

# At Rough Point, killing is shown in harsher light

**Sean Flynn**

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NEWPORT — An exhibit title outlining what happened on Oct. 7, 1966, when billionaire heiress Doris Duke killed Eduardo Tirella with her car, has been changed from "The Accident at the Rough Point Gate" to "The Incident at the Rough Point Gate."

Donna Lohmeyer, Tirella's niece, sent the Newport Restoration Foundation a letter in March asking that the wall exhibit inside Duke's Rough Point mansion, now a museum, be corrected based on the findings of a new book, "Homicide At Rough Point" by Newport native Peter Lance.



Lance presents an accumulation of compelling evidence in the 412-page book that Duke intentionally murdered Tirella at her Bellevue Avenue estate.

Besides calling what happened to her uncle an "accident," Lohmeyer was most disturbed by the concluding line of the display: "In 1971, the Tirella family brought a civil suit against Doris Duke for damages and lost wages from Eduardo's death. After several days in court, Duke settled the case with the Tirella family."

The Newport Restoration Foundation has removed any reference to the civil lawsuit or a "settlement" in the modified exhibit at Rough Point and with good cause, as Lohmeyer explained in her letter relying on Lance's findings.

Lohmeyer said Duke and her lawyers rejected an offer by her family to avoid trial for a settlement of as little as \$200,000.

During the damage phase of the trial, after Duke's attorney denigrated Tirella's reputation, the final judgment that Doris was ordered by the court to pay was only \$75,000 plus interest, she wrote.

"There was never a settlement," Lohmeyer wrote. "For the NRF to continue to insist that there was casts my family in a false light and insults Eduardo Tirella's memory."

After the family's lawyers took their cut, each of his five sisters and three brothers were awarded \$5,620 in court-ordered damages, according to Lance. At that point, Duke, who was heiress to the American Tobacco Company fortune, was earning interest of \$1 million a week on her fortune, he wrote.

The Newport Daily News over the last two weeks made multiple attempts to contact Mark Thompson, the chief executive officer of the Newport Restoration Foundation, for comment on the changes to the exhibit. He did not respond.

Contacted by The Daily News this week, Lohmeyer also preferred not to comment on the exhibit changes.

There are some other statements in both the original and the modified exhibit that have been contested. The original and reworked NRF exhibit each say Duke was "driving a rented car and unfamiliar with the transmission."

However, in a police transcript of an interview conducted after the accident, Duke was asked: "Had there been any difficulty with this car?" She responded, "No, I drove it twice previously. I went to meet Mr. Tirella at the airport and I had driven it on Friday morning."

When Duke took the stand in the 1971 wrongful death trial, she repeated that statement, according to Providence Journal coverage of the trial.

The modified Rough Point exhibit also says: "We do know that Tirella and Doris were on their way to dinner that evening."

But Lance quotes a contemporary who says they were heading to The Blue Cat, a shop owned by John Perkins Brown, to pick up a bust that was the Reliquary of Saint Ursula created to hold the bone fragments of the saint. Duke wanted Tirella to appraise the reliquary, now part of the Rough Point museum, before he left her service.

When The Daily News initially contacted NRF's Thompson for a response to Lohmeyer's request for corrections, he provided a written statement from the organization on March 25.

"We received Ms. Lohmeyer's letter on Tuesday late afternoon," the statement said. "In light of her letter, we will examine that portion of the exhibit text regarding the resolution of the case to ensure its accuracy."

# The Providence Journal

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## Much still in play for state budget

Proposal will feature House rewrite of \$11.2-billion fiscal blueprint from McKee

**Patrick Anderson and Katherine Gregg**  
The Providence Journal  
USA TODAY NETWORK

House Democrats are set to unveil their annual budget proposal Thursday evening, kicking off the final flurry of lawmaking for this legislative session.

And one piece of the annual tax and spending plan emerged Tuesday afternoon: a commitment to fund police body cameras for law-enforcement agencies that don't have them.

The budget on Thursday will feature House leadership's rewrite of the \$11.2-billion fiscal blueprint Gov. Dan McKee

proposed in March and revisions to the current year's plan.

That covers a timeframe in which Rhode Island lurched from the expectation of a severe revenue crisis caused by the COVID-19 pandemic to a

See **BUDGET**, Page **10A**

### In or out? We'll find out

- Taxation of Payroll Protection Program income.
- Raise in top personal income-tax bracket.
- Use of federal coronavirus aid.
- Real-estate conveyance tax hike.
- Tax on sugary drinks.

