



# THE NACOLE REVIEW

## Spring 2002

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## President's Report: *What kind of oversight really works?*

**N**ACOLE phones receive many questions from around the country. The most common is a variation of this: *What kind of oversight really works best?*

The answer isn't simple. Communities must discover the oversight that will work best for them. Any of the models can; and any can be co-opted. What all require is this: *That the community and its leadership have the integrity and political will to make civilian oversight work.* "Work" means that a better, fairer law enforcement process evolves. Citizen satisfaction and officer acceptance grows if the process is recognized as fair. "Political will" means the will of the many community leaders, not just elected officials.

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**by NACOLE President Sue Quinn**

### On the Web @ [nacole.org](http://nacole.org):

Home | History | FAQ | Membership Application (pdf) | Board of Directors | Nacole Review (pdf) | New National Conferences | NACOLE Update | Mailing List | Information & Guidance | U.S. Oversight Agencies | Resources for Oversight | Investigative Guidelines | Varieties of Oversight | Mediation | Board Training | Bias Based Policing

# NACOLE elections

**N**ACOLE's ten member Board is up for election at the General Membership Meeting scheduled for November 3, in Cambridge. Please see the Annual Report in this Newsletter to see what your Board has spent time on, and what tasks lie ahead.

The Nominations Committee will be chaired by Indianapolis' Cameron Smith (317-955-2499),

with Knoxville's Carol Scott (865-215-3869) and Sacramento's Don Casimere (916-264-5704) as members. The Bylaws require Board members to be NACOLE Regular members for one year, and to have attended one of the past two national conferences. If you are interested in joining the Board, please talk with a Nominations Committee member. ♥

## Resources for civilian oversight

- ◆ See the resources posted at [nacole.org](http://nacole.org)
- ◆ If you want to participate in NACOLE's free ListServe, sign up through our upgraded website
- ◆ See Sam Walker's fine website, [policeaccountability.org](http://policeaccountability.org)
- ◆ Recent issues of the [Jail Suicide Mental Health Update](http://www.igc.org/ncia/suicide.html) are available at <http://www.igc.org/ncia/suicide.html>

## NYCRB reopened in November

**T**he New York City Citizens Review Board reopened its lower Manhattan office in early November. Located a few blocks from Ground Zero, the

office was evacuated September 11, and remained closed until it was judged safe to reopen.

CRB staff resumed their work

with many of their tools – phones, faxes, computers—still down. CRB staff, we hope to see you in Cambridge next fall and salute your endurance and grit. ♥

## Board of Directors

### President

Sue Quinn (San Diego, CA)

### Past President

Brian C. Reeder (Indianapolis, IN)

### Vice President

Malvina Monteiro (Cambridge, MA)

### Secretary

Barbara Attard (Berkeley, CA)

### Treasurer

Clyde B. Davis (Lanham, MD)

### Members-at-Large

Bob Aaronson (Palo Alto, CA)

Donald Casimere (Sacramento, CA)

Teresa Guerrero-Daley (San Jose, CA)

James L. Johnson (Cincinnati, OH)

Joseph Sandoval (Denver, CO)

Dede Wilhelm (Kawai, HI)

You can e-mail NACOLE board members at the NACOLE website, [nacole.org](http://nacole.org).

# Who we are: Pittsburgh, PA

## Five years after winning the vote to establish oversight

**D**espite the clearly expressed will of Pittsburgh citizens, the dynamics of implementing independent civilian review of police conduct in Pittsburgh remain complex, hostile, politicized, and elusive.

The independent Citizen Police Review Board (CPRB) was created on May 20, 1997 by voter referendum to the Home Rule Charter of the City of Pittsburgh. The amendment passed, 57% - 43%. The inaugural Board was impaneled by December 1, 1997 and began receiving complaints in July 1998.

In the midst of the referendum campaign, a significant event occurred. The U.S. Department of Justice and the City entered into a Consent Decree due to suspected patterns of police misconduct. The Consent Decree has no effect on the CPRB.

The Charter empowers the CPRB to “hold public hearings, subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath and in connection therewith require the production of evidence relating to any other matter under investigation or any questions before the board and do all other things necessary to fulfill its purpose.”

