

CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

**No. 24 City Council Special Meeting, Wednesday, July 2, 2014,
Upon The Rise of the 7:00 o'clock Regular City Council Meeting**

PRESIDING

**COUNCIL PRESIDENT
MICHAEL A. SOLOMON**

CALL TO ORDER

**PRESENT: COUNCIL PRESIDENT SOLOMON, COUNCILMAN APONTE,
COUNCILMAN JACKSON, COUNCILMAN JENNINGS,
COUNCILWOMAN MATOS, COUNCILMAN NARDUCCI,
COUNCILMAN PRINCIPE, COUNCILMAN SALVATORE,
COUNCILMAN SANCHEZ, COUNCILMAN YURDIN, COUNCILMAN ZURIER -
11.**

**ABSENT: COUNCILWOMAN CASTILLO, COUNCILMAN CORREIA,
COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI - 4.**

**ALSO PRESENT: LORI L. HAGEN, SECOND DEPUTY CITY CLERK, SHERI A.
PETRONIO, ASSISTANT CLERK AND ADRIENNE SOUTHGATE, DEPUTY CITY
SOLICITOR**

IN CITY COUNCIL

SEP 18 2014

APPROVED:

Lori L. Hagen **CLERK**

NOTING

INVOCATION

PLEDGE OF ALLEGIANCE

COUNCILMAN YURDIN Moves to Dispense with the foregoing matters, Seconded by COUNCILMAN NARDUCCI.

CALL FOR SPECIAL MEETING

COMMUNICATION FROM

COUNCIL PRESIDENT MICHAEL SOLOMON

Request filed with the Second Deputy City Clerk on June 30, 2014, Requesting a Special Meeting of the City Council to be Called on the 2nd day of July, 2014, Upon The Rise of the 7:00 o'clock P.M. Regular City Council Meeting, in the City Council Chamber, Third Floor, City Hall.

COUNCIL PRESIDENT SOLOMON Receives the forgoing Communication.

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| RESULT: | RECEIVED |
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WARRANT FOR SPECIAL MEETING

Warrant of the Second Deputy City Clerk to David Tassoni, City Sergeant with Return Certification that he has notified each Member of the City Council of the Special Meeting Called for the 2nd day of July, 2014 Upon The Rise of the 7:00 o'clock P.M. Regular City Council Meeting, in the City Council Chamber, Third Floor, City Hall.

COUNCIL PRESIDENT SOLOMON Receives the forgoing Warrant.

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| RESULT: | RECEIVED |
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PRESENTATION OF RESOLUTION

COUNCILMAN APONTE, COUNCILWOMAN CASTILLO, COUNCILMAN JACKSON, COUNCILWOMAN MATOS, COUNCILMAN SANCHEZ

Resolution Urging the Governor to Veto House Bill 2014 H 7457, An Act Relating to Criminal Procedure.

WHEREAS, The General Assembly recently passed H7457, a bill that would allow an additional ten year prison sentence to be added to the sentence for any felony committed by someone believed to be a member of a gang; and

WHEREAS, Representatives from 22 local advocacy groups, including the Rhode Island ACLU, the RI Civil Rights Roundtable, the Institute for the Study and Practice of Nonviolence, DARE, Rhode Island for Community & Justice, RI Coalition to Defend Human & Civil Rights, the RI Chapter of the National Lawyers Guild, Providence Youth Student Movement, and the Providence Student Union, have signed a letter to the governor expressing grave concerns about H7457; and

WHEREAS, While some Rhode Island police departments maintain a “gang database,” not all do, and there are no uniform policies or procedures for determining who should be entered into the gang database or how someone’s name is removed from the gang database; and

WHEREAS, The definition of “criminal street gang” found in H7457 is overly broad, making no distinction between a “gang” that engages in occasional vandalism and a “gang” that has been involved in drug dealing or murder; and

WHEREAS, Without uniform standards for the maintenance of gang databases and a clear definition of what constitutes a “gang,” there is great potential for arbitrary and subjective application of the enhanced sentencing allowed under H7457; and

WHEREAS, Non-violent crimes, such as graffiti, have recently been upgraded to felonies, meaning that under H7457, a single act of graffiti could result in a 12 year prison sentence; and

WHEREAS, A ten year prison sentence for being part of a “gang” is greater than or equal to the sentencing maximums for crimes such as dealing in firearms, possession of indecent photographs of a child, bribing a judge or juror, domestic assault by strangulation, second degree child abuse, fourth degree arson, and third degree sexual assault; and

WHEREAS, The Providence City Council has a moral obligation to ensure that the punishments fit their crimes and that the law is applied fairly and consistently.

NOW, THEREFORE BE IT RESOLVED, That the Providence City Council does hereby urge the Governor to veto H7457.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to Governor Chafee, the Speaker of the House of Representatives, the President of the Senate, and the entire Providence General Assembly delegation.

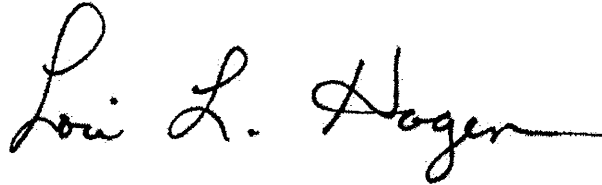
Read and Passed, on Motion of COUNCILMAN APONTE, Seconded by COUNCILMAN NARDUCCI, by the following Roll Call Vote:

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| RESULT: | READ AND PASSED [UNANIMOUS] |
| MOVER: | Luis A. Aponte, Councilman |
| SECONDER: | Nicholas J. Narducci, Councilman |
| AYES: | Solomon, Aponte, Jackson, Jennings, Matos, Narducci, Principe, Salvatore, Sanchez, Yurdin, Zurier – 11. |
| ABSENT: | Castillo, Correia, Hassett, Igliozi – 4. |

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILMAN YURDIN**, Seconded by **COUNCILMAN NARDUCCI**, it is voted to adjourn at 7:20 o'clock P.M., to meet again **MONDAY, JULY 14, 2014 at 5:00 o'clock P.M.**



LORI L. HAGEN
SECOND DEPUTY CITY CLERK

**This meeting was recorded and the video may be viewed on demand via the internet.
Please visit the City Clerk web site or contact us directly for details.**