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Nantucket judge orders alleged victim's cellphone records be given to Kevin Spacey's lawyers

By [Matt Rocheleau](#) Globe Staff, May 30, 2019, 4:50 p.m.



A Nantucket judge has ordered prosecutors charging Kevin Spacey with groping an 18-year-old man at a local bar to turn over records extracted from the alleged victim's cellphone. JESSICA RINALDI/GLOBE STAFF/FILE 2019/GLOBE STAFF

A Nantucket judge has ordered prosecutors charging Kevin Spacey with groping an 18-year-old man at a local bar to turn over records extracted from the alleged victim's cellphone to attorneys representing the Hollywood actor.

Judge Thomas S. Barrett also ordered the island bar, the Club Car, to turn over any surveillance footage it has from the night of the alleged July 2016 assault.

But Barrett shot down a request from Spacey's lawyers for phone records from the alleged victim's mother, former WCVB-TV news anchor Heather Unruh.

Barrett also denied Spacey's lawyers' requests for transaction records from the Club Car and for records from the law offices of Mitchell Garabedian, a prominent civil attorney representing the alleged victim and his attorney.

Garabedian declined comment Thursday, citing the pending criminal case. Prosecutors at the Cape and Islands district attorney's office and Spacey's lawyers did not immediately respond to requests for comment.

Barrett had [previously](#) approved [requests](#) from Spacey's attorneys that data from the alleged victim's phone be preserved.

At an [arraignment](#) in January that drew widespread media attention, Spacey pleaded not guilty to felony indecent assault and battery.

His [lawyers](#) have [denied](#) the allegations as "patently false," describing the encounter as "mutual and consensual flirtation, nothing more."

The accusation first [emerged](#) in November 2017 during an emotional press conference, when Unruh publicly accused Spacey of sexually assaulting her son.

Spacey's Hollywood career has imploded since the fall of 2017, after a number of men came forward to accuse the Oscar winner of sexual misconduct.

Last Christmas Eve, shortly after the Globe published a [story](#) online about the Nantucket criminal case against Spacey, he [surfaced](#) in a bizarre YouTube video in which he appeared to assume the character of Frank Underwood, the ruthless politician he'd portrayed in the popular Netflix series "House of Cards." Spacey was cut from the show's final season amid the wave of accusations.

Barrett made the latest rulings in the case on April 30, but a copy of his decisions was released only Thursday.

Jennifer Donahue, a spokeswoman for the state Trial Court, which has been handling media requests related to the case on behalf of the clerk's office at the small island courthouse, said Thursday the records weren't released sooner because "there was a miscommunication between the Clerk's office and our office on this filing."

"We confirmed with the Clerk's office that this is the only new filing," she added in an e-mail.

The Globe previously [reported](#) how Spacey's lawyers were given a special opportunity to have his case reviewed in a mini-trial-type setting where potential charges can be dropped and records kept out of public view, raising questions about why his attorneys were given the opportunity in the first place — and who initiated the idea.

The next hearing in the case is set for Monday morning.

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