

City of Cambridge

CIVIC UNITY

In City Council September 24, 2001

COMMITTEE MEMBERS*Councillor Marjorie C. Decker, Chair**Councillor Kathleen L. Born**Councillor Kenneth E. Reeves*

The Civic Unity Committee held a public hearing on Wednesday, July 25, 2001 at 4:15 p. m. in the Ackermann Room.

The purpose of the meeting was to continue discussions on mediation services and resources.

Present at the meeting were Councillor Marjorie Decker, Chair of the Committee, Cathy Hoffman, Director, Peace Commission, Malvina Monteiro, Executive Secretary, Police Review and Advisory Board, Mary Wong, Executive Director, Kids' Council, Paul Schlaver, Director, Consumer Council, Selvin, Chambers, Youth Center Coordinator, Human Services Department and Donna P. Lopez, Deputy City Clerk. Also present at the meeting were Gail Packer, Cynthia Bauman and Jody Sammons, Community Dispute Settlement Center, Susan Michaelson, Public Review and Advisory Board, Carmen S. Negron, Human Rights Commission, Julianne Chatelain, NonViolent Communication, Bill Madsen, Public Conversation Project and Peter Shapiro, Just A Start Mediation for Results.

Councillor Decker opened the meeting and welcomed all attendees. She stated the purpose of the meeting.

Councillor Decker informed the committee that she may have a possible intern in September to begin the data collection of mediation services and agencies. She hoped that a structure would be established for the intern to achieve this goal. Resources could then be used to distribute the data through means such as a booklet, web site or public institutions.

Councillor Decker stated that the American Friends Service Committee made a presentation at the last meeting on Circle Justice. This committee, she said, would like to explore various pilot programs. She would like to have a larger meeting in the fall and present to community leaders the work that has been done by this committee thus far. She asked the attendees if they have any thoughts on the structure for the intern.

Ms. Hoffman stated that the intern should collect the information on what services are accessible. This collection of information should be organized around a series of questions and then the resources could be listed.

Mr. Schlaver stated that the intern could organize the information on the agencies and then categorize by services so that the format looks the same. Then services can be paired with the needs of the community. Mr. Schlaver provided information to the committee on the services and functions of the Consumer Council. (ATTACHMENT A)

In response to a question Councillor Decker stated that the functions of an Office for Constituent Services is still being discussed and it is still unclear. Ms. Wong asked if the Ombudsperson, which this committee spoke about in previous meetings and the Office of Constituent Services are the same. Councillor Decker stated that this is unclear. Ms. Wong suggested that the intern should research models of Ombudspersons. Ms. Monteiro stated that she would provide the committee with copies of Ombudsperson ordinances from other states.

Ms. Chatelain provided the committee with information on the Nonviolence Communication. (ATTACHMENT B). She stated that after the intern gets the data the agencies need to answer what specific needs are being met and who are the "core" people being served. Councillor Decker concurred that an assessment needs to be done on what services exist and what do not exist.

Mr. Shapiro stated that the immediate needs should be larger. The Ombudsperson then the intern should be the goal. The community needs to talk back to the agencies, he said. A person is needed who knows enough about all the services offered by all the agencies. Mr. Shapiro distributed information from his agencies regarding tenants and landlords. (ATTACHMENT C AND D).

Ms. Bauman stated that she hoped that the intern would be able to have stories written about the agencies and their services.

Councillor Decker stated that a Constituent Service Office is different from an Ombudsman. This committee, she said, can do the following:

- Frame the issue
- Identify and frame resources.

There is also the potential to create a campaign to raise public consciousness, she said.

In response to a question by Mr. Madsen about the functions of the Civic Unity Committee, Councillor Decker stated that the Mayor appointed her Chair of the Civic Unity Committee. The definition of civic unity is broad. There were to previous initiatives around race and class. Conflict between the two processes ended both. It was decided that this committee should focus on issues of justice because race and class will be discussed. Mediation came from the discussions around justice. The agencies were then invited to a meeting of the committee.

Ms. Hoffman stated that the committee is trying to redefine the conflict issue in order to establish a city that is welcoming and comfortable to all persons. We are trying to move out of the adversarial role. She stated that the intern should collect the data and the data should be accessible whether there is an Ombudsperson Office or not. This committee should be ongoing to keep the conversation ongoing. Marketing of the data collection is important, she said. We may want to develop a multi-faceted way to resolve conflict by using different methods and agencies. Ms. Packer stated that a multi-door format is needed because it is a multi-level issue. The marketing piece is how do we get the word out to the general public about the services.

Mr. Chambers stated that specific goals need to be defined. Staffing and a time line are needed to get the information out to the public. This all needs to be developed before the intern is hired, he said. He stated his willingness to be utilized as staff.

Ms. Michaelson asked what is the time frame. Councillor Decker responded there is not hard time line, but she would like to have an intern by September. Ms. Michaelson suggested contacting Madeline Harvey of the Policy Analysis Exercise Program at the Kennedy School of Government at 495-0860. This program, she said, will require a defined project by fall to secure a student from the Kennedy School. The project would require completion in April. Ms. Hoffman stated that the Peace Commission could house the intern. Mr. Shapiro stated that this committee could access models, then look at where conflict surfaces and develop a pilot project.

Councillor Decker stated that the first steps would be to:

- Address what services do or do not exist;
- Identify who has access to the services;
- Identify conflict resolution; and
- Formulate a campaign to raise public awareness.

Councillor Decker stated that she could secure city resources in this endeavor.

Ms. Hoffman stated that small steps could be taken. Such steps as training programs. She stated that there is no reason that skills cannot be developed for conflict resolution. Training, she said, could be offered by the city.

Councillor Decker asked for final thoughts from the attendees.

Mr. Madsen suggested using an "Imagining Projects". He provided the committee with a copy of "Imagine South Carolina". (ATTACHMENT E)

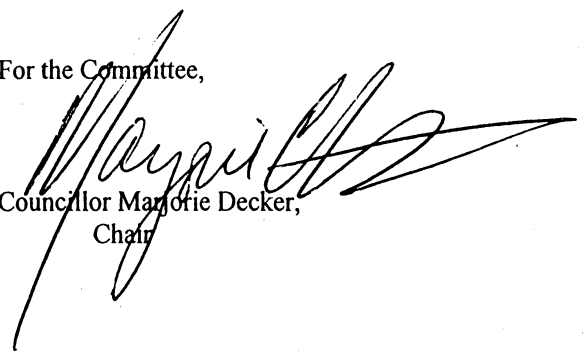
A discussion ensued regarding the Constituent Service/Ombudsperson Office. Ms. Hoffman stated that a Constituent Service position, she feels is different than what this committee is discussing. This committee is focusing on the issue of conflict resolution. The committee may recommend to the City Council that the position requires a person with conflict resolution skills. Ms. Wong asked if the duties of the position have been defined. Councillor Decker responded that the position has not been defined.

Ms. Monteiro provided copies of the following:

Ombudsman Office - Detroit, MI	(ATTACHMENT F)
Community Ombudsman - Boise, Idaho	(ATTACHMENT G)
Recommended training for Police Review Board members by the National Association for the Civilian Oversight of Law Enforcement	(ATTACHMENT H)
Mediation Policy - Minneapolis, MN	(ATTACHMENT I)

Councillor Decker thanked all attendees. The meeting adjourned at 5:45 p. m.

For the Committee,


Councillor Marjorie Decker,
Chair

**Cambridge
Consumers' Council****Memo**

To: Marjorie Decker, Chair Civic Unity Committee
From: Paul J. Schlaver, Exec. Director 
CC: Councillors Kathy Born & Ken Reeves,
Donna Lopez, Assn't. City Clerk
Date: 07/23/01
Re: Consumers' Council and Its Mediation Services

2001 JUL 24 A 10:15
CITY OF CAMBRIDGE
CLERK

I have not been able to attend the series of meetings of your committee, especially the ones dealing with the mediation resources available in Cambridge due to some bad timing with out of town commitments. I have obtained feedback from attendees and read the minutes of those meetings.

The Cambridge Consumers' Council is a free consumer complaint mediation service available to all Cambridge residents as well as to customers from out of state with a conflict regarding a Cambridge business. Half of our funding is from the Attorney General's Office and our complaint resolution services are conducted in procedural accord with the grant requirements set forth by the Attorney General's Office. This office also conducts a consumer education program so as to head off consumer conflicts through self-help empowerment efforts and the preventative medicine of knowledge of one's consumer rights. For over ten years the office has received a small grant through Somerville Cambridge Elder Services to specifically target consumer education and outreach to the city's elderly population.

The attached brochure and the web page offers further description of our services and common complaint issues. The web page is:
<http://www.ci.cambridge.ma.us/~Consumer/>

Unlike other city departments and community agencies with mediation programs, our efforts do not tend to address issues of race, violence, community quality of life, youth issues and the like. Our service is primarily a one-on-one support to an individual in conflict over a specific transaction with a business, such as

an auto repair shop, dry cleaner, credit card company, or other retail store. We do not address disputes a resident might have with a governmental entity but refer those callers to the dispute resolution process each agency might have. We do not address employee/employer conflicts either. Our main legal focuses are consumer protection and consumer rights matters that fall under Mass. General Laws, Chapter 93A, The Consumer Protection Act. In other words, the full-range of contractual and purchase transactions between a consumer and a business. This could involve a tenant and a landlord dispute with the focus on the lease provisions and the return of a security deposit question.

We actively refer consumers to various city agencies such as the Human Rights Commission, the Women' Commission, The Police Review and Advisory Board, and the Commission for Persons with Disabilities. We regularly refer to the Community Dispute Settlement Center, CASLS and other community agencies for appropriate mediation efforts.

Our form of mediation is really a negotiation effort between the parties led by our staff offering settlement suggestions with a recitation of relevant consumer laws over the telephone or in letter/fax/e-mail writings. We do not conduct face-to-face mediation between parties. We do not have enforcement, arbitration or decision-making powers but can exert considerable influence because of our affiliation with the Attorney General's Office.

Both full time staff members, Laura Nichols and myself, Paul Schlaver, are long term Cambridge residents, parents of children that attended Cambridge Public Schools and long term city employees. We both have participated extensively in community efforts and other city boards and commission efforts to address community problems and needs that impact citizens in general. We draw upon our personal experiences as well as the constant interaction with individual consumers through our Council or in group settings during educational workshops to enhance the value of our extra public service efforts.

If the Civic Unity Committee sees a logical role in its work for us as a consumer agency please do not hesitate to seek our involvement and the same goes for Laura and my personal assistance as long-term residents and concerned citizens.

THERE'S MORE...



The Cambridge Consumers' Council participates in many activities directed at educating Cambridge residents about consumer issues.

The Consumers' Council responds to requests for public speaking, including workshops at the Cambridge Senior Center.

On its web page, the Consumers' Council provides the public with access to a vast amount of consumer information, from a consumer quiz to automobile resource links. Visit www.ci.cambridge.ma.us/~Consumer to download a complaint form, read articles on hot consumer issues, or to E-mail the Consumers' Council.

REMEMBER!

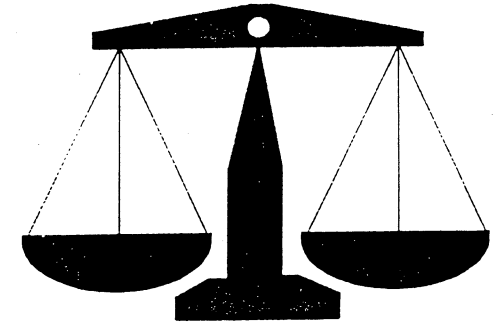


The Cambridge Consumers' Council is just a telephone call away!

To receive a brochure or a consumer complaint form, call (617) 349-6150, Monday - Friday 8:30 A.M. - 5 P.M. The Consumers' Council is located in Central Square at 831 Massachusetts Avenue, Cambridge, MA 02139. Please, be prepared to fill out a complaint form and supply copies of pertinent documents if you want the Consumers' Council to directly intervene in your dispute.

Cambridge Consumers' Council
831 Massachusetts Avenue
Cambridge, MA 02139

CAMBRIDGE CONSUMERS' COUNCIL



Working in cooperation with the
Massachusetts Attorney General's Office

831 Massachusetts Avenue

Cambridge, MA 02139

Tel: (617) 349-6150

TTY: (617) 349-6112

Fax: (617) 349-6148

www.ci.cambridge.ma.us/~Consumer

Paul J. Schlaver
Executive Director

WHO?



The Cambridge Consumers' Council is a division of the City of Cambridge License Commission and works in cooperation with the Massachusetts Attorney General's Office. The Consumers' Council is one of nineteen consumer offices geographically divided throughout Massachusetts. The Consumers' Council has been serving residents of Cambridge since 1980.

The Consumer Advisory Commission, comprised of five Cambridge residents with interest and/or expertise in consumer laws and issues, meets monthly and advises the Consumers' Council. The Consumers' Council also works closely with the Massachusetts Consumers' Coalition, an association of public and private agencies affiliated to promote consumer interests. The Consumers' Council is a member of the National Association of Consumer Agency Administrators (NACAA).

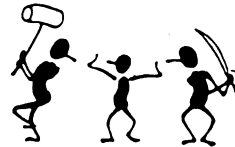
The Consumers' Council serves:

- (a) All residents of Cambridge regardless of where the business is located;
- (b) All customers of businesses in Cambridge regardless of where the consumer lives.

Attention is given to the elderly, people with disabilities, those with language barriers, and all others without regard to income.

The Cambridge Consumers' Council is funded by the City of Cambridge, the Massachusetts Attorney General, and Somerville Cambridge Elder Services (SCES).

WHAT?



The Cambridge Consumers' Council works to investigate and monitor consumer problems and complaints. The Consumers' Council directly intervenes to assist in the resolution of consumer disputes so that neither the consumer nor the business needs to pursue formal legal action.

The Consumers' Council provides consumer information on rights and remedies with a self-help focus. The Consumers' Council also provides direct individual case services when a consumer files a written complaint. The staff of the Consumers' Council directly negotiates with businesses and consumers to reach resolutions that are satisfactory to both parties. When appropriate, the Consumers' Council refers parties to mediation programs, arbitration services, or Small Claims Court.

WHEN?



Consumers should contact the Consumers' Council for a complaint form when they feel that they have been a victim of improper business practices and after they have attempted to resolve the dispute on their own.

Before filing a complaint with the Consumers' Council, a consumer should gather and photocopy all relevant receipts, contracts, correspondences, etc., to attach to the Consumers' Council's complaint form.

Consumers should also call the Consumers' Council with questions about how to write a letter to a business or landlord, requesting an appropriate remedy to a dispute. Consumers may request brochures from the Consumers' Council on issues from landlord/tenant disputes to an array of automobile concerns. Such pamphlets may aid consumers in resolving disputes on their own.

WHY?



Typically, consumers contact the Cambridge Consumers' Council when they experience:

- ❖ Problems with new or used car sales or services
- ❖ Difficulties with home improvement or repair contracts
- ❖ Landlord/tenant conflicts
- ❖ Trouble with credit and collection
- ❖ Issues with returns, cancellations, and defective products
- ❖ Doubts about mail order or door-to-door sales practices.

Consumers often contact the Consumers' Council as a final effort to settle a dispute with a business before taking legal action.

East Coast Workshops ^{ATTACHMENT B} is Nonviolent Communication

with Miki Kashtan, Julie Greene, & Arnina Kashtan

Boston: September 7-9, 2001 (Miki and Julie)

See reverse for details or contact jchat@world.std.com, 617-470-4254

New York City: September 14-16, 2001 (Miki and Arnina)

Contact: mamaofc@aol.com, 212-280-1045

Imagine Connecting with the human spirit in each person in any situation

Imagine Interacting in a way that everyone's needs are equally valued

Imagine Creating organizations and environments responsive to our needs

NVC offers the practical tools to live this vision

Nonviolent Communication (NVC) - a language of compassion, a spiritual practice, a tool for social change. By understanding and acknowledging the human needs that underlie everyone's actions, we can create a shared basis for connection, cooperation, and more globally - peace.

- See the connection between how you think and how you feel
- Connect with your deepest needs
- Understand others instead of reacting
- Speak in ways that are more likely to be really heard by others
- Negotiate difficult situations with more ease and confidence

Friday evening: Introductory evening, donation-based, open to all

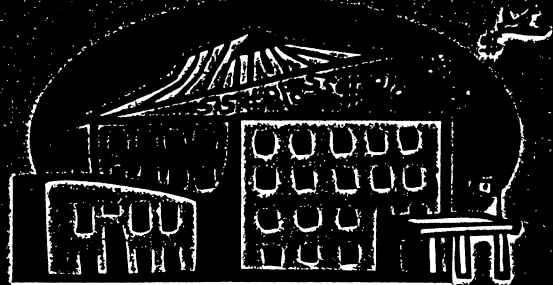
Saturday/Sunday: 2-day workshop for beginners and more experienced people

Sunday only: available to those with prior NVC experience

Requested Cost: both days - \$160 (\$130 before 8/25); one day only - \$90.

Scholarships available; no one turned away for lack of funds.

Miki Kashtan, Julie Greene, & Arnina Kashtan are certified trainers with the Center for Nonviolent Communication (CNVC). Miki is CNVC coordinator for NVC and social change, Julie is CNVC coordinator for the San Francisco Bay Area, and Arnina is senior trainer in Israel. All three conduct workshops and retreats for the public and for organizations.



Most tenants agree that the risk of eviction can make you feel most powerless at the very moment when your power is most needed. Financial and family stability, community support and much more become dangerously threatened. Finding new housing can be overwhelming. There are options when faced with eviction. Avoiding your landlord, however, if your tenancy is unstable can be very risky.

Mediation For Results can help you not only to prevent homelessness now, but to become more stable tomorrow. Although not all tenancies can be saved, we can help you and your landlord find alternatives to eviction while getting you the support needed to secure your housing.

Our clients say it best!

"These folks don't stop at agreements. They help tenants keep their commitments now. That means stable housing tomorrow."

Elena Gomez
Tenant

"Mediation For Results is better than coffee. It gets you going, and in the right direction."

Tanya Quayle Mosquera
Tenant

"Not only did they help me resolve my housing issue, but they stuck with me for months afterwards. This service really made a difference for me!"

Lynette Payne, Tenant

"This new Just A Start Program is an asset to landlords. It provides the necessary resources to manage difficult situations without excessive costs. Every landlord and tenant should take advantage of these exceptional services."

Michael Johnston, Cambridge
Housing Authority (CHA)

Mediation For Results
432 Columbia Street, #12
Cambridge, MA 02141
(617) 497-0222

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving Cambridge, Somerville, Boston, the Mt. Cities, and surrounding communities.



Tenants, do you fear...

becoming overwhelmed facing
the risk of losing your home...

eviction unless you pay your
back rent soon...

a shrinking number of people or
services to help you maintain
your housing...

loss of not only your home but
your sanity unless you do
something now!

ATTACHMENT C

How we can help

Faster

Mediation doesn't mean you give up your legal options. It does mean you can begin to resolve your problem *immediately* without the uncertainty and delays accompanying court procedures.

Cheaper

Due to a grant we've received, we can offer affordable rates for landlords and tenants' mandatory mediation. Certain kinds of Mediation, Mediation, and Eviction. If you are eligible for above-mandatory mediation, you'll find our rates a fair share of your litigation costs.

Better

Sometimes you may find you have no other choice but to go to court. But when mediation you have to rely on the judge making the decision and having your position. It's as you wish to control the resolution yourself. Mediation offers you the chance to talk to your landlord the way you want to.



What you get

Experience: Over ten years mediating landlord/tenant disputes

More than a decade of success mediating a variety of disputes between landlords and tenants has given us the experience necessary to help you choose the most appropriate method for dispute resolution.

Mediation and assisted negotiation

Together, or individually with you and your landlord, we can help you secure, confirm, or enforce agreements with minimum further cost or delay.

Stabilization

Once agreement is reached, we can help all parties to comply. Tenants and landlords can be referred to other services as needed. And we'll stay involved to help with follow-through.

Resources

We have a wide range of information available on programs, services, and educational opportunities for landlords, tenants, property managers, and tenants.

Call us

Mediation For Results

Affordable Solutions to Housing Conflicts

(617) 494-0444



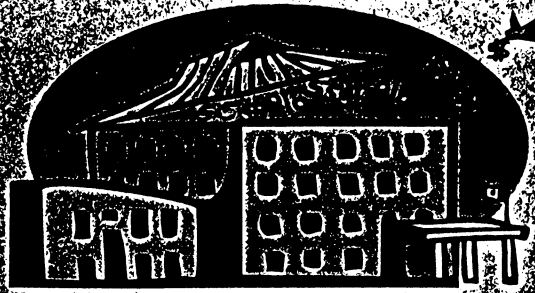
Education, Training and Organizational Consultation

We can help you and the members of your organization assess the overall costs of conflict within your association and then help you design a cost-saving response.



