



# NACOLE

## Review

NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

www.nacole.org

Winter 2016

## Authentic Albuquerque Welcomes the 22nd Annual Conference

**T**HE CITY OF ALBUQUERQUE, NEW Mexico will serve as our host September 25–29, 2016, for the 22nd Annual Conference of the National Association for Civilian Oversight of Law Enforcement. In the midst of a schedule full of training and the discussion of current and emerging topics, we will share with you our work as a community to rebuild trust between the police and the communities we serve.

The true Southwest awaits you in Albuquerque, New Mexico. Immerse yourself in our rich culture and heritage, rooted in centuries of history. Soak in our blue skies and sun that shines

310 days a year—perfect for outdoor activities. Breathe in the high desert air scented with sage and piñon, and you'll understand why Albuquerque is a destination like no other.

As one of the oldest cities in the U.S., Albuquerque boasts a unique multicultural heritage and history where Native American, Hispanic, Latino, Anglo, and other cultural influences are a part of everyday life. You'll get the feeling you're someplace special when you're eating at one of our traditional New Mexican restaurants, shopping at one of our more than 3,000 shops and galleries, enjoying our world-class visual

*Please turn to "Albuquerque," page 6*



*Albuquerque's famed hot air balloons.*

## The Police Data Initiative

By Roy Austin, Deputy Assistant to the President for Urban Affairs, Justice and Opportunity at Domestic Policy Council

**A**S MOST CIVILIAN OVERSIGHT BODIES already realize, law enforcement data related to officer-involved shootings, citations, and other police activity should be open and transparent. Transparency builds trust between law enforcement and the community. That is why the White House launched the Police Data Initiative (PDI) in May 2015. Hopefully, you will consider partnering with us as we continue to expand this initiative.

PDI is a collaborative effort with leading law enforcement agencies, technologists and researchers committed to improving the relationship between citizens and police at the local level through the use of data. Specifically, using the recommendations of the [President's Task Force on 21st Century Policing](#) as guideposts, PDI aims to help law enforcement agencies build community trust by supporting their use of data to increase external transparency and public

engagement, as well as to improve policing practices and increase internal accountability. To meet these goals, PDI is supported by a broad range of partners including the Police Foundation, Code for America, state agencies such as the California Department of Justice, and private sector stakeholders. As of today, 33 agencies are voluntarily participating in the initiative—all working toward releasing policing data sets to the public—with a

*Please turn to "Police Data Initiative," page 6*

### In This Issue

Authentic Albuquerque Welcomes the 22nd Annual Conference .....	1
The Police Data Initiative .....	1
President's Message: Planning for NACOLE's Future as a National Leader on Critical Issues .....	2
BWC Footage in Mediation—Encouraging Dialogue Among Mediators .....	3

The Gift of the Community Mediation Center .....	4
Looking Toward the Future of Civilian Oversight .....	7
Register for NACOLE's 22nd Annual Conference in Albuquerque .....	8
NACOLE in 2020: We Need You! .....	9

## President's Message

# Planning for NACOLE's Future as a National Leader on Critical Issues

**A**T THE BEGINNING OF 2016, WE launched *NACOLE in 2020*, our comprehensive strategic planning initiative that will map out NACOLE's direction, vision, and goals from now through the year 2020. After a thorough search process, NACOLE selected the Improve Group—a company founded to help mission-driven organizations navigate complexities and ensure that their investments of time and money lead to meaningful, sustained impact—to assist with and facilitate our planning process.

The NACOLE Board began the process with two intensive days of in-person strategic planning workshops in Albuquerque. Over the next six to seven months, the Board, its Strategic Planning Committee chaired by Brian Corr, and the Improve Group will seek out information and input from our members, supporters, partners, and others. The final report and plan will be presented at the 2016 Annual Conference. The Board is committed to ensuring deep engagement during this process. Please stay tuned for further information and possible opportunities to participate in the process!

In addition to supporting *NACOLE in 2020*, as well as other events we are already hard at work planning for this year, I am personally focused on positioning NACOLE as a national leader on many fronts, including in the areas of increasing racial equity and social justice, open data, and emerging research.

When citizens make allegations of racial discrimination, we expect them to be carefully and thoroughly reviewed. Civilian oversight investigations into biased policing claims highlight the challenges we face in building, and maintaining, public trust in the process.

To be clear, we will never tolerate, and will never accept, biased policing or discrimination of any kind in any city. That will and has always been a guiding principle of my NACOLE presidency, but I recognize that the nexus of race and law enforcement still presents one of the greatest tests faced by police departments across America.

That's why the NACOLE Board and I are fully committed to increasing accountability by advocating for full deployment of body cameras in police forces of all sizes; increased data collection and reporting; the continued expansion of in-car video to every patrol car; robust, independent civilian oversight; and ongoing training for officers in constitutional policing, de-escalation techniques, procedural justice, and other critical areas.

