

19 MAY 2006 RE: ATF REPORT DURING SEARCH

6-17-06

WHAT IS OR SHOULD BE OBVIOUS, IT APPEARS DENNIS LEAHY IS A BETTER INVESTIGATOR THAN ANY OF THE OTHER AGENTS IN BOSTON. ONLY LEAHY SEEMS TO COME UP WITH DAMAGING STATEMENTS FROM ME.

LEAHY TAKES THE TERM POETIC LICENSE TO A NEW LEVEL.

ON JANUARY 31, 1992 I HAD DRIVEN MY ROOM MATE JOHN CATES TO HIS JOB AT FLEET BANK ON BOYLSTON STREET IN BOSTON LEAVING HIM AT 8 AM. I LEFT AND WAS DRIVING BACK TO THE 133 ATLANTIC STREET APARTMENT TO MAKE SOME PHONE CALLS, SOME OF MY CLIENTS HAD CALLED MY PAGER VOICE MAIL. ON THE WAY BACK I REMEMBERED THAT A COMMUNICATIONS COMPANY DOWN THE STREET FROM JOHN CATES APARTMENT HAD MOVED, I WANTED THE PHONE NUMBER OF THE LANDLORD TO DISCUSS RENTAL DETAILS. I DROVE BY CATES APARTMENT AND STOPPED NEXT TO THE BUILDING, TOOK MY ~~MINI~~ MINI TAPE RECORDER OUT OF MY BRIEFCASE AND DICTATED THE PHONE NUMBER. I RETURNED TO CATES APARTMENT, BRIEFCASE IN HAND AND UPON ENTERING NOTICED A SLEW OF AGENTS IN THE BASEMENT APARTMENT. I WAS TOLD BY AGENT KERR THAT THEY WERE EXECUTING SEARCH WARRANTS AT ~~THE~~ THE APARTMENT, MY PARENTS HOUSE AND MY ARCONM OFFICE. AGENT KERR TOLD ME THAT MY PARENTS HAD REQUESTED I RETURN TO THEIR HOUSE IN MILTON SO I COULD LOCK UP AFTER THE SEARCH WAS DONE THERE. I TURNED TO LEAVE WITH BRIEFCASE IN HAND AND AGENT KERR DEMANDED I OPEN IT TO BE SEARCHED. I TOLD HIM I JUST CAME IN WITH IT, HE TOLD ME NO IT WAS THERE WHEN THEY CAME IN I SAID I'M NOT AN IDIOT, I JUST OPENED IT ~~TO~~ TO GET MY TAPE RECORDER IN MY CAR. I TOLD KERR HE WAS WELCOME TO LOOK IN IT, IT WAS JUST BUSINESS RECORDS. INSTEAD HE TOOK OUT ALL MY FOLDERS AND TOLD ME THEY WOULD GIVE ME BACK COPIES LATER. I TOLD HIM THEY WERE PLANS AND DESIGNS FOR CURRENT JOBS AND IT WOULD INTERFERE WITH MY BUSINESS IF I DID NOT HAVE THEM. A SHORT DISCUSSION ABOUT USING A COPY MACHINE DOWN THE STREET WAS MIXED BY KERR.

FRUSTRATED, I TURNED TO LEAVE. AN AGENT STOPPED ME ON THE WAY OUT AND EXPRESSED HIS DISMAY AT WHAT THE ATF WAS PUTTING ME THROUGH, THAT HE HAD SEEN MANY CASES AND THIS WAS THE FIRST WHERE SOME VIEWED ME AS HAVING NO INVOLVEMENT IN THIS CASE. I ASKED, KNOWING THE ANSWER, IF HE WOULD PUT THAT IN WRITING FOR MY ATTORNEY, HE SAID ARE YOU KIDDING ME THEY'D THROW ME IN JAIL.