Mediation For Results
432 Columbia Street, 432
Cambridge, MA 02141
(617) 494-0444

More a program of the Asian Corp., a Nonprofit Housing, Community Development and Training Service Corporation serving Cambridge, Somerville, Boston, the Dorchester and surrounding communities.



Tough tenants... a maze of hard-to-understand laws and regulations... a public attitude quick to label landlords "slumlords". These are just a few of the challenges facing today's landlords and property managers. In fact, one housing dispute alone can cost thousands in legal fees in addition to unpaid rent and property damage. The hidden costs of conflict can bring the best landlords to the breaking point.

Mediation For Results can improve your business by reducing the time, cutting the cost and helping you manage the stress of conflict. Professional staff will help you and your tenants explore low cost options for resolving costly and time consuming disputes, freeing your time and energy for other matters.

Our clients say it best!

"Help us manage difficult tenants without further conflict? Make eviction easier, if needed, by helping upfront, before the crisis? At a fraction of lawyers fees? This is what we've been waiting for! Every SPOA member should give them a call."

Lenore Schloming, President
Small Property Owners Association

"This service truly changed my relationship to tenant management. No more tenants draining my savings or peace of mind! Thank you Just A Start!"

Angelo Annacone, Landlord

"Not only did they help me resolve my housing issue, but they stuck with me for months afterwards. This service really made a difference for me!"

Lynne Payne, Tenant

"This new Just A Start Program is an asset to landlords. It provides the necessary resources to manage difficult situations without excessive costs. Every landlord and tenant should take advantage of these exceptional services."

Michael Johnston, Cambridge
Housing Authority (CHA)

Mediation For Results
110 Pleasant Street / 2nd Floor
Malden, MA 02148
(781) 322-9955

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving the Tri-Cities, Cambridge, Somerville, Boston and surrounding communities.



Landlords, are you losing sleep at night...

Because of countless promises to pay the rent, are you losing sleep...

due to a tenant's late night disturbances, are you...

tired of being your tenant's social worker, are you...

afraid you'll lose not only your business, but your sanity unless you do something now!

How we can help

Faster....

Mediation doesn't mean you give up your legal options. It does mean you can begin to resolve your problem *immediately* without the uncertainty and delays accompanying court procedures.

Cheaper....

Due to a grant we've received, we can offer affordable rates for landlords and property managers throughout Cambridge, Malden, Medford, and Everett. If you are outside the above-mentioned communities, you'll find our rates a fraction of your litigation fees.

Better....

Sometimes you may feel you have no other choice but to go to court. But that means you have to rely on the judge making this decision and favoring your position. This



leaves you less control to shape the resolution yourself. Mediation offers you the chance to really get at your interests in a way litigated solutions often can't.

What you get....

Experience: Over ten years mediating landlord / tenant disputes:

More than a decade of success mediating a variety of disputes between landlords and tenants has given us the experience necessary to help you choose the most appropriate method for dispute resolution.

Mediation and assisted negotiation

Together, or individually with you and your tenant(s), we can help you secure court enforceable agreements with minimum further cost or delay.

Stabilization:

Once agreement is reached, we can help all parties to comply. Tenants and landlords can be counseled and referred to services as needed. And then we'll stay involved to help with follow-through.

Referral:

We have a wide range of information available on programs, services, and educational opportunities of use to landlords, property managers and tenants.



Education, Training and Organizational Consultation:

We can help you assess the overall costs of conflict within your organization and then help you design a cost saving response. Our booklet, "A Property Manager's Introduction to Cutting the Costs of Conflict" can be sent to you upon request.



Call us....

Mediation. For Results.

Affordable Solutions to Housing Conflicts.

(781) 322-9955

Mediation. For Results.
110 Pleasant Street / 2nd Floor
Malden, MA 02148
(781) 322-9955

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving the Tri-Cities, Cambridge, Somerville, Boston, and surrounding communities.

LESSONS FROM THE FIELD
APPLYING APPROPRIATIVE
INQUIRY.

SA HAMMOND & C ROYAL
(605.) PRACTICAL PAGES
PLANO, TX.

COMMUNITY APPLICATION



IMAGINE
SOUTH CAROLINA

BY ALEXSANDRA STEWART
AND CATHY ROYAL

Introduction

In the Fall of 1995 we were contacted by an organization who wanted a consultant team to work with them to facilitate what they anticipated would be a highly charged conference on race. Their intention to have a statewide dialogue was intriguing to us for several reasons. One, the client was not an organization in the conventional sense. They would be a designated hosting organization who would pull together a cross section of a southern state with a history of race bias and policies of exclusion. Two, they wanted something that would reach past this polarization to find new ways to talk about race, and the impact of race on economic and community development. And finally, with our suggestion to use Appreciative Inquiry as the process for the Summit, a relationship developed and they were willing to trust and experiment.

Client Description

The client for the inquiry was a statewide non-profit organization created in 1984 to develop innovative community-based partnerships to address South Carolina's social and economic challenges. In ten years it had initiated more than 75 community-based collaborations. These collaborations ranged from providing free primary, preventative medical care to South Carolinians without health insurance, to a toddlers immunization program, to a Voter project which produced 53,000 new voters and the highest voter turnout in the state's history in 1994. The Board of the non-profit organization had come to believe that the single, most significant stumbling block to addressing the state's social and economic problems was the growing polarization of communities along racial lines. In a press release detailing the background of their organization they said they believed that the lack of trust and simple dialogue is so pervasive that community-based strategies to address problems are often doomed from the very start. In 1993 they initiated a statewide program to create opportunities for improving dialogue and friendship among black and white communities' leaders. This program, known as the Carolina Community Forums, existed in 20 of South Carolina's 46 counties. By 1995, each Forum had a membership list of about 200 persons. The Forums and other initiatives are sustained through partnerships with volunteers, churches, businesses, utilities, banks, newspapers and some foundation support.

Client Objectives

Based on their experience with the Forums, the client wanted a broad statewide initiative which would generate a year of public dialogue. The conversation would focus on how South Carolina's communities could transcend long-standing racial divisions to create grassroots projects. They wanted an initiative in which the practical experiences of everyday South Carolinians would drive a broad re-examination of racial differences and the creation of constructive local strategies to address community issues in which race appeared to be a factor. The Director said they wanted a January 1996 Summit which would lead to a series of dialogues in local communities. A major goal was to bring the races together for discussion, to sit down together and get to know each other, and to develop a new way of communicating which would create dialogue on racial issues. The Director, in collaboration with Summit organizers, had identified 20 persons to serve as facilitators for the Summit. As he described his early thoughts, the facilitators, along with corporate and community leaders, would come to Pre-Summit sessions. The Summit itself would take place in one day, a Saturday. He anticipated that 100 - 200 persons would attend the Summit. His plans included conducting a statewide survey on race relations prior to the Summit for additional data to use at the Summit.

Proposal

After extensive dialogue with the director, we proposed training in Appreciative Inquiry for the facilitators and community leaders. The training, some months prior to the Summit, would do two things: provide a cadre of persons trained in AI and develop themes for them to conduct an Appreciative Inquiry (AI) in several regional and local communities. The agenda for the Pre-Summit would be to process the community interviews, identify the themes and create an Inquiry Protocol for the Summit itself. The Summit would be facilitated by the AI trained facilitators with coaching and input from us. To create an affirming statewide climate we proposed working with the Director and spokespersons for the Summit on language for press releases and descriptions of the AI process, as well as on the questions for the survey on race relations.

Rational For The Use Of Appreciative Inquiry

We feel that AI is a natural process for creating dialogue on race relations and communities.

AI is uniquely designed to focus on creative conversation between people. Relationships between Blacks and Whites are often not talked about outside an individual's own racial identity group. We saw AI as a way to bridge this reality and an effective and energizing process for conversation about the parallel histories that emerge from historical and structural race bias. It is these parallel histories that lead to the current realities of Black and White South Carolinians.

AI encourages the sharing of stories, invites creative reflection and stimulates ideas for co-constructed action. The AI approach also allows space for people to name how they envision the best race relations. AI calls for a series of conversations, in this case they would be about relationships across race and ethnicity that are positive, energizing and life enhancing. By talking about collaboration, communities that work and successes that benefit all, without denying the parallel realities, we knew that Summit facilitators and attendees would have an experience that would lead to desired dialogues in regions of the state.

Factors Managed

Funds for early facilitator training, community interviews and Pre-Summit themes identification were not available. The Director, working to juggle a variety of agendas, needed to mount a conference that would include some fairly traditional ideas about activities. These ideas included three panel discussions in the Saturday morning agenda. Thursday evening and Friday would be set aside for Pre-Summit training of facilitators and inclusion of corporate and community leaders. The Governor had scheduled a press conference and dialogue on race relations at the Summit site for 5:30 Friday evening. Anticipated attendance at the Summit had grown to above 400. A challenge was to provide a large number of people with an experience of Appreciative Inquiry along with some theory and an opportunity to feel the difference that intentional choice of language can make – all in a short amount of time.

Preparation

Since we know that the first question, the first interventions are fateful, we focused energy in coaching the Director on the language of AI. We worked with him to incorporate the Imagine South Carolina concept into press releases and the wording of a race relations survey they intended to disseminate. A key was to rephrase questions in ways that would help people look forward and not get stuck in the past. Some of the survey questions were in the traditional, problem focused language. Others were more affirming and AI focused, such as: Is there now, or has there ever been a person of another race whom you would describe as having had a *significant positive impact* on your life? Although slightly lower for Blacks responding, still almost 70% of all respondents reported having a person of another race as a *close personal friend*. Questions also gave respondents an opportunity to describe places where their lives intersect with persons of other races, such as work, church, social events and community organizations.

We gave the Director several articles such as, "Positive Image. Positive Action"¹ (Cooperrider, 1990), as well as other handouts with information about the AI process. Conversations and coaching were primarily by phone and fax. We provided suggestions for the memos and invitations to the Summit. We wrote a one page description, "Appreciative Inquiry/Imagine South Carolina"²

¹ From: S. Srivastva, D. Cooperrider & Associates, *Appreciative Management and Leadership*. San Francisco: Jossey-Bass, 1990. Currently out-of-print

² *Appreciative Inquiry/Imagine South Carolina*. Royal, Cathy, L. and Stewart, Aleksandra K., © 1996

(Royal and Stewart, 1996) which wove the Imagine South Carolina concept throughout the text and served as a briefing about both. This description was included in mailings and in the notebook which was distributed at the various sessions of the Summit.

This attention had several positive results. In many instances, Pre-Summit media stories were favorable, open minded and allowing of more hope than Summit organizers had seen in the past. Some were mixed. One article began: "Imagine South Carolina in perfect racial harmony. Idealistic? Unrealistic? Impossible? Maybe not. An upcoming initiative aims to get the state on that track." The Director began a press conference with a release which began "S. C. Survey reveals 'Rare Moment' for Progress in Race Relations".

One result of the positive media coverage was to increase the number of attendees. Originally, organizers thought about 200 persons might be interested. They developed a list of invitees. They wanted to be as inclusive as possible so their list included traditional designated community leaders as well as informal leaders, from a variety of religious organizations, elected officials and membership organizations such as NAACP and Rotary. People had the opportunity to invite themselves as well. Many people, including the Governor, did ask to be invited to the Summit. The final number in attendance on Saturday was over 500 persons.

Highlights

Beginning with the first evening we opened each session by asking people to think about their passion for the South Carolina community they were most connected to, "the South Carolina of their heart." We varied that somewhat as other groups arrived. Additionally the corporate and community leaders were asked to think of a time within the last two years they had felt most connected to a Black (if they were White), or White (if they were Black) person. They also were asked to think about and share an experience where their community has come together to create a positive response to race matters. One large group activity was to list heroes and "sheroes" significant to them personally and to the story of South Carolina. The range and variety of significant actors in South Carolina's story was impressive.

Participants often saw the history of South Carolina through different lenses. When this happened, we asked them to again imagine South Carolina's future and the reasons they had come together in community. Two of the strongest voices of the Friday afternoon large group dialogue belonged to two powerful men, one Black and one White. They were close in age, and their formative years had been those of the generation of segregated South Carolina of the 1940's and 50's. When given a chance to rethink their images of the future, build on the things they valued and loved about South Carolina, both were able to see the future as possible. Neither had to retract his history, each was able to continue the dialogue with a different focus: the new South Carolina. As much as possible we used the frameworks of

DATE**THURSDAY****TIMEFRAME**

8:00 to 10:00 P.M.

AGENDA

Community Building
(20 persons designated as facilitators)
Appreciative Inquiry/South Carolina

FRIDAY

9:00 to 11:30 A.M.

Theory Base Imagining South Carolina

1:00 to 5:00 P.M.

Inclusion of new community members
(20 facilitators and 40 community leaders)
Stories and parallel realities
Develop questions for Governor

5:30 P.M.

Governor's press conference
(200 persons)

8:00 to 10:00 P.M.

Sense of AI/SC Identify replication focus for Saturday
(60 persons as above)

SATURDAY

9:00 A.M.

Invocation & opening

9:30 to 11:30 A.M.

Three panels
(500 plus persons)
Brief reframing and iteration of themes heard
in each panel

1:30 P.M.

Regional meetings for advancement of
Imagine S. Carolina into every part of SC through
regional networks
(small groups of 15-30 persons)

3:30 P.M.

Mini reports to the larger community

4:00 P.M.

Adjourn

pairs conducting interviews with each other and then joining with 2 – 3 other pairs to create small groups for the identification of common themes. These themes were shared with the larger group. We asked participants to use appreciative language. A Friday afternoon task for the 60 persons present was to develop affirmative questions to ask the governor at the press conference on Friday evening.

Saturday morning our role was to summarize and recast, in appreciative and imaginative language, points made in three panels. Saturday afternoon, the 20 facilitators had the responsibility to provide an AI focus and approach while working in small groups of similar interest or region. The facilitators focused the language appreciatively and put into use what they had learned. They assisted groups to talk about what worked at present in their regions and to make plans for continuing to dialogue after the Summit.

Observations and Conclusions

Persons who attended the Thursday and Friday sessions used language, for the most part, in different ways than those persons who had not had an AI experience. This was particularly evident at the Governor's press conference and dialogue. Pre-Summit attendees posed their questions in a way that invited dialogue and exploration. One Pre-Summit participant said, "Let me think a minute Governor, they told me not to be negative and I want to phrase this question right." Another began his question with, "Governor, I invite you to

imagine with me... Can you do that?"

Other attendees asked questions in a manner that fostered polarization.

One of the persons who opened the Summit Saturday morning used imaginative language to evoke images of communities that work in a variety of ways: "I imagine a South Carolina with all students receiving education that prepares them for life. I imagine a South Carolina where all people are actors in the story of South Carolina. I imagine a South Carolina with homes for all people. I imagine people who hope and trust in tomorrow."

Throughout the day on Saturday, people conversed in hallways, South Carolina media conducted interviews with attendees, as well as observed small group meetings and there was a sense of high energy. A wide variety of persons attended, including several groups of persons under 20 years of age. They formed their own group to discuss the areas that mattered to them. Overall, the ambiance was upbeat and infectious. The language of Appreciative Inquiry and affirmation was having an impact on the conversations throughout the Summit. Some persons did express some concern that nothing "would come of all this" and wondered what differences would result. Four months after the Summit we received an announcement for the first regional committee meeting of the Project on Race Relations to be held in June. Quotes from the Summit were an intrinsic part of their announcement. The mission

of the Regional Committee was stated as:

"Imagine South Carolina is a commitment to creating and sustaining communities that work". Their flyer described Imagine South Carolina as "a starting point in re-focusing civic conversation on the promise of community in our state. Such conversation does not ignore the racial divisions, but seeks to confront and transcend them in ways that heal the fractures of the past and empower a common vision of the future." These descriptions are straight from the language that was developed for the statewide Summit in January.

One year after the Summit, the Governor engaged people in the question about the Confederate flag by proposing that perhaps the flag might more appropriately be moved from the pinnacle of the State capitol and placed in a nearby location. One phrase which had been posed within his hearing at the press-conference had been: *"I imagine a South Carolina where state symbols inspire hope and pride in all its citizens."*

Our Learnings

The care for language and the energy focused on the images we convey is worth more than can be estimated. The time spent assisting people to clarify the positive image which lies under their criticism, or their complaint, and then to describe how things are when the situation is the "way it should" be is invaluable. **A small number of people trained in the AI process do have a great impact on a larger group.**

People know what they want in their communities. AI is a valuable tool and philosophy that supports "participatory community development." It affirms what is currently present in their surroundings and experiences, and helps citizens see what their community can be. When given the time and opportunity ordinary citizens can create the mechanisms and plans necessary for their communities to thrive and inspire hope in the future. When people share what is in their heart, tell the passion that connects them to each other, community is built. The community desired becomes a co-created future, alive in the present, and extraordinary.

ABOUT THE AUTHORS

ALEXSANDRA STEWART grew up in Oregon, finished high school in South Dakota, married, had children and divorced while passing through Germany, Montana and Minnesota. She has been a working single parent, a mom on welfare, and an undergraduate at the University of Minnesota where she received two undergraduate degrees in 1979. Her Masters of Arts from St. Mary's College examined a Multicentric Approach to curriculum development. The development of the ability to be multicentric has informed her work in Diversity Based Management and the courses she teaches at American University for the School of Public Administration and the AU/NTL Masters of Science HRD program. In 1993, she attended the first NTL Appreciative Inquiry Training, Bethel, ME and became an interviewer for the Appreciative Inquiry diversity study for NTL Training Institute. Her focus on the language we use and how it shapes the world we live in, and create, began in her first Spanish class, and has been strongly influenced by attention to inclusive language in her diversity work. In the past five years, this focus has been sharpened by her work with AI constructs and language, as well as thinking about the social constructions of "reality." She is a member of NTL on International Behavior Science organization and a major emphasis of her consulting business is on equity work. In her free time she reads, digs in her Washington D.C. garden, and strategizes on how to travel more for pleasure and to be with grandchildren, nieces and nephews.

For more information, contact:

Alexsandra Stewart

1628 Oak St N.W.

Washington, D.C. 20010

E-Mail address: akspancultural@erols.com

CATHY L ROYAL, PH.D. is the founding president of The Diversity Institute, a not-for-profit international learning community dedicated to research, training and dialogue to promote social and structural equity. She is an organizational development professional with specialties in diversity management, race and gender relations, appreciative inquiry and organizational transformation. Dr. Royal designs and conducts training in each of these areas for corporations, foundations, educational institutions and international agencies and donors. She is a member and trainer for the NTL Institute for Applied Behavioral Science (NTL) and she is the NTL Institute Ken Benne Scholar. She serves as an adjunct faculty member for the American University/NTL Master's Program in Organizational Development. She was on the five-member team that facilitated the United Nations/Mountain Institute Rio Earth Summit. Dr. Royal has conducted training in Africa, Latin America and throughout the United States. She is a contributing author for three books: *Transformational Social Change: Self as Change Agent*, *Visible Now: Blacks in Private Education*, and *NTL Training Handbook* (in press 1998). Dr. Royal's passion is using Appreciative Inquiry to promote structural equality, honor diversity and social justice. She is the recipient of the Fielding Institute Social Justice award. She is the mother of three delightful adult children (gorgeous).

For more information, contact:

Cathy L. Royal, Ph.D.

PO Box 326

Riverdale, MD. 20738-0326

Phone: 800-957-5723

E-Mail address: catroyal@aol.com

APPENDIX A

The following description of AI was written for Imagine South Carolina and has become a staple of our Appreciative Inquiry work. Since 1996, we have further changed the language, and adapted it for a variety of clients including organizational capacity building and excellence in schools.

Appreciative Inquiry Imagine South Carolina

Appreciative inquiry (AI) is a dynamic dialogue. It is designed to focus on creative conversations between people. AI is a process that seeks to bring all voices into a conversation. It involves all levels of a community who work together to co-create a desired future. AI is uniquely intended to discover, understand and foster innovation.

A basic belief of Appreciative Inquiry is that communities and individuals, like plants, are heliotropic; that is they move toward the light. Results from research (placebo studies, the Pygmalion effect studies, positive imagery for athletes) confirm this: positive images create positive futures.

Appreciative Inquiry asks people to tell their stories about their connections with others when they have been at their best. AI enable people to talk about race relations in South Carolina that are affirming (life giving) and equitable. It assists peo-

ple to imagine their communities in more affirming ways. AI assists in envisioning policies, practices and behaviors that promote equity and that enhance the life giving forces in relationships.

AI seeks out the "best of what is" to help ignite the collective imagination of "what might be." The goal is to expand the realm of the possible. People envision a collectively desired future. They carry forth these possibilities in ways that translate intention into reality. Communities create the processes they wish to use in order to put belief into practice.

AI has at its core the belief that communities are affirming and that people in these communities want their neighborhood to thrive and succeed. AI asks people to reflect on selected ideas and dialogue with each other to discover when they and others have been most satisfied with race relations. People describe the factors that give life to their commitment to South Carolina. The dialogue looks for examples, stories, metaphors and anecdotes. Each person helps the other person hear and understand their passion for and connection to equity and race relations in South Carolina.

