

O'Connell shooting trial set to begin today

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DEDHAM — Drugs, money, booze, a fancy sports car and a gun.

These are key ingredients in a trial scheduled to start today in Norfolk Superior Court with the son of a wealthy Quincy developer ready to fight a charge of attempted murder.

The jury was selected Monday, and lawyers for both sides were set to present opening arguments in the case against Robert O'Connell, who allegedly shot a man in the stomach in 2009 after a traffic confrontation near Marina Bay.

Lawyers for O'Connell, whose father and uncle are prominent real estate developers in Quincy, are likely to argue self-defense.

Prosecutors say that on a December night three years ago, O'Connell repeatedly hit the brakes of his Porsche in front of Joseph Fasano's car on the on-ramp to Commander Shea Boulevard.

When Fasano got out of the car, prosecutors say, O'Connell shot him in the stomach with a .45-caliber handgun. Fasano survived the shooting.

Seven men and seven women, selected from about 80 potential jurors Monday, will hear the case, and 12 of them will decide whether the 42-year-old O'Connell is guilty of attempted murder. If convicted, he faces up to 20 years in prison.

Police investigators say they linked O'Connell to the shooting of Fasano, a former Milton firefighter, after spotting what looked to be O'Connell's car on an auto body shop's surveillance tape the night of the shooting.

That tape was compared to a videotape that showed a similar-looking car backing into O'Connell's parking spot at Marina Bay shortly after the shooting.

After searching O'Connell's condominium, police said they found four licensed guns from safes, including two .45-caliber Smith & Wesson handguns. O'Connell's attorney has said O'Connell owned the firearms for protection and is a recreational shooter.

In court requests, O'Connell lawyer John McGlone said that records would speak to Fasano's state of mind the night of the shooting and whether he sought to purchase drugs beforehand.

"The alleged victim's state of mind and level of sobriety on the night in question will be relevant in this case as one of the defenses that may be raised is self-defense," McGlone's motion reads.

A bag of cocaine and cash was found in the Jeep Cherokee that Fasano was driving before he was shot, authorities said.

Discovery requests by O'Connell's attorneys say Fasano and Jennifer Bynarowicz, a passenger in the car Fasano was driving, admitted to snorting cocaine the night of the shooting and that Fasano drank two or three glasses of wine and a beer at a bar.

Bynarowicz once dated Robert O'Connell's uncle William, the development mogul who last year was indicted on statutory rape and cocaine trafficking charges that allegedly took place in 2009 in the Marina Bay building next to where his nephew lives.

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