

Pederzani also named to District Court; to be sworn in Wednesday

By M. CHARLES BAKST
Journal-Bulletin Staff Writer

PROVIDENCE — Meeting in special session, the Senate yesterday unanimously confirmed Alton W. Wiley, a former federal prosecutor, to a seat on the District Court. When sworn in next week, he will become Rhode Island's first black state judge.

"It's been a long time coming," Sen. Richard A. Licht, D-Providence, told the Senate, "and I'm glad it's happened and that it's happened to Al Wiley."
Said Senate Majority Whip John J. Bevilacqua, D-Providence, "It's a great day for his people — the black community — but it's even a greater day for white people and all people in the state of Rhode Island."

Wiley told the Senate he was "humbled." He said he was saddened that his late brother George, a nationally prominent civil rights and welfare rights advocate, could not be on hand for the occasion.

The Senate also unanimously confirmed Paul P. Pederzani Jr. to the District Court. Pederzani, a former District Court clerk and acting judge, will be sworn in at 9 a.m. Wednesday in the House chamber, an hour before Wiley takes the oath in the Senate.

Pederzani is a former law partner of Walter R. Orme, who retired from the District Court in March.

The Judiciary Committee heard a raft of testimony in favor of Pederzani and Wiley. For example, in speaking for Pederzani, Judge Florence K. Murray of the Supreme Court said District Court judges are "community judges," and added, "They are the first people who

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have to have the courage to make a decision, sometimes in an aura of great emotion, and they have to have the ability to make up their mind. He has both in great abundance."

The testimony for Wiley had an unusually personal or emotional flavor as witnesses spoke of the landmark nature of his appointment, of Wiley's qualifications, and of his role as a model for young blacks.

Joseph T. Fowles, president of the Providence NAACP, said his organization had "petitioned for a long, long time for this very moment."



WILEY

Leo T. Connors, president-elect of the Rhode Island Bar Association, said Wiley "will deal with each and every human being that brings a problem before him with absolute fairness and candor."

Herberto Flores, of Puerto Rican background, said, "What you're doing is making me, as a citizen, believe in the system more."

Clifford R. Monteiro, chairman of the Rhode Island Congress of Racial Equality, called Wiley "my hero charging on a black horse."

He recalled being a youngster in Providence and the joy he and his contemporaries felt when Wiley, who lived in Warwick and was a University of Rhode Island track star, would come and visit with them.

"We would jump around and touch him," Monteiro said. Wiley, he said, inspired him to go on to college.

Edward C. Clifton, a black Providence Municipal Court judge, said blacks make a difference in the judicial system and the way it is perceived. He said that on his first day on the Municipal Court last year he noticed some members of minority groups in the courtroom. "One gentleman about passed out," he said, out of "total shock" at seeing a black judge. "I think," said Clifton, "he was genuinely proud."



PEDERZANI

Homosexual pair go to school prom without incident

Some leave when men dance slowly

By BOB JAGOLINZER
and IRENE WIELAWSKI
Journal-Bulletin Staff Writers

SUTTON, Mass. — In the glare of television lights and as reporters noted his every gesture, Aaron Fricke, a homosexual, last night exercised what the courts said was his constitutional right to free speech by attending the Cumberland High School senior prom with a male date.

The prom, held at Pleasant Valley Country Club here, was dominated by heavy security, but there were no incidents of violence.

Reporters were not allowed inside the clubhouse, but Cumberland School Supt. Robert B. Condon kept them informed of what was going on, as well as inside security arrangements.

During the evening, Fricke and Guilbert danced together five or six times, Condon reported.

The tensest moment came during the couple's slow dance. Most of the other promgoers stopped dancing and stood at the edge of the dance floor watching, Condon said. When Fricke put his hand on Guilbert's shoulder, Condon said, "it really got hairy."

Several couples walked out. As they headed for their cars, a few remarked to reporters that they were disgusted by what they had seen.

Fricke, wearing a light blue tuxedo, and his date, Paul Guilbert, attired in black formal wear, arrived at the \$26-a-couple dinner-dance about 7:45 p.m. in a car driven by Charles Norris of the Rhode Island Gay Liberation Task Force. The prom was scheduled to start at 8.

They quickly were ushered up three stairs to the entrance of the clubhouse by Superintendent Condon and high school principal Richard B. Lynch.

ABOUT 15 reporters, news photographers and television cameramen recorded Fricke and Guilbert's arrival from behind a police barricade alongside the clubhouse entrance.

Looking straight ahead, the couple walked up the stairs without speaking or reporters. But just before entering the clubhouse, Fricke, 18, turned to face the cameras and stuck out his tongue.