STEWART ROYAL
IMAGINE SOUTH CAROLINA

Imagine South Carolina is an energizing process for conversation about the present reality and the shared vision for race relations in South Carolina. It helps develop more effective and creative communities that work. The Summit creates space to listen, to engage, and to enhance trust between people of other races. The inquiry encourages the sharing of stories, invites creative reflection and stimulates ideas for co-constructed action. The approach allows space for people to name how they would envision the best race relations and communities.

AI focuses on the generative forces already present in communities. The Imagine South Carolina Summit becomes the seeds for the preferred future. The ideals are grounded in reality. This combination open the status quo to transformation.

ATTACHMENT F

OFFICE OF THE OMBUDSMAN

114 Coleman A. Young Municipal Center

2 Woodward Avenue
Detroit, MI 48226-3413
313.224.6000
313.224.1911(fax)

313.224.6256 (TDD)

Ombudsman@ci.detroit.mi.us

Welcome to the official City of Detroit Office of the Ombudsman Website. This website has been designed to familiarize you, the user, to this office and foster an understanding of the role of the Office of the Ombudsman in City government.

CONFIDENTIALITY WARNING

Please be advised that, because of the nature of the Internet, no electronic communication to the City of Detroit Office of the Ombudsman should ever be regarded as confidential.

Although the Office of the Ombudsman has a strict policy of protecting complainants' identifying information, court orders or other extreme circumstances may require the Office of the Ombudsman to release certain information.

THEREFORE, YOU ARE WARNED THAT THE CITY OF DETROIT OFFICE OF THE OMBUDSMAN CANNOT OFFER ANY GUARANTEE OF CONFIDENTIALITY.

DISCLAIMER

The City of Detroit Office of the Ombudsman Website contains links to other Web sites on the Internet which are not under the control of the City of Detroit Office of the Ombudsman. The Office of the Ombudsman makes no representation concerning the content of these sites, nor should the fact that the Office of the Ombudsman has provided these links serve as an endorsement by the Office of the Ombudsman of any of these sites.

The Office of the Ombudsman is providing these links only as a convenience to visitors of our site who have an interest in information related to the topics presented on this site.

The Office of the Ombudsman does not warrant or make any representations as to the quality, content, accuracy or completeness of the information, graphics, links and other items contained on this server or any other server. Such materials have been compiled from a variety of sources, and are subject to change without notice.

Commercial use of the material or our online services is prohibited without prior specific written permission from the City of Detroit Office of the Ombudsman.

MISSION STATEMENT

The City of Detroit Office of the Ombudsman is an office that:

- Is an independent city agency.

- Evaluates objectively both sides of citizen-government controversies.
- Reports to City Council on issues of significance to the proper functioning of City of Detroit government.
- Provides investigative and informational services regarding the City of Detroit government.
- Listens to the questions and concerns of callers and visitors to the Office, provides information and referrals when appropriate, and offers kindly advice when necessary.
- When appropriate provides public in-depth reports to City Council on significant City of Detroit issues, at the Ombudsman's discretion.

You are visitor number: **1971** **to the Office of the Ombudsman**

CONFIDENTIALITY POLICY STATEMENT

The City of Detroit Office of the Ombudsman maintains a strict policy of complainant confidentiality. That is, with the exception of a direct court order or other extreme circumstances, we will not release the complainant's name, address, or phone number to anyone but the complainant, unless it is appropriate and/or necessary for the operating department to have the complainant's information.

Under certain circumstances, for example, when complaining about a neighbor, the Office of the Ombudsman may inquire if the complainant wishes to keep the complainant's identification anonymous. In other circumstances, for example with narcotics complaints, this Office will assume the complainant wishes to remain anonymous to the operating department.

Under most other circumstances, however, the Office will release the complainant's identification to the operating department unless the complainant specifically requests anonymity.

Please note, releasing the complainant's identification to the operating department does not mean we will release that information to anyone else, in the absence of a court order or specific permission from the complainant.

There are two levels of confidentiality which the complainant may wish to select. A complainant may choose to be fully anonymous which means no name at all is left with this Office, which in turn means that we cannot contact the complainant to assess the status of the complaint, or to get additional information, or to inform the complainant of the outcome of the complaint.

The other level of confidentiality, and the one recommended by this Office, provides that neither the name nor the address or phone number is released to the operating department. The name, address, and phone number is maintained only in the Ombudsman's Office records so that we may communicate further with the complainant.

Please be advised that the Ombudsman's policy of confidentiality is very strict. For example, all staff members of the Ombudsman's Office, including all civil servants, appointees, and contractually employed persons, are required to sign a Confidentiality Agreement which specifies that each staff person is required to honor this policy. Failure to do so may result in disciplinary actions, up to and including termination of employment.

If you have any questions about our confidentiality policy, you may contact the Ombudsman's Office via phone, mail, e-mail, or in person.

City of Detroit Office of the Ombudsman

114 Coleman A. Young Municipal Center

2 Woodward Avenue

Detroit, MI 48226-3413

(313) 224-6000

(313) 224-1911 fax

Ombudsman@ci.detroit.mi.us

The City of Detroit Office of the Ombudsman become operational in November, 1974. Now over 25 years later, the question 'What is an Ombudsman' is asked less frequently.

The importance of this concept is the preservation of the citizen's right "to petition government for redress of grievances" as guaranteed in the First Amendment of the United States Constitution.

WHAT IS IT?

OMBUDSMAN is a Swedish word - translated freely it means "Citizen Defender"- "Grievance Man".

An OMBUDSMAN has been defined as an independent government official who receives complaints against governmental agencies and officials from aggrieved persons; who investigates; and who, if the complaints are justified, makes recommendations and/or reports to remedy the complaints.

AN INDEPENDENT OMBUDSMAN insures that citizen grievances will not be ignored, should they be in conflict with an established policy of the chief executive or other authorities.

WHERE DID IT ORIGINATE?

The ombudsman concept was originated in Sweden by Charles XII in 1713. King Charles, concerned that his monarchy was lethargic and unresponsive to the concerns of the citizenry, appointed a trusted advisor and established the concept, making that advisor the history's first Ombudsman.

The independent Ombudsman concept was established by the Swedish Parliament in 1809, and continues today in this independent form. The two principal factors that determine if an Ombudsman Office is patterned after this independent Swedish concept include: (1), that the office is established by Charter, Constitution or Statute, (2), that the office is empowered to act independent of the appointing authority, and (3) that the office is structurally free from the entities or agencies it is investigating.

WHY IS IT?

Following World War II, there was a rapid growth of governmental institutions. Many complex agencies were established to assume a host of services. The diverse and intricate structure that developed has resulted in citizen confusion as to what governmental jurisdiction has the authority to resolve their problem or provide the needed services.

Vast government bureaucracy at all levels - Federal, State, County, and City - became an impenetrable maze for many citizens, and created the need for establishment of ombudsman offices. An Ombudsman Office both guides the citizens through the maze and resolves justified complaints within the governmental jurisdiction served.

Civil disorders of the 1960's further identified the need for utilization of the ombudsman concept in the United States. The report of the National Advisory Commission on Civil Disorders cited as significant causative factors, "the failure of local political structures to respond to legitimate complaints and the absence of obscurity of official grievance channels."

The ombudsman concept provides the safeguard that every citizen will be provided an avenue to voice his concerns and grievances and permit opportunity for resolution prior to seeking remedy within the costly, cumbersome, and backlogged judicial system.

For standards of the independent Ombudsman concept and other related information, please refer to the ABA link on the Related Ombudsman Sites page.

F.A.Q.

FREQUENTLY ASKED QUESTIONS ABOUT THE CITY OF DETROIT OFFICE OF THE OMBUDSMAN

1. What is the Detroit Ombudsman?

The Detroit Office of the Ombudsman is an independent government official, appointed by the Detroit City Council. The primary responsibility of the Ombudsman is to serve the citizens by seeking to resolve their complaints against departments and City government agencies.

2. How do I contact the City of Detroit Office of the Ombudsman?

You may contact the Office of the Ombudsman any time that you feel you have been treated unfairly by the action of a City department. However, you are encouraged to first attempt to resolve the problem by first contacting the department. Experience has shown that City departments are often genuinely concerned with handling citizen complaints regarding City services. If the response you receive is still inadequate, you may contact the Office of the Ombudsman at:

2 Woodward Avenue

114 Coleman A. Young Municipal Center

Detroit, MI 48226

313.224.6000 General Complaint Line

313.224.1911 Fax

Ombudsman@ci.detroit.mi.us

(see Confidentiality warning on Home Page)

3. What information do I need to file a complaint with the Office of the Ombudsman?

Our staff will need the following information:

- The date, time, location, and nature of the complaint, as well as any other pertinent information
- The name of the City department or agency that is involved, if known.
- The name and telephone numbers of any City employees that you have already discussed the issue with as well as the dates of any conversations, if known.

4. What is the jurisdiction of the Office of the Ombudsman?

Jurisdiction extends to questions about, or problems with, City of Detroit government. The Office has the power to subpoena documents and records necessary to conduct investigations to resolve complaints from most departments. The Office of the Ombudsman can also hold public hearings regarding complaint matters. The Office of the Ombudsman does not have jurisdiction over elected officials, Federal, State or County governmental agencies, courts, libraries, the Detroit Public School system, or private businesses.

5. Is there a charge for the service?

There is no charge for the Office's services. Activities are financed from your tax dollars.

6. Are the services of the Ombudsman Office limited to City of Detroit residents?

No. Any individual or business that has a problem or question about a City of Detroit department may contact the Office of the Ombudsman for assistance.

FUNCTION OF THE DETROIT OFFICE

The Office of the Ombudsman was established to receive, investigate, and seek to resolve all justified citizen complaints against city government including any action, omission, decision, recommendation, practice or procedure of any agency;

To review investigations and hearings of city agencies having subpoena power to determine if the same were conducted fully and fairly;

To recommend change where investigation reveals that modification, addition, or elimination of an act or procedure is warranted;

To establish and perfect complaint investigative procedures and maintain records to determine areas of administrative service failure;

To institute original investigation into areas where compiled data reveals problems of similar or recurring nature;

To provide information and referrals, and recommend alternative action, when citizen complaints do not fall within the jurisdiction of service rendered by the City of Detroit.

GOALS OF THE DETROIT OFFICE

To restore citizen confidence in areas where misunderstanding, error, and omission have abused this confidence.

To investigate areas of inadequate, archaic or inequitable ordinances; discretionary policy not consistently applied; inequitable or inadequate administrative procedures; and ineffective enforcement criteria, and report on the same.

To identify areas of administrative and/or service failure.

To advance innovative and practical recommendations to resolve recurring complaints.

Frequently Requested Numbers

General Information	
<i>City Clerk Citizens Information</i>	224-3270/71
<i>City Hall Central</i>	224-2989
Abandoned/Dangerous Buildings	224-3215
Abandoned Cars-Private Property	224-3212
Abandoned Cars-Street or Alley	<i>Call your local precinct</i>
Animal Control	
<i>Stray Dogs/Dog Bites</i>	224-7128
<i>Dog Licensing</i>	224-7133/32
ATF Hotline	1-800-ATF-GUNS
Block Club Information	224-4276
Building Code Violations	
<i>Residential</i>	224-3105
<i>Commercial</i>	224-3242
Broken Water Mains	267-7401
Bus Service	
<i>Schedules</i>	933-1300
<i>Complaints</i>	935-5026
<i>Senior Citizens Free Fare</i>	224-2989
Citizens Radio Patrols	

<i>To form patrols</i>	596-2520
<i>Financial Assistance</i>	224-3270
City Council	224-3443
Comm. and Creative Services	224-3755
Consumer Affairs	
<i>Information</i>	224-3508
<i>Complaints Center</i>	224-6995
Dead Animals	935-4700
Debris, Weed Removal	
<i>Alleys, Streets, Private Property</i>	935-4700
<i>Parks, Playfields</i>	224-1111
Detroit Institute of Arts	833-7900
Employment Information	
<i>Employment & Training</i>	876-0620
<i>Job Hotline</i>	224-6928
Empowerment Zone Info.	872-8050
Evictions	
<i>(Removal of furniture, etc.)</i>	935-4700
Fire Department Information	
<i>Community Relations</i>	596-2900
<i>Emergency</i>	596-2957
<i>Arson Investigation</i>	911
	596-2940
Garbage Collection & Special Pick-Up	935-4700
Health Department	876-4000

Homeless Intervention Information	877-8045
Housing Commission	877-8000
Human Services Hotline	267-6633
Legal Aid	964-4700
Library Information	833-1000
<i>Tip Information</i>	833-4000
Mayor's Office	224-3400
Medical Emergencies	911
<i>CPR Training</i>	596-1552
MESC	876-5000
Michigan State Police	256-9636
Neighborhood City Halls	224-2989
Office of the Ombudsman	224-6000
Planning & Development Dept.	224-6380
Police Department Information	224-4400
<i>Crime Prevention</i>	596-2520
<i>Emergency</i>	911
<i>Illegal Drug Sales</i>	224-DOPE
<i>Illegal Dumping</i>	224-4775
<i>Office of the Chief Investigator</i>	596-2488
<i>Police Athletic League (PAL)</i>	596-1751
<i>Prisoner Information</i>	267-4602
<i>Telephone Crime Reporting</i>	267-4600
1st Precinct	596-5100
2nd Precinct	596-5200
3rd Precinct	596-5300
4th Precinct	596-5400

5th Precinct	596-5500
6th Precinct	596-5600
7th Precinct	596-5700
8th Precinct	596-5800
9th Precinct	596-5900
10th Precinct	596-1000
11th Precinct	596-1100
12th Precinct	596-1200
13th Precinct	596-1300
Public Lighting Department	
<i>Lights Out</i>	267-7287
<i>Additional Lighting</i>	267-7257
<i>General Information</i>	833-7030
<i>Traffic Signal Out, Wire Down</i>	224-0500
Rats, Rodents	
<i>Public Housing, Commercial</i>	876-4516
<i>Private Homes & Apartments</i>	224-3105
<i>Outside Buildings</i>	935-4700
Recorder's Court Information	224-1150
Recreation Department	224-1100
Senior Citizens Department	224-1000
Sidewalk Repairs	224-3955
Snow Removal & Street Cleaning	935-4700
Street Repairs	935-4700
Suicide Prevention Center	224-7000
Tax Assessment	
<i>Income Tax</i>	224-3035
<i>Property Tax</i>	224-3560



CHAPTER 1

AUTHORITY, MISSION & PHILOSOPHY

1.00 AUTHORITY, MISSION & PHILOSOPHY

1.01 Authority for the Office of the Community Ombudsman

- a. On July 20, 1999, the Boise City Council enacted, by a unanimous vote, City ordinance number 5930. This ordinance added Title 2, Chapter 22, to the Boise City code to establish the Office of the Community Ombudsman specifying duties and responsibilities, requiring confidentiality of records, and authorizing mediation, recommendations, community outreach, and reporting.
- b. The scope of the Community Ombudsman's authority, as specified in the ordinance, extends to any and all law enforcement and police activities or personnel operating under authority of the City of Boise City.
- c. A complete copy of City Ordinance number 5930 may be viewed at the Office of the Community Ombudsman during regular business hours.
- d. A complete copy of City Ordinance number 5930 may be obtained from the Boise City Clerk upon payment of the normal fees required for such public documents.
- e. A complete copy of City Ordinance number 5930 is also available for public access on the internet site maintained by the Boise City Clerk.

1.02 Mission of the Office of the Community Ombudsman

The Office of the Community Ombudsman exists to promote public confidence in the professionalism and accountability of Boise City's police and law enforcement employees through unbiased investigation of citizen complaints, independent review of police actions, thoughtful policy recommendations, and on-going public outreach.

1.03 Operating Philosophy of the Office of the Community Ombudsman

The Ombudsman's operating philosophy consists of the following guiding principles under which we strive to achieve our mission.

- a. We believe in providing equal, fair, and impartial access to the services of the Office of the Community Ombudsman; without regard to age, race, gender, creed, color, nationality, or station in life.

- b. We believe in treating all individuals, regardless of their attitude or demeanor, with the same courtesy, tolerance, sensitivity, and dignity we would expect if placed in a similar situation.
- c. We believe in providing quality, timely, objective, and responsive service to those persons who request the assistance of the Community Ombudsman.
- d. We believe in the empowerment of people to solve problems, provide service, and satisfy the needs of the community, coupled with accountability and responsibility for their conduct.

BY THE COUNCIL:

BAKER, FORNEY, HAUSRATH, MAPP,
TERTELING AND WETHERELL

AN ORDINANCE ADDING TITLE 2, CHAPTER 22, BOISE CITY CODE, TO ESTABLISH THE OFFICE OF COMMUNITY OMBUDSMAN SPECIFYING DUTIES AND RESPONSIBILITIES, REQUIRING CONFIDENTIALITY OF RECORDS, AND AUTHORIZING MEDIATION, RECOMMENDATIONS, COMMUNITY OUTREACH AND REPORTING; APPROVING AN ORDINANCE SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the professionalism and accountability of Boise City law enforcement agencies will be enhanced by establishing an independent investigative and review process by the creation of the Office of Community Ombudsman to receive, investigate and monitor citizen complaints against the police and to provide recommendations regarding improvements to police policies, practices and training; and

WHEREAS, public confidence in the internal investigation process of Boise City law enforcement agencies will be enhanced by establishing an independent investigative and review process.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Title 2, Boise City Code, be and the same is hereby amended by the addition thereto of a new Chapter 22 to read as follows:

2-22-01. Community Ombudsman

There is hereby created an administrative unit of the City to be known as the Office of Community Ombudsman.

2-22-02. Appointment and Removal of Ombudsman

- A) The Community Ombudsman shall be appointed by the Mayor and confirmed by the City Council.
- B) The Community Ombudsman may not be removed from office except for misconduct, inefficiency, incompetence, inability or failure to perform the duties of such office or negligence in the performance of such duties. In such cases that warrant removal from office, said removal shall be accomplished only by a

C) Appeals of Internal Investigation Findings

Any person may file with the Office of Community Ombudsman an appeal of the findings of an internal investigation conducted by the Boise City Police, or other Departments. Upon receipt of such an appeal, the Office of Community Ombudsman shall:

- i) Review the completed investigation.
- ii) Determine whether or not further investigation is warranted and, if necessary, ensure that a timely, thorough, complete, objective and fair follow-up investigation into the complaint or allegation is conducted. This follow-up investigation may, at the discretion of the Community Ombudsman, be conducted by the Office of Community Ombudsman, the Department involved or any other competent investigative agency.
- iii) Provide timely updates on the progress of the review and any follow-up investigation to the complainant and the employee who was the subject of the original investigation, unless the specific facts of the investigation would prohibit such notification.
- iv) Based on the review of the original investigation and the results of any follow-up investigation (if conducted), reach an independent finding as to the facts.
- v) Communicate these findings on a timely basis to the person filing the appeal, the employee who was the subject of the original investigation, and the Chief of Police or relevant department head.

D) Mediation

The Office of Community Ombudsman shall develop an alternative dispute resolution process for resolving those citizen complaints which involves conduct which may most appropriately be corrected or modified through less formal means.

E) Policy Recommendations

The Office of Community Ombudsman shall develop specific recommendations as to the policies, procedures, practices and training of Boise City police and law enforcement employees. Such recommendations should have as their goal improved.

- professionalism,
- safety,
- effectiveness and
- accountability

of Boise City Police and law enforcement employees. The Office of Community Ombudsman may make recommendations to the Chief of Police, Department Heads, the Mayor and/or the City Council as appropriate.

F) Community Outreach

The Office of Community Ombudsman shall develop and maintain a regular program of community outreach and communication for the purpose of listening to and communicating with the citizens of Boise City.

G) Reporting

The Community Ombudsman shall file semi-annual public reports with the City Clerk for transmittal to the City Council and Mayor which shall:

- i) Include a statistical analysis documenting the number of complaints by category, their disposition and any actions taken;
- ii) analyze trends and patterns;
- iii) make recommendations, as appropriate.

The reports shall include all complaints received by the Office of Community Ombudsman and Police and other law enforcement activities of the City.

H) Critical Incidents

In the event that an employee of the Boise Police or the Airport Peace Officers Division of the Aviation and Transportation Departments is involved as a principal, victim, witness or custodial officer, where death or bodily injury results, the Community Ombudsman shall be notified immediately and shall act as an observer to any criminal, administrative or civil investigation conducted by or on behalf of the such Departments. The Office of Community Ombudsman may also conduct an independent administrative investigation into such a critical incident. Critical incidents include but are not limited to situations involving the following:

- i) Use of force or any other Department action that results in death or serious bodily injury. (Serious bodily injury is an injury that results in the subject being admitted to a hospital.)
- ii) Use of Deadly Force where only minor bodily injuries occur.
- iii) Intentional use of Deadly Force but no injury occurs (excluding animals).
- iv) Vehicle pursuits, roadblocks or intercepts resulting in death or serious bodily injury.

- v) Police employee involved in a traffic accident resulting in death or serious bodily injury, while operating a city vehicle or a private vehicle while on City business.