## Feds fine RI doctor for COVID hazards

**Katie Mulvaney**  
The Providence Journal  
USA TODAY NETWORK

PROVIDENCE — The U.S. Department of Labor's Occupational Safety and Health Administration has cited Dr. Anthony G. Farina Jr. for failing to protect workers at his medical practices in North Providence and West Greenwich from exposure to the coronavirus — and for failing to implement proper safety measures after six employees tested positive for the virus in the fall of 2020.

OSHA investigators found Farina willfully exposed employees to the coronavirus at four of his practices: North Providence Urgent Care Inc., North Providence Primary Care Associates Inc., Center of New England Urgent Care Inc. and Center of New England Primary Care Inc.

The agency determined Farina continued to interact with workers and did not fully implement safeguards after he exhibited symptoms of the virus and later tested positive, according to a news release.

See **DOCTOR**, Page **11A**

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See **EXHIBIT**, Page **11A**



Pharmacist Peter Solomon gives Manuel Saquic his vaccine injection while Rosa Montes prints out his card at Anthony's Pharmacy in Providence on Tuesday. DAVID DELPOLO/THE PROVIDENCE JOURNAL

## DELTA VARIANT: TRIPLE THREAT?

'Huge problem' for the unvaccinated. Most contagious COVID strain may also be deadliest and most evasive, says Dr. Jha.

**G. Wayne Miller** The Providence Journal | USA TODAY NETWORK

PROVIDENCE — The growing dominance of the deadly coronavirus Delta variant will pose a grave risk this summer to people who are not fully vaccinated, according to pandemic expert Dr. Ashish Jha, dean of Brown University's School of Public Health.

The variant is already in Rhode Island. As of Monday, three cases had been detected, the state Health Department confirmed in an email to The Journal on Tuesday.

"If you have not gotten vaccinated, this is a potentially very dangerous time, because the Delta variant is spreading," Jha said. "It's about 6% of infections in the United States right now, doubling every two weeks. If you do the math, in about four to six weeks we'll start getting close to half. ... By mid-August, it'll be the dominant variant in the United States."

Jha said that when he assesses risk posed by variants, he examines three factors: ease of contagion, potential for high mortality, and "does it evade immunity from vaccines or prior infec-



Jha

tions?"

The Delta variant, first detected in India, scores alarmingly high on all three, Jha said.

"It is the most contagious variant we have ever seen in this pandemic, and that's going to be a huge problem," Jha said. "Second, it does look like it's a bit more deadly than other variants. And there is some evidence that it has more 'immune escape' as well. So, it may be one of the first sort of true triple threats."

See **COVID-19**, Page **11A**



## Exhibit

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season. It has the potential to kill not just individual trees but entire orchards. Though not a new problem for apple growers, it's been looming larger as the climate crisis brings longer, warmer and rainier springs that expand the window for it to infect trees.

The disease poses a particular threat to cider apple growers. Terry Bradshaw, a research assistant professor at the University of Vermont, said they are at risk because the European varieties they rely on are biennial, making them

especially vulnerable to fire blight. "They will produce a lot of fruit in one year and a little in the other," said Bradshaw. "It's just wall-to-wall blossoms during bloom — those are a whole lot more targets (for the bacteria) to hit." Making matters worse, they bloom later in the year.

If one crop of cider apples is lost to fire blight, it will be two years before those trees produce again, he said. And with a 10-year pipeline from ordering trees to producing fruit, that kind of setback

of tannins and phenolic compounds that make them unpalatable for eating, but ideal for cider.

The craft cider industry has been on a decadelong growth spurt, according to Michelle McGrath, executive director of the American Cider Association, an industry lobby. In 2019, Nielsen research said the sector was worth \$1.2 billion, with about 1,000 cider makers in the U.S.

Over the last decade, the industry grew tenfold in sales and producers, according to McGrath.

## Doctor

Continued from Page 1A

Farina and his companies face a proposed fine of \$136,532 for failing to implement engineering controls, such as portable high-efficiency particulate filtration systems and barriers between desks. In addition, the investigators concluded that he failed to institute administrative controls such as cleaning and disinfecting, and symptom screening of all employees, or to mandate contact tracing or quarantine periods after employee exposure to COVID-exposed patients.

