

Quincy developer O'Connell must submit oral swab in underage-sex, drug case

By Jack Encarnacao

The Patriot Ledger

Posted Aug 01, 2012 @ 01:34 AM

Last update Aug 01, 2012 @ 01:39 AM

Business News

Real Assets Have Been in Real Trouble. Does This End the 'Commodity Supercycle'?

Credit Card Debt Continues Its Steady Decline

Your Smartphone is Easy to Hack, and Your Money Is In It

Suggested Stories

Two Hanover restaurants to close; 100 to lose jobs

Plymouth contractor accused of fondling female...

Situate man seriously injured in Weymouth crash

From the Web

Bay Bridge Book: A Span Sampler HGTV FrontDoor

The Golf Club That Hosted Caddyshack's Raucous... The A.V. Club

Cole Roman Tub Kit Pottery Barn

Sponsored content [What's this?](#)

QUINCY — A judge has ordered indicted Quincy developer William O'Connell to submit an oral DNA swab that will be compared with items seized from his Marina Bay condominium as part of a statutory-rape and drug-trafficking investigation.

Over the objections of O'Connell's attorneys, Norfolk County Superior Court Judge Raymond Veary granted the prosecutor's request to have the sample collected.

In a ruling issued Thursday, Veary gave O'Connell 30 days to arrange with the prosecution a time and place to give the sample. The procedure, called a buccal swab, collects DNA from the inside the cheek.

Special prosecutor Andrew Berman is seeking to match O'Connell's DNA to cut-up straws, which Berman argues is drug paraphernalia, allegedly found in O'Connell's condo.

Investigators say they found a safe containing 18 grams of cocaine in O'Connell's bedroom. The safe was bolted to the floor inside a locked closet. In addition to four counts of aggravated statutory rape, the 72-year-old developer is charged with cocaine trafficking.

O'Connell's attorneys argued the straws were not properly seized and that the state has not demonstrated how the swab would yield evidence relevant to a cocaine trafficking charge.

O'Connell's attorney Stephen Delinsky has said the swab "will only serve to prejudice" the case and that he will try to suppress the straws as trial evidence.

O'Connell and alleged co-conspirator Phyllis Capuano were indicted last summer for allegedly engaging in sexual acts with a then 14-year-old girl in 2009. State Police searched O'Connell's Marina Bay home in March 2011 as part of their investigation into the alleged sex crimes.

The prosecution recently amended the indictments against O'Connell and Capuano to pinpoint when the alleged sex crimes took place.

The original indictments gave broad time frames for the alleged encounters: the first between June 1 and Sept. 1 in 2009, and the most recent on or before March 15, 2011.

The amended indictments say a closer review of the evidence indicates the initial alleged offenses took place in May 2009, and the most recent episode took place on March 17, 2011.

No additional offenses have been alleged.

Also, a judge has granted a request from O'Connell's lawyers that the Department of Youth Services turn over records they have on the alleged victim, who is now 16 years old.

The motion for the records was part of a host of motions O'Connell filed that seek evidence of any motivation the girl would have to lie and her ability to accurately recall and relate facts.

The motions state that the girl's "credibility will be a key issue in this case," that her interactions with O'Connell came after she had run away from home, and that she had been the victim of prior rapes, including once by her mother's boyfriend.

READ MORE about this issue.

Jack Encarnacao may be reached at jencarnacao@ledger.com.

Comment or view comments »

Comments (17)

Richard Struh

1 year ago

Report Abuse

You must be logged in to report abuse.