
NACOLE
National Association for Civilian Oversight of Law Enforcement

**TRAINING PART 2:
PRINCIPLES FOR EFFECTIVE OVERSIGHT OF LAW ENFORCEMENT**

Prepared for:
BART Police Civilian Review Board

Tina Barr, PhD, LMSW
Director of Training & Education
April 13, 2026

NACOLE


1

1. Independence	2. Clearly defined and adequate jurisdiction and authority	3. Unfettered access to records and facilities	4. Access to law enforcement executives and internal affairs staff
5. Full cooperation	6. Sustained stakeholder support	7. Adequate funding and operational resources	8. Public reporting and transparency
9. Policy and pattern analysis	10. Community outreach	11. Community involvement	12. Confidentiality, anonymity, and protection from retaliation
13. Procedural justice and legitimacy			


NACOLE

3

I. INDEPENDENCE





Structural Independence Political Independence Operational Independence



4

2. CLEARLY DEFINED AND ADEQUATE JURISDICTION AND AUTHORITY (in writing)



5

3. UNFETTERED ACCESS TO RECORDS

Sufficient access, based on authorities, ensures mandates can be met

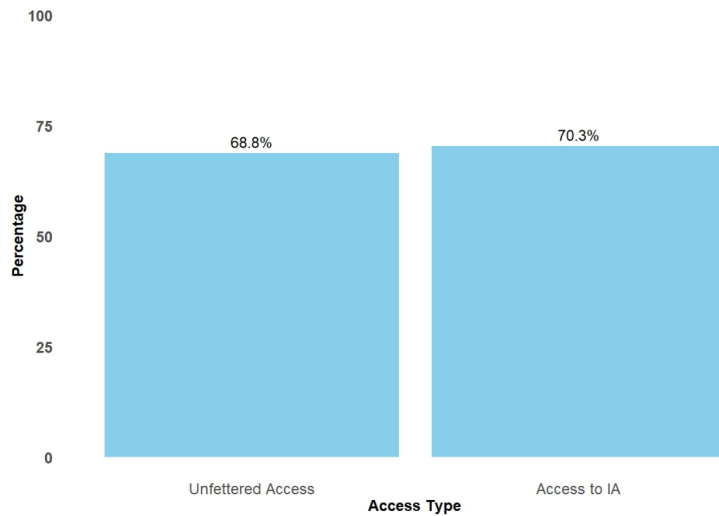
Direct access reduces investigation delays and law enforcement's burden

Direct access allows the oversight body to evaluate complete set of records, data, etc.

6

LARGEST U.S. CITIES WITH CIVILIAN OVERSIGHT (SCHAIBLE, 2024)

Figure 9. Percentage of Charters/Ordinances Including Each Access Type (n=64)



7

Table 8. Types of law enforcement records accessible to oversight agencies

Record type	Review-focused	Investigation-focused	Auditor/monitor-focused	All agencies
Open IA files	56 %	55 %	81 %	65 %
Closed IA files*	87.5 %	75 %	100 %	88 %
Early-warning system records [†]	31 %	55 %	67 %	53 %
Computer-aided dispatch records [‡]	63 %	85 %	71 %	74 %
Personnel records [§]	38 %	50 %	71 %	53 %
Body-worn/in-car video*	94 %	90 %	95 %	93 %
Stop records*	69 %	80 %	91 %	81 %
Use of force reports*	75 %	90 %	95 %	88 %
Subpoenas (including sworn officers)	41 %	60 %	33 %	45 %
Subpoenas (excluding sworn officers)	6 %	10 %	5 %	7 %
Total number of agencies	17	20	21	58

Source: COAD (2021)

Note: Percentages show added "Yes" and "Sometimes" responses for each type of record.

* - Excludes one investigation-focused model; † - Excludes three investigation-focused models and two auditor/monitor-focused models; ‡ - Excludes two investigation-focused models and one auditor/monitor-focused model; § - Excludes one investigation-focused model and one auditor/monitor-focused model.



