



**U.S. DEPARTMENT OF JUSTICE
COMMUNITY RELATIONS SERVICE
Northeast Caribbean Region
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**The City of Geneva, New York
And
African American Community Leaders of Geneva, New York
And
The Human Rights Commission of Geneva, New York**

This Memorandum of Understanding is consistent with the United States Department of Justice, Community Relations Service's (CRS) congressional mandate as detailed in the Civil Rights Act of 1964 (42 U.S.C. §2000g). CRS provides assistance to communities and persons therein in resolving disputes, disagreements or difficulties related to conflicts and tensions based on race, color, and national origin. CRS also works with these parties to help communities prevent and respond more effectively to violent hate crimes committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion, or disability.

This Mediation Agreement is entered into between the City of Geneva, African American community leaders, and the Human Rights Commission of Geneva. City of Geneva officials include the Mayor of Geneva, the City Manager, and the Chief of Police. African American community leaders include the NAACP, the African American Men's Association, Concerned Citizens of Geneva, Courtyard Tenants Association, and representatives of the African American clergy. The parties to this Mediation Agreement met on July 13, 2011, July 20, 2011, August 16, 2011, and August 17, 2011 in a cooperative effort to discuss and develop initiatives that will work toward building a positive relationship between the African American community, the police department, and city officials of Geneva, New York.

Through several meetings, representatives of the City of Geneva, the Human Rights Commission of Geneva, the NAACP, the African American Men's Association, Concerned Citizens of Geneva, Courtyard Tenants Association, and the African American clergy have made proposals directed toward improving interactions between the African American community, the local police department, and city officials for the benefit of all residents of the City of Geneva. These proposals, as outlined in the following Mediation Agreement, hereinafter referred to as the Agreement, are as follows:

The express intent of the parties to this Agreement is to offer a means for improving the relationship between the African American citizens of Geneva, the police department, and city officials. All parties have voluntarily agreed to participate in this Agreement in the spirit of community reconciliation, after requesting the services of CRS.

I. Police Community Relations

1. Development and implementation of a Citizen police academy to educate communities on law enforcement practices and further promote police community relations.

- a. Development of a Citizen Police Academy:
 - i. Partner groups including HRC, NAACP, Courtyard Tenants Association, Concerned Citizens of Geneva, African American Men's Association, and faith-based organizations would each be given priority for assigned slots and asked to recruit participants for each session.
 - ii. The Police Department will develop a curriculum, with the approval of the steering committee.
- b. The police department will develop an outreach program to the community of color for the purpose of recruitment, education, and public relations. Including:
 - i. i.e. Attending meetings of local community groups
 - ii. i.e. Supporting local school sporting events in and out of uniform
 - iii. i.e. Walking the beat and building positive relationships with people of color
 - iv. i.e. Holding "Meet your local Police Department" socials
 - v. i.e. Conducting Ride-Alongs for community members (Particularly the Youth)
- c. The Police Department will evaluate, modify as necessary, and promote its mission statement within the community.

2. Improvement of Citizen Complaint process to include follow through and transparency on part of the Police Department and city officials

- a. A complaint package always be made available at the Police Department and the complaint package can be submitted to any police supervisor.
- b. If a complaint is made, a written response acknowledging the complaint will be issued immediately with a Complaint Report (CR) number.
- c. The Police Department will have a resolution of the complaint or status update within every thirty days.

3. Police Cultural Awareness

- a. Police officers should attend cultural events in the community such as: MLK Day, and a service at an African American Church as a guest of a community leader.
- b. All current and new Geneva police officers participate in an annual multi-cultural training, a positive proactive communication component.
 - i. A portion should be facilitated by racially-diverse facilitators, including local community leaders.

- ii. Including communication skills, customer focus, and responding to incidents without bias.
- iii. The trainings will be approved by the Steering Committee.
- iv. The content of which shall be communicated to the community with opportunities for feedback.

4. Timely police responses on part of the police in African American communities.

- a. It is the expectation of the community that all emergency calls are handled timely and appropriately regardless of location. Community partner groups will identify critical locations and incidents throughout the City where response times have been perceived to be disparate. The City will track response time specific to these locations and report monthly to partners.

5. Increased recruitment efforts for African American police officers to demographically represent the African American community in Geneva.

- a. The City will allocate funds to develop a "Recruitment Team", comprised of designees of the steering committee, to advance diversity efforts in the City of Geneva.
- b. The City will provide Civil Service prep courses and process education. Community partner groups will identify potential candidates.

II. City - Community Engagement

1. Work collaboratively in recruitment efforts of African Americans for civil servant positions to accurately reflect the demographic makeup of the residents of Geneva.

