
Interview 10/17/92

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CONDENSED TRANSCRIPT AND CONCORDANCE

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[1] EXHIBIT: CHANNEL 56 INTERVIEW

[2] DATE: 10/17/92

[4] PARTICIPANTS: 1. THOMAS SHAY [5] 2. KAREN MARINELLA

[7] SHAY: Today is October 17, 1992. It is almost one [8] year after the death of Jeremiah Hurley and [9] the maiming of his partner Francis X. Foley, [10] a year after a bomb exploded and left one [11] officer dead and one destroyed for life, two [12] families destroyed without ever having any [13] chance of repair until the builder of that [14] device and conspirators are behind bars for [15] life.

[16] I, Tommy Shay, am guilty of something in that [17] case, but do not know what. I don't have the [18] average 20 year old male history. From age 5 [19] to 18, I was in the Department of Social [20] Services care. [21] I have no history of violence, not one record [22] of assault or otherwise from age 5 until now. [23] I am the one that had violence used against [24] him, and there is evidence that thirteen [25] years of my life, I was robbed of ever being [26] able to love someone or care.

[1] I was sexually abused by counselors, by [2] doctors and by my therapists. It was [3] mistreated physically, mentally and [4] emotionally.

[5] Today, my feelings toward life are dim. [6] There is no love. There is no caring. I [7] have lost my friends and family and, [8] especially, my self-esteem, trust, love, [9] care, pride to be an American or actually to [10] be alive.

[11] There are no smiles. There is no happiness. [12] Just a big emptiness. If ever I'm guilty of [13] any wrongdoing, it would be done or had been [14] done mentally by using words.

[15] I never asked Al Trenkler to - to do any [16] type of physical harm by use of explosive or [17] otherwise. He did this on his own without my [18] knowledge, and I really don't know why.

[19] I did make purchases of electronic goods at a [20] number of stores for Trenkler, but my [21] knowledge of what I was buying was for [22] Trenkler's work.

[23] After the explosion, I knew who built it [24] because he said in

September, early October [25] of 1991, that he was building me a surprise. [26] I really didn't know what it was. I thought

[1] it was remote control car.

[2] In October, I saw some electrical equipment [3] in a bag, and he said it was part of my [4] surprise. We dumped this bag in a 300 depth [5] of water. He said the cops would never find [6] the stuff, and I didn't know what he meant.

[7] The ATF incited a 100-man diving task force [8] to find the package. The Coast Guard and the [9] Navy are also involved. District Attor- [10] U.S. Attorney Paul V. Kelly said, it doesn't [11] matter how much money this task force will [12] take to find the package, it could go from [13] \$1,000 to \$1,000,000, doesn't matter as long [14] as they convict Al Trenkler.

[15] By order of the federal government and the [16] federal authorities, I cannot disclose the [17] whereabouts of the package. I am asking you, [18] the citizens of this state, to help me.

[19] If you saw Al Trenkler or myself or both of [20] us at any time, whether in a store or a bar [21] or anywhere, please call 665-7058 or write [22] down the information and send it anonymously [23] to Tommy Shay, 10 Albany [Phonetic] Heights, [24] Plymouth, Mass, 02360.

[25] This information is vital to this case. The [26] streets of Boston are not safe anywhere in

[1] the Commonwealth - or in the Commonwealth.

[2] Please think back from September until [3] October 27th of 1991 if you saw myself or [4] Alfred Trenkler anywhere. Every piece of [5] information is vital.

[6] Thank you.

[7] MARINELLA: All right. [8] [Pause in video] G 9 -> ?

[9] MARINELLA: All right. Why don't we start - please [10] explain to me your relationship with this Al [11] Trenkler.

[12] Who is he? How did you meet him? What was [13] he to you? What is he to you?

[14] SHAY: One question at a time, please.

[15] I met Al Trenkler late 1989, possibly early [16] 1990, at a bar, and I got a ride home to [17] Quincy from him,

and he was a student at [18] Wentworth Tech. He was into electronics. [19] I - I'm into building things, and we talked [20] and that's how I kind of got to know him, and [21] my relationship with him was, basically, an [22] acquaintance like a very good friend. [23] MARINELLA: Mm-hmm. You - you weren't lovers. [24] SHAY: We got to cut that out. [25] MARINELLA: Okay. Well, I'm trying to establish just [26] what-

[1] SHAY: You-

[2] MARINELLA: -I mean, how close you-

[3] SHAY: You can't-

[4] MARINELLA: -are to this person.

[5] SHAY: You can't use none of that gay stuff in this.

[7] MARINELLA: Okay.

[8] SHAY: You know?

[9] MARINELLA: Okay. I'm trying-

[10] SHAY: Can't be in that-

[11] MARINELLA: -to establish-

~~[12] SHAY: You know, I'll get screwed in the jail here.~~

~~[13] MARINELLA: All right.~~

~~[14] SHAY: Tell them - if Mel...~~

[15] MARINELLA: All right. I don't - okay. That - that [16] isn't what I - what I really meant. I just [17] - I'm trying to find out how close you are [18] to this guy. I mean, it's - it's not a [19] casual acquaintance.

[20] SHAY: Okay.

[21] MARINELLA: It's someone you've known for-

[22] SHAY: Are we still rolling here?

[23] CAMERA PERSON: Mm-hmm.

[24] SHAY: Okay.