Understanding how and why injustices occur and taking steps to eliminate them is critical to improving racial equity and social jus-

tice. Also, efforts to diversify police forces and strengthen police-community relations will help to ensure that policing will be more fair and just. Holding ourselves to the highest possible standard is vital to our goal of providing safe and effective policing that everyone can believe in. I am confident that together—civilian oversight, law enforcement, elected leaders, and the public—we are on the right path forward.

With respect to open data, I have spoken with the White House about possibly using its Police Data Initiative as a mechanism to facilitate the development of open data in the field of civilian oversight, and I received a positive response to my suggestion. I have connected with potential partners like the Open Society Foundation, the Sunlight Foundation, Socrata, and the Police Foundation. I have engaged with those directly involved in the open data movement like Steve Silverman, founder of Flex Your Rights and creator of Open Police Complaints; Jamie Kalven, director of the Invisible Institute, which recently received \$400,000 from the Knight Foundation for its Citizens Police Data Project in Chicago; and Jason Tashea, a freelance writer focusing on technology's relationship with public policy and law and a legal tech and criminal justice consultant at the John Jay College of Criminal Justice in New York City. Finally, I have spoken with police oversight agencies across the country and encouraged them to embrace open data. Leaders like Alexander Bustamante, Inspector General for the Los Angeles Police Department, have already taken the first step. There has been tremendous growth and interest in open data in policing; open data in oversight is a natural outgrowth of that movement, and NACOLE is well positioned to lead these efforts nationally.

Recently, the United States Department of Justice (DOJ) contracted with NACOLE to develop a primer on police oversight. NACOLE is working with Dr. Joseph De Angelis, assistant professor at the University of Idaho, and Richard Rosenthal, director of the Independent Investigations Office of British Columbia, to conduct the most comprehensive national survey of civilian oversight agencies ever attempted. The information obtained from the survey will be used to develop a report on the state of citizen oversight in the U.S. More importantly, the final report, which will be published on the DOJ website, will help municipal executives, policy-makers, community leaders, and the general public make evidence-based decisions about how to implement or strengthen police oversight in their jurisdiction. Many of you reading this may have received an email with a link to the survey. I



Brian Buchner, NACOLE President

cannot overstate the significance of this project. If you have already submitted your responses, thank you! If you have not yet had a chance to complete the questionnaire, please do so.

NACOLE is also well positioned to support and help shape research into policing and police oversight. To that end, I am pleased to announce that NACOLE was invited to attend meetings of the National Academies of Sciences, Engineering, and Medicine with the nation's top policing scholars to give input into their defining study on proactive policing. The meetings of the National Academies' Committee on Proactive Policing—Effects on Crime, Communities, and Civil Liberties are to review the evidence on the effects of different forms of proactive policing on crime and disorder, discriminatory policing and application of the law, and community reaction and receptiveness. Our academic symposia series continues to gain national attention. We are in the process of finalizing the details of the 2016 NACOLE and John Jay College Academic Symposium in New York City. The symposium, entitled *Building Public Trust: Generating Evidence to Enhance Police Accountability and Legitimacy*, will contribute to an evidence base and research agenda on law enforcement accountability and legitimacy, broadly defined. More information can be found in this newsletter, as well as online at [www.nacole.org](http://www.nacole.org).

Of course, NACOLE is not the only organization making a difference or advancing transparency and accountability in policing. Organizations like Black Lives Matter, the ACLU, and Policy Link; media outlets like *The Washing-*

Please turn to "President's Message," page 5

# BWC Footage in Mediation—Encouraging Dialogue Among Mediators

By Michal Bilick, Program Coordinator at the Office of Police Complaints in Washington, D.C.

OVER THE PAST FEW YEARS, OUR SOCIETY has been privy to tense, brutal, and sometimes fatal encounters between police and citizens through the lens of a video camera. In response to these videos and intense public scrutiny of police behavior, police departments are examining various approaches to hold officers accountable for their actions. Body Worn Cameras (BWCs) are one of these accountability tools. Ron Miller, Chief of Police of the Topeka (KS) Police Department says, “Everyone is on their best behavior when the cameras are running. The officers, the public—everyone.” As BWCs are more widely adopted and policy is developed around their usage, storage, and accessibility, police departments and police oversight agencies can assess the validity of this statement and test the value that BWCs bring to policing.

The Washington, D.C. Office of Police Complaints (OPC) has direct access to BWC footage and utilizes mediation as one method of resolving citizen complaints. The OPC, like some other oversight agencies, is in the process of reconciling the implementation of this new technology with its mediation program.

The goal of this article is to engage the mediation community who work in the field of police oversight in a dialogue around this topic, and to encourage mediators to consider the pros and cons of using BWC footage as a mediation tool. How should mediators consider and use this video footage? What level of access should the mediation community advocate for? The following is a list of scenarios where BWC footage yields positive outcomes for the mediation and the parties, and a list of scenarios where BWC footage yields negative outcomes for the mediation and the parties.

