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## ACCOUNTABILITY—DETAILED OUTLINE

### I. CIVILIAN OVERSIGHT

**Thesis:** More robust civilian oversight of law enforcement increases public safety and reduces racial and identity profiling in policing.

#### A. Emergence of Civilian Oversight Bodies

##### 1. Brief history of civilian oversight

Early forms of civilian oversight of law enforcement emerged during the Progressive Era (1897-1920), amid calls to eliminate municipal corruption and disentangle the police from such corruption. In some cities, volunteer civilian police commissions were appointed by the mayor or city council to act as the board of directors for the police department, often with the authority to hire and fire the police chief and set department policy. Ultimately, however, these early police commissions proved ineffective due to the political entrenchment of the appointed commissioners and their frequent deference to the police chief.

A more formalized concept of civilian oversight emerged amid tensions between police and minority communities in the late 1920s. In 1928, the Los Angeles Bar Association established a Committee on Constitutional Rights to record complaints of police misconduct. As a nongovernmental body, the commission had no authority to act on complaints received.

From the 1930s to 1950s, riots over race relations and police violence in urban areas gave way to strengthened movements for police accountability and improved civilian complaint processes. A breakthrough came about in Washington, D.C., in 1948, when the nation's first civilian review board (CRB) was established in response to community concerns over police using excessive force against African Americans and to lobbying efforts by the Urban League and National Conference of Christians and Jews. This first CRB had limited visibility and effectiveness, reviewing just 54 cases in its first 16 years. The board was eventually abolished in 1995 amid a fiscal crisis and an unmanageable backlog of cases.

In 1973, a group of community organizations in Berkeley, California, mounted a successful campaign that prompted the city council to pass an ordinance establishing the Police Review Commission—the first civilian oversight agency specifically authorized to independently investigate police complaints. That same year, voters in Detroit approved a city charter amendment creating the all-civilian Detroit Board of Police Commissioners (BOPC), authorized to set department policy and independently investigate and resolve complaints.

Less than a decade later, the San Francisco Office of Citizen Complaints (OCC), now known as the Department of Police Accountability, was incorporated into the city's charter in 1982. The OCC signaled a unique development, in that the agency replaced the civilian complaint investigation functions of the San Francisco Police Department.

The 1990s brought about significant changes to American policing, reform efforts, and civilian oversight of law enforcement. This decade experienced sharp increases in police recruitment and

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resources, as well as a 41 percent spike in drug-related arrests and a focus on quality-of-life policing that contributed to the dramatic expansion of practices such as stop-and-frisk. Racial disparities in such enforcement, as well as national media coverage of police misconduct and corruption, markedly increased unfavorable public perceptions of police, particularly within minority communities. Concurrently, a new wave of civilian oversight agencies with expanded powers emerged, as did new efforts by the DOJ to reform police departments engaging in patterns of unconstitutional policing.

During this period, a new model of civilian oversight focused on systemic issues in law enforcement policies and procedures began to take shape. In 1991, the Seattle city council passed an ordinance establishing an independent civilian auditor to audit and review civilian complaint investigations completed by the Seattle Police Department's Internal Investigations Section. Two years later, city councilmembers in San Jose, California, proactively approved an ordinance creating an Independent Police Auditor (IPA). While modeled after Seattle's civilian auditor, the San Jose IPA was given a broader mandate and was authorized to review the complaint investigations completed by the San Jose Police Department (SJPd), analyze complaint trends and statistics, and review and recommend improvements to SJPd policies and procedures.

The turn of the century has brought renewed attention to issues surrounding law enforcement misconduct. Several violent and sometimes fatal encounters captured on video and widely circulated through social media have yielded coalitions of community groups and campaigns organizing for police accountability and racial justice nationwide. In addition, the growing sophistication of data-based, investigative journalism has brought attention to these issues in many local contexts.

### Sources

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- [Vitorolous, McEllhiney, Perez \(2021\) Evolution & Growth](#) (from [Recent Reports - National Association for Civilian Oversight of Law Enforcement](#)) pp. 5-7.
- See also [AIPA - History of Civilian Oversight | City of Alexandria, VA](#)
- Joseph De Angelis; Richard Rosenthal; Brian Buchner, Civilian Oversight of Law Enforcement: Assessing the Evidence (September 2016). [NACOLE AccessingtheEvidence Final.pdf](#), p. 6.
- Who do Civilian Review Boards Serve and Protect? Applying Andre Gorz's Non-Reformist Reform Theoretical Framework to Empirical Analysis from New York State, Jackson Diamond (2024), p. 4.

