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Poll

Have you ever had too much to drink and gotten behind the wheel of a car?

- Yes, often
- Yes, rarely
- Never

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Prosecuting attorney Elizabeth O'Brien argued that citizens driving on public roads in Massachusetts have no such expectation of privacy, and that the vehicle was in a driveway to which many persons had access. Moreover, the tracker was a "slap-on" device applied to the outside of the vehicle where anyone might have access, she said

Cox and Alexander Z. Nappan, defense attorney for Michael Dreslinski, also attacked the evidence of two audio-video surveillance recordings of the pair talking with an unnamed "cooperating witness," saying those tapes offered no information about specific future events. An affidavit filed by a state trooper who was listening to the pair "mischaracterized" the conversation, according to Cox.

Cox argued that her client was out of the video for much of the conversation.

State Trooper Carla Pivero testified to hearing the two and the unnamed cooperating witness discussing stealing light bars and selling them on e-Bay, and talk about various incidents in Holden, Rutland, Sterling and Clinton. Pivero testified hearing Dreslinski speak of how excited he became when contemplating stealing light bars from "MHQ," Mass Highway headquarters.

That surveillance took place in early July 2007 as part of an ongoing investigation by Massachusetts State Police, according to court documents.

The full affidavit and information about those surveillances has been impounded.

But court documents state that the GPS device tracked Michael Dreslinski's 2006 red Ford Ranger Pickup Truck to Rousseau's address in Clinton and then to the scenes of two fires on July 30, one in Florida, Mass. and one in Erving, where the former Usher Paper Mill was destroyed by a blaze officials say was maliciously set.

Both men were arrested August 19, 2007 and are on trial in Franklin County charged with setting those fires.

The device also tracked Dreslinski's vehicle to Rousseau's address in Clinton and then to 108 Maple Road in Sterling at 3:43 a.m. on August 12, just 45 minutes before the Mary Sawyer house was reported to be on fire. Court documents state there was no

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Road in Sterling at 3:43 a.m. on August 12, just 45 minutes before the Mary Sawyer house was reported to be on fire. Court documents state there was no electrical source to the home, which was unoccupied and is owned by the Melone family, descendants of Mary Sawyer of Mary Had a Little Lamb fame.

The device also tracked Dreslinski's vehicle driving by the scene of that fire twice during the day on August 12, court records say.

According to the documents, at 1:36 a.m. on August 13, the device tracked the vehicle to Rousseau's address and then to the Sandstrom farm at 106 Bond Road in Holden. At 3 a.m. a passing off-duty Holden police officer saw flames coming from the barn, which was partially destroyed by the fire. The barn was full of dry hay, a few animals and several motor vehicles. It was uninsured.

Both the Sawyer homestead fire and the Sandstrom barn fire were judged to be arson.

Surveillance cameras inside and outside various other businesses also place Rousseau and Dreslinski together in Dreslinski's vehicle on the dates of the fires, court documents say.

The two were arraigned in February on charges of setting those fires as well as charges of conspiracy; Rousseau is also charged with receiving stolen property. Both pled not guilty to all charges and are being held at the Franklin House of Correction in Greenfield after a dangerousness hearing in February.

Judge Cosgrove took the matter under advisement.

Rousseau and Dreslinski, both 29, have criminal histories outside the Wachusett region, and a colorful history in Holden's police log since last summer.

According to published reports, both were convicted in 1996 of vandalism to a construction site in Bolton. They were committed to the House of Corrections for breaking and entering in the nighttime in 2000. Rousseau also served time for cruelty to animals after allegedly bashing skunks to death in October 1999. Rousseau was also sentenced for receiving stolen property during an incident in Douglas in 1999.