## Positive Outcomes

**1. Video is included and it sparks a conversation between the parties.** Video footage can be a useful mediation tool in getting the parties to talk, as it can trigger people’s memory of parts of the encounter that have been forgotten or skewed in favor of the party. Watching (or listening) to yourself on camera can be a powerful self-awareness exercise as it can force a person to recognize negative behaviors that may otherwise be ignored. Given that people are prone to remembering and experiencing events in a way that paints a positive picture of themselves and a negative picture of the other, video can provide a more honest account of their behavior in the moment of the incident.

**2. Video is included and the civilian party feels empowered.** Civilian parties to a police complaint may feel like they are going up against

a system that is much more powerful than them. Filing a complaint can stir up intense emotions including fear, panic, stress, and anxiety. If a complainant is confident that video of the incident exists and will be accessible at the mediation, they can feel reassured, supported, and empowered to attend the mediation session and rely on the video to help resolve their dispute.

**3. Video is included and serves as the objective teller of truth by filling in missing pieces of the story.** Parties to a mediation enter with their version of the truth. Each experiences the event that led to the mediation in a different way. Inevitably, there are parts of the encounter that have been legitimately forgotten and video can serve as the objective truth teller by providing a complete snapshot of the incident.

the limitations of their imagination to see what the citizen saw and how they saw it.

**2. The parties cannot move away from the video footage and the entire mediation is focused on the video.** If BWC footage is introduced into a mediation, moving the conversation away from the footage may prove to be a difficult task. Video is appealing because it is a recording of the events that occurred, and when two people are in dispute over those events, why wouldn’t a mediator want to uncover what really happened by simply showing the video? The answer to this question lies in the broader perspective of what a mediator’s job is and how they accomplish this. Yes, a mediator is concerned with the events that led to the conflict, but there is also a much wider view of the incident that can be revealed through asking



## Negative Outcomes

**1. A mediator struggles to maintain impartiality after viewing the video.** In most mediations, mediators rely on the parties to tell their story of the events that occurred. This can be cathartic for the parties and can also help the mediator bridge the two stories that they hear through the mediation session. Mediators viewing BWC footage prior to mediation can develop a biased attitude toward the parties before the session begins and may experience difficulty in trying to be impartial, a key tenet of mediation. BWC footage is shot from the perspective of the officer and does not capture the officer themselves. The mediator will see what the officer sees and how the officer sees it. Mediators can keep this inherent perspective-bias in their awareness, but can only work within

questions and engaging the parties in a conversation about events that took place long before the video began recording. Focusing on video footage narrows the scope and reduces the conversation to a back and forth on the sequence of events from the time an officer turns the camera on, to the time he or she turns off the camera. The video may provide just a narrow account of what occurred, whereas facilitating a broader conversation about the events leading up to the incident and the unique histories and perspectives of the parties can broaden and enrich the dialogue.

Some mediators do not allow evidence to be introduced in mediation in order to keep the focus on the interests and the relationship of the parties. Evidence may prevent a conversation from exam-

*Please turn to “BWC Footage,” page 8*



# The Gift of the Community Mediation Center

By D. G. Mawn

COMMUNITY MEDIATION IS ABOUT being anchored in the community. The intent is to offer the opportunity for individuals to come together and with each other attempt to see what the other sees, and from that shared vision create whatever next steps each is ready and capable to take. This is in part what the National Association for Community Mediation (NAFCM)<sup>1</sup> defines as community mobilization.

Ideally, Community Mediation Centers (CMC) are engaged with the community in a way that allows centers to understand emerging community needs and respond to conflicts and the need for difficult conversations with mediation services (Charkoudian 2015)<sup>2</sup>. CMC have been on the cutting edge in exploring where mediation and conflict resolution strategies can be used in new ways to respond to social challenges by strengthening relationships and supporting collaborative resolutions. CMC observe social challenges from a perspective that relationships matter and collaborative conversations can develop new opportunities for those involved. Over the past several decades, creative CMC have demonstrated that they are up to the challenge.

Police officers are regularly expected to engage in difficult conversations on the spot; a previous partnership with their center of community mediation may have served them well. In April 2015 NAFCM released a request for proposals for CMC to respond to challenge of *The President's Interim Report on 21st Century Policing* (President's Report) released in March 2015. Although community mediation, available in over 400 American communities, was not mentioned as a tool, strategy, or resource in the report, the authors of the report state that the philosophical foundation for 21st Century policing is to build trust between citizens and their peace officers. The creation or strengthening of this trust would result in the varying constituents of a community treating one another fairly and justly, and being invested in maintaining public safety in an atmosphere of mutual respect. The recommendations embedded in the report are intended, in part, to foster strong, collaborative relationships between local law enforcement and the communities they protect as well as to promote effective crime reduction as part of the process and product of building this trust.

