



Thirteen Principles for Effective Oversight

Based largely on the NACOLE's "Core Elements of Successful Oversight,"¹ the following set of 13 principles reflect information gleaned from pre-existing works by several scholars and oversight professionals, who have worked to identify the most important aspects of effective civilian oversight.² Together, these 13 principles form the preconditions for effective civilian oversight of law enforcement. However, building effective oversight requires balancing and prioritizing these principles, based on what stakeholders determine to be most important for the community the agency serves.

The recommended practices, approaches, and organizational features that follow seek to strengthen an agency in relation to these thirteen principles, to allow for more successful and effective civilian oversight.

1. Independence

One of the most important and defining concepts of civilian oversight of law enforcement is independence. In its broadest sense, it refers to an absence of real or perceived influence from law enforcement, political actors, and other special interests looking to affect the operations of the civilian oversight agency. In order to maintain legitimacy, an agency must be able to demonstrate the extent and impact of its independence from the overseen law enforcement agency — especially in the face of high-profile issues or incidents.

2. Clearly Defined and Adequate Jurisdiction and Authority

An oversight agency's jurisdiction and scope of authority are crucial to its success and effectiveness. While expectations regarding civilian oversight can vary significantly, having adequate jurisdiction and authority are fundamental in achieving organizational goals and ensuring the oversight agency can be

¹ De Angelis, Rosenthal, and Buchner, "Civilian Oversight of Law Enforcement: Assessing the Evidence," 36–44.

² Perez, *Common Sense About Police Review*; Walker, *Police Accountability: The Role of Citizen Oversight*; Walker, "Core Principles for an Effective Police Auditor's Office"; Bobb, "Civilian Oversight of Police in the United States"; Attard and Olson, "Overview of Civilian Oversight of Law Enforcement in the United States"; King, "Effectively Implementing Civilian Oversight Boards to Ensure Police Accountability and Strengthen Police-Community Relations"; De Angelis, Rosenthal, and Buchner, "Civilian Oversight of Law Enforcement: Assessing the Evidence."



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responsive to communities.³ An agency that is not given sufficient authority and jurisdiction to perform its mission simply cannot be effective. While there is no “best” oversight model for all contexts, stakeholders must ensure that the level of authority an oversight agency has in relation to its core oversight functions permits the agency to successfully perform its duties to the greatest degree possible and without limitation.

3. Unfettered Access to Records and Facilities

Unfettered access to the subject law enforcement agency’s records is vitally important for effective civilian oversight.⁴ The ability to review all records relevant to an investigation or other matters within the scope of a civilian oversight agency’s authority in a timely manner is essential to providing effective, informed, and fact-driven oversight. Similarly, agencies performing correctional oversight must have unfettered access to facilities and staff. Without timely and reliable access to department records, information, and facilities, oversight practitioners and volunteers cannot make decisions that meaningfully address areas of concern.

4. Access to Law Enforcement Executives and Internal Affairs Staff

The effectiveness of civilian oversight can hinge on an agency’s ability to effectively communicate with law enforcement officials regarding matters of concern identified throughout the course of the oversight agency’s work. Sustained dialogue and communication between law enforcement and oversight stakeholders promotes cooperation and ensures that those involved can develop mutual understanding and support for each other’s role in promoting greater accountability. Legislation establishing civilian oversight should require that law enforcement agencies provide timely, written, and public responses detailing why a particular recommendation was either accepted or rejected.⁵ These responses are crucial to informing the public of how, if, and why or why not issues identified by the civilian oversight agency will be addressed.

5. Full Cooperation

In addition to having access to relevant records and department executives, effective civilian oversight requires the full cooperation of all officers and department staff throughout the course of its work.⁶ Full cooperation is necessary for conducting thorough investigations and obtaining sufficient information for any work performed by the civilian oversight agency. The conditions of such cooperation must respect due process rights and an individual’s constitutional right against self-incrimination. Cooperation with

³ De Angelis, Rosenthal, and Buchner, “Civilian Oversight of Law Enforcement: Assessing the Evidence,” 37; Attard and Olson, “Overview of Civilian Oversight of Law Enforcement in the United States,” 7.

⁴ Walker, “Core Principles for an Effective Police Auditor’s Office”; Police Assessment Resource Center, “Review of National Police Oversight Models for The Eugene Police Commission”; Attard and Olson, “Overview of Civilian Oversight of Law Enforcement in the United States”; King, “Effectively Implementing Civilian Oversight Boards to Ensure Police Accountability and Strengthen Police-Community Relations.”

