

1 A No, the report does not indicate the purpose of the
2 tape.

3 Q So there is nothing in the report that can help us tell
4 us what the purpose of the tape was?

5 A Oh, no.

6 MR. SEGAL: Thank you very much, sir.

7 THE COURT: Anything else, Mr. Libby?

8 MR. LIBBY: Nothing, thank you.

9 THE COURT: Thank you Mr. Hankard, you are excused.

10 THE WITNESS: Thank you.

11 THE COURT: Who's next?

12 MR. KELLY: Your Honor, the United States calls Todd
13 Leach.

14 Todd Leach, sworn

15 Direct Examination by Mr. Kelly

16 THE CLERK: Please be seated and spell your name for
17 the reporter.

18 THE WITNESS: Todd Leach, L E A C H.

19 Q Where do you reside, Mr. Leach?

20 A Ossipee, New Hampshire.

21 Q With whom do you reside at that location?

22 A My girlfriend, Jenna Knight.

23 Q How old are you, Mr. Leach?

24 A Seventeen.

25 Q Are you still in school?

1 A No, I'm taking my GED.

2 Q Can you tell us how far you went into school, Mr. Leach?

3 A 9th grade.

4 Q Did you drop out of school in the 9th grade?

5 A I dropped out of school, yes.

6 Q And do you have any plans to go back to school or did you
7 say I were you were trying to obtain a GED?

8 A Yes.

9 THE COURT: You have got to say yes or no because the
10 reporter can't take down when you just nods your head,
11 please.

12 Q Can you tell us --

13 THE COURT: What was your answer?

14 THE WITNESS: Yes.

15 THE COURT: Thank you.

16 Q You told us that you're living in Ossipee, New
17 Hampshire. Where are you from originally, Mr. Leach?

18 A Weymouth.

19 Q Okay. And when you left school in the 9th grade, where
20 were you attending school, sir?

21 A Hull High.

22 Q Mr. Leach, are you working at the present time?

23 A Part-time.

24 Q What kind of work do you do, sir?

25 A I help a quadriplegic.

1 Q When does that mean?

2 A I put him to bed and get him out bed and make him
3 breakfast and stuff like that.

4 Q And that's up in New Hampshire?

5 A Yes.

6 Q Mr. Leach, are you related to a woman by the name of
7 Donna Shea?

8 A Yes.

9 Q And how are you related to her?

10 A She's my aunt.

11 Q Mr. Leach, do you know an individual by the name of
12 Alfred Trenkler?

13 A Yes.

14 Q How long have you known, Mr. Trenkler?

15 A I'd say most of my life.

16 Q And do you recall how old you were when you first met
17 him?

18 A About six, seven, around that.

19 Q And how did you first meet him, sir?

20 A Through my Aunt Donna.

21 Q And what was your relationship with Mr. Trenkler over the
22 period of five years or so after you met him?

23 A It was just like a family friend.

24 Q Do you see the Alfred Trenkler that you know in the
25 courtroom here this morning, Mr. Leach?

1 A Yes.

2 Q Would you point him out for us, please?

3 A Right there (indicating) with the stripped tie.

4 MR. KELLY: For the record the witness had identified
5 defendant.

6 THE COURT: Yes.

7 Q Mr. Leach, I want to direct your attention back to the
8 fall of 1986, and am I not correct, sir, that you would have
9 been about age 10 or 11 at that time?

10 A Yes.

11 Q What year were you born, sir?

12 A 1975.

13 Q Okay. Do you recall an incident involving an explosion
14 in Quincy that took place back around that time, the fall of
15 1986?

16 A Yes.

17 Q And do you recall some of the things that happened
18 leading up to that incident? I'm going to ask you specific
19 questions, that's a general question. Do you have some memory
20 of some things that happened prior to some explosion? I'll
21 ask you specific questions, not asking to recount everything?

22 A Yes, yes.

23 Q Do you have a memory of some things that happened within
24 a month, say, before the incident? All right. I'm going to
25 withdraw that question because I confused you. Let me start

1 again.

2 You told us that you met the defendant through your
3 Aunt Donna Shea, back in the fall of 1986, did you spend any
4 time with the defendant while your aunt was not around?

