



# W JAMESTOWN H PRESS

PRST STD  
U.S. Postage Paid  
Permit No. 5  
Jamestown, RI

www.JamestownPress.com

Volume 20, Issue 30

A weekly newspaper serving Conanicut Island

Wednesday, November 21, 2007

## Recount does not change election

By Tom Shevlin

Nine days after voters went to the polls, Jamestown's ballots were recounted by election officials and the results were poised to be certified with no change in the outcome of this month's elections.

Michael Schnack, who narrowly lost reelection for his council seat, had exercised his right to a recount last week. However, the recount, which took place per state regulations at the Board of Elections headquarters in Providence last Thursday, yielded no change in the vote count.

Schnack, a former Planning Board member who ran successfully for Town Council in 2005, had not been optimistic about his prospects going into the recount.

"I don't think it will change anything," he had predicted.

1,694 voters turned out Nov. 6 to cast their votes in Jamestown's municipal elections. Schnack, a Democrat who received 774 votes,

See "Recount" on page 21

## School committee braces for budget woes

By Michaela Kennedy

The expected \$400 million shortfall predicted for the state budget next year may translate into less funding for schools next year. School Committee Chairwoman Cathy Kaiser reported a bleak outlook on education costs and funding at the panel's Nov. 15 meeting.

Kaiser shared information she received regarding state budget priorities at the Nov. 13 Conference on School Finances and Governance. Kaiser praised the program outlined by the Board of Regents, which included shifting mandated expenditures, such as regional transportation and extraordinary special education costs, to the state. But she also lamented the lack of money available for the changes. "The legislators said there's no money," she said.

Superintendent Marcia Lukon talked about costly mandates imposed by the state, and the lack of compensation for the increased

See "Budget" on page 21



### Let's give thanks

The annual second-grade Thanksgiving Pageant, depicting the first Thanksgiving, was performed at the Melrose Avenue School on Tuesday morning. Participating in the play are, bottom from left, Jayda Rios and Michaela Colognese. At rear are, Ryan Downing, Kailin Froberg, Max Hubbard and Emma MacIntyre.

Photo by Andrea Von Hohenleiten

## David Swain's extradition hearing today

By Dotti Farrington

Jamestown businessman David Swain, 51, was scheduled to face extradition proceedings today, Nov. 21, at midday in US Federal Court in Providence.

Swain is charged by British Virgin Island (BVI) authorities with allegedly murdering his wife, Shelley Arden Tyre, in 1999



David Swain

while on a scuba diving vacation with her on the BVI island of Tortola. According to court documents, he is accused of intentionally causing her to drown in an underwater struggle.

Swain, identified as a Providence resident in the extradition papers, was arrested last week. He was brought to federal court and ordered detained without bail at the federal Donald W. Wyatt Detention Center in Central Falls.

Swain said the day after his arrest that he would fight the extradition effort. He has been protesting his innocence since his late wife's parents filed a civil suit in 2002 against him to establish how the drowning occurred. A jury in the RI Superior Court civil trial found him guilty in 2006 of intentionally killing her with violence but only the BVI government could bring criminal charges.

Evidence and expert testimony was gathered for the civil case by J. Renn Olenn, of Warwick, a lawyer with a specialty in marine cases, on behalf of the parents, Richard and Lisa Tyre of Jamestown. Those items and documents were turned over after the civil trial here to BVI authorities. Tortola police also developed evidence and data after Swain left their country a few days after

his wife's death.

Olenn said last week that he was not allowed to discuss the role that he would have in the criminal case against Swain. He said most of the experts and witnesses he presented at the civil trial have said they would be available and willing to testify in Tortola if they were to be called.

The Warwick lawyer explained that the extradition process was governed by a treaty between the United States and the United Kingdom and that the criminal proceedings in Tortola would be conducted under British legal principles. He said British law is similar, but not completely the same, as that followed in the United States. If found guilty in Tortola, Swain would be subject to imprisonment there. The death penalty for murder in BVI was abolished in 1991.

For last week's proceedings, Swain was represented by a federal public defender who argued for his release on bail. The defender was assigned pending Swain's decision about getting a lawyer, the choice is expected to be made known in today's proceedings.

Federal Judge Lincoln Almond ordered Swain held without bail after prosecuting Assistant U.S. Attorney Lee Vilker, autho-

See "Swain" on page 21