COORDINATION & REVIEW
CIVIL RIGHTS DIVISION

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U.S. Department of Justice
Civil Rights Division
Coordination and Review Section
Post Office Box 66560
Washington, D.C 20035-6560

December 15, 2000

RE: City of Syracuse, NY TITLE VI VIOLATIONS

The City of Syracuse, New York (Recipient) and Onondaga County apply for and receive Federal and New York State grant funding to support quality of life programs including programs to mitigate sub-standard housing, to reduce/prevent quality of life crime, to reduce/prevent violent crime, to reduce human exposure to lead paint and to subsidize public schools. Both the City of Syracuse and County of Onondaga are therefore subject to Title VI of the 1964 Civil Rights Act.

TITLE VI-1964 CIVIL RIGHTS ACT

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination. Direct discrimination by Federal, State or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious: and it should not be necessary to resort to the courts to prevent each individual violation."

" Most Federal agencies have adopted regulations that prohibit recipients of Federal funds from using criteria or methods of administering their programs that have the effect of subjecting individuals to discrimination based on race, color, or national origin. The Supreme Court has held that such regulations may validly prohibit practices having a disparate impact on protected groups, even if the actions or practices are not intentionally discriminatory."

"Evidence of discriminatory intent may be direct or circumstantial and may be found in various sources, including statements by decision makers, the historical background of the events in issue, the sequences of events leading to the decision in issue, a departure from standard procedure (e.g., failure to consider factors normally considered), legislative or administrative history, (e.g., minutes of meetings), a past history of discriminatory or segregated conduct, and evidence of a substantial disparate impact on a protected group."

"Similar principles may be used to analyze claims that a recipient has engaged in a "pattern or practice" of unlawful discrimination. Such claims are proven by a showing of "more than the mere occurrence or isolated or 'accidental' or sporadic discriminatory acts. The evidence must establish that a pattern of discrimination based on race, color, or national origin was the recipient's "standard operating procedure", the regular rather than the unusual practice. Id. Once the existence of such a discriminatory pattern has been proven, it may be presumed that every disadvantaged member of the protected class was a victim of discrimination, unless the recipient can show that its action was not based on it's discriminatory policy."

- Exhibit 24-Title VI Legal Manual

SEGREGATION, SYRACUSE STYLE

"Syracuse ranked 13th in a national study of the extent to which the poor are segregated from the rest of the population in 100 U.S. metropolitan areas and 4th for the rate at which this segregation is increasing (Abramson et al., 1995)."

- Exhibit 1- Barriers to Home Purchase for African-Americans and Hispanics in Syracuse

The American Heritage Dictionary defines segregation as follows: ***"The act or process of segregating or the condition of being segregated. 2. The policy or practice of separating people of different races, classes, or ethnic groups, as in schools, housing, and public or commercial facilities, especially as a form of discrimination."***

SCOPE & METHODOLOGY

To determine whether the Recipient may have used federal funds to encourage, entrench and subsidize racial discrimination, target census tracts 30, 33, 40 and 41 were analyzed. These census tracts comprise a major portion of Tomorrows Neighborhoods Today (TNT) sector 2 and sector 3 as well as a minor portion of TNT sector 5. While the data presented will deal specifically with census tracts 30, 33, 40 and 41, those census tracts immediately adjacent to the target tracts will also be impacted by conditions within these target census tracts and therefore should be considered to be part of the target tract neighborhood. Those adjacent census tracts would include census tracts 23, 39, 52 and 53.

TARGET NEIGHBORHOOD DEMOGRAPHICS

Poverty is deeply entrenched in Syracuse's target census tracts. Of the 5,971 residents in the target census tracts, 57% or 3,419 residents were considered to be below the poverty level with a $7,825 average median income. African-American persons and Hispanic persons are protected under Title VI (Protected Populations) and represent a disproportionate number of those who reside within the target census tracts. Since Protected Populations are concentrated in these target census tracts and adjacent census tracts, it appears that segregation within the City of Syracuse is as much based on race and national origin as it is based on poverty levels.

