

A STUDY OF CIVILIAN OVERSIGHT OF LAW ENFORCEMENT AND POLICE ACCOUNTABILITY

INTRODUCTION

In many ways, current policing practices in a racially divided nation are in constant conflict with the expectation that human rights will be respected.¹ A growing awareness of the scope of systemic racism, systemic and institutional biases in law enforcement agencies and increased calls from the public for accountability and transparency has led the League of Women Voters of the United States (LWVUS) to more clearly articulate its positions on these issues at the state and national levels.

The LWVUS 2022 National Convention adopted the 2019 Criminal Justice position developed by the League of Women Voters of California:

The League of Women Voters of California supports a criminal justice system that is just, effective, equitable, transparent, and that fosters public trust at all stages, including policing practices, pre-trial procedures, sentencing, incarceration, and re-entry; the elimination of systemic bias, including the disproportionate policing and incarceration of marginalized communities; policing practices that promote safety for both law enforcement officers and the communities they serve; collaboration between government and community throughout every stage of the criminal justice system; a focus on humane treatment and rehabilitation with the goal of promoting the successful reentry into communities of those who have been incarcerated; and reliance on evidence-based research in decision-making about law-enforcement programs and policies (including scheduled, periodic audits of program and policy effectiveness).²

At the time of this study, the League of Women Voters of Montgomery County (LWVMC) does not have a position on police accountability or civilian oversight of law enforcement. Although the LWVMC has historically relied on LWVUS positions to provide a basis for advocacy when its own are inadequate or nonexistent, this study committee sees the need to clarify the definition of “police accountability” and to describe the components of civilian oversight required to achieve this objective within the context of overarching goals associated with government accountability and public access to officials.

SCOPE OF THIS STUDY

This study presents a brief history of law enforcement in the US; then reviews reform and accountability efforts and their implications for present-day reform efforts. It presents arguments for and against the public disclosure of police misconduct records to enhance transparency and accountability. Finally, this study outlines prevailing models of civilian oversight mechanisms, as well as the model most recently adopted by Montgomery County. It concludes with a series of consensus questions which, if adopted by the LWVMC membership, will give the organization a specific set of positions upon which to base future activities and advocacy as they relate to police accountability.

BACKGROUND: AN OVERVIEW OF POLICING IN THE US

Slave patrols first appeared in the Carolinas in the early 1700s to apprehend runaways and suppress uprisings and were precursors to the first police departments in the South. After Emancipation, police brutally enforced local Jim Crow laws to maintain racial segregation in spite of the guarantees of the 14th

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¹ Sarah Brady Siff, “Policing the Police: A Civil Rights Story,” *Origins: Current Events in Historical Perspective*, April, 2016 https://origins.osu.edu/article/policing-police-civil-rights-story?language_content_entity=en.

² “Position on Criminal Justice.” League of Women Voters of California. <https://lwc.org/our-work/positions/position-criminal-justice>.

Amendment.³ Police departments organized in Northern cities between 1840 and 1860 sought to gain legitimacy by modeling themselves on Britain's military style police structure, but they shared a similar function with those in the South: to control dangerous and disruptive populations, i.e., labor unions, immigrants and the poor.⁴ When Blacks moved north to escape Jim Crow, they became, like these other marginalized populations, targets of punitive policing.

Police reform in the US: federal commissions

Local police departments made their own rules and acted with impunity with little intervention from the federal government, which has limited power to control the activities of local and state law enforcement under our federal system. Nevertheless as early as 1929, the federal government instituted commissions to investigate police abuses, but while the federal commissions formed between 1929 and 1992 spelled out reforms, police departments were left to implement the changes with no federal oversight.⁵

By the time the landmark Civil Rights Act of 1964—which prohibited discrimination in policing—was passed, the rift between police and Black communities had grown immense, and there were rebellions in a number of impoverished Black neighborhoods in the inner cities. In 1968 President Lyndon Johnson appointed the Kerner Commission to investigate the causes of this unrest. The commission's report concluded that these "riots" were caused by a combination of police brutality and institutionalized racism, not by Black lawlessness, and recommended that police should engage more with Black and minority communities as well as hire more minority officers to reduce racial bias in the use of force.⁶