While many communities have Human Relations Councils and some have Civil Review Systems<sup>3</sup>, each is designed in part to ensure that community members' civil rights are respected, probing issues of disparate treatment, racial profiling, and excessive use of force in the law enforcement agencies they oversee (Attard, 2010). Their very placement within a government struc-

ture may give the appearance of not being from or of the community; and without an appearance of a separation from government, the ability to offer impartiality—so essential to community mediation—may be diminished. There is also an inherent tension noted between the two objectives of oversight/accountability systems and the desire to evaluate complaints and respond to community interests with impartiality.

While CMC are not designed to replace the work of either these councils or boards, they can instead serve as an essential partner and complement to them. CMC do not interview witnesses and make findings as would a civilian oversight organization that is primarily investigative in nature. CMC do not hear cases or impose policy, which can be a primary focus of those who adopt a commission or board model. Neither do CMC review and analyze internal affairs investigations of police misconduct, a focus of those civilian oversight organizations that adopt more of an auditor/monitor model. These are areas best left to civilian oversight organizations and other community partners such as human relations commissions.

What CMC do well is community mediation. There are nine hallmarks that directly characterize community mediation. Some of the hallmarks pertain directly to the balance and ability to strengthen the work presently being conducted by civilian oversight organizations. For example, while civilian oversight organizations at many times have limited ability to assure appointment of members and staff, CMC are committed to a having a staff and a governing or advisory board representative of the diversity of the community served. CMC do not have the political maze to navigate and therefore can serve as a forum for dispute resolution at the earliest stage of conflict. Similarly, CMC are positioned to initiate, facilitate and educate with regard to collaborative community relationships designed to affect positive systemic change; CMC are also positioned to engage in public awareness and educational activities about the values and practices of community mediation outside of the pressure that being placed within government may inadvertently create. For more detail about the 9 Hallmarks that characterize community mediation centers please go to: **9 Hallmarks of Community Mediation**

The President's Report lists six pillars that need to be strengthened in order to bridge the gap between law enforcement and civilian communities. Of these six, NAFCM has encouraged CMC to work with partners that directly address three of them. These three are:

- Pillar 1: Building Trust and Legitimacy

- Pillar 4: Community Policing and Crime Reduction
- Pillar 5: Training and Education

In partnership with civilian oversight organizations, CMC can strengthen the ability of the community, both police and civilian, to address each of these pillars. In particular seven needs are listed for a successful civilian oversight organization, and a partnership with a community mediation center could strengthen at least four of these: political will, policy review, outreach, and of course mediation<sup>4</sup>. Those needs could be met by working together on each pillar.

## Building Trust and Legitimacy

This pillar asserts that people are more likely to obey the law when they believe that those who are enforcing the law have the legitimate authority to tell them what to do. The public confers legitimacy only on those they believe are acting in procedurally just ways. This may mean law enforcement officers taking responsibility for actions, being proactive in strengthening relationships and transforming communities by working with community members. This process of working with communities may serve to empower community members to feel respected, and thereby be willing to give respect and follow the direction of the police. This also would request community members to be ready to recognize alternative perspectives on their conflicted histories. The CMC are well positioned to facilitate this dialogue among groups and mediate this dialogue between individuals. To move these encounters forward, no matter the circumstances, mediators need to demonstrate best practices. These practices would include the use of clear and respectful language and setting clear ground rules and expectations based on an awareness of how the participants operationalize concepts, thereby creating trusting collaborative relationships which allow parties to learn by their own processes. These are the skills CMC offer.

## Community Policing and Crime Reduction

This pillar addresses the impact the broader community uses as their measuring stick—a reduction in crime. Community policing requires the active building of positive relationships with members of the community. Police interventions must be implemented with strong policies and training in place, rooted in an understanding of procedural justice. Charkoudian (2010) finds that participants in cases that were mediated through community mediation and state's attorney mediation programs are likely to decrease their use of court and law

enforcement after mediation compared to participants in cases that were not mediated. Research has found that mediation decreases repeat calls for service, thus saving public resources through resolution of the underlying issues of the dispute.

## Training and Education

When dialogue is purposely implemented to confront difficult issues, mediation transcends conflicts, making the conversations learning opportunities; this process can be broadly understood as a conflict dialogue<sup>5</sup>. Various factors influence conflict escalation in relation to culture and diversity, including power, privilege, hierarchy, and miscommunication and labeling. (Parker 2015). What community mediation may add to police work is a process context that helps interveners shape the interaction with others more deliberately, and a large part of this work involves interacting with civilians. Knowing how to engage others by using guidelines for respectful discourse may better encourage people to share their concerns, explore options and perhaps walk away with a better understanding of what transpired and why. (Volpe 2015)<sup>6</sup>. The CMC have the training and the volunteer mediators that can assist, and yet so many outside the field do not recognize the tangible and relevant benefit they could receive from accessing their community mediation center.

