

Community - Officer Complaint Mediation Process



Referrals

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

Review of Complaint

- “Any reason this should not go to mediation?”
- Criteria check.
- Will the officer benefit?
- Will the community member benefit?
- Reviewing sergeant’s options;
 - resolve by 10-15 minute phone call,
 - talk to the parties & offer mediation,
 - refer directly to mediation,
 - refer to IA for investigation.
- Send to OIM with recommendation.
- Once reviewed by OIM, sent to mediation w/in 24 hours.
- OIM sends “referred to mediation” letter to complainant.
- OIM sends a copy of the complaint to the officer and copies supervisor.

Referral to Mediation

- 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 mediation.

Intake

Contacting the Complainant

- Introductory letter to complainant within 36 hours of receiving the case.
- Call the complainant, follow-up on the information which was sent.
- If not able to speak to the complainant on the phone we leave a message, explaining that we’re calling on behalf of Denver’s Independent Monitor regarding the complaint they filed against officer __, and ask them to give us a call the next day. We will call two more times, attempting to contact the complainant. If we are unable to get a response by leaving a message, we will 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. We will wait an additional 3-4 days and close the case.
- When we speak to the complainant, we will explain mediation, the benefits and opportunities for the complainant and the importance and value for the officer.
- Get a commitment to mediate.
- Explain the process and that we now will be in contact with the officer.

Contacting the Officer(s)

- Send an introductory email.
- Call the officer, explain mediation, value to community member, and benefits.
- Get a commitment to mediate.

Next Steps

- If complainant fails to respond, we document our attempts in a letter to the Independent Monitor & close the mediation option.
- If complainant declines mediation and requests IA investigation, we refer back to IA for review and decision.
- If both complainant and officer agree, goes to mediation.

Mediation

Professional Mediator

- Specifically trained and experienced.
- Accountable to clear expectations.

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 or a written agreement, etc.)
- We regularly 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 Independent Monitor saying the complaint was mediated.
- “Resolved through mediation” in personnel file.

Quality Control

- Survey of officer and complainant.
- Monthly meetings with Independent Monitor and Internal Affairs.
- Twice a year, meeting with key individuals who are responsible for ensuring referrals, support and the success of the program.