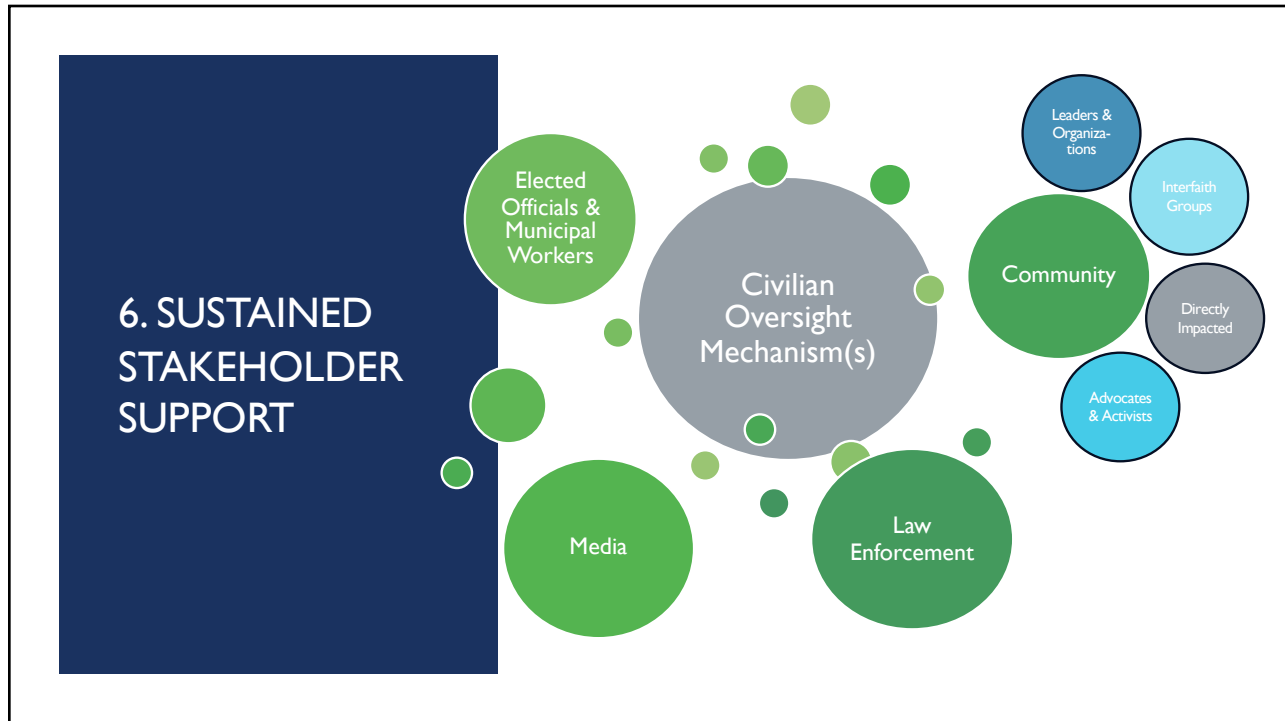
8

4. ACCESS TO
LAW
ENFORCEMENT
EXECUTIVES
AND
INVESTIGATIVE

5. FULL
COOPERATION
(of overseen
agency's officers
and staff)



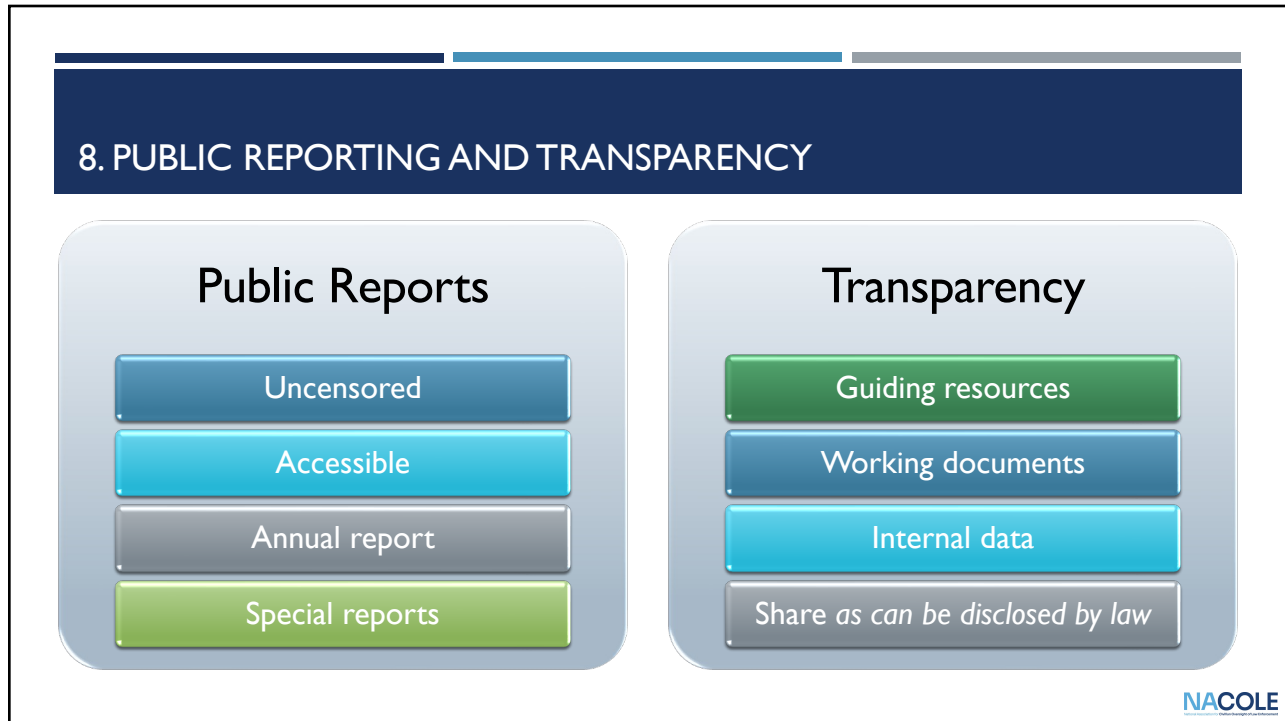
9



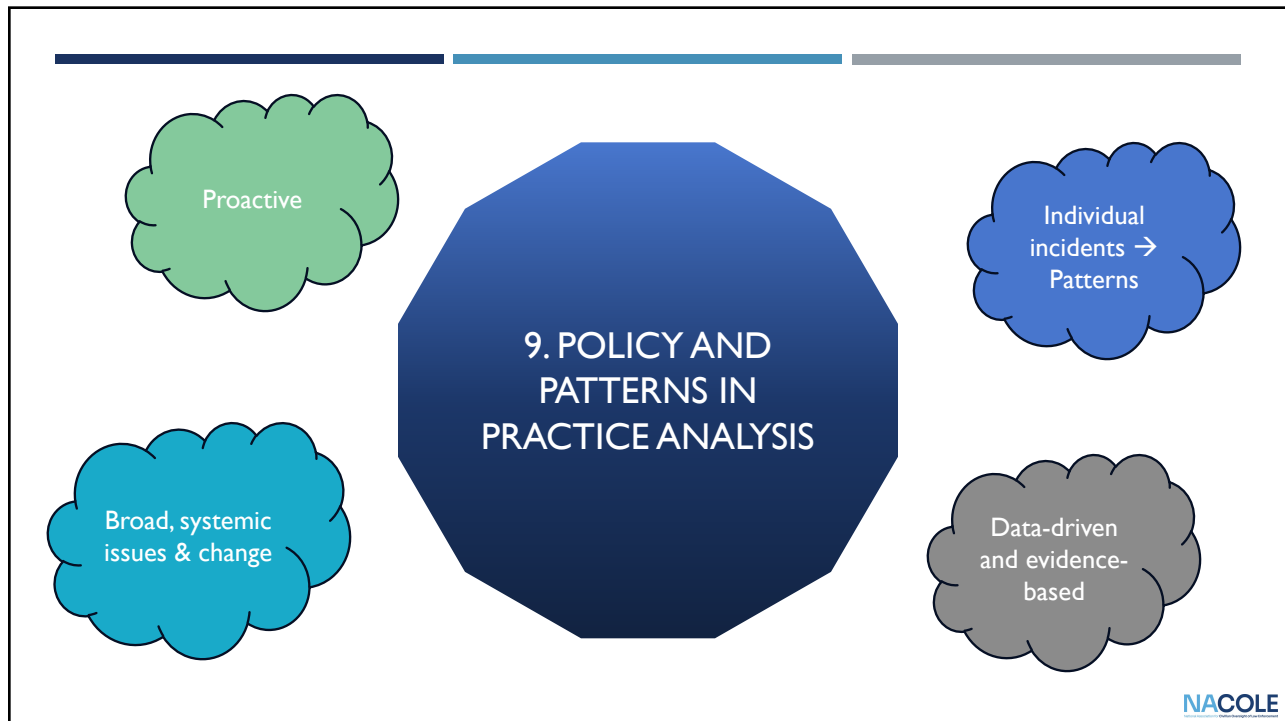
10



11



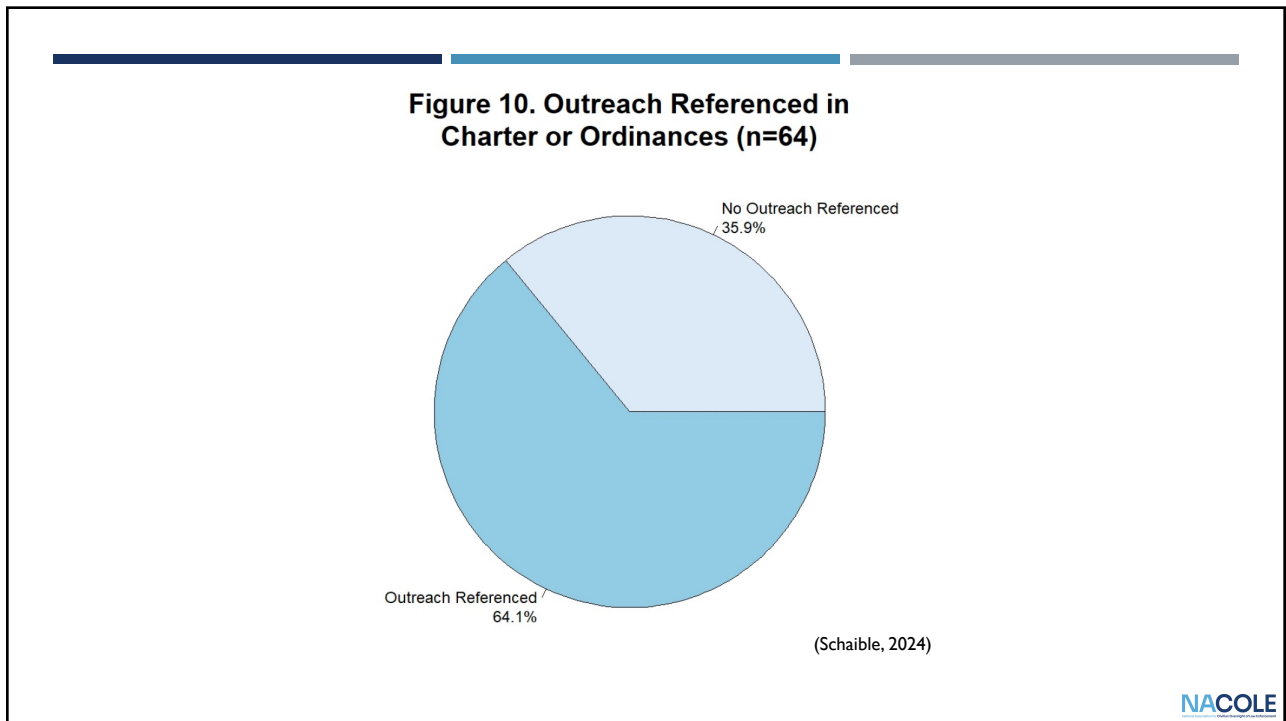
12



13



14



15

12. CONFIDENTIALITY, ANONYMITY, AND PROTECTION FROM RETALIATION



Confidentiality



Anonymity



Protection from Retaliation

13. PROCEDURAL JUSTICE AND LEGITIMACY

TYPES OF LEGITIMACY & HOW STAKEHOLDERS EVALUATE LEGITIMACY

Pragmatic Legitimacy	Cognitive Legitimacy	Moral Legitimacy
<p>Does the oversight body's interests align with my interests?</p> <p>Am I getting anything of value from the oversight body?</p> <p>What is the benefit of the oversight body's existence to me?</p>	<p>Do I know and understand what the oversight body does?