[25] MARINELLA: It's not a casual acquaintance.

[26] SHAY: Let me say Al Trenkler and I shared that I

[1] was abused as a child under the Department of [2] Social Services care sexually, and so wasn't [3] he by his father, and I think because of [4] this, he thinks that my father put me in the [5] Department of Social Services and then he [6] went berserk out of his mind and possibly [7] went out and built this surprise for me to [8] make me maybe happy, you know, but-

[9] MARINELLA: So the two of you are very close.

[10] SHAY: Well, no. You see, he's an

acquaintance. I [11] would talk to him once a month, maybe twice a [12] - twice a month. You know, it wasn't like I [13] was with him twenty-four/ seven. [14] MARINELLA: You weren't with him all the time?

[15] SHAY: No.

[16] MARINELLA: But your relationship or your friendship or [17] your acquaintance went over a period of two [18] years?

[19] SHAY: Three years.

[20] MARINELLA: Three years? Okay.

[21] And you talked to him regularly.

[22] SHAY: Yeah. We, you know, went out and did things. [23] Went bowling and the movies and stuff like [24] that.

[25] MARINELLA: You were friends.

[26] SHAY: Friends. Well, ac - he was an acquaintance.

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[1] I have friends that I spend twenty-four/seven [2] with, and I have friends that I talk to every [3] now and then.

[4] MARINELLA: And he was one of those-

[5] SHAY: Right-

[6] MARINELLA: -somebody you'd see now and then.

[7] SHAY: Right.

[8] MARINELLA: Okay. So what happens in this relationship [9] that makes him care about - I mean, if it's [10] a casual acquaintance, I don't understand why [11] he would-

[12] SHAY: We have the same feelings. We have - he was [13] abused and I was abused, and we relate.

[14] MARINELLA: Mm-hmm.

[15] SHAY: That's a relating. He couldn't do anything [16] about it and neither could I. We cried [17] together. We talked. He was - he - as an [18] acquaintance, he was there if ever I needed [19] him.

[20] MARINELLA: Mm-hmm.

[21] SHAY: Not like my friends, but he was an [22] acquaintance. It wasn't like - you know, I [23] wouldn't call him every, you know, day of the [24] week. I have friends that I call every day [25] of the week.

[26] MARINELLA: Mm-hmm. Okay. So you talked a lot about the

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[1] abuse issues in the course of your [2] relationship. At what - at what point - I [3] mean, was he angry about your

situation? [4] About what had happened to you?

[5] SHAY: He was angry that it - that it had happened [6] to me and maybe that was my father's fault or [7] my mother's fault because it was in those [8] schools.

[9] MARINELLA: Okay. So he builds a bomb.

[10] SHAY: So he builds a bomb, tries to kill my father [11] and thinks that I'm going to be happy over [12] it, maybe even thinks that I'm going to [13] collect a half million dollars because my [14] father's in a lawsuit with some people.

[15] MARINELLA: Okay. Now, let's get into some of that a [16] little bit. You - you - you said that you [17] are guilty of something in this case.

[18] SHAY: I'm guilty of knowing who built the bomb [19] after the fact. I did not know anything [20] about the bomb or explosives in this case at [21] any time before October 28th at ten a.m.

[22] MARINELLA: Okay.

[23] SHAY: Not one piece of information. I had maybe [24] hints or thoughts or just discoveries in my [25] head, but never to put them together and make [26] something of killing anybody or harming

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[1] anybody.

[2] MARINELLA: Mm-hmm. But you helped purchase the [3] equipment for this bomb. You're admitting [4] that.

[5] SHAY: I'm admitting that, but not to the fact that [6] I was helped to purchase stuff to build the [7] bomb. I was helping to purchase stuff for [8] his work to build antennas or lights or [9] whatever.

[10] MARINELLA: Now, you said that he had you purchase these [11] things-

[12] SHAY: That's right.

[13] MARINELLA: Why did you purchase them? Why did he tell [14] you to purchase them-

[15] SHAY: Because I like to handle money and he's got, [16] you know, mega hundred dollar bills, and I'm [17] always, you know, like the Radio Shack

[18] on Mass Ave. recognized me. [19] I don't know really why he recognized me, but [20] Al had me go in there and purchase these [21] things. He said, go across the street. He [22] gave me a list. I went in there. I got the [23] stuff. Al came in behind me, and he

knew [24] that I liked to purchase, you know, I like to [25] be the guy with the money and, you know, go [26] out to a restaurant, whatever, and buy the

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[1] stuff.

[2] MARINELLA: Mm-hmm.

[3] SHAY: So he had me doing all the purchasing.

[4] MARINELLA: Mm-hmm.

[5] SHAY: But not until October 29th, the day after, [6] did I piece everything together and say, [7] gee, I'm the one that bought the stuff, I'm [8] going to - I'm doing - going to be the one [9] to pay because I bought something-

[10] MARINELLA: Mm-hmm-

[11] SHAY: -without the knowledge of what it was going [12] to be for.

[13] MARINELLA: What kinds of things were you buying? Tell [14] me.

[15] SHAY: A toggle switch, a AA battery holder, wires, [16] you know, electrical supplies.

[17] MARINELLA: Explosives? Did you buy-

[18] SHAY: No-

[19] MARINELLA: -explosives?

[20] SHAY: I didn't buy no explosives. Nope.