The CPRB is comprised of seven volunteer Members three of whom are appointed by the Mayor and four from nominees submitted by City Council; two must be inactive law enforcement professionals. The 2002 allocation of \$447,995 supports eight staff, including an Executive Director. Complaints are classified as Pending Complaints (an unsworn allegation) or Citizen Complaints (a sworn statement). In 2001, the CPRB received 573 complaints, 77 of which were Citizen Complaints containing 130 allegations of misconduct and 362 Pending Complaints containing 479 allegations of misconduct.

Since July 1999 the Board has conducted fifteen public hearings into individual complaints of misconduct, one on Profiling and one on the Form and Content of Board Findings & Recommendations to the Mayor and Chief of Police.

In November 2000, the Board filed a Complaint in Mandamus against the Mayor, the Chief of Police and subsequently amended the complaint to include the Fraternal Order of Police, Ft. Pitt Lodge

**by Elizabeth Pittinger,**  
Executive Officer  
Pittsburgh Citizen Police Review Board

#1. The essence of this complaint is whether or not the Mayor must extend Garrity protection to officers at the CPRB if such protection is extended to officers at the Office of Municipal Investigations (an office in the City's Department of Law). The Board anticipates a resolution to the Mandamus action by mid-year. This will further define the parameters of the Board's investigations.

The power delegated to the Board by the people was reinforced when, in the Fall of 2001 the Board's subpoena power was upheld as enforceable by the County Courts and subpoenaed police officers were ordered by the Court

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## Who we are

In the *NACOLE Review* we continue to profile review boards around the country. How are they organized? What do they do? What can other cities learn from them? Join us as NACOLE members take this opportunity to share their experiences with the wider community.

Many of our inquirers want a more concrete answer, and ask, "But isn't there a kind of oversight that *really* works best?" We respond, "Yes. *What really works is oversight*

- *that is independent;*
- *that selects people with integrity who will go where facts lead them;*
- *that supplies its overseers with adequate budgets, training and time; and*
- *that expects them to listen deeply and to address detailed issues with fairness, patience and compassion for all parties."*

In a handful of cities, more than one oversight component has been implemented, which leads to questions about the necessity of multiple models.

Police accountability expert Paul Chevigny addressed this in [The Edge of the Knife](#), saying effective management of law enforcement requires an adequately funded tripartite oversight system including:

1. An effective civilian complaint investigation component;
2. An empowered external overseer who can compel evidence be produced; and
3. An internal inspector general committed to reform.

Most jurisdictions in the U.S. have only one of parts of this system, sometimes a pseudo-version, hamstrung by inadequate funding, or co-opted by the department it is to oversee.

Multiple oversight components are not redundant. They fulfill different functions and contribute to the effective management law enforcement agencies.

*Multiple oversight components are not redundant. They fulfill different functions and contribute to the effective management law enforcement agencies.*

In cities with external complaint investigation offices, those offices can provide the first component. If the city also has a federal consent decree, the consent decree monitor can fulfill the function of Chevigny's empowered ombudsman.

Thus cities like Philadelphia or Pittsburgh, with external complaint investigation processes, have the first component. Pittsburgh's consent decree monitor functions as the second component as can the Office of Integrity and Accountability in Philadelphia. In the city of Los Ange-

les, the consent decree monitor can function as the second component, with the Police Commission's Inspector General capable of functioning as the 3<sup>rd</sup> component, if his powers are not curtailed.

Chevigny's discussion of why we need external and internal oversight components to effect and maintain fair, firm and consistent policing reminds us:

"If the monitoring influence comes from outside the police, it tends to rouse the opposition of police managers as well as the rank and file; without some cooperation from within, then, it is nearly impossible for the outsiders to investigate, and any policy recommendations they make are likely to be ignored. On the other hand, if the control is exclusively internal, it tends to become socialized to existing mores in the department and to be ineffective; this effect is especially strong in the United States where there is little lateral entry. *Real accountability will have to combine internal and external controls.* Page 267 [Italics added].