- a. The City will allocate funds to develop a "Recruitment Team," comprised of designees of the steering committee, to advance diversity efforts in the City of Geneva. The Recruitment Team will assist the Human Resources Department in identifying appropriate outlets for information.
- b. The City will provide Civil Service prep courses and process education. Community partner groups will identify potential candidates.
- c. The Steering Committee will work collaboratively and aggressively in recruitment efforts of African-Americans for civil servant positions, appointments to City boards and commissions, internships, and other discretionary hiring opportunities in order to accurately reflect the demographic makeup of the residents of Geneva.
- d. The City will report out to the community the efforts it made for diversity recruitment, as noted above.

2. HRC will develop formal and informal resolution processes to engage community leaders and city officials to better address racial and bias based conflict.

- a. Partner organizations will identify community contacts that merchants can call on prior to contacting police to address issues related to youth. For example, complaints of loitering and littering.
- b. All parties will participate in the development of formal and informal resolution process to better address racial and bias based conflict.
- c. *Community Programs to Alleviate Cultural Tensions (comPACT)*. ComPACT meetings will be developed, organized, and facilitated by the Commission on a monthly and ad hoc basis. Their purpose will be to provide the community of color an ongoing opportunity to discuss their concerns with City officials. Depending on the theme of the particular forum planned the panel of City officials on hand for dialog may include the City Manager, Mayor, Chief of Police, Office of Neighborhood Initiatives Director, and a Ward representative, Director of Personnel, among others. Forum discussions will take place in venues and in a manner that is convenient and accessible to the community.
- d. *One Great City Storytelling Project*. The Commission will actively search for creative ways to more effectively measure and assess the racial and ethnic climate of the City by exploring, in some way, the rich diversity of individual stories that is the Geneva experience. The agency looks to coordinate with other groups and agencies in order to effectively document, in either written, audio, and/or video format, the stories about how we, as a diverse community, interact with each other.
- e. *Healing Circles Project*. The Commission will recruit facilitators with expertise in race/ethnic relations and community engagement techniques to offer a series of Racial Dialogues to individuals and groups who feel they have been either negatively or positively impacted by the racial and ethnic climate of our community. The objective of the project is to provide a broader discussion about issues regarding race, national origin, diversity, feelings of disenfranchisement, and governmental processes-specific to the Geneva experience.

3. Create a steering committee comprised of a representative from the community groups, city, police department and HRC to oversee the implementation of agreed upon action steps.

- a. Each signatory to this agreement will have representation (maximum of 2 per organization) on the steering committee. Strict attendance guidelines for meetings shall be established. If a stakeholder is unable to make a meeting, then a suitable substitute must be recruited by the stakeholder. Steering committee members who do not attend meetings or find suitable substitutes should be replaced.
- b. The Mayor will appoint a Council Liaison to the Steering Committee.
- c. The HRC will provide support services for the Steering Committee.
- d. The Steering Committee will create a mission statement.

III. Voluntary Agreement and Ethics Disclaimer

This agreement is the result of voluntary Agreement between the parties and is not a result of duress, coercion, or undue influence. Nothing in this Agreement should be taken as an admission of wrongdoing by any party and the terms and conditions contained herein are non-contractual and create no independent contractual obligation and/or duties upon any of the parties hereto. It being distinctly understood and agreed that no party to this Agreement shall institute or prosecute any judicial or administrative proceedings of any kind or nature to enforce any of the terms and conditions herein.

IV. Terms of Agreement

All of the aforementioned tenets of this Agreement shall be reviewed after five years from the date of signing. Signatory parties of this Agreement at that time may choose to amend, extend or dissolve the Agreement based on evidence of good faith, mutual compliance and benefits to the residents of the City of Geneva, New York resulting from this relationship.

It is also understood that the parties of this Agreement agree to work in earnest and convene themselves regularly during the term specified to uphold the tenets of the Agreement as described herein.

V. Dispute Resolution

In the event that the parties to this Agreement cannot reach agreement on issues before it, neutral dispute resolution will be sought to resolve their differences. The U.S. Department of Justice, Community Relations Service or other local dispute resolution service might be sought in this regard.

VI. Party and Third Party Rights

Nothing in this Agreement is intended to create, nor shall anything in it be construed as creating, any rights in any third party entity or person that would not exist independently of this Agreement.

VII. Consummation and Ratification

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement as of this Tuesday, September, 6, 2011, and the signatories hereto personally represent that this Mediation Agreement is executed pursuant to legal authorization by the organizations on behalf of which they are signing:

Stu Einstein, Mayor of the City of Geneva

Mathew D. Horn, City Manager

Jeffrey Trickler, Chief of Police

Karen Baer, Human Rights Commission

Lucile Mallard, NAACP

Richard Thomas, African American Men's Association

Patrisha Blue, Concerned Citizens of Geneva

Carol Maxon, Courtyard Tenant Association

Bishop John S. Dixon, St. Paul's Full Gospel Baptist Church

Witnessed By:

**U.S. Department of Justice
Community Relations Service
Conciliation Specialist
Linda Ortiz**