

CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

A TRAINING BY THE NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW
ENFORCEMENT FOR THE MADISON, WISCONSIN POLICE CIVILIAN REVIEW BOARD

JULY 8, 2021

EDUCATIONAL SESSION III



INTRODUCTIONS

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TRAINING OVERVIEW

Effective Practices in the
Complaint Process

Developing Policy
Recommendations

Public Reporting and
Transparency

Identifying Challenges and
Opportunities



Effective Practices in the Complaint Process

Filing and Receiving Complaints

Submission of Complaints

Barrier-free Complain Process

Anonymous Complaints

Third-Party Complaints

Internal Complaints

Accessibility for Non-English Speakers & Persons
with Disabilities

Case Management

Complaint Triage and
Alternative to Formal
Investigation

Handling Complaints Alleging
Potentially Criminal Conduct

Referring Complaints to
Mediation

Communication With Complainants



Status Updates



Closeout Meetings



Complaint Process and
Mediation Feedback
Surveys

DEVELOPING POLICY RECOMMENDATIONS

Policy vs. Procedure

Policy (*noun*) - a course or principle of action adopted or proposed by a government, party, business, or individual. A policy is a deliberate system of principles to guide decisions and achieve rational outcomes.

Procedure (*noun*) - an established or official way of doing something. A procedure is the method in which a policy is implemented.

Developing Policy & Training Recommendations

Policy and training recommendations should include, to the greatest extent possible, specific **details**, relevant **examples** and **resources**, and **actionable language** to guide proposed actions for the law enforcement agency.

Developing Disciplinary Recommendations

Disciplinary recommendations
for sustained allegations of
misconduct should be:



