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Man gets life for sex assaults

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SOUTH KINGSTOWN — A Superior Court judge yesterday sentenced a bus driver to serve life in prison, plus 16 years, for first isolating three passengers with special needs along his route and then groping, assaulting and raping one of them in the woods near the passenger's home.



Judge Stephen P. Nugent said Jose R. Rivera — seated at his sentencing yesterday — did not accept responsibility for his crimes and showed no remorse for the victims.

Image courtesy of WPRI-TV

“Only a monster would rape and sexually assault three developmentally disabled adults, all of whom are unable to protect themselves,” Washington County Superior Court Judge Stephen P. Nugent said in sentencing Jose R. Rivera.

A jury found Rivera, 48, guilty of assaulting the women during his RIPTA route to and from the Adeline LaPlante Center, a rehabilitation program in Peace Dale, after a nine-

day trial in June. He was convicted of two counts of first-degree sexual assault for raping a then 37-year-old woman; four counts of second-degree sexual assault against her and another passenger; and simple assault.

Nugent said yesterday that Rivera showed no potential for rehabilitation because he had not accepted responsibility for his crimes or showed remorse for the victims, instead shifting the blame to others.

“The bottom line is, society in general, and the most vulnerable, in particular, need to be protected,” he said.

Weighing more than 300 pounds, Rivera took several bursts from an inhaler before the sentencing began and held his head in his hands through much of the proceedings. Given an opportunity to address the court, he said was deeply troubled and concerned by the jury’s verdict.

“I hope in the end, I know in the end, justice will be served,” he said.

The police in August 2005 accused Rivera, of 12 Kent St., Pawtucket, of sexually assaulting the women after learning they had revealed independently the driver had “touched them in private places” at different points along their bus route, according to court records. The incidents occurred in 2004 and 2005, the police said.

The women, ages 22, 37 and 39 when the assaults occurred, testified during the trial but did not attend yesterday. The Journal does not identify victims of sexual assault.

Elizabeth O’Keefe yesterday read a letter on behalf of one the women’s mothers. “He picked the wrong person to victimize,” she said, adding, “Mr. Rivera may have thought these girls would not be believed.”

The woman, who has a seizure disorder, has experienced persistent sleeping problems and increased seizures since the assault, said O’Keefe, a friend to one of the victim’s mothers.

Assistant Attorney General Craig V. Montecalvo read an e-mail from another mother explaining why her daughter, who is haunted by nightmares, chose not to attend the sentencing.

“Mom, I want to go but my heart can’t take it,” read Montecalvo, who prosecuted the case with Mark Trovato.

But Rivera’s supporters, who filled three rows in the court room, also conveyed strong sentiments when allowed by the judge to speak.

His sister, Laura James, accused the court of “railroading” her brother because he is Puerto Rican and the victims are Caucasian. The women, she said, might have accused

him of the crimes because he was no longer going to drive their route. That comment drew exasperated sighs from the victims' families.

His girlfriend, Lucy Avelino, described him as a best friend who was brought up to respect people, not to hurt them.

His lawyer, Martin Harris, said the trial had revealed "no suggestion of physical harm" or any evidence that they were undergoing long-term psychological counseling as a result.

"The harm here is not what the state suggests ...," he said. "Parents, in other words, are not the victims here."

The judge took offense at James' statements. "To say Mr. Rivera was railroaded ... is frankly an insult" to the jurors, he said.

"The bottom line is it came down to credibility," he said. "Obviously the jury believed the victim and did not believe Mr. Rivera."

Nugent sentenced Rivera to two concurrent life sentences for the rape charges. He received another 15 years to serve concurrently with the life sentences for two of the second-degree assault convictions.

For the other two second-degree counts, Nugent sentenced Rivera to 15 years to serve, concurrently with each other but following the life sentences. For the simple assault conviction, the judge gave Rivera one year to serve after the other terms. Harris said they would appeal to the state Supreme Court.

Rivera had driven for RIPTA for two years at the time of his arrest. He was fired 4½ weeks later, said RIPTA spokeswoman Karen Mensel.

The transit agency has "an effective hiring process" that includes criminal background checks for all its drivers, she said.

Advocates from Day One: The Sexual Assault & Trauma Resource Center praised the sentence.

"These three women displayed extreme bravery in speaking up about their abuse," said executive director Peg Langhammer. "People with disabilities are often perceived as less credible, yet, at the same time, they are often the most vulnerable."

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