

Memorandum



Subject

Retraction by Thomas Shay, Jr.

Date

November 10, 1992

To

File

From

Paul V. Kelly

Yesterday I was summoned to the U.S. Marshal's lock-up by Attorney Frank O'Rourke to speak with his client, Tom Shay. I was joined by SA Jeff Kerr of ATF. My last contact with Shay was less than one week ago (in the lock-up with SA Jeff Kerr) when I advised Shay (1) we had been unable to corroborate any aspects of his "story", (2) we had received recent information from various sources indicating his involvement in the bombing, and (3) I expected to indict him for murder.

Shay stated that out of fear of being charged and spending the rest of his life in prison, he had lied to me and the agents in several significant respects. Those aspects of his "story" which he admitted were untrue are as follows:

1. He was not sexually abused by his father
2. He never went on a scuba diving trip with Trenkler
3. He fabricated the story about ^{"Jo Jo"}~~"Jo"~~; there is no such person
4. The whole story about Trenkler building him some unknown "surprise" was a hoax
5. He never accompanied Trenkler to the Quincy quarry, or participated with him in disposing of evidence
6. Trenkler never came to his house following the bombing on 10-28-91; he has not had face-to-face contact with Trenkler since before the bombing
7. He never saw a remote control car at Trenkler's apt.
8. There was no trip to Vermont and Canada with Trenkler to obtain munitions from some "Soldier of Fortune" camp
9. He and Trenkler never shopped together at the Dedham Mall

10. The tower he had told us about was not located in the Kingston/Marshfield area.

Shay then told us a new "story" which he claimed was truthful -- obviously we have a high degree of skepticism. His new story may be summarized as follows:

1. He has known Trenkler for 2-3 years and was involved with him during the 6-8 week period prior to the bombing
2. He told Trenkler that his father had sexually abused him (even though it wasn't true)
3. Trenkler told him that he had been sexually abused by his natural father
4. He told Trenkler about his dad's anticipated recovery of several hundred thousand dollars from a pending lawsuit.
5. Sometime in September, 1991, Shay, Trenkler and Rich Brown went on a boat trip on a small boat that Brown rented
6. He and Trenkler have been to Provincetown together
7. He asked Trenkler to build him a remote-controlled pick-up truck containing a bomb with magnets on it. Shay claims that he planned to go to a parking lot and get his "jollies" by attempting to blow-up an unoccupied car. (This is not a credible explanation)
8. He and Trenkler did visit Radio Shack on Massachusetts Ave. on 10-18-91
9. He and Trenkler purchased a remote control unit from a hobby store (name unknown) at the Braintree Mall (South Shore Plaza) sometime in September, 1991. He recalls the price was approximately \$300.
10. He and Trenkler visited other stores together (need more information)
11. Trenkler told him he obtained his dynamite from a guy in New Hampshire (name unknown)
12. He accompanied Trenkler on a ride to New Hampshire sometime in September - October, 1991. They visited a guy in the North Conway area who was somehow affiliated with or employed at a rock quarry.
13. Trenkler does know someone in New Hampshire who drives a red car named Cindy Mitchell.
14. Trenkler did come over to Shay's apartment sometime in early October, 1991 and was tossed-out by Ms. Shay.

15. He has stayed over Trenkler's apartment and has had a sexual relationship with him.
16. Following the bombing, maybe the next day, Trenkler called him at his mother's house. During the call Trenkler told Shay not to worry because he had taken the remnants of the bomb and tossed them into the quarry in Quincy known as "Niggers Heaven" where a boy recently drown.
17. He saw Trenkler building the device inside a shack adjacent to an electrical tower somewhere in Weymouth. He recalls seeing the magnets, and described the remote control unit.

Finally, Shay told us that he had received a threatening telephone call last Friday. Another inmate handed him the telephone, whereupon a deep male voice said, in effect, "...if you say anything more about Trenkler, we'll have your throat slit (for a carton of cigarettes)." Shay refused to identify the inmate who handed him the phone.