## **B. Civilian Oversight Generally**

### **1. Reasons for Civilian Oversight**

Research identifies several primary benefits of civilian oversight, including:

- Improving public trust in the police;
- Ensuring accessible complaint process;
- Promoting thorough, fair investigations;
- Increasing transparency and accountability;
- Holding law enforcement agencies accountable for officers' behavior;
- Promoting systemic changes in law enforcement; and
- Improving community-law enforcement relations and public trust in the complaint process.

Almost all oversight agencies reported that their most critical programmatic goals include improving public trust (98 percent), ensuring accessible complaint processes (93 percent), ensuring thorough investigations (88 percent), increasing transparency (86 percent), and deterring police misconduct (85 percent).

#### Sources:

- [Models of Oversight - National Association for Civilian Oversight of Law Enforcement](#)
- [NACOLE AccessingtheEvidence Final.pdf](#) (pp. 33-34.)
- [CIVILIAN OVERSIGHT OF LAW ENFORCEMENT.pdf](#)

### **2. Effective Practices in Civilian Oversight of LEAs**

The core factors of an effective civilian oversight body include:

- *Independence*
  - There is a consensus in the literature that it is crucial for a civilian oversight body's to be independent from the LEA it oversees in order to be successful.
  - The extent to which oversight is independent of police, political actors, and other special interests has been argued to be strongly related to effectiveness of oversight. In other words, the more independent the COA is, the more effective it is in overseeing the LEA.
- *Clearly Defined and Adequate Jurisdiction and Authority*

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- An effective COA will have the authority to review allegations of misconduct that emerge from sources outside of citizen complaints.
- An effective COA will also have the authority to handle and resolve complaints.
- Almost all of the agencies submitting data indicated that they have jurisdiction in relation to citizen complaints. A majority of the agencies stated they “always/sometimes” have jurisdiction in relation to: (1) Officer-involved shootings; (2) Serious force; and (3) In-custody deaths.
- *Meaningful Access to Records and Facilities*
  - An effective COA will have the ability to access LEA records (including officer discipline records), facilities (such as detention facilities or testing facilities), and all available evidence (including body-worn camera footage) to be able to resolve complaints and allegations of misconduct.
- *Access to Law Enforcement Staff & Cooperation*
  - COAs are most effective when LEAs listen to and implement oversight recommendations.
  - The more cooperation between COAs and LEAs—by developing a working relationship with the departments they oversee—the more effective the COA, and the more likely the LEA is to reduce the harmful effects of peace officer interaction, such as racial and identity profiling.
- *Support of Process Stakeholders*
  - A lack of political support has the potential to undermine an otherwise well-designed system of oversight. Government officials and office holders, if not supportive of an oversight agency, can reduce its effectiveness in a variety of ways, including by failing to provide the agency with adequate resources or authority or by appointing ineffective managers or board members.
  - Similarly, opposition from police unions, local district attorneys or police executives has the potential to complicate the work of oversight agencies.
- *Adequate Funding and Operational Resources*
  - A COA’s resourcing is considered the most important potential indicator of effectiveness. If the COA is well-funded and otherwise supported, it is more likely to achieve the goals set out for effective reform of the LEA, and more likely to effectively resolve complaints, ultimately improving public safety.
  - Because of this, an effective COA has a budget that matches the agency’s goals.
  - An effective COA also is professionally staffed by dedicated employees who have the time and expertise to support the work of the oversight agency.
- *Public Reporting and Transparency*
  - The level of transparency that the COA brings to the complaint handling process and other areas of police operations dictates whether the COA will be perceived to be responsive and effective in the handling and resolution of complaints.