[21] MARINELLA: But you went with him on a trip where [22] explosives were purchased?

[23] SHAY: But not the explosives that were in the bomb.

[24] MARINELLA: Different explosive

[25] SHAY: Different explosives.

[26] MARINELLA: When were the explosives in the bomb

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[1] purchased?

[2] SHAY: I don't know.

[3] MARINELLA: That wasn't in Maine? That wasn't that [4] trip-

[5] SHAY: Nope-

[6] MARINELLA: -to Maine?

[7] SHAY: Nope.

[8] MARINELLA: Something else all together.

[9] SHAY: That's right.

[10] MARINELLA: And you never thought anything of this. I [11] mean, he's sending you with a list of pretty [12] bizarre stuff, I would think.

[13] SHAY: Well, I mean, I don't know too much about [14] towers or computers or all the fields that [15] he in, but, I mean, it's like - it's not [16] everyday stuff to me, but it seemed like

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[17] everyday stuff to him.
 [18] MARINELLA: What was he saying to you that this was going [19] to be used for?
 [20] SHAY: For antennas, for towers, that something was [21] broken in a tower in Norwood or the tower [22] that he works at in Hingham.
 [23] MARINELLA: And this was over what? A three month period [24] of time or so?
 [25] SHAY: Yeah. I must have gone to, I'd say, between [26] 25 and 50 stores with him and purchased all

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[1] kinds of stuff, but everything there's
 [2] only two things that I purchased that were [3] inside that explosive device that killed [4] Officer Hurley and-
 [5] MARINELLA: What were those two things?
 [6] SHAY: The toggle switch and the AA battery holder.

[7] MARINELLA: Okay. And in that three month period, I [8] mean, that's a lot of stuff he had you buy, a [9] lot of stores you were going into. Nothing [10] clicked? Nothing said, this is a little bit [11] weird?

[12] SHAY: No. No. I mean, actually, the only weird [13] part about it was all the money that I got [14] back from - in the receipts, I got to keep [15] the receipts.

[16] MARINELLA: Mm-hmm.
 [17] SHAY: Trying to find them at my house right now, [18] and I got to keep the money, you know. If I [19] paid with a 50, and it was \$5 worth of stuff, [20] I got to keep the \$45, so-

[21] MARINELLA: That seemed okay.
 [22] SHAY: Yeah. Well, it - it was a deal.

[23] MARINELLA: Um.
 [24] SHAY: You know?
 [25] MARINELLA: But even that you didn't think was [26] suspicious?

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[1] SHAY: No. I thought it was kind of weird that he [2] was letting me keep all the money after I [3] spend these fifties and hundreds.

[4] MARINELLA: Now, you had told me earlier that you got [5] little hints. You started to think something [6] was up. You did say that earlier. You got [7] hints, but you never really saw the whole [8] picture. What kind of hints? I mean-

[9] SHAY: You know-
 [10] MARINELLA: -did you think-
 [11] SHAY: -I'm building-
 [12] MARINELLA: -he was building-
 [13] SHAY: -a surprise. I started to think, you know, [14] what has he - I thought he was building me a [15] remote control car because I had loved-
 [16] MARINELLA: Mm-hmm-
 [17] SHAY: -to play, you know, cars and trucks similar [18] to the stuff and, you know, then he said, I'm [19] - we're going to go and dump this stuff, I'm [20] going to go out, you know, and go dump this [21] stuff under 300 depth of water.

[22] I'm thinking - he says, you know, the police [23] are never going to find it, and I said to [24] myself, what does he mean by this. The [25] police? What's the police have to do with my [26] surprise?

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[1] MARINELLA: Did you ask?
 [2] SHAY: I did ask what the police had to do with my [3] surprise, and he just said, you know, mumbled [4] something. I don't know.

[5] MARINELLA: And that was the end of the conversation.

[6] SHAY: Yeah. I didn't know anything about actual [7] bombs. Never mind the stuff we talked about, [8] but actual bombs being made like the 1986

[9] bomb that was found in the Quibby Fish [10] Company truck, I never knew anything about [11] that until the 28th.

[12] MARINELLA: Mm-hmm. And on the 28th, you knew [13] everything.

[14] SHAY: On the 28th, at about twelve o'clock, I [15] started to piece things together and after my [16] jailing at the Dedham House of Correction and [17] my release, I thought it was time for me to [18] get out of here because I just didn't want [19] any involvement.

[20] I was scared. My youthfulness came back into [21] me, and I was scared like a little boy, and I [22] just needed to get out of there. I didn't [23] want any part of it because I had nothing to [24] do with it. I did have something to do with [25] it, but the knowledge of what had happened [26] was nothing, no part of it

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[1] MARINELLA: So you went to

California.
 [2] SHAY: So I went to California, and the reason I [3] used James Kehoe's military ID, the military [4] ID was expired. ~~I cannot be charged with [5] that charge of using a military ID.~~
 [6] The reason I used it is because of the new [7] name and his ID was 22 years old. I was 20 [8] at the time, and that was, you know, bar time [9] for me.
 [10] MARINELLA: Okay.

[11] SHAY: Because of the way I wanted it.

[12] MARINELLA: So if you felt all along that your [18] involvement was minimal and that you couldn't [14] get in trouble, why have you kept this to [15] yourself for so long? Why?