5 A Yes, sometimes I would go to the store, yes.

6 Q Okay. And in and around this time frame that we're
7 talking about the fall of 1986, how frequently would you see
8 or spend time with the defendant without the presence of your
9 aunt, for example?

10 A I don't know. I go to the school a couple of times a
11 week maybe.

12 Q Did you know what, what business or employment
13 Mr. Trenkler was in at that time?

14 A I know that, I met him at Donna -- him and my Aunt Donna
15 were in business together.

16 Q And what field -- do you understand my question? What
17 field were they in?

18 A I think they were put up satellite dishes.

19 Q Back in the fall of 1986, did you ever meet the
20 defendant's roommate?

21 A Yes.

22 Q And what was his name, if you recall it?

23 A Bob.

24 Q And can you just describe what he looked like?

25 A Probably six one, blond hair.

1 Q Was he heavy or thin?

2 A Thin.

3 Q Now, Mr. Leach, how if at all did you help the defendant
4 acquire parts or components to build something back in the
5 fall of 1986? What was the first thing you remember?

6 A I remember taking a speaker magnet from a speaker.

7 Q Now, who asked you to get this speaker magnet?

8 A Al.

9 Q Al Trenkler?

10 A Al Trenkler.

11 Q And at the time he asked you to do this, did you know
12 what the speaker magnet was going to be used for?

13 A No.

14 Q Where were you when the defendant asked you to obtain a
15 speaker magnet?

16 A In the parking lot of my house in Weymouth.

17 Q When you say the Weymouth projects, did you live in the
18 public housing of some kind?

19 A Yes.

20 Q Tell us what you remember about this incident?

21 A I remember I was on my way to the store with Al. He
22 asked me to run over and get some magnet out of a speaker that
23 was in the corner parking lot. There was much trash in the
24 corner parking lot.

25 Q Did he spot something, was your understanding?

1 A Yes, he had those speakers and he told me to run over,
2 get the magnet out of it and rip it apart.

3 Q Did he tell you how to go about doing that, obtaining the
4 magnet from this speaker?

5 A Just to rip that speaker apart and there's a magnet on
6 the back and bring it to him.

7 Q Did you know that speakers had magnets in the back of
8 them at the time?

9 A No.

10 Q Tell us what you did?

11 A I went over and smashed the speaker apart and ripped the
12 magnet off the back part of it and gave it to Al.

13 Q How long did it take you to break apart the speaker and
14 disassemble the magnet?

15 A A couple of minutes.

16 Q And who else, if anyone, assisted you in this process of
17 tearing apart of the speaker to get the magnet?

18 A Nobody.

19 Q Who else was with you or the defendant when you spotted
20 this speaker by the trash?

21 A I think Bob was.

22 Q And can you describe for us the speaker to us, how big
23 was that?

24 A I think this big.

25 Q You're holding, for the record, with your hands about?

- 1 A A couple of feet, just stereo speaker.
- 2 Q Was it made of wood?
- 3 A Wood. Yes, fake wood.
- 4 Q Fake wood?
- 5 A Yes.
- 6 Q Some kind of veneer, do you know that means?
- 7 A No.
- 8 Q Stick with fake wood.
- 9 Can you describe the speaker for us, the -- describe
- 10 the magnet for us, the one you had pulled out of the back of
- 11 the speaker. Can you describe it for us?
- 12 A It was just a round silver magnet like this size.
- 13 (indicating).
- 14 Q Again, trying to keep the record clear, can you tell us
- 15 how many inches across this magnet was?
- 16 A Six maybe.
- 17 Q Okay. How thick was the magnet?
- 18 A Probably about an inch at most.
- 19 Q What color was the magnet?
- 20 A Silver, it had black on it.
- 21 Q Okay. When you say it had black on it, what do you mean?
- 22 A It had black around the edges, like rubbery stuff.
- 23 Q Some sort of ring on the outside?
- 24 A Yes.
- 25 Q And was it circular?

1 A Yes.

2 Q Okay. Now at the time after you pulled the speaker out
3 of the, the magnet out of the back the speaker, did you give
4 it to anyone?