The specific, concrete needs of oversight—any kind—are integrity and political will put into transparent actions: budget actions; appointments action; training and reporting actions. If the oversight system has these, it'll work. ♥

# Key West Florida Group Advocates for Oversight

For a number of years advocates of oversight in Key West have believed it is nearly impossible for local citizens to have their complaints about local selective law enforcement practices heard. The Internal Affairs agency responsible for handling citizen complaints is accused of refusal to properly investigate complaints and dismissal of complaints that should be investigated. When the police investigate the police, it leaves open too many paths to corruption.

Key West City Commissioners decided to examine the pro's and con's of a Civilian Review Board (CRB). During the December 2001 meeting, Commissioners gave the City Manager and the City Attor-

ney the task of performing a feasibility study for establishing a Key West CRB.

The Mayor asked for help from national groups who have already been through the process before, and specifically said he did not want to see something from the City offices lacking this external guidance, to ensure the "appearance of fairness."

The City Commissioners and the Mayor admitted to not knowing what a civilian review is, nor how to implement one. Oversight advocates provided the City Manager with resources to research oversight. Specifically, they were asked to contact NACOLE. In addition, the advocates shared the respected ACLU guidelines for

by Steven Lecklitner  
legalise\_freedom@yahoo.com

good civilian review with the City Manager. It was further suggested that the People United to Lead the Struggle for Equality (PULSE), a black grass-roots coalition of churches working on policing and oversight in Dade County might provide assistance to Key West.

A newsletter list-server called "Key West Civilian Review Board Forum" was created to support requests for information and updates. To subscribe simply send an e-mail this address:

KeyWestCRB\_Forum-  
subscribe@topica.com

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## Pittsburgh (continued from page 3)

to testify (or appropriately exert constitutional privilege) at a public hearing; and the confidentiality of CPRB files was upheld when the County Court granted a CPRB motion

to quash a subpoena issued by a criminal defendant to obtain the CPRB investigative file.

The Board has demonstrated its tenacity and stamina to

fulfill the will of the people despite the innumerable challenges it has faced. The struggle in Pittsburgh continues because the people deserve no less. ♥

*Editor's note: Pittsburgh gives us an instructive example of the fact that "winning the vote" just marks the start of the painstaking, detailed work oversight requires if it is to be effectively implemented.*

*Expect it to take time to establish its roots and credibility; expect challenges; expect all varieties of attempts to silence the process. Expect an eventual shift in those who had hoped to defeat it, when they begin to recognize its value; expect acceptance AND expect that the painstaking, detailed work must continue. Then, expect improved community and police relations.*

# The value of civilian oversight—dollars and sense

## Conference 2002

NACOLE's next conference, *The Value of Civilian Oversight—Dollars and Sense*, will be held October 31 through November 3, 2002 at the Marriott Cambridge Hotel, at 2 Cambridge Center, Cambridge, MA. The detailed conference flyer will be mailed out in several months, and will be posted to the NACOLE web site.

In response to your input, we have simplified dues and conference fees.

### Dues:

Dues remain \$300 for Organizational (Agency) Members; \$150 for Regular Members and \$100 for Associate Members. Become a member by filling out the attached membership application.

### Conference Registration:

<i>NACOLE members' registration:</i>	\$275 per person if early (\$325 regular).
<i>Non-members' registration:</i>	\$375 per person if early (\$425 regular).

Agencies with organizational memberships can register staff and Board members at the \$275/\$325 rate.

Conference room rates are \$135 per night; three nights before and/or after the conference are available at the same rate. You can contact the hotel at 800-228-9290 or 617-494-6600. ♥

## Important, empty shoes are filled

**M**ark Schlosberg is the newly appointed Police Practices Policy Director for the ACLU of Northern California, filling the large shoes formerly worn by John Crew.

Mark has been involved in community and policing since 1997 when as a UC-Berkeley student, he was appointed to Berkeley's Police Review Commission. Across the

country in law school at NYU, he observed oversight on the east coast. Mark returned to the west, working in the Contra Costa Public Defender's Office in 2000. He was reappointed to the Berkeley Police Review Commission in 2000, and served as Vice-Chair before leaving to start his new position.