- Exhibit 2 - 1990 US Census by census tract
- Exhibit 3 - African-American population within target tracts
- Exhibit 4 – Hispanic population within census tract 40

SYRACUSE NEIGHBORHOOD ANALYSIS

Since 1960, the City of Syracuse has seen a flight to its suburbs as city population has declined by some 50,000 residents while Onondaga County population grew by almost the same number. This mass exodus from the City of Syracuse caused the city to issue almost 1,000 more demolition permits than building permits in the 1990s as the private sector became reluctant to invest in Syracuse real estate, especially in low-income neighborhoods. Disinvestment has taken its toll as 32% of Syracuse housing units are vacant or substandard and that rate rises to 50% in low-income neighborhoods.

- Exhibit 5 – Making Our Neighborhoods an Address of Choice

SYRACUSE NEIGHBORHOOD ANALYSIS Cont.

The Syracuse Maxwell School issued 1997 results of research on the condition of City of Syracuse neighborhoods by census tract and TNT sector. Based on criteria, which included neighborhood appearance, abandoned property and safety, the Maxwell School included census tracts 30, 33, 40 and 41 in their **Top 10 Worst Census Tracts in the City of Syracuse**. Adjacent census tracts 23, 39, 52 and 53 also made the list of **Top 10 Worst Census Tracts in the City of Syracuse**. Eight of Maxwell School's worst census tracts report significant African-American and Hispanic populations. **None of Maxwell's Top 10 Best Census Tracts in the City of Syracuse reported significant minority populations.**

- Exhibit 6- Patterns Across Sections

The U.S. Department of Housing and Urban Development (HUD) offers more insight into the plight of Protected Populations and their disproportionate risk within City of Syracuse neighborhoods as well as strategies to equalize that risk with the following statements:

"Overall 37% of the children under the age of 5 live in poverty in Syracuse (18th highest in the country)."

"The preponderance of Community Development Resources must be devoted to those geographic areas which, based on census information, have the lowest income levels."

"Empower residents so they can carry out their day to day activities without fear of crime and with confidence in the safety and security of their community. Strengthen the practice of Community Policing and create proactive concerned citizen advisory boards.

"If, as expected, 10% of this housing has deteriorated or has peeling interior or exterior lead-based paint, an additional 4,098 Syracuse households have hazardous lead-based paint that poses a health risk to residents.

- Exhibit 7 – Syracuse, NY Consolidated Plan for 1995

The Maxwell School analyzed 1996 City of Syracuse Police "calls for service" and criminal offense records by census tract. Their report concluded that residents of census tracts 41, 33, 30 and 40 were most likely to call for police services and that census tracts 41, 33 and 30 showed the highest levels of criminal offenses. In fact it appears that in 1996 every resident within census tract 41 called for police services over 2 times and that criminal offenses impacted 31% of the residents of census tract 41. Maxwell concluded that income levels alone did not account for the disproportionate risk of crime in the target tracts and adjacent census tracts.

- Exhibit 8 - Syracuse Criminal Offenses and Calls

The Neighborhood Reinvestment Corp. undertook a market study to help identify challenges in distressed City of Syracuse neighborhoods and to develop strategies to reverse the urban decay and disinvestment cycles. In June 2000, they issued their findings in a report entitled The Syracuse Neighborhood Initiative Market Study (SNI). This report validated much of the Maxwell School work and HUD's 1995 Consolidated Plan. SNI drew the following conclusions:

SYRACUSE NEIGHBORHOOD ANALYSIS Cont.

" This housing market decline is more pronounced in inner city areas of Syracuse. Most of the city's abandoned structures are located in these neighborhoods, very few homes there have sold in arm's-length transactions, and our analysis suggests that property values in these neighborhoods may have declined much faster than in the city alone."