5 A I gave it to Al.

6 Q Okay. And at the time you did that, did you have any
7 conversation with him about what the magnet was going to be
8 used for?

9 A No.

10 Q Okay.

11 What was the next involvement you recall having, in
12 connection with these circumstances, sir?

13 A I remember going to a Radio Shack.

14 Q And when did you do that, Mr. Leach?

15 A A couple of days after or something.

16 Q And why did you go to Radio Shack?

17 A To get some wires and parts and stuff.

18 Q And who brought you to Radio Shack?

19 A Al.

20 Q What Radio Shack would you go to, if you recall?

21 A One in Quincy.

22 Q And had you ever been to this store, this Radio Shack
23 store in Quincy before?

24 A No.

25 Q Before this occasion?

1 A No.

2 Q Had you ever been to any Radio Shack before this
3 occasion?

4 A Not that I know of.

5 Q Okay. How did you get there? You lived in Weymouth,
6 right?

7 A Yes.

8 Q How did you get to the Radio Shack store in Quincy?

9 A Al.

10 Q And did he have a vehicle of some kind?

11 A Yes.

12 Q Was there any one else in the car when you made the drive
13 from Weymouth to Radio Shack?

14 A I think Bob was, pretty sure Bob was.

15 Q Bob, the roommate?

16 A Yes.

17 Q And when you arrived at the Radio Shack store in Quincy,
18 Mr. Leach, tell us what happened?

19 A Al gave me a list and told me to go in and read off the
20 list if I couldn't read it or whatever, to get the stuff, and
21 then I went in and I couldn't read all of stuff off and
22 understand what it said, so I handed it to guy. And then Al
23 came in.

24 Q What did you understand was written on the list?

25 A Parts and pieces.

1 MR. SEGAL: I'll object. The hearsay basis, his
2 understanding what's on that list unless it is generically.

3 THE COURT: The list was given to him also, he
4 testified, by the defendant. He may testify.

5 Q At this time when you were age 10 or 11, were you able to
6 read?

7 A Yes.

8 Q Did you attempt to read the piece of paper with the list
9 on it?

10 A Yes. Yes, I think so.

11 Q What did you understand the things listed on the piece of
12 paper to be?

13 A Just parts, electronic parts and stuff.

14 Q Where did Mr. Trenkler wait with the car while you went
15 into the store initially?

16 A Outside the store.

17 Q Okay. And how long were you inside the store before
18 Mr. Trenkler came in?

19 A A few minutes.

20 Q Okay.

21 And you say you had some trouble when you got inside
22 the store? Tell us what happened when you went inside the
23 store with your list?

24 A I don't know if I could read it or not.

25 Q So what did you do, if anything, with the piece of paper?

1 A I just handed it to guy.

2 Q Okay.

3 And what happened next after you handed the list of
4 paper to the guy?

5 A I think Al came in after that.

6 Q What is the next thing you remember?

7 A Al started talking to the guy.

8 Q Just tell us what you heard.

9 A They were just talking about what kind of parts he
10 needed, and the guy asked Al jokingly if he was making bomb;
11 it was just jokingly.

12 Q And how did the defendant react what the clerk joked with
13 him about making a bomb?

14 A Just, you know, like, I think he said, yes, almost joking
15 around.

16 Q Now, were you aware at the time that you went into this
17 Radio Shack store in Quincy that the defendant was, was
18 acquiring parts to build a bomb?

19 A No.

20 Q I'm sorry?

21 A No.

22 Q Did there come a time when you became aware that, that he
23 was trying to build some type of an explosive device?

24 A I kind of thought, you know, like, when the guy asked if
25 he was making a bomb, I kind of wondered about the magnets and

1 the parts.

2 Q Is that the first time you had those kind of thoughts?

3 A Yes.

4 Q By the way how long were you inside the Radio Shack store
5 that particular day?

6 A Ten, ten, maybe 15 minutes.

7 Q Were there any other customers inside the store at the
8 time?

9 A No, not that I know of.

10 Q To your memory, did the defendant get all parts he needed
11 that day?

12 A I think so.

13 Q Do you recall any of the things he purchased?

14 A No.

15 Q Now, during this same time frame, Mr. Leach, in the fall
16 of 1986, do you remember anything about a remote control car?