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- *Policy and Patterns in Practice Analysis*
  - Analyzes and reports on aggregate patterns in relation to complaint handling processes monitor agencies reported and outcomes.
  - Police departments have traditionally been reluctant to report publicly on patterns in internal investigations and an important role of oversight has been to use public reporting to inform the community about patterns in complaints, investigative outcomes and indicators of process or procedural effectiveness (e.g., timeliness of the process).
  - Given this, the civilian oversight agencies shared information that help examine data management and pattern analysis practices across different models of oversight.
- *Outreach, Involvement & Stakeholder Support*
  - There is a strong consensus in the research and policy literature that community outreach is an essential element of any effective oversight agency. (Walker 2001; Finn 2001; Stewart 2006; Walker and Archbold 2014)
  - Involving community stakeholders in the process allows the oversight agency to identify and address the key accountability issues that the jurisdiction is facing.
  - Some oversight agencies involve community volunteers in the core work (review-focused agencies), while other highly professionalized agencies may have community members sitting on governing boards, police commissions or advisory boards.
- *Confidentiality, Anonymity, and Protection from Retaliation*
  - Protect the confidentiality of employee personnel records.
  - 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.
  - Jurisdictions must ensure that enabling legislation provides adequate protections for those who would like to file complaints or come forward with information that may be of interest to the oversight agency. If legal in the jurisdiction, individuals should be able to file complaints anonymously.
  - In addition, law enforcement agencies should maintain policies explicitly prohibiting retaliation against civilian oversight agency employees or any person in contact with the civilian oversight agency. If retaliation is discovered, appropriate discipline should be applied. A fear of retaliation can have a chilling effect on those interested in disclosing misconduct or participating in an investigation. (Vitorolous, 278.)

Sources:

- [NACOLE\\_AccessingtheEvidence\\_Final.pdf](#) [listing 12] (pp. 36-44.)
- [CIVILIAN OVERSIGHT OF LAW ENFORCEMENT.pdf](#) [listing 13]
- [Vitorolous, McElhiney, Perez \(2021\) Evolution & Growth.pdf](#) [listing 16]

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- [Vitoroulis, McElhiney, Perez \(2021\) Report on the State of the Field & Effective Oversight Practices.pdf](#) [listing 13]

## **C. Impacts of Civilian Oversight Bodies on Racial and Identity Profiling and Public Safety**

### **1. Core Factors of Effective Civilian Oversight Agencies (COAs)**

The core factors of an effective oversight body (discussed above in Section 2) gauge success in relation to the public safety, public trust, and officer accountability for misconduct, generally. The metrics do not expressly measure to whether COAs decrease racial disparity in policing.

### **2. Cross Section Between Core Factors of Effective COAs and decrease in racial profiling**

- Recent literature shows there is overlap between the factors that promote effective COAs generally and reduce racial disparity.
- Research supports the thesis that robust COAs increase public *and* officer safety and decrease racial disparities in policing.
- The degree to which a COA reduces racial disparity in policing outcomes depends on its scope of authority, as well as the degree of discretion afforded by existing institutions to police officers. In general, the wider the scope of authority, and the broader the discretion afforded by existing institutions, the greater the likelihood of change in institutional outcomes. ([Social Accountability and Institutional Change: The Case of Citizen Oversight of Police by Mir Ali, Maureen Pirog :: SSRN](#))

### **3. All COAs reduce racial disparities in high discretionary situations, but more aggressive COAs needed to reduce racial disparities in homicides**

- While all COAs, regardless of type, reduce racial disparities in disorderly conduct arrests (DCA) (high discretionary situations) by around 20.7 arrests per 100,000 adults per year (p. 31), only the more robust COAs reduced police homicides of citizens (PHC) (less discretionary situations). The different models are discussed below.
- Less aggressive forms of oversight are sufficient to reduce the racial disparity in high discretion enforcement actions such DCAs. However, more aggressive forms of oversight are needed to reduce racial disparities in enforcement actions such as PHCs, where institutions afford officer low discretion and the citizen-police encounters pose danger. (Ali, Mir and Pirog, Maureen, [Social Accountability and Institutional Change: The Case of Citizen Oversight of Police](#) (November 17, 2019), p. 31.)

### **4. Impact Over Time**

A reduction in the racial disparity of DCAs was observed for each additional year of a COA's existence, regardless of the type of COA that was in place (i.e. 20.7 fewer DCA arrests

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per 100,000 adults per year). On the other hand, only investigative COAs reduced racial disparity in PHCs (by 6% per year) for each additional year of existence of the COA. This finding shows that the impact of COAs on the racial disparity in DCAs are much more broad-based than the impact on racial disparity in PHCs.

## **5. Types of Civilian Oversight Bodies and their impact on profiling/public safety**

### **a. Review Model**

#### **(1) Defining the Review Model**

- Provide community members outside of and unaffiliated with the law enforcement agency with an opportunity to review the quality of misconduct investigations performed by the agency.
- Often focuses on reviewing the quality of completed police internal affairs investigations.
- May make recommendations to police executives regarding findings or request that further investigation be conducted.
- Commonly headed by a review board composed of citizen volunteers.
- Often hold public meetings to collect community input and facilitate police-community communication.