## Possible Next Steps

As noted in Attard (2010) "In successfully mediated complaints, both the complainant and the officer can gain an understanding of why the other person acted as he or she did. This understanding can change behavior in a more meaningful and effective way than is possible in the disciplinary process." Partnering with a community mediation center to fulfill this need would expand the reach of civilian oversight organizations. Partnering with a community mediation center can also help to achieve civilian oversight's twin goals of improving policing and increasing accountability.

The police departments in the cities of Baltimore Maryland, Dayton Ohio, New Orleans Louisiana, and Warrenton Virginia have partnered with their local community mediation center through the **JAMS Foundation** and the **National Association for Community**

**Mediation (NAFCM)** initiative to develop innovative community-based responses designed to strengthen the connection between law enforcement personnel and the communities they serve. This effort will enhance and expand services that support policing which is carried out with dignity and respect toward the people served, is impartial and transparent in decision-making, and conveys trustworthy motives. This bridge building between law enforcement and the public includes the agency charged with civilian oversight and the human relations commission, where one or both exist. This expands and strengthens the independent resource for the community, offering different avenues for additional perspectives in implementing change.

The focus of this initiative is to:

- Assess the needs of local communities and law enforcement with regard to issues of reconciliation, procedural justice and implicit bias;
- Strengthen capacity to address unmet needs by engaging stakeholders to help develop constructive approaches to transforming and reducing police-community conflict; and
- Pilot and refine sustainable programs that can be replicated nationwide, maximizing the reach and impact of local pilot projects.

The partners have assessed the needs of the local community, created logic models, data logs and hosted facilitated listening sessions with a focus on internal law enforcement and external community capacity. The partners are now developing, in conversation with their community colleagues, constructive approaches to transform and reduce police/community conflict. The focus will be on promoting communication, transparency and trust between law enforcement and the communities they serve. These culturally-appropriate and sustainable approaches will begin implementation in March 2016 and evaluations of their impact will occur in July 2016 and March 2017. The evaluation and other reporting mechanisms will be used so that any of the four approaches developed in Baltimore, Dayton, New Orleans and Warrenton may be replicated nationwide, thus maximizing the reach and impact of their work to improve public safety and increase public trust.

Like many other tools mediation is not a panacea. However, mediation is increasingly recognized as a valuable component of the police toolbox. Mark P. Smith notes, "By maximizing the chance that each party will listen to the other's point of view, mediation often makes it possible for both sides to gain a new understanding of each other and of why the interaction between them might have escalated into a conflict in the first place."<sup>7</sup> The proposed thoughtful partnership between organizations charged with civilian oversight and CMC will not only address the three pillars listed above but will also help to meet at least 4 of the 7 needs of civilian oversight organizations. For more please go to **NAFCM.org** or email D.G. Mawn at **dgmawn@nafcm.org**. •

*D. G. Mawn holds an M.A. in religious studies with a concentration in counseling and a J.D. with a concentration in health. He is a licensed attorney in Illinois and Kentucky. He received his training in mediation in 2000. Mr. Mawn presently serves the National Association For Community Mediation guiding the development and implementation of strategic partnerships. He also facilitates two learning communities for NAFCM, one focused on veterans and military families and the other on law enforcement and community engagement. He is the developer of the Cultural Intuitiveness™ process and teaches evaluation design at Sullivan University and is lead in redesigning the university's course on Culture and Conflict. This article benefited from the review of the following: Ms. Laura Smythe, NAFCM, Ms. Renata Valree, NAFCM and Mr. Andrew Douds, Intuitive Synergies.*

1 About NAFCM ([www.nafcm.org](http://www.nafcm.org)) In communities around the globe, programs and volunteers share their expertise to help others constructively engage, transform, and resolve conflict. NAFCM supports community mediators by aggregating their wisdom, amplifying their voice, and advancing their critical work.

2 Charkdian, L., and Billick, M. 2015 State of knowledge: Community Mediation at a Crossroads, *Conflict Resolution Quarterly* 32(3): 233-276.

3 There are three broad types of civilian oversight/accountability systems these include investigative agencies, boards and commission and auditor/monitoring agencies. Barbara Attard, *Oversight of Law Enforcement is Beneficial and Needed- Both Inside and Out*, 30 Pace L. Rev. 1548 (2010).

4 The other needs listed in the article include, reporting, authority and funding. (Attard, 2010)

5 Parker, C. 2015, *Practicing Conflict Resolution and Cultural Responsiveness with Interdisciplinary Contexts: A Study of Community Service Practitioners*, *Conflict Resolution Quarterly* 12(3) 325-357

6 Volpe M. 2015 *Mediation in the Future of Policing*, <http://www.mediate.com/articles/VolpeFutures.cfm>

7 Smith, Mark P., Office of the Independent Police Auditor, San Francisco Bay Area Rapid Transit District (BART), November 2015.