17 A I remember Al playing with a remote control car in the
18 parking lot.

19 Q What parking lot are you referring to, sir?

20 A The projects parking lot in Weymouth.

21 Q And did you participate in any manner in the acquisition
22 of that remote control car?

23 A No.

24 Q Do you know when that item was purchased?

25 A No.

1 Q Do you know where the item was purchased?

2 A No.

3 Q You have to speak up.

4 A No.

5 Q Okay. Did you have an understanding at the time you saw
6 this little toy car in the parking lot as to what it was going
7 to be used for?

8 A No.

9 Q Did you have any discussion with the defendant at any
10 time what the remote control car was going to be used for?

11 A No.

12 Q Do you have any memory, sir, of any discussion about any,
13 any rigging of the remote control car that might be necessary
14 in construction or whatever they were building?

15 A I remember Al saying something to Bob about it, that it
16 should only go forward or it should only go in reverse or
17 something like that.

18 Q And did you understand what that meant, at the time?

19 A No.

20 Q Now, Mr. Leach, were you present at any time when this
21 device was being assembled or constructed?

22 A I think I saw it when I was in the back the car.

23 Q And how many times do you recall seeing this thing? How
24 much different times do you recall seeing whatever it was that
25 they were building?

1 A Twice.

2 Q Okay. And describe what you recall seeing, sir. The
3 first time, for example?

4 A I just remember Al holding the magnet with some little
5 boxes or whatever was on it. I couldn't really explain it.
6 Just, I remember a little black box and a little whiter and
7 gray box, like a rectangular box or something. It was a long
8 time ago.

9 Q You say boxes. What were these boxes made of, if you
10 recall?

11 A It was plastic.

12 Q And how big were they, if you're able to tell us?

13 A One was maybe this big (indicating), and a little
14 smaller.

15 Q For the record, you're holding your hands about how far
16 across, sir?

17 A Six inches.

18 Q And there was a second box of some kind?

19 A Yes, just a smaller one, maybe three, four inches.

20 Q Now, do you remember seeing any wires?

21 A I think I remember seeing some wires.

22 Q Do you remember seeing any batteries?

23 A No.

24 Q Do you remember seeing any kind of switches or electrical
25 parts of any kind, switches, things that go on and off?

1 A No.

2 Q Do you know what solder is?

3 A Yes.

4 Q Did you ever see any solder?

5 A Yes, I think I saw solder.

6 Q What do you remember about that?

7 A I don't know, I just, it is in my head I saw solder. I
8 can't, you know, explain exactly.

9 Q Do you remember seeing any light bulbs or bulbs, lamps?

10 A I remember seeing a little, teeny light bulb that went on
11 when he flipped the switch and went off when he turned it off,
12 or whatever.

13 Q And did you have an understanding of what was happening
14 when the light bulb came on, what if anything they were doing,
15 for example?

16 A I think all they were doing is hitting the switches.

17 MR. SEGAL: Objection to what "I think," your Honor.

18 THE COURT: Tell us what you remember seeing.

19 THE WITNESS: I just remember seeing the light switch
20 on and off.

21 Q Okay. And who was fiddling with this thing with the
22 light switch on or off?

23 A I think Al was showing Bob something.

24 Q Do you remember seeing any tape of any kind?

25 A I think I remember seeing duct tape.

1 Q What color was it?

2 A Gray, I think.

3 Q And what was the tape used for, if you know?

4 A I think to put the magnet on something. I'm not
5 positive.

6 Q Do you remember hearing any discussion about something
7 called a flash simulator?

8 A Yes.

9 Q And who did you hear mentioning that item?

10 A I heard a few people, You know, Al, my aunt, my mother's
11 boyfriend Dave, my mother.

12 Q And at the time did you know what a flash simulator was,
13 sir?

14 A No.

15 Q What did this thing look like? Did you ever see it?

16 A Not that I know of.

17 Q Now, Mr. Leach, did you ever have the opportunity to see
18 this device when it was completely or almost completely
19 constructed or almost finished?

