



ROCKFORD POLICE DEPARTMENT

GENERAL ORDER

NUMBER: 3.19

TITLE: COMMUNITY MEDIATION PROGRAM

SERIES: 3 - PER

SERIES TITLE: PERSONNEL

TOPICS / REFERENCE: ALTERNATIVES TO CITIZEN COMPLAINT PROCESS

APPENDICES: NONE

ORIGINAL EFFECTIVE / ISSUE DATE: JUNE 09, 2011

DATE OF LAST REVISION: JUNE 13, 2017

THIS ORDER REMAINS IN EFFECT UNTIL REVISED OR RESCINDED

POLICY:

The policy of the Rockford Police Department is to effectively and successfully respond to complaints about the Department or any of its members in a timely manner through the citizen complaint process as set forth in General Order 3.02 Internal Investigations.

PURPOSE:

The purpose of this order is to establish procedures for executing the Department's Community Mediation Program. The intention of the Community Mediation program is to create an additional alternative within the citizen complaint process for responding to select citizen complaints.

These guidelines are not meant to be all-inclusive, since each incident must be dealt with on an individual basis, but are intended as broad guidelines to assist the employees and supervisors involved.

This Order is comprised of the following numbered section:

- I. OBJECTIVE**
- II. PROCEDURES**
- III. MEDIATION PROCESS**
- IV. RESOLUTION**

APPENDICES:

- I. OBJECTIVE:**

- A.** Dispute Resolution Service – To resolve disputes and concerns between complainants and Rockford Police Department employees through the mediation process:
1. Mediation is a voluntary process designed to resolve disputes through negotiation and constructive communication with the assistance of a trained, neutral party, mediator. It is an informal, non-disciplinary and non-adversarial process, agreed to by both the complainant(s) and the specific department personnel the complaint was filed against; and
 2. Goals:
 - a. To increase the satisfaction of community and Department members in the resolution of the public's complaints;
 - b. To foster understanding and open communication between parties in a neutral setting; and
 - c. To promote effective police/community partnerships, and to develop problem-solving opportunities.

II. PROCEDURES:

- A.** The Office of Professional Standards (OPS) will evaluate complaints to determine if they are eligible for mediation. Complaints eligible for mediation will be given a mediation case number (i.e., 00-000M). OPS will evaluate the complaint based upon the case and Department member eligibility, and will confer with the employee's Division Commander:
1. Complaints with the following allegations should be considered for mediation include, but are not limited to:
 - a. Procedure;
 - b. Service;
 - c. Courtesy; and
 - d. Tactics.
 2. Complaints with the following allegations are generally inappropriate for mediation include, but are not limited to:
 - a. Force;
 - b. Arrests;
 - c. Racial Slurs; and
 - d. Criminal Conduct.
- B.** Employee eligibility – All Rockford Police Department personnel are eligible for mediation. In determining eligibility, OPS will consider employee's previous mediations and the nature of the present allegation. Generally, employees may participate in up to three mediations in a calendar year.

III. MEDIATION PROCESS:

- A.** Once a complaint is determined to be eligible for mediation, OPS will contact the department employee, and the Dispute Resolution Service (DRS) will contact the complainant, to determine if both are willing to participate. If so, OPS will forward the intake form to DRS. OPS will contact the Department employee to facilitate the mediation. DRS will contact the complainant to facilitate the mediation. DRS will ensure that professionally trained and experienced mediators are used.
- B.** The scheduling of the mediation will take into account the mediators, complainants and employees' work schedule. Every effort will be made to schedule the mediation during a time convenient for the complainant. Every effort will be made to schedule and complete the mediation within 30 calendar days from the time a case is deemed suitable.
- C.** To ensure neutrality, the mediation will take place at a location other than a police department facility.
- D.** Department members will attend mediation in appropriate business attire, no uniforms shall be worn.
- E.** Once a Department member accepts a date and time for mediation, that member must appear on the scheduled date and time unless he or she received notification of a schedule change from OPS.
- F.** Employees who cannot attend mediation due to an illness or other emergency must notify the OPS as soon as it is evident that they will not be able to appear. If the illness or emergency precludes the employee from making this notification, the employee's supervisor must do so.
- G.** The complainant and the officer will sign the Confidentially Agreement and Consent to Mediate document before the mediation commences.
- H.** Upon concluding a mediation session, the mediator will deliver a Statement of Outcome to OPS, categorizing the resolution as one of the following:
 - 1.** Agreement;
 - 2.** Non-agreement; or
 - 3.** Partial agreement.
- I.** Mediations are confidential.
- J.** There shall be no appeal of the mediation agreement.

IV. RESOLUTION:

- A.** If the citizen complaint is successfully mediated, the complainant will agree to authorize OPS to "officially" withdraw the complaint. The case will then be logged and tracked by the assigned mediation "M" number. Both parties will receive a letter outlining their successful mediation and declaring the issue(s) fully resolved.

- B. The mediation file shall contain the following forms: Complaint Control Form, Confidentiality Agreement, Consent to Mediate Form, and the Statement of Outcome. Mediation files are confidential and governed by the Rockford Police Department. Mediation files will be maintained in Blue Team.
- C. The original complaint will be maintained in OPS.
- D. The confidentiality of mediations shall not preclude the OPS from capturing general statistical information necessary to evaluate the effectiveness of the mediation process.
- E. If a case is successfully mediated, the original complaint will not be used against the officer for any disciplinary purposes, transfers, or promotions.
- F. If a mediation is either unsuccessful, or during the course of the mediation either party requests a formal investigation, the case will be assigned for investigation. If an investigation occurs after mediation is attempted, no party will be permitted to refer to any statements made during the mediation process.

ALL GENERAL ORDERS REMAIN IN EFFECT UNTIL REVISED OR RESCINDED.

ANY MEMBER OF THE DEPARTMENT MAY, BY VIRTUE OF EXPERTISE OR POSITION OF FUNCTION, BE DESIGNATED TO AUTHOR OR PROVIDE SOURCE MATERIAL FOR A WRITTEN DIRECTIVE. THE OVERALL AUTHORITY TO ISSUE, MODIFY OR APPROVE WRITTEN DIRECTIVES IS DESIGNATED TO THE CHIEF OF POLICE.

ALL GENERAL ORDERS ARE SCHEDULED TO BE REVIEWED ANNUALLY BY THE GENERAL ORDER REVIEW COMMITTEE AND WHEN NECESSARY, REVISED OR CANCELED IN ACCORDANCE WITH THE PROCEDURES FOR REVIEWING WRITTEN DIRECTIVES ESTABLISHED IN GENERAL ORDER 1.10 – WRITTEN DIRECTIVES.

ALL NEW AND REVISED GENERAL ORDERS SHALL BE APPROVED BY THE CHIEF OF POLICE BEFORE ISSUE/REISSUE.

ANY EMPLOYEE WITH SUGGESTIONS FOR REVISIONS AND/OR IMPROVEMENTS TO THIS ORDER ARE ENCOURAGED TO SUBMIT THEIR IDEAS TO THEIR RESPECTIVE DISTRICT COMMANDER OR BUREAU CHIEF.

BY ORDER OF

DATE: 06/13/2017

Daniel G. O'Shea
Chief of Police