

DEPARTMENT OF THE TREASURY- BUREAU OF A		HOL, TOBACCO AND FIREARMS		1. INVESTIGATION IS		Page 1 of 4 pages	
REPORT OF INVESTIGATION (Law Enforcement)				<input type="checkbox"/> ROUTINE <input type="checkbox"/> SENSITIVE <input checked="" type="checkbox"/> SIGNIFICANT			
2. TO: Special Agent in Charge Boston Field Division			3. MONITORED INVESTIGATION INFORMATION (Number and Branch) CIP: BOSTON FY-92 EXPLOSIVES VIOLATIONS REPORT MON.# E 63212-92-21				
4. TITLE OF INVESTIGATION Roslindale Bombing				5. INVESTIGATION No. (Include Suspect No.) 63212-92-2008-C			
6. TYPE OF REPORT (Check applicable boxes)			7. BUREAU PROGRAM		8. PROJECT(S)		
<input type="checkbox"/>	PRELIMINARY	<input type="checkbox"/>	COLLATERAL (Request)	<input type="checkbox"/>	TITLE I	<input type="checkbox"/>	TARGETED OFFENDER
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	TITLE II		FIREARMS
<input checked="" type="checkbox"/>	STATUS	<input type="checkbox"/>	COLLATERAL (Reply)	<input type="checkbox"/>	TITLE VII	<input type="checkbox"/>	OCB
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	TITLE II		EXPLOSIVES
<input type="checkbox"/>	FINAL	<input type="checkbox"/>	INTELLIGENCE	<input checked="" type="checkbox"/>	TITLE XI	<input type="checkbox"/>	SEAR
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	TOBACCO		OMO
<input type="checkbox"/>	SUPPLEMENTAL	<input type="checkbox"/>	REFERRAL (Internal)	<input type="checkbox"/>	ALCOHOL	<input checked="" type="checkbox"/>	OTHER (Specify) EXPLOSIVES
9. DETAILS:							
<p>This report pertains to ATF's joint investigation with the Boston Police Department into a bombing incident which occurred October 28, 1992 in Roslindale, Massachusetts, taking the life of one Boston Police Department Bomb Technician and critically wounding another.</p> <p>On February 7, 1992 a default warrant was issued out of Boston Municipal Court, Boston, Massachusetts for one Thomas A. Shay. The warrant was issued as a result of Shay's failure to appear before the court pursuant to Shay's November 4, 1991 arrest on a charge of violating Massachusetts General Law, Chapter 259 Section 14, "Communicating a false bomb threat."</p> <p>On or about March 20, 1992 a federal arrest warrant for Thomas A. Shay was issued by United States Magistrate Judge Joyce London Alexander, charging Shay with "Unlawful Flight to Avoid Prosecution" in the Commonwealth of Massachusetts.</p> <p>On March 21, 1992 ATF Special Agents Dennis Leahy and Jeff Kerr and Boston Police Detectives Frank Armstrong and Brendan Craven traveled to San Francisco in an effort to locate Shay and subsequently execute the above - described (U.F.A.P) warrant.</p> <p>On this same date the aforementioned met with San Francisco Police Department Homicide Detectives N.L. Hendrix and Prentice Sanders. Accompanied by the San Francisco Officers, Agents Leahy and Kerr and Detectives Armstrong and Craven were familiarized with the Polk Street and Castro Street areas of the city. These two streets are the predominant gay areas in the San Francisco area. The Polk Street area is also known as the "Tenderloin Area", an area heavily trafficked by young gay male</p>							
10. SUBMITTED BY (Name) Jeff S. Kerr			11. TITLE AND OFFICE Special Agent Group 3 Boston			12. DATE 04/07/92	
13. REVIEWED BY (Name) Victor D. Palaza			14. TITLE AND OFFICE Supervisor Group 3 Boston			15. DATE	
16. APPROVED BY (Name) Terence J. McArdle			17. TITLE AND OFFICE Special Agent in Charge			18. DATE	

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prostitutes.

On March 22, 1992, Leahy, Kerr, Armstrong and Craven continued to canvass the gay bars located on and around Polk and Castro Street with little success in locating Shay.

On March 23, 1992, Jerry LNU, a bartender in the Polk Street area positively identified a photograph of Shay as an individual he knew as James Keough. He stated that Keough (Shay) was a prostitute and that he also ran a massage service. Jerry introduced Leahy and Kerr to another Polk Street bartender, Scotty Schuenke, S.S # 474-74-6368, 1666 Gongh Street, Apt.#106, San Francisco, California, Tel. No. (415) 922-3937. Schuenke also familiar with Shay made a trip with Detectives Armstrong and Craven to the Castro Street area in an unsuccessful attempt to locate Shay.