"Our analysis suggests that while economic factors are obviously important, they are not enough to explain the observed trends in neighborhood decline."

"From this analysis, three issues emerge as key neighborhood marketing weaknesses: crime, schools and aesthetics."

"Crime. When we asked current residents of the revitalization areas in Syracuse to name what they wanted to change about their neighborhood, crime was the most frequently mentioned issue in four of the neighborhoods. Crime rates for " quality of life" crimes are, in fact, considerably higher in revitalization area neighborhoods than they are citywide."

"Aesthetics. Next to crime, the "look" of the neighborhood was the most frequently mentioned attribute those respondents to our neighborhood survey most wanted to change about where they live. Dirt, trash and overall ragged look to Syracuse neighborhoods may play a strong role in discouraging potential home buyers."

"Schools. School performance data shows that students in the Syracuse School District are much less likely to achieve at grade level than students in neighboring suburban school districts."

"Promote home ownership and work to reduce the predominance of rental housing especially in revitalization area neighborhoods."

- Exhibit 10 – The Syracuse Neighborhood Initiative Market Study

SYRACUSE NEIGHBORHOOD SUMMARY

Available data suggests that low income, Protected Populations who reside, attend public schools, work or recreate within census tracts 30, 33, 40, 41 and adjacent census tracts are being placed at disproportionate risk of personal property loss, personal opportunity loss, personal injury and death. Patterned City of Syracuse practices have served to segregate Protected Populations. Patterned City of Syracuse practices have failed to mitigate the disproportionate risks faced by Protected Populations in Syracuse's highly segregated neighborhoods. Disproportionate risk targeting low income, Protected Populations could be construed as discriminatory and in violation of Title VI of the 1964 Civil Rights Act.

- Exhibit 9 - Quality of Life in Syracuse Low Income /Minority Neighborhoods

PATTERNED CITY OF SYRACUSE PRACTICES

Failure to Encourage Enforcement of Fair Housing Act

HUD's 1995 Consolidated Plan states, ***"There are no current court orders, consent decrees or HUD imposed actions as relates to Fair Housing although there continues to be evidence of unfair housing practices within the community."*** Failure to encourage aggressive enforcement of the Fair Housing Act clearly contributes to the segregation in the Recipients neighborhoods and under-performing schools, which could be construed as discriminatory, and in violation of Title VI.

Diversion of Federal Housing Funding from Protected Population Neighborhoods

HUD provides a map of funded projects by location within minority census tracts. A review of that map within the 1995 Consolidated plan shows a minor concentration of projects within target tracts, but no indication whether the Recipient followed HUD recommendation: ***"The preponderance of Community Development Resources must be devoted to those geographic areas which, based on census information, have the lowest income levels."*** *(Syracuse's target census tract neighborhoods)*. Levels of Federal funding by census tract within the City of Syracuse do not appear to be readily available in published HUD reports. Therefore, Freedom of Information Request FI-312268 has been filed with HUD to determine if the Recipient followed HUD's funding distribution recommendations from a funding level perspective since 1995 and whether HUD performed due diligence on criminal Justice recommendations. If the Recipient failed to follow criminal Justice recommendations and failed to apply disproportionate resources to those at disproportionate risk as HUD recommends, those practices could have the effect of denying benefits to Protected Populations and therefore could be construed as discriminatory under Title VI of the 1964 Civil Rights Act.

- Exhibit 7 – Syracuse, NY Consolidated Plan for 1995
- Exhibit 11 - HUD Project Map by Minority Concentrations

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- Exhibit 7 – Syracuse, NY Consolidated Plan for 1995
- Exhibit 11 - HUD Project Map by Minority Concentrations

Diversion of Federal Housing Funds from Protected Population Neighborhoods

Syracuse Newspaper articles report that significant Federal SNI funds ostensibly targeting urban decay are being diverted from distressed neighborhoods to finance upscale "for profit" downtown apartments. The SNI Market Study recommends that home ownership be promoted and that low-income neighborhoods be favored. If the Recipient continues to fail to apply disproportionate resources toward home ownership and to those low income neighborhoods and Protected Populations at disproportionate risk as SNI recommends that practice could be construed as discriminatory under Title VI of the 1964 Civil Rights Act.

