



ARTS REVIEW | A3

BUNNIES MULTIPLY

See an entire wall of rabbits, each housed in an antique frame, in Hunt Slonem's solo gallery show in Newport



LOCAL | A3

WORK IN PROGRESS

The Plumb family has begun work to convert the Grange property in Middletown into a restaurant

The Newport Daily News

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Due process denied?



Members of the Class of 2019 walk by Ochre Court on the morning of Salve Regina University's 2019 Commencement on May 19. Five days before commencement, a member of the class was found "not responsible" for an alleged rape of another student and was allowed to graduate. (ANDREA HANSEN PHOTO)

Cleared of rape, Salve student able to graduate after filing lawsuit

By Janine Weisman
Daily News staff writer

NEWPORT — The decision came down five days before Salve Regina University's 69th Annual Commencement: John Doe was found not responsible for raping a female student.

Salve Regina won't disclose the details of the accusation against him, nor the results of its ensuing sexual misconduct investigation and outcome. But some facts are revealed in a lawsuit filed May 1 against the small Catholic co-ed university in federal court:

John Doe's accuser claims he raped her after driving her home on the night of March 25. She said he put his hands around her throat and choked her to the point where she could not breathe. John Doe learned on March 29 the accuser filed a complaint against him with the school.

Identified only as a graduating senior from Hopatcong, New Jersey, John Doe is the first Salve student accused of sexual assault to sue the school as an anonymous plaintiff. He joins a growing number of male college students across the country who have been accused of sexual assault who say



Salve Regina University graduating senior Rebecca Sock, of Warwick, offers her support on her cap mortarboard for a friend who was the victim of a sexual assault investigated by the university on Commencement Day, May 19. (JANINE WEISMAN/DAILY NEWS PHOTO)

their schools failed to uphold the principles of legal fairness during internal investigations. John Doe claims Salve's two internal investigators lacked proper training, even as they acted as prosecutor, judge and jury, leaving him without the opportunity to cross-examine the complainant and a key

witness.

After John Doe was allowed to graduate with the Class of 2019 at commencement on May 19, his lawsuit became moot, his attorney said. U.S. District Court Judge William Smith voluntarily

See SUTT, A6

Top R.I. FBI agent talks Mob, gangs, national security

By Brian Amaral
The Providence Journal

PROVIDENCE — Joseph R. Bonavolonta is in some ways the quintessential G-man, sporting close-cropped hair, good posture and an unflashy suit and tie. But as he takes over as the special agent in charge of the FBI field office that includes Rhode Island, Bonavolonta said he's working to break down the buttoned-up image of the agency to which he's dedicated 23 years of his life.

"In the last few years, I can say we really are trying to become much, much more aggressive in private-sector and public outreach," Bonavolonta said in a recent interview with The Providence Journal at the FBI's office on Weybosset Street.

Originally from North Jersey, Bonavolonta is the son of another career FBI man, Jules Bonavolonta.

The younger Bonavolonta took over the Boston-based field office encompassing Rhode Island, Massachusetts, New Hampshire and Maine in January after a stint in Washington, D.C. Before that, he'd spent time in this region overseeing counterintelligence and cyber programs.

"When I speak about the FBI, I tend to be very passionate," Bonavolonta said. "Not only have I been in the FBI for 23 years, I come from an FBI family, where my father was an agent for 24 years. I grew up in that environment. Whenever I talk about the FBI, I like to always say, it's not a job, it's not a career, it's a way of life. It takes that type of dedication."

Bonavolonta sat for a series of questions with The Providence Journal as part of a public outreach effort to give people a closer look into a law enforcement agency that has, for better and worse, been in the news recently. He discussed



FBI Special Agent in Charge Boston Division Joseph B. Bonavolonta faces reporters during a news conference March 12 in Boston.

(ASSOCIATED PRESS FILE PHOTO)

threats ranging from cyber hacking to vicious street gangs to La Cosa Nostra, lone-wolf terrorism and public corruption — and whether "Rogues' Island" stands out in that regard.

The interview was condensed and edited for length and clarity.

