



The Providence Journal

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THURSDAY
MARCH 20, 2008

50¢
\$2.40 per week by carrier

AN ILL WIND

Windy today with occasional rain and highs in the 50s; clearing colder tonight.

Forecast, **E14**

1 charge dropped in smoke shop case

After the ruling from the bench, the defense launches its case in the trial of seven Narragansett tribe members.

BY KATIE MULVANEY
JOURNAL STAFF WRITER

PROVIDENCE — A Superior Court judge yesterday upheld all but one of the charges against seven Narragansett Indians arrested for allegedly resisting and scuffling with state police raiding a tax-free tribal smoke shop in July 2003.

Judge Susan E. McGuire acquitted tribal conservation officer Thawn Harris of assaulting a trooper during the fracas, but ruled that the state had produced enough evidence for the jury to consider the other counts.



HARRIS

Defense lawyers argued at the start of the 13th trial day that the state had not proved its case when prosecutors rested Tuesday. Special Assistant Attorney General Pamela Chin countered with testimony from the 12 witnesses that she said supported the various charges.

Harris, an officer of the tribe who is studying to become a teacher, had been charged with assaulting Trooper Joseph Philbin. The state asked to change his alleged victim to Trooper Ann Assumpico, but the judge rejected that request. Philbin told jurors last week that he arrested Harris because he assaulted Assumpico, but had not been assaulted by Harris himself. Harris remains charged with resisting arrest.

The state police executed a search-and-seizure warrant July 14, 2003, to stop the tribe from selling tax-free cigarettes at a shop on tribal land in Charlestown. The raid turned into a scuffle. Six other tribe members, including Chief Sachem Matthew Thomas, face charges that include resisting arrest, disorderly conduct, assault and obstruction.

After the judge issued her ruling, Bella Noka raised her hand, requesting to speak. The judge said no, and Noka cried out about state police mistreating her children.

Much testimony has referred to news footage taken of the confrontation, displayed repeatedly on massive screens around the courtroom. Noka's children feature in some of the clips that at times fill the room with screams and dramatic images.

After the ruling, the defense launched its

SEE CHARGES, A8

IRAQ FIVE YEARS LATER

WAR & REMEMBRANCE



THE PROVIDENCE JOURNAL / BOB THAYER

Richard August displays the regimental colors of B Company, 1st Engineer Battalion, the unit his son, Matthew, below, an Army captain, was commanding in Iraq when he was killed in January 2004. More than 25 southern New Englanders have lost their lives in the war.

A father whose son was killed in Iraq takes it upon himself to ensure that those who continue to serve are not forgotten.

BY MARK ARSENAULT
JOURNAL STAFF WRITER

NORTH KINGSTOWN



Richard August and his family are part of a very exclusive, very revered club that nobody wants to join.

The Augusts are a Gold Star family; the gold star in their window is a quiet reminder that they have lost a child in war.

When the news from the Iraq war falls off the front page and fails to make the evening news, the gold star remains in the window.

"America is not at war," August observed in a quiet conversation in his dining room yesterday. "The American military and their families are at war."

August's 28-year-old son, Army Capt. Matthew J. August, died in Jan. 27, 2004 in a roadside blast in Khaldiya, Iraq, some 60 miles outside of Baghdad.

Now, five years after the invasion, there seems to be two occasions on which all of America focuses intently

SEE FATHER, A9

Bush insists victory remains only option

BY STEVEN LEE MYERS
THE NEW YORK TIMES

WASHINGTON — President Bush used the fifth anniversary of the start of the war in Iraq yesterday to make the case for persevering in a conflict that could have many more anniversaries. Democrats accused him of lacking a strategy to win and withdraw.

Mr. Bush, speaking before troops, officers and defense officials at the Pentagon, in his frankest acknowledgment yet, said the costs of the war, in lives and money, had been higher and longer-lasting than he had anticipated.

But he remained unwavering in his insistence that the invasion of Iraq, which began in March 2003, had made the world better and the United States safer.

"Five years into this battle, there is an understandable debate over whether the war was worth fighting, whether the fight is worth winning, and whether we can win it," he

SEE IRAQ, A9

Bill would narrow scope of historic tax credits

House Majority Leader Gordon D. Fox wants to disqualify single-family houses, social clubs and properties that contain fewer than 10 residential units from the tax-credit program to save the state money.

BY STEVE PEOPLES
JOURNAL STATE HOUSE BUREAU

PROVIDENCE — Rhode Island taxpayers contributed \$1.1 million to help renovate the Wrentham House, an 1891 mansion on Newport's Ocean Avenue, now available through Christie's Great Estates for \$14.5 million.

And that doesn't include the carriage house.

Taxpayers will contribute an estimated \$2.7 million more for renovations to the 5,500-square-foot carriage house, which may be on the market for an additional \$5 million.

The 1891 estate with 12 bedrooms, 15 bathrooms and breathtaking ocean views is among the many properties that qualified for Rhode Island's historic structures tax-credit program, which offers property owners and developers breaks on income taxes worth 30 percent of qualified historic-renovation costs.

The program, largely credited as an economic-development tool responsible for revitalizing abandoned mill complexes across the state, also allows sin-

SEE CREDITS, A7

Band manager jailed for Station fire freed

Daniel Biechele, former tour manager for Great White, leaves prison yesterday. Biechele, 31, will return to his home state of Florida, where he will be on parole until January 2010.

THE PROVIDENCE JOURNAL
BILL MURPHY

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Extra: For our continuing special report on the Station fire and its aftermath, go to projo.com/stationfire



Daniel Biechele was one of two people imprisoned for the nightclub blaze that left 100 dead.

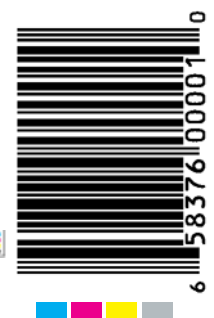
BY TOM MOONEY
JOURNAL STAFF WRITER

CRANSTON — Amid a bank of TV cameras and reporters — and prison investigators prepared to protect him if any angry victims of the Station nightclub fire appeared — Daniel Biechele, the rock-band manager whose actions contributed to the fourth-worst nightclub fire in U.S. history, left prison yesterday a free man.

Biechele was paroled after serving less than half of his four-year prison sentence for lighting the spray of sparks that eventually caused the death of 100 people. He ignored reporters' questions as he walked out of minimum security and slipped into the awaiting car of his lawyer, Thomas G. Briody.

Briody said later: "Today marks the completion of one part of Mr. Biechele's sentence. Out of respect for the victims of the fire, he does not wish to make any comment. He was a private citizen before this tragedy and he wishes to remain so."

SEE BIECHELE, A7



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SOX SOLIDARITY

The Red Sox' trip to Japan to open the baseball season against the Oakland Athletics is nearly derailed after players threaten to boycott the final spring training game and the overseas trip in a dispute with Major League Baseball over compensation for the coaching staff. **C1**

NEW CAPE CONNECTION

Starting next month, CapeX plans to provide bus service connecting the Providence Amtrak station and T.F. Green Airport in Warwick with several points on Cape Cod. **F1**

BACK IN CUSTODY

After fleeing from a minimum-security federal facility where he was serving time for tax evasion, former Johnston art dealer Rocco P. DeSimone surrenders to authorities. **B1**

CLINTON YEARS REVEALED

More than 11,000 pages of Hillary Rodham Clinton's public schedule during her eight years as first lady are made public in response to a Freedom of Information Act request and a lawsuit. **A5**