#### **(2) Potential Key Strengths**

- Ensures that the community has the ability to provide input into the complaint investigation process.
- Generally the least expensive form of oversight since it typically relies on the work of volunteers.
- Community review of complaint investigations may increase public trust in the process.
  - [NACOLE, Civilian Oversight of Law Enforcement, Assessing the Evidence](#), pp. 28-29

#### **(3) Potential Key Weaknesses**

- May have limited authority and few organizational resources.
- Review board volunteers may have significantly less expertise in police issues and limited time to perform their work.
- May be less independent than other forms of oversight. Tend to report to chief of police.
- Smaller budget. Generally, the least expensive form of oversight since it typically relies on the work of volunteers. More appropriate for smaller jurisdictions with a small budget.
  - [NACOLE, Civilian Oversight of Law Enforcement, Assessing the Evidence](#), pp. 28-29

#### **(4) Examples of Review Models**

- Citizens' Police Review Board Albany, NY [www.albanylaw.edu/cprb](http://www.albanylaw.edu/cprb)
- Citizens' Police Complaint Board Indianapolis, IN [www.indy.gov/egov/city/dps/cpcbo](http://www.indy.gov/egov/city/dps/cpcbo)
- Civilian Police Review Board Urbana, IL [www.urbanaininois.us/boards/civilian-police-review-board](http://www.urbanaininois.us/boards/civilian-police-review-board)

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- Citizen Review Committee St. Petersburg, FL  
www.stpete.org/boards\_and\_committees/civilian\_police\_review\_committee
- Citizens' Review Board on Police San Diego, CA  
www.sandiego.gov/citizensreviewboard

#### **(5) Review Model's Impact on Racial Disparities**

- COAs with a board of citizens reduces the racial disparity in disorderly conduct arrests by around 41% (200.28/487.5) relative to the average pretreatment disparity in such arrests.
- Review COAs are commonly headed by a review board composed of citizen volunteers.  
([Models of Oversight - National Association for Civilian Oversight of Law Enforcement NACOLE Accessing the Evidence Final.pdf.](#))
  - COAs that were led by a board of citizens who were appointed by municipal district were found to be associated with a reduction in racial disparity in disorderly conduct arrest rates. (Ali, Mir and Pirog, Maureen, [Social Accountability and Institutional Change: The Case of Citizen Oversight of Police](#) (November 17, 2019), p. 3.)
  - Specifically, a COA with this governance reduces the racial disparity in disorderly conduct arrests by around 41%=(200.28/487.5) relative to the average pretreatment disparity in such arrests.
  - Outcome is relative to COAs that either (a) do not have a board, or (b) have a board whose members are not appointed by municipal district. (p. 20.)
  - This factor is more about "governance" than it is about the Review model. But Review models do tend to have a board of citizens.
- Review focused oversight agencies did not reduce racial disparity in police homicides of citizens. (p. 31 [reduction found, but not to statistically significant level.]

#### **b. Investigative Model**

##### **(1) Defining the Investigative Model**

- Has authority to classify citizen complaints.
- Has authority to conduct investigations into allegations of misconduct against police officers independently of the overseen LEA's internal affairs unit.
- Employ professionally trained investigative staff to conduct investigations and other full-time staff.
- Has authority to issue findings to police.
- Has authority to recommend and/or impose discipline.
- Substantial budgetary authority – most expensive and organizationally complex.
- Generally, have greater access to law enforcement records and databases.
- More likely to have the ability to subpoena documents and witnesses.

##### **(2) Sources:**

- [Models of Oversight - National Association for Civilian Oversight of Law Enforcement](#)

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- [NACOLE AccessingtheEvidence Final.pdf](#)
- [CIVILIAN OVERSIGHT OF LAW ENFORCEMENT.pdf](#)
- Ali, M. U., & Nicholson-Crotty, S. (2020). Examining the Accountability-Performance Link: The Case of Citizen Oversight of Police. *Public Performance & Management Review*, 44(3).
- Ali, Mir and Pirog, Maureen, Social Accountability and Institutional Change: The Case of Citizen Oversight of Police (November 17, 2019).

