

## MEDIATION IS NOT AN ADMISSION OF WRONGDOING.

**Mediation is not...**  
a process to make judgments about who is right or wrong.

**Mediation is not...**  
a session where the parties must apologize to one another. The parties may however, choose to apologize.

**Mediation is not...**  
a process that compels the parties to reach an agreement.

**Mediation is not...**  
an opportunity for either party to berate, argue or disrespect the other.

### **The benefits of using mediation:**

- ⇒ Mediation allows the parties to resolve their differences themselves, rather than depend on the judgment of others.
- ⇒ Mediation can be more satisfying than the normal complaint process because of the opportunity to resolve the complaint in a non-adversarial forum.
- ⇒ Mediation can improve relations between communities and the police.
- ⇒ Mediation can be more effective and efficient than the traditional investigation process.
- ⇒ Mediation can impact the attitudes, understanding, and behavior of the officer and the complainant.
- ⇒ Mediation is confidential. Nothing said in the course of the mediation can be used at a later time in legal proceedings.



512.974.5000

To keep you, your family, and our community safe.

The Austin Police Association enthusiastically supports the option of mediation in resolving complaints in appropriate cases. I highly encourage our officers to consider this voluntary option when given the opportunity to resolve complaints.

Wayne Vincent, President, Austin Police Association

[austinpolicemonitor.com](http://austinpolicemonitor.com)



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## The Austin Police Department

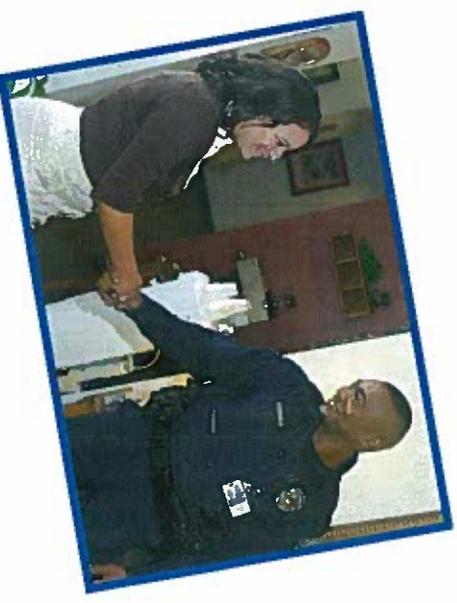
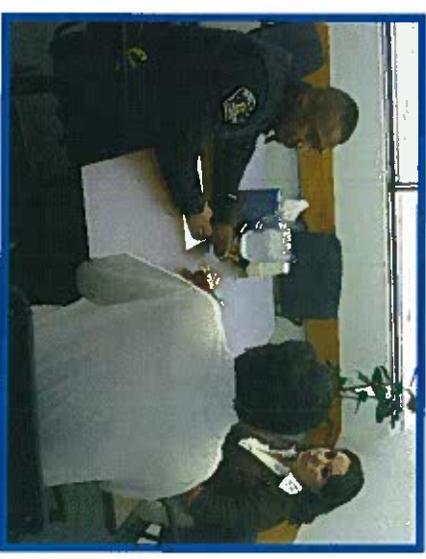
*working collaboratively with the*

## Office of the Police Monitor

*to promote mutual respect*

*and understanding through*

# MEDIATION



### **Mediation is...**

a different way of handling complaints about police conduct. The Office of the Police Monitor (OPM) along with the Internal Affairs Division (IAD) of the Austin Police Department share responsibility for identifying cases where the parties might benefit from a face-to-face discussion of their different perspectives on the police/complainant encounter that led to the complaint. If the complainant and the officer agree, the case will be taken out of the normal investigation process and set for a mediation session with a professional mediator outside of the Austin Police Department.

#### **THE CONTRACTED MEDIATOR FROM**

**THE DISPUTE RESOLUTION CENTER IS A NEUTRAL THIRD PARTY, TRAINED AND EXPERIENCED IN HELPING PEOPLE TALK THROUGH AND RESOLVE THEIR DIFFERENCES.**

### **The Mediator will:**

- ⇒ explain the ground rules.
- ⇒ ask questions to clarify what happened and identify central issues.
- ⇒ help keep the discussion focused, productive, and non-threatening.
- ⇒ not take sides, place blame, or pass judgment.
- ⇒ certify the completion of the mediation and the participation of the parties.
- ⇒ treat the discussion and information as confidential.

The DISPUTE RESOLUTION CENTER is an independent, nonprofit organization that provides and promotes accessible, high-quality dispute resolution services for all people in Travis County and the surrounding Austin areas.

### **Suggestions for constructive mediation**

Avoid temptation to blame or attack. Casting blame or antagonizing others is most likely to just make them defensive, or push them to fight back, rather than encouraging them to really listen to you or to see your point of view.

### **Speak for yourself**

Avoid assuming that you know why the other party behaved as they did. Instead, tell them how their behavior looked from your perspective, and how it impacted your behavior. Let them tell you what was going on from their perspective.

### **Work toward a resolution**

Focus on interests and solutions, not blame. The goal is to resolve the conflict and prevent similar ones.



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### **Complainants agree to mediate to...**

- ⇒ be fully heard and understood.
- ⇒ hear the officer's perspective.
- ⇒ speak directly to the officer, rather than have a complaint decided by others.
- ⇒ give feedback directly to the officer.
- ⇒ prevent similar incidents.
- ⇒ regain confidence in police services and respect for police officers.



### **Police officers agree to mediate to...**

- ⇒ be understood—officers can't always explain their actions in the field.
- ⇒ hear the complainant's perspective.
- ⇒ speak directly with the complainant, rather than having the complaint decided by others.
- ⇒ improve relations with citizens and the community.
- ⇒ resolve the complaint outside of the disciplinary process.