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| DEPARTMENT OF THE TREASURY- BUREAU OF ALCOHOL, TOBACCO AND FIREARMS | | 1. INVESTIGATION IS <input type="checkbox"/> ROUTINE <input type="checkbox"/> SENSITIVE <input checked="" type="checkbox"/> SIGNIFICANT | | Page 1 of <u>2</u> pages |
| REPORT OF INVESTIGATION (Law Enforcement) | | | | |
| 2. TO: Special Agent in Charge Boston Field Division | | 3. MONITORED INVESTIGATION INFORMATION (Number and Branch) CIP: BOSTON FY-92 EXPLOSIVES VIOLATIONS REPORT ██████████ Mon. # E-63212-92-21 | | |
| 4. TITLE OF INVESTIGATION Roslindale Bombing | | 5. INVESTIGATION No. (Include Suspect No.) 63212-92-2008-C | | |
| 6. TYPE OF REPORT (Check applicable boxes) | | 7. BUREAU PROGRAM | | 8. PROJECT(S) |
| <input type="checkbox"/> | PRELIMINARY | <input type="checkbox"/> | COLLATERAL (Request) | TARGETED OFFENDER |
| <input type="checkbox"/> | | <input type="checkbox"/> | | TERRORIST/EXTREMIST |
| <input checked="" type="checkbox"/> | STATUS | <input type="checkbox"/> | COLLATERAL (Reply) | OCD |
| <input type="checkbox"/> | | <input type="checkbox"/> | | ITAR |
| <input type="checkbox"/> | FINAL | <input type="checkbox"/> | INTELLIGENCE | SEAR |
| <input type="checkbox"/> | | <input checked="" type="checkbox"/> | | OMO |
| <input type="checkbox"/> | SUPPLEMENTAL | <input type="checkbox"/> | REFERRAL (Internal) | <input checked="" type="checkbox"/> OTHER (Specify) EXPLOSIVES |
| <input type="checkbox"/> | | <input type="checkbox"/> | | |
| 9. DETAILS: | | | | |
| <p>This report pertains to ATF's joint investigation with the B.P.D. into the October 28, 1991 bombing which occurred in Roslindale, Massachusetts taking the life of one B.P.D Bomb Technician and critically wounding another.</p> <p>On July 29, 1992 at his request, Thomas A. Shay was transported from the Suffolk County Jail, 200 Nashua Street, Boston, Massachusetts to the ATF Office, 10 Causeway Street, Room 701 Boston, Massachusetts, for the purpose of being hypnotized. Shay was meet by his attorney, Jefferson Boone and William McPhee, a friend.</p> <p>Shay was allowed approximately one and a half hours to meet with Boone and McPhee and to discuss the specifics of the hypnosis session. Pursuant to the meeting Shay signed a consent document and was subsequently introduced to Doctor Malcom Rogers.</p> <p>At approximately 8:00 PM. Dr. Rogers and Shay were situated alone in a room to begin the hypnotic session. The entire session was memorialized on video-tape and live monitored by Shay's attorney, Jefferson Boone, Assistant United States Attorney's Paul Kelly and Frank Libby, ATF Supervisor Victor D. Palaza and ATF Agents Dennis Leahy, Thomas D'Ambrosio, John Gibson and Jeff Kerr.</p> <p>At approximately 10:00PM. the hypnotic session was terminated.</p> <p>At approximately 10:15PM. Shay was transported back to the Suffolk County Jail.</p> | | | | |
| 10. SUBMITTED BY (Name) Jeff S. Kerr | | 11. TITLE AND OFFICE Special Agent Group 3 Boston | | 12. DATE 08/11/92 |
| 13. REVIEWED BY (Name) Victor D. Palaza | | 14. TITLE AND OFFICE Supervisor Group 3 Boston | | 15. DATE ██████████ |
| 16. APPROVED BY (Name) Terence J. McArdle | | 17. TITLE AND OFFICE Special Agent in Charge | | 18. DATE ██████████ |

REPORT OF INVESTIGATION - CONTINUATION SHEET

(Law Enforcement)

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TITLE OF INVESTIGATION

Roslindale Bombing

INVESTIGATION NO.

63212-92-2008-C

DETAILS (Continued)

Subsequent to the hypnosis session with Shay, Dr. Rogers informed the aforementioned observing law enforcement officials excluding Attorney Boone, that he felt that there was a strong likelihood that Shay had feigned hypnosis and had simply reiterated events as he had previously done during interviews with A.U.S.A. Paul Kelly and ATF Agents Thomas D'Ambrosio and Jeff Kerr.

On July 30, 1992 Shay made a collect telephone call during business hours to Special Agent Jeff Kerr. Kerr accepted the charges and informed Shay that Agent D'Ambrosio would be listening in to Shay's questions. Shay acknowledged that this was acceptable.

Shay asked Kerr what was going on with the hypnosis results? Kerr and D'Ambrosio informed Shay that it was the general feeling of all observing parties, excluding Shay's attorney, Jefferson Boone, that Shay had not been hypnotized and that he had faked being in a hypnotic state through two hours of interviewing.

Shay stated that he had a sore neck the entire session and that when Dr. Rogers told him that his (Shay's) eyes were getting heavy that he had to make them feel heavy. Agent Kerr stated to Shay that he felt that Shay had faked the entire session and asked Shay why he did not just tell Dr. Rogers that he wasn't being hypnotized. Shay responded saying that he was afraid to say anything because he thought that everybody would be mad at him.

Shay further stated that Dr. Rogers failed to ask him the right questions. He stated that he wanted to be hypnotized again and that he would pay for the session.

Shay was informed by Agents D'Ambrosio and Kerr that ATF would not be excepting his collect calls and that it was theirs and other observers collective opinion that he (Shay) was obviously not going to make a genuine effort during any hypnosis session. Shay was informed that since he apparently did not wish to cooperate, all contact between Shay and law enforcement officials attached to the Roslindale bombing investigation would be terminated.

This investigation is continuing.