

Quincy developer William O'Connell's condo searched

By Jack Encarnacao
The Patriot Ledger

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QUINCY — A judge denied The Patriot Ledger's request to unseal court documents related to a search warrant executed at the condominium of one of Quincy's wealthiest and most influential developers.

Judge Robert Ziemian ruled Wednesday in a case involving William O'Connell, who, along with his brother and other family members, developed many of Quincy's highest-end properties, including Marina Bay and Granite Links Golf Course.

State Police executed a search warrant at William O'Connell's condominium in the Marina Bay section of Quincy last month. At the request of Norfolk County District Attorney Michael Morrissey's office, Ziemian impounded documents that explain the basis for the police search and what was found.

Under state law, search warrant documents must be filed in court and be available for public viewing within seven days of the warrant's issuance.

Ziemian, sitting in Quincy District Court, approved the district attorney's request to impound the documents shortly after the search.

Ziemian said in court Wednesday he had no idea who O'Connell was or of his prominence when he approved the impoundment.

"That's totally not the reason this was impounded," he said.

Morrissey's office has not publicly explained its grounds for requesting an impoundment. In addition to keeping the public from seeing the police statement justifying the search warrant, and the list of items seized, the district attorney's motion to keep that information private also was impounded.

The Ledger said in a motion to unseal the court records that William O'Connell was the subject of the search warrant. In court Wednesday, Assistant District Attorney Varsha Kukafka did not dispute The Ledger's assertion.

Kukafka on Wednesday outlined prior cases that dealt with restricting disclosure of search warrant information. She then requested a private meeting with Ziemian to discuss the specific reasons for impoundment, which she implied would reveal sensitive information about an investigation.

Ziemian made his ruling after emerging from a meeting with Kukafka. He said he will revisit the unspecified time limit he placed on the impoundment at a hearing June 1.

Michael Grygiel, a lawyer with the firm Greenberg Traurig, represented the The Patriot Ledger.

He argued the search warrant is of strong community interest because of O'Connell's public profile and that sealing it raises questions of fairness in the judicial system.

"The public has a vital interest in knowing whether Mr. O'Connell is conducting his affairs in a law-abiding manner," Grygiel argued to Ziemian.

After Ziemian's ruling, Grygiel said: "While The Patriot Ledger is disappointed that continuation of the impoundment order will keep judicial documents of overwhelming public interest unavailable to the press and public, and respectfully disagrees with the wholesale sealing of the search warrant materials that remains in place at the request of the district attorney's office, it nevertheless appreciates the court's consideration of the controlling legal principles in this context."

The editor of The Patriot Ledger, Chazy Dowaliby, said the paper regretted not being able to more fully inform its readers on the O'Connell matter.

"We are certainly not the only ones who know that O'Connell's condo was searched, and see no reason the public should be kept in the dark about that," she said.

As part of its motion, The Patriot Ledger included several clippings from its archives concerning the O'Connell family to demonstrate his status as a public figure. The clippings included coverage of the 2009 arrest of Robert O'Connell, William's nephew, on attempted murder charges in connection with a shooting near Marina Bay.

Morrissey, who took campaign donations from William O'Connell and his relatives during his campaigns for state Senate, appointed an independent prosecutor for the Robert O'Connell case to avoid an appearance of a conflict of interest.

Robert O'Connell's lawyer in that case, John McGlone, was in the courtroom Wednesday for the hearing on the impoundment order.

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