- Exhibit 11A/B-SNI Funding Goes to Upscale "For Profit" Downtown Apartments

Failure to Defend Low Income/Minority Neighborhoods and Protected Populations

A lawsuit filed by The Atlantic States Legal Foundation alleges that Onondaga County failed to consider all viable options before committing to use Federal funding to construct a sewage treatment plant in a low-income residential neighborhood with concentrations of Protected Populations in the vicinity of census tract 41. While the Recipient has opposed the project politically, it has failed to mount an aggressive defense of its Protected Population neighborhood. Clearly, the construction of a sewage treatment plant in a low-income/minority neighborhood could be seen as discriminatory and in violation of Title VI, especially when equally viable options exist.

- Exhibit 12 – Atlantic States Legal Foundation Summer 2000 Newsletter

PATTERNED CITY OF SYRACUSE PRACTICES

Failure to Use Revenues to Mitigate Disproportionate Risk

Forbes Magazine crowned the Recipient, king of corporate welfare, in their May 29, 2000 issue. The Recipient acknowledges some $400 million in annual corporate giveaways and acknowledges that the Recipient will likely "eat" some 40% of the $25 million in federal loans they guarantee. Forbes Magazine alludes to the ***robbing Peter-to-pay-Paul effect***. The Recipients pattern of failure to allocate adequate revenue to mitigate the disproportionate risk of Protected Populations could be construed as discriminatory and therefore in violation of Title VI.

- Exhibit 13 – Forbes, Willis Carrier's Ghost

Failure to Administer Programs Which Could Benefit Protected Populations

HUD recognizes the importance of community policing. The Maxwell School and SNI recognize the need to prevent or reduce quality of life and violent crime. The Federal government recognized the role of community oriented policing (COPS) in preventing or reducing quality of life and violent crime when they launched an initiative, which promised to fund 100,000 COPS by 2000.

The Recipient received $4 million in Federal COPS grants designed to support Community Oriented Policing efforts. In fact, the Recipient received more COPS funding than any other New York State city. In an October 1999 televised interview, Syracuse Police Department (SPD) Chief Falge states that community policing was virtually non-existent during the period when Federal COPS funding flowed to the Recipient. (A copy of video excerpts is available upon request).

In their July 1999 Department of Justice (DOJ) Office of Inspector General (OIG) audit of the City of Syracuse's use of COPS funding, they indicate that the following were serious issues:

- ***"No redeployment/did not document redeployment."***
- ***"Number of budgeted officers decreased below baseline during grant period."***
- ***"Community policing not enhanced/could be improved."***
- ***"Syracuse increased the number of officers performing community policing by only 24 officers, 18 short of the 42 required."***

In addition, the Recipient acknowledges that no specific job description had been developed for SPD community police officers although law enforcement and community policing\crime prevention protocols are inherently different. The SPD fails to recognize that when it comes to those at disproportionate crime risk, crime prevention is of far more value than law enforcement. The Recipients failure to embrace community policing especially as a proven crime prevention methodology had the <u>effect</u> of denying benefits to Protected Populations in high crime neighborhoods and therefore had a disparate impact on Protected Populations, which can be construed as discriminatory and in violation of Title VI.

