



Legislation Text

File #: Res 0740-2015, Version: *

Preconsidered Res. No. 740

Resolution calling on President Obama to grant clemency to Oscar López Rivera so that he is immediately released from prison, as his continued incarceration is unjust and serves no legitimate purpose.

By Council Members Mendez, The Speaker (Council Member Mark-Viverito), Rodriguez, Chin and Wills

Whereas, Oscar López Rivera was born in Puerto Rico in 1943; and

Whereas, Oscar López Rivera moved with his family to Chicago as an adolescent; and

Whereas, Oscar López Rivera is a decorated Vietnam War veteran; and

Whereas, During his tour of service in Vietnam, López Rivera's unit was securing the perimeter of a town to ensure its safety during an election when the unit unwittingly entered a mine field where many of his fellow soldiers began to sustain serious injuries; and

Whereas, Instead of running for cover, López Rivera tended to the wounded and cleared a space for helicopters to land to evacuate them; and

Whereas, On that day, López Rivera refused to leave his friends behind, and for this act of valor he was awarded the Bronze Star; and

Whereas, It is this dedication to community, friends and family that would become a hallmark of López Rivera's life;

Whereas, When López Rivera returned home from the war he found his community wracked by drugs, poverty, substandard housing and blight; and

Whereas, Once again, López Rivera refused to run and instead became an activist, fighting to improve conditions for his family, his Puerto Rican community, and the Latino community of Chicago; and

Whereas, As a community activist, López Rivera helped found La Escuelita Puertorriqueña, now known

as the Dr. Pedro Albizu Campos High School and the Juan Antonio Corretjer Puerto Rican Cultural Center. He became a community organizer for the Northwest Community Organization, ASPIRA, ASSPA, and the 1st Congregational Church of Chicago. He helped to found FREE, a half-way house for convicted drug addicts, and ALAS, an educational program for Latino prisoners at Stateville Prison in Illinois. López Rivera also worked to establish bilingual education in public schools and pressured universities to recruit Latino students and faculty. Perhaps most significantly, López Rivera struggled to end discrimination against minority communities; and

Whereas, López Rivera also fervently believed in Puerto Rican independence, and was critical of the U.S. government's role in the governance of Puerto Rico; and

Whereas, Between 1981 and 1983 López Rivera and 13 other men and women involved in the movement for Puerto Rican independence were convicted of seditious conspiracy; and

Whereas, In 1981, López Rivera was sentenced to 55 years in prison; and

Whereas, López Rivera has consistently maintained that he was not involved in any acts that harmed anyone or took a life; and

Whereas, López Rivera's sentence was greatly disproportionate to the offense for which he was convicted; and

Whereas, In 1988, López Rivera was convicted of conspiracy to escape prison and sentenced to an additional 15 years in prison to be served consecutively to his original sentence; and

Whereas, This sentence was also greatly disproportionate to the offense for which López Rivera was convicted; and

Whereas, In addition, López Rivera was made to serve over 12 years of this sentence in solitary confinement, meaning he was confined to a closet-sized cell for 23 hours a day with no human contact; and

Whereas, In 1999, President Bill Clinton, offered to commute López Rivera's sentence as well as the sentences of all but two of his co-defendants; and

Whereas, In explaining his decision to offer clemency, President Clinton noted that López Rivera was never convicted of specific crimes that resulted in deaths or injuries nor was he ever convicted of any act of violence; and

Whereas, President Clinton also noted that “our society believes that a punishment should fit the crime;” and

Whereas, President Clinton concluded that the sentences received by López Rivera and his co-defendants were "out of proportion to their crimes”; and

Whereas, Once again, López Rivera refused to leave any member of his community behind and therefore declined the President’s offer of clemency; and

Whereas, Had López Rivera accepted President Clinton’s clemency offer, he would have been released from prison in 2009; and

Whereas, Oscar López Rivera has now served over 33 years in prison; and

Whereas, López Rivera has served more time in prison than Nelson Mandela; and

Whereas, Many prominent politicians and world leaders including Coretta Scott King, Archbishop Desmond Tutu, former President Jimmy Carter, many Nobel Peace Prize Laureates and others have called for López Rivera to be released from prison; and

Whereas, The movement to release López Rivera has become a unifying force, bringing together people of widely diverse backgrounds and political and social beliefs; and

Whereas, In 2013, Archbishop Desmond Tutu said of López Rivera’s continued imprisonment, “In any case or interpretation, justice cannot be served by keeping Oscar López Rivera in prison. Now is the time for his immediate and unconditional release;” and

Whereas, The United Nations Decolonization Committee has passed a resolution every year since 2001 calling for López Rivera’s release; and

Whereas, The Congressional Hispanic Caucus recently sent a letter to President Obama urging him to commute López Rivera’s sentence and “grant his immediate release from prison”; and

Whereas, In 2013, Alejandro García Padilla, Governor of Puerto Rico, called on President Obama to commute López Rivera’s prison sentence saying, “We see Mr. López Rivera’s release as an issue that must rise above partisan affiliations and status preferences. It is an issue that touches basic issues of humanity, justice and compassion. It is an issue that relates to principles that you certainly share with us. Thirty-two years in prison for Mr. López Rivera is just enough. I ask - Mr. President - that you exercise your constitutional power of pardon to commute his sentence and grant his release;” and

Whereas, Religious leaders including Metropolitan Archbishop of San Juan, Puerto Rico, Roberto González Nieves, and Reverend Geoffrey A. Black, General Minister and President, United Church of Christ have called for López Rivera’s release; and

Whereas, National labor organizations including the AFL-CIO, AFSCME and SEIU have called for López Rivera to be released; and

Whereas, Supporters have sent tens of thousands of letters to the President calling for López Rivera’s immediate release from prison; and

Whereas, New York City is the home of the largest Puerto Rican community outside of Puerto Rico; and

Whereas, There is overwhelming support in New York City’s Puerto Rican community for López Rivera’s immediate release; and

Whereas, In January of this year, López Rivera celebrated his 72nd birthday; and

Whereas, López Rivera’s official release date is in 2023, when he will be 80 years old; and

Whereas, All of the other men and women sent to prison along with López Rivera have since been released and are leading productive and responsible lives; and

Whereas, López Rivera is a dedicated father, grandfather, friend, decorated war veteran and community activist; and

Whereas, Despite the length of time he has spent in prison and the over 12 years he spent in isolation, López Rivera has not lost his spirit or his profound humanity; and

Whereas, It is time for López Rivera to be set free; now, therefore, be it

Resolved, That the Council calls upon President Obama to grant clemency to Oscar López Rivera so that he is immediately released from prison, as his continued incarceration is unjust and serves no legitimate purpose.