2-22-05. Confidentiality of Records and Information

The Office of Community Ombudsman shall comply with all state and federal laws requiring the confidentiality of law enforcement records, information, and confidential personnel records; and respect the privacy of all individuals involved.

2-22-06. Relationship Between the Office of Community Ombudsman and Boise City Police and Other Departments

- A) The Chief of Police and all Department Heads with employees who perform law enforcement duties shall each, jointly with the Community Ombudsman, develop standard operating procedures to govern the relationship and flow of communication and work products between the Office of Community Ombudsman and each of their respective departments.
- B) The Office of Community Ombudsman is to be given full, unrestricted and complete access to any and all information, files, evidence or other material which the Community Ombudsman shall deem necessary in the performance of the duties specified and responsibilities set forth in this chapter.
- C) The Office of Community Ombudsman is to provide the appropriate Chief or Department Head with timely notification of complaints, investigations, appeals and findings and with such information and cooperation as is appropriate and necessary.

2-22-07. Cooperation with the Office of Community Ombudsman

- A) All City employees shall be required as a condition of their employment to cooperate fully and truthfully with the Office of Community Ombudsman operating within the course and scope of this chapter, by providing the Office of Community Ombudsman with any and all information, evidence, interviews, or other material as requested.
- B) No person shall directly or indirectly force, or by any threats to person or property, or in any manner wilfully intimidate, influence, impede, deter, threaten, harass, obstruct or prevent, another person, including a child, from freely, fully and truthfully cooperating with the Office of Community Ombudsman.

2-22-8. Independence of the Community Ombudsman

- A) The Community Ombudsman and any employee of the Office of Community Ombudsman shall, at all times, be totally independent. Any investigations, findings, recommendations and requests made by the Office of Community Ombudsman shall reflect the views of the Office of Community Ombudsman alone.
- B) No person shall attempt to unduly influence or undermine the independence of the Community Ombudsman or any employee of the Office of Community Ombudsman in the performance of the duties and responsibilities set forth in this Chapter.

2-22-9. False Reports

The Office of Community Ombudsman shall have the discretion to decline further action on a complaint filed with the Office of Community Ombudsman if it is found that there is a reasonable belief that the alleged acts of misconduct in the complaint are false and that the person(s) filing the complaint knew them to be false at the time the complaint was filed.

Section 2. That the summary of this Ordinance, attached hereto as Exhibit "A" is approved as to both form and content.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the Council of the City of Boise, Idaho, this 20th day of July, 1999.

APPROVED by the Mayor of the City of Boise, Idaho, this 20th day of July, 1999.

ATTEST:

APPROVED:

Signed _____
CITY CLERK

Signed _____
MAYOR

Recommended Training for New Civilian Oversight Board

Require

30 hours structured training in the following topics; and
20 hours reading materials read by the Board Members to prepare for training.

No case monitoring should begin until training is complete the Executive Director is comfortable that the Board is competent to review cases.

Possible Schedule:

Day 1: 6 hours training

2 Hours:

Riverside's Establishment of Civilian Oversight

History of Local Issues That Led to the Establishment of Oversight

Constitutional and Civil Rights Issues of Citizens; Reducing Taxpayer Liability for Police Errors/ Misconduct

Presenters: Don Williams and

History: Locals who worked on oversight establishment

Constitutional & Civil Rights: ACLU spokesperson

Liability Reduction: Merrick Bobb, Los Angeles

4 hours:

Two Panels: Dialogues between Panelists & New Board Members

1. What the Riverside Community Groups Expect from Riverside's Oversight Process

Panelists should reflect the Leadership of Riverside's diverse community in the Riverside (Anglos; Black, Hispanic and Asian Leaders; Youth, Gender balance; immigrant issues; Faith communities; UCR/ RCC; Media; ACLU, other. . .)

2. What local Government Officials Expect from the City's Oversight Process: Panelists Could Include Mayor, City Manager, City Council, Grand Jury, Police Management, City Risk Administrator; Presiding Judge; County Officials such as CAO, Sheriff; Federal Officials such as US Attorney/ Civil Right's Department Spokesperson and/or FBI spokesperson to address what federal oversight is ongoing or anticipated, what fed "pattern and Practice" investigations mean.

Day 2: 4 hours

2 hours:

Models of Civilian Oversight in the US, in California; Riverside's Model

: Possible presenters: Sam Walker (U of Omaha); Sue Quinn (San Diego); Don Casimere (Sacramento)

2 hours:

California Local Government: Public Records & Public Meetings Laws

Obtain *Ralph M. Brown Act: Attorney General's Guide* at

http://www.cfac.org/Law/BrownAct/AGuide/ag_guide/segment_2.html

Riverside's City Government & City Charter

Instruct Board to read the Brown Act Guide prior to the training (assume 2 hours reading);

Have City Atty conduct training.

Day 3: 8 hours

Management and Supervision of Police: Polices, Practices and Operations,
Police Hiring, Training,

Investigations of Police Officer Behavior/ Misconduct; Progressive Discipline

Officer Responsibilities: California Peace Officers, 830 et seq PC

Officer Rights: Peace Officer Bill of Rights; The POA and PORAC

Instruct Board to read Department documents prior to training (assume 6 hours reading);

Trainers/ Presenters: Riverside Police Department & POA

Day 4-6:

12 hours Review Board Operations & Monitoring Investigations

Day 4

1 ½ hours Riverside Oversight Board's Ordinance; Rules and Regulations; Basic Concepts in Oversight;

Use Riverside Ordinance, Rules & Regulations, NACOLE 1999 Training Document, *Investigation, Monitoring and Review of Complaints: Practitioner's Guidelines*. Instruct Board Members to ready materials prior to training (assume 4 hours reading).

Presenter: Don Williams

4 ½ hours Monitor Internal Investigations
Require Board Members read *Investigative Procedures and Guidelines* Manual from San Jose prior to training; require reading of any similar manual Riverside Police have. (Assess availability and adequacy of any similar Riverside manual so you can train Board accordingly; if there isn't such a manual, assess recommending one.) Assume 6 hours reading.

Recommended Trainers: Teresa Guerrero-Daley, San Jose Independent Police Auditor; Judge-Elect Katherine Mader (First Inspector General, Los Angeles Police Commission)

Days 5: 3 hours:
Practice Cases: Give Board 2 Sample Cases consisting of Complaint/Officers' Statements/ One witness statement/ governing Policies & procedures. Assume 1 hour reading before meeting.

Presenter/ facilitator: Don Williams

Days 6: 3 hours:
Practice Case: Give Board 2 more difficult Sample Cases consisting of Complaint/Officers' Statements/ Witness statements/ Other evidence/ policies & procedures. Assume 1 hour reading before meeting.

Presenter/ facilitator: Don Williams

Ongoing Training Recommendation:

Board Members be invited to attend any Riverside Police Academy classes, and urged to attend classes that address issues in the complaint caseload, such as force application; communications; dealing with mentally ill.

2-4 RideAlongs Annually

Board Members receive as much training from outside the department as from within the department.

Schedule Trainings at Board Meetings



MEDIATION

An Alternative

Table of Contents

Minneapolis Civilian Police Review Authority Administrative Rules regarding Mediation.....	1
Successful Mediations - Three Case Studies	4
Minneapolis Police Federation Endorsement	7
Mediation Referral Letters to Complainant, Officer and MMP	8
Agreement to Mediate.....	11
MMP Summary and Agreement	12
Letter to Chief Regarding Successful Mediation.....	13

██████████
Minneapolis Civilian Police
Review Authority ██████████

**Administrative
RULES**

██████████ Approved by the Board of Directors of the
Minneapolis Civilian Review Authority

Wednesday, October 31, 1990
██

5.0 **Mediation**

5.11 The Authority shall inform all Complainants and Officers of the possibility of mediation as an alternative to the Authority's processes. Mediation is an informal process, held before a neutral third party, attended by the Complainant and the Officer for the purpose of fully, thoroughly, and frankly discussing the alleged misconduct and attempting to arrive at a mutually agreeable resolution of the Complaint.

5.12 In cases in which the Executive Director decides not to dismiss the complaint, he/she may decide that the case is appropriate for mediation.

5.13 The Executive Director shall inform the Chief of this decision to proceed to mediation.

5.14 Mediation shall not be available to an Officer who has participated in mediation, under the auspices of the Authority, for a serious similar misconduct allegation or a similar misconduct allegation within the previous 12 months.

5.15 This determination shall be communicated to the Complainant and the Officer. Both the Complainant and the Officer must agree to mediation, within ten (10) days of receiving notice of the Executive Director's referral to mediation, for it to proceed, otherwise, the case shall be referred to investigation.

5.16 If the Complainant and the Officer agree, the Authority shall schedule a mediation session at the earliest convenient time. Written notice of the time, date and location of the first mediation session shall be provided each party.

5.17 The mediation session(s) will consist of the Complainant, the Officer, and the Mediator. In the case of a minor, a parent or legal guardian must be present. In the case of a vulnerable adult, a family member, conservator or legal guardian must be present. If an interpreter is requested, arrangements will be made to have one present upon request by either party. No other person may be present. No record of the proceeding will be taken.

5.18 Procedures and guidelines for mediation will be established at the beginning of the mediation process through agreement of all participants.

5.19 The mediation session(s) will continue as long as the mediator and the parties feel progress is being made in the resolution of the issues. The mediation process shall terminate when either party announces its unwillingness to continue mediation or when the parties sign an agreement setting forth the resolution of the disputed issue(s).

5.20 However, in no case shall the time for mediation extend beyond thirty (30) days from the date the Authority has received notice of willingness to participate in mediation from both the Complainant and the Officer. In order to facilitate and encourage mediation, the Authority time limitations and deadlines will be tolled during mediation.

5.21 The Authority or its designated agent shall monitor the mediation process and the

implementation of a mediation agreement. If one party fails to abide by this agreement, the aggrieved party may pursue a hearing before the Authority.

5.22 No record will be made of the mediation proceedings, and no information discussed will be used in subsequent proceedings. (Minn. Stat. §595.02, Subd. 1(k) (1989)).

5.23 A copy of the mediation agreement will not be sent to the Chief.

Successful Mediation

Case Study No. 1

Complaint: Excessive Force, Inappropriate Language/Conduct

Minneapolis narcotics officers raided the complainant's apartment looking for a drug dealer. The drug dealer, who also was the apartment manager, had used complainant's apartment to sell drugs when the complainant and her family were not home. This search was conducted at night with a no-knock entry with shotguns and strong language. At the time of the raid, the complainant was on her way home from work. Her three children, ages 15, 9 and 6 were home at the time. The raid terrified the children and caused them to have nightmares about the police.

The complainant filed a complaint with the MCPRA and requested that her case be mediated. The sergeant in charge of the raid agreed to mediate. During the mediation, the sergeant apologized for the incident and also explained police policy and procedure as it relates to drug raids. As part of the mediation agreement, the sergeant agreed to meet with the children to explain what happened and to apologize to them. The meeting with the children was successful. The 15-year old boy and the sergeant got along so well that the boy went on a police ride-along. As a result of the ride-along, the boy is planning a career in law enforcement.

Successful Mediation
Case Study No. 2
Complaint: Inappropriate Conduct

The complainant had contact with a Minneapolis police officer at a local casino. The officer was off-duty and in plainclothes. As the officer was leaving a blackjack table, he said, "I don't need to play with these rocket scientists." The complainant, seated at the table and not knowing the identify of the officer said, "It isn't our fault you played with your head up your ass."

At that point the officer flashed his badge and stated, "You can't talk to me like that. I'm a Minneapolis police officer," and threatened the complainant with arrest. The officer then insisted that the employees of the casino eject the complainant. The complainant believed that the officer used his badge to get the casino employees to comply with his wishes.

During the mediation, the complainant and the officer apologized to one another and later went out for coffee. According to the officer, this incident was a wake-up call regarding his career. He evaluated his behavior at the casino and decided to make changes in the direction of his career. He is now a lieutenant.

Successful Mediation

Case Study No. 3

Complaint: Discrimination/Inappropriate Language and Conduct

The complainant, a gay man, was involved in a traffic stop with a Minneapolis police officer. When the complainant questioned the officer about the stop, it was alleged that the officer became verbally abusive and discriminated against the complainant by making comments such as, "You people," "We don't need your kind here" and "Stay out of Minneapolis, you f----- deviant."

During the mediation the officer apologized to the complainant and explained that he had been on a homicide of a child call just prior to the stop. The officer also agreed to take additional diversity training, attend a gay pride event and talk to an employee assistance counselor about dealing with stress.

CRA MEDIATION: Is It the Way to Go?

By Bruce Johnson, Editor

mediate: to act as an intermediary (as in settling a dispute)

Since coming on board as a Federation Director and having the opportunity of representing several officers at Civilian Review, I would like to explain my position on the mediation aspect of the CRA.

First of all, if any officer has the opportunity to proceed with mediation, by all means do it. My reasoning for this is simple. We as police officers are in the "people" talking business and we should be able to sit down with anyone and explain why we do what we do and did what we did.

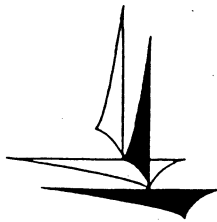
The CRA mediation process provides the complainant and the offi-

cer to sit down with each other and discuss the incident. A Mediator will also be present. No other person may be present and no record of the proceeding will be taken.

Also no record of the mediation proceedings will be made and no information discussed will be used in subsequent proceedings. Lastly, no record of the mediation will be sent to the Chief. Keep in mind, however, that if the mediation does not satisfy the complainant, the investigative process will continue. I have only heard of three mediation cases ending up back in that process as of this date.

So is mediation the way to go? Absolutely. If you have any questions about this process I will be more than gladly to go over the entire procedure with you.

SHOW UP Minneapolis Police Federation Aug 1998



City of Minneapolis

Civilian Police Review Authority

400 South 4th Street - Room 1004
Minneapolis MN 55415-1424

Office (612) 370-3800
Fax 370-3846
TTY 673-2157

May 9, 2001

RE: File No.

Dear :

Under Rule 5 of our Administrative Rules, I have determined that this complaint is appropriate for mediation.

Mediation is an informal process, held before a neutral third party, attended by the Complainant and the Officer, for the purpose of fully, thoroughly, and frankly discussing the alleged misconduct and attempting to arrive at a mutually agreed-upon resolution of the complaint. It is an alternative to a full investigation by our office and a possible adversarial hearing.

The mediation process is confidential. What is said in mediation remains between the Officer(s), the Complainant(s), and the Mediators. It will not be used in later investigation, or in any hearing. If an agreement is reached through mediation, all references to the complaint will be removed from the records of the Police Department.

Within ten (10) days of this letter, please call the Minneapolis Mediation Program (MMP) to let the MMP know if you will agree to participate. Their number is 359-9883. If the other party to this case also agrees to participate, the MMP will provide written notice of the time, date and location of the first mediation session. If you or the other party do not agree to participate in mediation, the case will be reassigned to investigation.

Thank you for your cooperation.

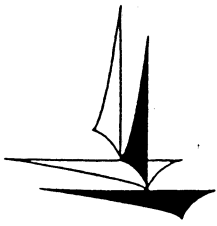
Sincerely,

PATRICIA J. HUGHES
Executive Director

PJH:mr

cc: Investigator

med



City of Minneapolis

Civilian Police Review Authority

400 South 4th Street - Room 1004
Minneapolis MN 55415-1424

Office (612) 370-3800
Fax 370-3846
TTY 673-2157

May 9, 2001

MICHELLE GULLICKSON-MOORE
310 E 38TH ST SUITE 221
MINNEAPOLIS, MN 55409

RE: Complaint No.

Dear Ms. Gullickson-Moore:

I am referring the above complaint to you to attempt mediation. It is a complaint that alleges police misconduct. The name and address and phone number of the complainant is:

The name, work address and phone number of the officer involved is:

Officer
Precinct

Minneapolis, MN

Our office has sent a letter to each party asking that they contact you directly by phone if they are agreeable to mediation. I assume you will also attempt to contact them. According to our Rules, if a mediation agreement is not reached within 30 days of the date that the parties express willingness to mediate, it must be taken out of the mediation process.

May 9, 2001
page 2

Please let me know if both parties are agreeable as soon as you have spoken to them. And if there is ultimately a successful mediation, our office should get a copy. If not, let us know.

Thank you.

Sincerely,

PATRICIA J. HUGHES
Executive Director

PJH:mr

enc: Notice of Complaint

cc: Investigator

mmp

☐ MINNEAPOLIS MEDIATION PROGRAM ☐



Agreement to Mediate

The mediation process is voluntary. Any party may withdraw at any point if she/he feels that the mediation session is not serving her/his needs. Any oral or written agreement which proceeds from this mediation will generally result in compliance because the agreement represents those actions which all parties are willing and able to undertake.

You retain all legal rights to pursue this matter in other ways, but you cannot call a mediator to testify nor can you use mediation discussions, or meeting notes developed in or as a result of the mediation process, in subsequent judicial or administrative proceedings.

Rules of Mediation:

1. Each party will have an opportunity to present their side of the issue.
2. Each party is expected to mediate in "good faith."
3. During the mediation, any party or mediator may request to speak with another party(s) or mediator(s) privately (caucus).
4. Except for the mediated agreement or settlement, all communications and documents made during mediation proceedings are CONFIDENTIAL and cannot be published to third parties in writing or orally, except by the express written consent of both parties. The MMP may disclose to referring entities if the parties met, if an agreement was reached and if the agreement was complied with.
5. Minnesota Statute 595.02, Subdivision 1(k), makes testimony regarding any communications and documents made or used in the course of, or because of mediation inadmissible at subsequent legal or administrative proceedings.
6. A mediator cannot be called to testify at subsequent legal or administrative proceedings.
7. Evidence of child abuse and/or abuse of a vulnerable adult will be reported. Also, threats of serious bodily injury directed at an individual or the substantial likelihood that an individual's actions, or inactions, may lead to the serious bodily harm of another, will be reported.

We have read and understand the information presented here. We agree to work cooperatively to resolve any differences. We acknowledge that this agreement must be signed before the session can proceed.

_____ Party	_____ Date
_____ Party	_____ Date
_____ Mediator	_____ Date

_____ Party	_____ Date
_____ Party	_____ Date
_____ Mediator	_____ Date



SUMMARY AND AGREEMENT

THE FOLLOWING PARTIES:

CASE # _____

FIRST PARTY _____

SECOND PARTY _____

OTHER PARTIES _____

PARTICIPATED IN THE MEDIATION SESSION SUMMARIZED BELOW. THE SESSION TOOK PLACE

ON _____ AT _____ AM/PM

AT _____

THE NATURE OF THE DISAGREEMENT WAS:

DURING THE COURSE OF THE MEDIATION, THE FOLLOWING TERMS OF AGREEMENT WERE REACHED.

SIGNATURE _____ DATE _____

SIGNATURE _____ DATE _____

SIGNATURE _____ DATE _____

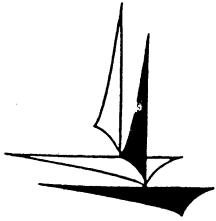
SIGNATURE _____ DATE _____

SIGNATURE _____ DATE _____

SIGNATURE _____ DATE _____

THE SESSION WAS CONCLUDED AT _____ AM/PM.

THE PARTIES AGREE THAT ALL PROCEEDINGS WILL BE HELD IN STRICT CONFIDENCE.



City of Minneapolis

Civilian Police Review Authority

400 South 4th Street - Room 1004
Minneapolis MN 55415-1424

Office (612) 370-3800

Fax 370-3846

TTY 673-2157

Chief Robert Olson
Minneapolis Police Department
Room 130 City Hall
Minneapolis, MN 55415-1314

May 9, 2001

RE: Our File No.
Officer

Dear Chief Olson:

Our office sent this complaint to mediation. Under Rule 5.23 of our Administrative Rules I am not permitted to send you a copy of the mediation agreement. However, I am pleased to say that this matter has been resolved by an agreement between the parties reached through mediation.

Under our rules, the Civilian Review Authority will therefore be dismissing this case. It is my understanding that all references to this complaint will be removed from the officer's personnel file, including the officer's blue card.

Thank you for your attention to this case.

Sincerely,

PATRICIA J. HUGHES
Executive Director

PJH:

cc: Complainant
Officer
IAD
Investigator

City of Cambridge

CIVIC UNITY

COMMITTEE MEMBERS

Councillor Marjorie C. Decker, Chair

Councillor Kathleen L. Born

Councillor Kenneth E. Reeves

In City Council September 24, 2001

The Civic Unity Committee held a public hearing on Wednesday, July 25, 2001 at 4:15 p. m. in the Ackermann Room.

The purpose of the meeting was to continue discussions on mediation services and resources.

