



## TRAINING PART I: Overview of Civilian Oversight of Law Enforcement

Prepared for:  
BART Police Civilian Review Board

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- The “What” and “Why”
- The Evolution of Civilian Oversight in the U.S.: 1920’s – 1990’s
- Oversight Models and Ranges of Authority



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*Civilian oversight alone is not sufficient to gain legitimacy.*

*Without it, however, it is difficult, if not impossible, for the police to maintain the public's trust and push sustainable reform efforts forward.*



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## THE “WHAT”

- One or more **individuals outside the sworn chain of command** of a police department whose work focuses on holding that department and its officers and employees **accountable** (De Angelis, Rosenthal, Buchner (2016)
- **The independent, external,** and ongoing review of a law enforcement agency, jail, or prison and its operations by **individuals outside of the respective agency** (Vitoroulis, McElhiney, & Perez, 2021).
- A mechanism of facilitating **civilians' involvement** in holding the police **accountable** to the citizens they serve (Kim, 2022).

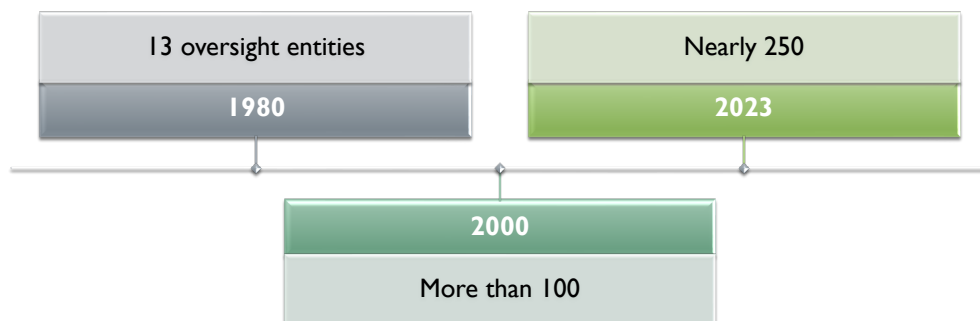
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## THE “WHY”



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## CODIFIED CIVILIAN OVERSIGHT ENTITIES IN THE U.S.

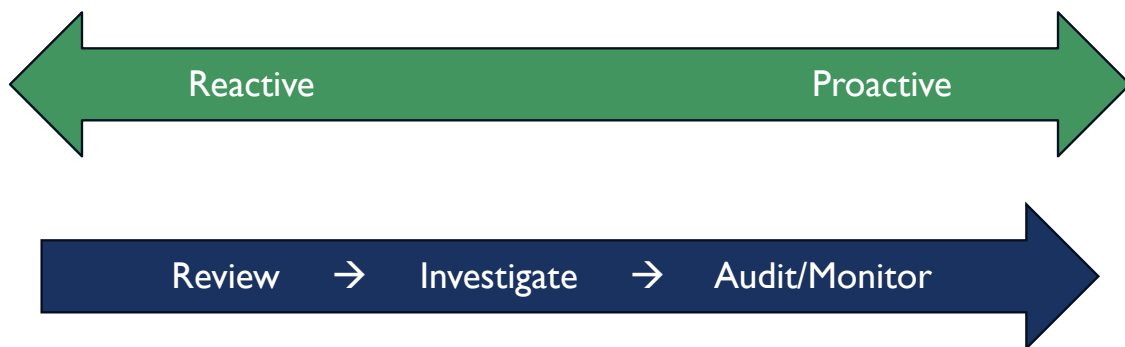


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## THE EVOLUTION OF OVERSIGHT IN THE U.S.: 1920's – 1990's

