

Celtics beat Lakers, 97-91

Boston comes roaring back from a 24-point deficit. **Sports D1**
For a complete postgame report go to projosports.com/celtics



GOOD ENOUGH
Partly cloudy today with highs in the mid-80s; lows in the 60s tonight.
Forecast, **E10**

The Providence Journal

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Conviction in slaying of witness overturned



Jennifer Rivera was fatally shot the night before she was to testify against Charles Pona in a murder trial. She was 15.

The state Supreme Court rules that Charles "Manny" Pona did not receive a fair trial.

BY EDWARD FITZPATRICK
JOURNAL STAFF WRITER

PROVIDENCE

The state Supreme Court yesterday overturned the conviction of Charles E. "Manny" Pona on charges that he conspired with others to have 15-year-old Jennifer Rivera killed in 2000 just before she was to testify that she saw Pona running from the scene of another murder.

"The murder of Jennifer Rivera was especially repugnant. It was a profound affront to the basic norms of civilized society," Justice Francis X. Flaherty wrote. "Nonetheless, even those accused of despicable acts are entitled to a fair trial. In this instance, we have concluded that the defendant did not receive a fair trial, and we are convinced that it is our responsibility to that same civilized society to reverse for a new trial."

JUSTICE FRANCIS X. FLAHERTY

Pona, 27, of Providence, will remain in prison for killing 17-year-old Hector Feliciano. The Supreme Court affirmed Pona's conviction in that murder last year, and he is serving a life sentence, plus eight years.

In yesterday's ruling, the Supreme Court said Superior Court Judge William A. Dimitri Jr. should not have admitted certain evidence related to Pona's conviction for Feliciano's murder, such as evidence that Pona's pager was found at the scene of Feliciano's murder and that Pona's fingerprints were found in the getaway car.

The court also ruled that Dimitri, who has since died, should not have admitted the entire audiotape of testimony that Rivera gave at Pona's bail hearing. The recording allowed the jury to hear Rivera's "forever-stilled teenage voice" for hours on end, the court said.

"The impact of this evidence was to highlight the propensity of Pona as a person who had murdered before and who would not hesitate to murder again," Flaherty wrote. "By allowing this highly prejudicial evidence to come before the jury, the trial court placed the facts of another crime, the Feliciano murder, onto center stage, tempting the jury to hold defendant ac-

SEE OVERTURN, A10

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Extra: To read the high court's ruling, go to projo.com

In 'dire' straits, Twin River seeks a new deal with state



Having missed loan payments and in danger of falling into bankruptcy, the owners of the gambling facility offer the state \$500 million now in exchange for a larger share of video-slot revenues in the future.

BY KATHERINE GREGG
and PAUL GRIMALDI
JOURNAL STAFF WRITERS

PROVIDENCE — The owners of Twin River are offering the state upward of \$500 million up front in return for slicing by more than half the percentage of money the state gets from the slot parlor.

The offer is part of Twin River's plan to solve its own "dire" financial crisis. Twin River has missed loan payments to its bank and is in danger of falling into bankruptcy. "The situation is dire. We are standing on the edge of a precipice," Twin River spokeswoman Patti Doyle said yesterday.

But the state has its own problems and lawmakers are now only days away from voting on a \$425-million deficit-closing plan for next year that will cut state jobs, freeze municipal aid and lop thousands of people off the state's health and welfare rolls.

Meeting with House Speaker William J. Murphy earlier this week, the Twin River delegation offered the \$500 million if the state would reduce its cut of the slot revenue from 61.45 percent to 25 percent.

SEE DEAL, A8

The budget

Education officials say the budget approved by the House Finance Committee will mean bigger classes, fewer professors, fewer athletic programs and layoffs at URI.

Advocates of attracting filmmakers to the state say imposing limits on the availability of tax credits will put Rhode Island at a competitive disadvantage with its neighbors.

Stories, B1

Twin River in Lincoln pays the state nearly 60 cents out of every dollar gambled and lost on video-gambling machines. Last month, the slot parlor recorded video-gaming net revenue of \$38,967,023.

THE PROVIDENCE JOURNAL FILE

A look at Twin River slots

The number of machines, and the amount of money bet, has increased substantially when compared on a month-to-month basis between fiscal years. While the state now reaps the largest share of revenue after winnings are paid out, the owners of the gambling facility are looking to restructure the deal.

Fiscal Year	Amount bet		Average number of machines	
	2007	2008	2007	2008
July	\$99,430,219	\$151,289,517	3,580	4,589
August	95,340,309	149,458,615	3,594	4,517
September	94,823,800	148,621,866	3,602	4,426
October	89,513,888	143,637,535	3,602	4,517
November	89,344,258	140,684,391	3,602	4,342
December	89,058,069	133,218,565	3,602	4,505
January	91,986,630	158,793,113	3,415	4,730
February	89,328,395	168,975,685	3,149	4,751
March	119,302,208	179,650,631	3,409	4,751
April	147,614,205	166,601,466	4,673	4,749
May	147,077,170	188,522,506	4,664	4,750
June	143,523,961		4,632	
Total	\$1,296,343,112	\$1,729,453,890	3,794	4,603

Source: Rhode Island Lottery

THE PROVIDENCE JOURNAL



About 270 prisoners are held at a detention facility on a U.S. Navy base in Guantanamo Bay, Cuba, shown in this May 2007 photo.

Justices give detainees access to federal courts

By a narrow majority, the Supreme Court rejects the Bush administration's attempt to put them beyond the reach of America's legal system.

BY DAVID SAVAGE
LOS ANGELES TIMES

WASHINGTON — The Supreme Court yesterday rejected for the third time President Bush's policy of holding foreign prisoners at Guantanamo Bay, Cuba, under control of the military, ruling that these men have a right to seek their freedom before a federal judge.

The justices, in a 5-to-4 vote, said the U.S. Constitution enshrined the "privilege of habeas corpus" — or

the right to go before a judge — as one of the "safeguards of liberty." And that right extends even to foreigners who are captured in the war on terrorism, the court said, particularly when they have been held up to six years without charges.

"Within the Constitution's separation of powers structures, few exercises of judicial power are as legitimate or as necessary as the respon-

SEE DETAINEES, A12

INSIDE TODAY

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QUESTIONS FOR LABOR LEADER

George Nee, the secretary-treasurer of the Rhode Island AFL-CIO and a former director of the Beacon Mutual Insurance Co., appears before a federal grand jury as Operation Dollar Bill shifts its attention to the state's dominant workers' compensation insurer. **B1**

SCOUTS WEATHER A STORM

Boy Scouts, some of whom are being described as heroes, tell what it was like when a tornado hit their camp in Iowa, killing four youths and leaving at least a dozen injured. **A2**

GREEN AND MEAN

Edward Norton gives a thoughtful, internalized performance as Bruce Banner, who, when angered, turns into *The Incredible Hulk*. **E1**