- Exhibit 14 - DOJ OIG COPS Checklist
- Exhibit 15 - DOJ OIG COPS Executive Summary
- Exhibit 16 - SPD March 21, 2000 Freedom of Information Response

PATTERNED CITY OF SYRACUSE PRACTICES

Police Department Failure to Recruit Protected Populations

Minority officer's account for less than 10% of all Police Officers on the SPD, while Protected Populations account for a considerably larger percentage of citywide population (25%+) and a majority in target and adjacent census tracts. In his October 1999 televised interview, Police Chief Falge implies that an exam excludes many fine minorities from qualifying to serve on the SPD, but offers no means to mitigate the discriminatory impact of that exam. The SPD's failure to hire police officers, who reflect the diversity of the community, diminishes SPD effectiveness and fuels distrust within target and adjacent census tracts, which puts Protected Population at disparate risk and is therefore in violation of Title VI.

- A copy of Police SPD Chief Falge comments is available upon request

Failure to Administer Programs Which Could Benefit Protected Populations

The DOJ made an $860,000 commitment to fund a pilot program designed to reduce juvenile gun violence in Syracuse's target census tracts. In October 2000, the DOJ understandably declined to fund the final program installment, because the Recipient had failed to administer the program in a manner, which produced results. In fact, reports of gunfire within the target tracts were rising and most of the funding had been used to fund salaries of those who had failed to produce results. The Recipients failure to embrace this DOJ Juvenile Gun Violence program, a prevention program, had the effect of denying benefits to Protected Populations in high crime neighborhoods and therefore had a disparate impact on Protected Populations, which can be construed as discriminatory and in violation of Title VI.

- Exhibit 17 - Syracuse Newspaper Account of Failed Gun Violence Program

Failure to Provide Effective Crime Prevention Strategies

The Recipient has administered a patterned series of low impact crime prevention strategies including gun buyback programs, trigger lock programs and Neighborhood Watch Groups. The SPD continues to fail to recognize that preventing a homicide is preferable to making a homicide arrest. The Recipient's commitment to high public relations and low impact strategies has failed to reduce crime rates in target census tracts and therefore expose Protected Populations to disproportionate risk and could, therefore, be construed as a violation of Title VI.

- Exhibit 18 - Syracuse Failed Gun Lock Program
- Exhibit 19 - Syracuse Newspaper Account of Gang Activity

Recent Evidence of Racial Profiling, Racial Bias and Use of Excessive Force

During the past month evidence has begun to surface, which suggests that the Recipient's police department may have engaged in racial profiling and discriminatory employment practices as well as use of excessive force within the target and adjacent census tracts.

- Addendum A - SPD Racial Bias Allegation
- Addendum B - SPD Chief Falge Denies Racial Bias and Racial Profiling
- Addendum C - SPD Officers Kill a Civilian within the Target Census Tract
- Addendum D - SPD Issues 72.7% of Quality of Life Tickets to African-Americans
- Addendum E - There's Racial Profiling Here.

PATTERNED CITY OF SYRACUSE PRACTICES

Crime Containment Strategy

The DOJ Weed and Seed program acknowledges the importance of community policing and that programs are most effective when placed in high and violent crime neighborhoods. In 1996, census tract 41 was the Recipient's highest crime area with all target and adjacent census tracts experiencing excessive crime rates. Protected Populations were clearly at the greatest risk and in need of enhanced crime prevention/law enforcement assistance. And yet the Recipient applied for and received DOJ funding to provide Weed and Seed criminal justice programming for non-minority lower crime census tracts. In fact, while there had been a number of homicides within the target/adjacent census tracts, there had been none within Syracuse's Weed and Seed site in 1997, 1998 or 1999. Additionally, after 4 years of DOJ Weed and Seed programming, results proved either a lack of crime in those census tracts or an ineffective program. Results follow:

103	arrests in 4 years
160	bags of crack cocaine confiscated in 4 years
20	bags of marijuana confiscated in 4 years
5	bags of imitation crack cocaine confiscated in 4 years
1	gun confiscated in 4 years
$7600	cash confiscated in 4 years

It was noted that the Recipient opted to bypass target and adjacent census tracts for Weed and Seed consideration, because it feared that increased law enforcement/crime prevention activity could drive crime to Syracuse's "better" neighborhoods. Clearly, by ignoring those most at risk, the Recipient demonstrates blatant disregard for Title VI.