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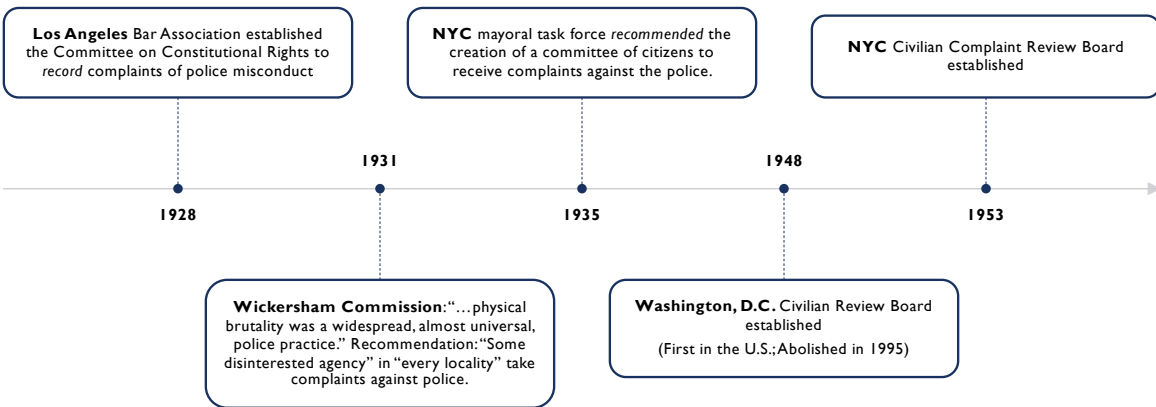
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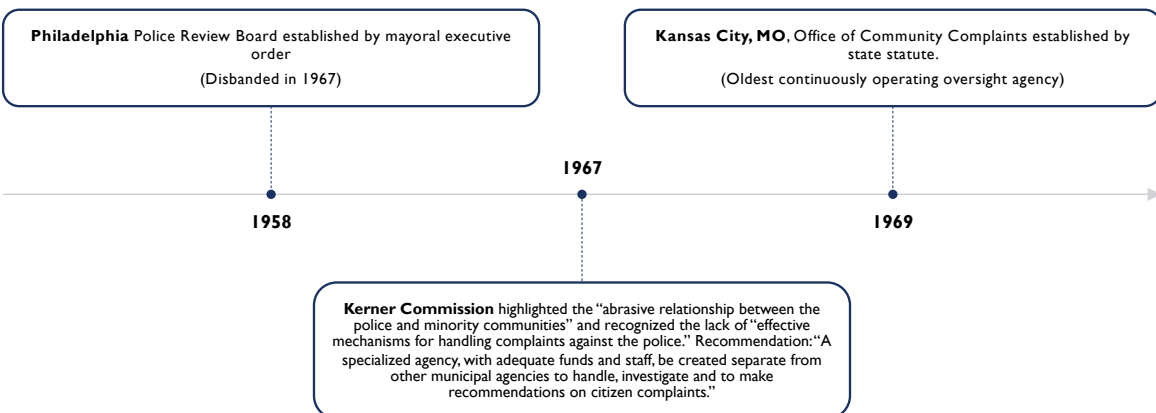
## 1920s – 1960s: Early Civilian Review Boards



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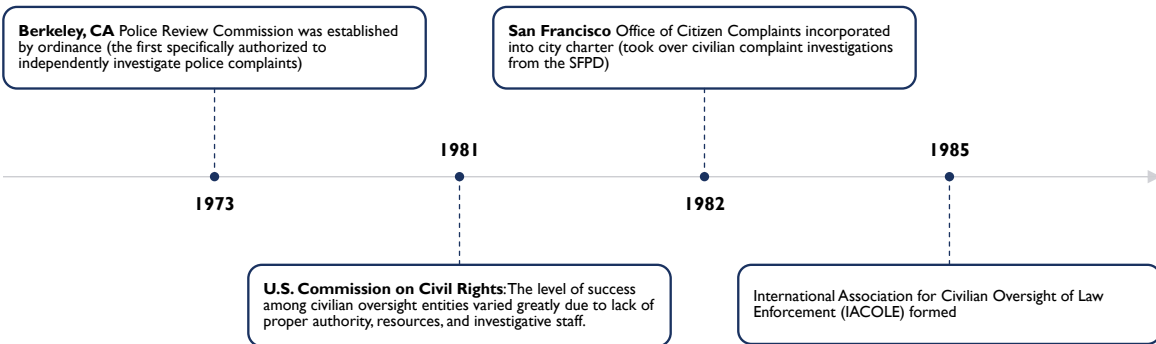
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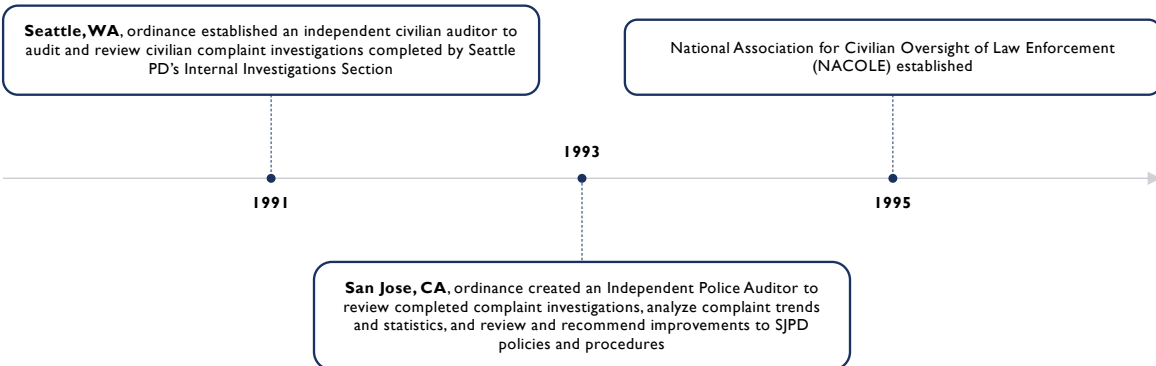
## 1970s – 1980s: Emergence of Investigative Models



