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9 July 2010

Re: requesting reinvestigation of
Alfred Trenkler case and a meeting with
you or a delegate.

Carmen Ortiz
U.S. Attorney for the District of Massachusetts and
John J. Moakley Courthouse, Suite 9200
One Courthouse Way
Boston, MA 02210

Dear Ms. Ortiz:

On Saturday, 29 May, I met U.S. Attorney for Rhode Island, Peter Neronha at a Brown University commencement forum, and he kindly offered to forward to you a to-be-prepared email to him about the claim of wrongful conviction in the Alfred Trenkler case. I sent him the enclosed email on 4 June and he subsequently stated to me in a phone message that he forwarded the email to you and that he coincidentally met you at a meeting and discussed with you his limited contact with me.

I write today to ask again for a re-investigation of the Alfred Trenkler case and again for a three hour meeting with you and/or a delegate.

Recently, I visited the John F. Kennedy Library with a granddaughter and saw President Kennedy proclaim, "*The great enemy of the truth is very often not the lie: deliberate, continued, and dishonest; but the myth: persistent, persuasive, and unrealistic.*" Please join the effort to present the truth about Alfred Trenkler and dispose of the myths in his case.

My previous requests to former U.S. Attorney Michael Sullivan, and Boston Police Commissioner Edward Davis and more recently to you, for a re-investigation of this case have included the enclosed 14-point "Proposal: Preliminary Re-investigation: Roslindale Bomb Case."

Of course, a re-investigation is not a step lightly taken, but I was encouraged to read this spring, that you announced that your office was renewing its investigation of the 1990 theft of paintings from the Gardiner Museum. Immunity was promised for those who came forward with information about the theft. It was announced that new technology would be used to analyze the duct tape used by the thieves to tie up the museum guards. Please note that those same new

techniques could have been used to re-analyze the clump of layers of black electrical tape which was part of the debris of the Roslindale Bomb. However, your office revealed last year that it had destroyed the physical evidence in the Roslindale Bomb case in two incinerations, in late 2005 and early 2006.

On 12 February 2010, Amy Bishop was alleged to have shot fellow faculty members in Huntsville, Alabama. Only a few days later, the Norfolk County District Attorney launched a re-investigation into Amy Bishop's 1986 shotgun killing of her brother Seth Bishop. At the time, it was thought to have been an accidental killing. Because of the re-investigation, first-degree murder charges were filed last month.

On 24 February 2010, just twelve days after the Huntsville shootings, you announced that your office would re-investigate a mail bomb that was sent in 1993 to a Harvard professor of Amy Bishop. In 1993, the incident was investigated by the Bureau of Alcohol Tobacco and Firearms, which is the same agency which investigated the Roslindale Bombing.

The good news is that your office is willing in the interest of justice to re-investigate cases and previous investigations.

In the renewed hope that you will authorize a re-investigation of the Alfred Trenkler case, I've prepared the enclosed 30 questions which could be part of that re-investigation. Most of them are in YES/NO format and are sequenced primarily in order of ease of answering. My hope is that by examining the first questions and obtaining answers which support Alfred Trenkler's innocence claim, your office will continue to find answers to all the questions and then move on from there to ask bigger questions. The first questions address the credibility of prosecution witnesses in the Alfred Trenkler case, for if they lied on the referenced issues, then their testimony about other issues should also be questioned. Other questions address whether documents and other items were properly given to Alfred Trenkler's defense team.

Last November 22nd, the *Boston Herald* reported that the Boston Police Department initiated a re-investigation of the Roslindale Bomb cases, and members of the Department met with Jeremiah Hurley's widow, Cynthia Hurley, and her family, the previous spring and they were advised of the re-investigation. Here are the excerpts from the article about Cynthia Hurley and her statements:

Cynthia Hurley told the Herald that each bid by Trenkler to get a new trial is "torture," but she also made clear that if any evidence exists that would cast doubt on his guilt, she wants to know about it.

"I do not want anybody in prison who doesn't belong there," Hurley said in an interview at her Hyde Park home this week. "If there is evidence let's find it. Let's hear it."

Hurley, whose daughter is a Boston cop, said two Boston police superior officers visited her nine months ago and told her they had questions about the case and were taking a second look.