[16] SHAY: Well-
 [17] MARINELLA: If you - if you're blaming somebody else for [18] having done this, why-

[19] SHAY: -actually - no, no, no, no, no, no, no. [20] It's a fact. There's no blame here. These [21] are facts.

[22] MARINELLA: Okay. I change the tense then. Okay.

~~[23] SHAY: Al Trenkler's lawyer went to go make a deal with Paul Kelly. [24] Segal went to make a deal with Paul Kelly. [25] Paul Kelly would rather give me the deal, a [26] person that is not violent, that has no-~~

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[1] record of assaults

[2] My whole life, I mean, this guy has my [3] records for 20 years. I haven't had any kind [4] of violence my whole life, and he knows it, [5] and he knows that Al Trenkler is the [6] dangerous one so he offered me, in April, 20 [7] years,

and he offered me ten - five and down [8] to three years here to go to a white-collared [9] prison with - out of 6,000 inmates a [10] federal prison, 3,000 are appellants so it's [11] a very, you know, three years, I can do [12] standing on my head.

[13] MARINELLA: But why didn't you come out right away with [14] the truth?

[15] SHAY: Well, because I didn't know and I didn't want [16] to dump something on somebody after the cops [17] had already been dumping on him. I didn't [18] want to throw it all on him until I found out [19] myself, and how found out myself is because [20] he - how do I say this - Al Trenkler told [2] the police only me and Tom Shay

know, he [22] said, we're the only people that know.

[23] He went to Paul Kelly and said, I want to [24] make a deal

[25] I believe that if my testimony - my proffer, [26] is what it was called, proffer doesn't come

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[4] and corroborate, then I believe that Al [2] Trenkler, if he gives himself up, will say [3] Tom Shay had no involvement because I had no [4] actual involvement, no knowledge, until after [5] it exploded.

[6] MARINELLA: Mm-hmm

[7] SHAY: My guiltiness is knowing who did it or [8] thinking about who did it after the bomb and [9] then fleeing-

[10] MARINELLA: Mm-hmm-

[11] SHAY: -not to tell anybody.

[12] MARINELLA: Right.

[13] SHAY: That's my guiltiness.

[14] MARINELLA: And - and my question is, Why didn't you? I [15]

mean, you were very visible on - on camera, [16] you've called all of us, you have repeatedly [17] told me you knew absolutely nothing about [18] this case.

[19] Why have you, A, waited so long to say [20] anything and - and why are you now-

[21] SHAY: I wasn't-

[22] MARINELLA: -saying something-

[23] SHAY: -sure. I was not sure that Al Trenkler did [24] it or not. There is still a piece missing in [25] the case. Al Trenkler doesn't know it. I [26] don't know it. The Feds don't know it.

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[1] Boston Police don't know it. Paul Kelly [2] doesn't know it.

[3] My father knew that was a bomb. How did he [4] know? Nobody knows.

My father denies that [5] he ever had any threats. Paul Kelly talked [6] to him the other day, and Paul Kelly said, [7] Tom Shay, you know, did you get some threats, [8] I don't believe you. He said, I think you're [9] a liar because I think you got threats or [10] something in that sense.

[11] MARINELLA: So-

[12] SHAY: That's the piece missing.

[13] MARINELLA: You think-

[14] SHAY: How did my-

[15] MARINELLA: -Trenkler knew your father?

[16] SHAY: I didn't - I'm not saying that. I'm saying [17] that. There's a - still a piece missing and [18] the puzzle

can't be solved until we get that [19] piece. How did my father know it was a bomb?

[20] MARINELLA: I'm sure it looked like a bomb. Wires, [21] batteries, switches.

[22] SHAY: From my knowledge-

[23] MARINELLA: I wouldn't touch it.

[24] SHAY: From my knowledge, my father picked it up [25] three times and threw it, but then Paul Kelly [26] said my father changed his story. He picked

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[1] it up carefully, placed it, placed it again [2] and placed it again, and here come these [3] officers, and they go to lift it up with a - [4] a file, lift it up and it blows up on them.

[5] MARINELLA: Kills one.

[6] SHAY: Kills one and them maimed Officer Foley.

[7] MARINELLA: Yeah. You haven't - when was the last time [8] you heard from Al Trenkler?

[9] SHAY: 1991, before - well, I got a - I got a note [10] through a guard at the Nashua Street jail in [11] Boston, but I can't prove that.

[12] MARINELLA: Saying?

[13] SHAY: From Al Trenkler saying he wanted to talk to [14] me. Said don't tell them anything, you know, [15] don't say anything about your purchases. [16] That's exactly what it said.

[17] MARINELLA: Mm-hmm. But how you're saying-

[18] SHAY: But - but once the - once the purchase came [19] through from Radio Shack, and I found out [20] that I'm the one that built - built, excuse [21] me - purchased part of the built - [22] building, then I - it kind of hit me. You [23] know?

[24] MARINELLA: Mm-hmm-

[25] SHAY: A man's dead out there. There are five [26] children and a wife lost forever, family

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[1] destroyed. Never mind another family [2] destroyed.

[3] I don't know if Francis X. Foley can ever put [4] his life together. I hope he does, but [5] nobody will ever be able to put their life [6] together until the streets are safe again.

[7] MARINELLA: Mm-hmm.

[8] SHAY: I feared that.

[9] MARINELLA: What do you need to do?