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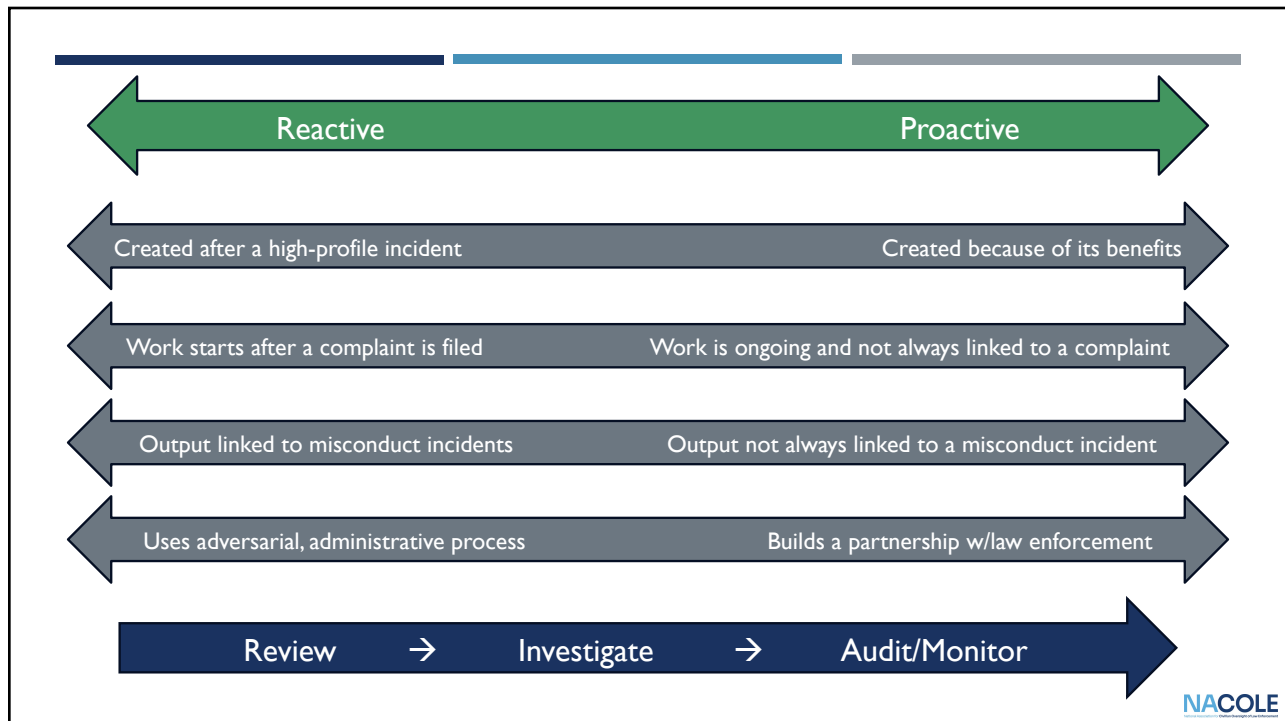
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## 1990s: Expanded Powers, Independent Auditors/Monitors



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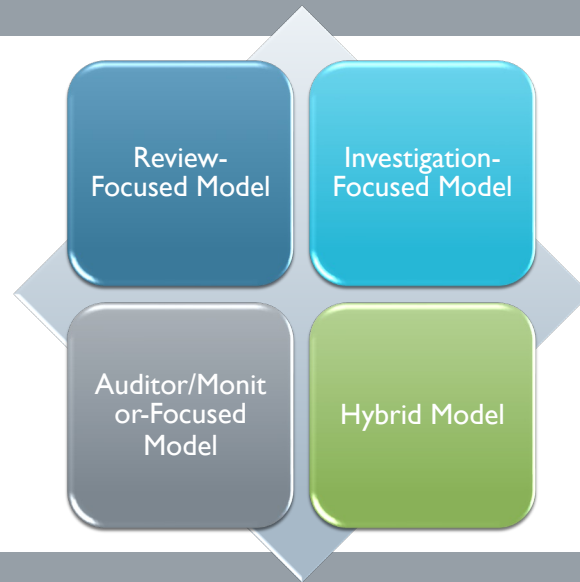