⁵ Ibid.

⁶ Walker, “Core Principles for an Effective Police Auditor’s Office.”



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civilian oversight should be a condition of employment for all officers and staff within the agency's jurisdiction.⁷

6. Sustained Stakeholder Support

Ongoing engagement with and support from stakeholders regarding local public safety and law enforcement-related issues is an important component of effectiveness. An otherwise well-designed civilian oversight mechanism can be undermined over time by a lack of meaningful support from those who can contribute to an agency's success.⁸ While establishing and supporting civilian oversight may be politically expedient in times of crisis, successful oversight requires the sustained support and interest of stakeholders who value independence, accountability, and transparency.⁹ An agency's ability to maintain this support may be a function of its outreach to those stakeholders. Maintaining productive relationships, even in times where disagreement and conflict may be unavoidable, will be crucial to future problem-solving, cooperation, and collaboration on key issues.

7. Adequate Funding and Operational Resources

Allocating sufficient resources to civilian oversight is a crucial determinant to effectiveness.¹⁰ To ensure that work is being performed thoroughly, timely, and at a high level of competency, adequate resources are necessary. Political stakeholders must ensure that their support for civilian oversight includes a sustained commitment to provide adequate and necessary resources. Providing adequate funding can signal a commitment to reform that may lead to greater cooperation by law enforcement executives and unions.¹¹ Similarly, civilian oversight agencies must have the resources to retain experienced professional staff, provide staff and volunteer board or commission members with adequate training on a regular basis, perform community outreach, and disseminate public reports and other outreach materials in order to be effective.

8. Public Reporting and Transparency

An independent entity bringing transparency to a historically opaque process is a fundamental goal and component of civilian oversight. Civilian oversight provides a unique opportunity for the public to learn about misconduct complaints and other areas of the law enforcement agency that serves the community. As such, issuing regular public reports is critical to an agency's credibility.¹² A civilian oversight agency should, at a minimum, issue one written report to the public each year.¹³ Reports

⁷ Ibid.

⁸ Attard and Olson, "Overview of Civilian Oversight of Law Enforcement in the United States," 7.

⁹ Ibid., 6.

¹⁰ Finn, "Citizen Review of Police: Approaches and Implementation"; Walker, "Core Principles for an Effective Police Auditor's Office"; Attard and Olson, "Overview of Civilian Oversight of Law Enforcement in the United States"; De Angelis, Rosenthal, and Buchner, "Civilian Oversight of Law Enforcement: Assessing the Evidence."

¹¹ Jones, "Chapter 5. Funding and Staffing," 62.

¹² Jerome, "Chapter 3. Credibility, Impartiality, and Independence in Citizen Oversight," 38.

¹³ Ibid.



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should be written in an accessible manner that allows the public to clearly understand the agency's authority, purpose, procedures, and accomplishments. In addition, they should include as much information related to the agency's mandate and operations as can be disclosed by law, including patterns and trends in complaints or discipline, the agency's recommendations and activities for the year, and issues that may be of concern to the public. Sufficiently resourced oversight agencies should seek to produce more frequent reports and, where appropriate, issue special reports on specific matters such as the findings of a particular policy review, audit, or investigation.¹⁴

9. Policy and Patterns in Practice Analysis

Performing analyses of law enforcement policies and patterns in practice may be among the most critical functions a civilian oversight agency can perform.¹⁵ Such analyses have great potential to advance the goals of effective civilian oversight by addressing systemic problems of law enforcement agencies and by formulating recommendations that will improve relations with communities. By performing data-driven and evidence-based analyses of specific issues, oversight agencies can pinpoint areas of concern and formulate recommendations for improvement. To hold the overseen law enforcement agency's executives accountable, timely, written responses to the oversight agency's recommendations should be required and made public.

10. Community Outreach

In many cases, civilian oversight is established amid community calls for greater accountability following a high-profile incident involving local law enforcement.¹⁶ As an institution representing the interests of the local community, conducting outreach to the community and local stakeholders is essential to effective civilian oversight.¹⁷ Outreach enables an oversight agency to build awareness of its existence, share reports and findings with the public, build relationships with stakeholders, recruit volunteers, solicit community input and involvement, facilitate learning and greater understanding, broker improved relationships, build coalitions, and develop a greater capacity for problem-solving.¹⁸ These functions are crucial to an agency's transparency, credibility, responsiveness, accountability, and accessibility, and overall ability to successfully maintain public support and legitimacy.¹⁹

¹⁴ Stewart, "Chapter 11. Community Outreach and Public Education in Citizen Oversight," 197.