Are there issues specific to Rhode Island that you focus on — unique issues in Rhode Island from a law-enforcement perspective?

To an extent. When it comes to the overall threats that we prioritize within the Boston division writ large, that four-state area, we focus on the overall threats, and really, each and every one of the states, while there are nuances here and there, the main threats remain. And we work them very similarly.

To break them into two quick buckets: there are the national security threats, and the criminal threats. On the national security side, that continues to obviously be our top priority, national security. Within national security, we have counterterrorism and counterintelligence. We have robust work within Rhode Island in both of those threats. Counterterrorism, there's really three main threats

See FBI, A5

Man charged with assault at complex being held

Daily News staff

NEWPORT — An 18-year-old man charged Friday with felony assault at the Festival Field apartment complex was ordered held without bail Monday during his first District Court appearance.

J-Sean Antez Murphy of 90 Girard Ave., Apt. 136, entered no plea to charges of felony assault with a knife and simple assault, according to court records. The simple assault charge stemmed from Murphy allegedly shooting

the alleged victim in the arm with a BB gun, the records said.

Murphy was determined to be a probable bail violator on charges from an arrest in May and was ordered held at the Adult Correctional Institutions in Cranston. A status conference is scheduled for July 16. Murphy was issued a no-contact order. In cases involving felony charges, defendants typically don't enter pleas during their first appearance in District Court.

Around 7 p.m. Friday, officers

responded to the apartment complex and found an 18-year-old man "bleeding heavily" from the chest, a news release from the Newport Police Department said. The man was transported to Rhode Island Hospital. Within minutes of the assault, police arrested Murphy in a Park Holm home without incident, the statement said.

Police also were dispatched to the apartment complex Thursday night, when two individuals with gunshot wounds went to

Newport Hospital on their own. "At this time, the investigation is ongoing and Newport Police believe that this is not a random incident," a separate statement on the incident Thursday said. "Currently, the two victims have non-life threatening injuries and are being medically treated."

People with additional information about the shooting incident are asked call Newport Police detectives at 847-8300 or an anonymous tip line at 846-2606.



SPORTS | B1

EXPERIENCE WINS

Former No. 1 player Simona Halep beats fan-favorite 'Coco' Gauff at Wimbledon

WEATHER

COASTAL RHODE ISLAND

Tuesday: Sunny, with a high near 81. Tuesday night: Mostly clear, with a low around 63.
Wednesday: Sunny, with a high near 83. Wednesday night: Partly cloudy, with a low around 69.

EXTENDED

Thursday: Mostly sunny, with a high near 78. Thursday night: A chance of showers and thunderstorms. Mostly cloudy, with a low around 70.
Friday: A chance of showers and thunderstorms. Partly sunny, with a high near 79. Friday night: Mostly cloudy, with a low around 69.
Saturday: Mostly sunny, with a high near 80. Saturday night: Mostly clear, with a low around 69

TIDES, ETC.

Tuesday's high tides: 1:45 a.m., 2:22 p.m. Low tides: 7:39 a.m., 8:40 p.m.
 Tuesday's sunrise, 5:20. Sunset, 8:21.
Monday's temperatures: High 76, low 61.

low 61.

MARINE

Tuesday: Northwest wind 5-10 knots. Waves 2-3 feet. Tuesday night: West wind 5-10 knots. Waves 2-3 feet.



Colleges and universities bypass the legal system when they conduct internal investigations of alleged sexual assaults. A pair of campus investigators used a downstairs conference room in Salve Regina University's Our Lady of Mercy Chapel to interview John Doe in early April. (JANINE WEISMAN/DAILY NEWS PHOTO)

SUIT

From Page A1

dismissed the case on June 14 in Providence.

John R. Grasso, John Doe's Providence-based attorney, confirmed his client was found "not responsible" the Tuesday before graduation by the two Salve investigators.

"Up until that point, he didn't know if he was graduating," Grasso said.

But his troubles were not over when he received the news. Grasso said John Doe's accuser and others were upset with the school's decision and apparently used social media to organize a demonstration on campus the Sunday morning of commencement.

