

Crane wrote the arrangement be...
 Founder of the world-renowned Hurricane Island Outward Bound School in Maine, Willauer became president last July of the Thompson Island Outward Bound Education Center, where he has vowed to fulfill a vision.

He had paused between errands on this sunny

When he passed the spot minutes later, the boxes had melted. But by then it was already becoming obvious that the elements are no match for the blueprint in Peter Willauer's head.

Willauer has come to Thompson Island to integrate Boston youth with Outward Bound in a big way.

We have to expand the message to people by not using drugs that... it will ruin you

WAYNE A. BUDD, new Justice Department

Explosion case put in federal bailiwick

By John Ellement
 GLOBE STAFF

The investigation into the death of Boston Police Bomb Squad Officer Jeremiah J. Hurley Jr. has been shifted from state to federal authorities, and anyone convicted in the case potentially faces the death penalty as a result, according to sources familiar with the investigation.

Hurley, 50, was killed Oct. 28 and his partner, Officer Francis X. Foley, was seriously injured when they were called to 39 Eastbourne St. in Roslindale to handle a suspicious package that had been found underneath the car of Thomas L. Shay.

Foley has said the bomb went off before they began to examine it. Foley, who lost an eye in the blast, retired Friday after 24 years on the force.

A building on Warren Street in Roxbury that houses the Special Operations Division, of which the Bomb Squad is a member, was named for Hurley last week by the Boston Police.

The sources said the shift to federal jurisdiction was a tactical decision jointly agreed to by US Attorney Wayne Budd and Suffolk District Attorney Newman A. Flanagan after a dual investigation by Boston Police and the US Bureau of Alcohol, Tobacco and Firearms failed to produce critical evidence.

Moreover, investigators had hoped that \$65,000 in reward money issued by the bureau, a police union and other sources for information

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Budd off streets, no

By Matthew Breilis
 GLOBE STAFF

If Wayne A. Budd's 1,000 days as US attorney in Boston are any indication, he should fit in well in Washington as the No. 3 person at the Justice Department and adviser to Attorney General William Barr.

While Budd will oversee several divisions, including civil law, civil rights, environmental law, tax, anti-trust and the Bureau of Prisons, he will not have day-to-day input on the criminal division, which is headed by Robert S. Mueller 3d, a former deputy US Attorney in Boston.

However, Budd's tenure in Boston has been marked by his focusing of federal law enforcement - the FBI, the Drug Enforcement Administration and the bureau of Alcohol Tobacco and Firearms - on urban crime, something traditionally overlooked by the federal government and often considered a state or local problem.

That meshes well with the philosophy of Barr, who has elevated urban gang violence to a top Justice Department priority since becoming

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US ATTORNEY WAYNE BUDD... 8

Alcoholics' children find

By M.E. Malone
 GLOBE STAFF

Massachusetts is one of 32 states where minor children of alcoholics and drug abusers have difficulty getting professional help without their parents' permission, according to a national nonprofit organization.

"Alcoholism has so much stigma and denial attached to it," said Migs Woodside, founder and president of the Children of

Alcoholics Foundation, which remove the obstacles that you when one or both parents are abusers.

In most afflicted families said, an alcoholic parent is deconditioned. The sober partner, if often will not betray the family. A report compiled by the foundation concluded that in many states in Massachusetts, minor children have the right to seek treatment.

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Case of explosion that killed officer put in federal bailwick

■ HURLEY

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leading to the arrest and conviction of Hurley's killer would produce significant tips from the public. Sources said that has not happened.

Frustrated, Budd, Flanagan and the investigative agencies decided to use the resources of the federal grand jury in hopes of prying loose information that investigators think witnesses have about the explosion, sources said.

The two sides agreed to send the case to US court because federal investigators generally have greater authority to examine someone's background than do state prosecutors, sources said.

A witness can refuse to answer questions asked by police officers, but witnesses called before the grand jury must answer questions put to them by prosecutors, unless they invoke their Fifth Amendment privilege against self-incrimination. Even when a witness claims a

privilege, prosecutors can take certain steps to compel him to divulge what he knows. That happens when the witness is immunized, or promised that he will not be prosecuted for the crimes he testifies about. Witnesses who still balk can be held in contempt and sentenced to prison.

