

Shay pleads innocent in fatal bombing

By JACK MEYERS

Thomas A. Shay, one of two suspects indicted Wednesday for building the bomb that exploded last year in Roslindale killing a Boston police officer, pleaded innocent at his arraignment yesterday in federal court.

Assistant U.S. Attorneys Paul V. Kelly and Frank A. Libby Jr.

told Magistrate Judge Marianne B. Bowler they intend to call more than 50 witnesses in the trial, which could take six weeks.

Bowler did not conduct a detention hearing because Shay is in the Essex County Jail in Middleton pending trial on a separate charge of telephoning a bomb threat to a Brighton woman from the Suffolk County Jail earlier this year.

In an interview after his hearing, Shay accused authorities of trying to sabotage his defense by getting rid of the court-appointed lawyers he has had during the yearlong probe that led to his indictment Wednesday.

"They got the indictment and now they're taking out my best defense," said Shay, referring to lawyers Frank O'Rourke and Jefferson Boone.

Although nothing is final, questions were raised at yesterday's arraignment whether either lawyer would be able to represent Shay in further proceedings —

forcing him to scramble to find new counsel before trial.

He also accused authorities of concocting the bomb threat case against him, saying he is not stupid enough to place a collect call bomb threat using his own name.

Shay declared his innocence, adding prosecutors have records from his 13 years of living in state and psychiatric facilities that he is not a violent person.

Shay's alleged co-conspirator, Alfred W. Trenkler, is scheduled for arraignment this morning.

Trenkler allegedly built the remote-control bomb that killed Boston Police bomb squad officer Jeremiah Hurley Jr. and seriously injured Hurley's partner, Francis X. Foley, in October 1991.

Shay said he has faith he will not be hit with the death penalty if convicted because Kelly "is not a death penalty guy."

While Massachusetts does not have a state death penalty, the federal charges Shay is facing carry a potential death penalty.