

4. In 2005, I ran for the post of Mayor of the City as the Green Party candidate in the general election. On a number of occasions, both black and white members of the community told me that they were afraid to support me. They confessed that, while they wished they could vote for me, they were afraid that their voting was being monitored and that because of this, voting for me might cause them to lose their jobs or public housing.

5. During my campaign for mayor of Albany, I learned that many minorities with criminal convictions in my City did not believe they could vote. I also learned that leaders in my community, including judges and the Board of Elections also did not know what the voting rights of individuals with felony convictions were, and therefore failed to educate relevant individuals. Moreover, Albany County correctional facility officials refused to allow me to instruct prisoners regarding their right to vote, because they believed it would be “too disruptive.”

6. According to a report released by the Justice Policy Institute, blacks’ rate of admission to the prison population in Albany County is 58 times that of whites for drug-related offenses despite the fact that blacks “use and sell drugs at similar rates to whites.” Attached as Exhibit 1 is the report published by the Justice Policy Institute, *The Concentrated Racial Impact of Drug Imprisonment and the Characteristics of Punitive Counties* (December 2007). Given these statistics, and the fact that minorities with felony convictions both inside and outside of prison lack knowledge concerning their right to vote, it is clear that a history of discrimination against the minority community is touching their right to vote.

7. Upon information and belief, the City’s current Police Department has no one of color in its high ranking command staff. In fact, the City has only ever had one black police chief in its entire history.

8. In 1998, the Center for Law and Justice conducted a study into the community/police relations in the City. Surveys of community members revealed very negative opinions about the police department and a general air of mistrust between citizens and their police department. Attached as Exhibit 2 is a true and correct copy of this report.

9. For instance, in 2001, I was part of a committee of community representatives commissioned by the Police Chief to develop an anti-racial profiling policy for use by the City Police Department. Though the committee worked on the policy for nearly a year, it was never publicly announced or supported by the City Police Department. In fact, I have submitted this policy to every police chief, with the exception of current Police Chief Steven Krokoff, to publicly declare their support of the policy, to no avail.

10. The City Police Department also agreed to implement a policy requiring officers to record the race or ethnicity of each person they stopped. I was told by the City Police Department that this data is available, but that it would not be released to the public because the Police Department could not find a good format for its delivery.

11. During the time period from 2005 to 2009 when the City Police Department was led by Police Chief James Tuffey, community discontent was at an all-time high. Police Chief Tuffey was not responsive to the needs and requests of the minority communities. In December 2006, Police Chief Tuffey reorganized the City Police Department to focus on “street crimes” in the minority communities in the City. He closed two popular neighborhood police stations that served as community outreach centers designed to build a relationship between the community and the police department, without any input from the community, and despite the fact that several community organizations had requested involvement to decide the fate of the centers.

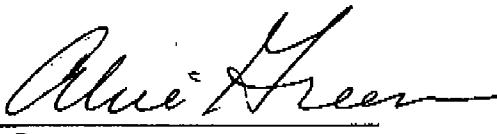
12. By late 2009, the relationship between the minority community and the police department had become severely strained, characterized by a sentiment that Police Chief Tuffey was a “bully,” that his Department had turned away from the community, and that the City’s streets were perceived to be less safe, despite statistical declines in violent crimes. Attached as Exhibit 3 is a true and correct copy of a Times Union article by Jordan Carleo-Evangelist, *Search for Police Boss* (December 1, 2009).

13. On September 1, 2009, Police Chief Tuffey resigned amid allegations that he used a racial slur during a conversation with an assistant chief. Attached as Exhibit 4 is a true and correct copy of a Times Union article concerning the incident and Tuffey’s subsequent resignation by Brendon Lyons and Jordan Carleo-Evangelist, *The Fall of a Police Chief* (Sept. 2, 2009). In particular, Tuffey was accused by fellow police officers who overheard him saying, in the context of the recent murder of a white college student at the University of Albany, “[t]his wasn’t just some spook that was killed.” Attached as Exhibit 5 is a true and correct copy of the letter from Tuffey’s fellow police officers to Mayor Jerry Jennings informing him of the incident.

14. Mayor Jerry Jennings and Police Chief Tuffey are known to be close friends. Mayor Jennings shared ex-Police Chief Tuffey’s agenda of ignoring the minority communities. For example, in 2006, Mayor Jerry Jennings handpicked a 45-member committee called Re-Capitalize Albany, commissioned to study the City’s future. He chose only one black committee member to serve on it until criticism from the minority community led him to add three more black members. At the time, I criticized his actions and noted his “disturbing policy of exclusion directed against African-Americans.” Attached as Exhibit 6 is a true and correct copy of the Times Union article by Brian Nearing, *Council Members Rip Albany Panel* (Jul. 19, 2006).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July __, 2011



Alice Green