Instead of the two policemen usually assigned to provide security at Pleasant Valley functions, six Sutton police officers patrolled both inside and outside the clubhouse.

In addition, there were 10 Cumberland High School teachers, five school administrators, four members of the superintendent's staff and five School Department maintenance men.

The maintenance men were deployed in the parking lot to guard against the possibility of vandalism to the Rhode Islanders' cars by people attracted by the notoriety the Cumberland prom gained through Fricke's court fight.

Fricke filed suit in U.S. District Court to challenge principal Lynch's denial of a prom ticket to the homosexual couple.

Chief District Court Judge Raymond J. Pettus ruled that Fricke had a right to attend the prom because Fricke was motivated by a desire to make a political statement about human rights, which is protected by the First Amendment right to free speech.

Committee adds school day to make up King holiday

GLOUCESTER — The Foster-Glocester Regional School Committee has added one day to next year's school calendar to

Cumberland school officials were unsuccessful in their attempt Thursday to have Pettus's decision overturned by the U.S. Court of Appeals in Boston.

Most of the 580 young people who attended the prom ignored reporters as they arrived. The girls, wearing long dresses, carried flower bouquets, and many of the boys had cameras slung over their shoulders.

About 45 minutes after the couple arrived, Condon reported that they were standing around talking with three or four students.

A chicken dinner preceded the dance portion of the prom. Condon said Fricke and Guilbert were assigned to a table with three faculty members and their spouses. The table was next to a wall to guard against the possibility of someone jumping the couple from behind, Condon said.

Also, three additional faculty members were stationed around the table, and had instructions to escort Fricke and Guilbert wherever they went, whether to the dance floor or the men's room, Condon said.

The couple stayed for the entire dance, leaving about 11:40 p.m.

GUILBERT, now a resident of New York City, tried last year when he was a senior at Cumberland High to bring a male date to the prom. As in the Fricke case, he was refused permission by school authorities. The case, however, never went to court because at the time Guilbert was 17, a minor, and his parents would not support a lawsuit.

Students at the school have been upset at the publicity their prom has received because of Fricke's choice of a male date. Yesterday morning, as part of the school administration's effort to cool tempers, Lynch held an assembly for the seniors to discuss the issue.

Lynch told the students to forget about the court business and have a good time at the prom, according to Condon.

He also issued a stern warning that anyone who caused trouble would be dealt with severely.

"The 'biggest hand' Lynch got during the assembly was when he said 'the press would not be allowed in,'" according to Condon.

92 graduated at St. George's commencement

MIDDLETOWN — New York Times reporter Jane Gensless, whose daughter was among the 92 graduates, spoke during the commencement ceremony of St. George's School, held on the school's front lawn yesterday.

The St. George's Medal, the school's highest honor went to Jonathan Smith, Headmaster Anthony Zane said the 92 students represented the school's largest class ever.

- Elizabeth S. Lippincott
- Lara L. Latta Jr.
- Laura J. Lind
- DeWitt F. Macdonald
- John M. Macfarlane
- William L. May
- Robert J. Marshall
- Robert J. May
- Samuel L. May
- Samuel L. May
- Samuel L. May
- Lara L. Latta Jr.
- Laura J. Lind
- DeWitt F. Macdonald
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Senate confirms 4 new members, one reappointment to regents

PROVIDENCE — The Senate yesterday unanimously confirmed four new appointees and one reappointment to the Board of Regents.

The new members, nominated by Governor Garrahy earlier in the day, are:

- Charles E. Shea Jr., a 40-year teacher, administrator and superintendent in the Pawtucket school system who is retired.

- Joseph W. Rees, president of the E.A. Adams & Sons jewelry firm in Pawtucket and former treasurer of Brown University.

- Terrence Hassett, president of the Student Senate at Rhode Island Junior College.

- Mrs. Monica B. Frappier, administrative assistant in the marketing and sales division of NIFE Inc. in Lincoln.

The governor also nominated regent Maxine L. Bradford, a director of the Rhode Island Minority Caucus and an employee of the state Department of Community Affairs, to her first full three-year term. She was named to the board in February, 1978.

The 15-member Board of Regents oversees operation of local school districts and the three state colleges. All except Hassett were named to three-year terms, which begin July 1. Hassett was named to fill the remaining year in the New York City.

Retiring from the board on June 30 are regents John J. Kavanagh of East Greenwich, Bernard V. Buonanno of Providence, both members when the board was created in 1973, and John S. Farrington of Exeter.

Shas, 68, of Pawtucket, was appointed superintendent of the Pawtucket School Department in 1959, after serving as a teacher and principal in the school system since 1937. He retired as superintendent in 1976. During his career, he taught English at Pawtucket

Pair deny charges in death of boy, 2

NEW BEDFORD, Mass. — Two North Attleboro, Mass., residents, indicted Thursday by a Bristol County grand jury in connection with the death of 2-year-old Rhonda Amorin, pleaded innocent yesterday at their arraignment in Superior Court.