## President's Message

*Continued from page 2*

ton Post, The Guardian, and others are putting forth thoughtful policy proposals (see Campaign Zero, for example), scrutinizing police union contracts, documenting and analyzing police shootings, examining and comparing body worn camera policies across the country, and more. Advancements in technology and open data, such as websites like Open Police Complaints, the Citizens Police Data Project, and the California Department of Justice's Open Justice are

helping to build a 21st-century criminal justice system and improve police oversight. Individuals like John Legend (#FREEAMERICA) are leveraging their celebrity status to raise awareness and advance social justice causes. It is our responsibility to stay informed and support these efforts, while at the same time stay focused on advancing the mission of NACOLE.

We look forward to working with you on these critical issues in these important times. The

NACOLE Board is committed to ensuring deep engagement throughout the organization and with our partners and supporters, particularly as NACOLE in 2020 moves forward. We look forward to charting a path forward for NACOLE and for civilian oversight together! •

*Brian Buchner is the President of NACOLE and Policy Director for Los Angeles Mayor Eric Garcetti's Office of Public Safety.*

# Albuquerque

*Continued from page 1*

and performing arts, or playing on the best golf courses in the Southwest. Nowhere is the confluence of past and present more dramatic than here in Albuquerque, where the modern city skyline is set against a backdrop of the ancient Sandia Mountains and an endless blue sky.

Due in part to our unique weather patterns, Albuquerque is known as the “Hot Air Ballooning Capital of the World.” Balloons dot our clear blue skies almost every morning, revealing a myriad of colors year-round.

Albuquerque’s eleven distinctive neighborhoods reflect the great diversity of our city, from the 300-year-old Old Town Plaza to the gleaming new buildings of the buzzing Downtown area, the quiet beauty of the North Valley to the hip vibe found within Historic Nob Hill

and the Spanish style architecture of the Barelas. Each of these areas has a unique personality and a variety of places to stay, things to do and delicacies to eat. As you move around the city from one neighborhood to the next, you’ll be amazed by the changes in scenery and the contrasts between the historic and modern architecture.

While visiting Albuquerque at night, you’ll notice the city is bathed in the glow of neon signs, relics of Albuquerque’s place on historic Route 66. Locals and visitors can kick up their heels in our bustling downtown entertainment district, go out for a performance by one of our international theater and dance companies, or visit one of the many casinos surrounding the metropolitan area.

The 600,000 square-foot Albuquerque Convention Center is a multi-purpose event complex located in the heart of a vibrant downtown with over 900 hotel rooms within walking distance. The convention center completed a \$23 million renovation in October 2014. The city has also invested over \$300 million in recent and planned hospitality developments including hotels, off-site venues, and area attractions.

Whether you want to shop for authentic Native American jewelry, try hot air ballooning, explore living history museums, enjoy Albuquerque events and festivals, sample local cuisines, or hit the golf courses and spas, Albuquerque has you covered.

For business or pleasure, Albuquerque is a must-see destination in the American Southwest. •

## The Police Data Initiative

*Continued from page 1*

portion of those agencies also improving the use of their internal data to develop better internal accountability systems.

President Obama created the Task Force in December 2014 to solicit input from stakeholders to identify best practices and recommendations to improve police and community relations. In its final [report](#), the Task Force outlined 59 recommendations, 14 of which focused on the need to use data and technology to increase transparency and accountability. In response, the President created PDI as a way to operationalize those recommendations. Under PDI there exists two related work streams, one focusing on leveraging open data to build community trust, and the other focused on bringing modern data analysis to bear on police department internal accountability systems.

The open data component of PDI is designed to increase transparency, build community trust, and support innovation in the areas of community engagement and accountability. Aided by organizations like Code for America and the Police Foundation, law enforcement agencies join a community of practice and make commitments to create and publicly share at least three data sets about interactions between the police and citizens in a disaggregated, machine-readable, incident-level format. Thus far, the 33 law enforcement agencies have committed to sharing over 100 data sets locally, with over 50 sets already available for public viewing. As examples, the Austin Police Department released 14 years’ worth of officer-involved shooting data; Baltimore Police Department released arrest data including charge information; Louisville releases all of its citations almost in real time, and Seattle released body-worn camera video metadata.

These and other data sets can be found on the [Police Foundation’s Public Safety Open Data Portal \(www.publicsafetydataportal.org\)](http://www.publicsafetydataportal.org).

Additional innovations and tools have come out of this work as well, including cities such as New Orleans that used its data release as a way to bring police officers and youth together through a hackathon. Similarly, Indianapolis held an event with its local civic tech community, where citizens developed visualizations based on the data that the city released (complaints against officers, use of force, and officer-involved shooting incidents) through a data extraction and publishing tool developed in partnership with Code for America. That tool is now available free of charge to any department across the country, and Code for America will be piloting it in additional agencies this spring.

