

Charges reduced, immigrant hopes to stay in US

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HARTFORD, Conn. — An Ecuadorean immigrant facing possible deportation said Wednesday he hopes to be allowed to stay in the United States after a court removed a felony conviction stemming from a clash with a now-disgraced Connecticut police officer.

Edgar Marin, 32, was allowed to plead guilty on Monday to reduced charges related to his encounter with Officer Dennis Spaulding, who was among four East Haven officers arrested in a scandal over police abuse of Latinos.

Marin, a legal U.S. resident, struck a plea agreement in 2011 that led to his conviction on a charge of assaulting an officer. He was sentenced to two years' probation and then, in January, U.S. immigration agents detained him and moved to return him to Ecuador on grounds that he was a convicted felon.

"They never told me this was going to be a consequence," said Marin, who was released on bond from detention last week.

In an effort to prevent deportation, Marin's lawyers said the charges should be reduced, arguing that Spaulding has been discredited by his criminal conviction. Defense lawyer David Forsythe said prosecutors cooperated with the request. On Monday, Marin was allowed to plead guilty to the misdemeanor charge of interference with an officer.

Prosecutors did not respond to requests for comment.

Marin was arrested in June 2011 as police tried to tow his car following an accident. Marin said Spaulding used racially charged language as he blocked Marin from getting tools out of the car. Marin said he tried to stop the car from being towed, Spaulding pushed him and broke his wrist, and it was then that Marin pushed Spaulding. But an attorney for Spaulding said witnesses backed up his account that Marin was the aggressor.

Spaulding, who was arrested by the FBI in January 2012, was sentenced in January to five years in prison for conspiring to violate the constitutional rights of Hispanics, making false arrests and using unreasonable force. Marin was not among those to testify against him at trial.

Frank Riccio, an attorney for Spaulding, said the episode reflected a history of bad blood between his client and the Marin family, including a cousin who testified against Spaulding. Riccio said he understands that a case is weakened when a key witness is convicted of a crime but he said Spaulding would not agree that he was discredited.

Marin, who moved to the U.S. from Ecuador 14 years ago, said that during his six-week detention his 6-year-old son was told that he was away working because he did not want him to know he was behind bars.

His immigration lawyer, Yale Law School student Elliot Friedman, said he hopes deportation proceedings will be stopped at his next hearing on May 6.

“It is morally and legally incorrect for Edgar to be in this position and threatened with deportation,” Friedman said.

http://www.washingtonpost.com/national/charges-reduced-immigrant-hopes-to-stay-in-us/2014/03/19/1e150042-afd2-11e3-b8b3-44b1d1cd4c1f_story.html