20 A I'm not sure. I don't know what it looked like when it
21 was all the way done.

22 Q What was last time you recall seeing it? What was
23 happening to it when, if anything, when you last saw it?

24 A I think it was when the light was switched on and off.

25 Q Did you see it at any time when this tape that you

1 described was being, was being added to it?

2 A I think that was the first time.

3 Q Okay?

4 A When I saw the duct tape.

5 Q Can you tell us the last time that you saw this device,
6 what it looked like, describe what you remember seeing, how
7 big was it, what color was it, those kinds of things?

8 A I couldn't really describe it but something like this big
9 (indicating).

10 Q You have to be --

11 A 12 inches, something.

12 Q You remember something being about 12 inches across?

13 A Yes.

14 Q How thick do you remember it being? You can show us with
15 your hands?

16 A Four inches maybe (indicating).

17 Q Is that --

18 A One part box, and there was other parts on it, too.

19 Q When you say four inches, too, are you taking into
20 account this magnet?

21 A Yes. I'm talking about the magnet. The magnet and
22 altogether (indicating).

23 Q You told us the magnet was an inch?

24 A Yes, I would say an inch.

25 Q Where was the magnet as it concerned the other portion of

1 this thing you saw? Where was the magnet?

2 A It was on the bottom from what I saw.

3 Q On the bottom?

4 A Yes.

5 Q What color was thing when you last saw it in this kind of
6 form?

7 A Mostly black with some white.

8 Q Did you ever pick it up?

9 A No.

10 Q So you don't know how heavy it was?

11 A No.

12 Q Did this thing look like a big ball of tape, or did it
13 have some shape to it? And if so, describe what you recall
14 the shape to be?

15 A I'd say the shape was more like rectangle than a ball of
16 tape.

17 Q More rectangle than a ball of tape?

18 A Yes.

19 Q And was there anything sticking out of the tape that you
20 recall?

21 A No, not that I remember.

22 Q Now, over what period of time do you remember these
23 events occurring, in terms of buying certain things or things
24 being assembled, how long a time are we talking about?

25 A Oh, maybe a week.

1 Q And did there come time, Mr. Leach, based on any
2 discussions you had with the defendant or you overheard the
3 defendant having with others that you gained an understanding
4 of what was going to occur with this device, if anything?

5 MR. SEGAL: Well, I object to that.

6 THE COURT: He may have the question, to the extent
7 that he's seeking to elicit the defendant's own statements.

8 MR. KELLY: That's what I'm asking.

9 Q Based on anything you heard the defendant say or
10 overheard the defendant say to others, did you gain an
11 understanding of what this thing was going to be used for?

12 A I heard, I think, my aunt Donna and Al with somebody down
13 in my aunt's cellar, or where she used to live, something
14 about putting it by the gas tank. Something. I don't
15 remember if it was a car.

16 THE COURT: Even if there were statements by
17 Ms. Shay, they are admissible, to the extent they were made in
18 the presence of the defendant.

19 Q Did there come a time based on anything that you had the
20 defendant say to you or you over heard the defendant say, in
21 which you learned or understood why this device needed a
22 magnet?

23 MR. SEGAL: I object.

24 THE COURT: He may tell us what if anything he heard
25 from the defendant or somebody else saying in the presence of

1 the defendant.

2 A I heard somebody say that they put it underneath by the
3 gas tank.

4 Q Now, Mr. Leach, were you present at any time when this
5 device was actually attached to some vehicle?

6 A I don't remember. I'm not sure if I just heard so many
7 times that I thought it might have been about there; I don't
8 remember.

9 Q What's your best memory today as to whether or not you
10 were present when this device was attached to any vehicle?

11 A My best memory, probably I wasn't there.

12 Q Were you present when, when this item was exploded or
13 detonated, if you recall?

14 A I'd say the same thing, I'm not -- best memory would be
15 that I wasn't there.

16 Q And do you recall, Mr. Leach, if anyone got in trouble
17 for these series of events we've been talking about?

18 A Yes, I think Al got in trouble, my grandmother told me.

19 MR. KELLY: I have no further questions -- excuse me
20 one second.

21 (Pause.)

