

Ex-soccer coach gets new trial in Mass. rape case

By Associated Press

Friday, February 13, 2009 - Updated 1d 8h ago

The highest court in Massachusetts ordered a new trial Friday for a former high school soccer coach who was convicted of sexually assaulting a 15-year-old Duxbury girl and her 14-year-old sister.

Jose Arana, formerly of Hull, was sentenced to 11 to 17 years in prison in 2007 after being convicted of assaulting two players on a team he coached. Prosecutors said Arana sexually abused the sisters — who were friends of one of his daughters — during a sleepover at his estranged wife's home in Pembroke in July 2004. Arana had been caring for his five children while his wife was away.

Arana was accused of giving the two sisters alcohol and getting them drunk before sexually assaulting them.

At the time, Arana also coached at Notre Dame Academy in Hingham, an all-girls Catholic school.

The Supreme Judicial Court ruled Friday that numerous mistakes were made during Arana's trial that could have influenced the jury's verdict, including allowing multiple witnesses to testify about what the girls told them about the alleged assaults. The court found the multiple accounts may have prejudiced the jury against Arana by repeating the details of the alleged crime.

The court granted Arana a new trial on charges of rape of a child with force, assault with attempt to commit rape and two counts of indecent assault and battery. The court affirmed Arana's convictions on three counts of furnishing alcohol to minors.

Arana's lawyer, Robert F. Shaw Jr., said he was gratified by the court's ruling.

"In this case, we had a trial that involved people coming in and testifying not only about what accuser said, but the way she said it and her demeanor and their subjective impressions of it," Shaw said.

"He will now have the opportunity for a fair proceeding."

A spokeswoman for Plymouth District Attorney Timothy Cruz did not immediately return a call seeking comment.

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