His ACLU position covers topics like civilian oversight,

DWB, and anti-terrorism related threats to civil liberties. Unknown issues will doubtlessly emerge.

Reach him at:  
[MSchlosberg@aclunc.org](mailto:MSchlosberg@aclunc.org)

Police Practices  
Policy Director  
ACLU of Northern California  
1663 Mission Street, Suite 460  
San Francisco, CA 94103  
(415) 621-2493 ♥

# Membership application

## Select a membership category:

**Sustaining Members**

*Sustaining members* are organizations and individuals who wish to make tax deductible contributions to the further the goals and principles of NACOLE. *Donations begin at \$500.*

**Organizational Members**

*Organizational members* are agencies of board who provide civilian oversight of law enforcement by legislative or executive mandate. These agencies will receive one transferable regular membership and associate memberships for the remaining members of their boards. *Annual dues: \$300*

**Regular Members**

*Regular members* are individuals who are not sworn law enforcement officers but who work or have worked for agencies that are mandated by legislative or executive authority to investigate and review complaints against law enforcement officers. *Annual dues: \$150.*

**Associate Members**

*Associate members* are individuals concerned with the oversight of law enforcement. The members shall be able to participate in all NACOLE activities, including serving on committees, but are ineligible to vote or serve as officers. *Annual dues: \$100.*

**Student Members**

*Student members* are individuals who are full-time students and are concerned with the oversight of law enforcement. Student members will be able to serve on committees but are ineligible to vote or serve as officers. *Annual dues: \$25.*

*All memberships include a one-year subscription to the NACOLE Review.*

*(over)*

# Membership application

Please fill in the following:

Name

Organization or company

Title

Organization telephone (with area code)

Organization address

City, State, Zip

Home address

City, State, Zip

Home telephone (with area code)

Organization fax

Home e-mail

Organization e-mail

Home fax

Membership type

*Make checks payable to NACOLE*

Mail form and payment to:

NACOLE

P.O. Box 1110

Lanham, Maryland 20703

Please call or e-mail if you have questions

phone: 1-866-4NACOLE

e-mail: [Nacole95@aol.com](mailto:Nacole95@aol.com)



# Minneapolis, MN

## Civilian Police Review Authority:

## What happened?

In 1990, after incidents of police abuse damaged community trust and caused significant liability, the Minneapolis city council crafted the CPRA, out in recognition that citizens and police would benefit from oversight. The council's commitment to the process was reflected in adequate funding.

increase in the police IA budget, and that the department would have to double or triple its IA investigators.

The CPRA lost two positions in 2001, and began 2002 with a \$457,000 budget. In February, Executive Director Pat Hughes was told to prepare for a 2% or 3.5% cut to the budget. Within the week

by **Sue Quinn**  
NACOLE President

*Within the week her Monday morning paper informed her the CPRA was to be abolished. By Friday, it was.*

The CPRA evolved into a nationally recognized model of independent oversight, developing several innovative processes such as their "stipulation process" wherein officers admitted allegations; and their use of mediation.

By 1998 the police department's 919 sworn staff served a population of 358,785. The CPRA's seven staff consisted of an executive director, three investigators, a program assistant and two support staff, with a budget of \$504,000.

During a review of CPRA effectiveness, officials admitted that cutting the CPRA's budget would lead to an

her Monday morning paper informed her the CPRA was to be abolished. By Friday, it was.

What did the CPRA budget buy Minneapolis? In 2001, CPRA had 853 contacts regarding possible complaints; 518 were informally resolved. 114 signed complaints came in, 83 investigations were conducted by CPRA's two investigators. By way of contrast, the police department's 3 internal affairs investigators completed 38 investigations.

When Ms. Hughes questioned the decision to abolish the CPRA, she was told that three employees had put sugges-

tions in the mayor's suggestion box that the CPRA be abolished to save money. The office will close April 30. The office is no longer accepting complaints. Staff will complete as many of the pending 68 investigations as possible; most will not be completed. Citizens with complaints are being referred the mayor and city council.