### **(3) Potential Key Strengths**

- May reduce bias in investigations into citizen complaints.
- Full-time civilian investigators may have highly specialized training, greater resources, and more time to perform their oversight work.
- Civilian led investigations may increase community trust in the investigations process.
  - Available public opinion research demonstrates strong public support for the independent investigation of serious complaints against police officers (Prenzler 2016). Most investigation-focused agencies utilize civilian staff to conduct fact-finding investigations and operate a multi-member community board that may hold hearings, issue findings and/or make recommendations to the police department. As a result, this model may reassure a community that investigations are unbiased, thorough and that civilian perspectives are represented both within the complaint investigation process and upon review of completed investigations (PARC 2005).
  - [NACOLE, Civilian Oversight of Law Enforcement, Assessing the Evidence](#), pp. 25-26

### **(4) Potential Key Limitations**

- Most expensive and organizationally complex form of civilian oversight. However, a COA's resourcing is considered the most important potential indicator of effectiveness.
- Civilian investigators may face strong resistance from police personnel.
- Disillusionment among the public may develop overtime when community expectations for change are not met.
  - [NACOLE, Civilian Oversight of Law Enforcement, Assessing the Evidence](#), pp. 25-26

### **(5) Examples of Investigative-focused Models**

- Office of Citizen Complaints San Francisco, CA [www.sfgov.org/occ](http://www.sfgov.org/occ)
- Office of Police Complaints Washington, D.C. [www.policecomplaints.dc.gov](http://www.policecomplaints.dc.gov)
- Citizen Complaint Review Board New York, NY [www.nyc.gov/html/ccrb](http://www.nyc.gov/html/ccrb)
- Citizens' Law Enforcement Review Board San Diego County, CA [www.sandiegocounty.gov/clerb.html](http://www.sandiegocounty.gov/clerb.html)
- Citizen Police Review Board Pittsburgh, PA [www.cprbpgh.org](http://www.cprbpgh.org) Office of Municipal Investigations Pittsburgh, PA [www.pittsburghpa.gov/omi](http://www.pittsburghpa.gov/omi)

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## (6) Investigative Model's Impact on Racial Disparities

- Decreased Racial Disparity in Disorderly Conduct Arrests and Homicide of Citizens
  - Investigative agencies, which conduct independent investigations into citizen complaints and have the authority to recommend discipline to police officers found guilty of misconduct are associated with both a reduction in racial disparity in disorderly conduct arrest rates and racial disparity in police homicides of citizens.
  - Investigative COAs reduce racial disparity in police homicide of citizens by around 6% per year.
    - Ali, Mir and Pirog, Maureen, [Social Accountability and Institutional Change: The Case of Citizen Oversight of Police](#) (November 17, 2019), pp. 31- 39.
- Decreased Homicides of Police Officers (Increased Officer Safety)
  - Investigative agencies are also associated with a reduction in the violent crime rate and line-of-duty homicides of police officers (HPOs). The effect on line-of-duty police homicides is plausibly achieved due to such agencies' effect on citizen perceptions of procedural and distributive justice during police encounters, which in turn increases police legitimacy, and thus decreases aggression towards police.
    - Ali, M. U., & Nicholson-Crotty, S. (2020). Examining the Accountability-Performance Link: The Case of Citizen Oversight of Police. *Public Performance & Management Review*, 44(3), <https://doi.org/10.1080/15309576.2020.1806086>.
- Given the impact of Investigative COAs, it is important to highlight the characteristics of the agencies in this category. (Ali, Mir and Pirog, Maureen, Social Accountability and Institutional Change: The Case of Citizen Oversight of Police (November 17, 2019).)
  - Authorities that loaded heavily onto the investigation score factor included the authority to:
    - Classify the nature of a citizen-initiated complaint,
    - Conduct investigations of citizen complaints independent of the police agency,
    - Recommend/issue investigation findings to the police,
    - Recommend discipline to officers it found guilty of misconduct, and
    - Have paid, full-time staff. (p. 34)
  - There were sixteen COAs in our sample which had all the above-mentioned authorities. These agencies had a median 2016 budget of \$999,420, a median full-time staff of 9, compared to a median budget of \$112,500 and a median full-time staff of 4 for the sample overall. (p. 34.)
  - Thus, it appears that the most effective COAs not only have a broad scope of authority, but they were also likely to have more resources to perform their role relative to the overall sample of COAs. (p. 34.)