- Exhibit 20 - Weed and Seed Grantee Activity Report
- Exhibit 21 - Syracuse Newspaper Accounting of Weed and Seed After 4 years

Segregated Public School Failure

The Recipient's Public Schools are highly segregated and fail to prepare students to perform competitively on benchmark tests. What's more, students attending public schools in or near target and adjacent census tracts appear to face significantly more substantial challenges than students in New York State or students in Syracuse citywide or students in schools with similar demographics. Martin Luther King, Blodgett, Shea and Beard are public schools, which serve the target and adjacent census tracts. A March 2000, comparison of student Math and English performance in New York State, Syracuse citywide, the three target census tract neighborhood schools and similar schools, speaks volumes about segregation and discrimination in Syracuse:

Students Below NYS Standards	NYS	Syracuse	King	Blodgett	Shea	Beard
English	52%	69%	92%	96%	86%	100%
Math	33%	51%	86%	83%	97%	100%

In an analysis of Syracuse Public School issues, a well-respected professor indicates that performance problems aren't related to funding levels. The poor performance of the Recipient's public schools, especially in target and adjacent census tracts, put Protected Populations at disparate risk, deny access to higher education opportunities and employment opportunities and therefore violates Title VI.

- Exhibit 22 - Community Benchmark Report
- Exhibit 10- Syracuse Neighborhood Initiative Market Survey
- Exhibit 26- City of Syracuse School District Data

NEW YORK STATE OVERSIGHT RESPONSIBILITY

The State of New York administers the Recipient's pass through Federal funds and therefore has responsibility to insure that the Recipient complies with Title VI. Copies of correspondence asking the New York State Comptroller to review the Recipient's Title VI compliance are enclosed.

- Exhibit 23 - Correspondence to New York State Comptroller
- Exhibit 24- Title VI Legal Manual

SUMMARY OF TITLE VI COMPLAINT

This packet of documents including DOJ Complaint Form, Consent form, Case Summary and Exhibits 1-26 suggest that the Recipient has engaged in patterned practices including but not limited to:

- Failure to Encourage Enforcement of Fair Housing Act
- Diversion of Federal Housing Funding from Protected Population Neighborhoods
- Failure to Defend Low-Income/Minority Neighborhoods and Protected Populations
- Failure to Use Revenues to Mitigate Disparate Risk
- Failure to Administer Programs Which Could Most Benefit Protected Populations
- Failure to Recruit Police Officers from Protected Populations
- Failure to Provide Effective Crime Prevention Strategies
- Recent Evidence of Racial Profiling, Racial Bias and Use of Excessive Force
- Crime Containment Strategy
- Segregated Public School Failure

The presence of any single one of these discriminatory practices may not be of concern, but the presence of **a pattern of discriminatory practices** causes great concern. It is not clear whether it was the intent of the Recipient to discriminate and therefore whether the Recipient's discrimination is criminal in nature. It is clear that Recipient's patterned discriminatory practices expose low-income and Protected Populations to a disproportionate risk of personal property loss, personal opportunity loss, personal injury and death. These patterned practices constitute a form of discrimination, which is prohibited under Title VI of the 1964 Civil Rights Act. Federal funds designated to reduce/prevent crime, educate children and rebuild predominantly African-American and Hispanic neighborhoods within Syracuse, NY including census tract 30, 33, 40, 41 and adjacent census tracts are not being effectively deployed in those low-income, African-American and Hispanic neighborhoods.

SUMMARY OF TITLE VI COMPLAINT

"It is not surprising that there is so little social consensus over the contribution of discrimination to social inequality. As Peter Siegelman notes, blatant Jim Crow discrimination is largely a thing of the past and the current mode of "Have-A-Nice-Day" discrimination is harder to detect, measure, and ultimately counteract." Syracuse's Have-A-Nice-Day discrimination has been detected, measured and now needs to be corrected.

