

# Trick may backfire; police weigh water with drugs

By Elaine McArdle

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NEW BEDFORD — Three men hoping to evade drug charges by dumping cocaine into a bucket of water instead increased the seriousness of the crimes with which they are charged.

Police say Pasqual Arias, 22, Robinson Pena, 19, and Luis Antonio Pequero, 26, dumped cocaine into a

bucket of water just as police raided their George Street apartment on Aug. 1.

State laboratory analysis of the water found 13.28 grams of solid cocaine within the fluid.

The water-cocaine mixture in the bucket weighed 3,992 grams.

Had police seized the dry cocaine before it was dumped into the water, the defendants would face a charge

of cocaine possession, which has no mandatory sentence.

The maximum sentence for cocaine possession is 10 years in state prison.

Instead, the defendants, described by prosecutors as illegal aliens from the Dominican Republic, were indicted earlier this month for trafficking 3,992 grams of cocaine — which carries a mandatory sentence

of at least 15 years in state prison.

"I don't think it's novel," said Assistant District Attorney Thomas Bowman.

"The commonwealth's position is that when drugs are seized, and are in the form of a mixture, we're allowed to charge them with the weight of the mixture."

State drug laws define trafficking based on the weight of any mixture

that includes cocaine.

Mr. Arias was arraigned Monday in Superior Court and pleaded innocent.

His co-defendants pleaded innocent when arraigned last week.

The defendants, also charged with conspiracy to violate drug laws, are being held without bail in the Bristol County House of Correction.