

# Establishing Standards for Effective Oversight



Presented By:

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# What is Civilian Oversight?

## Why is it Important to Have Standards?

- A mechanism to address and balance the two dimensions in policing—serving the public while respecting individual rights.
- Citizens influencing police practices to ensure that they are acceptable to their individual communities.
- Citizens authorized to oversee police conduct—to hold police accountable to internal and community standards.
- A remedy for police misconduct.



## VERY Brief Contextual History

- Civilian oversight is a new profession—30 to 35 years in the United States, with much growth in the last 10 years
- Charged with important and complex task—holding law enforcement officers to standards
- Law enforcement is an old, established profession with layers of and highly developed standards and training



# What Type of Civilian Oversight?

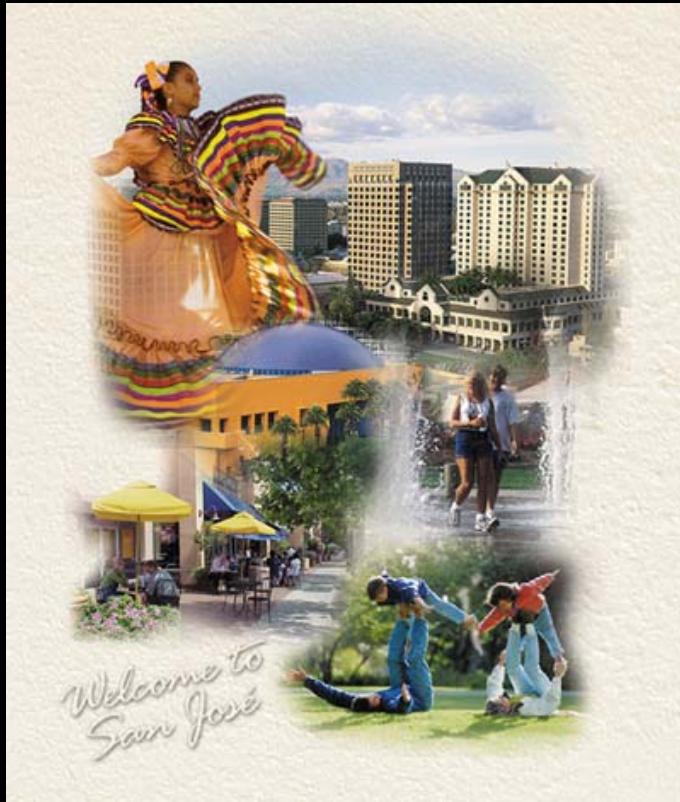
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## OVERSIGHT IN THE U.S. IS IN MANY FORMS

- Investigative Model
- Commission Model
- Ombudsman Model
- Auditor Model
- Public officials, community activists, police officials, and the police unions debate about the type of model to implement.
- In some cities the legislative body determines the type of oversight.
- In some areas, a ballot initiative is developed, and citizens vote to have oversight.

# San José Independent Police Auditor

13 Years Old—AUDITOR MODEL



- Receive complaints
- Review police investigations of complaints
- Make recommendations to improve police policies
- Conduct public outreach
- Review officer-involved shooting
- Confidential process handled by professional staff, report to mayor and city council

# S.F. Office of Citizen Complaints

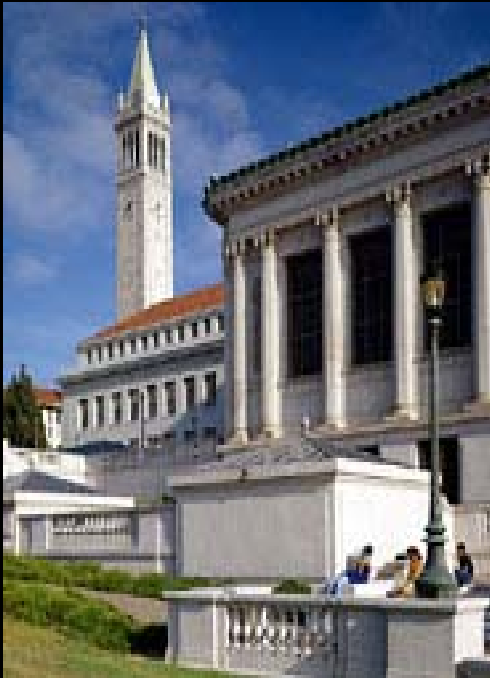
23 Years Old—INVESTIGATIVE MODEL

- Voter initiative
- Very powerful model—  
Civilians replaced internal  
affairs and conduct  
investigations
- Civilians prosecute cases
- Professional staff, confidential  
by CA law, reports to the  
police commission



