

# RESOLUTION OF THE CITY COUNCIL

No. 97

Approved March 8, 2010

WHEREAS, A Rhode Island resident, Mr. Luis Mendonca was arrested in Providence for simple assault and resisting arrest on October 20, 2009; and

WHEREAS, Mr. Mendonca filed a police report alleging police brutality at the time of his arrest; and

WHEREAS, Subsequent to Mr. Mendonca's arrest, a video from a surveillance camera apparently depicting some part(s) of the alleged incident was obtained by the police; and

WHEREAS, Acknowledging such, investigations were launched by the Providence Police Department, the Rhode Island Attorney General, and the Federal Bureau of Investigation; and

WHEREAS, A Providence Police officer involved in the alleged incident has subsequently been indicted on felony assault charges, and has been suspended from his job without pay; and

WHEREAS, In December, the United States Immigration and Customs Enforcement Agency initiated deportation orders for Mr. Mendonca, a legal resident of the United States, after he was sentenced on simple assault charges; and

WHEREAS, Recent media accounts indicate that a "clerical" error in court documents stated that Mr. Mendonca was given a suspended sentence in April 2009 for shoplifting, although he actually received only probation; and

WHEREAS, Such a clerical error could trigger deportation action by ICE; and

WHEREAS, Attorney General Patrick Lynch and the Mayor of Providence, David N. Cicilline, previously urged for the delay of Mr. Mendonca's deportation; and

WHEREAS, The City of Providence asserts that it is of the utmost importance that the integrity of the legal proceedings be upheld, and that justice is vigorously pursued in this case; and

WHEREAS, The strength of the legal proceedings conducive to determining if Mr. Mendonca is, indeed, a victim of police brutality, and ensuring that civil rights are sustained within the Providence community, will be immeasurably diminished without Mr. Mendonca at hand.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence urges the United States Immigration and Customs Enforcement Agency to immediately withdraw Luis Mendonca's deportation orders and release him from custody so that he is able to assist in the legal proceedings in the aforementioned case, including testifying, should the case go to trial.

BE IT FURTHER RESOLVED, That upon adoption, a copy of this resolution be sent to Mr. Bruce Chadbourne, Director of the Boston Field Office of Detention and Removal Operations of the United States Immigration and Customs Enforcement Agency.

IN CITY COUNCIL

MAR 4 2010

READ AND PASSED, *as amended*

*Richard S. Mancini*

PRES.

*Ann M. Stetson*

CLERK

APPROVED

*[Signature]*  
MAYOR

3/8/10