Present at the meeting were Councillor Marjorie Decker, Chair of the Committee, Cathy Hoffman, Director, Peace Commission, Malvina Monteiro, Executive Secretary, Police Review and Advisory Board, Mary Wong, Executive Director, Kids' Council, Paul Schlaver, Director, Consumer Council, Selvin, Chambers, Youth Center Coordinator, Human Services Department and Donna P. Lopez, Deputy City Clerk. Also present at the meeting were Gail Packer, Cynthia Bauman and Jody Sammons, Community Dispute Settlement Center, Susan Michaelson, Public Review and Advisory Board, Carmen S. Negron, Human Rights Commission, Julianne Chatelain, NonViolent Communication, Bill Madsen, Public Conversation Project and Peter Shapiro, Just A Start Mediation for Results.

Councillor Decker opened the meeting and welcomed all attendees. She stated the purpose of the meeting.

Councillor Decker informed the committee that she may have a possible intern in September to begin the data collection of mediation services and agencies. She hoped that a structure would be established for the intern to achieve this goal. Resources could then be used to distribute the data through means such as a booklet, web site or public institutions.

Councillor Decker stated that the American Friends Service Committee made a presentation at the last meeting on Circle Justice. This committee, she said, would like to explore various pilot programs. She would like to have a larger meeting in the fall and present to community leaders the work that has been done by this committee thus far. She asked the attendees if they have any thoughts on the structure for the intern.

Ms. Hoffman stated that the intern should collect the information on what services are accessible. This collection of information should be organized around a series of questions and then the resources could be listed.

Mr. Schlaver stated that the intern could organize the information on the agencies and then categorize by services so that the format looks the same. Then services can be paired with the needs of the community. Mr. Schlaver provided information to the committee on the services and functions of the Consumer Council. **(ATTACHMENT A)**

In response to a question Councillor Decker stated that the functions of an Office for Constituent Services is still being discussed and it is still unclear. Ms. Wong asked if the Ombudsperson, which this committee spoke about in previous meetings and the Office of Constituent Services are the same. Councillor Decker stated that this is unclear. Ms. Wong suggested that the intern should research models of Ombudspersons. Ms. Monteiro stated that she would provide the committee with copies of Ombudsperson ordinances from other states.

Ms. Chatelain provided the committee with information on the Nonviolence Communication. **(ATTACHMENT B)**. She stated that after the intern gets the data the agencies need to answer what specific needs are being met and who are the "core" people being served. Councillor Decker concurred that an assessment needs to be done on what services exist and what do not exist.

Mr. Shapiro stated that the immediate needs should be larger. The Ombudsperson then the intern should be the goal. The community needs to talk back to the agencies, he said. A person is needed who knows enough about all the services offered by all the agencies. Mr. Shapiro distributed information from his agencies regarding tenants and landlords. **(ATTACHMENT C AND D)**.

Ms. Bauman stated that she hoped that the intern would be able to have stories written about the agencies and their services.

Councillor Decker stated that a Constituent Service Office is different from an Ombudsman. This committee, she said, can do the following:

- Frame the issue
- Identify and frame resources.

There is also the potential to create a campaign to raise public consciousness, she said.

In response to a question by Mr. Madsen about the functions of the Civic Unity Committee, Councillor Decker stated that the Mayor appointed her Chair of the Civic Unity Committee. The definition of civic unity is broad. There were to previous initiatives around race and class. Conflict between the two processes ended both. It was decided that this committee should focus on issues of justice because race and class will be discussed. Mediation came from the discussions around justice. The agencies were then invited to a meeting of the committee.

Ms. Hoffman stated that the committee is trying to redefine the conflict issue in order to establish a city that is welcoming and comfortable to all persons. We are trying to move out of the adversarial role. She stated that the intern should collect the data and the data should be accessible whether there is an Ombudsperson Office or not. This committee should be ongoing to keep the conversation ongoing. Marketing of the data collection is important, she said. We may want to develop a multi-faceted way to resolve conflict by using different methods and agencies. Ms. Packer stated that a multi-door format is needed because it is a multi-level issue. The marketing piece is how do we get the word out to the general public about the services.

Mr. Chambers stated that specific goals need to be defined. Staffing and a time line are needed to get the information out to the public. This all needs to be developed before the intern is hired, he said. He stated his willingness to be utilized as staff.

Ms. Michaelson asked what is the time frame. Councillor Decker responded there is not hard time line, but she would like to have an intern by September. Ms. Michaelson suggested contacting Madeline Harvey of the Policy Analysis Exercise Program at the Kennedy School of Government at 495-0860. This program, she said, will require a defined project by fall to secure a student from the Kennedy School. The project would require completion in April. Ms. Hoffman stated that the Peace Commission could house the intern. Mr. Shapiro stated that this committee could access models, then look at where conflict surfaces and develop a pilot project.

Councillor Decker stated that the first steps would be to:

- Address what services do or do not exist;
- Identify who has access to the services;
- Identify conflict resolution; and
- Formulate a campaign to raise public awareness.

Councillor Decker stated that she could secure city resources in this endeavor.

Ms. Hoffman stated that small steps could be taken. Such steps as training programs. She stated that there is no reason that skills cannot be developed for conflict resolution. Training, she said, could be offered by the city.

Councillor Decker asked for final thoughts from the attendees.

Mr. Madsen suggested using an "Imagining Projects". He provided the committee with a copy of "Imagine South Carolina". (ATTACHMENT E)

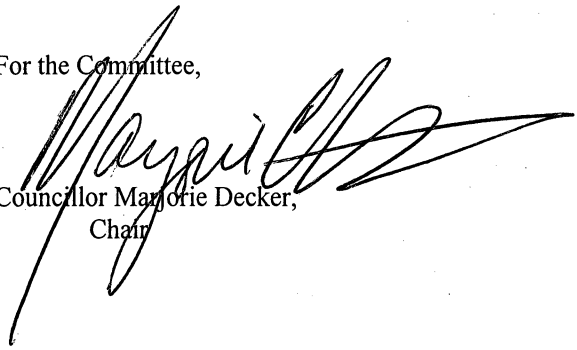
A discussion ensued regarding the Constituent Service/Ombudsperson Office. Ms. Hoffman stated that a Constituent Service position, she feels is different than what this committee is discussing. This committee is focusing on the issue of conflict resolution. The committee may recommend to the City Council that the position requires a person with conflict resolution skills. Ms. Wong asked if the duties of the position have been defined. Councillor Decker responded that the position has not been defined.

Ms. Monteiro provided copies of the following:

Ombudsman Office - Detroit, MI	(ATTACHMENT F)
Community Ombudsman - Boise, Idaho	(ATTACHMENT G)
Recommended training for Police Review Board members by the National Association for the Civilian Oversight of Law Enforcement	(ATTACHMENT H)
Mediation Policy - Minneapolis, MN	(ATTACHMENT I)

Councillor Decker thanked all attendees. The meeting adjourned at 5:45 p. m.

For the Committee,


Councillor Marjorie Decker,
Chair

**Cambridge
Consumers' Council**

Memo

To: Marjorie Decker, Chair Civic Unity Committee
From: Paul J. Schlaver, Exec. Director 
CC: Councillors Kathy Born & Ken Reeves,
Donna Lopez, Assn't. City Clerk
Date: 07/23/01
Re: Consumers' Council and Its Mediation Services

2001 JUL 24 A 10:15
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

I have not been able to attend the series of meetings of your committee, especially the ones dealing with the mediation resources available in Cambridge due to some bad timing with out of town commitments. I have obtained feedback from attendees and read the minutes of those meetings.

The Cambridge Consumers' Council is a free consumer complaint mediation service available to all Cambridge residents as well as to customers from out of state with a conflict regarding a Cambridge business. Half of our funding is from the Attorney General's Office and our complaint resolution services are conducted in procedural accord with the grant requirements set forth by the Attorney General's Office. This office also conducts a consumer education program so as to head off consumer conflicts through self-help empowerment efforts and the preventative medicine of knowledge of one's consumer rights. For over ten years the office has received a small grant through Somerville Cambridge Elder Services to specifically target consumer education and outreach to the city's elderly population.

The attached brochure and the web page offers further description of our services and common complaint issues. The web page is:
<http://www.ci.cambridge.ma.us/~Consumer/>

Unlike other city departments and community agencies with mediation programs, our efforts do not tend to address issues of race, violence, community quality of life, youth issues and the like. Our service is primarily a one-on-one support to an individual in conflict over a specific transaction with a business, such as

an auto repair shop, dry cleaner, credit card company, or other retail store. We do not address disputes a resident might have with a governmental entity but refer those callers to the dispute resolution process each agency might have. We do not address employee/employer conflicts either. Our main legal focuses are consumer protection and consumer rights matters that fall under Mass. General Laws, Chapter 93A, The Consumer Protection Act. In other words, the full-range of contractual and purchase transactions between a consumer and a business. This could involve a tenant and a landlord dispute with the focus on the lease provisions and the return of a security deposit question.

We actively refer consumers to various city agencies such as the Human Rights Commission, the Women' Commission, The Police Review and Advisory Board, and the Commission for Persons with Disabilities. We regularly refer to the Community Dispute Settlement Center, CASLS and other community agencies for appropriate mediation efforts.

Our form of mediation is really a negotiation effort between the parties led by our staff offering settlement suggestions with a recitation of relevant consumer laws over the telephone or in letter/fax/e-mail writings. We do not conduct face-to-face mediation between parties. We do not have enforcement, arbitration or decision-making powers but can exert considerable influence because of our affiliation with the Attorney General's Office.

Both full time staff members, Laura Nichols and myself, Paul Schlaver, are long term Cambridge residents, parents of children that attended Cambridge Public Schools and long term city employees. We both have participated extensively in community efforts and other city boards and commission efforts to address community problems and needs that impact citizens in general. We draw upon our personal experiences as well as the constant interaction with individual consumers through our Council or in group settings during educational workshops to enhance the value of our extra public service efforts.

If the Civic Unity Committee sees a logical role in its work for us as a consumer agency please do not hesitate to seek our involvement and the same goes for Laura and my personal assistance as long-term residents and concerned citizens.

THERE'S MORE...



The Cambridge Consumers' Council participates in many activities directed at educating Cambridge residents about consumer issues.

The Consumers' Council responds to requests for public speaking, including workshops at the Cambridge Senior Center.

On its web page, the Consumers' Council provides the public with access to a vast amount of consumer information, from a consumer quiz to automobile resource links. Visit www.ci.cambridge.ma.us/~Consumer to download a complaint form, read articles on hot consumer issues, or to E-mail the Consumers' Council.

REMEMBER!

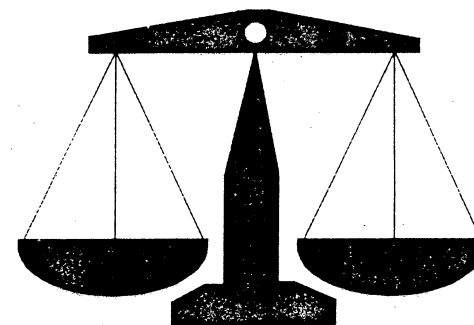


The Cambridge Consumers' Council is just a telephone call away!

To receive a brochure or a consumer complaint form, call (617) 349-6150, Monday - Friday 8:30 A.M. - 5 P.M. The Consumers' Council is located in Central Square at 831 Massachusetts Avenue, Cambridge, MA 02139. Please, be prepared to fill out a complaint form and supply copies of pertinent documents if you want the Consumers' Council to directly intervene in your dispute.

Cambridge Consumers' Council
831 Massachusetts Avenue
Cambridge, MA 02139

CAMBRIDGE CONSUMERS' COUNCIL



Working in cooperation with the
Massachusetts Attorney General's Office

831 Massachusetts Avenue
Cambridge, MA 02139

Tel: (617) 349-6150

TTY: (617) 349-6112

Fax: (617) 349-6148

www.ci.cambridge.ma.us/~Consumer

Paul J. Schlaver
Executive Director

WHO?



The Cambridge Consumers' Council is a division of the City of Cambridge License Commission and works in cooperation with the Massachusetts Attorney General's Office. The Consumers' Council is one of nineteen consumer offices geographically divided throughout Massachusetts. The Consumers' Council has been serving residents of Cambridge since 1980.

The Consumer Advisory Commission, comprised of five Cambridge residents with interest and/or expertise in consumer laws and issues, meets monthly and advises the Consumers' Council. The Consumers' Council also works closely with the Massachusetts Consumers' Coalition, an association of public and private agencies affiliated to promote consumer interests. The Consumers' Council is a member of the National Association of Consumer Agency Administrators (NACAA).

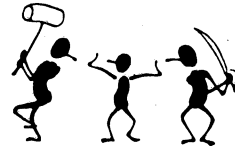
The Consumers' Council serves:

- (a) All residents of Cambridge regardless of where the business is located;
- (b) All customers of businesses in Cambridge regardless of where the consumer lives.

Attention is given to the elderly, people with disabilities, those with language barriers, and all others without regard to income.

The Cambridge Consumers' Council is funded by the City of Cambridge, the Massachusetts Attorney General, and Somerville Cambridge Elder Services (SCES).

WHAT?



The Cambridge Consumers' Council works to investigate and monitor consumer problems and complaints. The Consumers' Council directly intervenes to assist in the resolution of consumer disputes so that neither the consumer nor the business needs to pursue formal legal action.

The Consumers' Council provides consumer information on rights and remedies with a self-help focus. The Consumers' Council also provides direct individual case services when a consumer files a written complaint. The staff of the Consumers' Council directly negotiates with businesses and consumers to reach resolutions that are satisfactory to both parties. When appropriate, the Consumers' Council refers parties to mediation programs, arbitration services, or Small Claims Court.

WHEN?



Consumers should contact the Consumers' Council for a complaint form when they feel that they have been a victim of improper business practices and after they have attempted to resolve the dispute on their own.

Before filing a complaint with the Consumers' Council, a consumer should gather and photocopy all relevant receipts, contracts, correspondences, etc., to attach to the Consumers' Council's complaint form.

Consumers should also call the Consumers' Council with questions about how to write a letter to a business or landlord, requesting an appropriate remedy to a dispute. Consumers may request brochures from the Consumers' Council on issues from landlord/tenant disputes to an array of automobile concerns. Such pamphlets may aid consumers in resolving disputes on their own.

WHY?



Typically, consumers contact the Cambridge Consumers' Council when they experience:

- ❖ Problems with new or used car sales or services
- ❖ Difficulties with home improvement or repair contracts
- ❖ Landlord/tenant conflicts
- ❖ Trouble with credit and collection
- ❖ Issues with returns, cancellations, and defective products
- ❖ Doubts about mail order or door-to-door sales practices.

Consumers often contact the Consumers' Council as a final effort to settle a dispute with a business before taking legal action.

East Coast Workshops ^{ATTACHMENT B} is Nonviolent Communication

with Miki Kashtan, Julie Greene, & Arnina Kashtan

Boston: September 7-9, 2001 (Miki and Julie)

See reverse for details or contact jchat@world.std.com, 617-470-4254

New York City: September 14-16, 2001 (Miki and Arnina)

Contact: mamaofc@aol.com, 212-280-1045

Imagine Connecting with the human spirit in each person in any situation

Imagine Interacting in a way that everyone's needs are equally valued

Imagine Creating organizations and environments responsive to our needs

NVC offers the practical tools to live this vision

Nonviolent Communication (NVC) - a language of compassion, a spiritual practice, a tool for social change. By understanding and acknowledging the human needs that underlie everyone's actions, we can create a shared basis for connection, cooperation, and more globally - peace.

- See the connection between how you think and how you feel
- Connect with your deepest needs
- Understand others instead of reacting
- Speak in ways that are more likely to be really heard by others
- Negotiate difficult situations with more ease and confidence

Friday evening: Introductory evening, donation-based, open to all

Saturday/Sunday: 2-day workshop for beginners and more experienced people

Sunday only: available to those with prior NVC experience

Requested Cost: both days - \$160 (\$130 before 8/25); one day only - \$90.

Scholarships available; no one turned away for lack of funds.

Miki Kashtan, Julie Greene, & Arnina Kashtan are certified trainers with the Center for Nonviolent Communication (CNVC). Miki is CNVC coordinator for NVC and social change, Julie is CNVC coordinator for the San Francisco Bay Area, and Arnina is senior trainer in Israel. All three conduct workshops and retreats for the public and for organizations.

nvcboston.org and Lesley College's Center for Peaceable Schools invite you to join us for a weekend of

Training in Nonviolent Communication

in Cambridge MA on September 7th - 9th 2001

facilitated by Miki Kashtan and Julie Greene

introduction to NVC / Friday September 7th, 7:30 - 9:30 pm

a full day of NVC training and practice / Saturday September 8th, 9 am - 5 pm

another full day of NVC (w/ advanced topics) / Sunday September 9th, 9 am - 5 pm

Once we have learned and practiced the basics of NVC, the instructors will lead discussions and practice sessions to help prepare us to apply NVC techniques in our lives after the workshop. Julie and Miki use NVC techniques to facilitate the class agenda; in the past they have added "special focus" topics (from self-empathy to handling anger to dealing with physical violence - and many others) depending on what people are interested in. The focused topics will probably begin Saturday and continue on Sunday.

The Friday session is open to all and donations will be accepted.
\$160 per person (\$130 before August 25th) allows you to attend both full days, or you can attend just one day for \$90.

No one will be turned away for lack of funds;
contact us for scholarship and work exchange information.

All sessions meet at Lesley College, 1815 Massachusetts Ave., Cambridge MA (one block from the Porter Square T station, in Lesley's classrooms in the Porter Exchange Building). We are committed to making this event accessible to all. For detailed session descriptions and accessibility details, see http://www.nvcboston.org/sep_2001.htm

To reserve a space, send your check plus the following information.

Name: _____ Telephone: _____

Address: _____

Email: _____

I am currently planning to attend (circle all that apply): Friday night Saturday Sunday

I am including _____ \$160 for two days (\$130 if before 8/25) _____ &85 for one day

Make checks payable to **Voice of Hope** - thank you! - and mail check and registration form to **Julianne Chatelain, 831 Beacon St. #284, Newton, MA 02459**. Class confirmations will be sent via the email address you provide (or if no email, we will call you to confirm). Your cancelled check is an additional receipt. To receive the early discount your registration must be postmarked by August 25th, 2001.

national organization: <http://www.cnvc.org/> - local web information: <http://www.nvcboston.org/>



Most tenants agree that the risk of eviction can make you feel most powerless at the very moment when your power is most needed. Financial and family stability, community support and much more become dangerously threatened. Finding new housing can be overwhelming. There are options when faced with eviction. Avoiding your landlord, however, if your tenancy is unstable can be very risky.

Mediation. For Results. can help you not only to prevent homelessness now, but to become more stable tomorrow. Although not all tenancies can be saved, we can help you and your landlord find alternatives to eviction while getting you the support needed to secure your housing.

Our clients say it best!

"These folks don't stop at agreements. They help tenants keep their commitments now. That means stable housing tomorrow."

Elena Gomez
Tenant

"Mediation. For Results. is better than coffee; it gets you going, and in the right direction."

Tanya Quayle Mosquera
Tenant

"Not only did they help me resolve my housing issue, but they stuck with me for months afterwards. This service really made a difference for me!"

Lynne Payne, Tenant

"This new Just A Start Program is an asset to landlords. It provides the necessary resources to manage difficult situations without excessive costs. Every landlord and tenant should take advantage of these exceptional services."

Michael Johnston, Cambridge
Housing Authority (CHA)

Mediation, For Results,
432 Columbia Street, #12
Cambridge, MA 02141
(617) 494-0444

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving Cambridge, Somerville, Boston, the Tri-Cities, and surrounding communities.



Tenants, do you fear...

becoming overwhelmed facing
the risk of losing your home....

eviction unless you pay your
back rent soon....

a shrinking number of people or
services to help you maintain
your housing....

loss of not only your home but
your sanity unless you do
something now!

ATTACHMENT C

How we can help



Faster....

Mediation doesn't mean you give up your legal options. It does mean you can begin to resolve your problem *immediately* without the uncertainty and delays accompanying court procedures.

Cheaper....

Due to a grant we've received, we can offer affordable rates for landlords and property managers throughout Cambridge, Malden, Medford, and Everett. If you are outside the above-mentioned communities, you'll find our rates a fraction of your litigation fees.

Better....

Sometimes you may feel you have no other choice but to go to court. But that means you have to rely on the judge making this decision and favoring your position. This leaves you less control to shape the resolution yourself. Mediation offers you the chance to really get at your interests in a way litigated solutions often can't!



What you get....

Experience: Over ten years mediating landlord / tenant disputes:

More than a decade of success mediating a variety of disputes between landlords and tenants has given us the experience necessary to help you choose the most appropriate method for dispute resolution.

Mediation and assisted negotiation

Together, or individually with you and your landlord, we can help you secure court enforceable agreements with minimum further cost or delay.

Stabilization:

Once agreement is reached, we can help all parties to comply. Tenants and landlords can be counseled and referred to services as needed. And then we'll stay involved to help with follow through.

Referral:

We have a wide range of information available on programs, services, and educational opportunities of use to landlords, property managers and tenants.

Call us....

Mediation. For Results.

Affordable Solutions to Housing Conflicts.