This concept of "community policing" took a back seat as President Johnson and subsequent federal policy makers ignored calls for more positive involvement by officers. President Richard Nixon's 1971 War on Drugs and the continued militarization of US police departments increased arrests and promoted harsher sentences for lesser crimes, targeting Black and minority communities. Despite the Kerner Commission's warnings, both racial profiling and stop-and-frisk tactics were used by police departments. These policies disparately impacted the Black population and led to mass incarceration of young Black males. By 2000 the number of Americans in prison had doubled from 700,000 in 1990 to almost 1.5 million. By 2018 Black men were more than five times more likely to be imprisoned than white men.⁷

Federal intervention

Unarmed Black males continued to be beaten or killed by police officers, which incited unrest and garnered public scrutiny but never led to major reforms of US policing. The 1991 videotaped beating of Rodney King by Los Angeles police officers went viral nationwide and provoked mass riots as well as demands to hold the officers accountable. The acquittal of the officers involved spurred Congress to grant the Department of Justice (DOJ) landmark powers to investigate police departments that show a pattern of misconduct in civil rights investigations. In 2011 President Barack Obama's administration began to aggressively pursue this mandate. These investigations resulted in numerous reports alleging civil rights violations in major cities and jurisdictions across the U.S. and often led to consent agreements, or decrees, requiring agreed-on police reforms monitored by an oversight board.⁸

³ Connie Hassett-Walker, "How You Start is How You Finish? The Slave Patrol and Jim Crow Origins of Policing," *Civil Rights Reimagining Policing*, Vol. 46, No. 2, American Bar Association, <https://bit.ly/3MVE9Hb>.

⁴ "Early Police in the United States," *Encyclopedia Britannica.com*, December 17, 2021, <https://bit.ly/3TPP2fl>.

⁵ Siff, "Policing the Police."

⁶ Elizabeth Hinton, "Reimagine Safety: We were warned about a divided America 50 years ago. We ignored the signs," *The Washington Post*, March 16, 2021, <https://www.washingtonpost.com/opinions/2021/03/16/kerner-comission-police-reform/>.

⁷ Leona Neal, "A history of police violence in America," *Stacker.com*, April 29, 2022, <https://bit.ly/3TRfxSf>.

⁸ Erich Trickey, "Law and Order: The Obama-Era Police Reform Biden Can't Wait to Restart," *Politico.com*, June 29, 2020, <https://www.politico.com/news/magazine/2020/06/29/obama-police-reform-341685>.

What police and public policymakers do to enhance public safety

Prompted by police killings of four young black males in 2014 and the resulting unrest, President Obama convened the President's Task Force on 21st Century Policing to discuss how to make policing more equitable and accountable. The task force's report spoke of the need to reform police culture from a warrior mentality into one that emphasizes police officers as guardians. The report also emphasized that involving communities in policymaking and using civilian oversight helps police departments achieve legitimacy and strengthens trust within the community.⁹

Reasons for concern about policing in Maryland

There is cause for concern over how Maryland police departments and their officers interact with the public. The DOJ began investigating the Baltimore City Police Department after the 2015 death of Freddie Gray from injuries he sustained while in its custody. Investigations found police engaged in a pattern and practice of unlawful stops, searches and arrests—particularly of Black residents—as well as the use of excessive force, but there was insufficient internal accountability to address those issues. Five years after the department entered into a consent decree with the DOJ, that decree is still active.¹⁰

Statistics confirm that police bias and use of excessive force continue to be problems in Montgomery County. Since 2013 nineteen people have been killed by police officers in Montgomery County, thirteen of whom were Black, three of whom were White, one of whom was Hispanic, and two were of unknown race. Only one of the police officers involved—an off-duty Pentagon Force Protection Agency police officer—was charged;¹¹ his trial is scheduled for February 2023.¹² A July 2020 report from the Office of Legislative Oversight on policing in Montgomery County covering 2017-2019 revealed broad racial disparities in the way police engage with the public, including when initiating traffic stops, issuing citations and making arrests. It showed that although Black residents made up 18% of Montgomery County's population, in 2018 they were subject to 32% of all traffic stops and 55% of cases in which an officer used force. Among the recommendations made in the report was that the department should “regularly survey residents and staff on police-community relations and contact.”¹³

There are recent egregious examples of the use of excessive force against Montgomery County residents:

- In January 2020 a five-year-old boy at East Silver Spring Elementary School was detained, handcuffed, threatened and berated by two Montgomery County police officers. Neither the school board nor school administration were made aware of the incident until media reports surfaced a year later, leading to a public hearing and questions from the County Council about the police department's internal practices.¹⁴
- In 2021 Arnaldo Pessoa was kned in the back of his neck by police officer Kevin Moris while he was handcuffed on the ground, causing his face to slam into the pavement and leading to severe bleeding and a concussion. The officer was convicted of assault but the judge reversed the conviction, giving the officer “probation before judgment,” thus clearing the officer of any offense. The officer remains on the Montgomery County police force.¹⁵

⁹ President's Task Force on 21st Century Policing 2015, “Final Report of the President's Task Force on 21st Century Policing,” Office of Community Oriented Policing Services, U.S. Department of Justice, <https://bit.ly/3skW00P>.

¹⁰ Jessica Anderson, “Five years into Baltimore Police consent decree, officials cite ‘significant progress’ but lament hiring struggles,” *The Baltimore Sun*, April 21, 2022, <https://bit.ly/3slhUkn>.

¹¹ “Mapping Police Violence,” *The Official Mapping Police Violence Database*, <https://mappingpoliceviolence.us/>.

¹² Dan Schere, “Trial moved to February for off-duty Pentagon officer charged with fatally shooting two,” *BethesdaBeat.com*, September 15, 2022, <https://bethesdamagazine.com/2022/09/15/trial-moved-to-february-for-off-duty-pentagon-officer-charged-with-fatally-shooting-two/>.

¹³ Nick Iannelli, “‘Wide’ racial disparities discovered in Montgomery Co. police stops,” *wtop.com*, July 29, 2022, <https://bit.ly/3eSAgX2>.

¹⁴ Margaret Barthel, “After Footage Showed Montgomery County Police Officers Berating A Kindergartener, Lawmakers Get Few Answers,” *dcist.com*, April 7, 2021, <https://bit.ly/3F5xZIX>.

¹⁵ Nick Iannelli, “Montgomery Co. pays \$400k in settlement to man violently arrested,” *wtop.com*, July 16, 2021, <https://bit.ly/3MZyT59>.

Maryland efforts to improve accountability and transparency in policing

Growing concerns about policing in Maryland and the reports by a statewide task force, which included public testimony about civilian encounters with police, led the Maryland legislature to enact several bills in 2021 that dramatically altered law enforcement policies and procedures. The bill most relevant to this Fact Sheet is the Maryland Police Accountability Act of 2021 (MPAA). This legislation establishes new provisions related to police accountability and discipline, including the requirement that each county establish a police accountability board.¹⁶

An important component of the MPAA is transparency, more specifically the public's ability to access police officer misconduct files, body camera footage, arrest data and other pertinent records for assessing the behavior of officers during interactions with the public or with their colleagues. Most states permit police departments to deny requests for these records, often under the banner of protecting officers' privacy.

While there is little definitive evidence available on the benefits of records access, experts in the area of law enforcement oversight repeatedly argue in favor of having the data to measure the problem. Oversight boards are seen as a way to identify trends in police misconduct. For example, in the case of Anton Black, a Maryland teenager who died in police custody in 2018, the officer charged had a history with local Black residents who had fought to stop the town of Greensboro from hiring him. His family were denied access to the involved officers' disciplinary records. This case inspired Anton's Law—one provision of MPAA—which makes police internal discipline and complaint records separate from personnel records and, therefore, accessible under the Public Information Act.¹⁷

Arguments in favor of transparency and accountability

Publicizing police misconduct records, body camera footage and arrest data is touted by federal law enforcement leaders and reform advocates as a way to enhance public trust in police departments and to deter bad behavior or corruption by identifying it early. As Philip Stinson and John Liederbach, professors of criminal justice and investigators at the Police Integrity Research Group at Bowling Green State University wrote, "From an organizational perspective, more comprehensive data could provide comparisons among agencies on rates of police crime and subsequently contribute to the development and implementation of policies to deter police crime and lessen damage to police-community relations in their aftermath."¹⁸

Police agencies and the governments that fund them have a financial incentive to prevent misconduct by their officers. An investigation by the *Washington Post* found that 25 of the country's largest police and sheriff's departments spent more than \$3.2 billion between 2010 and 2020—nearly 40,000 payments in total—to settle misconduct claims against officers. Nearly half of the payments were for officers with repeat misconduct claims against them. These payments are often covered by insurance, which is taxpayer-funded, and lawsuits can increase the cost of insurance for police agencies. Recall the \$400,000 settlement Montgomery County paid to Pesoa in 2021; the county also agreed to pay \$275,000 this year to settle the lawsuit filed by the mother of the five-year-old East Silver Spring Elementary School student who was abused by county officers, which had caused the child post-traumatic stress disorder.¹⁹ Many victims of

¹⁶ *Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures*, HB0670, CH0059, 2021 Regular Session, <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/hb0670/?ys=2021rs>.

