

DPS mediation process to handle complaints

The new program would be a way for students to voice their concerns without opening a full investigation

By Chuck Slothower
News Reporter

The Department of Public Safety is formulating a mediation process to fill a hole in DPS' ability to respond to complaints against officers.

The mediation process would be used for complaints regarding officer behavior that do not warrant a full internal investigation.

"(It's) a really amazing way to look at the low-level static," Annie Bentz, director of Conflict Resolu-

tion Services, said.

Members of the Public Safety Advisory Group said the gap between a full internal investigation and doing nothing about complaints irks students and others who feel they were treated disrespectfully by a DPS officer.

"There isn't (a mediation process), and it leads to frustration," Ilona Koleszar, director of ASUO Legal Services, said.

DPS Interim Director Tom Hicks agreed, saying a mediation process would "give the campus community the sense that there's another mechanism to air their concerns."

Bentz and Hicks are working on formulating a mediation procedure with PSAG.

"When mediation would be most valuable is when it's pretty obvious right off the bat that the officer didn't violate a policy," Hicks said.

Hicks said he would determine whether a complaint warrants mediation or a more serious investigation.

"I think we'll fairly quickly be able to screen these," Hicks said.

Cases in which someone claims an officer used excessive force or committed a crime would not be appropriate for mediation, he said.

Hicks emphasized that officers would not have to go through both mediation and an internal investigation.

Eugene Police Department campus liaison Sgt. Kris Martes cited the stress an officer endures during an internal

investigation and indicated that officers would be unhappy participants if they have to go through mediation after an investigation.

"I would be less than agreeable at that point," Martes said.

Before a mediation proceeding can begin, both sides must agree to accept the outcome, Hicks said. Officers would not be disciplined as a result of a mediation proceeding.

"That's not going to be an option," Hicks said.

Hicks said he and Bentz are examining the mediation process used by EPD as well as those of other campuses as models.

He added that mediation would not include lawyers, union representatives or other advocates.

"The mediation itself would be just a one-on-one encounter between an officer and someone who wanted some questions answered," Hicks said.

Bentz said that this is common in mediation processes, and that she and a trained student mediator would also be present at the meetings.

Mediation would be a long-term project to increase public trust in DPS, Hicks said.

"The main benefit of this type of program is not immediate," he said.

DPS received six or seven complaints last year, according to Hicks.

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formulating a written policy.

"That incident certainly played a part in it," Hicks said, "but it wasn't the only reason behind it. We have a general policy that basically explains that officers need to operate the vehicle in a careful and prudent manner, but it doesn't say anything about where they can drive the vehicles or the different expectations about night and day."

In the aftermath of the July 21 incident — where former officer Michael John Bonertz knocked Eugene resident Donald Tean Garipey off his bicycle — Bonertz was found

to have violated Hicks' verbal order to refrain from driving on sidewalks.

The new directive will also specifically guide officers on when and how to use their bicycles and patrol vehicles in all situations, Hicks said.

Hicks made the announcement of the new policy at a Public Safety Advisory Group meeting Oct. 23.

"The reason why I wanted to bring this to the committee is because of the articles that have been running in the Emerald," Hicks said at the meeting. "We're going to draft a policy that specifically includes pursuit use of vehicles."

ASUO Legislative Associate Gabe Kjos, a voting member of PSAG, said a written policy is important to help ensure DPS officers are accountable

for their actions.

"I think it's important to put (guidelines) into writing," he said. "Not only so that there's a process, but also so that it makes DPS accountable so that when there's a situation that's either justified or unjustified, we have some policy to fall back on."

Fellow PSAG voting member and ASUO Campus Outreach Coordinator Shannon Tarvin agreed.

"I think it's important for them to have outlined specifics with regard to what they can and cannot do," she said. "They need to be clear of what their boundaries are."

At the meeting, Hicks handed out copies of the EPD pursuit policy as an example of another agency's poli-

cy, but Hicks explained that EPD's policy is not the blueprint for what his department intends to write because DPS' jurisdiction ends off-campus. He also said DPS is not directly working with EPD, although DPS will probably ask the agency to evaluate a draft of the policy.

Hicks said he will advise the University as policies are created and changed.

"We certainly want to keep the University administration informed of our policies and procedures," he said, adding that the department will ask for input from University General Counsel Melinda Grier, who is a non-voting member of the advisory group.

The advisory group will only give recommendations about the poli-

cies, Hicks said. The department reserves full authority to create and implement policies.

"I think this is something that will help the officers feel more confident as they're going about their jobs," Hicks said.

The policy is in its preliminary stages, Hicks said. Department heads have looked at the current policy and still need to create a draft of the new policy. Hicks said he has no specific timeline for completion of the policy and didn't know if a draft would be completed in time for the advisory group's Nov. 20 meeting.

Contact the people/culture/faith reporter at jaredpaben@dailyemerald.com. News reporter Chuck Slothower contributed to this report.

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