

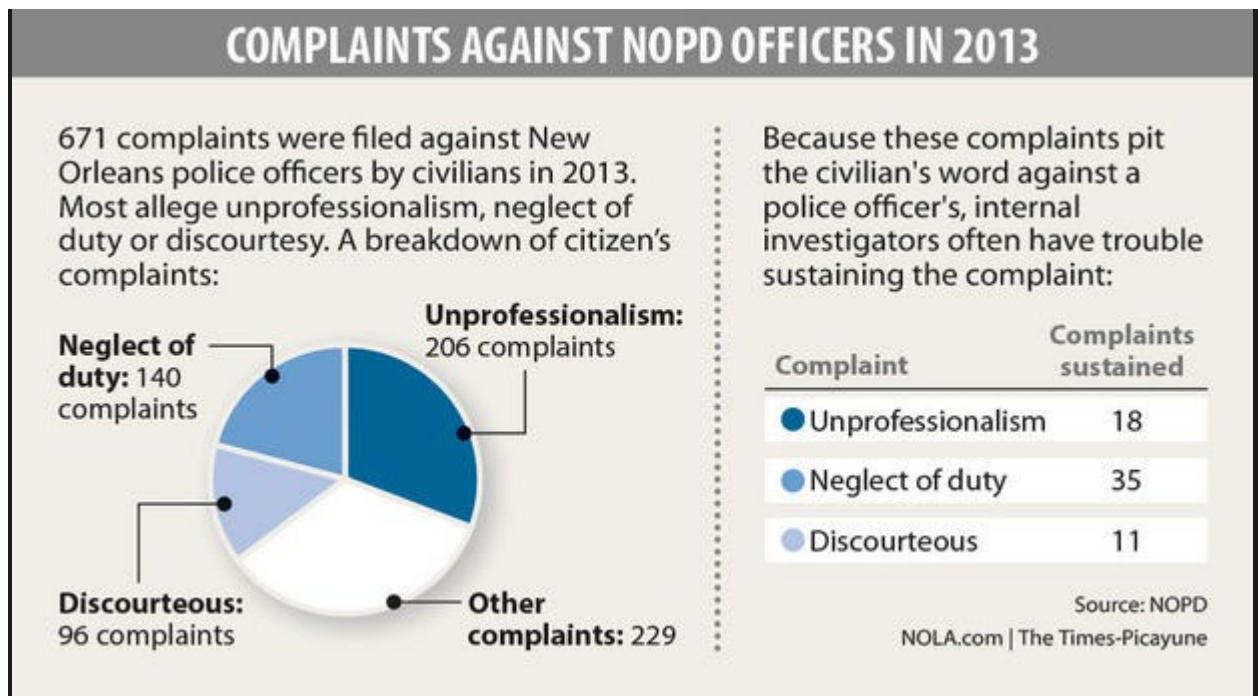
For people filing complaints against New Orleans police, mediation now an option



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A man feels disrespected by a police officer during a traffic stop. A woman believes a cop ignored her calls for help. An arrestee feels an officer was rude.

These are among the types of situations that most commonly prompt residents to file a complaint at the New Orleans Police Department. Such matters are investigated, but in most cases the citizen receives a letter a few months later saying the allegations could not be proven. Meanwhile, the officer involved is skipped over for promotions.

But now there is a new option available that officials hope will prove more satisfying for residents and cops. If both the officer and the person who filed the complaint agree, they can now opt for [mediation](#), a face-to-face airing of grievances.

Organized through the city's Office of the Independent Police Monitor, the program follows a [growing trend](#) in cities nationwide, and is among the first of its kind in the South, officials said.

"The goal is to understand each other's perspective, then forgive and heal from that," said Alison McCrary, who directs the program. She cited a three-year study by the police monitor's office that found participants in other U.S. cities were satisfied at least 90 percent of the time following their mediation.

During each 60- to 90-minute session, two professional mediators guide participants in a frank discussion about the initial dispute, and why each acted the way they did. Each participant is allowed to bring a companion for moral support. Oftentimes, the clash resulted from a basic misunderstanding, or a lack of knowledge about police work, McCrary said. Sometimes they just need to see the other side as human.

Then both sides work toward a mutually agreeable resolution. It could be an apology, or maybe the citizen wants the officer to visit their community group or church. Perhaps the officer wants the civilian to come on a ride-along to see firsthand the struggles of policing a dangerous city.

The mediation is binding, requiring the resident to withdraw the complaint unless the officer doesn't show up or the mediator determines that the officer is not genuinely engaged in the process.

The NOPD's first session took place Thursday. The discussions are confidential, but both the officer's attorney and the police monitor's office said the session went well. They didn't disclose the nature of the complaint.

The monitor's office has trained 20 mediators, who completed 40-hour conflict-resolution courses. They come from a range of backgrounds and include lawyers, social workers and educators.

Only complaints alleging unprofessionalism, discourtesy or neglect of duty are eligible for mediation. These are the most common types filed; last year, about two-thirds of complaints filed by civilians fell into one of those categories.

But they're also uniquely difficult for internal investigators to prove through the traditional system, because often there are no other witnesses or evidence besides one side's word against the other's, McCrary said.

The result of the traditional system is that citizens "don't feel heard," McCrary said: "They don't feel like it's making change."

Of 96 citizen allegations of discourteousness filed in 2013, only 11 were sustained. Of 140 allegations of neglect of duty, 35 were sustained. And of 206 allegations of unprofessionalism, only 18 were sustained.

"One of the longstanding problems with NOPD has been that there is no transparency for the public to really get involved in resolution of complaints against officers," said Marjorie Esman of the local American Civil Liberties Union. "So the more opportunity there is for that, the better."

Officers found in the wrong could face a letter of reprimand or suspension.

On an officer's disciplinary file, a complaint can be classified as sustained, not sustained, exonerated or withdrawn.

Donovan Livaccari, an attorney with the local Fraternal Order of Police lodge, said he was reserving judgment about the program until more sessions are conducted, but he attended the first session and found it to be fair and overall positive.

He said one benefit would be if the mediation process can reduce the amount of time an officer is under investigation, since cops can't be promoted or work off-duty details during that time.

Livaccari cautioned that some officers would not want a complaint to show on their record as being withdrawn. "Our officers are very protective of their disciplinary records," he said. "To some, being exonerated looks better."

The police monitor's office secured a federal grant to fund the startup costs of the program, but that money will run out in December. The office is applying for grants and has asked the City Council for an extra \$120,000 in 2015 to fund the mediators and the mediation coordinator.

The Police Department declined to make Interim Superintendent Michael Harrison or the internal-affairs commander available for an interview.

NOPD spokesman Tyler Gamble issued a statement saying, "One of Chief Harrison's top priorities is to improve the relationship between our officers and the community. We are cooperating with the independent police monitor on this pilot program as we continue to explore new ways to create an environment for successful problem-solving partnerships."