I LEFT AND DROVE TO MY PARENTS HOUSE IN MILTON. UPON ARRIVAL I SAW A UTILITY TYPE VAN AND 2 CROWN VICTORIAS IN MY PARENTS DRIVEWAY AND ACROSS THE STREET. I PARKED <sup>MOBILE</sup> JUST AT THE END OF THE DRIVEWAY. I WENT INTO THE HOUSE TO SEE MY PARENTS THEY TOLD ME THEY HAD TO LEAVE FOR WORK WHICH THEY DID. I WENT BACK OUTSIDE TO SEE IF THEY WERE GETTING CLOSE TO FINISHING. AROUND 9:10 AM DENNIS LEAHY HAD ME SIGN A CONSENT WAIVER TO SEARCH MY TOYOTA AND HAVE SOME NEWLY DEVELOPED GAS CHROMATOGRAPH SPECTRUM ANALYZER DEVELOPED, IRONICALLY BY MIT, A "SWIFFER" BY LAYMANS TERMS, THE DEVICE PULLS IN AIR AND ANALYZES PARTICLES GIVEN OFF, IN THIS CASE BY SAMPLE THE AIR INSIDE MY CAR.

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NITRATES ASSOCIATED WITH AMMONIA DYNAMITE. IT WAS SAID THAT I HAD USED MY TOYOTA TO TRANSPORT AMMONIA DYNAMITE, FURTHER, THAT THIS DEVICE WOULD DETECT THE PRESENCE OF NITRATES FOR UP TO SIX MONTHS. JANUARY WAS 8 MONTHS FROM THE TIME I ALLEGEDLY TRANSPORTED DYNAMITE. NOT TO MENTION THE ~~FACT~~ FACT THAT ON NOVEMBER 6 AT 12:30 AM AGENT D'AMBROSIO TOOK, WITH MY PERMISSION, AN 8" X 8" SQUARE PIECE OF CARPET FROM MY CAR, WHICH ALSO TESTED NEGATIVE FOR EXPLOSIVE RESIDUE. I THEN MOVED MY CAR TO THE STREET SINCE THE AGENTS WERE GETTING READY TO WRAP UP THEIR SEARCH.

WHILE I WAS WAITING, PETER O'MALLEY WHO HAD RECENTLY BEEN REMOVED AS LEAD BOSTON POLICE DETECTIVE IN THIS CASE PULLS UP, GETS OUT OF HIS CAR AND HAS A BRIEF DISCUSSION WITH OFFICER FOGERTY. THERE WAS SOME KIND OF DISAGREEMENT, O'MALLEY LEFT IN A HUFF.

DENNIS LEAHY WHO WAS IN FRONT OF MY PARENTS GARAGE YELLS OVER TO ME, "HEY AL, COULD YOU COME OVER HERE AND GIVE ME A COMMENT ON SOME OF THIS STUFF?" HE HAD A TABLE WITH PILES OF ITEMS ON IT.

WILLIAM FOGERTY SAID, "TRENKLER, STAY AWAY FROM LEAHY, YOU HAVE AN ATTORNEY AND DON'T HAVE TO TALK TO HIM."

LEAHY IN RESPONSE SAID "AL, ALL I NEED YOU FOR IS TO TELL ME WHAT STUFF IS YOURS, WHAT'S YOUR BROTHER'S [DAVID WALLACE] AND WHAT'S YOUR PARENTS." THEN, "AL, WE DON'T CONVICT INNOCENT PEOPLE, IF YOU HAVE NOTHING TO DO WITH THIS YOU HAVE NOTHING TO WORRY ABOUT IT WILL ONLY HELP CLEAR YOUR NAME IF YOU SPEAK TO WITH US." A RUSE BY LEAHY TO START A CONVERSATION WITH ME.

I DID SAY THAT I WAS HAVING PROBLEMS WITH RICH BROWN, THAT BROWN WAS BOUNCING CHECKS ALL OVER TOWN, THAT HE HAD MET SOME CORE HOAR HE WAS SPENDING MONEY ON LIKE A DRUNKEN SAILOR AND HAD STARTED SELLING EQUIPMENT OUT THE BACK DOOR. I WENT ON THAT I ~~WAS~~ HAD SEVERED RELATIONS WITH BROWN AND HAD A NEW BUSINESS PARTNER FROM HULL.

SINCE IT WAS ALREADY PUBLIC KNOWLEDGE, I HAD ADMITTED TO PUTTING TOGETHER THE 86 PRANK DEVICE, THAT I HAD DONE A RUBE GOLDBERG ASSEMBLY OUT OF OLD PARTS AND A #20 TOY REMOTE CONTROL GOOD FOR A 50 FOOT RANGE.