On March 24, 1992 at approximately 3:05 A.M., Kerr and Schuenke, while canvassing Castro Street, observed Thomas A. Shay standing in a doorway. Schuenke was instructed to approach Shay and inform Shay that Kerr was new in town and wanted to know if Shay would like to return to his (Kerr's) hotel room. At this time Shay entered the rear seat of the vehicle.

During the ride towards the hotel, Shay and Schuenke had conversation. Shay stated that he had just been stopped by the S.F P.D. and questioned because the police said he fit the description of somebody allegedly walking around with a Mac-11 firearm. Shay stated that he had just returned from Reno, Nevada where he had won approximately (\$280.00) two hundred and eighty dollars on the penny slot machines. He further stated that he had put (\$ 30,000.00) thirty thousand dollars into the slot machine before he finally won the two hundred and eighty dollars.

Approximately ten minutes into the ride Shay asked Schuenke why his friend (Kerr) was not talking. He stated that it was making him nervous. At this time Kerr asked Shay what he wanted to talk about. Shay asked Kerr what he did for a living. Kerr informed Shay that he (Kerr) was a bartender. Shay questioned this and asked Kerr how to make a drink called "sex on the beach". Shay not satisfied with Kerr's answer again asked what Kerr did for a living. Kerr stated that he sold shower doors but that selling doors was not what people considered exciting so he told people he was a bartender.

At approximately 3:20 A.M. Kerr told Shay and Schuenke that he was lost and that he needed to make a telephone call to his hotel for directions.

Kerr pulled the vehicle over at the corner of Columbus Street and Vallejo Street. Shay exited the vehicle along with Kerr and asked Kerr if he was a police officer. Kerr informed Shay that he was a federal agent from Boston and that he (Shay) was under arrest on a federal warrant charging

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him with flight from prosecution from the state of Massachusetts.

Shay was then handcuffed without incident but refused to return to the vehicle. At this time Kerr instructed Schuenke to telephone the local police and request assistance. Kerr allowed Shay to stand against the vehicle while the police were in route to the scene.

Arriving at the scene within minutes were S.F.P.D Officers John Greenwood, Star # 1822, Kyle Ching, Star # 1133 and Sgt. John Velasquez, Star # 742.

At this time Kerr assisted by Officer Ching transported Shay to S.F.P.D Central Station, 766 Vallejo Street. Shay was escorted into a holding room where his handcuffs were removed and he was allowed to sit and make a telephone call.

Officer Armstrong (B.P.D) read Shay his Miranda rights despite Shay's request that they not be read. Shay acknowledged understanding these rights. At this time Kerr along with Shay inventoried Shay's property. Shay was explained the substance of the warrant and stated that Agent Kerr and Detective Armstrong were in San Francisco to blame him for the Roslindale bombing which occurred at his father's residence. He stated that a scape goat was needed back in Boston and that it was obvious that he was to be returned to Boston and made that scape goat.

At this time Armstrong began to question Shay. Shay stated that he wanted to speak with his attorney, (McFee) and that he didn't wish to speak with anyone.

On this same day, Shay was brought before U.S. Magistrate Judge Joan Brennan (S.F District) for an initial appearance. At this time the U.F.A.P. warrant was dismissed and Shay was turned over to the state to be held pending rendition hearings.

On March 25, 1992 Special Agent Leahy and Officer Armstrong remained in San Francisco where they located one George Burke, roommate of Shay. Burke had in his possession Shay's personal effects all packed inside a single duffle bag. A federal search warrant for Shay's duffle bag was subsequently obtained from the U.S. Attorney's Office, San Francisco, California and executed by Special Agent Leahy and Detective Armstrong.

On this same date Detective Craven and Special Agent Kerr traveled to Reno, Nevada in an effort to isolate Shay's activities and companions. The following gay bars were investigated; Bar West, 5 Star, Club 99, Rumpus Room, Bad Dolly's, Steve's, 8100, Ron's and Vision's. Shay had been active in a number of these bars but was observed on only one occasion traveling with companions, a young blond female and a young male, described only as Hispanic looking.

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On April 1, 1992 Thomas Shay was rendited back to Massachusetts.

On April 2, 1992 Shay appeared in Boston Municipal Court on the aforementioned charge of "communicating a false bomb report". Shay represented by Attorney William McFee plead not guilty and was ordered held in the Nashua Street Jail on (\$100,000.00) one-hundred thousand dollar bail. A trial date is pending.

This investigation is continuing.

Attachments: Copy of Federal U.F.A.P. Warrant, Docket # 92-31-J
Affidavit in support of U.F.A.P
Copy of BMC (State) Default Warrant