"I came away thinking there was something out there," Hurley said.

.... *"It tears your heart out," said Hurley, a mother of four and grandmother of 10. She said she has put her faith in Boston police and "can't dwell on this."*
"I've come too far," she said. "To maintain my sanity and keep my family together, we have to take each step that comes to us."

Again, she said, *"If there is evidence, let's find it."* The way to find that evidence is through a re-investigation.

Since the publication of that 22 November 2009 article, with its report of your belief in the correctness of the original verdicts, there has been no indication that the Boston Police Department's re-investigation has continued. Instead, it appears to have stalled, perhaps out of fear of Federal retribution and withholding of Federal funds for the City of Boston. I do not know what steps were taken by the Boston Police Dept to re-investigate the case, and I do not know what was learned; and I do not know what they told Mrs. Hurley about their concerns about the possible miscarriage of justice. I am confident, however, that no investigator has found any flaw in the arguments and facts which have been presented in Perfectly Innocent and on the website, www.alfredtrenklerinnocent.org. If such flaws had been found, such information surely would have reached me, and/or the media, by now.

I've enclosed the 109 point Affidavit prepared this past May by Alfred Trenkler's co-defendant, Thomas A. Shay, in which he proclaims his own innocence and that of Alfred Trenkler. This Affidavit was described in, and attached to, my 4 June 2010 email to U.S. Attorney for Rhode Island, Peter Neronha, and forwarded to you. While Thomas A. Shay's credibility is an issue, I respectfully submit that his credibility is far higher now as a 38 year old man, with no threat of pending police or prosecutor action against him, than as a 19-year old troubled teenager. In 1993, despite the ample evidence of Tom Shay's storytelling, the U.S. Attorney used his videotaped statements to journalist Karen Marinella, as evidence in his trial and Alfred Trenkler's trial. If the Government was willing to believe part of what he said in 1992, it is respectfully requested that it examine the truth of his 109 point affidavit in 2010.

The family of Jeremiah Hurley, Jr. and Francis Foley and his family have long sought closure to this case. Please help them to reach that goal by either re-investigating the case, or communicating to Commissioner Davis that you support the resumption of the Boston Police Department's re-investigation, or by committing the Federal Government to join that re-investigation.

Also, please agree to meet with me, or please delegate such a meeting to an Assistant U.S. Attorney, for at least three hours. Such a meeting surely would go beyond summary statements by either side, and explore in detail the many issues of truth and fact in this case. In my four years of work on this case, communications to your office have only been in writing, and the exploration of the truth has missed the give-and-take of conversation and questions and answers.

Finally, I'll repeat what I said in March 2006 to Alfred Trenkler's parents, now deceased. If any credible evidence is found that Alfred Trenkler was involved in the Roslindale Bomb, then my work on this case will cease. In the four years since beginning work on this case, all of what we have learned is either neutral or points toward an unfair trial or points toward Alfred Trenkler's innocence.

Very truly yours,



CC: Senator John Kerry, Att: Ashley O'Neill, One Bowdoin Square, Tenth Floor, Boston, MA 02114
Senator Scott Brown, Att: Deborah Gaffney, 2400 JFK Federal Building, Boston, MA 02203
Senator Arlen Specter, Att: Hannibal Kemerer, 711 Hart Building, Washington, DC 20510
Congressman Stephen Lynch, Att: Nick Zaferakis, 88 Black Falcon Avenue, Boston, MA 02210-2431
Congressman William Delahunt, Att: Mike Higgins, 1250 Hancock Street, Suite 802-N, Quincy, MA 02169.
U.S. Attorney General Eric Holder, Dept. of Justice, 950 Pennsylvania Avenue, NW Washington, DC 20530-0001
Commissioner Edward Davis, Boston Police Dept., One Schroeder Plaza, Boston, MA 02120-2014
Alfred W. Trenkler, #19377-038, USP Tucson, P.O. Box 24550, Tucson, AZ 85734

Enclosures:

9 July 2010 "Questions for Re-investigating the Alfred Trenkler Case"
4 June 2010 Email from Morrison Bonpasse to U.S. Attorney for Rhode Island, Peter Neronha
6 May 2010 Affidavit by Thomas A. Shay
2009 "Preliminary re-investigation: Roslindale Bomb Case."