- Exhibit 25- National Report Card on Discrimination

ENC: Complaint Form
Complainant Consent/Release Form
Exhibit Index and Internet Addresses
Exhibits 1-26, 27
Addenda A-E

CC: The Honorable H. Carl McCall, NYS Comptroller
The Honorable Joan Christensen, NYS Assembly
The Honorable Charles Schumer
The Honorable Hillary Clinton
Secretary Andrew Cuomo, United States Department of Housing and Urban Development
One Syracuse Rising

ORIGINAL

U.S. Department of Justice
Civil Rights Division
Coordination and Review Section
OMB No. 1190-0008
Expires: 8/31/2000

COMPLAINT FORM

The purpose of this form is to assist you in filing a complaint with the Coordination and Review Section. You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not the form is used.

1.* State your name and address.

Name:
Address:

Telephone No: Home:

2.* Person(s) discriminated against, if different from above:

Low income persons, African-American persons and Hispanic persons who reside, recreate, work or attend public school in the City of Syracuse, NY within the neighborhoods known as census tracts 30, 33, 40, 41 and adjacent census tracts (23, 39, 52 and 53).

Specific Contacts:

Please explain your relationship to this person(s).

Volunteer work with CURN, Citizens United to Restore Neighborhoods and Atlantic States Legal Foundation. Both organizations are involved with issues, which impact low income and minority persons within census tracts 30, 33, 40, 41 and adjacent census tracts (23, 39, 52 and 53).

3.* Agency and department or program that discriminated:

Name:

The Honorable Roy Bernardi, Mayor and Chief Executive of the City of Syracuse
Syracuse City Hall
Syracuse, NY 13202

Name:

Mr. Vito Sciscoli, Commissioner of Community Development, City of `
Syracuse
Syracuse City Hall
Syracuse, NY 13202

Name:

Mr. John Falge, Police Chief, City of Syracuse
511 South State Street
Syracuse, NY 13202

4A.* Non-employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the department or agency in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female4B.* Employment: Does your complaint concern discrimination in employment by the department or agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female").

A packet of documents enclosed and labeled Exhibits 1-26 suggest that the City of Syracuse may be in violation of Title VI of the Civil Rights Act. Federal funds designated to reduce/prevent crime, educate children and rebuild predominantly African-American and Hispanic neighborhoods within Syracuse, NY including census tract 30, 33, 40, 41 and adjacent census tracts are not being effectively deployed in those low income, African-American and Hispanic neighborhoods. These patterned practices by the City of Syracuse expose low income, African-American and Hispanic persons who reside, attend public schools, work or recreate in those census tracts to a disproportionate risk of personal property loss, personal opportunity loss, personal injury and death. These City of Syracuse patterned practices may constitute a form of discrimination against low-income, African-American and Hispanic persons, which falls under the purview of the Department of Justice Civil Right Division as follows:

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination. Direct discrimination by Federal, State or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious: and it should not be necessary to resort to the courts to prevent each individual violation."

5. What is the most convenient time and place for us to contact you about this complaint?

Weekday Mornings

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Please leave a message on my machine or Email me at
[redacted]

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Are in process of seeking counsel

8.* To your best recollection, on what date(s) did the alleged discrimination take place? Earliest date of discrimination:

Current and ongoing patterned practices from 1990 to today

9. Complaints of discrimination must generally be filed within 180 days of the alleged discrimination. If the most recent date of discrimination, listed above, is more than 180 days ago, you may request a waiver of the filing requirement. If you wish to request a waiver, please explain why you waited until now to file your complaint.

10.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case.)

