

Police accused of coercion

By SHELLEY MURPHY

A Quincy engineer accused of building a bomb that killed a Boston police officer claims investigators illegally searched his apartment and business while intimidating him with swears, threats and an arsenal of weapons.

Alfred Trenkler, 36, alleges 10 federal agents and Boston police detectives who didn't have a search warrant banged on his door at 11:30 p.m. eight days after an Oct. 28, 1991, Roslindale bomb blast killed Boston Police Bomb Squad Officer Jeremiah Hurley Jr.

"Throughout that night I was intimidated by the display of police force and weaponry and I was told I had no choice but to cooperate," wrote Trenkler in an affidavit filed in federal court supporting a request to suppress evidence seized in the case.

Trenkler alleges that Boston Police Detective Peter O'Malley "was visibly hostile and threatening toward me. He used foul language and at times I thought he was going to hit me."

O'Malley is currently appealing a four-day suspension ordered by Boston Police Commissioner Francis "Mickey" Roache for allegedly intimidating witnesses

Bomb suspect claims search illegal

during the investigation of the murder of Carol DiMaiti Stuart.

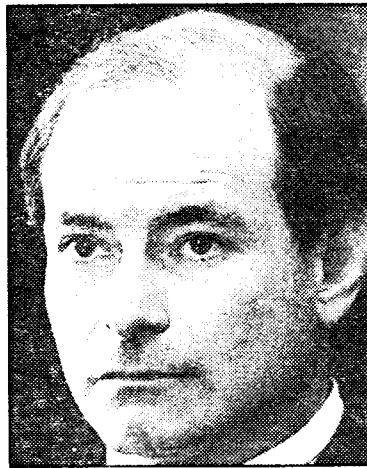
Asst. U.S. Attorney Paul V. Kelly, who is prosecuting Trenkler and Thomas A. Shay, 21, of Quincy, accused Trenkler of "trying to bootstrap himself and take unfair advantage of Detective O'Malley's recent problems arising from the Stuart investigation without factual support to back up his allegations."

"The government is prepared to demonstrate that the allegations concerning Detective O'Malley's conduct are either false or grossly exaggerated."

Trenkler and Shay were indicted in December on federal charges alleging they killed Hurley and seriously injured his partner, Francis X. Foley, with a bomb that was intended for Shay's father, Thomas L. Shay.

The bomb exploded while being examined by the officers, who had been called to the elder Shay's home on Eastbourne Street in Roslindale after he discovered a suspicious box that had fallen from under his car.

Trenkler alleges that during a



ALFRED TRENKLER

Moves to suppress evidence

search Nov. 5 and 6, 1991, at his home on Atlantic Avenue in Quincy, O'Malley warned, "You got away with it in 1986; you're not going to get away with it this time. You're an (expletive). I know you did this for (expletive) Shay."

Trenkler was charged with planting a remote-control bomb

under a Quincy fish company truck in 1986, but sources said the charge was later dismissed when he cooperated in an unrelated drug case.

In his affidavit filed Feb. 17, Trenkler alleges ATF agents and Boston police began searching his apartment without authorization and found a plastic baggie containing marijuana under a cushion on his couch.

Trenkler claims investigators placed him in an unmarked cruiser and "while I was alone in the back seat of the car, on the seat next to me, in plain view, was an open duffel bag containing ammunition, a variety of hand guns and what appeared to be a small machine gun. I did not touch these, but I was completely intimidated by their presence."

ATF Special Agent-in-Charge Terence J. McArdle said it was "absolutely ridiculous" to suggest a suspect would be left in a car with an arsenal.

"We don't keep guns in the back seat of cars in duffel bags," said McArdle. "All firearms are secured at all times."

Attorney Terry P. Segal, who

represents Trenkler, has urged the court to suppress tools, documents and other evidence seized from Trenkler's apartment, his parent's garage in Milton and his engineering business, ARCOMM in Weymouth.

In an affidavit filed in court, ATF Special Agent Victor Palaza said affidavits filed by Trenkler and his roommate "contain numerous falsehoods and self-serving distortions."

Palaza, who has supervised the bombing investigation and was present during the Nov. 5, 1991, search at Trenkler's apartment, said Trenkler was "agreeable and completely cooperative."

"At no time was he or his roommate threatened, coerced or intimidated in any manner," wrote Palaza, adding that Trenkler "freely and voluntarily" agreed to searches of his apartment, his business and a garage adjacent to his parent's Milton home.

Palaza said Trenkler was never placed in a car with weapons and added, "In fact, at no time during the evening did any law enforcement officers even display a weapon."

U.S. District Judge Rya Zobel has scheduled a hearing Scgal's motions May 3.