

## O'Connell is allowed to travel while awaiting rape trial

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DEDHAM — A prominent Quincy developer will be allowed to travel to Colorado, Florida and New York on business while he awaits trial on charges of having sex with an underage girl and drug trafficking.

William S. O'Connell, 71, pleaded innocent Tuesday in Norfolk County Superior Court when he was arraigned on 12 charges in an indictment that was returned last month by a grand jury.

O'Connell's attorney, Stephen Delinsky, asked Superior Court Judge Thomas McGuire for the travel accommodations so his client's real estate business is not interrupted or affected by probation restrictions.

McGuire allowed the travel so long as it is limited to business, and ordered O'Connell to notify probation officials before each trip and provide an itinerary detailing how long he'll be away and where he will be staying.

"This is not pleasure travel," Delinsky said. "He can't put his entire business life in limbo."

O'Connell, who along with his brother Peter founded O'Connell Brothers Construction in their native Quincy, has an extensive portfolio of high-end residential and recreational developments locally – including Marina Bay and Granite Links Golf Course – as well as holdings in Florida and Colorado.

Delinsky said O'Connell is needed in other states to make decisions about financing and managing, as well as to scout new development opportunities. He said O'Connell travels "at least every other week" to the three states.

O'Connell's name is attached as an officer to several development companies in Massachusetts, including Seaview Real Estate Inc. and O'Connell Development Co. Delinsky said his client oversees 8,000 units of residential housing in Colorado, and is often needed in New York for meetings with investment banks.

"This is an active, ongoing business," Delinsky said.

In addition to drug trafficking, O'Connell is charged with four counts of statutory rape of a child and two counts of unnatural and lascivious acts with a child under 16. He is also charged with conspiracy to commit and being an accessory to those crimes.

Authorities say the charges stem from several interactions O'Connell had with the alleged victim, who was 14 at the time and is now 15, over a two-year period beginning in 2009. An alleged co-conspirator, Phyllis Capuano, 19, of Everett, has not yet been arraigned.

O'Connell is due back in Superior Court on Dec. 5.

Special prosecutor Andrew Berman asked that O'Connell receive permission from, not just give notice to, probation officers before leaving the state.

Delinsky argued that the process of getting permission has been burdensome to O'Connell, who was not allowed to leave Massachusetts without permission as a term of his release from District Court. O'Connell has complied with the District Court requirement regarding out-of-state travel.

McGuire did require O'Connell to continue to submit to random drug screenings. Police who searched O'Connell's Marina Bay condominium in March allegedly found 18.49 grams of cocaine there. Berman said in court Tuesday that the drugs were in a safe. Berman said O'Connell's cocaine use was social in nature and that he was a "regular user" of the drug.

O'Connell has already posted \$150,000 cash bail and surrendered his passport. He is not allowed to have unsupervised contact with children under 16, with the exception of his grandchildren.

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*Editor's note: Comments are no longer allowed on stories involving sex charges. To discuss this case, go to our **Front Page blog**, where posts will be reviewed before they appear on the site. Click **Ledger** or **Enterprise** to e-mail a letter to the editor. Include your name, town and a telephone number for verification.*

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