"This employer placed workers and others at risk of contracting the coronavirus. Employers have a responsibility to isolate workers and themselves if they show symptoms of the virus," said OSHA Area Director Robert Sestito. "Protecting employees and patients by implementing timely and effective safeguards and controls to minimize exposure is critical to mitigating the spread of the virus."

In a statement, Dr. Farina's legal representative Michael J. Lepizzera, Jr.

said, "The citation and the proposed penalties are completely unfounded and utterly lacking on the facts and the applicable law. The employer vehemently denies the conclusory findings issued by OSHA. The proposed penalty of \$136,532.00 is legally excessive and shocks the conscience of any reasonable person."

Lepizzera continued, "The employer will be challenging this finding at every possible level in order to ensure that justice is done. Dr. Farina is an excellent physician who has well served this community for close to three decades. He did not and would never jeopardize either the safety of the patients who he has meticulously cared for during his long standing time as a doctor nor would he place his employees in harm's way."

Farina made headlines earlier in January when state Department of Health Director Dr. Nicole Alexander-Scott ordered the emergency suspension of his medical license after investigators determined that he had deliberately exposed patients and staff to COVID-19. The state found that he presented a danger to the community for his overall pattern of "unprecedented" willful misconduct.

His medical privileges were restored Feb. 23 without explanation, according to Department of Health records.

"Dr. Farina's license was suspended because of concerns that his continuation in practice would constitute an immediate danger to the public. It was later determined that Dr. Farina's continuation in practice no longer constituted an immediate danger to the public, so his license was restored," Joseph Wendelken, spokesman for the department, said in an email at the time.

Farina also faces federal allegations that he violated fair labor laws by failing to pay overtime to more than 100 employees.

U.S. District Court Judge Mary S. McElroy found in May that Farina and his sister Brenda Delsignore, who manages his four practices, violated overtime provisions of the Fair Labor Standards Act starting in 2015. The judge ordered them to cease the violations.

Farina has 15 business days from receipt of its citations and penalties to comply, request an informal conference with OSHA's area director or contest the findings before the independent Occupational Safety and Health Review Commission.

## COVID-19

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### Bottom line?

"If you have not started getting vaccinated, it's time to start," Jha said.

Dr. Nicole Alexander-Scott, Rhode Island Department of Health director, seconded that in her Tuesday email to The Journal.

"While the arrival of the Delta variant in Rhode Island has been expected, this is another reminder of why it is so important to get the COVID-19 vaccine," Alexander-Scott said. "We know the current COVID-19 vaccines offered in Rhode Island provide protection from this variant. Anyone age 12 or older who has not already done so should get vaccinated now."

Jha elaborated, saying "if you've gotten two shots of the mRNA vaccines — Pfizer or Moderna — you've got 90% protection against the Delta variant. That is amazing. Thank goodness."

As for the single-shot vaccine available now across the United States, Jha said "I think the Johnson & Johnson data will come in the same. We just don't have as much data. But if you got the J&J vaccine, don't freak out. You'll almost certainly have very good protection."

A recent spike in new infections as a result of the Delta variant has upended the plan for the United Kingdom to fully lift coronavirus restrictions this month.

Scientists advising the British gov-



Rosa Montes brings Manuel Saquic his vaccination card as he waits in the post-shot observation area of Anthony's Pharmacy in Providence on Tuesday.

DAVID DELPOIO/THE PROVIDENCE JOURNAL

### By the numbers

Cases in R.I.: 152,306 (33 reported Tuesday)

Negative tests in R.I.: 4,213,201 (5,260 reported Tuesday; 0.6% positive rate)

R.I. COVID-related deaths: 2,723 (1 reported Tuesday)

Rhode Islanders hospitalized with COVID: 38 (6 in intensive care)

Fully vaccinated in R.I.: 581,327 (653,205 at least partially vaccinated)

Cases in Mass.: 708,933

recent reports in science publications Nature and BioRxiv that once acquired, immunity to COVID-19 is long-lasting — perhaps even as long as a lifetime.

"I don't think lifetime," Jha said. "I'd love it if our vaccines lasted a lifetime and then we're just good to go forever. I'd be surprised. But it does really push back against this narrative that some people have been saying that we're going to need boosters in six months. I don't see us needing boosters in six months."

"And if immunity is long-lived from a previous infection or from two doses of an mRNA vaccine or a Johnson & John-