Rhonda Amorin, 20, mother of the boy, pleaded innocent before Judge Robert Prince to charges of manslaughter and neglect. Peter F. Kane, 21, pleaded innocent to a charge of murder. Prince set June 19 as the date for pretrial motions for both defendants.

Mrs. Amorin was arrested Thursday by North Attleboro police after a bench warrant was issued by the court on a secret indictment of the grand jury. Prince set the woman's bail at \$10,000 with surety



NEW BEDFORD PROTEST: Fishermen, angered by the low prices they are being paid for the fish, take to the streets with their wives, children and hand-printed protest signs. The protest yesterday was the latest in the fishermen's efforts to publicize what they believe to be their exploitation by the rest of the fishing industry. Several members of the New Bedford fishing fleet had previously agreed to tie up their boats in protest of low prices. Story on Page A-5.

Lawyer blasts Mackenzie on post-acquittal remarks

By TRACY BRETTON
Journal-Bulletin Staff Writer

PROVIDENCE — Atty. Raul L. Lovett said yesterday that he would file a complaint against Superior Court Judge William M. Mackenzie with the state Commission on Judicial Tenure and Discipline because of remarks the judge made to jurors yesterday about his client's criminal record after the jury acquitted the client on charges of rape and carnal knowledge.

Lovett said he felt Judge Mackenzie "poisoned the jurors" for future jury service by disclosing the criminal record of his client, Armando DeMello, when it was never brought out at trial.

"It's obvious" that the judge was very angry that the jury did not convict Lovett said. He said he interpreted Judge Mackenzie's remarks as some sort of reprimand to the jurors, as a way of telling them "they had done something wrong."

DeMello, 53, of 74 Gooding Ave., Bristol, was acquitted by the jurors yesterday afternoon on the two sex-related charges involving a 15-year-old Warren girl. The girl testified that DeMello, who used to rent a farm in back of her home, tied her

up with rope, hit her with a bat and raped her in a barn.

But a doctor who examined the girl said she had not had intercourse and it was disclosed that the girl had been undergoing psychiatric treatment at Butler Hospital at the time.

The jury deliberated for about an hour, and after it reported to the court that it found DeMello "not guilty," Judge Mackenzie read the defendant's criminal record.

DeMello pleaded no contest in 1968 to a charge of assault with a dangerous weapon and was placed on a year's probation. In 1969, he pleaded no contest to a charge of assault with intent to commit rape and was given a four-year suspended sentence with five years' probation. In 1976, he was charged with being lewd, wanton and lascivious, but that charge was dismissed for lack of evidence.

His record was never disclosed to the jury during the four-day trial because DeMello chose not to take the witness stand. Only if the defendant testifies can the prosecution bring out criminal records in an attempt to impeach the defendant's credibility.

Lovett said he was "flabbergasted" by Judge Mackenzie's comments about his client's prior criminal record. "The jury had made its final case. The state, clearly did not case under any set of circumstances."

Judge Mackenzie declined when informed that Lovett would file the complaint against his commission, which is headed by Justice Anthony A. Cianci Superior Court.



MACKENZIE LOVI

The jurors have one more week service and Lovett said he will see others with whom they sit on the Superior Court jury room irreparably tainted by Judge Mackenzie's remarks.

"His comments would make on a jury start to second-guess themselves," Lovett said. "They're inferences in every other defendant doesn't testify."

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AT OUR PROVIDENCE

Cianci says plan under way to end public works feud

PROVIDENCE — Mayor Vincent A. Cianci Jr. said last night that he is working on a plan to deal with the bitter feud in the city Public Works Department.

He declined to say whether his plan would include a recommendation that Public Works Director Clement S. Cesaro be fired. Cesaro said earlier this week that City Hall has virtually stripped him of his authority to run the department.

In a related matter, Cianci said he believes allegations by a highway department worker that Anthony J. Bucco, Democratic city chairman, offered the worker financial assistance if he shifted his political allegiance from Cianci to Bucco.

The allegation was made by Anthony Del Santo, an assistant highway superintendent who is an influential member of the 13th Ward Democratic Committee on Federal Hill.

Cianci said his only knowledge of the matter is from an account of Del Santo's allegations to yesterday's Evening Bulletin.

"I'm busy running the City of Providence and trying to get my budget passed and when I was reading portions of that story, I was shocked that anyone would attempt to do something like that," Cianci said. "But I would believe it," he added.

Del Santo, who has effectively replaced Cesaro as