(617) 494-0444



Education, Training and Organizational Consultation:

We can help you and the members of your organization assess the overall costs of conflict within your association and then help you design a cost saving response.



Mediation. For Results.
432 Columbia Street, #12
Cambridge, MA 02141
(617) 494-0444

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving Cambridge, Somerville, Boston, the Tri-Cities, and surrounding communities.



Tough tenants... a maze of hard-to-understand laws and regulations... a public attitude quick to label landlords "slumlords". These are just a few of the challenges facing today's landlords and property managers. In fact, one housing dispute alone can cost thousands in legal fees in addition to unpaid rent and property damage. The hidden costs of conflict can bring the best landlords to the breaking point.

Mediation. For Results. can improve your business by reducing the time, cutting the cost and helping you manage the stress of conflict. Professional staff will help you and your tenants explore low cost options for resolving costly and time consuming disputes, freeing your time and energy for other matters.

Our clients say it best!

"Help us manage difficult tenants without further conflict? Make eviction easier, if needed, by helping upfront, before the crisis? At a fraction of lawyers fees? This is what we've been waiting for! Every SPOA member should give them a call."

Lenore Schloming, President
Small Property Owners Association

"This service truly changed my relationship to tenant management. No more tenants draining my savings or peace of mind! Thank you Just A Start."

Angelo Annaccone, Landlord

"Not only did they help me resolve my housing issue, but they stuck with me for months afterwards. This service really made a difference for me!"

Lynne Payne, Tenant

"This new Just A Start Program is an asset to landlords. It provides the necessary resources to manage difficult situations without excessive costs. Every landlord and tenant should take advantage of these exceptional services."

Michael Johnston, Cambridge
Housing Authority (CHA)

Mediation. For Results.
110 Pleasant Street / 2nd Floor
Malden, MA 02148
(781) 322-9955

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving the Tri-Cities, Cambridge, Somerville, Boston, and surrounding communities.



Landlords, are you losing sleep at night..

Because of countless promises to pay the rent; are you losing sleep....

due to a tenant's late night disturbances; are you....

tired of being your tenant's social worker; are you....

afraid you'll lose not only your business, but your sanity unless you do something now!

ATTACHMENT D

How we can help



Faster....

Mediation doesn't mean you give up your legal options. It does mean you can begin to resolve your problem *immediately* without the uncertainty and delays accompanying court procedures.

Cheaper....

Due to a grant we've received, we can offer affordable rates for landlords and property managers throughout Cambridge, Malden, Medford, and Everett. If you are outside the above-mentioned communities, you'll find our rates a fraction of your litigation fees.

Better....

Sometimes you may feel you have no other choice but to go to court. But that means you have to rely on the judge making this decision and favoring your position. This leaves you less control to shape the resolution yourself. Mediation offers you the chance to really get at your interests in a way litigated solutions often can't!



What you get....

Experience: Over ten years mediating landlord / tenant disputes:

More than a decade of success mediating a variety of disputes between landlords and tenants has given us the experience necessary to help you choose the most appropriate method for dispute resolution.

Mediation and assisted negotiation

Together, or individually with you and your tenant(s), we can help you secure court enforceable agreements with minimum further cost or delay.

Stabilization:

Once agreement is reached, we can help all parties to comply. Tenants and landlords can be counseled and referred to services as needed. And then we'll stay involved to help with follow through.

Referral:

We have a wide range of information available on programs, services, and educational opportunities of use to landlords, property managers and tenants.

Call us....

Mediation. For Results.

Affordable Solutions to Housing Conflicts.

(781) 322-9955



Education, Training and Organizational Consultation:

We can help you assess the overall costs of conflict within your organization and then help you design a cost saving response. Our booklet, "A Property Manager's Introduction to Cutting the Costs of Conflict", can be sent to you upon request.



Mediation. For Results.
110 Pleasant Street / 2nd Floor
Malden, MA 02148
(781) 322-9955

MFR is a program of Just A Start Corp., a Nonprofit Housing, Community Development and Training Services Corporation, serving the Tri-Cities, Cambridge, Somerville, Boston, and surrounding communities.

LESSONS FROM THE FIELD
APPLYING APPRECIATIVE
INQUIRY.
SA HAMMOND & C ROYAL
(603.) PRACTICAL PRESS.
PLANO, TX.



Introduction

In the Fall of 1995 we were contacted by an organization who wanted a consultant team to work with them to facilitate what they anticipated would be a highly charged conference on race. Their intention to have a statewide dialogue was intriguing to us for several reasons. One, the client was not an organization in the conventional sense. They would be a designated hosting organization who would pull together a cross section of a southern state with a history of race bias and policies of exclusion. Two, they wanted something that would reach past this polarization to find new ways to talk about race, and the impact of race on economic and community development. And finally, with our suggestion to use Appreciative Inquiry as the process for the Summit, a relationship developed and they were willing to trust and experiment.

Client Description

The client for the inquiry was a statewide non-profit organization created in 1984 to develop innovative community-based partnerships to address South Carolina's social and economic challenges. In ten years it had initiated more than 75 community-based collaborations. These collaborations ranged from providing free primary, preventative medical care to South Carolinians without health insurance, to a toddlers immunization program, to a Voter project which produced 53,000 new voters and the highest voter turnout in the state's history in 1994. The Board of the non-profit organization had come to believe that the single, most significant stumbling block to addressing the state's social and economic problems was the growing polarization of communities along racial lines. In a press release detailing the background of their organization they said they believed that the lack of trust and simple dialogue is so pervasive that community-based strategies to address problems are often doomed from the very start. In 1993 they initiated a statewide program to create opportunities for improving dialogue and friendship among black and white communities' leaders. This program, known as the Carolina Community Forums, existed in 20 of South Carolina's 46 counties. By 1995, each Forum had a membership list of about 200 persons. The Forums and other initiatives are sustained through partnerships with volunteers, churches, businesses, utilities, banks, newspapers and some foundation support.

Client Objectives

Based on their experience with the Forums, the client wanted a broad statewide initiative which would generate a year of public dialogue. The conversation would focus on how South Carolina's communities could transcend long-standing racial divisions to create grassroots projects. They wanted an initiative in which the practical experiences of everyday South Carolinians would drive a broad re-examination of racial differences and the creation of constructive local strategies to address community issues in which race appeared to be a factor. The Director said they wanted a January 1996 Summit which would lead to a series of dialogues in local communities. A major goal was to bring the races together for discussion, to sit down together and get to know each other, and to develop a new way of communicating which would create dialogue on racial issues. The Director, in collaboration with Summit organizers, had identified 20 persons to serve as facilitators for the Summit. As he described his early thoughts, the facilitators, along with corporate and community leaders, would come to Pre-Summit sessions. The Summit itself would take place in one day, a Saturday. He anticipated that 100 - 200 persons would attend the Summit. His plans included conducting a statewide survey on race relations prior to the Summit for additional data to use at the Summit.

Proposal

After extensive dialogue with the director, we proposed training in Appreciative Inquiry for the facilitators and community leaders. The training, some months prior to the Summit, would do two things: provide a cadre of persons trained in AI and develop themes for them to conduct an Appreciative Inquiry (AI) in several regional and local communities. The agenda for the Pre-Summit would be to process the community interviews, identify the themes and create an Inquiry Protocol for the Summit itself. The Summit would be facilitated by the AI trained facilitators with coaching and input from us. To create an affirming statewide climate we proposed working with the Director and spokespersons for the Summit on language for press releases and descriptions of the AI process, as well as on the questions for the survey on race relations.

Rational For The Use Of Appreciative Inquiry

We feel that AI is a natural process for creating dialogue on race relations and communities.

AI is uniquely designed to focus on creative conversation between people. Relationships between Blacks and Whites are often not talked about outside an individual's own racial identity group. We saw AI as a way to bridge this reality and an effective and energizing process for conversation about the parallel histories that emerge from historical and structural race bias. It is these parallel histories that lead to the current realities of Black and White South Carolinians.

AI encourages the sharing of stories, invites creative reflection and stimulates ideas for co-constructed action. The AI approach also allows space for people to name how they envision the best race relations. AI calls for a series of conversations, in this case they would be about relationships across race and ethnicity that are positive, energizing and life enhancing. By talking about collaboration, communities that work and successes that benefit all, without denying the parallel realities, we knew that Summit facilitators and attendees would have an experience that would lead to desired dialogues in regions of the state.

Factors Managed

Funds for early facilitator training, community interviews and Pre-Summit themes identification were not available. The Director, working to juggle a variety of agendas, needed to mount a conference that would include some fairly traditional ideas about activities. These ideas included three panel discussions in the Saturday morning agenda. Thursday evening and Friday would be set aside for Pre-Summit training of facilitators and inclusion of corporate and community leaders. The Governor had scheduled a press conference and dialogue on race relations at the Summit site for 5:30 Friday evening. Anticipated attendance at the Summit had grown to above 400. A challenge was to provide a large number of people with an experience of Appreciative Inquiry along with some theory and an opportunity to feel the difference that intentional choice of language can make – all in a short amount of time.

Preparation

Since we know that the first question, the first interventions are fateful, we focused energy in coaching the Director on the language of AI. We worked with him to incorporate the Imagine South Carolina concept into press releases and the wording of a race relations survey they intended to disseminate. A key was to rephrase questions in ways that would help people look forward and not get stuck in the past. Some of the survey questions were in the traditional, problem focused language. Others were more affirming and AI focused, such as: Is there now, or has there ever been a person of another race whom you would describe as having had a *significant positive impact* on your life? Although slightly lower for Blacks responding, still almost 70% of all respondents reported having a person of another race as a *close personal friend*. Questions also gave respondents an opportunity to describe places where their lives intersect with persons of other races, such as work, church, social events and community organizations.

We gave the Director several articles such as, "Positive Image. Positive Action"¹ (Cooperrider, 1990), as well as other handouts with information about the AI process. Conversations and coaching were primarily by phone and fax. We provided suggestions for the memos and invitations to the Summit. We wrote a one page description, "Appreciative Inquiry/Imagine South Carolina"²

¹ From: S. Srivastva, D. Cooperrider & Associates, *Appreciative Management and Leadership*. San Francisco: Jossey-Bass, 1990. Currently out-of-print

² *Appreciative Inquiry/Imagine South Carolina*. Royal, Cathy, L. and Stewart, Alexandra K., © 1996

(Royal and Stewart, 1996) which wove the Imagine South Carolina concept throughout the text and served as a briefing about both. This description was included in mailings and in the notebook which was distributed at the various sessions of the Summit.

This attention had several positive results. In many instances, Pre-Summit media stories were favorable, open minded and allowing of more hope than Summit organizers had seen in the past. Some were mixed. One article began: "Imagine South Carolina in perfect racial harmony. Idealistic? Unrealistic? Impossible? Maybe not. An upcoming initiative aims to get the state on that track." The Director began a press conference with a release which began "S. C. Survey reveals 'Rare Moment' for Progress in Race Relations".

One result of the positive media coverage was to increase the number of attendees. Originally, organizers thought about 200 persons might be interested. They developed a list of invitees. They wanted to be as inclusive as possible so their list included traditional designated community leaders as well as informal leaders, from a variety of religious organizations, elected officials and membership organizations such as NAACP and Rotary. People had the opportunity to invite themselves as well. Many people, including the Governor, did ask to be invited to the Summit. The final number in attendance on Saturday was over 500 persons.

Highlights

Beginning with the first evening we opened each session by asking people to think about their passion for the South Carolina community they were most connected to, "the South Carolina of their heart." We varied that somewhat as other groups arrived. Additionally the corporate and community leaders were asked to think of a time within the last two years they had felt most connected to a Black (if they were White), or White (if they were Black) person. They also were asked to think about and share an experience where their community has come together to create a positive response to race matters. One large group activity was to list heroes and "sheroes" significant to them personally and to the story of South Carolina. The range and variety of significant actors in South Carolina's story was impressive.

Participants often saw the history of South Carolina through different lenses. When this happened, we asked them to again imagine South Carolina's future and the reasons they had come together in community. Two of the strongest voices of the Friday afternoon large group dialogue belonged to two powerful men, one Black and one White. They were close in age, and their formative years had been those of the generation of segregated South Carolina of the 1940's and 50's. When given a chance to rethink their images of the future, build on the things they valued and loved about South Carolina, both were able to see the future as possible. Neither had to retract his history, each was able to continue the dialogue with a different focus: the new South Carolina. As much as possible we used the frameworks of

DATE	TIMEFRAME	AGENDA
THURSDAY	8:00 to 10:00 P.M.	Community Building (20 persons designated as facilitators) Appreciative Inquiry/South Carolina
FRIDAY	9:00 to 11:30 A.M.	Theory Base Imagining South Carolina
	1:00 to 5:00 P.M.	Inclusion of new community members (20 facilitators and 40 community leaders) Stories and parallel realities Develop questions for Governor
	5:30 P.M.	Governor's press conference (200 persons)
	8:00 to 10:00 P.M.	Sense of AI/SC Identify replication focus for Saturday (60 persons as above)
SATURDAY	9:00 A.M.	Invocation & opening
	9:30 to 11:30 A.M.	Three panels (500 plus persons) Brief reframing and iteration of themes heard in each panel
	1:30 P.M.	Regional meetings for advancement of Imagine S. Carolina into every part of SC through regional networks (small groups of 15-30 persons)
	3:30 P.M.	Mini reports to the larger community
	4:00 P.M.	Adjourn

pairs conducting interviews with each other and then joining with 2 – 3 other pairs to create small groups for the identification of common themes. These themes were shared with the larger group. We asked participants to use appreciative language. A Friday afternoon task for the 60 persons present was to develop affirmative questions to ask the governor at the press conference on Friday evening.

Saturday morning our role was to summarize, and recast, in appreciative and imaginative language, points made in three panels. Saturday afternoon, the 20 facilitators had the responsibility to provide an AI focus and approach while working in small groups of similar interest or region. The facilitators focused the language appreciatively and put into use what they had learned. They assisted groups to talk about what worked at present in their regions and to make plans for continuing to dialogue after the Summit.

Observations and Conclusions

Persons who attended the Thursday and Friday sessions used language, for the most part, in different ways than those persons who had not had an AI experience. This was particularly evident at the Governor's press conference and dialogue. Pre-Summit attendees posed their questions in a way that invited dialogue and exploration. One Pre-Summit participant said, "Let me think a minute Governor, they told me not to be negative and I want to phrase this question right." Another began his question with, "Governor, I invite you to

imagine with me... Can you do that?"

Other attendees asked questions in a manner that fostered polarization.

One of the persons who opened the Summit Saturday morning used imaginative language to evoke images of communities that work in a variety of ways: "I imagine a South Carolina with all students receiving education that prepares them for life. I imagine a South Carolina where all people are actors in the story of South Carolina. I imagine a South Carolina with homes for all people. I imagine people who hope and trust in tomorrow."

Throughout the day on Saturday, people conversed in hallways, South Carolina media conducted interviews with attendees, as well as observed small group meetings and there was a sense of high energy. A wide variety of persons attended, including several groups of persons under 20 years of age. They formed their own group to discuss the areas that mattered to them. Overall, the ambience was upbeat and infectious. The language of Appreciative Inquiry and affirmation was having an impact on the conversations throughout the Summit. Some persons did express some concern that nothing "would come of all this" and wondered what differences would result. Four months after the Summit we received an announcement for the first regional committee meeting of the Project on Race Relations to be held in June. Quotes from the Summit were an intrinsic part of their announcement. The mission

of the Regional Committee was stated as:

"Imagine South Carolina is a commitment to creating and sustaining communities that work". Their flyer described Imagine South Carolina as "a starting point in re-focusing civic conversation on the promise of community in our state. Such conversation does not ignore the racial divisions, but seeks to confront and transcend them in ways that heal the fractures of the past and empower a common vision of the future." These descriptions are straight from the language that was developed for the statewide Summit in January.

One year after the Summit, the Governor engaged people in the question about the Confederate flag by proposing that perhaps the flag might more appropriately be moved from the pinnacle of the State capitol and placed in a nearby location. One phrase which had been posed within his hearing at the press-conference had been: *"I imagine a South Carolina where state symbols inspire hope and pride in all its citizens."*

Our Learnings

The care for language and the energy focused on the images we convey is worth more than can be estimated. The time spent assisting people to clarify the positive image which lies under their criticism, or their complaint, and then to describe how things are when the situation is the "way it should" be is invaluable. **A small number of people trained in the AI process do have a great impact on a larger group.**

People know what they want in their communities. AI is a valuable tool and philosophy that supports "participatory community development." It affirms what is currently present in their surroundings and experiences, and helps citizens see what their community can be. When given the time and opportunity ordinary citizens can create the mechanisms and plans necessary for their communities to thrive and inspire hope in the future. When people share what is in their heart, tell the passion that connects them to each other, community is built. The community desired becomes a co-created future, alive in the present, and extraordinary.

ABOUT THE AUTHORS

ALEXSANDRA STEWART grew up in Oregon, finished high school in South Dakota, married, had children and divorced while passing through Germany, Montana and Minnesota. She has been a working single parent, a mom on welfare, and an undergraduate at the University of Minnesota where she received two undergraduate degrees in 1979. Her Masters of Arts from St. Mary's College examined a Multicentric Approach to curriculum development. The development of the ability to be multicentric has informed her work in Diversity Based Management and the courses she teaches at American University for the School of Public Administration and the AU/NTL Masters of Science HRD program. In 1993, she attended the first NTL Appreciative Inquiry Training, Bethel, ME and became an interviewer for the Appreciative Inquiry diversity study for NTL Training Institute. Her focus on the language we use and how it shapes the world we live in, and create, began in her first Spanish class, and has been strongly influenced by attention to inclusive language in her diversity work. In the past five years, this focus has been sharpened by her work with AI constructs and language, as well as thinking about the social constructions of "reality." She is a member of NTL on International Behavior Science organization and a major emphasis of her consulting business is on equity work. In her free time she reads, digs in her Washington D.C. garden, and strategizes on how to travel more for pleasure and to be with grandchildren, nieces and nephews.

For more information, contact:

Alexsandra Stewart

1628 Oak St N.W.

Washington, D.C. 20010

E-Mail address: akspancultural@erols.com

CATHY L. ROYAL, PH.D. is the founding president of The Diversity Institute, a not-for-profit international learning community dedicated to research, training and dialogue to promote social and structural equity. She is an organizational development professional with specialties in diversity management, race and gender relations, appreciative inquiry and organizational transformation. Dr. Royal designs and conducts training in each of these areas for corporations, foundations, educational institutions and international agencies and donors. She is a member and trainer for the NTL Institute for Applied Behavioral Science (NTL) and she is the NTL Institute Ken Benne Scholaran. She serves as an adjunct faculty member for the American University/NTL Master's Program in Organizational Development. She was on the five-member team that facilitated the United Nations/Mountain Institute Rio Earth Summit. Dr. Royal has conducted training in Africa, Latin America and throughout the United States. She is a contributing author for three books: *Transformational Social Change: Self as Change Agent*, *Visible Now: Blacks in Private Education*, and *NTL Training Handbook* (in press 1998). Dr. Royal's passion is using Appreciative Inquiry to promote structural equality, honor diversity and social justice. She is the recipient of the Fielding Institute Social Justice award. She is the mother of three delightful adult children (gorgeous).

For more information, contact:

Cathy L. Royal, Ph.D.

PO Box 326

Riverdale, MD. 20738-0326

Phone: 800-957-5723

E-Mail address: catroyal@aol.com

APPENDIX A

The following description of AI was written for Imagine South Carolina and has become a staple of our Appreciative Inquiry work. Since 1996, we have further changed the language, and adapted it for a variety of clients including organizational capacity building and excellence in schools.

Appreciative Inquiry Imagine South Carolina

Appreciative Inquiry (AI) is a dynamic dialogue. It is designed to focus on creative conversations between people. AI is a process that seeks to bring all voices into a conversation. It involves all levels of a community who work together to co-create a desired future. AI is uniquely intended to discover, understand and foster innovation.

A basic belief of Appreciative Inquiry is that communities and individuals, like plants, are heliotropic; that is they move toward the light. Results from research (placebo studies, the Pygmalion effect studies, positive imagery for athletes) confirm this: positive images create positive futures.

Appreciative Inquiry asks people to tell their stories about their connections with others when they have been at their best. AI enable people to talk about race relations in South Carolina that are affirming (life giving) and equitable. It assists peo-

ple to imagine their communities in more affirming ways. AI assists in envisioning policies, practices and behaviors that promote equity and that enhance the life giving forces in relationships.

AI seeks out the "best of what is" to help ignite the collective imagination of "what might be." The goal is to expand the realm of the possible. People envision a collectively desired future. They carry forth these possibilities in ways that translate intention into reality. Communities create the processes they wish to use in order to put belief into practice.

AI has at its core the belief that communities are affirming and that people in these communities want their neighborhood to thrive and succeed. AI asks people to reflect on selected ideas and dialogue with each other to discover when they and others have been most satisfied with race relations. People describe the factors that give life to their commitment to South Carolina. The dialogue looks for examples, stories, metaphors and anecdotes. Each person helps the other person hear and understand their passion for and connection to equity and race relations in South Carolina.