HERE'S WHERE DENNIS LEAHY GOT EXTREMELY CREATIVE. LEAHY ASKED ME IF I KNEW WHAT A SHUNT WAS. I TOLD HIM IT WAS SOMETHING IN FIRST YEAR ELECTRONICS TAUGHT AT WENTWORTH, THAT IT WAS A DIVERGER OF CURRENT TYPICALLY USED IN BUILDING ANALOG METERS. LEAHY THEN ASKED IF I THOUGHT A WIRE COULD ACT AS AN ANTENNA. I TOLD HIM THAT WAS BASIC COMMUNICATION PHYSICS AND SEEN IN THE WIRE ANTENNA IN THE WINDSHIELD OF A CAR OR A HAM RADIO RECEIVER OR AM RADIO ANTENNA. HE ASKED IF I'VE EVER BEEN NEAR A BLASTING SITE, I TOLD HIM I'VE DRIVEN BY CONSTRUCTION SITES

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WHERE THEY DO BLASTING. I SAID THAT I CAN REMEMBER DRIVING BY CONSTRUCTION SITES WHERE THERE ARE SIGNS POSTED "BLASTING AREA, TURN OFF ALL TWO WAY RADIOS" LEAHY ASKED WHY I THOUGHT THAT WAS. I SAID I GUESSED BECAUSE IT MIGHT ACCIDENTALLY SET OFF THE EXPLOSIVES IF SOMEONE WITH ENOUGH TRANSMIT POWER GOT TOO CLOSE WHILE TRANSMITTING. WHO HASN'T SEEN ONE OF THOSE SIGNS? LEAHY THEN ASKED WHAT WOULD I THINK WOULD HAPPEN IF SOMEONE SET OFF DYNAMITE NEXT TO OTHER DYNAMITE. I SAID THAT LOGICALLY I WOULD THINK IT MIGHT CAUSE THE UNEXPLODED DYNAMITE TO EXPLODE, LIKE THE MATCH IN THE FIREWORKS FACTORY JOKE, AS WELL AS BASIC PHYSICS CALLED HEAT TRANSFERRABLE LIKE HEAT SINKS FOR TRANSISTORS. LEAHY WENT ON TO ASK WHERE I HAVE SEEN DYNAMITE. I SAID THE ONLY TIME I'VE EVER SEEN EXPLOSIVES IS ON TV OR IN THE MOVIES LIKE THE ROAD RUNNER OR CLINT EASTWOOD - WHO HASN'T? - GO TO PAGE 4 OF THIS REPORT

TOM TIERNEY OF THE QUINCY POLICE, WHO HAD, UNBEKNOWNST TO ME, CALLED THE BOSTON POLICE CONCERNING THE 1986 INCIDENT, HAD SEEN ME IN A STORE DOWN THE STREET FROM JOHN CATES HOUSE AND HAS SAID TO ME HE HAD HEARD THAT THE 91 BOMB EXPLODED WHEN A FEMALE PATROL OFFICER KEYED HER PORTABLE RADIO AT THE SCENE OF THE BOMB DISCOVERY.

LEAHY ASKED ME IF CHEAP REMOTE CONTROL TOYS WERE RELIABLE DEVICES. I TOLD HIM I'VE SEEN TIRE CHEAP TOYS WITH MINDS OF THEIR OWN THAT MAKE TURNS OR MOVES WITHOUT BEING COMMANDED.

LEAHY ASKED IF I WAS EVER AT THE RADIO SHACK ACROSS FROM CHRISTIAN SCIENCE MONITOR. I TOLD HIM I WAS THERE DURING WENTWORTH IN THE 70'S, WHILE I WORKED AT ATEL AND TO PICK UP A PART FOR MY CAR SOUND SYSTEM.

CATES BUMPING INTO TOM A SHAY IS ACCURATE. THE PAGING STATEMENT I DON'T REMEMBER.

I SAID TO LEAHY THAT, FROM WHAT I REMEMBERED, TOM L SHAY THE FATHER WAS MAD AT TOM A SHAY THE SON BECAUSE OF THE PEOPLE ARE TALKING SHOW WHERE TOM A SHAY TOLD THE COUNTRY HE WAS GAY. I DID SAY THAT I HAD GIVEN TOM A SHAY RIDES ON A FEW OCCASIONS, ONCE TO ~~WALK~~ RICHMOND STREET OR AVE IN DORCHESTER THAT TOM A SHAY SAID WAS HIS FATHERS HOUSE, BUT OBVIOUSLY WAS A LIE SINCE TOM L SHAY'S HOUSE WAS ON EASTBORO STREET IN ROSLINDALE. I DID NOT SAY THAT TOM A SHAY SPENT THE WEEKENDS WITH ME AT ATEL, I STOPPED LIVING AT ATEL IN SEPTEMBER OF 90 WHEN I MOVED WITH CATES AND HAD QUIT ATEL IN FEBRUARY OF 91 AND DID NOT MEET TOM A SHAY UNTIL JUNE OF 91.