Many police departments are also leveraging data science and artificial intelligence to shape internal accountability and improve policing strategies. This work, what we have called data-driven community policing, has the potential to identify officers who may be headed in the wrong direction, reduce unnecessary use of force, and improve policing services. As one example, the University of Chicago and the Charlotte-Mecklenburg Police Department partnered to use predictive analytics to improve Charlotte’s early intervention system. The research team devised a prototype tool that is more accurate at predicting which officers are likely to have adverse interactions with the public. Identifying such officers can allow for more opportunities for officer safety and wellness training, as well as other appropriate interventions before an incident occurs.

Similarly, with the increased use of body-worn cameras, we have found increased

challenges with the storage and use of the data. Currently Oakland, CA’s Police Department stores 8 terabytes a month (1,760 DVDs). Los Angeles is anticipating deploying more than 7,000 cameras by the end of the year. None of this data is searchable, easily used for training, or interoperable with existing police systems. To address these challenges, Oakland has joined in a research partnership with Stanford to build tools to provide better natural language analysis of the cameras’ audio recordings, and in Los Angeles the department partnered with UCLA to develop an algorithm to use the motion of the cameras to identify foot pursuits, which have been linked to increased uses of force. Through PDI, we have continued to encourage these partnerships at the intersection of cutting edge data analysis techniques and practical use for department internal accountability strategies.

The White House is committed to collaboration and strategies that improve relations between communities and law enforcement. Across the country, the paradigm on transparency and accountability is beginning to shift as more departments are taking the initiative to collect data, share it with the public, and use it to improve policing strategies. These strategies empower communities to hold law enforcement accountable as well as aide policymakers in implementing evidence-based strategies that enhance public safety. We think PDI is an important step, but reform will continue to be an “all hands on deck” effort, with us holding each other accountable for continuing to make progress toward the reforms we wish to see as a nation. Do not hesitate to contact us, if you are interested in learning more. •



# Looking Toward The Future of Civilian Oversight

**A**S MORE COMMUNITIES CALL FOR civilian oversight mechanisms and cities work to establish these external mechanisms, we must occasionally stop and take a hard and thoughtful look at the future of civilian oversight of law enforcement. Why is it important and what does the future of civilian oversight look like? On December 4, 2015 NACOLE partnered with the University of the District of Columbia's David A. Clarke School of Law to co-host a symposium to pose these important questions and begin this much-needed conversation. The event brought together experienced oversight professionals, community stakeholders, government officials, law enforcement, and scholars to explore why police accountability matters, the importance of community oversight, and the ever-emerging role of data in police oversight.

NACOLE President Brian Buchner and Board

Members Kelvyn Anderson and Nicholas Mitchell joined with speakers such as Roy Austin Jr. of the White House Office of Urban Affairs, Justice, and Opportunity, Dave McClure of the Urban Institute, Christine Cole of the Crime and Justice Institute, and former NACOLE President Kathryn Olson to discuss the importance of police accountability and its future, and the expanding role of data in policing and police oversight. In addition, attendees were given the chance to hear of the growing inclusion of community engagement, community empowerment, and community oversight in policing. Brittany Packnett of Black Lives Matter and Campaign Zero joined Nahal Zamani of the Center for Constitutional Rights and Steve Silverman of Flex Your Rights to remind us all



*Speakers at the Looking Toward the Future of Civilian Oversight Academic Symposium in Washington, DC.*

that the future of civilian oversight and its success will depend on both those working in and outside of the traditional oversight mechanism.

NACOLE would like to thank Jonathan Smith and the leadership, staff and student body of the David A. Clarke School of Law for their part in this event. Their support enabled us to bring together those interested to continue the important conversation surrounding policing, public trust, and civilian oversight. It is partnerships such as these that aid NACOLE in its continuing effort to promote and enhance accountability and transparency through civilian oversight. •

## NACOLE and JOHN JAY COLLEGE 2016

### Building Public Trust: Generating Evidence to Enhance Police Accountability and Legitimacy

## April 22, 2016

John Jay College's New Building

524 W. 59th St., New York, NY 10019

#### REGISTRATION

- \$100 for NACOLE members
  - \$125 for non-members ■ \$75 for students
- Discount rates for John Jay College faculty and students. Please inquire with the Office for the Advancement of Research at [oar@jjay.cuny.edu](mailto:oar@jjay.cuny.edu) for details.

To register go to:

<https://building-public-trust-2016.eventbrite.com>

For more information contact Cameron McElhiney Director of Training & Education, NACOLE, at [mcelhiney@nacole.org](mailto:mcelhiney@nacole.org) or 317-721-8133

The National Association for Civilian Oversight of Law Enforcement (NACOLE) and John Jay College of Criminal Justice are please to announce the next event in NACOLE's growing academic conference series: Building Public Trust: Generating Evidence to Enhance Police Accountability and Legitimacy.