¹⁷ Rebecca Snyder, "What is Anton's Law," MDDC Press Association, March 20, 2022, <https://mddcpress.com/what-is-antons-law/>.

¹⁸ Philip Matthew Stinson, John Liederbach, Steven P. Lab, and Steven L. Brewer, "Police Integrity Lost: A Study of Law Enforcement Officers Arrested." Office of Justice Program, US Department of Justice, April 2016. <https://www.ojp.gov/pdffiles1/nij/grants/249850.pdf>.

¹⁹ Dan Morse, "Montgomery County settles lawsuit over police berating 5-year-old," *The Washington Post*, August 27, 2022, <https://www.washingtonpost.com/dc-md-va/2022/08/27/montgomery-police-lawsuit/>.

police misconduct resort to costly litigious measures because they do not have access to police records otherwise, argued Cynthia Conti-Cook, a staff attorney at the Special Litigation Unit of The Legal Aid Society in New York City. She noted that a culture of restricting access to police disciplinary records amplifies the trauma of victims' families.²⁰

Obstacles to accessing police misconduct records

Since the 2021 Maryland Public Information Act took effect, journalists, advocates, public defenders and others have described mixed results in getting police disciplinary records. Some police departments are demanding enormous fees, arguing they lack the manpower or resources to search through paper files or to make copies of video or audio records.

According to Deborah Katz Levi, director of special litigation at the City Felony Trial Division in the Maryland Office of the Public Defender, sometimes police departments undermine transparency by releasing heavily redacted or obscured disciplinary records or provide a dense data dump to make it harder to interpret the files.²¹ In Montgomery County, a special agreement signed by County Executive Marc Elrich in October 2021 gives the police union ten days to review and file against the release of any internal affairs records, which has also complicated matters.²²

In addition law enforcement has consistently pushed back on the public release of police disciplinary records, arguing that publishing records of individuals is detrimental to their lives, writes Kate Levine, an associate professor of law at St. John's University School of Law. That's because these records could include false allegations, due process problems, or arbitrary and inaccurate records. Law enforcement also cites the public's inability to correctly interpret certain records, which could lead to "lifelong reputational stains." Levine argues that a balance should be met to expand publication of police disciplinary records and grant greater privacy to civilian criminal records. For example, police disciplinary records should be made available to all law enforcement agencies through a federal database, so that if officers are terminated by one agency their next employer can see the reason.²³

MECHANISMS FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

Civilian oversight models for police accountability vary considerably across the country and while much study has been dedicated to the issue, less evidence exists to suggest that any specific model is superior to any other. Since 1995 the National Association for Civilian Oversight of Law Enforcement (NACOLE), a nonprofit organization whose board consists of individuals in the field of citizen oversight of the police, and which acts as a resource to local jurisdictions including Montgomery County, acknowledges there is no one-size-fits-all answer. NACOLE's research has identified several overriding principles which correlate with effective civilian oversight of policing.²⁴

Overriding principles of oversight

Civilian oversight systems must reflect the needs and perspectives of stakeholders who represent the public at large. Those stakeholders include government, law enforcement and populations that have been adversely and/or disproportionately impacted by ineffective policing, according to the Community Oriented

²⁰ Cynthia Conti-Cook, "A New Balance: Weighing Harms of Hiding Police Misconduct Information from the Public," *City University of New York Law Review*, Vol. 22, Issue 1, Winter 2019, <https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1471&context=clr>.

²¹ Holly Butcher Grant, "How to hold law enforcement accountable through public records," National Press Club, January 25, 2022, <https://www.pressclubinstitute.org/2022/01/25/how-to-hold-law-enforcement-accountable-through-public-records/>.

²² Steve Thompson, "Md. opened police IA files to the public. But here the union looks first," *The Washington Post*, August 26, 2022, <https://www.washingtonpost.com/dc-md-va/2022/08/26/montgomery-police-union-review/>.

