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# MEDIATION RESPONSE UNIT SHOWS POTENTIAL AS AN ALTERNATIVE 911 RESPONSE

*Olivia Kalsner Kershen*

In May 2022, the City of Dayton, Ohio formally launched a new pilot program that sends trained mediators to respond to low emergency 911 calls to de-escalate non-violent conflicts and mediate disputes among community members.<sup>1</sup> This new initiative, called the Mediation Response Unit (MRU), is the first of its kind in the nation as it sends mediation teams to respond to calls without a co-response by police.<sup>2</sup> The idea for the MRU came about through discussions among a Community Engagement Working Group that was formed in 2020 to implement police reforms in the City.<sup>3</sup> The MRU states that its goals are “to work on improving community police relations, provide alternatives to police response in our community . . . and allow officers more time to take higher emergent calls.”<sup>4</sup> Some examples of the types of calls the Unit responds to are noise complaints, neighbor disputes, loitering, and other low-level disturbances.<sup>5</sup> The services are performed over the phone, or in-person when necessary, and provide the parties with resource connections as well as follow-up case management.<sup>6</sup> During its first months of operation, the MRU has shown promising early success and positive community reception.<sup>7</sup> As of August 2022,

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<sup>1</sup> Casey Weldon, *Dayton officials cite ‘remarkable’ early successes by sending mediators, not police, to some 911 calls*, SPECTRUM NEWS 1 (Aug. 22, 2022, 6:08 PM), <https://spectrumnews1.com/oh/columbus/news/2022/08/22/dayton-officials-cite-progress-in-first-few-months-of-mediation-based-alternative-911-response> [https://perma.cc/45JP-VM43].

<sup>2</sup> The Mediate.com Podcast, *Episode 23: Providing Mediation as an Alternative Response to Low Emergency 911 Calls*, MEDIATE.COM, at 05:45 (Aug. 5, 2022), <https://mediate.podbean.com/e/episode-23-mediation-as-alternative-in-low-emergency-911-calls/> [https://perma.cc/5M5S-NWBL].

<sup>3</sup> *Mediation Response Unit*, DAYTON MEDIATION CENTER, <https://www.daytonmediationcenter.org/mru> [https://perma.cc/S384-YMVN] (last visited Nov. 27, 2022).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> The Mediate.com Podcast, *supra* note 2, at 13:24.

the MRU has logged over 400 calls for service and plans to continue its growth.<sup>8</sup> In an interview with The Mediate.com Podcast, Mediation Response Coordinator, Raven Cruz Loaiza, expressed hope that other cities across the country would be able to adopt this model of alternative response in the near future.<sup>9</sup>

With expanded research, there could be potential to implement a program like the MRU in other cities, like New York, as there has already been demonstrated success there with other community dispute resolution programming. Beginning in 2010, the New York City government partnered with local non-profits to facilitate dispute resolution to combat gun violence using the Cure Violence model.<sup>10</sup> Through this system, outreach workers and “violence interrupters”<sup>11</sup> connect with “high-risk individuals” in neighborhoods most vulnerable to gun violence to de-escalate disputes and provide access to necessary resources before a crisis emerges.<sup>12</sup> In a 2017 report released by the John Jay College Research Evaluation Center that examined the effects of Cure Violence, it was found that gun injuries fell by 50% in East New York and shooting victimizations fell by 63% in the South Bronx.<sup>13</sup> The program also helped to reduce the prevalence of social norms that support violence among young men in these communities as evidenced by survey results.<sup>14</sup> As of now, the New York City Crisis Management System (CMS) does not involve mediation for low-level disputes like those targeted by the Dayton MRU. It also does not advertise itself as an alternative to police response.

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<sup>8</sup> Weldon, *supra* note 1.

<sup>9</sup> The Mediate.com Podcast, *supra* note 2, at 16:28.

<sup>10</sup> Sheyla A. Delgado, et al., *The Effects of Cure Violence in the South Bronx and East New York, Brooklyn*, RESEARCH AND EVALUATION CENTER AT JOHN JAY COLLEGE OF CRIMINAL JUSTICE CITY UNIVERSITY OF NEW YORK (CUNY), at 2 (Oct. 2017), <https://johnjayrec.nyc/wp-content/uploads/2017/10/CVinSoBronxEastNY.pdf> [<https://perma.cc/FW34-B4FU>].

<sup>11</sup> *Interventions*, NEW YORK CITY OFFICE TO PREVENT GUN VIOLENCE, <https://www.nyc.gov/site/peacenyc/interventions/crisis-management.page> (last visited Nov. 27, 2022) [<https://perma.cc/CA93-5G4W>].

<sup>12</sup> *Id.*

<sup>13</sup> Delgado, *supra* note 10, at 10.

<sup>14</sup> Delgado, *supra* note 10, at 6.

Given the preliminary success of the MRU and the demonstrated results of the Cure Violence models, there could be potential for creating mediation response programs in other metropolitan areas. One of the incentives for these programs is reducing the incidence of negative police interactions for communities of color that have been historically over-policed.<sup>15</sup> While many police departments have promoted community policing methods to improve police-citizen relationships, it has not been universally successful at reducing crime.<sup>16</sup> Furthermore, expanded alternative resources like the MRU can help people to resolve issues without the risk of a negative police interaction.

However, according to MRU Coordinator Cruz Loaiza, there is not enough data yet to widely promote the adoption of mediation response programming under the Dayton model.<sup>17</sup> Another roadblock to broad application is that mediation of this form may not be applicable to all disputes called in. This is because mediation requires the voluntary participation of both parties.<sup>18</sup> Nevertheless, the early outcomes of the MRU and the proven results of the New York CMS show that dispute resolution can have a positive impact nationwide.

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<sup>15</sup> Sheena Elzie, *Dayton to launch program that would use unarmed mediators to respond to non-emergency 911 calls*, SPECTRUM NEWS 1 (Nov. 29, 2021, 7:25 AM), <https://spectrumnews1.com/oh/columbus/news/2021/11/20/unarmed-mediators-instead-of-police-to-respond-to-non-emergency-911-calls> [<https://perma.cc/JV2J-EAJD>].

<sup>16</sup> *Community Policing and Procedural Justice*, CENTER FOR EVIDENCE-BASED CRIME POLICY, <https://cebcp.org/evidence-based-policing/what-works-in-policing/research-evidence-review/community-policing/> (last visited Nov. 27, 2022) [<https://perma.cc/5E77-5YCS>].

<sup>17</sup> Weldon, *supra* note 1.

<sup>18</sup> *A Guide to the Mediation Process*, JAMS, <https://www.jamsadr.com/mediation-guide/> (last visited Nov. 27, 2022) [<https://perma.cc/E5XL-JQPY>].