Imagine South Carolina is an energizing process for conversation about the present reality and the shared vision for race relations in South Carolina. It helps develop more effective and creative communities that work. The Summit creates space to listen, to engage, and to enhance trust between people of other races. The inquiry encourages the sharing of stories, invites creative reflection and stimulates ideas for co-constructed action. The approach allows space for people to name how they would envision the best race relations and communities.

AI focuses on the generative forces already present in communities. The Imagine South Carolina Summit becomes the seeds for the preferred future. The ideals are grounded in reality. This combination open the status quo to transformation.

© C. L. ROYAL AND A.K. STEWART, JANUARY 1996

ATTACHMENT F

OFFICE OF THE OMBUDSMAN

114 Coleman A. Young Municipal Center

**2 Woodward Avenue
Detroit, MI 48226-3413
313.224.6000
313.224.1911(fax)**

313.224.6256 (TDD)

Ombudsman@ci.detroit.mi.us

Welcome to the official City of Detroit Office of the Ombudsman Website. This website has been designed to familiarize you, the user, to this office and foster an understanding of the role of the Office of the Ombudsman in City government.

CONFIDENTIALITY WARNING

Please be advised that, because of the nature of the Internet, no electronic communication to the City of Detroit Office of the Ombudsman should ever be regarded as confidential.

Although the Office of the Ombudsman has a strict policy of protecting complainants' identifying information, court orders or other extreme circumstances may require the Office of the Ombudsman to release certain information.

THEREFORE, YOU ARE WARNED THAT THE CITY OF DETROIT OFFICE OF THE OMBUDSMAN CANNOT OFFER ANY GUARANTEE OF CONFIDENTIALITY.

DISCLAIMER

The City of Detroit Office of the Ombudsman Website contains links to other Web sites on the Internet which are not under the control of the City of Detroit Office of the Ombudsman. The Office of the Ombudsman makes no representation concerning the content of these sites, nor should the fact that the Office of the Ombudsman has provided these links serve as an endorsement by the Office of the Ombudsman of any of these sites.

The Office of the Ombudsman is providing these links only as a convenience to visitors of our site who have an interest in information related to the topics presented on this site.

The Office of the Ombudsman does not warrant or make any representations as to the quality, content, accuracy or completeness of the information, graphics, links and other items contained on this server or any other server. Such materials have been compiled from a variety of sources, and are subject to change without notice.

Commercial use of the material or our online services is prohibited without prior specific written permission from the City of Detroit Office of the Ombudsman.

MISSION STATEMENT

The City of Detroit Office of the Ombudsman is an office that:

- Is an independent city agency.

- Evaluates objectively both sides of citizen-government controversies.
- Reports to City Council on issues of significance to the proper functioning of City of Detroit government.
- Provides investigative and informational services regarding the City of Detroit government.
- Listens to the questions and concerns of callers and visitors to the Office, provides information and referrals when appropriate, and offers kindly advice when necessary.
- When appropriate provides public in-depth reports to City Council on significant City of Detroit issues, at the Ombudsman's discretion.

You are visitor number: 1971 to the Office of the Ombudsman

CONFIDENTIALITY POLICY STATEMENT

The City of Detroit Office of the Ombudsman maintains a strict policy of complainant confidentiality. That is, with the exception of a direct court order or other extreme circumstances, we will not release the complainant's name, address, or phone number to anyone but the complainant, unless it is appropriate and/or necessary for the operating department to have the complainant's information.

Under certain circumstances, for example, when complaining about a neighbor, the Office of the Ombudsman may inquire if the complainant wishes to keep the complainant's identification anonymous. In other circumstances, for example with narcotics complaints, this Office will assume the complainant wishes to remain anonymous to the operating department.

Under most other circumstances, however, the Office will release the complainant's identification to the operating department unless the complainant specifically requests anonymity.

Please note, releasing the complainant's identification to the operating department does not mean we will release that information to anyone else, in the absence of a court order or specific permission from the complainant.

There are two levels of confidentiality which the complainant may wish to select. A complainant may choose to be fully anonymous which means no name at all is left with this Office, which in turn means that we cannot contact the complainant to assess the status of the complaint, or to get additional information, or to inform the complainant of the outcome of the complaint.

The other level of confidentiality, and the one recommended by this Office, provides that neither the name nor the address or phone number is released to the operating department. The name, address, and phone number is maintained only in the Ombudsman's Office records so that we may communicate further with the complainant.

Please be advised that the Ombudsman's policy of confidentiality is very strict. For example, all staff members of the Ombudsman's Office, including all civil servants, appointees, and contractually employed persons, are required to sign a Confidentiality Agreement which specifies that each staff person is required to honor this policy. Failure to do so may result in disciplinary actions, up to and including termination of employment.

If you have any questions about our confidentiality policy, you may contact the Ombudsman's Office via phone, mail, e-mail, or in person.

City of Detroit Office of the Ombudsman

114 Coleman A. Young Municipal Center

2 Woodward Avenue

Detroit, MI 48226-3413

(313) 224-6000

(313) 224-1911 fax

Ombudsman@ci.detroit.mi.us

The City of Detroit Office of the Ombudsman became operational in November, 1974. Now over 25 years later, the question 'What is an Ombudsman' is asked less frequently.

The importance of this concept is the preservation of the citizen's right "to petition government for redress of grievances" as guaranteed in the First Amendment of the United States Constitution.

WHAT IS IT?

OMBUDSMAN is a Swedish word - translated freely it means "Citizen Defender"- "Grievance Man".

An OMBUDSMAN has been defined as an independent government official who receives complaints against governmental agencies and officials from aggrieved persons; who investigates; and who, if the complaints are justified, makes recommendations and/or reports to remedy the complaints.

AN INDEPENDENT OMBUDSMAN insures that citizen grievances will not be ignored, should they be in conflict with an established policy of the chief executive or other authorities.

WHERE DID IT ORIGINATE?

The ombudsman concept was originated in Sweden by Charles XII in 1713. King Charles, concerned that his monarchy was lethargic and unresponsive to the concerns of the citizenry, appointed a trusted advisor and established the concept, making that advisor the history's first Ombudsman.

The independent Ombudsman concept was established by the Swedish Parliament in 1809, and continues today in this independent form. The two principal factors that determine if an Ombudsman Office is patterned after this independent Swedish concept include: (1), that the office is established by Charter, Constitution or Statute, (2), that the office is empowered to act independent of the appointing authority, and (3) that the office is structurally free from the entities or agencies it is investigating.

WHY IS IT?

Following World War II, there was a rapid growth of governmental institutions. Many complex agencies were established to assume a host of services. The diverse and intricate structure that developed has resulted in citizen confusion as to what governmental jurisdiction has the authority to resolve their problem or provide the needed services.

Vast government bureaucracy at all levels - Federal, State, County, and City - became an impenetrable maze for many citizens, and created the need for establishment of ombudsman offices. An Ombudsman Office both guides the citizens through the maze and resolves justified complaints within the governmental jurisdiction served.

Civil disorders of the 1960's further identified the need for utilization of the ombudsman concept in the United States. The report of the National Advisory Commission on Civil Disorders cited as significant causative factors, "the failure of local political structures to respond to legitimate complaints and the absence of obscurity of official grievance channels."

The ombudsman concept provides the safeguard that every citizen will be provided an avenue to voice his concerns and grievances and permit opportunity for resolution prior to seeking remedy within the costly, cumbersome, and backlogged judicial system.

For standards of the independent Ombudsman concept and other related information, please refer to the ABA link on the Related Ombudsman Sites page.

F.A.Q.

FREQUENTLY ASKED QUESTIONS ABOUT THE CITY OF DETROIT OFFICE OF THE OMBUDSMAN

1. What is the Detroit Ombudsman?

The Detroit Office of the Ombudsman is an independent government official, appointed by the Detroit City Council. The primary responsibility of the Ombudsman is to serve the citizens by seeking to resolve their complaints against departments and City government agencies.

2. How do I contact the City of Detroit Office of the Ombudsman?

You may contact the Office of the Ombudsman any time that you feel you have been treated unfairly by the action of a City department. However, you are encouraged to first attempt to resolve the problem by first contacting the department. Experience has shown that City departments are often genuinely concerned with handling citizen complaints regarding City services. If the response you receive is still inadequate, you may contact the Office of the Ombudsman at:

2 Woodward Avenue

114 Coleman A. Young Municipal Center

Detroit, MI 48226

313.224.6000 General Complaint Line

313.224.1911 Fax

Ombudsman@ci.detroit.mi.us

(see Confidentiality warning on Home Page)

3. What information do I need to file a complaint with the Office of the Ombudsman?

Our staff will need the following information:

- The date, time, location, and nature of the complaint, as well as any other pertinent information
- The name of the City department or agency that is involved, if known.
- The name and telephone numbers of any City employees that you have already discussed the issue with as well as the dates of any conversations, if known.

4. What is the jurisdiction of the Office of the Ombudsman?

Jurisdiction extends to questions about, or problems with, City of Detroit government. The Office has the power to subpoena documents and records necessary to conduct investigations to resolve complaints from most departments. The Office of the Ombudsman can also hold public hearings regarding complaint matters. The Office of the Ombudsman does not have jurisdiction over elected officials, Federal, State or County governmental agencies, courts, libraries, the Detroit Public School system, or private businesses.

5. Is there a charge for the service?

There is no charge for the Office's services. Activities are financed from your tax dollars.

6. Are the services of the Ombudsman Office limited to City of Detroit residents?

No. Any individual or business that has a problem or question about a City of Detroit department may contact the Office of the Ombudsman for assistance.

FUNCTION OF THE DETROIT OFFICE

The Office of the Ombudsman was established to receive, investigate, and seek to resolve all justified citizen complaints against city government including any action, omission, decision, recommendation, practice or procedure of any agency;

To review investigations and hearings of city agencies having subpoena power to determine if the same were conducted fully and fairly;

To recommend change where investigation reveals that modification, addition, or elimination of an act or procedure is warranted;

To establish and perfect complaint investigative procedures and maintain records to determine areas of administrative service failure;

To institute original investigation into areas where compiled data reveals problems of similar or recurring nature;

To provide information and referrals, and recommend alternative action, when citizen complaints do not fall within the jurisdiction of service rendered by the City of Detroit.

GOALS OF THE DETROIT OFFICE

To restore citizen confidence in areas where misunderstanding, error, and omission have abused this confidence.

To investigate areas of inadequate, archaic or inequitable ordinances; discretionary policy not consistently applied; inequitable or inadequate administrative procedures; and ineffective enforcement criteria, and report on the same.

To identify areas of administrative and/or service failure.

To advance innovative and practical recommendations to resolve recurring complaints.

Frequently Requested Numbers

General Information	
<i>City Clerk Citizens Information</i>	224-3270/71
<i>City Hall Central</i>	224-2989
Abandoned/Dangerous Buildings	224-3215
Abandoned Cars-Private Property	224-3212
Abandoned Cars-Street or Alley	<i>Call your local precinct</i>
Animal Control	
<i>Stray Dogs/Dog Bites</i>	224-7128
<i>Dog Licensing</i>	224-7133/32
ATF Hotline	1-800-ATF-GUNS
Block Club Information	224-4276
Building Code Violations	
<i>Residential</i>	224-3105
<i>Commercial</i>	224-3242
Broken Water Mains	267-7401
Bus Service	
<i>Schedules</i>	933-1300
<i>Complaints</i>	935-5026
<i>Senior Citizens Free Fare</i>	224-2989
Citizens Radio Patrols	

<i>To form patrols</i>	596-2520
<i>Financial Assistance</i>	224-3270
City Council	224-3443
Comm. and Creative Services	224-3755
Consumer Affairs	
<i>Information</i>	224-3508
<i>Complaints Center</i>	224-6995
Dead Animals	935-4700
Debris, Weed Removal	
<i>Alleys, Streets, Private Property</i>	935-4700
<i>Parks, Playfields</i>	224-1111
Detroit Institute of Arts	833-7900
Employment Information	
<i>Employment & Training</i>	876-0620
<i>Job Hotline</i>	224-6928
Empowerment Zone Info.	872-8050
Evictions	
<i>(Removal of furniture, etc.)</i>	935-4700
Fire Department Information	
<i>Community Relations</i>	596-2900
<i>Emergency</i>	596-2957
<i>Arson Investigation</i>	911
	596-2940
Garbage Collection & Special Pick-Up	935-4700
Health Department	876-4000

Homeless Intervention Information	877-8045
Housing Commission	877-8000
Human Services Hotline	267-6633
Legal Aid	964-4700
Library Information	833-1000
<i>Tip Information</i>	833-4000
Mayor's Office	224-3400
Medical Emergencies	911
<i>CPR Training</i>	596-1552
MESC	876-5000
Michigan State Police	256-9636
Neighborhood City Halls	224-2989
Office of the Ombudsman	224-6000
Planning & Development Dept.	224-6380
Police Department Information	224-4400
<i>Crime Prevention</i>	596-2520
<i>Emergency</i>	911
<i>Illegal Drug Sales</i>	224-DOPE
<i>Illegal Dumping</i>	224-4775
<i>Office of the Chief Investigator</i>	596-2488
<i>Police Athletic League (PAL)</i>	596-1751
<i>Prisoner Information</i>	267-4602
<i>Telephone Crime Reporting</i>	267-4600
1st Precinct	596-5100
2nd Precinct	596-5200
3rd Precinct	596-5300
4th Precinct	596-5400

5th Precinct	596-5500
6th Precinct	596-5600
7th Precinct	596-5700
8th Precinct	596-5800
9th Precinct	596-5900
10th Precinct	596-1000
11th Precinct	596-1100
12th Precinct	596-1200
13th Precinct	596-1300
Public Lighting Department	
<i>Lights Out</i>	267-7287
<i>Additional Lighting</i>	267-7257
<i>General Information</i>	833-7030
<i>Traffic Signal Out, Wire Down</i>	224-0500
Rats, Rodents	
<i>Public Housing, Commercial</i>	876-4516
<i>Private Homes & Apartments</i>	224-3105
<i>Outside Buildings</i>	935-4700
Recorder's Court Information	224-1150
Recreation Department	224-1100
Senior Citizens Department	224-1000
Sidewalk Repairs	224-3955
Snow Removal & Street Cleaning	935-4700
Street Repairs	935-4700
Suicide Prevention Center	224-7000
Tax Assessment	
<i>Income Tax</i>	224-3035
<i>Property Tax</i>	224-3560

36th District Court Information	965-2200
Traffic Signals	224-0500
Trees: Trimming, Removal, Stumps	224-1111
U.S. Marshal	234-5600
Vacant Lots	
<i>Purchase</i>	224-2569
<i>Weeds, Debris Removal</i>	935-4700
Voting Information	876-0190
Water & Sewerage	
<i>Emergency Service</i>	267-7401
<i>Shut-Off</i>	224-4840
<i>Billing Information</i>	964-9090
Wayne County Prosecutor	224-5777
Wayne County Sheriff	224-2222
Youth Department	224-3216
Zoological Park Dept.	
<i>Detroit Zoo</i>	(248) 398-0900
<i>Belle Isle Zoo</i>	852-4083

OFFICE OF THE COMMUNITY OMBUDSMAN
POLICIES AND PROCEDURES



JANUARY 1, 2001

**OFFICE OF THE COMMUNITY OMBUDSMAN
POLICIES AND PROCEDURES**

Contents

CHAPTER 1

Authority, Mission & Philosophy

CHAPTER 2

Citizen Complaint Procedures & Investigation

CHAPTER 3

Review of Internal Investigations

CHAPTER 4

Citizen Appeals of Internal Investigations

CHAPTER 5

Critical Incidents

CHAPTER 6

False Reports

CHAPTER 7

Criminal Investigations

CHAPTER 8

Outside Legal Counsel



CHAPTER 1

AUTHORITY, MISSION & PHILOSOPHY

1.00 AUTHORITY, MISSION & PHILOSOPHY

1.01 Authority for the Office of the Community Ombudsman

- a. On July 20, 1999, the Boise City Council enacted, by a unanimous vote, City ordinance number 5930. This ordinance added Title 2, Chapter 22, to the Boise City code to establish the Office of the Community Ombudsman specifying duties and responsibilities, requiring confidentiality of records, and authorizing mediation, recommendations, community outreach, and reporting.
- b. The scope of the Community Ombudsman's authority, as specified in the ordinance, extends to any and all law enforcement and police activities or personnel operating under authority of the City of Boise City.
- c. A complete copy of City Ordinance number 5930 may be viewed at the Office of the Community Ombudsman during regular business hours.
- d. A complete copy of City Ordinance number 5930 may be obtained from the Boise City Clerk upon payment of the normal fees required for such public documents.
- e. A complete copy of City Ordinance number 5930 is also available for public access on the internet site maintained by the Boise City Clerk.

1.02 Mission of the Office of the Community Ombudsman

The Office of the Community Ombudsman exists to promote public confidence in the professionalism and accountability of Boise City's police and law enforcement employees through unbiased investigation of citizen complaints, independent review of police actions, thoughtful policy recommendations, and on-going public outreach.

1.03 Operating Philosophy of the Office of the Community Ombudsman

The Ombudsman's operating philosophy consists of the following guiding principles under which we strive to achieve our mission.

- a. We believe in providing equal, fair, and impartial access to the services of the Office of the Community Ombudsman; without regard to age, race, gender, creed, color, nationality, or station in life.

- b. We believe in treating all individuals, regardless of their attitude or demeanor, with the same courtesy, tolerance, sensitivity, and dignity we would expect if placed in a similar situation.
- c. We believe in providing quality, timely, objective, and responsive service to those persons who request the assistance of the Community Ombudsman.
- d. We believe in the empowerment of people to solve problems, provide service, and satisfy the needs of the community, coupled with accountability and responsibility for their conduct.

BY THE COUNCIL:

BAKER, FORNEY, HAUSRATH, MAPP,
TERTELING AND WETHERELL

AN ORDINANCE ADDING TITLE 2, CHAPTER 22, BOISE CITY CODE, TO ESTABLISH THE OFFICE OF COMMUNITY OMBUDSMAN SPECIFYING DUTIES AND RESPONSIBILITIES, REQUIRING CONFIDENTIALITY OF RECORDS, AND AUTHORIZING MEDIATION, RECOMMENDATIONS, COMMUNITY OUTREACH AND REPORTING; APPROVING AN ORDINANCE SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the professionalism and accountability of Boise City law enforcement agencies will be enhanced by establishing an independent investigative and review process by the creation of the Office of Community Ombudsman to receive, investigate and monitor citizen complaints against the police and to provide recommendations regarding improvements to police policies, practices and training; and

WHEREAS, public confidence in the internal investigation process of Boise City law enforcement agencies will be enhanced by establishing an independent investigative and review process.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Title 2, Boise City Code, be and the same is hereby amended by the addition thereto of a new Chapter 22 to read as follows:

2-22-01. Community Ombudsman

There is hereby created an administrative unit of the City to be known as the Office of Community Ombudsman.

2-22-02. Appointment and Removal of Ombudsman

- A) The Community Ombudsman shall be appointed by the Mayor and confirmed by the City Council.
- B) The Community Ombudsman may not be removed from office except for misconduct, inefficiency, incompetence, inability or failure to perform the duties of such office or negligence in the performance of such duties. In such cases that warrant removal from office, said removal shall be accomplished only by a

C) Appeals of Internal Investigation Findings

Any person may file with the Office of Community Ombudsman an appeal of the findings of an internal investigation conducted by the Boise City Police, or other Departments. Upon receipt of such an appeal, the Office of Community Ombudsman shall:

- i) Review the completed investigation.
- ii) Determine whether or not further investigation is warranted and, if necessary, ensure that a timely, thorough, complete, objective and fair follow-up investigation into the complaint or allegation is conducted. This follow-up investigation may, at the discretion of the Community Ombudsman, be conducted by the Office of Community Ombudsman, the Department involved or any other competent investigative agency.
- iii) Provide timely updates on the progress of the review and any follow-up investigation to the complainant and the employee who was the subject of the original investigation, unless the specific facts of the investigation would prohibit such notification.
- iv) Based on the review of the original investigation and the results of any follow-up investigation (if conducted), reach an independent finding as to the facts.
- v) Communicate these findings on a timely basis to the person filing the appeal, the employee who was the subject of the original investigation, and the Chief of Police or relevant department head.

D) Mediation

The Office of Community Ombudsman shall develop an alternative dispute resolution process for resolving those citizen complaints which involves conduct which may most appropriately be corrected or modified through less formal means.

E) Policy Recommendations

The Office of Community Ombudsman shall develop specific recommendations as to the policies, procedures, practices and training of Boise City police and law enforcement employees. Such recommendations should have as their goal improved.

- professionalism,
- safety,
- effectiveness and
- accountability

of Boise City Police and law enforcement employees. The Office of Community Ombudsman may make recommendations to the Chief of Police, Department Heads, the Mayor and/or the City Council as appropriate.

