



ROCKFORD POLICE DEPARTMENT GENERAL ORDER

NUMBER: 30.10

TITLE: Community Mediation Program

SERIES NUMBER: 30

SERIES TITLE / SUBJECT: Personnel Process

TOPICS/ REFERENCE: Benefits, Compensation, Death Benefits, Disability Benefits, Holidays, Insurance, Liability Protection, Overtime, Retirement, Sick Leave, Vacation Leave, Civil Action Notification

APPENDICIES: None

ORIGINAL EFFECTIVE / ISSUE DATE: June 09, 2011

DATE OF LAST REVISION: May 01, 2013

THIS ORDER REMAINS IN EFFECT UNTIL REVISED OR RESCINDED

CALEA STANDARDS:

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 10.03.

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 sections:

- I. OBJECTIVE
- II. PROCEDURES
- III. MEDIATION PROCESS
- IV. RESOLUTION
- V. EFFECTIVE DATE
- VI. REVIEWS, REVISIONS AND CANCELLATIONS

- I. Objective:
 - A. 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 member(s) of the Rockford Police Department.
 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;
 - 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:
 - a. Procedure
 - b. Service
 - c. Courtesy
 - d. Tactics
 2. Complaints with the following allegations are generally inappropriate for mediation:
 - a. Force
 - b. Arrests
 - c. Racial Slurs
 - 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
 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 the Chief's Office for one year, commencing from the date of the mediation, before being removed and destroyed. Mediation resolutions contained in the Personnel Performance Database will be deleted from the database after one year from the date of the mediation.

- C. The original complaint will be maintained in OPS for five years.
 - 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 returned to OPS 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.
 - G. After the mediation program has been in effect for twelve months, OPS with the assistance of the PB&PA President or his designee will evaluate the effectiveness of the program in a written report to the Chief of Police. The report will be based on data collected from complainants, mediators, and police officers that participated in the mediation process.
- V. Effective Date:
- A. The Department's policy on the Community Mediation Program became effective on June 9, 2011.
- VI. Reviews, Revisions and Cancellations:
- A. This General Order will be reviewed annually by the Investigative Commander of Professional Standards and, when necessary, revised or cancelled in accordance with the procedures for reviewing written directives established in General Order *10.01 – Written Directives*.
 - B. This order does not supercede or cancel any previously issued Department policy or procedure.
 - C. Any employee with suggestions for revisions and/or improvements to this order are encouraged to submit their ideas to the Deputy Chief of the Professional Standards.

BY ORDER OF

Chet Epperson
Chief of Police