²³ Kate Levine, "Discipline and Policing," *Duke Law Journal*, Vol. 68, No. 5, February 2019, <https://bit.ly/3CTiafa>.

²⁴ "Civilian Oversight of Law Enforcement," National Association for Civilian Oversight of Law Enforcement (NACOLE), pp 9-27, Sept. 10, 2020, <https://bit.ly/3skINoy>.

Policing Services at DOJ.²⁵ In practice, NACOLE reviews demonstrate that the following elements are critical to effective civilian oversight²⁶:

- A. Independence: The absence of real or perceived influence from law enforcement agencies, political partisans and other special interests can help legitimize law enforcement processes in the eyes of the public and convince law enforcement personnel of procedural evenhandedness within law enforcement agencies themselves.
- B. Community involvement with protection from retaliation and retribution: Sufficient involvement of those most interested in and impacted by local issues regarding law enforcement can increase the likelihood that the oversight system will meet community needs and expectations. It is imperative, however, that those who serve on the civilian oversight entity be assured of protection from retribution.
- C. Adequate funding and operational resources: Having financial and operational resources sufficient to ensure that the work of the civilian oversight entity is performed in a thorough, timely and skillful manner is essential to its success.
- D. Clearly defined and adequate jurisdiction and authority: The scope of responsibilities and attendant powers must be evident to ensure that responses to complaints of misconduct are considered valid and to avoid differing interpretations of the oversight entity's charge.
- E. Access to law enforcement facilities, records and staff: Timely access to all buildings, documentation and personnel, including law enforcement executives and internal affairs employees, is essential to providing expeditious, fact-driven, informed and effective oversight.
- F. Full cooperation: Full cooperation from law enforcement personnel under conditions that afford due process and protect an individual's right against self-incrimination is essential to the work of the oversight entity.
- G. Procedural justice and legitimacy: Procedural justice can be viewed as *how* authority is exercised. Successful civilian oversight leverages the principles of procedural justice to bolster legitimacy with all members of the community, including complainants and law enforcement.
- H. Policy patterns in practice analysis: Data-driven and evidence-based analyses can address systemic problems of law enforcement agencies and formulate recommendations that can improve relations with communities.
- I. Sustained public support through outreach and relationship building: Community outreach can make it possible for an oversight entity to build awareness of its existence, share reports and findings with the public, solicit community input and involvement and develop a greater capacity for problem-solving among other things.²⁷

Review-focused models

Review-focused models usually evaluate the quality of complaint investigations completed by a police or sheriff department's internal affairs unit but may conduct reviews of a law enforcement agency's policies, procedures and disciplinary activities. The civilian oversight entity typically consists of a volunteer board or commission; it may receive civilian complaints and forward them to law enforcement for investigation, engage professional staff and/or review boards to review completed investigations and provide feedback to a law enforcement agency. It may return cases to the department's internal affairs unit for further investigation, recommend case disposition, discipline, or revised departmental policies and procedures, hear appeals from complainants or subject officers, hold public forums, conduct community outreach, or open its meetings to the public in accordance with state laws and union contracts.

²⁵ Michael Vitoroulis, Cameron McElhiney and Liana Perez, "The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability," Community Oriented Policing Services, US Department of Justice, 2021, <https://bit.ly/3MZFOXt>.

²⁶ "Thirteen Principles for Effective Oversight," National Association for Civilian Oversight of Law Enforcement (NACOLE), <https://www.nacole.org/principles>.

²⁷ "Thirteen Principles," NACOLE.

Investigation-focused models

Investigation-focused models use professionally trained staff to examine complaints of alleged misconduct independently and separately from the police or sheriff's department they oversee. These models generally receive and mediate complaints, monitor and analyze department policies and procedures, and issue recommendations to the department. They also may oversee the overall direction of the department's investigation, surveil the disciplinary process, and participate in community engagement.

Auditor/monitor-focused models

Auditor/monitor-focused models are focused on large-scale, systemic law enforcement reform. They may review internal complaint investigation processes, evaluate police policies, practices and training, conduct wide-scale analyses of patterns in complaints and communicate their findings to the public.

Hybrid models

Hybrid models are an emerging trend in civilian oversight, wherein oversight entities combine components of the three models to create a system that is both proactive and reactive. Hybrid models exist as either single entities or hybrid systems. A single hybrid oversight entity generally has a primary and secondary focus, such as reviewing internal investigations and auditing policy compliance respectively. In contrast, hybrid systems often involve multiple oversight entities that assess different functions of the same law enforcement department. The most common oversight function across all model types is the review of completed internal affairs investigations.

