



An Overview of Civilian Oversight of Law Enforcement

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Task Force to Reimagine the Former Public Safety Advisory Commission
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- Broad Overview of Civilian Oversight of Law Enforcement in the U.S.
- Civilian Oversight of Law Enforcement Models & Ranges of Authority

DEFINITIONS OF CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

- 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).

DEFINED ROLE

Reviews, investigates, and/or audits internal law enforcement investigations or processes, including community complaints and use of force incidents.

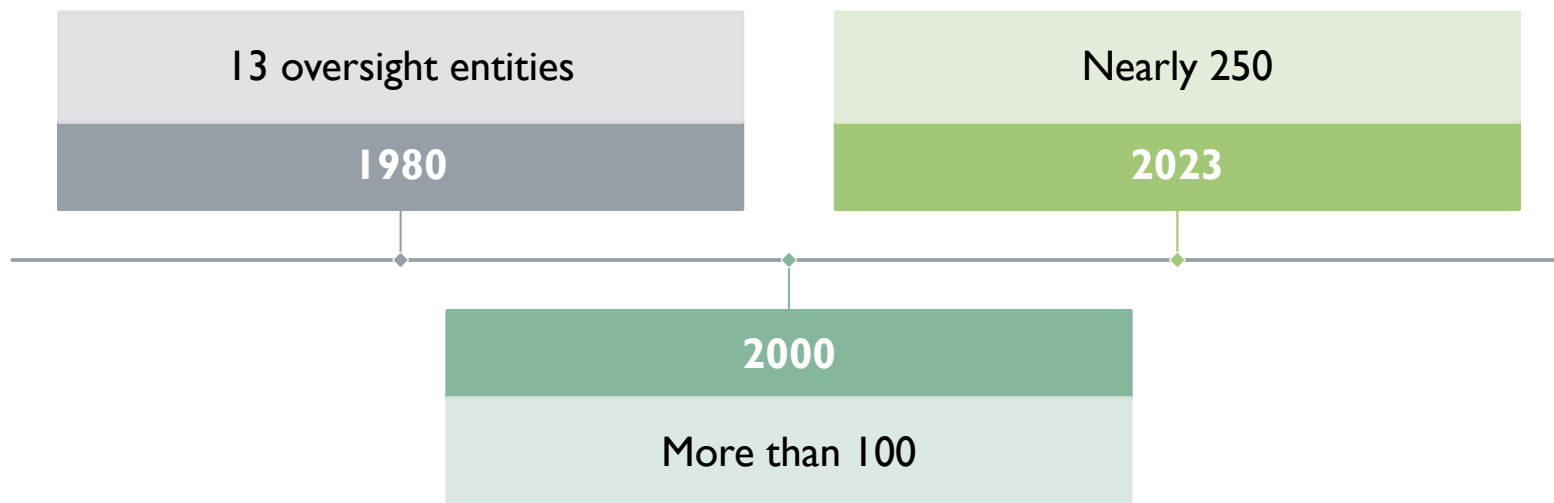
Conducts ongoing monitoring of law enforcement agencies' policies, procedures, training, management, and supervision practices.

Includes any agency or procedure that involves active participation in the above by persons who are not sworn law enforcement.

WHY CIVILIAN OVERSIGHT OF LAW ENFORCEMENT?