[10] CAMERA PERSON: [Unintelligible]

[11] MARINELLA: Please do. Did you bring one in? [12] [Pause in video]

[13] MARINELLA: Okay. In the course of your relationship [14] with Mr. Al Trenkler, you never sat down and [15] - and talked about how you could get revenge [16] on your father or-

[17] SHAY: Nope. Nope, nope.

[18] MARINELLA: Or how you might hurt your father for-

[19] SHAY: Nope-

[20] MARINELLA: -hurting you-

[21] SHAY: Nope, no, no, no, no, no-

[22] MARINELLA: -all those years?

[23] SHAY: My father and I have a good rela - had a [24] good relationship until he thought I could do [25] something like this. We have never fought. [26] You know, we haven't had words together,

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[1] nothing. There's no - there's no love/hate [2] relationship like Charles K. Austin says.

[3] MARINELLA: Well, you've told me many times that you [4] hated your father-

[5] SHAY: No, no, no, no-

[6] MARINELLA: -for-

[7] SHAY: -no, no, no. For what?

[8] MARINELLA: You've told me many times on the phone-

[9] SHAY: No. I - I never-

[10] MARINELLA: -that you felt-

[11] SHAY: -that-

[12] MARINELLA: -deserted as a child, unloved-

[13] SHAY: Deserted and unloved-

[14] MARINELLA: And you hated him-

[15] SHAY: -is not hate. That's not hate. Hold on. [16] Then I got to go back on my words here [17] because-

[18] MARINELLA: Okay-

[19] SHAY: -I never said I hated my father. Hate - [20] hating someone and taking a gun or a bomb to [21] them is two different things. You know?

[22] Hate, that's - a dislike, I should say. I [23] should have used my words better when I [24] talked to you-

[25] MARINELLA: Okay-

[26] SHAY: -whenever I said that, but I dislike him for

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[1] deserting me and my mother, you know, back [2] when I was five years old. My mother worked [3] three, four jobs to just get meat on the [4] table.

[5] MARINELLA: So you were never

is

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sitting around with this (6) guy, have - maybe have a couple of drinks or (7) something and - and you talk about how much (8) you dislike your father and-

(9) SHAY: No, no-

(10) MARINELLA: -how you - you're resentful.

(11) SHAY: I never said that I disliked my father or (12) anything like that to Al Trenkler. I said (13) that it's my father's responsibility of why I (14) was in those schools.

(15) MARINELLA: Mm-hmm.

(16) SHAY: Al Trenkler took it as, gee, this guy's a (17) real asshole. You know? This kid spent 13 (18) years in all these schools, you know, and (19) that I told him the story - story about Mary.

(21) I was in the Baird Center here in Plymouth, (22) Mass. for a year. I got out. I moved to - (23) to Hyde Park. I'm in a new school. I'm just (24) getting in. (25) I'm making friends in the neighborhood and (26) then all of a sudden, my father messes me into.

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(1) a house where I can't even turn on the TV (2) without asking this Mary Flanagan.

(3) Now that - that kind of pissed - that - (4) that's something that pissed me off, but not (5) enough to kill somebody.

(6) MARINELLA: Mm-hmm.

(7) SHAY: Or even hurt them or to scare them. Not my (8) father, not my family. Now, I could do this (9) to somebody that tried to hurt my family or (10) something like that - I could do that to Al (11) Trenkler right now. I could - I could do (12) something to Al Trenkler right now, but-

(13) MARINELLA: But based on the stories that you told Al (14) Trenkler, he dreamed up this whole scenario (15) all by himself for a reason you don't know?

(16) SHAY: I'm telling you, we share the same thing.

(17) MARINELLA: Mm-hmm.

(18) SHAY: Al Trenkler was abused by his father. I was (19) abused by other people.

(20) MARINELLA: Okay.

(21) SHAY: He couldn't get back at his father so he (22) decides to get back at my father.

(23) MARINELLA: Okay.

(24) SHAY: That's how Paul Kelly sees

it. That's how (25) the Feds see it. That's how I see it.

(26) MARINELLA: All right. I'm going to pursue this a little

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(1) bit here. Bear with me. Thousands of (2) children in this state are abused sexually, (3) emotionally, physically every year in this (4) state. They don't go out and build bombs.

(5) SHAY: No comment. I have - I can't think of (6) anything to tell you. I just poured out my (7) heart today and here you are again. The (8) fight's going down, too.

(9) MARINELLA: This isn't - a lot of people are going to (10) hear this, Tom, and I have to ask these (11) questions, and they're going to say this is (12) hard to believe.

(13) This is hard to believe, A, that this kid (14) went out and bought all this stuff and had (15) absolutely no knowledge that this was going (16) to become a bomb.

(17) SHAY: That's my story.

(18) MARINELLA: They're finding it very hard to believe right (19) now. Why should we believe this?

(20) SHAY: Well, I-

(21) MARINELLA: Well, tell me-

(22) SHAY: -can't say anything anymore.

(23) MARINELLA: I'm here. Tell me why we should believe (24) this.

(25) SHAY: I - I can't say anything no more. You know? (26) I just told you and if they don't believe it,

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(1) I - I've got - right now, I've got \$10 (2) million at hand from the U.S. Government.

(3) I've got hundreds of guys working on the (4) case. I've got all these people. They're (5) believing it. They're our government. So, I (6) mean, they're the people that - they're the (7) ones that are running this country.