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### **c. Monitoring/Auditing Model**

#### **(1) Defining the Monitoring/Auditing Model**

- Authorized to audit, monitor, investigate, and review a wider range of law enforcement policies, practices, and procedures.
- Often seek to promote broad organizational change by conducting systematic reviews of police policies, practices or training and making recommendations for improvement.
- Often focuses on examining broad patterns in complaint investigations, including patterns in the quality of investigations, findings and discipline. Sometimes referred to as inspectors general or police monitors.
- Some auditors/monitors may actively participate in or monitor open internal investigations.

#### **(2) Sources**

- [NACOLE, Civilian Oversight of Law Enforcement, Accessing the Evidence](#), 2019, pp. 30-31.
- [NACOLE, Civilian Oversight of Law Enforcement](#), September 10, 2020.

#### **(3) Potential Key Strengths**

- Often have more robust public reporting practices than other types of oversight
- Often less expensive than full investigative agencies, but more expensive than review-focused agencies.
- May be more effective at promoting long-term, systemic change in police departments
  - ([NACOLE, Civilian Oversight of Law Enforcement, Assessing the Evidence](#), pp. 30-31.)

#### **(4) Potential Key Weaknesses**

- Auditor/monitor focus on examining broad patterns rather than individual cases be treated with skepticism by some local rights activist because they may desire that discipline be imposed in specific cases of officer misconduct
  - To achieve long-term success, a police auditor or monitor may reach compromises on individual cases with the police executive to ensure a healthy long-term relationship is developed between the agencies
  - In some cases, an auditor/monitor agency may choose to allow the police executive to take credit for a reform initiative, again to maintain long-term relationships with police leadership. Such actions, while they may support positive reform in a police organization, may result in a lack of understanding amongst the community as to the actual effectiveness of the oversight program
- Conducting broad, systematic policy evaluations requires significant expertise.
- Most auditors/monitors can only make recommendations and cannot compel law enforcement agencies to make changes.
  - [NACOLE, Civilian Oversight of Law Enforcement, Assessing the Evidence](#), p. 30

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### **(5) Examples of Auditor/Monitor**

- Police Auditor San Jose, CA [www.sanjoseca.gov/ipa](http://www.sanjoseca.gov/ipa)
- Office of the Independent Monitor Denver, CO [www.denvergov.org/oim](http://www.denvergov.org/oim)
- Independent Police Monitor New Orleans, LA [www.nolaipm.gov](http://www.nolaipm.gov)
- Los Angeles Board of Police Commissioners Office of the Inspector General Los Angeles, CA [www.oig.lacity.org](http://www.oig.lacity.org)
- Office of the Inspector General for the New York City Police New York, NY [www.nyc.gov/oignypd](http://www.nyc.gov/oignypd)

### **(6) Monitoring/Auditing Model's Impact on Racial Disparities**

- Monitoring COAs, which focus on analyzing trends in police misconduct, and recommending changes in police policies, procedures, and training, were found to be associated with a reduction in racial disparity in disorderly conduct arrest rates. (Ali, Mir and Pirog, Maureen, [Social Accountability and Institutional Change: The Case of Citizen Oversight of Police](#) (November 17, 2019), p. 3.)
- Neither monitoring nor review COAs reduce racial disparity in PHCs. (p. 31.)

#### **d. Hybrid Model**

##### **(1) Defining the Hybrid Model**

- Combination of several models.
  - Even though the oversight models tended to have clear organizational foci, there was substantial crossover among models. For example, a majority of auditor/monitor agencies (61 percent) reported the ability to conduct independent investigations. Roughly 43 percent of review-focused agencies and 50 percent of investigative agencies reported having the authority to audit complaint investigations by the police. Taken as a whole, this indicates that jurisdictions are mixing-and-matching forms of oversight authority and jurisdiction to meet the needs in the local environment (McDevitt et al. 2005: 11). As such, regardless of whether a local jurisdiction has a review board or auditor/monitor, it is clear that just about any type of oversight model can include hybridized characteristics. (p. 50.)
- May included multiple entities overseeing the same law enforcement agency, such as an independent investigative agency and an inspector general.