See case summary and exhibits 1-26 attached

11. The laws we enforce prohibit recipients of Department of Justice funds from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #10), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

Please see exhibit 27 attached

12. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name Address Area Code/Telephone Numbers
Ms. Nancy Wiggs, AVP Chase Manhattan Bank
W:(7162584456)
Ms. Barbara Jones, VP Chase Manhattan Bank
W:(7162587490)
Mr. Joseph Falcone, Weed and Seed Board Member
W:(3154226128)
Mr. Pavan Gupta, Former Weed and Seed Board Member
W:(3154270145)
Mr. Peter Laun, Office of US Attorney Northern New York
W:(3154480672)
Ms. Nancy Kronen, Project Director Syracuse Weed and Seed Partnership
W:(3154741939)

Following our initial meeting and after Chase Manhattan recognized the potential First Amendment issue, Chase Manhattan took no further actions, which could be construed as any form of intimidation or retaliation.

13. Do you have any further information that you think is relevant to our investigation?
Please see Case Summary and EXHIBITS 1-26 attached

14. What remedy are you seeking for the alleged discrimination?
Request that the United States Department of Justice review this pattern of practices within the City of Syracuse (Recipient), which appear to directly and indirectly encourage the segregation of low income persons, African-American persons and Hispanic persons (protected populations) who live, attend public school, work or recreate within census tracts 30, 33, 40, 41 and adjacent census tracts, while exposing these persons to disproportionate risk of personal property loss, personal opportunity lose, personal injury and death and therefore discriminate against these persons in violation of Title VI of the Civil Rights Act of 1964 .

These patterned practices include, but are limited to:

- *Failure to encourage enforcement of Fair Housing Act*
- *Diversion of Federal funds from Syracuse's most distressed neighborhoods*
- *Failure to provide Environmental Justice to protected population*
- *Failure to administer programs which could benefit protected populations*
- *Discriminatory hiring practices*
- *Crime Containment Strategy*
- *Police use of racial profiling*
- *Segregated public school failure*
- *Failure to mitigate disparate risk*

Review the validity of all Recipient data submitted to the Federal government in conjunction with funding requests, which is represented as citizen or resident input to insure that protected populations are fully represented.

Review all relevant records of the Recipient and agents of the Recipient including documented decision patterns and rationale, funding patterns, minutes of meetings, statements of Recipient employees and agents of the Recipient and all other relative material to determine whether the Recipient demonstrated intent to discriminate.

Encourage the Recipient to develop a measurable action plan including specific milestones and a timeline which have the effect of mitigating disproportionate risk at the earliest possible date and provides redress to the aggrieved parties for years of discrimination.

Develop a method of monitoring risk mitigation and redress progress.

15. Have you (or the person discriminated against) filed the same or any other complaints with other offices of the Department of Justice (including the Office of If so, do you remember the Complaint Number? Against what agency and department or program was it filed? *NO*

16. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

NO U.S. Equal Employment Opportunity Commission
NO Federal or State Court
NO Your State or local Human Relations/Rights Commission
NO Grievance or complaint office

17. If you have already filed a charge or complaint with an agency indicated in #16, above, please provide the following information (attach additional pages if necessary):
NA

18. While it is not necessary for you to know about aid that the agency or institution you are filing against receives from the Federal government, if you know of any Department of Justice funds or assistance received by the program or department in which the alleged discrimination occurred, please provide that information below.

The City of Syracuse, its Community Development Department, its Police Department and Schools receive significant federal funding from the Department of Justice, Department of Housing and Urban Development and other federal funding sources. Specifically, the Syracuse Police Department has received $4 million in COPS grants through the Department of Justice and has received a significant portion of the approximately $1 million in Department of Justice Weed and Seed Grant Funding. The Department of Justice has just recently ceased funding a City of Syracuse juvenile gun violence program after investing $559,000 in a program, which targeted census tracts 30, 40, 41 and adjacent census tracts due to the programs inability to produce results. In addition, federal funds have been used to fund block grants, the current Syracuse Neighborhoods Initiative and Syracuse Public Schools.

19.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

[redacted]

20. How did you learn that you could file this complaint? *Internet*
21. If your complaint has already been assigned a DOJ complaint number- *N/A*