¹⁵ Walker and Archbold, *The New World of Police Accountability*.

¹⁶ De Angelis, Rosenthal, and Buchner, "Civilian Oversight of Law Enforcement: Assessing the Evidence," 34.

¹⁷ Walker, *Police Accountability: The Role of Citizen Oversight*; De Angelis, Rosenthal, and Buchner, "Civilian Oversight of Law Enforcement: Assessing the Evidence," 42–43.

¹⁸ Stewart, "Chapter 11. Community Outreach and Public Education in Citizen Oversight," 149–51.

¹⁹ Stewart, "Chapter 11. Community Outreach and Public Education in Citizen Oversight"; Attard and Olson, "Overview of Civilian Oversight of Law Enforcement in the United States."



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11. Community Involvement

Effective civilian oversight requires community involvement.²⁰ Community and stakeholder input regarding how civilian oversight should function and which accountability issues it should address will result in the creation of a “best fit” oversight system that can meet community needs and expectations. Without sufficient involvement of those most interested in and impacted by local issues regarding law enforcement, it is unlikely that civilian oversight will be able to successfully accomplish its goals.²¹

12. Confidentiality, Anonymity, and Protection from Retaliation

Effective civilian oversight must function with the same integrity, professionalism, and ethical standards it expects from and promotes for law enforcement. Stakeholders and the community must remain confident that civilian oversight will protect sensitive information as well as those who disclose it. An oversight agency cannot maintain credibility, legitimacy, and public trust if it does not or cannot respect confidentiality agreements, maintain the anonymity of those who wish to share information anonymously, and work towards creating an environment where those involved with or contacting the oversight agency can do so without fear of retaliation or retribution.

13. Procedural Justice and Legitimacy

Procedural justice and legitimacy should serve as core principles guiding the work and processes of effective civilian oversight. Rooted in behavioral psychology, procedural justice typically centers on *how* authority is exercised. For entities whose authority is established by law, the recognition of their right to that authority and perceptions of how fairly that authority is exercised are crucial components of legitimacy.²² Research has shown that procedurally-just interactions between law enforcement and the community positively impact the public’s compliance with laws²³ and willingness to assist in crime control efforts.²⁴ The literature has also shown that officer perceptions of a procedurally-just work environment is associated with reduced misconduct and corruption,²⁵ as well as greater endorsement of policing reforms, reduced mistrust and cynicism with the community, willingness to obey supervisors,

²⁰ Walker, “Core Principles for an Effective Police Auditor’s Office”; Attard and Olson, “Overview of Civilian Oversight of Law Enforcement in the United States”; King, “Effectively Implementing Civilian Oversight Boards to Ensure Police Accountability and Strengthen Police-Community Relations”; De Angelis, Rosenthal, and Buchner, “Civilian Oversight of Law Enforcement: Assessing the Evidence.”

²¹ McDevitt, Farrell, and Andresen, “Enhancing Citizen Participation in the Review of Complaints and Use of Force in the Boston Police Department,” 7–8; De Angelis, Rosenthal, and Buchner, “Civilian Oversight of Law Enforcement: Assessing the Evidence,” 43–44.

²² Sunshine and Tyler, “The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing”; Jackson et al., “Why Do People Comply with the Law?”; Mazerolle et al., *Procedural Justice and Legitimacy in Policing*.

²³ Sunshine and Tyler, “The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing.”

²⁴ Murphy, Hinds, and Fleming, “Encouraging Public Cooperation and Support for Police.”

²⁵ Wolfe and Piquero, “Organizational Justice and Police Misconduct.”



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and increased officer well-being.²⁶ Though the literature on procedural justice and civilian oversight is relatively sparse, there is research supporting the notion that procedurally just complaint processes — where complainants report being satisfied with the quality of communication and the process²⁷ — increase complainant satisfaction.²⁸

²⁶ Trinkner, Tyler, and Goff, “Justice from Within.”

²⁷ De Angelis, “Assessing the Impact of Oversight and Procedural Justice on the Attitudes of Individuals Who File Police Complaints.”

²⁸ Worden, Bonner, and McLean, “Procedural Justice and Citizen Review of Complaints Against the Police.”



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