

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

ANNE POPE, et al.,

Plaintiffs,

vs.

COUNTY OF ALBANY, et al.,

Defendants.

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No. 11-cv-0736 (LEK) (DRH)

DECLARATION OF CAROLYN MCLAUGHLIN

I, Carolyn McLaughlin, hereby declare the following:

1. I am a black woman over the age of eighteen residing in the City of Albany, New York, where I was also born and raised. I give this declaration based upon personal knowledge.

2. I am currently serving as the Common Council President for the City of Albany (the "City"), a position that I have held since 2009. My career in public service spans 22 years, and includes experience earned in human resources and budgeting. I received a Masters in Public Administration in 1995.

3. In 2009, when I ran for the position of Common Council President, I had been serving as the secretary of the Democratic Committee for three years and as a Council Member to the Albany Common Council for 12 years. Despite my proven experience on the Common Council and dedication to the Democratic Committee, they chose not to endorse me for the position of Common Council President.

4. Without the endorsement of the Democratic Committee, fundraising for the primary election was difficult for me. Many of the potential people I targeted for monetary

support of my campaign would not agree to do so purportedly because I had not been endorsed by the Democratic Committee. Though I was eventually elected to the position of Common Council President, it was not until after winning the primary that I had the support of the Democratic Committee.

5. The Albany Common Council represents the residents of the City of Albany as the legislative body responsible for setting the governing policies for the City. It is the job of the Common Council to work cooperatively with the Mayor and the City administration to ensure that tax dollars are responsibly spent and that all residents have access to the services and programs that make urban living safe, affordable and desirable.

6. As Common Council President, I often attempt to refer qualified minority job applicants to positions within city government. However, very few of my referred applicants ever get the positions they seek.

7. For example, I have referred one of these applicants to several open positions within the General Services Department on different occasions. This individual, a black male who currently works in a seasonal position in the General Services Department, is experienced and highly qualified. I referred him to the Commissioner of the General Services Department, who told me that the applicant has a proven work ethic and that the Department is impressed by his work. Despite his experience and commendable work for the Department, this man has yet to be hired permanently to any of the positions he applied for.

8. The City's leadership positions do not reflect its population. Minorities who work for the City have the lowest paying jobs. Moreover, I have not observed any steps being taken to ensure that minorities in the City have a sufficient opportunity to secure employment.

9. In particular, very few minorities are represented in the City's fire department. This is in spite of a 1997 consent decree seeking to increase the hiring of minorities in the Department. Attached as Exhibit 1 is the 1997 Consent Decree.

10. Upon information and belief, the Fire Department's hiring process consists of ranking candidates who pass several exams, in order of hiring. When positions within the Fire Department open up, individuals from a long list are offered positions on a rank-order basis. Upon information and belief, minority candidates are often at the bottom of this list. Because the exams are re-administered every few years, the list is often "refreshed" before minority candidates at the bottom of this list have an opportunity to be offered a position.

11. I often try to recruit members of the minority community to apply for a position with the City's Fire Department, but am often told by minorities that they are discouraged from applying because of the apparent futility of the process and the City's past hiring precedent.

12. Moreover, many other members of the minority community with whom I have spoken often tell me that they are discouraged from applying to City government positions in general because they do not believe they will be successful, given the City's past hiring precedent.

13. In my experience working in the City government, I have seen how important minority representation in city government is to the minority communities' causes; without minority representation, minorities lack representation from people who are sensitive to the issues concerning their community.

14. The redistricting process conducted by the County of Albany did not take this important fact into consideration.

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

Executed on: July 29, 2011


Carolyn McLaughlin