22 Q Mr. --

23 MR. KELLY: I was reminded of a couple of points I
24 overlooked.

25 Q Mr. Leach, did you have any discussions at any time with

1 the defendant or overhear any discussions in which the
2 defendant participated after the explosion about some of the
3 things that had taken place?

4 A No.

5 Q So, no one had ever told you anything about, say, the
6 nature of any damage that was caused, things like that?

7 MR. SEGAL: I object.

8 THE COURT: He may have the question.

9 THE WITNESS: Not that I can remember.

10 Q You don't recall any discussions specifically with
11 Mr. Trenkler?

12 A No.

13 Q Whether there was any harm to some place or things like
14 that?

15 A No, no.

16 MR. KELLY: I have nothing further.

17 THE COURT: Mr. Segal, you may cross-examine.

18 Cross-examination by Mr. Segal

19 Q Good morning, Mr. Leach. My name is Terry Segal, I
20 represent Mr. Trenkler.

21 A Hi.

22 Q In September 1986, you were, you were either ten or
23 eleven?

24 A Yes.

25 Q If I suggest to you the incident took place in the early

1 morning hours of 2 a.m., on September 11th, at that age aren't
2 you usually in bed at that time?

3 THE COURT: Can you speak up a little bit?

4 He wants to know whether you would have been up at
5 2 clock in the morning, I think.

6 Q Do you recall being outside your house in September
7 anytime after midnight?

8 A No.

9 Q Okay. I take it, your mother probably wanted you home in
10 bed by 10 clock when you were eleven-years old; isn't that
11 fair to say?

12 A I would say so.

13 Q Sorry?

14 A Yes.

15 Q Are you aware there's a reward in this case?

16 A No, not that I know of. I don't know. I've heard talk
17 about but. Not about me getting a reward or anything like
18 that.

19 Q All right.

20 I think you told us these events -- you're how old
21 now?

22 A 17.

23 Q So that they took place a long time ago; isn't that fair
24 to say?

25 A Yes.

1 Q And your memory as to some of them, such as the
2 description of the device, probably isn't that good today;
3 isn't that fair to say?

4 A Somewhat, yes.

5 Q Donna Shea, she's your aunt?

6 A Yes.

7 Q Do you understand that she asked Mr. Trenkler to make
8 this device?

9 MR. KELLY: Objection.

10 THE COURT: The objection is sustained. The jury
11 will disregard it.

12 MR. SEGAL: Thank you, sir.

13 I have no further questions.

14 THE COURT: Do you have anything else, Mr. Kelly?

15 MR. KELLY: Yes, your Honor, I do

16 Redirect Examination by Mr. Kelly

17 Q Mr. Segal asked you about a reward.

18 Has anybody promised you any kind a reward for being
19 here to testify Mr. Leach?

20 A No.

21 Q Have you and I ever discussed anything about a reward?

22 A No.

23 Q Have you discussed anything about a reward with any agent
24 in this case?

25 A No.

1 Q Mr. Segal asked you about your memory.

2 Do you recall some of the things that we have talked
3 about this morning, do you feel comfortable you recall some of
4 the things you described, such as the magnet and some of these
5 other things?

6 A Yes.

7 MR. KELLY: I have nothing further.

8 THE COURT: Anything else?

9 MR. SEGAL: Just one moment, your Honor.

10 Recross-examination by Mr. Segal

11 Q Mr. Leach, do you remember today what sort of car
12 Mr. Trenkler was driving in 1986?

13 A No.

14 MR. SEGAL: Thank you, I have no further questions.

15 THE COURT: Thank you, Mr. Leach, you are excused.
16 Who is next?

17 MR. LIBBY: Your Honor, the United States calls an
18 intelligence research specialist, Steven Scheid. We also
19 require a little bit of time to set up.

20 THE COURT: How much time?

21 MR. KELLY: Five minutes.

22 THE COURT: Are you suggesting we take a recess?

23 MR. SEGAL: I wonder while, maybe we can talk about
24 some of the issues relating to his testimony, while they are
25 being set up.