

## Creating Space for Dialogue: Part II

by Ron Claassen

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*Editor's note: This is the second half of Claassen's article which began in the Spring issue of CQ. The first half describes his involvement in a private mediation process between two Hispanic mothers, whose teenaged sons had been shot and killed by police, and the Fresno city police department.*

During this general time period, the Hispanic (later called "Chicano") Civil Rights Network formed in Fresno. They approached the city council about listening to the concerns of the Hispanic community in a public forum. Also during this time, a local Human Relations Commission was developed. The city council asked the Commission to organize a forum. The purpose of the forum was to give people a chance to address the large issues of excessive force by police in the Hispanic community.

Based on a request from the Hispanic Civil Rights Network, I was asked to mediate. I proposed ground rules that called for citizen statements, limited to seven minutes each. One council member or several working together would summarize each statement. The Human Relations Commission formed a task force, including police and Hispanic Civil Rights Network members. They approved the ground rules in a slightly modified form and these also received approval from the city council itself.

During the planning stages, the task force discussed the concern of security at the forum. The police, the highway patrol, and the national guard were considered as possible options. We finally decided to

emphasize the cooperative focus and the reconciling intention of the meeting by inviting clergy from the community instead. All clergy were invited and were recognized during the opening of the forum.

Members of the Hispanic community had been present at the planning meetings and were supportive of the proposed format. I also requested a meeting with the city council to explain the format and help them understand the intended spirit of the meeting. I was told that they would meet with me one-half hour before the forum.

When time for that meeting came, only one council member showed up. The city attorney informed me that my effort to meet with the council members ahead of time would be in violation of the state "open meetings" law. This was very unfortunate. It meant I had opportunity to work on the process and spirit of the meeting with only one of the members of the city council.

## Another Viewpoint

by Kathy Heinrichs Wiest

**Wiest is a free-lance writer living in Kingsburg, Calif.**

Nobody got what they thought they wanted, but everyone got what they really wanted as a result of the Fresno Human Relations Commission mediation efforts in 1986. That is the assessment of Commission member Jim Patterson.

According to Patterson, the Chicano Civil Rights Network was looking for a judgement against the police for their racism and violence. The police, on the other hand, wanted to be exonerated of the charges.

**The purpose of the forum was to give people a chance to address the large issues of excessive force by police in the Hispanic community.**

When we went into the forum hall, at the Mosqueda Center, approximately 300 chairs were set up. Most were filled and many people were standing. The city council members were on a slightly raised platform in the front. A speaker's table was in front of them. Seated at that table were the timekeeper and an interpreter. A third chair was provided for the speaker to sit. Also provided was a table podium for those who preferred to stand.

My podium was off to one side. The other side was filled with cameras and television, radio and newspaper reporters. I had already been anxious before the meeting, and now I was feeling high stress.

After some introductions, I had a brief time to explain the ground rules and try to develop the spirit of the meeting. When the community speakers began, the reports were

Both parties in the conflict could agree that the killings were tragic. "The cops didn't want to draw their guns and the families didn't want their kids killed," observed Patterson. By focusing on this point of agreement, the Commission was able to find solutions that could, to some extent, satisfy both sides.

Patterson himself underwent a change in perspective regarding this process. During the public forums, he initially felt sympathetic with the police and suspicious of the testimonies being given. With story after story by angry testifiers, "I found myself lulled into not paying a lot of attention," he recalls.

highly charged and difficult for the council to summarize.

One reported observing an incident late one night, in front of his house. Two officers were beating a young person with their sticks and dragging him on the street. "When I asked them to stop, they told me to get away or I'd be next," the speaker said. "Then I went in and got my Fresno City College identification showing I was a professor. The punishment stopped immediately."

Another person, through an interpreter, told of an incident when he called police about a hit and run accident in front of his house. "When the police arrived, they frisked me, took away my pocket knife, and pushed me around. They finally let me go when an English-speaking neighbor explained that I was the one who lived there and had called the police."

Another said, "I was driving home from a barbecue one day, and my clothes were dirty from the day's activity. I was pulled over and told my car was weaving. I was pushed around, frisked, and talked to in a very derogatory way until I

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He sat up and took notice, however, when a young Hispanic man in a business suit took the stand. This was someone with whom he could identify. He was even a member of the church Patterson attended.

The man testified to being stopped by an officer for not having a current registration sticker on his license plate. He and his pregnant wife were on their way to a doctor's appointment. The officer proceeded to impound the car. When the man pleaded with him to let him drive his wife to the doctor, the officer told them to walk to the corner to catch the bus. To Patterson it was clear that the officer had abused his discretionary authority.

produced my California State University/Fresno faculty card."

After each statement, I would turn to the city council members for their summary. The summary was intended to let the community know that they had been heard. It was not intended to say that the council agreed with or had no questions about the details. However, they were instructed not to cross-examine the speakers.

