

Community-Police Complaint Mediation Process



Referrals

Complaint filed by citizen; using the web, email or phone call.

Sergeant Review Complaint

- “Any reason this should not go to mediation?”
- Criteria check.
- Will officer benefit? Will the community member benefit?
- Sergeant’s options;
 - resolve by 10-15 minute phone call,
 - talk to the parties & offer mediation,
 - refer directly to CMC,
 - refer to IA for investigation.
- Sergeant checks with lieutenant and gets approval for mediation.
- Send to IA with recommendation.
- Send to CMC within 24 hours.

Referral to CMC

- Contact (email and cell phone) information for officer and his/her direct supervisor, along with scheduled work days, if possible.
- Contact information for complainant.
- Any unusual circumstances?
- Complaint and background information emailed to CMC.

Intake

CMC sends mediation information;

- To the complainant (mail) and officer (email) within 48 hours of receiving the case (Introduction, brochure and card).
- Explain CMC is a nonprofit organization contacting them “on behalf of _” and we’ll call them in two days.

Contacting the Complainant (NO)

- CMC calls the complainant, follow-up on the information which was sent.
- If CMC does not speak to the complainant on the phone we leave a message, explaining that we’re calling on behalf of __ regarding the complaint they filed against officer __, and ask them to give us a call within the next day.
- If we do not get a response within two days we send a second letter explaining that unless we hear from them we will interpret their lack of response as unwillingness to pursue the complaint further.
- If no response, we make one more phone call after three days.
- We wait 3-4 days and close.

Contacting the Complainant (YES)

- Explain CMC, mediation and benefits.
- Get a commitment to mediate.
- Explain we need to talk to officer.

Contacting the Officer

- Explain CMC, mediation and benefits.
- Get a commitment to mediate.

Next Steps

- If complainant fails to respond, we document our attempts in a letter to the referring party and close the mediation option.
- If complainant declines mediation and requests IA investigation, CMC refers back to referring party for review.
- IA evaluates the complaint for severity of alleged officer actions and may refer the case for further investigation or close the case, based upon CMC’s efforts.
- If both complainant and officer agree, goes to mediation.

Mediation

Professional Mediator

- Specifically trained and experienced.
- Accountable and paid.

Mediation Session

- Scheduled conveniently.
- Officer on duty if possible.
- Opportunity to understand each other’s perspectives and actions.
- Ability to honestly and safely discuss the situation that lead to the complaint.
- Confidential.
- “Good faith” participation required.

Outcome

- No required or specified outcomes, such as an apology, a written agreement, etc.
- We daily experience benefits to both the community member and officer of being able to hear, understand and put a “human face” on the other person and their actions.
- Awareness.
- Understanding.
- Sensitivity to another perspective.
- Understanding of police procedures.

Close

- Formal letter to point of contact in the department.
- “Resolved through mediation” for complaint.
- Nothing in personnel file.

Quality Control

- Survey of officer and complainant with quarterly survey reports.
- Ongoing meetings with department.
- Roll calls, etc. as needed.