F) Community Outreach

The Office of Community Ombudsman shall develop and maintain a regular program of community outreach and communication for the purpose of listening to and communicating with the citizens of Boise City.

G) Reporting

The Community Ombudsman shall file semi-annual public reports with the City Clerk for transmittal to the City Council and Mayor which shall:

- i) Include a statistical analysis documenting the number of complaints by category, their disposition and any actions taken;
- ii) analyze trends and patterns;
- iii) make recommendations, as appropriate.

The reports shall include all complaints received by the Office of Community Ombudsman and Police and other law enforcement activities of the City.

H) Critical Incidents

In the event that an employee of the Boise Police or the Airport Peace Officers Division of the Aviation and Transportation Departments is involved as a principal, victim, witness or custodial officer, where death or bodily injury results, the Community Ombudsman shall be notified immediately and shall act as an observer to any criminal, administrative or civil investigation conducted by or on behalf of the such Departments. The Office of Community Ombudsman may also conduct an independent administrative investigation into such a critical incident. Critical incidents include but are not limited to situations involving the following:

- i) Use of force or any other Department action that results in death or serious bodily injury. (Serious bodily injury is an injury that results in the subject being admitted to a hospital.)
- ii) Use of Deadly Force where only minor bodily injuries occur.
- iii) Intentional use of Deadly Force but no injury occurs (excluding animals).
- iv) Vehicle pursuits, roadblocks or intercepts resulting in death or serious bodily injury.

- v) Police employee involved in a traffic accident resulting in death or serious bodily injury, while operating a city vehicle or a private vehicle while on City business.

2-22-05. Confidentiality of Records and Information

The Office of Community Ombudsman shall comply with all state and federal laws requiring the confidentiality of law enforcement records, information, and confidential personnel records; and respect the privacy of all individuals involved.

2-22-06. Relationship Between the Office of Community Ombudsman and Boise City Police and Other Departments

- A) The Chief of Police and all Department Heads with employees who perform law enforcement duties shall each, jointly with the Community Ombudsman, develop standard operating procedures to govern the relationship and flow of communication and work products between the Office of Community Ombudsman and each of their respective departments.
- B) The Office of Community Ombudsman is to be given full, unrestricted and complete access to any and all information, files, evidence or other material which the Community Ombudsman shall deem necessary in the performance of the duties specified and responsibilities set forth in this chapter.
- C) The Office of Community Ombudsman is to provide the appropriate Chief or Department Head with timely notification of complaints, investigations, appeals and findings and with such information and cooperation as is appropriate and necessary.

2-22-07. Cooperation with the Office of Community Ombudsman

- A) All City employees shall be required as a condition of their employment to cooperate fully and truthfully with the Office of Community Ombudsman operating within the course and scope of this chapter, by providing the Office of Community Ombudsman with any and all information, evidence, interviews, or other material as requested.
- B) No person shall directly or indirectly force, or by any threats to person or property, or in any manner wilfully intimidate, influence, impede, deter, threaten, harass, obstruct or prevent, another person, including a child, from freely, fully and truthfully cooperating with the Office of Community Ombudsman.

2-22-8. Independence of the Community Ombudsman

- A) The Community Ombudsman and any employee of the Office of Community Ombudsman shall, at all times, be totally independent. Any investigations, findings, recommendations and requests made by the Office of Community Ombudsman shall reflect the views of the Office of Community Ombudsman alone.
- B) No person shall attempt to unduly influence or undermine the independence of the Community Ombudsman or any employee of the Office of Community Ombudsman in the performance of the duties and responsibilities set forth in this Chapter.

2-22-9. False Reports

The Office of Community Ombudsman shall have the discretion to decline further action on a complaint filed with the Office of Community Ombudsman if it is found that there is a reasonable belief that the alleged acts of misconduct in the complaint are false and that the person(s) filing the complaint knew them to be false at the time the complaint was filed.

Section 2. That the summary of this Ordinance, attached hereto as Exhibit "A" is approved as to both form and content.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the Council of the City of Boise, Idaho, this 20th day of July, 1999.

APPROVED by the Mayor of the City of Boise, Idaho, this 20th day of July, 1999.

ATTEST:

APPROVED:

Signed
CITY CLERK

Signed
MAYOR

Recommended Training for New Civilian Oversight Board

Require

30 hours structured training in the following topics; and

20 hours reading materials read by the Board Members to prepare for training.

No case monitoring should begin until training is complete the Executive Director is comfortable that the Board is competent to review cases.

Possible Schedule:

Day 1: 6 hours training

2 Hours:

Riverside's Establishment of Civilian Oversight

History of Local Issues That Led to the Establishment of Oversight

Constitutional and Civil Rights Issues of Citizens; Reducing Taxpayer Liability for Police Errors/ Misconduct

Presenters: Don Williams and

History: Locals who worked on oversight establishment

Constitutional & Civil Rights: ACLU spokesperson

Liability Reduction: Merrick Bobb, Los Angeles

4 hours:

Two Panels: Dialogues between Panelists & New Board Members

1. What the Riverside Community Groups Expect from Riverside's Oversight Process

Panelists should reflect the Leadership of Riverside's diverse community in the Riverside (Anglos; Black, Hispanic and Asian Leaders; Youth, Gender balance; immigrant issues; Faith communities; UCR/ RCC; Media; ACLU, other. . .)

2. What local Government Officials Expect from the City's Oversight Process: Panelists Could Include Mayor, City Manager, City Council, Grand Jury, Police Management, City Risk Administrator; Presiding Judge; County Officials such as CAO, Sheriff; Federal Officials such as US Attorney/ Civil Right's Department Spokesperson and/or FBI spokesperson to address what federal oversight is ongoing or anticipated, what fed "pattern and Practice" investigations mean.

Day 2: 4 hours

2 hours:

Models of Civilian Oversight in the US, in California; Riverside's Model
 : Possible presenters: Sam Walker (U of Omaha); Sue Quinn (San Diego); Don Casimere (Sacramento)

2 hours:

California Local Government: Public Records & Public Meetings Laws
 Obtain *Ralph M. Brown Act: Attorney General's Guide* at
http://www.cfac.org/Law/BrownAct/AGuide/ag_guide/segment_2.html

Riverside's City Government & City Charter

Instruct Board to read the Brown Act Guide prior to the training (assume 2 hours reading);
 Have City Atty conduct training.

Day 3: 8 hours

Management and Supervision of Police: Polices, Practices and Operations,
 Police Hiring, Training,

Investigations of Police Officer Behavior/ Misconduct; Progressive Discipline

Officer Responsibilities: California Peace Officers, 830 et sec PC

Officer Rights: Peace Officer Bill of Rights; The POA and PORAC

Instruct Board to read Department documents prior to training (assume 6 hours reading);

Trainers/ Presenters: Riverside Police Department & POA

Day 4-6:

12 hours Review Board Operations & Monitoring Investigations

Day 4

1 ½ hours Riverside Oversight Board's Ordinance; Rules and Regulations; Basic Concepts in Oversight;

Use Riverside Ordinance, Rules & Regulations, NACOLE 1999 Training Document, *Investigation, Monitoring and Review of Complaints: Practitioner's Guidelines*. Instruct Board Members to ready materials prior to training (assume 4 hours reading).

Presenter: Don Williams

4 ½ hours Monitor Internal Investigations
Require Board Members read *Investigative Procedures and Guidelines* Manual from San Jose prior to training; require reading of any similar manual Riverside Police have. (Assess availability and adequacy of any similar Riverside manual so you can train Board accordingly; if there isn't such a manual, assess recommending one.) Assume 6 hours reading.

Recommended Trainers: Teresa Guerrero-Daley, San Jose Independent Police Auditor; Judge-Elect Katherine Mader (First Inspector General, Los Angeles Police Commission)

Days 5: 3 hours:
Practice Cases: Give Board 2 Sample Cases consisting of Complaint/Officers' Statements/ One witness statement/ governing Policies & procedures. Assume 1 hour reading before meeting.

Presenter/ facilitator: Don Williams

Days 6: 3 hours:
Practice Case: Give Board 2 more difficult Sample Cases consisting of Complaint/Officers' Statements/ Witness statements/ Other evidence/ policies & procedures. Assume 1 hour reading before meeting.

Presenter/ facilitator: Don Williams

Ongoing Training Recommendation:

Board Members be invited to attend any Riverside Police Academy classes, and urged to attend classes that address issues in the complaint caseload, such as force application; communications; dealing with mentally ill.

2-4 RideAlongs Annually

Board Members receive as much training from outside the department as from within the department.

Schedule Trainings at Board Meetings



MEDIATION

An Alternative

Table of Contents

Minneapolis Civilian Police Review Authority Administrative Rules regarding Mediation.....	1
Successful Mediations - Three Case Studies	4
Minneapolis Police Federation Endorsement	7
Mediation Referral Letters to Complainant, Officer and MMP	8
Agreement to Mediate.....	11
MMP Summary and Agreement	12
Letter to Chief Regarding Successful Mediation.....	13

[REDACTED]

Minneapolis Civilian Police
Review Authority [REDACTED]

**Administrative
RULES**

[REDACTED] Approved by the Board of Directors of the
Minneapolis Civilian Review Authority

Wednesday, October 31, 1990

[REDACTED]

5.0 **Mediation**

5.11 The Authority shall inform all Complainants and Officers of the possibility of mediation as an alternative to the Authority's processes. Mediation is an informal process, held before a neutral third party, attended by the Complainant and the Officer for the purpose of fully, thoroughly, and frankly discussing the alleged misconduct and attempting to arrive at a mutually agreeable resolution of the Complaint.

5.12 In cases in which the Executive Director decides not to dismiss the complaint, he/she may decide that the case is appropriate for mediation.

5.13 The Executive Director shall inform the Chief of this decision to proceed to mediation.

5.14 Mediation shall not be available to an Officer who has participated in mediation, under the auspices of the Authority, for a serious similar misconduct allegation or a similar misconduct allegation within the previous 12 months.

5.15 This determination shall be communicated to the Complainant and the Officer. Both the Complainant and the Officer must agree to mediation, within ten (10) days of receiving notice of the Executive Director's referral to mediation, for it to proceed, otherwise, the case shall be referred to investigation.

5.16 If the Complainant and the Officer agree, the Authority shall schedule a mediation session at the earliest convenient time. Written notice of the time, date and location of the first mediation session shall be provided each party.

5.17 The mediation session(s) will consist of the Complainant, the Officer, and the Mediator. In the case of a minor, a parent or legal guardian must be present. In the case of a vulnerable adult, a family member, conservator or legal guardian must be present. If an interpreter is requested, arrangements will be made to have one present upon request by either party. No other person may be present. No record of the proceeding will be taken.

5.18 Procedures and guidelines for mediation will be established at the beginning of the mediation process through agreement of all participants.

5.19 The mediation session(s) will continue as long as the mediator and the parties feel progress is being made in the resolution of the issues. The mediation process shall terminate when either party announces its unwillingness to continue mediation or when the parties sign an agreement setting forth the resolution of the disputed issue(s).

5.20 However, in no case shall the time for mediation extend beyond thirty (30) days from the date the Authority has received notice of willingness to participate in mediation from both the Complainant and the Officer. In order to facilitate and encourage mediation, the Authority time limitations and deadlines will be tolled during mediation.

5.21 The Authority or its designated agent shall monitor the mediation process and the

implementation of a mediation agreement. If one party fails to abide by this agreement, the aggrieved party may pursue a hearing before the Authority.

5.22 No record will be made of the mediation proceedings, and no information discussed will be used in subsequent proceedings. (Minn. Stat. §595.02, Subd. 1(k) (1989)).

5.23 A copy of the mediation agreement will not be sent to the Chief.

Successful Mediation

Case Study No. 1

Complaint: Excessive Force, Inappropriate Language/Conduct

Minneapolis narcotics officers raided the complainant's apartment looking for a drug dealer. The drug dealer, who also was the apartment manager, had used complainant's apartment to sell drugs when the complainant and her family were not home. This search was conducted at night with a no-knock entry with shotguns and strong language. At the time of the raid, the complainant was on her way home from work. Her three children, ages 15, 9 and 6 were home at the time. The raid terrified the children and caused them to have nightmares about the police.

The complainant filed a complaint with the MCPRA and requested that her case be mediated. The sergeant in charge of the raid agreed to mediate. During the mediation, the sergeant apologized for the incident and also explained police policy and procedure as it relates to drug raids. As part of the mediation agreement, the sergeant agreed to meet with the children to explain what happened and to apologize to them. The meeting with the children was successful. The 15-year old boy and the sergeant got along so well that the boy went on a police ride-along. As a result of the ride-along, the boy is planning a career in law enforcement.

Successful Mediation
Case Study No. 2
Complaint: Inappropriate Conduct

The complainant had contact with a Minneapolis police officer at a local casino. The officer was off-duty and in plainclothes. As the officer was leaving a blackjack table, he said, "I don't need to play with these rocket scientists." The complainant, seated at the table and not knowing the identify of the officer said, "It isn't our fault you played with your head up your ass."

At that point the officer flashed his badge and stated, "You can't talk to me like that. I'm a Minneapolis police officer," and threatened the complainant with arrest. The officer then insisted that the employees of the casino eject the complainant. The complainant believed that the officer used his badge to get the casino employees to comply with his wishes.

During the mediation, the complainant and the officer apologized to one another and later went out for coffee. According to the officer, this incident was a wake-up call regarding his career. He evaluated his behavior at the casino and decided to make changes in the direction of his career. He is now a lieutenant.

Successful Mediation

Case Study No. 3

Complaint: Discrimination/Inappropriate Language and Conduct

The complainant, a gay man, was involved in a traffic stop with a Minneapolis police officer. When the complainant questioned the officer about the stop, it was alleged that the officer became verbally abusive and discriminated against the complainant by making comments such as, "You people," "We don't need your kind here" and "Stay out of Minneapolis, you f----- deviant."

During the mediation the officer apologized to the complainant and explained that he had been on a homicide of a child call just prior to the stop. The officer also agreed to take additional diversity training, attend a gay pride event and talk to an employee assistance counselor about dealing with stress.

CRA MEDIATION: Is It the Way to Go?

By Bruce Johnson, Editor

mediate: to act as an intermediary (as in settling a dispute)

Since coming on board as a Federation Director and having the opportunity of representing several officers at Civilian Review, I would like to explain my position on the mediation aspect of the CRA.

First of all, if any officer has the opportunity to proceed with mediation, by all means do it. My reasoning for this is simple. We as police officers are in the "people" talking business and we should be able to sit down with anyone and explain why we do what we do and did what we did.

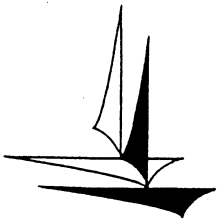
The CRA mediation process provides the complainant and the offi-

cer to sit down with each other and discuss the incident. A Mediator will also be present. No other person may be present and no record of the proceeding will be taken.

Also no record of the mediation proceedings will be made and no information discussed will be used in subsequent proceedings. Lastly, no record of the mediation will be sent to the Chief. Keep in mind, however, that if the mediation does not satisfy the complainant, the investigative process will continue. I have only heard of three mediation cases ending up back in that process as of this date.

So is mediation the way to go? Absolutely. If you have any questions about this process I will be more than gladly to go over the entire procedure with you.

SHOW UP Minneapolis Police Federation Aug 1998



City of Minneapolis

Civilian Police Review Authority

400 South 4th Street - Room 1004
Minneapolis MN 55415-1424

Office (612) 370-3800
Fax 370-3846
TTY 673-2157

May 9, 2001

RE: File No.

Dear :

Under Rule 5 of our Administrative Rules, I have determined that this complaint is appropriate for mediation.

Mediation is an informal process, held before a neutral third party, attended by the Complainant and the Officer, for the purpose of fully, thoroughly, and frankly discussing the alleged misconduct and attempting to arrive at a mutually agreed-upon resolution of the complaint. It is an alternative to a full investigation by our office and a possible adversarial hearing.

The mediation process is confidential. What is said in mediation remains between the Officer(s), the Complainant(s), and the Mediators. It will not be used in later investigation, or in any hearing. If an agreement is reached through mediation, all references to the complaint will be removed from the records of the Police Department.

Within ten (10) days of this letter, please call the Minneapolis Mediation Program (MMP) to let the MMP know if you will agree to participate. Their number is 359-9883. If the other party to this case also agrees to participate, the MMP will provide written notice of the time, date and location of the first mediation session. If you or the other party do not agree to participate in mediation, the case will be reassigned to investigation.

Thank you for your cooperation.

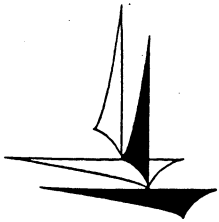
Sincerely,

PATRICIA J. HUGHES
Executive Director

PJH:mr

cc: Investigator

med



City of Minneapolis

Civilian Police Review Authority

400 South 4th Street - Room 1004
Minneapolis MN 55415-1424

Office (612) 370-3800

Fax 370-3846

TTY 673-2157

May 9, 2001

MICHELLE GULLICKSON-MOORE
310 E 38TH ST SUITE 221
MINNEAPOLIS, MN 55409

RE: Complaint No.

Dear Ms. Gullickson-Moore:

I am referring the above complaint to you to attempt mediation. It is a complaint that alleges police misconduct. The name and address and phone number of the complainant is:

The name, work address and phone number of the officer involved is:

Officer
Precinct

Minneapolis, MN

Our office has sent a letter to each party asking that they contact you directly by phone if they are agreeable to mediation. I assume you will also attempt to contact them. According to our Rules, if a mediation agreement is not reached within 30 days of the date that the parties express willingness to mediate, it must be taken out of the mediation process.

May 9, 2001
page 2

Please let me know if both parties are agreeable as soon as you have spoken to them. And if there is ultimately a successful mediation, our office should get a copy. If not, let us know.

Thank you.

Sincerely,

PATRICIA J. HUGHES
Executive Director

PJH:mr

enc: Notice of Complaint

cc: Investigator

mmp

☐ MINNEAPOLIS MEDIATION PROGRAM ☐

Agreement to Mediate

The mediation process is voluntary. Any party may withdraw at any point if she/he feels that the mediation session is not serving her/his needs. Any oral or written agreement which proceeds from this mediation will generally result in compliance because the agreement represents those actions which all parties are willing and able to undertake.

You retain all legal rights to pursue this matter in other ways, but you cannot call a mediator to testify nor can you use mediation discussions, or meeting notes developed in or as a result of the mediation process, in subsequent judicial or administrative proceedings.

Rules of Mediation:

1. Each party will have an opportunity to present their side of the issue.
2. Each party is expected to mediate in "good faith."
3. During the mediation, any party or mediator may request to speak with another party(s) or mediator(s) privately (caucus).
4. Except for the mediated agreement or settlement, all communications and documents made during mediation proceedings are CONFIDENTIAL and cannot be published to third parties in writing or orally, except by the express written consent of both parties. The MMP may disclose to referring entities if the parties met, if an agreement was reached and if the agreement was complied with.
5. Minnesota Statute 595.02, Subdivision 1(k), makes testimony regarding any communications and documents made or used in the course of, or because of mediation inadmissible at subsequent legal or administrative proceedings.
6. A mediator cannot be called to testify at subsequent legal or administrative proceedings.
7. Evidence of child abuse and/or abuse of a vulnerable adult will be reported. Also, threats of serious bodily injury directed at an individual or the substantial likelihood that an individual's actions, or inactions, may lead to the serious bodily harm of another, will be reported.

We have read and understand the information presented here. We agree to work cooperatively to resolve any differences. We acknowledge that this agreement must be signed before the session can proceed.

Party Date

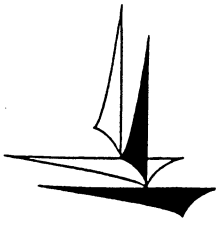
Party Date

Party Date

Party Date

Mediator Date

Mediator Date



City of Minneapolis

Civilian Police Review Authority

400 South 4th Street - Room 1004
Minneapolis MN 55415-1424

Office (612) 370-3800

Fax 370-3846

TTY 673-2157

Chief Robert Olson
Minneapolis Police Department
Room 130 City Hall
Minneapolis, MN 55415-1314

May 9, 2001

RE: Our File No.
Officer

Dear Chief Olson:

Our office sent this complaint to mediation. Under Rule 5.23 of our Administrative Rules I am not permitted to send you a copy of the mediation agreement. However, I am pleased to say that this matter has been resolved by an agreement between the parties reached through mediation.

Under our rules, the Civilian Review Authority will therefore be dismissing this case. It is my understanding that all references to this complaint will be removed from the officer's personnel file, including the officer's blue card.

Thank you for your attention to this case.

Sincerely,

PATRICIA J. HUGHES
Executive Director

PJH:

cc: Complainant
Officer
IAD
Investigator

339 S

Committee Report #2

Committee Report from Councillor
Marjorie Decker, Chair of the Civic
Unity Committee, for a meeting
held on July 25, 2001 to continue
discussions on mediation services
and resources.

In City Council September 24, 2001

Report Accepted

PLACED ON FILE