Funding civilian oversight models

Many jurisdictions with civilian oversight bodies have enacted legislation that establishes a floor for the oversight entity's budget and ensures that the entity's resources increase or decrease relative to the size of the law enforcement agency. Some jurisdictions have achieved this by requiring that the oversight employ, at a minimum, one investigator per a fixed number of sworn officers within the department it oversees. A NACOLE review of the budgets of local oversight entities indicates that most are between 0.41% and 5% of the police budget. Percentage-based budgets tend to isolate oversight entities from politically motivated budget cuts, thereby strengthening their independence.

Some models have proved to be more costly than others. Investigation-focused models require larger budgets because they are staffed by full-time professional investigators. Conversely, review-focused models tend to have smaller budgets because they typically rely on volunteer civilian boards or commissions to examine completed internal investigations. Nevertheless, all models need adequate resources to be effective.²⁸

MONTGOMERY COUNTY'S APPROACH

On April 19, 2022, Montgomery County passed Expedited Bill 49-21 which created the Police Accountability Board (PAB) and Administrative Charging Committee (ACC) in compliance with the MPAA and in accordance with the review-focused model described above.²⁹ The PAB and ACC are "responsible for handling each complaint alleging police misconduct by a police officer employed by the County or a municipal police department located in the County filed by a member of the public." The MPAA required counties to have five members on their ACCs as well as a three-member trial board, but set no size requirement for the PAB. Montgomery County's PAB has nine members who are nominated by the County Executive and confirmed by the County Council. Although the legislation was signed in 2022 and is in effect while members are selected, it does not apply to incidents occurring before July 1, 2023. The

²⁸ "Police Accountability Boards: Advocacy and Implementation Guide," Maryland Coalition for Justice & Police Accountability, <https://bit.ly/3Sv2cOm>.

²⁹ "Montgomery County Council votes to establish a Police Accountability Board and Administrative Charging Committee in Montgomery County," MCCouncil Press Releases, April 19, 2022, <https://bit.ly/3z7iFBu>.

MPAA permitted counties to delay implementing the law one year so as not to conflict with existing police officer collective bargaining agreements.³⁰ It is also worth noting that neither PAB nor ACC opinions for discipline are legally binding.

If the ACC recommends a disciplinary penalty for an officer, which the police chief offers or exceeds with a more severe option, that officer may challenge the penalty before a three-member Trial Board comprised of “an active or retired administrative law judge or a retired district court or circuit court judge appointed by the County Executive, a civilian selected by the PAB, and a police officer of equal rank to the officer being charged selected by the police chief.” The Trial Board’s proceedings are open to the public, with certain exceptions. The Trial Board can administer oaths and issue subpoenas, but its decisions can be appealed to the circuit court.

CONSENSUS QUESTIONS

LWVMC relies on relevant positions to enable members to testify and fully engage with government leaders. Police accountability is part of the broader scope of government accountability and this committee proposes the following questions for consensus vote by the LWVMC membership, for the purpose of being formulated and adopted as policy positions should they achieve the required votes:

- 1) Do you support county law enforcement that is accountable to the public, wherein accountability is defined as holding both law enforcement officers and their agencies responsible for protecting public safety, for treating individuals fairly under the law and for being answerable to the public?
- 2) Do you support requiring the county to inform the public about police accountability measures, including but not limited to making police misconduct and disciplinary records publicly available?
- 3) Do you support a mechanism for civilian oversight of law enforcement that includes **all of** the following elements:
 - a) Independence
 - b) Community involvement with protection from retaliation and retribution
 - c) Adequate funding and operational resources
 - d) Clearly defined and adequate jurisdiction and authority
 - e) Access to law enforcement facilities, records, and staff
 - f) Full cooperation from law enforcement personnel
 - g) Procedural justice and legitimacy
 - h) Policy patterns in practice analysis
 - i) Sustained public support through outreach and relationship building (Please refer to pages 6-7 for more detailed information.)

This Fact Sheet was prepared by Cynthia Boddie-Willis (chair), Amelia Brust and Judith Whiton. (November 9, 2022)

³⁰ Bill 49-21, *Police Accountability Board - Administrative Charging Committee - Established*, April 19, 2022, <https://bit.ly/3TSKzsV>.