Join us as we welcome the best of contemporary academic research on a variety of subjects of interest to the field of civilian-led accountability, looking beyond the misconduct investigation and review process. More broadly, the goal of the symposium is to set a research agenda for the field, place scholars in conversation with practitioners and funders, and to determine a course for making the best possible use of the wealth of law enforcement data that is being made publicly available daily. Select conference papers will be published in *Criminal Justice Policy Review*.

For more information visit [www.nacole.org](http://www.nacole.org)



## BWC Footage

*Continued from page 3*

ining surrounding circumstances of the parties, their unique experience of the events, and any extenuating circumstances that may have played a role in their action/reaction. Another reason that evidence is less relevant in mediation is that the parties are the ones determining a fair resolution to their dispute, and not an outside arbiter to whom they must appeal for a ruling in their favor.

**3. The civilian party is humiliated and stripped of dignity.** When citizens make a complaint against a police officer, it is often in response to an encounter following a highly stressful and tense experience. There are dozens of reasons for citizen-police encounters, including incidents where the citizen feels that their life is in danger, incidents where they have recently been in an accident, or incidents when a person feels they are being accused of something they didn't do. In some cases, this accusation is the

difference between freedom and time behind bars, may result in high court costs, loss of work, and other serious ramifications for themselves and their families. In all of these cases, a person is responding from a highly stressed place and is not engaging in calm dialogue. Their reactions in this moment are likely reactions they do not want to revisit. Perhaps this person has worked hard to move past this experience and by showing the video, a mediator will expose the civilian party to humiliation and further emotional damage. Showing high-conflict BWC footage in a mediation can root the conversation to the moment of, or moments after the trauma, and can strip the parties of the opportunity to reflect on their behavior in a safe space. In the worst-case scenario, BWC footage can sensationalize and encourage snap judgments about the subjects of the video. It can polarize disputants in their posi-

tions and function as a tool to blame or shame the other party.

**4. A police officer is able to review the video footage while a complainant may not.** Each jurisdiction where BWC footage exists must develop policy around the accessibility of the video. In some places, this footage may not be accessible to the public at all. In other places, it may be accessible but in a limited capacity. Maintaining fairness and equity in light of differing levels of access to the recording of the event under consideration will be an important feature of this technology for mediators to understand and consider.

It is clear that there are many pros and cons to consider as Body Worn Cameras become more prevalent in policing. The mediation community has a unique challenge in considering these pros and cons as they provide input to the policy makers who are engaging with these issues. •

## The 22nd Annual Conference of the National Association for Civilian Oversight of Law Enforcement

# “CONFRONTING SYSTEMIC INJUSTICE”

## Albuquerque, New Mexico September 25–29, 2016

### Click Here to REGISTER NOW!

Join us in September 2016 as we bring together the ever-growing community of civilian oversight practitioners, community members, law enforcement officials, journalists, elected officials, students, and others working for greater accountability and trust.

Be a part of the conversation as we explore the different ways civilian oversight can work to confront the systemic injustices that have plagued our country for far too long.



# NACOLE in 2020:

## We Need You!

**A**S WE ANNOUNCED AT THE 2015 Annual Meeting in Riverside, California, NACOLE has launched a comprehensive strategic planning initiative to map out where we will be in 2020—in terms of vision, goals, staffing, and board and committee structure. The Board of Directors is committed to ensuring that this process is done with broad and deep engagement with NACOLE's members and stakeholders.

To help design and implement this effort, NACOLE is working with the Improve Group, a strategic planning firm with years of experience supporting strategic planning with social change organizations. The Board spent almost two days working with them in January to identify themes and tasks associated with the project.

We need your involvement for this to be successful! In the next few months, you will be asked to share your opinions, ideas and feedback. Please be on the lookout for a survey invitation in your email, and you may be contacted directly by either members of NACOLE's Strategic Planning Committee or staff from the Improve Group.

Please take the time to give us your input on organizational direction and priorities: we want to make sure this process creates an effective and inclusive plan for implementation through staffing, structures, governance, and programs. Results will be shared and discussed at the 2016 NACOLE Conference in Albuquerque, NM.

Please feel free to contact me directly with any questions or comments at [Corr@NACOLE.org](mailto:Corr@NACOLE.org).

**Brian Corr, Chair, NACOLE Strategic Planning Committee**

## The NACOLE Review

The NACOLE Review is produced under the supervision of the NACOLE Newsletter Committee Chairs **Kelvyn Anderson** and **Mark Smith**, as well as the NACOLE Board of Directors. The Board thanks those individuals who contributed to this issue of the newsletter and extends a special thanks to the Newsletter Committee: **Loan Le**, **Marielle Moore**, and **Karen Williams**.

Additionally, the Board is grateful to **Cameron McElhiney** and **Liana Perez**, who provide contracting services to NACOLE. We would also like to extend our gratitude to **Jerri Hemsworth** of NewmanGrace ([www.newmangrace.com](http://www.newmangrace.com)) for providing layout and publication services to the NACOLE Review.

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**YAHOO!**  
GROUPS

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