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## THE MODELS

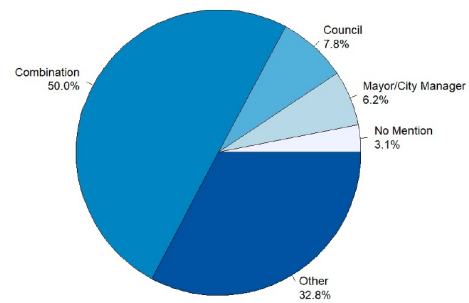


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## REVIEW-FOCUSED MODEL

- Typically, a volunteer board/commission
  - Mayor, city council appointments
  - Designated seats for specific groups
  - Staff support
- Public meetings in accordance with state law and union contracts

**Figure 4. Appointing Authority for Oversight Roles in Tier 1 Ordinances and Charters (n=64)**



(Schaible, 2024)

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## REVIEW-FOCUSED MODEL: RANGE OF AUTHORITY



Receive complaints and forward them for investigation



Remand cases back to the investigative office/department for further investigation



Hear appeals from complainants and/or subject officers



Make recommendations (e.g., case dispositions, discipline, police department policies and procedures)



Hold public forums



Conduct community outreach

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## INVESTIGATION-FOCUSED MODEL



Nashville's Community Oversight Board meets for the first time at the Metro courthouse on Tuesday, Feb. 12, 2019. Shelley Mays, /Tennessean

- Conduct independent investigations
- Paid, professionally trained investigative staff
  - Along with a volunteer board/commission

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## INVESTIGATION-FOCUSED MODEL: RANGE OF AUTHORITY



Conduct interviews, gather evidence, prepare investigative reports, make recommendations



May be limited to investigating only certain allegations



May be limited to investigating allegations based on who filed the complaint



Greater access to LE records and databases compared to review-focused models



More likely to be authorized to subpoena documents and witnesses compared to other models

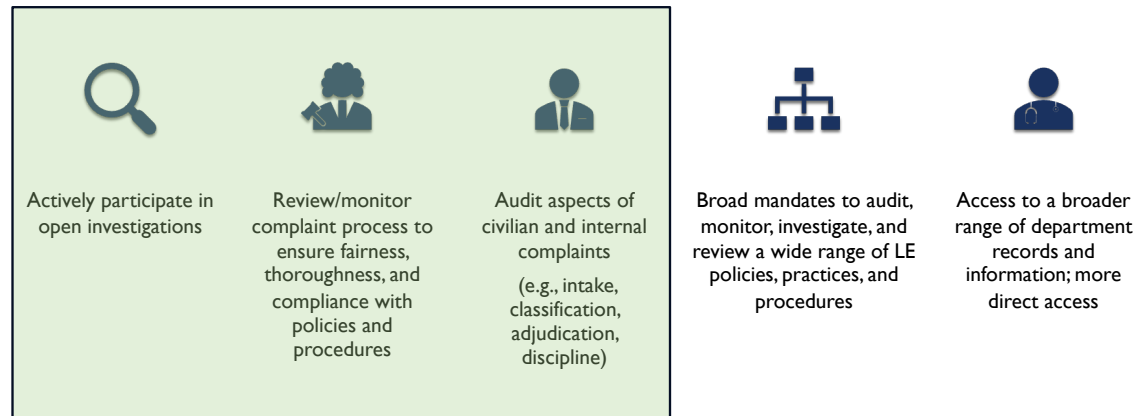
## AUDITOR/MONITOR-FOCUSED MODEL



Office of Inspector General Public Safety's IG Lisa Judge presenting to the Seattle Community Police Commission (Facebook photo)

- Promote organizational change by addressing systemic issues, analyzing patterns and trends, and addressing policy and procedure deficiencies
- Paid staff (Inspector General, Police Monitor, Independent Police Auditor, etc.)