70% of CPRA's complainants are people of color; 58% of misconduct allegations are for excessive force. 11% of complaints include allegations of racial profiling.

The Minneapolis CPRA's successful programs are discussed extensively in the two analyses of oversight issued in 2001:

1. In the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice report, "Citizen Review of Police: Approaches and Implementation," (2001, MCJ 184430); and

2. In Sam Walker's Police Accountability: The Role of Citizen Oversight, (2001, Wadsworth Professionalism in Policing Series). ♥

# San Diego, CA:

## California's "Caloca decision"

An Appellate Court decision in the Caloca case may significantly alter the civilian oversight hearing process in California. This decision establishes the right of peace officers to appeal review board findings to local Civil Service commissions, even when no disciplinary action is taken by the employing agency.

Established in 1990, the County of San Diego Citizens' Law Enforcement Review Board, or CLERB, is an "independent investigative" model of oversight, authorized to receive and investigate citizen complaints against peace officers employed by the Sheriff and Probation Departments. CLERB's investigative reports and meetings are public and include recommendations as to discipline and policy. The County Charter established CLERB as advisory; CLERB does not impose discipline.

CLERB rules have an appellate process providing parties to a complaint the right to request "reconsideration" of a Final Report when previously unknown relevant evidence is discovered and there is a reasonable likelihood the new evidence will alter the findings and recommendations.

CLERB may also reconsider a Final Report at the request of

the county Board of Supervisors or on its own initiative when such reconsideration is in the public interest.

Between 1995 and 1996, CLERB sustained misconduct allegations against Sheriff's detective Victor Caloca and others in several cases, in all of which included across-the-board refusal of deputies to cooperate with the investigation. After CLERB sustained findings in each case, the Sheriff's Department rejected the CLERB findings, seemingly closing the matter. As it turned out, the issue was not over for the involved deputies.

Without notice to CLERB, or the use of CLERB's own appeal process, the involved deputies collectively sought "liberty interest" hearings before the Civil Service Commission, or alternatively, an administrative appeal of CLERB's findings pursuant to the California Public Safety Officers Procedural Bill of Rights Act. The Civil Service Commission rejected the deputies' request, as did the Superior Court at the next appeal stage.

It is noted that the Deputy Sheriffs' Association (DSA)

by **John Parker**, Executive Officer,  
San Diego County Citizens' Law  
Enforcement Review Board

attorneys now employed the specific tactic of not naming CLERB directly as a defendant or respondent in subsequent legal actions. CLERB had an unbroken string of legal victories against the DSA's many challenges to its operational authority. CLERB counsel possessed information that could have been raised in response to this case. It is surmised that CLERB's non-involvement in the legal proceedings now made the DSA's case easier.

DSA next took their case to the Fourth District Court of Appeal of California. In 1999, the court decided in their favor after hearing a one-sided presentation. The court ruled that CLERB's mere sustained findings were "punitive action" against peace officers, as defined by the Peace Officers Bill of Rights. The court granted Deputy Caloca and others the right to an appeal hearing before the County Civil Service Commission. The decision was published, making it effective for other jurisdictions in California.

## California's "Caloca decision" (continued)

The significant factor in the deputies' case was an unchallenged declaration by Assistant Sheriff Thomas Zoll, then head of the Sheriff's Human Resource Services Bureau. Zoll indicated that the Sheriff's Department, when considering a deputy for advancement, "may consider findings and evaluations from other credible agencies or boards," including "credible reports or findings from such sources as ... a citizens review board." Further, he stated negative findings that a deputy committed an act of misconduct "published by a credible source ... would be given consideration in personnel decisions, and may have an adverse impact on the career of the deputy ... even though the department may have investigated the matter and reached a different conclusion..."

This was a significant admission as the Sheriff's Department had maintained an attitude ranging from near-indifference to vociferous

rejection when they disagreed with CLERB findings and recommendations. When hinting agreement with CLERB findings, the department has always indicated they would conduct their own investigation and take appropriate action.

Significant irony attends this appellate court decision: in finding for the deputies, the court's action raised CLERB's heretofore advisory determinations to be "punitive action," giving CLERB's findings far greater significance than the Sheriff's Department or the DSA had in the past.