(8) Now, they seem to believe me because they (9) know that's the truth. They know that that's (10) what's going on.

(11) MARINELLA: You going to change that fight?

(12) SHAY: You don't believe me. That's all right.

(13) MARINELLA: I have to ask these questions, Tom. I mean, (14) I mean, I - how many things have - have we (15)

talked about the past few months that perhaps (16) haven't happened yet or perhaps the truth was (17) stretched a little bit?

(18) I mean, you've told me from day one you knew (19) nothing about this from day one, and now this (20) is a complete turnaround so I have to ask you (21) why I should believe this now. I have to. (22) Tell me.

(23) SHAY: I don't have an answer for you. Maybe I do (24) have an answer for you. My friends have been (25) dumped on. My family has been dumped on. (26) I've been dumped on.

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(1) I saw no reason to cooperate with anybody and (2) tell them what was going on or what I thought (3) or anything until it comes down to me. Here (4) I sit in jail on - I don't know what I'm (5) saying here. Going to have to cut this out.

(6) MARINELLA: So you're sitting in jail and the guy-

(7) SHAY: For a crime - I'm sitting in jail for a crime (8) I didn't commit. Paul Kelly's telling me, (9) don't worry, Tom, that case is going to (10) evaporate. I'm sitting here for something (11) I'm never going to even go to jail for, a (12) bomb threat that another inmate may - made

(13) The reason? Because Paul Kelly said, well, I (14) have enough evidence to indict you because (15) you purchased a piece of this bomb, you know.

(17) Well, okay. I'd rather be here on this (18) charge than be here for, you know, you know, (19) be indicted on the death of a cop. Why be (20) indicted on the death of a cop when I can be (21) indicted for knowing after the fact or some (22) three - you know, I'm in jail for three (23) years. I'll be going to jail for three years (24) for something I did even know. Never (25) mind.

(26) MARINELLA: Well, you knew it after the fact and-

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(1) SHAY: After-

(2) MARINELLA: -and - and you-

(3) SHAY: Then I took off-

(4) MARINELLA: But you were certainly questioned a lot by (5) authorities and, I would assume, denied to (6) them, just as - as you've denied to me all (7) these months that you knew anything so - I (8) mean, you did

keep information for a period [9] of time.
 [10] SHAY: Well, I've kept infor - there are certain [11] little things, you know, that - let me say [12] it to you this way.
 [13] The first time I went into Paul Kelly's [14] office, we made a deal and I talked to him [15] I took hypnosis and I told him stuff. I told [16] him maybe Al Trenkler did this on his own and [17] I didn't know it.

[18] The whole time, I said that and that's the [19] truth. I was pointing and leading up to [20] that. Maybe he did it on his own.

[21] MARINELLA: Mm-hmm-

[22] SHAY: and I didn't know it, and then I went in [23] the second time. They screwed me twice. [24] First they said, oh, we'll get rid of this [25] case, and then they brought a new case [26] against me. Then they get rid of that case.

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[1] and they bring a new case against me.

[2] So until, you know, there's nothing I'm [3] holding back now. I've already spilled my [4] guts, but, hopefully, you'll find something [5] and this case will get over with.

[6] Why you should believe me? I really don't [7] know. I don't know why you should believe [8] me. I mean, I've got the government [9] believing me. We're talking about millions [10] of dollars here. I mean, if they're willing [11] to spend millions of dollars and believe me, [12] then that's a good reason for you to believe [13] me.

[14] MARINELLA: Or maybe they're working with you now. I [15] mean, for the first time, you're finally [16] saying some things and-

[17] SHAY: And they add up-

[18] MARINELLA: -they're starting to be able to put this - [19] this case together finally. Is this a case [20] where maybe somebody was trying to scare you [21] dad, you did know about it ahead of time-

[22] SHAY: Nope-

[23] MARINELLA: -and it got out of control?

[24] SHAY: Nope.

[25] MARINELLA: No maybes, huh?

[26] SHAY: No maybes.

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[1] MARINELLA: You're not lying on that one?

[2] SHAY: Nope.

[3] MARINELLA: Because it would - it's scary. I mean, [4] it's-

[5] SHAY: How did my dad know it was a bomb? There's a [6] theory-

[7] MARINELLA: How didn't you know it was a bomb?

[8] SHAY: Because I never knew it was put there.

[9] MARINELLA: You said you were getting him - you said you [10] were having-

[11] SHAY: I said I was getting-

[12] MARINELLA: -inklings-

[13] SHAY: I said I was getting hints-

[14] MARINELLA: Did you know he was going to try to scare [15] your father?

[16] SHAY: Nope. Nope.

[17] MARINELLA: Did you hope he was going to try to scare [18] your father?

[19] SHAY: No. There's no reason to scare my father. [20] For what?

[21] MARINELLA: Mm-hmm.

[22] SHAY: One week before that bomb went off, me and my [23] father were at the track. Two weeks, my [24] father put up \$200 for dental work. Me and [25] my father were getting along. There was no [26] need for anything.

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[1] I'm going to scare my - or do something to [2] my father, it's going to be with words. You [3] know? It's not going to be with action.

[4] MARINELLA: But if you didn't do it - I mean, yeah, you [5] - you're - you're still saying you didn't [6] do it. Someone else could have done it for [7] you.

