SAYS HE DID NOT KNOW MY ADDRESS.

2) KERR STATES THAT IT WASN'T UNTIL 11:00PM (3-89) THAT "WE" WERE TOLD THAT THERE WAS A POSITIVE ID ON MR. TRENKLER AND ON HIS RESIDENCE. BUT McARTHUR STATED THAT DURING THE WEYMOUTH SURVEILLANCE (BEFORE 8:15PM) THAT MAHONEY TOLD THE "TEAM" OF MY ADDRESS.

3) IF THE OTHER ATF AGENTS AND BPD WERE AWARE OF MY ADDRESS, WOULD IT NOT BE SAFE TO ASSUME THAT THEY WOULD HAVE TOLD AGENT KERR ABOUT THIS INFORMATION. MAYBE KERR DID NOT SPEAK DIRECTLY TO MAHONEY OR TIERNEY, BUT SOMEONE ON THE SURVEILLANCE TEAM DID.

THE QUESTION HERE IS WHY, IF AT LEAST SOME OF THE BPD AND ATF KNEW OF MY ADDRESS BEFORE 8:15PM, WOULDN'T ANY OF THE BPD OR ATF HAVE WAITED AT ATLANTIC STREET AS SOON AS THEY "LOST" THE CONTINENTAL.