# Berkeley Police Review Commission

32 Years Old—COMMISSION/INVESTIGATIVE MODEL



- Established by voter initiative
- Civilian staff receives and investigates complaints, reports to nine-member commission appointed by council
- Commission makes findings, advisory to police chief and city manager
- Public process, although currently being challenged
- Professional staff, appointed commissioners



# Why is Important to have Standards?

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- Very diverse field
- Law enforcement openly welcomes oversight and will readily accept criticism and advice from anyone
- Important developmental stage for civilian oversight
- Will help to establish credibility





# NACOLE's Professional Standards Project

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- Establishment of Professional Standards Sub-Committee
- Committee defined scope of project
- Twofold plan:
  1. Establishment of Code of Ethics for NACOLE [www.nacole.org](http://www.nacole.org)
  2. Survey of members to get feedback on professional standards project



# NACOLE Code of Ethics

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## *Preamble*

- Civilian oversight practitioners entrusted to conduct work in a professional, fair and impartial manner . . . .
- Spirit of standards are to “guide the civilian oversight practitioner in adapting to individual circumstances and in promoting public trust, integrity, and transparency.”



# Personal Integrity

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- Demonstrate the highest standards of personal integrity, commitment, truthfulness, and fortitude in order to inspire trust among your stakeholders.
- Avoid conflicts of interest.
- Conduct yourself in a fair and impartial manner and recuse yourself or your personnel when a conflict arises. . .



# Independent and Thorough Oversight

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- Conduct investigations, audits, evaluations and reviews with diligence, and an open and questioning mind, integrity, objectivity and fairness, and in a timely manner. . . .
- Present facts and findings without regard to personal beliefs or concern for personal, professional, or political consequences.



# Transparency and Confidentiality

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- Conduct oversight activities openly and transparently providing regular reports and analysis of your activities, and explanations of your procedures and practices to as wide an audience as possible
- Maintain the confidentiality of information that cannot be disclosed. . .



# Respectful and Unbiased Treatment

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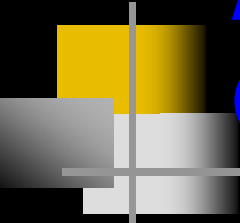
- Treat all individuals with dignity and respect, and without preference or discrimination including but not limited to the following protected classes:
  - age, ethnicity, culture, race, disability, gender, religion, sexual orientation, socioeconomic status, or political beliefs



# Outreach and Relationships with Stakeholders

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- Disseminate information and conduct outreach activity in the community.
- Pursue open, candid, and non-defensive dialogue with your stakeholders.
- Educate and learn from the community.



# Agency Self-examination and Commitment to Policy Review

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- Seek continuous improvement in the effectiveness of your oversight agency, the law enforcement agency it works with, and their relationships with the communities they serve.
- Gauge your effectiveness through evaluation
- Emphasize policy review aimed at substantive organizational reforms. . .





# Professional Excellence

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- Seek professional development to ensure competence.
- Acquire the necessary knowledge and understanding of the policies, procedures, and practices of the law enforcement agency you oversee.
- Keep informed of current legal, professional and social issues that affect the community, the law enforcement agency, and your oversight agency.



# Primary Obligation to the Community

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- At all times, place your obligation to the community, duty to uphold the law and to the goals and objectives of your agency above your personal self-interest.

# Professional Associations are Essential



- US, Canadian, European, international associations of civilian oversight of law enforcement
- Source of training and networking
- Updates on current trends in oversight and law enforcement practices

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