"So imagine his family's all assembled ... getting ready to go, and this poor kid is having stomach cramps, wondering if he's going to be the target of a protest surrounded by his family at graduation," Grasso said.

Salve's Interim Vice President for Student Affairs and Dean of Students J. Malcolm Smith said two or three students assembled to raise awareness about sexual assault on the morning of commencement. School security guided them to public property on the sidewalk of Ochre Point Avenue, away from the commencement tent. He said he believed all the students involved were female.

Smith serves as the school's Title IX coordinator, named for the 1972 law prohibiting sex discrimination in federally funded educational programs. He declined to comment on the John Doe case, but defended the university's process for investigating the complaint as fair and objective.

"It's not the university's job through a process to please people," Smith said. "It's to determine the facts and to determine whether the facts lead to find a violation or it doesn't."

Grasso is representing another John Doe accused of sexual assault who filed a federal suit against Providence College on June 13. The attorney said he represented a dozen clients involved in Title IX sexual assault investigations at Rhode Island colleges during the 2018-2019 academic year, double the number he had the previous year.

Only a few attorneys in Rhode Island take on Title IX cases, an indication that protecting due process during sexual assault investigations on campuses has become a specialized field since 2011. That's the year the U.S. Department of Education issued guidance to schools on taking immediate action to investigate complaints of sexual violence and make determinations using a preponderance of the evidence standard — that is, ascertain if a particular fact or event was more likely than not to have occurred.

New rules proposed by U.S. Secretary of Education Betsy DeVos to address campus sexual assault and

harassment attempt to address due process protections for the accused. Under the proposed changes, the accused would be allowed to have a lawyer cross-examine their accusers. And alleged incidents would only be investigated if they took place on campus or during a school-sponsored event.

'Not a good legal process in any way'

Recent estimates of sexual assault victimization among U.S. college students are as high as 20-25%, yet only a small number of rapes are reported. Salve Regina University, which has about 2,600 undergraduate students, recorded only two rapes in 2016 and one each in the years 2015 and 2017 in its annual disclosure of campus crime statistics required by the federal Clery Act.

The emphasis on the rights of the accused raises concerns for Peg Langhammer, executive director of Day One, Rhode Island's only agency providing treatment, prevention and advocacy for victims of sexual assault and abuse.

"The result for victims is that they just don't feel they're getting justice on their campus," Langhammer said. "That's a generalization and it's not true on every campus and it's not true in every case."

Many colleges and universities don't encourage complainants to go to the police, or at least don't present doing so as a good option, Langhammer added. Involving law enforcement does have a downside for victims who don't want to get dragged through a lengthy legal process, especially if they are close to graduation. Colleges also may have reasons to want to keep sexual assault investigations internal as they cope with the pressures of keeping enrollment up and fundraising with alumni.

But the way schools address sexual misconduct complaints under Title IX ultimately leaves both the accuser and the victim dissatisfied. "It really is not a good legal process in any way," Langhammer said. "We're advocates for the victims and we want them to be protected. We want them to be safe. We want these guys to be held accountable, but I don't know that this is the way to hold them accountable," Langhammer said.

It appears John Doe's accuser did not file a police report. Grasso said he did not locate any report, and Smith said he didn't believe a formal report was made with the Newport Police Department. The Newport police incident logs for March 25, 26 and 27 do not indicate any sexual assault complaint.

"I think it's always a good idea, but that's up to the victim or the complainant," Smith said when asked if victims should contact police, too. "We would never discourage. We always offer to call the police. We always offer to accompany them or have the police come to campus." Salve must complete an investigation of sexual misconduct

and determine if any misconduct occurred within 60 calendar days. Individuals found responsible for violations of the nonconsensual sexual intercourse policy face suspension or expulsion.

