

## Prosecutor explains 7-month sentence for O'Connell in Quincy shooting

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**The Patriot Ledger**

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DEDHAM — Seven months in jail for shooting a man in the stomach.

It was just a sliver of the sentence that **Robert O'Connell** — the son of one of Quincy's most prominent developers — could have gotten, and it was a bargain that Norfolk County special prosecutor Andrew Berman took pains to explain Tuesday morning in Dedham as O'Connell pleaded guilty to attempted murder.

"I am not entirely comfortable with the disposition," Berman told Judge Mitchell Kaplan.

Minutes earlier, Kaplan had issued a stern warning from the bench to O'Connell, who was flanked by his two lawyers in Norfolk Superior Court.

"I have the authority to impose a life sentence as result of your guilty plea," Kaplan said.

Berman, hired for the case by Norfolk County District Attorney Michael Morrissey because of Morrissey's past dealings with the O'Connell family as a legislator, told the court that he struggled with plea bargain for O'Connell.

"It doesn't seem ... what would normally be given for an assault with intent to murder charge," he said.

But Berman — who will also prosecute the statutory rape and drug case against O'Connell's uncle, Quincy developer William O'Connell — said he was concerned about the emotional stress a trial would inflict on the victim, Joseph Fasano.

Fasano, a former Milton firefighter and a Marine veteran who served nine months in Afghanistan, would be "victimized once again" by a trial in which O'Connell's defense lawyers attacked Fasano's character, said Berman.

"(Because of) Mr. Fasano's combat experience, he brought home with him certain issues that have affected him on a fundamental level," said Berman.

Fasano, who sat in the courtroom next to his parents, backed the plea deal that doled out such a light sentence to the man who tried to kill him.

"For Mr. O'Connell, I have no vengeance in my heart toward him," said Fasano, who wore a blue V-neck sweater and black pants. "This has been a very stressful event, and I hope that this whole thing can be behind us."

Berman said that he considered O'Connell to be a "gentleman" and was comforted by sentencing conditions that required O'Connell to be under supervised probation for seven years.

"It addresses all the concerns I've been struggling with," he said.

Minutes earlier, though, Berman recounted the facts of the case, which O'Connell corroborated.

"Mr. O'Connell reached to central console, pulled out a silver .45-caliber weapon, turned while he remained seated and took aim. He paused as he did so and shot Mr. Fasano in the stomach.

"The bullet pierced Mr. Fasano's stomach, pierced his liver, lodged in his back in an upward trajectory," said Berman. "As a result of being shot, Mr. Fasano underwent emergency surgery. He nearly died. He was in a coma for five or six days."

**READ MORE about this case.**

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