Some city council members accepted the format and worked hard at this difficult assignment. Some others did not participate at all. Less than an hour into the three-hour meeting, the mayor asked me to change the rules to eliminate the summaries. At the same time, I received a note from the audience asking me to have the council summarize the statements more thoroughly. I stuck to the ground rules as we had previously agreed.

The evening went in a very orderly fashion. After about an hour, the

"It made me angry because this individual was known to me and we were of common economic, social and religious interests," Patterson said. "Here the conclusion was inescapable. This action, while within the legal rights of the officer, demonstrates inappropriate use of power."

After hearing this testimony, Patterson had to rethink his assumptions. "I began to reevaluate testimonies to which I had less affinity and differentiate between anti-police bias and valid assessments of the officers' use of discretionary power."

His conclusion, along with that of the entire Commission, was that the

television cameras left. Forty-two community members signed up to speak. Only about 22 were able to talk that first night.

At the end of the evening, several of the city council members were upset about the format, and refused to participate further. For the second meeting, the Human Relations Commission became the listening group, and the ground rules were changed somewhat to adapt. I was again asked to moderate. I was told later this was because of insistence from the Hispanic community. At this second meeting there were fewer people present overall and less media coverage. About 20 speakers presented reports.

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**A subcommittee of the Human Relations Commission presented a report to the Commission with findings and recommendations for improving relationships between the Hispanic community and the police.**

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After the forums, in November 1987, a subcommittee of the Human Relations Commission presented a report to the Commission with findings and recommendations for improving the relationships between the Hispanic community and the police. This report was later submitted to the city council and raised a lot of controversy.

Shortly after this first report was released by the Human Relations Commission, my wife and I received an invitation to a meeting with the Chicano Civil Rights Network. They said they wanted to honor us. The meeting was held in the home of the civil rights attorney who had been skeptical of the original private mediation sessions, described earlier. To our surprise, the gathering was actually a worship service. Sister Angela Mesa started by talking about "shalom" and how God intends for all people to live together in safety, in love, and in justice. We sang some songs, and the civil rights attorney, who had

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**An ombudsman has now been hired to handle police complaints from community members.**

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slammed his papers down in that first meeting months before, read Matthew 25:31-46.

Then Mrs. Rangel, the mother of one of the young men who had been shot and killed, stood up and took a plaque off the wall. She explained that this plaque was a favorite of her friend, the attorney, and how it was often referred to in their meetings. She presented it to me. It said:

**THE ART OF PEACE**

*Peace is God on both sides of the table in a conference. It is putting the power of good will to work. It is sanity, maturity and common sense in human relationships. It is open-mindedness and a willingness to listen as well as to speak. It is looking at both sides of a situation objectively. A quality of the heart as well as the head, it is a mighty faith in the goodness of God and the potential greatness of man.*

To Ron Claassen  
muchas gracias  
11-30-87 C.C.R.N.

It had seemed to me that I had not done very much. Some of the process which had happened could have certainly been improved. The group, however, affirmed the process, commenting on how good it felt for the power to be balanced for at least a short time.

Some time after the forums and the report were completed, the Human Relations Commission was again asked to move the process forward. After much debate, certain recommendations for change were agreed to by all parties. One was to have an ombudsman review

complaints of excessive force by the police. Previously there had been no outside person or group reviewing citizen complaints against the police. Despite some delay by the city after making this agreement, an ombudsman has now been hired to handle police complaints from community members. In this way, what began as a private mediation did evolve into a process which encouraged a broader, systemic response to charges of racism—and some long-term institutional change. ●

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problem they faced was one of abuses of discretionary power. Their recommendations to the police department focused on the need to train officers to use restraint in the use of violence and teach them alternative procedures which could help defuse a potentially violent encounter.

Was the Commission's work successful? While recognizing that "the commission didn't totally solve the problem," Patterson pointed out that "mediation has created the environment in which both parties are more careful. We have today less violence by police than in 1985-86 and no Hispanic people have been shot since that time." At least to that extent the process succeeded, he said.

As part of its response to the Commission's recommendations, the city established an ombudsman to be a liaison between the city and people with complaints. The purpose of the ombudsman, said Patterson, is to "serve on an ongoing basis and regularly bring about the kind of solutions the Human Relations Commission did in this case."

Personally, he has doubts about whether the office can accomplish the task because of insufficient funding. He is also concerned that the city chose to hire the ombudsman as part of the city staff. "He has the aura of a hired gun for the city," said Patterson.

Patterson also feels strongly about the value of mediation by a group of volunteers rather than a professional. "As a Commission we were just citizens who wanted this violence to stop. We hurt with the hurting people. Now I fear the Commission is abdicating its responsibility and institutionalizing compassion."

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**"...I fear the Commission is abdicating its responsibility and institutionalizing compassion."**

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"The concept of mediation does work," said Patterson in summary. He can testify that adversaries can be brought closer together when people who will not take sides can bring the parties in a conflict face to face. Creative solutions emerge from the interaction and a search for common ground. ●