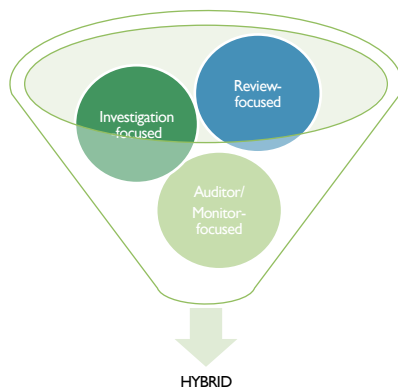
## AUDITOR/MONITOR-FOCUSED MODEL: RANGE OF AUTHORITY



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## HYBRID MODELS



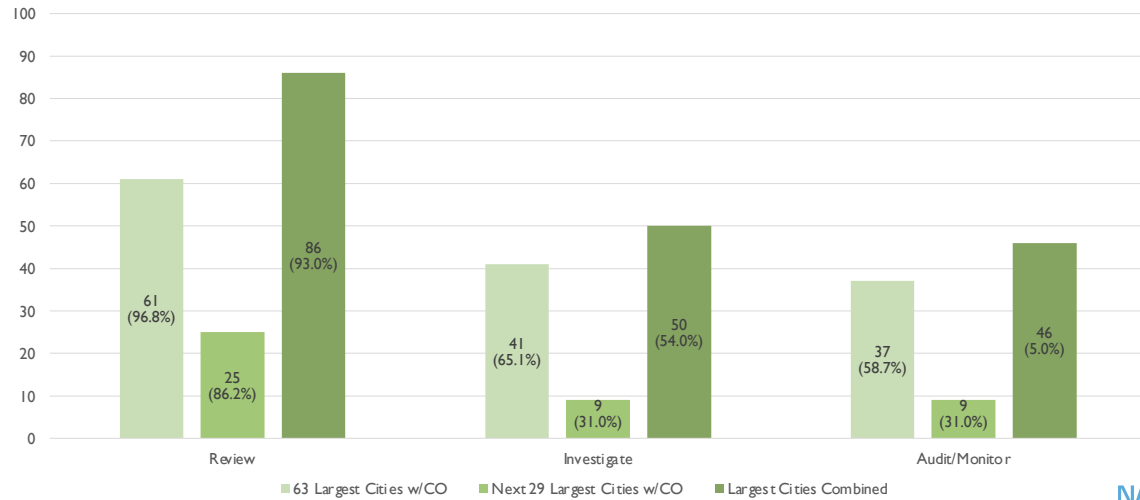
Hybrid Agency - One agency performing oversight functions of multiple models

Hybrid System – Multiple entities in a single jurisdiction providing oversight of the same LE department

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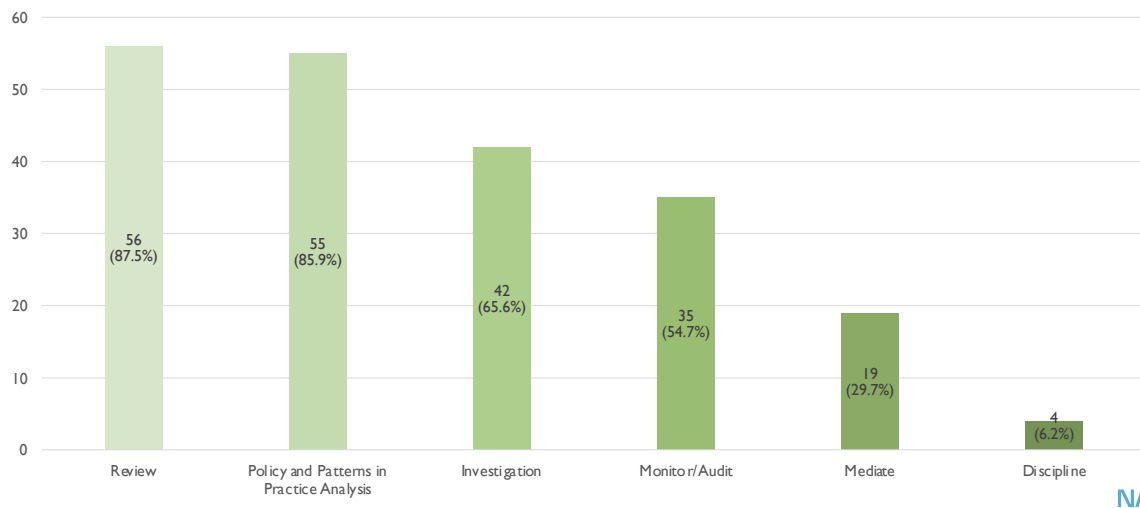
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## CIVILIAN OVERSIGHT AUTHORITIES PER ORDINANCE/CHARTER (SCHAIBLE, 2024)



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## AUTHORITIES PER ORDINANCE/CHARTER FOR THE LARGEST 64 CITIES WITH CIVILIAN OVERSIGHT (SCHAIBLE, 2024)



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*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.*

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