The court further ordered that the Civil Service Commission provide deputies an opportunity for an administrative appeal of CLERB's findings. Implementation details were left up to the county. The county then set out to develop unique hearing rules believed to be more appropriate for CLERB's strictly advisory capacity, including the controversial proposal that

"[t]he burden of proof shall be on the peace officer to demonstrate through a preponderance of the evidence that the

CLERB finding is not sustainable."

Why this language? Perhaps it is because CLERB rules already provided for an appeal, but the deputies had opted to go to court rather than to use it.

Another controversial implementation detail was the proposal: "There shall be no right to a public hearing of the administrative appeal. The commissioner, acting as the hearing officer, may close all or any portion of the proceeding for the purpose of hearing or receiving otherwise confidential information not subject to public disclosure." The deputies' counsel protested this element, decrying the County's attempt to take away their right to an open hearing. This is surprising because the DSA has always protested the public hearing element of the CLERB process, using outright refusal to respond and several legal challenges to fight openness of process. (I should point out that after succeeding in getting the court to throw out most of the County's proposed rules, the DSA counsel then indicated a reversal and moved in a separate action to have all Civil Service hearings involving Sheriff's deputies closed.)

Lastly, the implementation details importantly contained this proposed rule: "The decision of the Commission is

**California peace officers obtain the right to appeal review board's "advisory" findings; court ruling raises findings above "advisory"**

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## California's "Caloca decision" (continued from page 11)

advisory only. The Commission's decision is final and not subject to reconsideration. The commission has no authority to overrule or invalidate CLERB findings." The basis for this rule seems to be the Charter-mandated independence of CLERB and the fact that CLERB findings are only advisory in nature. However, in throwing out the County's proposed rules and granting a writ of mandamus ordering the County to hold hearings under existing rules, the Superior Court stated:

"...A ruling by the Commission that the CLERB findings, or any portion of the CLERB findings, are not sustained, shall be binding on the County to the extent that the CLERB findings cannot be used for any personnel decision or action regarding the officer. A ruling by the Commission that the CLERB findings, or any portion of the CLERB findings, are sustained shall not change the advisory nature of the CLERB findings or recommendations to the County related thereto..."

Nothing in the court's decision rendered CLERB less effective. It simply tells the County (and Sheriff's Department) not to use the advisory findings that have been deemed not sustained by the Civil Service Commission, something the department never did anyway. CLERB continues to receive and investigate complaints; to issue public reports and recommendations; and to provide advisory findings to the Sheriff or Chief Probation Officer. ♥

## Caseload management and early warning systems information

San Diego County CLERB's John Parker has graciously agreed to collect, hold, organize and share information on case management systems, data bases, and early warning systems for oversight agencies or police agencies wanting to track officers' complaint histories.

If you are using an electronic data base system to manage, please let John know all you can about your system:

- what it is;
- how much it cost;
- how it's working;
- what you like about it;
- what you would change if you knew then what you know now.

If you are looking for a system and want to hear who is using what, contact John. Reach him at 619-515-6029 or at [John.Parker@sdcounty.ca.gov](mailto:John.Parker@sdcounty.ca.gov) ♥

## Key West (continued from page 5)

Also, a new public discussion list-server created for Key West CRB advocates is open to the public. The purpose of this forum is to allow community members to express their views on civilian review as a method for limiting police abuse. It is our hope in establishing this public forum to

allow citizens to directly impact the way their elected representatives respond to this issue and all its implications in providing public safety and security. To sign on send an e-mail to this address:

[KeyWestCRB\\_moderator-subscribe@topica.com](mailto:KeyWestCRB_moderator-subscribe@topica.com)

Because CRBs provide for an external review mechanism, they can be an extremely effective way to curb police abuses. What people ultimately want is fairness in government. They want to know that regardless of whom a person is, if s/he commits a wrongful act, that consequences will result. ♥

# The National Association for Civilian Oversight of Law Enforcement 2001 Annual Report

The National Association for Civilian Oversight of Law Enforcement, or NACOLE, is made up of persons and organizations in the United States who work in oversight in the United States, or who are interested in its development. NACOLE incorporated in 1995; approved Bylaws in 1998; obtained nonprofit status in 1999 and elected its first Board in 2000. That Board assumed office January 1, 2001.