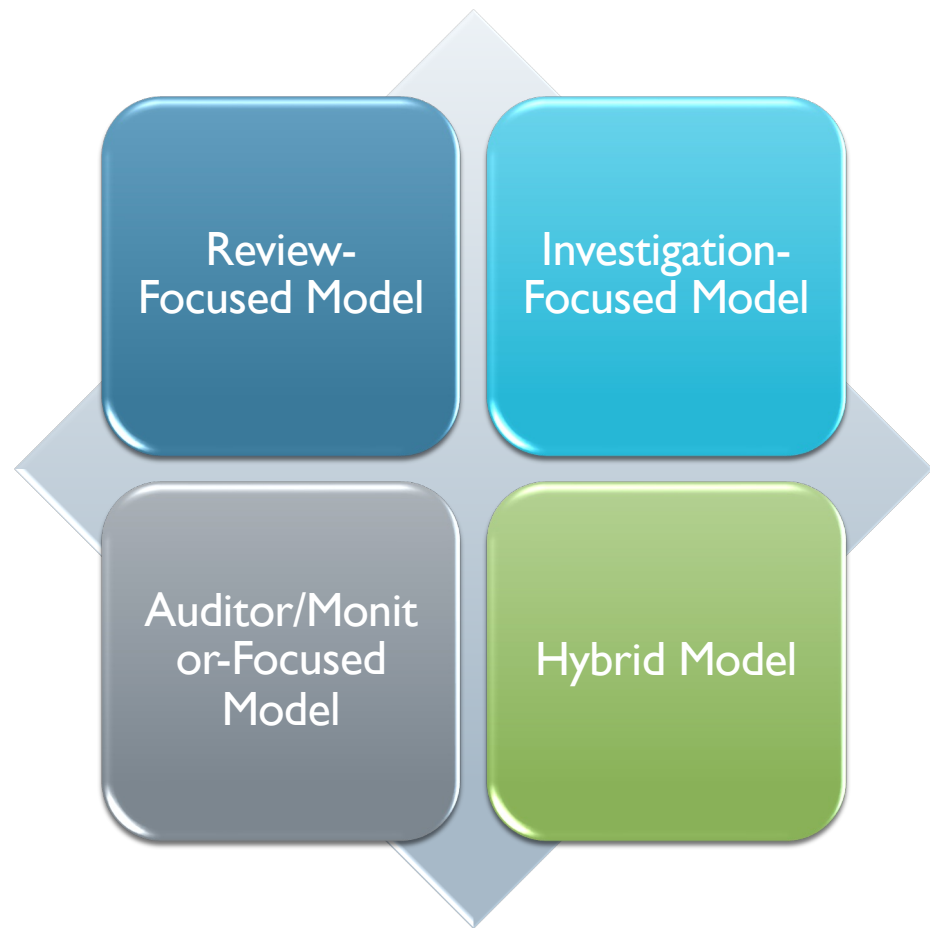


CODIFIED CIVILIAN OVERSIGHT ENTITIES IN THE U.S.



OVERSIGHT MODELS AND RANGES OF AUTHORITY

MODELS OF CIVILIAN OVERSIGHT OF LAW ENFORCEMENT



REVIEW-FOCUSED MODEL



Baltimore Civilian Review Board. Photo by the Capital News Service.

- Review completed complaint investigations
- Typically, a volunteer board/commission
 - Some/all members appointed by the mayor or city council
 - Authorizing legislation may designate seats to representatives from community groups
 - Staff support for administrative and clerical functions
- Public meetings in accordance with state law and union contracts

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 or subject officers



Recommend case dispositions, discipline, or revisions to departmental policies and procedures



Hold public forums



Conduct community outreach

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 investigations independently of internal affairs units/the overseen agency
- Paid, professionally trained investigative staff
 - Along with a volunteer board/commission

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, Independent Police Monitor/Auditor)

AUDITOR/MONITOR-FOCUSED MODEL: RANGE OF AUTHORITY



Actively participate in open investigations



Review/monitor complaint process to ensure fairness, thoroughness, and compliance with policies and procedures



Audit civilian and internal complaints, reviewing various aspects (e.g., intake, classification, adjudication, discipline)

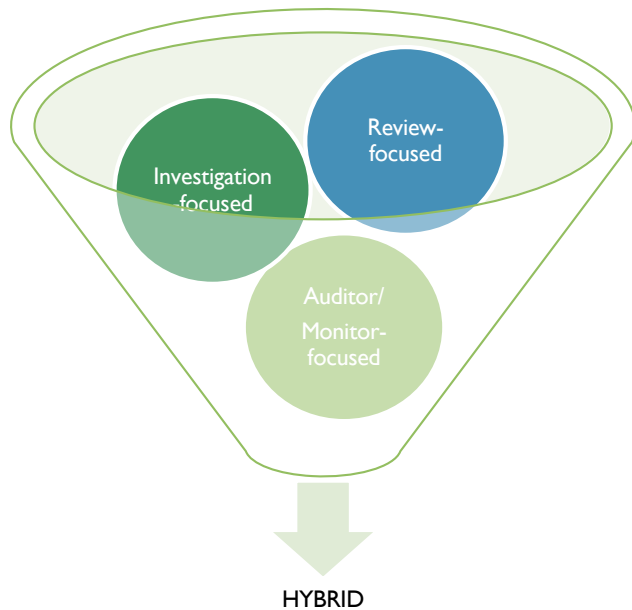


Broad mandates to audit, monitor, investigate, and review a wide range of LE policies, practices, and procedures
(e.g., complaints, discipline, training, staffing and recruitment, use of force, crime-prevention strategies)



Access to a broader range of department records and information; more direct access

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

PRINCIPLES FOR EFFECTIVE OVERSIGHT

Independence

Clearly defined and
adequate
jurisdiction and
authority

Unfettered access
to records and
facilities

Access to law
enforcement
executives and
internal affairs staff

Full cooperation

Sustained
stakeholder support

Adequate funding
and operational
resources

Public reporting and
transparency

Policy and pattern
analysis

Community
outreach

Community
involvement

Confidentiality,
anonymity, and
protection from
retaliation

Procedural justice
and legitimacy



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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