Testimony before a grand jury is under oath and persons who give false statements can be prosecuted for perjury.

In addition, a grand jury can subpoena bank and medical records and other documents from businesses and individuals as part of the investigation.

Probers' focus unchanged

Officials from the federal agencies, Flanagan's office and the Boston Police Department either could not be reached last week, or declined to confirm or deny that the federal grand jury is investigating the case of the bomb that killed Hurley. But according to the sources, the

grand jury's focus is the same one investigators have been following since the day of the explosion: the friends, acquaintances and enemies of Shay, 47, his girlfriend, Mary A. Flanagan, and his son Thomas A. Shay, 20, who has claimed he was the target of the explosive device.

Alan J. Pransky, the elder Shay's lawyer, said last week that the grand jury had been meeting for at least the last three weeks. He said Shay has not been issued a subpoena requesting he appear, nor has he received a "target letter" notifying him that he is the target of the investigation.

Pransky also said Shay remains adamant that he was not responsible for the bombing. Pransky also said that although four months have passed, Shay still has no idea why someone would want to mark him for death.

"I don't think he will have a better understanding until they know who did it," Pransky said.

Meanwhile, a source familiar with the investigation of Shay's son said at least two people whose telephone numbers were found among papers belonging to the son have been subpoenaed by the grand jury. It was not known if those individuals have yet testified.

Other cases surface

The younger Shay has a significant history of psychiatric problems and, in a document at Boston Municipal Court, listed eight institutions in which he had spent time, including Bridgewater State Hospital.

The younger Shay was charged in December with telephoning a fake bomb threat to Amtrak's Back Bay station on Nov. 4, 1990, saying a device would explode at 8:30 p.m. Among the law enforcement agencies responding to the call was the Boston Police Bomb Squad, according to court records.

In addition, he has been charged in Boston Municipal Court with be-

ing a common streetwalker, or prostitute, during 1989. According to records at the BMC, the younger Shay failed to keep a Jan. 17 court date and an arrest warrant for default was issued Feb. 7 at the request of Newman Flanagan's office.

The younger Shay's lawyer, William C. McPhee, was unavailable for comment last week.

Newman Flanagan's office has jurisdiction over any homicide in Suffolk County, but federal authorities come into play in Hurley's death because he was killed by a bomb, which is a federal crime investigated by the Bureau of Alcohol, Tobacco and Firearms.

The bureau and police homicide detectives have been jointly investigating the case since Oct. 28. A special bureau response team scoured the site after the bomb exploded, and according to bureau officials, recovered enough pieces of the device that they were able to rebuild it. But authorities have said many

of the materials used were so commonplace that it would be very difficult for investigators to track down the bomb's maker based on the materials alone.

While federal law does call for the death penalty in a case similar to Hurley's, Congress and the Bush administration must first enact constitutional safeguards that are now lacking. Currently, only someone convicted under federal law of being a drug kingpin faces the death penalty.

Meanwhile, state courts have held the death penalty to be in violation of Massachusetts' constitution, but that would not bar the federal government from seeking the death penalty for someone convicted in federal courts in this state, lawyers said.

Budd last year prosecuted Darryl Whiting under the drug kingpin law, but chose not to seek the death penalty. Whiting was sentenced to life in prison without parole.

Domestic violence: no easy answers

■ VIOLENCE

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thony Jr., who had repeatedly violated restraining orders. Anthony shot the woman's mother dead in front of

Advocates such as Joan Stiles, public education coordinator for the Massachusetts Coalition of Battered Women Service Groups, said one of the biggest problems is lack of coordination among the courts, the po-

Island program challenge for city youth

■ WILLAUER

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school, occasionally accompanied by parents and teachers. An integral part of the Outward Bound equation is community service, basically assigned to put the confidence to work. The island essentially has been tinkering since 1987 with such pro-

'So, so often we lower our standards precisely when we should be lifting them. Our city youth want to



cently completed recidivism study of juveniles indicates why the school has earned public support, according to its director, Michael Mulvey. About 60 percent of first-time juvenile offenders who are sent to jail return to crime within a year of their release, according to Mulvey. Less than 30 percent of such offenders returned to crime within a year of com-