The policy states: "Every reasonable effort will be made to preserve the privacy of all parties to the extent that the investigation allows. Only relevant information will be disclosed to those people with a need for information regarding the investigation. Mediation is never appropriate in sexual misconduct cases." The two Salve employees appointed to investigate the complaint against John Doe and determine if he violated the Student Code of Conduct were Director of Conferences and Events Johanna Mancivalano and Director of Residence Life and Off Campus Housing James Mournighan. They separately interviewed John Doe and his accuser. Neither Mancivalano nor Mournighan could be reached for comment. Grasso sent a notice to Smith on March 30 requesting a live hearing with witnesses before a panel of neutral participants but said he did not receive a response. In early April, both investigators interviewed John Doe in the downstairs conference room of the university chapel. Grasso said he was allowed to accompany his client at the interview, but not speak with investigators.

"I have to be the potted plant in the room," Grasso said. "He can ask me questions and I can speak to him, but I'm not allowed to speak with the investigators. It's ridiculous. It's so inefficient."

Number of investigators to change

After the investigators completed their initial report, Grasso sent a letter to Smith on April 22 requesting a copy of the report. He was denied. The next day, Grasso reviewed the report in person and took notes, but could not make copies or take photos.

John Doe was given a deadline of May 5 to respond to the initial report, then the two investigators prepared a final report to determine whether he sexually assaulted the complainant and violated the conduct code. On May 14, he was found not responsible.

Smith said Salve's investigators received extensive training to conduct the process of responding to sexual assault complaints. But he said changes to the process are in the works.

"We're careful to make sure the process is objective and gives everyone protections and resources, that everyone is heard by multiple people in the same room," Smith said.

"We have two investigators that hear the cases at least up until next year, when we'll change that. We're going to make some changes and those aren't finalized yet, so I'm not going to comment."

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GENERAL

From Page A3

borrowers and establish oversight of student loan servicers operating in Rhode Island.

- The Assembly approved a law to require religious organizations to provide pension fund updates.

OPIOID CRISIS

- The state budget includes language for the creation of a state Opioid Stewardship Fund.
- Lawmakers limited first-time opioid prescriptions and expanded the Good Samaritan Overdose Prevention Act.
- The legislature approved a bill to post opioid warning signs at all pharmacies in Rhode Island.

HEALTH

- The budget included a Shared Responsibility Payment penalty for individuals who do not have health insurance, with exceptions.
- The General Assembly approved legislation aimed at providing stronger oversight for hospitals being acquired by nonprofit entities.
- The budget expanded the number of medical marijuana compassion center licenses from three to nine.

CHILD PROTECTION

- Lawmakers passed legislation expanding domestic violence protective orders to help more children.
- The General Assembly approved legislation to increase school safety by creating threat assessment teams in schools.

SENIORS

- The Assembly passed several bills addressing Alzheimer's disease and elder abuse.
- Lawmakers passed a bill making it easier for homeowners to build onto their houses to provide space for relatives.
- The General Assembly passed a bill to establish a formal process recognizing "supported decision making," a structure of support for disabled or aging individuals.

SMALL BUSINESS

- The budget incorporates legislation to help the many Rhode Island small business owners who will be hit by higher federal taxes under new federal tax laws.
- The General Assembly passed legislation to provide a process for collecting sales tax from out-of-state sellers — removing the unfair advantage online retailers have in competing against Rhode Island businesses.
- Lawmakers passed legislation to increase the amount of beer sold directly to customers by breweries.

TRANSPORTATION

- The budget includes up to \$200 million in GARVEE bonds to fund the reconstruction of the viaduct that carries Route 95 north through downtown Providence.
- The General Assembly passed the Rhode Island Utility Fair Share Roadway Repair Act, which requires public utilities to repave and repair roadways that have been altered or excavated by the public utility.
- The General Assembly passed legislation cracking down on bridge toll violators.

ANIMALS

- Lawmakers passed legislation requiring all pet shops to provide records to the Department of Environmental Management including breeder information, health certification, license and inspection information for each dog or cat offered for sale.
- The legislature passed a bill that prevents owners from misrepresenting a pet as a service animal in order to gain access to rights or privileges reserved for disabled individuals with service animals.
- The General Assembly approved a law that adds pets to domestic violence protective orders.

This Year at the General Assembly was compiled by the Legislative Press Bureau. For more information on any of these items visit <http://www.rilegislature.gov/pressrelease>.