[8] SHAY: When did I pay them? With what?

[9] MARINELLA: The money that you might have gotten if he [10] had been killed-

[11] SHAY: No, no, no, no, no. My lawyers proved that [12] in - only after death from people in [13] automobile accidents, you people collect the [14] money even if they're dead or alive.

[15] MARINELLA: But did you know that ahead of time?

[16] SHAY: I did know that. This Allen Pransky, my [17] father's lawyer, told me.

[18] MARINELLA: You looked into it.

[19] SHAY: Hum?

[20] MARINELLA: You looked into it-

[21] SHAY: No-

[22] MARINELLA: -ahead of time?

[23] SHAY: This is in 1990-

[24] MARINELLA: Mm-hmm-

[25] SHAY: -I knew about that.

[26] MARINELLA: Again, I'm just asking because so many things

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[1] that you and I have talked about in the past [2] few months, A, haven't happened or, B, the [3] truth-

[4] SHAY: I always thought-

[5] MARINELLA: -has been stretched-

[6] SHAY: -I was going to get indicted. Truth getting [7] stretched?

This is all - well, I never saw [8] Al Trenkler build the bomb so he might not [9] have, but little pieces add up.

[10] I purchased the Radio Shack stuff for Al [11] Trenkler. Then the stuffs found in the bomb [12] that killed the cop. Al Trenkler's the one [13] that had the stuff so Al Trenkler must have [14] built it, the one that has something of [15] building a bomb. NO

[16] He's in electronics and, also, like a [17] fingerprint, the bomb that he built in '86 is [18] exactly - there's only two

different things [19] about it was what was told by the Feds, [20] what - what

was in the bomb - it was like a [21] fingerprint in '86 to the '91.

[22] MARINELLA: Mm-hmm.

[23] SHAY: That's - that adds up-

[24] MARINELLA: You know what people are going to think when [25] they hear this. I mean, they've been [26] listening to you for months like I have say I

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[1] know nothing. They're looking at you now [2] with raised eyebrows saying, ah ha, he did [3] know.

[4] SHAY: No. How did I know?

[5] MARINELLA: After the fact, you knew.

[6] SHAY: After the fact.

[7] MARINELLA: You've been telling us forever you didn't [8] know anything.

[9] SHAY: That's right. I was trying to protect my [10] friend until I knew for myself. I'm not [11] going to say, oh, Joe Schmo went out and [12] built the bomb. I don't know. I want to put [13] the pieces together and find out first.

[14] MARINELLA: You're not an investigator. Let them do it.

[15] SHAY: No, but I - I have investigative techniques. [16] In my mind, I can put things together. Once

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[17] Terry Segal - my lawyer Jefferson Boone told [18] me that Terry Segal was trying to make a deal [19] with this, I thought to myself, shit. You [20] know? [21] Why should he be making the deal? I had [22] nothing to do with this. My story doesn't [23] corroborate. I - but if I had - if there [24] were two of me, if I was twins, I'd bet my [25] other half, his life or my life, I should [26] say, that Al Trenkler's going to come in and

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[1] say Tom Shay didn't have anything to do with [2] this, this is the story.

[3] MARINELLA: Why would you bet that?

[4] SHAY: What?

[5] MARINELLA: Why would you bet that?

[6] SHAY: Because I didn't have anything to do with it.

[7] MARINELLA: Or he could come in and say that you helped [8] conspire. You might not have built it, but [9] you might have conspired to build it.

[10] SHAY: He's the dangerous one.

[11] MARINELLA: Why?

[12] SHAY: He's the one that built it.

[13] MARINELLA: Some might say that if you helped conspire, [14] you'd be a dangerous one, too.

[15] SHAY: Anybody can go out and hire a hit man. [16] Anybody. You can go down to, we'll say [17] Roxbury, I mean, pay somebody \$50 to go and [18] take somebody out.

[19] MARINELLA: Mm-hmm.

[20] SHAY: It's easy.

[21] MARINELLA: Right.

[22] SHAY: But a bomb? Why a bomb? Why am I going to [23] go out and, you know, get somebody to build a [24] bomb for me instead of going down to Roxbury [25] to get - pay somebody \$50 to go out and take [26] somebody out? Why?

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[1] MARINELLA: You tell me.

[2] SHAY: I don't want-

[3] MARINELLA: I don't know-

[4] SHAY: -the excitement. People that do that go out [5] and do stuff like that easy. They want to do [6] it quick, you know, not a lot of cops. Never [7] mind - a police officer is dead.

[8] MARINELLA: Are you feeling guilty?

[9] SHAY: Why should I feel guilty? I didn't do [10] anything.

[11] MARINELLA: Are you feeling guilty because this cop is [12] dead? It's almost a year. You have known [13] information for a year and haven't said [14] anything.

[15] SHAY: No. Wrong. Every time I was in Paul Kelly's [16] office, the U.S. Attorneys Office, I always [17] said Al Trenkler had done it, had done this [18] on his own. I've always stuck to that story, [19] and I always will stick to that story.

[20] Everything up until today I've told you is [21] just - I should say stuff that has poured [22] out of mouths by police, my family and [23] myself, but it just all built up into a ball [24] until today. Stuff is happening today. [25] Maybe between \$10,000 and \$20,000 has already [26] been spent. I mean, they're going out and

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[1] hiring divers and, you know-

[2] MARINELLA: Mm-hmm.

