



Laura C. Harrington†
Attorney at Law
513 Broadway
Newport RI 02840

Harrington Law Group, PC

Phone 401-921-5330
Fax 401-921-5959

www.HarringtonLawGroup.com

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City Council
Providence City Hall
25 Dorrance Street
Providence, RI 02903

**Re: Recruit Michael Clark (211), 69th Providence Police Academy
Presentment of Claim or Demand Pursuant to RIGL § 45-15-5 and related demands**

Dear City Council:

Presentment of claim or demand.

This letter hereby constitutes presentment to the City Council of a claim or demand against the City of Providence ("City") by my client, Michael Clark. I represent Mr. Clark as a cooperating attorney with the American Civil Liberties Union Foundation of Rhode Island.

Mr. Clark's claims arise out of unlawful acts and/or omissions of the City of Providence, by and through members of its Police Department, in the treatment of Mr. Clark as an employee and candidate participating in and dismissal from the 69th Providence Police Academy.

Mr. Clark entered the 69th Providence Police Academy in January 2019 and fully participated until his involuntary dismissal on or about May 31, 2019. During his participation, Mr. Clark was subjected to ongoing, severe and/or pervasive harassment and discriminatory terms and conditions, culminating in his dismissal from the Academy and termination of employment. The conduct of the City, by and through members of its Police Department, was undertaken out of antipathy and in retaliation for Mr. Clark's past expression of speech, protected by the First Amendment to the United States Constitution, on matters of public concern and of particular interest to and associated with African-American culture, and out of antipathy for particular racial stereotyping with which the City branded and then ostracized and singled out Mr. Clark, in violation of Mr. Clark's right not to be subjected to discrimination on the basis of race, as protected by the Fourteenth Amendment to the United States Constitution, and state and federal laws prohibiting discrimination in employment and/or contract on the basis of race.

A demand is hereby made on the City for compensatory damages equal to or greater than the statutory limit of \$100,000. Please note that this amount does not include recovery of lost wages or benefits, equitable or declaratory relief or attorneys' fees or costs for which the City

may be liable under state or federal law, or compensatory or punitive damages awarded against any individual employees who may be held liable for their actions on behalf of the City.

Demand for preservation of records.

Please preserve, and instruct all subordinate officers, to preserve all records maintained or created by you or any of your employees, servants or agents, that are in any way relating to the 69th Academy Class and each and every one of its attendees and participants, including, but not limited to,

- medical records,
- training records, materials & binders
- appointments/assignments,
- video/audio recordings,
- e-mails,
- text messages,
- phone logs,
- payroll,
- intake forms/applications,
- records of demerits given,
- evaluations/test results, and/or
- surveillance footage.

Demand for disclosure of liability insurance.

Please notify your insurance carrier immediately that you have received notice of a pending claim. Pursuant to Rhode Island General Law § 27-7-5, have your insurance carrier provide the limits of your liability coverage to this office within two weeks of receipt of this letter.

Thank you for your attention to this matter. Please forward all future correspondence to this office.

Very truly yours


Laura Harrington, Esq.

cc: Jeff Dana, City Solicitor