Overview of Police Oversight Models in the United States
Police Oversight Models

Based on a 2005 report by the Police Assessment Resource Center for the City of Eugene, OR Police Commission
Three groupings of Police Oversight Models

I. Review and Appellate Models

II. Investigative and Quality Assurance Models

II. Evaluative and Performance Based Models
I. Review and Appellate Models

• Police conduct an internal investigation arising out of a complaint.

• Citizen Review Board reviews the completed investigation.

• Citizen Review board has an advisory role to the Chief of Police.
  – The Review Board may find as follows: sustained, not sustained, exonerated, or unfounded.
Benefits of Review and Appellate Models

• Opens investigations of police misconduct to a public body.

• Public Body can be comprised of different representatives of public constituencies.

• Holds Chief of Police accountable for discipline.

• Police are well suited to investigate police misconduct.

• No problems with FOP contract.

• Low financial cost
Weaknesses of Review and Appellate Models

- Limited to non-binding advisory role

- No investigative powers (reliant on police investigation).

- Perception of partiality of police investigating police misconduct.

- No ability to make Police policy recommendations.

- Who appoints the Board members? What are the criteria?
II. Investigative and Quality Assurance Models

• Outside investigation
  – Private investigators
    • Third Party investigators (Consultants)
    • Board’s investigators

• Civilian Board

• Inspector General/Ombudsman/Special Counsel

• Police Internal Affairs reports to Civilian outside of police hierarchy.
Investigative and Quality Assurance Models

• Investigators report findings to an independent entity.

• Independent entity has binding authority to impose discipline arising out of police misconduct.
Benefits of Investigative and Quality Assurance Models

- Independence (real and perceived).
- Ability to hire/use experienced investigators.
- Often have a board with different community representatives.
- Binding disciplinary authority.
Weaknesses of Investigative and Quality Assurance Models

- Expensive
- Overkill
- Possibility of investigators without experience.
- Who appoints investigators and Board members? What are the criteria?
- FOP contract issues.
- Lack of accountability for Police Chief.
- No ability to make Police policy recommendations.
III. Evaluative and Performance-Based Models

- Police retain investigative role but add an Auditor.
- Auditor is committed to transparency.
- Police hierarchy are held strictly accountable for discipline.
- Police Chief responsible for police discipline.
- Auditor responsible for reviewing widespread police issues. (Complaints, use of force, policy, legal judgments, patterns of misconduct.)
Benefits of Evaluative and Performance-Based Models

• Hold Police hierarchy accountable for police misconduct.

• Ability to address systemic problems in a police department.

• Auditor adds a layer of independence.

• Auditor is has experience/expertise in law enforcement.

• Ability to address problems outside of a specific complaint.
Weaknesses of Evaluative and Performance-Based Models

- More focused on systemic change than on addressing individual complaints.
- Auditor not directly accountable to community.
- Auditor can be perceived as biased towards police.
- Lack of transparency.
- Who hires the Auditor?
- Who is the Auditor accountable to?
IV. Alternative Dispute Resolution

• It is possible to incorporate Alternative Dispute Resolution (ADR) practices into a policy of complaints against police officers.

• There could be an ADR component incorporated into any of the models of police oversight.

• ADR practices include:
  – Mediation
  – Conciliation
  – Restorative Justice
  – Arbitration
Best Practices

• There is no consensus as to a “Best Practice” of one model of police oversight over another.

• Different communities have different needs that can be addressed through different specific oversight mechanisms.

• It is possible to employ mechanisms from different models in a final policy.
Best Practices Attributes

Key attributes of Best Practices of mechanisms of police oversight include:

– Credibility
– Integrity
– Fairness
– Due process
– Transparency
– Personal Accountability
– Structural Accountability