LEAHY ASKED ME WHAT MY THEORY WAS ON THE BOMBING. I SAID ONE WAS THAT SHAY THE FATHER DID IT FOR HIS LAWSUIT OR THAT THE GUYS HE WAS SUING DID IT. LEAHY SUBSTITUTED TOM A SHAY THE SON FOR WHAT I SAID, TOM L SHAY THE FATHER - LEAHY HAD A HABIT OF HEARING THE WAY HE WANTS TO HEAR.

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I DID SAY THAT I WAS CONCERNED THAT THE "FEDS" WOULD FABRICATE EVIDENCE AGAINST ME. LEAHY RESPONDED WITH HIS STANDARD RESPONSE THAT "WE DON'T ARREST INNOCENT CITIZENS" I SAID, "YOU KEEP ON SAYING THAT AND YET HERE YOU ARE SEARCHING MY OFFICE, APARTMENT AND PARENTS HOUSE."

I WAS CARRYING A CELLULAR PHONE IN EXPECTATION OF A CALL FROM A CONTACT INVOLVED WITH THE NIGERIAN GOVERNMENT AND I MENTIONED IT WAS A RENTAL PHONE AT \$1.00 PER MINUTE. MY PAGER HAD GONE OFF BUT MY PHONE WAS DEAD. I ASKED FOGARTY IF I COULD USE A CELLULAR PHONE THEY HAD SINCE I COULD NOT MISS AN IMPORTANT CALL, I WAS LITERALLY ON STANDBY FOR A CALL FROM MY CONTACT IN NIGERIA. I CALLED THE PAGER, IT TURNED OUT TO BE MY NEW BUSINESS PARTNER FROM HIS HOUSE IN HULL. - I DIDN'T HAVE THE KEYS TO MY FOLK HOUSE, I HAD INADVERTENTLY LEFT THEM AT CATES HOUSE AND MY FOLKS HAD LEFT FOR WORK.

#### CREATIVITY OF DENNIS LEAHY

BECAUSE I KNEW THAT A SHUNT DIVERTS CURRENT IN ELECTRONICS AND THAT A WIRE CAN ACT AS AN ANTENNA, BOTH TOPICS TAUGHT AT WENTWORTH AND OTHER ENGINEERING SCHOOLS AND THAT I HAVE SEEN SIGNS AT CONSTRUCTION SITES THAT SAID "BLASTING AREA TURN OFF ALL TWO WAY RADIOS", THIS DEMONSTRATED THAT I KNEW ALL ABOUT BLASTING CARS, LEG WIRES AND LEG WIRE SHUNTS. ~~AREA~~ OF COURSE THIS WOULD ALSO INCLUDE EVERY ELECTRONIC ENGINEERING STUDENT IN THE CITY OF BOSTON.

THAT I GUESSED, LOGICALLY, IF SOMEONE SET OFF DYNAMITE NEXT TO OTHER DYNAMITE THE UNLIT DYNAMITE MIGHT EXPLODE, THIS DEMONSTRATED TO DENNIS LEAHY I KNEW ALL ABOUT SYMPATHETIC DETONATION - A TERM USED IN THE EXPLOSIVES FIELD.

THAT I SAID ~~THE~~ THE ONLY PLACE I'VE SEEN DYNAMITE WAS ON TV IN ROAD RUNNER CARTOONS AND CLINT EASTWOOD MOVIES TRANSLATED, IN DENNIS LEAHY'S MIND, THAT I LEARNED ALL ABOUT DYNAMITE AND EXPLOSIVES ON TV

TO SUM UP, BECAUSE ALFRED TREMKLER STUDIED ELECTRONICS, GUESSED THAT UNLIT DYNAMITE WOULD POSSIBLY EXPLODE ~~NOT~~ NEXT TO LIT DYNAMITE AND WATCHED ROAD RUNNER AND CLINT EASTWOOD MOVIES MAKES ALFRED TREMKLER AN EXPERT IN EXPLOSIVES.