[3] SHAY: This case is going to be opened. They're [4] going to find the stuff and, you know-

[5] MARINELLA: You told me 18 times this is the story you're [6] going to stick to. First, it was, I didn't [7] know anything, I'm sticking to it. Then it [8] was, my father did it, I'm sticking to it. [9] Then it was, Trenkler did it, I'm sticking to [10] it.

[11] SHAY: But-

[12] MARINELLA: Next it's going to be, okay, I knew ahead of [13] time, I made a mistake, I didn't think it was [14] going to get this far out of control, I'm [15] sticking-

[16] SHAY: I'll never-

[17] MARINELLA: -to it.

[18] SHAY: I'll never say that. Also, I have a book [19] coming out.

[20] MARINELLA: Another thing.

[21] SHAY: Another thing. My lawyer's already hired a [22] - a ghost writer. There's going to be a [23] book. There's already going to be a book. [24] There are already two people on it, one guy [25] from the Parkway Transcript and another [26] person writing a book, but I already got

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[1] copyrighting for this.

[2] MARINELLA: Mm-hmm. So this is the story, huh?

[3] SHAY: This is the story. [Laughs]

[4] MARINELLA: Okay. We'll see.

Two shots- [5] [Pause in video]

[6] SHAY: Look through the lawyer and stuff-

[7] MARINELLA: Mm-hmm-

[8] SHAY: -but not directly from him.

[9] MARINELLA: I think you've had a lot of time in here to [10] think or not here, but other places, and my [11] personal feeling is that you're mad that [12] you're in here and he's not and that's why [13] you're talking.

[14] SHAY: You bet. You're right. You're right. I had [15] to, you know, come out and let every - let [16] the world know what's going on, you know.

[17] The - the inmates in here call me a rat, but [18] I'm not going to let Al Trenkler go out and [19] make a deal with somebody for something and [20] then say something about me that I didn't do.

[21] Why - why shouldn't I go out and get the [22] better deal? They don't want me.

[23] MARINELLA: Mm-hmm.

[24] SHAY: Because anybody can hire a hit man, like I [25] said. Anybody can have somebody killed for [26] money. I didn't have any money.

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[1] [Pause in video]

[2] MARINELLA: You say, just to keep on that vein, that [3] you're running scared right now because of [4] that, because you're afraid he might get away [5] with something and you're going to end up [6] stuck in here-

[7] SHAY: That's right-

[8] MARINELLA: -and you're running scared and that's why [9] you're - you're talking.

[10] SHAY: That's right. I-

[11] MARINELLA: In fact, you're talking-

[12] SHAY: -decided-

[13] MARINELLA: -so that it's going to be to your advantage. [14] You're - you've got enough time to - to [15] make up a story, if you will. You're in here [16] spending your time figuring out how you can [17] get him in jail and protect yourself at the [18] same time. You're running scared.

[19] SHAY: I'm - if you were in my shoes, which you're [20] not, you would do exactly what I'm doing. [21] You'd spill the beans like me because we're [22] at a two - almost a two week deadline before [23] they want to close

this case.

[24] They want to just indict me and indict [25] Trenkler and get it over with, but they want [26] Trenkler, in a way, more than they want me

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[1] because anybody can hire a hit man, like I [2] said, but the man that built the bomb is more [3] important than anybody in this case.

[4] He is more important. They know my history. [5] I've never - never ever in my life, and [6] we're talking three cabinets of files that [7] Paul Kelly's gone through, never in my life [8] went to hit somebody or said to another kid, [9] can you go hit that guy for me or anything in [10] my life.

[11] I'm a nonviolent person. I let people hit - [12] I've gotten beaten up here twice.

[13] MARINELLA: Mm-hmm.

[14] SHAY: Let them beat me up and then I walk away. [15] You know? I don't care.

[16] MARINELLA: You're scared though.

[17] SHAY: Scared of going to jail for 20 years for [18] something I didn't do, yes. Don't-

[19] MARINELLA: And this something-

[20] SHAY: -I have a right-

[21] MARINELLA: -being the actual building of the bomb-

[22] SHAY: What?

[23] MARINELLA: You did not put the pieces together.

[24] SHAY: That's right. I did not put the pieces [25] together.

[26] MARINELLA: And you think that-

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[1] SHAY: And Paul Kelly knows and the Feds know and [2] the Boston Police know that I don't have the [3] technique or anything even if I had somebody [4] sitting beside me because my fingerprints [5] aren't on that bomb, but there could be a [6] half a fingerprint on that bomb that could be [7] Al Trenkler's. [8] [Pause in video] [9] I had one day, one day to come out and say [10] what I was going to say. My lawyer knew it [11] and I knew it because my lawyer came here. [12] He - he never comes out here, and he comes [13] out here and he tells me, Tom, you got one [14] day, they're either going to indict you - [15] [Pause in video]

[16] SHAY: - if I didn't make the deal - deal, [17] Trenkler would have, and I would be, you [18] know, on the front page of every newspaper as [19] the man that killed the cop.

[20] I didn't kill nobody. I didn't hire anybody [21] to kill anybody. I didn't put no pieces [22] together. I purchased a piece without the [23] knowledge of - of what that - what it was [24] going to. I thought it was going to a - an [25] antenna.

[26] I didn't want to say anything about Al