## **The Mission:**

NACOLE is a nonprofit organization of civilian oversight practitioners and supporters working to promote fair, firm and consistent law enforcement in the United States through the practice of civilian oversight.

NACOLE is based on the belief that law enforcement derives its authority from the community, and requires a two-way dialog between the community and those charged with the duty to enforce laws.

NACOLE provides training; referrals; information sharing and technical assistance to the oversight community and to persons and jurisdictions attempting to establish oversight

## **The Membership:**

NACOLE's membership comes from all areas of the United States. The East is represented by Cambridge, Massachusetts; New Haven, Connecticut; Rochester, Albany, and New York, New York; Cleveland, Cincinnati and Dayton, Ohio; Pittsburgh and Philadelphia, Pennsylvania; Prince George's and Montgomery Counties, Maryland; Washington, DC; and Miami-Dade, Florida.

Midwest members are from Chicago, Illinois, Detroit, Michigan; Minneapolis and St. Paul, Minnesota; Kansas City, Missouri; Indianapolis, Indiana; Washington, DC; Knoxville, Tennessee; Houston, Texas.

Westerners in NACOLE come from Denver, Colorado; Seattle, Washington; Portland, Oregon; Boise, Idaho; San Francisco, Berkeley, City of Los Angeles; County of Los Angeles, Oakland, City of San Diego, County of San Diego, Long Beach, Riverside, San Jose, Santa Cruz, Sacramento, and Novato, California; Tucson, Arizona; Honolulu, Maui, Kauai and Hawaii Counties, Hawaii.

NACOLE held its Annual General Membership Meeting on October 12, 2001 in Denver.

## **The Board and the Conduct of Business:**

NACOLE's racially diverse Board serves two year terms. Current Board are President Sue Quinn (San Diego; Calif.); Vice President Malvina Monteiro (Cambridge, Mass.); Treasurer Clyde Davis (Prince George's County, Maryland); Secretary Barbara Attard (Berkeley, Calif.) and Past President Brian C. Reeder (Indianapolis, Indiana). Directors are Jim Johnson (Cincinnati, Ohio); Joe Sandoval (Denver, Colo.); Teresa Guerrero Daley (San Jose, Calif.); Robert Aaronson (Menlo Park, Calif.); Don Casimere (Sacramento, Calif.) and Dede Wilhelm (Kauai, Hawaii).

With no staff, the Board provides NACOLE's programs. The Board contributed approximately 3150 hours to NACOLE in 2001. About 1100 Board hours were spent on NACOLE's

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governance and 2050 hours on NACOLE's programs. NACOLE members who are not on the Board volunteer several hundred hours annually.

The Board met twice in 2001; held sixteen teleconference meetings and conducted other business by telephone or mail. In March, a Development Retreat was held. Since its mid-1990's inception, NACOLE's principle work has been the delivery of an Annual Conference and publication of the newsletter. At the retreat, the Board recognized that to move NACOLE to its next developmental level, it must:

- Hone the governance skills to "grow" NACOLE as an organization;
- Continue delivery of the Annual Conference and
- Expand NACOLE programs beyond the Conference, and
- Conduct ongoing review and revision of NACOLE's Mission and Bylaws.

### **Finances:**

NACOLE's cash income derives from memberships, conference fees and interest. A significant amount of in-kind income derives from the donated labor of the Board and volunteers to develop and maintain NACOLE's programs. In 2001, the conference host city, Denver, pledged contributions of \$38,587 for the conference. On December 31, 2001, NACOLE's cash balance was \$34,876.

During 2001, a Finance Committee was established. It met twice in person, and via teleconference, and sought the assistance of nonprofit financial consultants. As a result, NACOLE revised its financial reports and shifted from cash to accrual basis accounting.

The Finance Committee's work was greatly assisted by Rose Ceja-Aragon's contributions. She generously and indefatigably gave her time

to develop and manage NACOLE's fiscal records. The Board recognizes her enormous contribution in this report and expresses gratitude on behalf of the membership.