*[Analysis of key potential strengths, key potential weaknesses, and potential impacts of the hybrid model on racial disparities forthcoming]*

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## **D. Civilian Oversight in California**

Analysis of civilian oversight of Wave 1 and Wave 2 law enforcement agencies

### **1. Wave 1 Agencies**

#### Los Angeles County Sheriff's Department

- Civilian Oversight Commission – *Investigative/Hybrid Model*
  - Works with Office of Inspector General provide to process complaints against LASD and conduct investigations
  - Can subpoena witnesses and documents

#### Riverside County Sheriff's Department

- No formal civilian oversight body

#### San Bernardino County Sheriff's Department

- No formal civilian oversight body

#### San Diego County Sheriff's Department

- Citizens Law Enforcement Review Board – *Investigative Model*
  - Investigates specified citizen complaints and investigate deaths arising out of or in connection with the activities of peace officers and custodial officers
  - Has power to subpoena documents and witnesses
  - Full time staff
  - Makes advisory findings and recommendations for policy and procedure changes. Focus is fact-finding.
  - Cannot decide policies or impose discipline against officers or employees of the Sheriff's Department or the Probation Department

#### San Diego Police Department

- Commission on Police Practices – *Investigative Model*
  - Has some paid staff
  - Reviews and evaluates serious complaints from the public
  - Has investigatory, review, and auditing powers, including the power to make factual determinations about investigated matters and make advisory recommendations regarding the officer's actions and the department's procedures, policies, and practices
  - Has the power to conduct investigatory proceedings and subpoena witnesses and documents
  - Reviews and evaluates all factual findings and evidentiary conclusions of the Police Department arising from investigations of police misconduct and disciplinary decisions.
  - Can make recommendations on the discipline of individual officers

#### San Francisco Police Department (two oversight agencies)

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- San Francisco Police Commission – *Review Model*
  - Oversees the SFPD and the Department of Police Accountability (DPA)
  - Staffed by volunteers
  - Sets policy for SFPD, adjudicates cases of officer discipline, can impose discipline, hears police officer’s appeals from discipline, and assesses the performance of the Chief of Police
- Department of Police Accountability (DPA) – *Investigative Model*
  - Investigates complaints about SFPD officers and officer-involved shootings, and audits SFPD practices.
  - Recommends new policies and policy changes to the Police Commission and SFPD and disciplinary action against officers
  - Conducts performance audits of police officer use of force and how SFPD has handled claims of officer misconduct
  - Has full-time civilian staff
  - Reports to the Police Commission

## 2. Wave 2 Agencies

### Fresno Police Department

- Office of Independent Review – *Monitoring/Auditing Model*
  - Entire office has one auditor.

### Long Beach Police Department

- Office of Police Oversight – *Monitoring/Auditing Model*
  - Is staffed with employees.
    - Police Oversight Director, two investigators, one clerk.

### Oakland Police Department

- Oakland Police Commission – *Review Model*
  - Civilian Staff, Volunteers

### Orange County Sheriff’s Department

- Orange County Office of Independent Review – *Review Model*
  - Mission is to identify and address high risk and potential liability issues in five County departments, including the sheriff’s department.
  - Review systemic issues.

### Sacramento Sheriff’s Department

- Sacramento Sheriff Community Review Commission – *Review Model*
  - Consist of eleven (11) members of the public, with two (2) members appointed by each member of the Board of Supervisors and one (1) member of staff from the County of Sacramento appointed by the County Executive.

### Sacramento Police Department

- Sacramento Office of Public Safety Accountability – *Monitoring/Auditing Model*

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- OPSA is charged with receiving complaints from the community, auditing departmental investigation results, and independently conducting investigations into allegations of police or fire employee misconduct.
- OPSA issues recommendations concerning community relations outreach, public safety departments' policies, procedures, training, and investigation resolution.

### San Jose Police Department

- San Jose Independent Police Auditor – *Auditing Model*
  - Consists of one auditor
  - The office does mainly three things:
    - (1) Takes in complaints from members of the public about San Jose police officers;
    - (2) Makes sure that the Department of the SJPD investigates those complaints thoroughly and fairly, and
    - (3) Recommends improvements to SJPD's policies and procedures.

## **II. SB 2 PEACE OFFICER DECERTIFICATION**

### **A. Updated Decertification Data**

*[Updated analysis of SB 2 data since publication of the 2025 RIPA Report forthcoming.]*

### **B. Geographic Analysis of SB 2 Data/Outcomes**

*[Analysis of regional differences in SB 2 data and outcomes in California (e.g., Northern vs. Southern California) forthcoming]*

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