

# Survivor testifies in Shay trial

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BOSTON — The Quincy man accused of conspiring to build a bomb to kill his father did not take the stand at trial, but jurors heard testimony from Thomas A. Shay Jr. just the same.

On Tuesday, jurors watched a 30-minute television interview with 21-year-old and heard testimony from a former police officer who was injured when the bomb went off, killing his partner.

Prosecutors today planned to call one more witness before the defense opens its case.

Shay admitted in the Channel 56 interview, taped a year after the 1991 bombing, that he bought several parts — including a toggle switch, a battery holder and some electrical wires — that later were used in the bomb.

But he denied knowing how the parts were going to be used, saying his alleged co-conspirator in the case, Alfred Trenkler, was solely responsible for building the bomb.

Shay also denied holding a grudge against his father.

"He (Trenkler) was the dangerous one," Shay said repeatedly in the interview.

Prosecutors say Shay wanted revenge on his father for physically abusing him as a child and also sought to collect part of an expected \$400,000 inheritance from a lawsuit involving his father.

Earlier Tuesday, U.S. District Judge Rya Zobel decided not to admit testimony linking Trenkler to an earlier bombing in 1986, saying the evidence was potentially relevant but might cause jurors to decide guilt by association.

Prosecutors said they hoped to use the evidence to show Trenkler had a signature style that would identify him as the maker of the 1991 bomb.

Meanwhile, former bomb squad officer Francis X. Foley recalled how calm his partner remained after the explosion that cost him his life.

"He wasn't panicking, he was just talking and telling people to stay away," Foley said of partner Jeremiah Hurley. "Jerry kept asking how I was and talking about his family and children."

Shay's father contacted police on Oct. 28, 1991 after discovering the bomb attached to the bottom of his car.

Hurley and Foley removed the device from the car after deciding it posed no immediate danger, but the bomb exploded shortly afterward while the two officers were examining it.