### **The Annual Conference:**

The Annual Conference consumes much of the Board's time and labor. Vice-President Malvina Monteiro continues to chair the Conference. Treasurer Clyde Davis manages off-site Registration. The full Board assists in Conference program development and delivery.

*"Inclusion, the Balancing Act of Oversight,"* was the theme for the 2001 Conference held in Denver from October 9<sup>th</sup> through the 12<sup>th</sup>. Despite occurring within a month of the New York City and Washington DC attacks, the Conference drew over 135 persons from over fifty jurisdictions.

Among its highlights were Merrick Bobb's Keynote Address; Maya Harris West's talk on "Community Centered Policing, Civilian Oversight and Change."

Panels were held on "Bias Based Policing," and "Carving Change from Crisis." Oversight practitioners participated in complex group cases examination workshops. Jurisdictions working to establish oversight were led through an analysis of various models.

### **Expanding NACOLE Programs:**

In 2002, NACOLE

- Established its informational website (NACOLE.org) which now contains the following documents that are designed to assist oversight agencies and jurisdictions considering oversight:
  - Investigative Guidelines for Oversight Agencies;

- "Varieties of Oversight;"
- Mediation Guidelines;
- Basic Training Recommendations for Oversight Boards;
- Past and present NACOLE Newsletters;
- A Roster of U.S. Oversight Agencies;
- Resources for Oversight;
- "Biased Based Policing," a paper describing how police managers can avoid unfair policing practices;
- Established the NACOLE ListServe wherein current articles regarding police oversight and accountability are electronically distributed;
- Enhanced electronic and telephonic communications in order to respond to public inquiries without delay;
- Produced two editions of The NACOLE Review;
- Conducted outreach activities throughout the year and
- Provided ongoing Technical Assistance to individuals; jurisdictions and the media.

The Board expresses its gratitude to Rob Heverly for his many hours working with us to establish and maintain the NACOLE website and listserve.

Board members brought NACOLE's voice and analyses to these other venues during the year:

Ms. Quinn, Ms. Monteiro, Ms. Attard attended the International Association for Civilian Oversight of Law Enforcement (IACOLE) Conference in Quebec City, Canada.

California's Attorney General convened a Blue Ribbon Commission to examine Special Weapons and Tactical Forces or "S.W.A.T." Teams. As a Commission member, Ms. Quinn brought NACOLE's concerns to the dialogue,

specifically over the question of when S.W.A.T.-type levels of force are appropriate in the service of arrest and search warrants, and when alternative actions are more prudent for community and officers. The Commission Report is expected in 2002.

In April, the National Center for Women & Policing recognized Ms. Quinn and Ms. Guerrero-Daley for contributions in the development of oversight.

Ms. Quinn participated in San Diego Police Department Use of Force Task Force. The Task Force issued a series of recommendations; the report is available to the public.

### **Future work needed to advance the field civilian oversight**

-Growth of NACOLE membership; fundraising and obtaining grants in order to open a national office and hire staff;

-Establishment of minimum training standards for oversight Board/Commission members;

-Establishment of standards or accreditation for Boards/ Commissions and Auditor models;

-Creation of advanced training for practitioners, Boards and Commission Members;

-Participation in national and local dialogues about "post-September 11" policing and oversight.

NACOLE's Board is grateful to the membership for having had the opportunity to contribute to the development of oversight in 2001. We invite your participation in this work. ♥



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National Association for Civilian Oversight of  
Law Enforcement  
P.O. Box 1110  
Lanham, Maryland 20703

1-866-4NACOLE ■ Fax (301) 794-0264  
E-mail: [nacole@nacole.org](mailto:nacole@nacole.org)  
or contact the NACOLE board at  
<http://www.nacole.org>

Editor-in-Chief:  
Malvino Monteiro, [monteiro@nacole.org](mailto:monteiro@nacole.org)  
Editor:  
Suzanne Egbert, [segbert@yahoo.com](mailto:segbert@yahoo.com)  
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Enforcement  
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