</p> <p>Is the oversight body accomplishing what it's supposed to?</p> <p>Are the oversight body's processes efficient and effective?</p>	<p>Is the oversight body a force for good?</p> <p><i>Should</i> the oversight body be doing what it's doing to achieve its objectives? Are its practices ethical?</p>

NACOLE

18

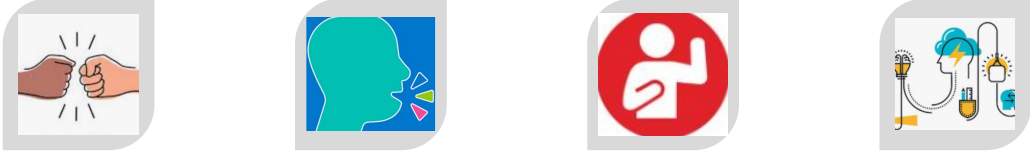
PROCEDURAL JUSTICE

The fairness of *processes* used by those in positions of authority to reach specific outcomes or decisions (Bennett, Hine, & Mazerolle, 2018)

The diagram illustrates the concept of procedural justice as an equation. On the left, a blue circle contains the text 'Outcome of an encounter (What was done?)'. This is followed by a plus sign '+'. In the middle, another blue circle contains 'Process of an encounter (How/In what way was it done?)'. This is followed by an equals sign '='. On the right, a grey circle contains 'Assessment (Opinion)'.


NACOLE

19



Dignity & Respect Voice Trustworthy Motives Neutrality in Decision Making

ELEMENTS OF PROCEDURAL JUSTICE



20



Practice procedural justice Be transparent Issue public reports

Engage all stakeholders Follow laws, policies, procedures, etc. (and recommend changes, when called for) Build knowledge base and skills required to fulfill mandates

ESTABLISHING AND MAINTAINING LEGITIMACY

21



22

NACOLE
National Association for Civilian Oversight of Law Enforcement

The National Association for Civilian Oversight of Law Enforcement's (NACOLE) mission is to create a community of support for independent, civilian oversight entities that seek to make their local law enforcement agencies, jails, and prisons more transparent, accountable, and responsive to the communities they serve.

Tina Barr, PhD, LMSW
Director of Training & Education
tbarr@nacole.org

NACOLE

23