Consistent



Fair



Just

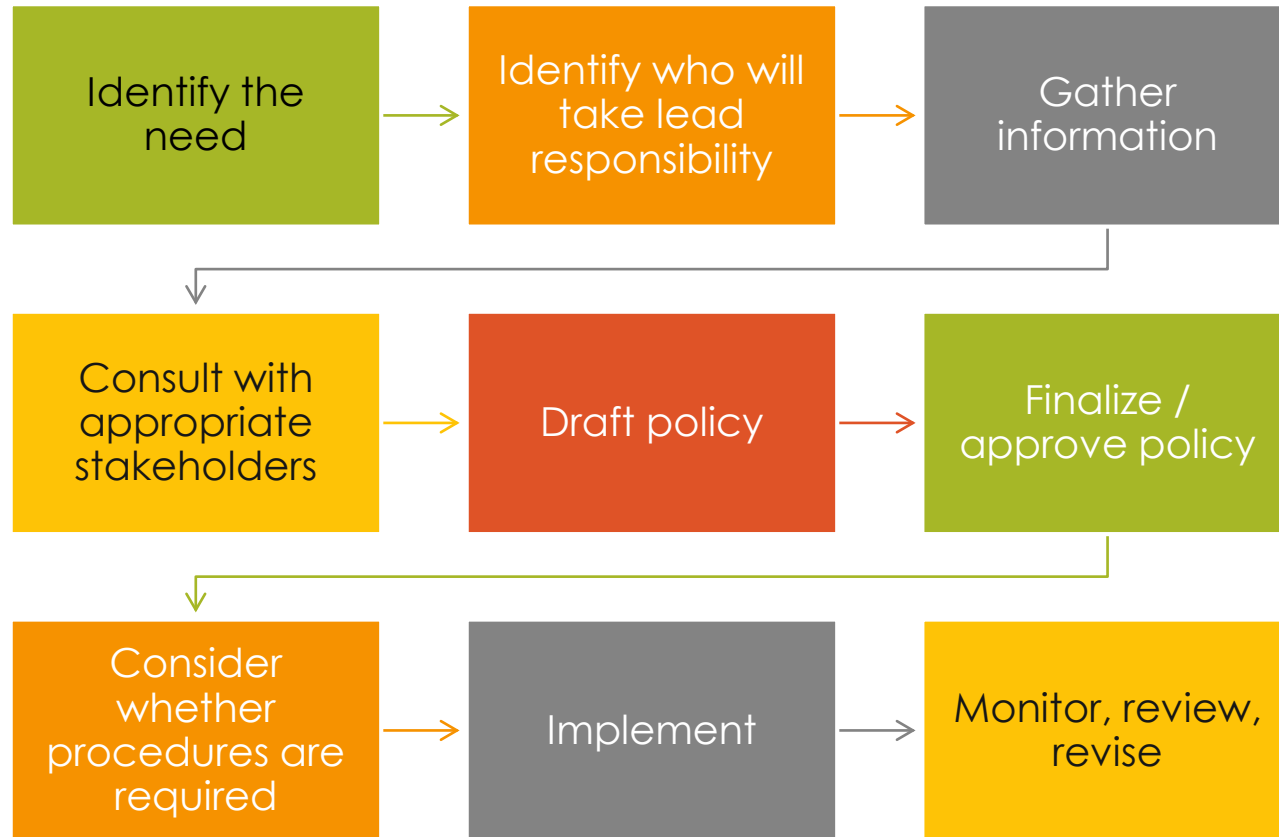
Requiring Written, Public Responses

Requiring the law enforcement department to publicly respond in writing to a civilian oversight agency's recommendations can **improve transparency and accountability**.

Status of Recommendations and Follow-Up

Oversight agencies should track and report the status of recommendations issued to the law enforcement department.

If the law enforcement department has accepted a particular recommendation, the oversight agency should follow-up on its status, and assist with its implementation where possible.



Key Stages Involved in Developing Policies:

What Policies Do You Need to Develop?

Look at external policy influence and internal policy development.

The need for policy development should be kept under constant review.

Keep in mind that as a Board you are a part of the city government — and like any governmental entity, subject to lawsuits and claims against you. Having your own policies in place will be beneficial should there be litigation.

Break

10 MINUTES



PUBLIC REPORTING AND TRANSPARENCY

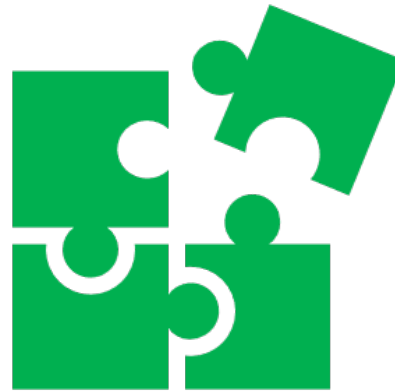
Issue Regular Reports

As a general rule, reports should contain the following:

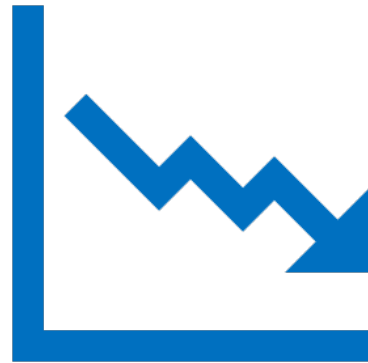
- Agency mission
- Authority
- Activity
- Accomplishments

Special Reports

Stand-alone reports should be issued for Investigations and matters of significant community interest.



Publishing and Presenting Data



Data should be regularly published and presented in a clear and accessible format.

Public Reporting & Transparency



➤ Issuing regular public reports is critical to an agency's credibility.



➤ They should not be censored or modified by law enforcement or political stakeholders.



➤ Reports should be written in an accessible manner.



➤ They should include as much information related to the agency's mandate and operations as can be disclosed by law.

Identifying Challenges & Opportunities



Stepping Back: Why We Are Here

Sankofa: History from the Mound Builders to Today

Reflections:

- Why was this board established?
- What does Madison want?
- What will your legacy be?



Stepping Through: Challenges

Very high expectations

Fear of change

Community trauma

Skepticism from law enforcement

Lack of understanding of oversight and its role

Impartiality

Having legitimacy with “both sides”

Need for training

“Change can’t wait”

Attempting to meet all the demands

Some stakeholders think others cannot be engaged

Stepping Up: Opportunities

Moment we're in/"Fierce Urgency of Now"

State law creates possibilities

Community trauma

Government support for oversight

Calls for reform/defunding/abolition

Centering those most impacted

Demonstrating legitimacy

Policy and procedures can be changed

Creating something sustainable

Defining the role, work, and outcomes

Engaging all stakeholders

Case Studies: New Orleans & Newark

- Origin of each city's civilian oversight model
- Initial implementation and challenges encountered
- Change — and how it was achieved



Case Study: Building a Sustainable Commission



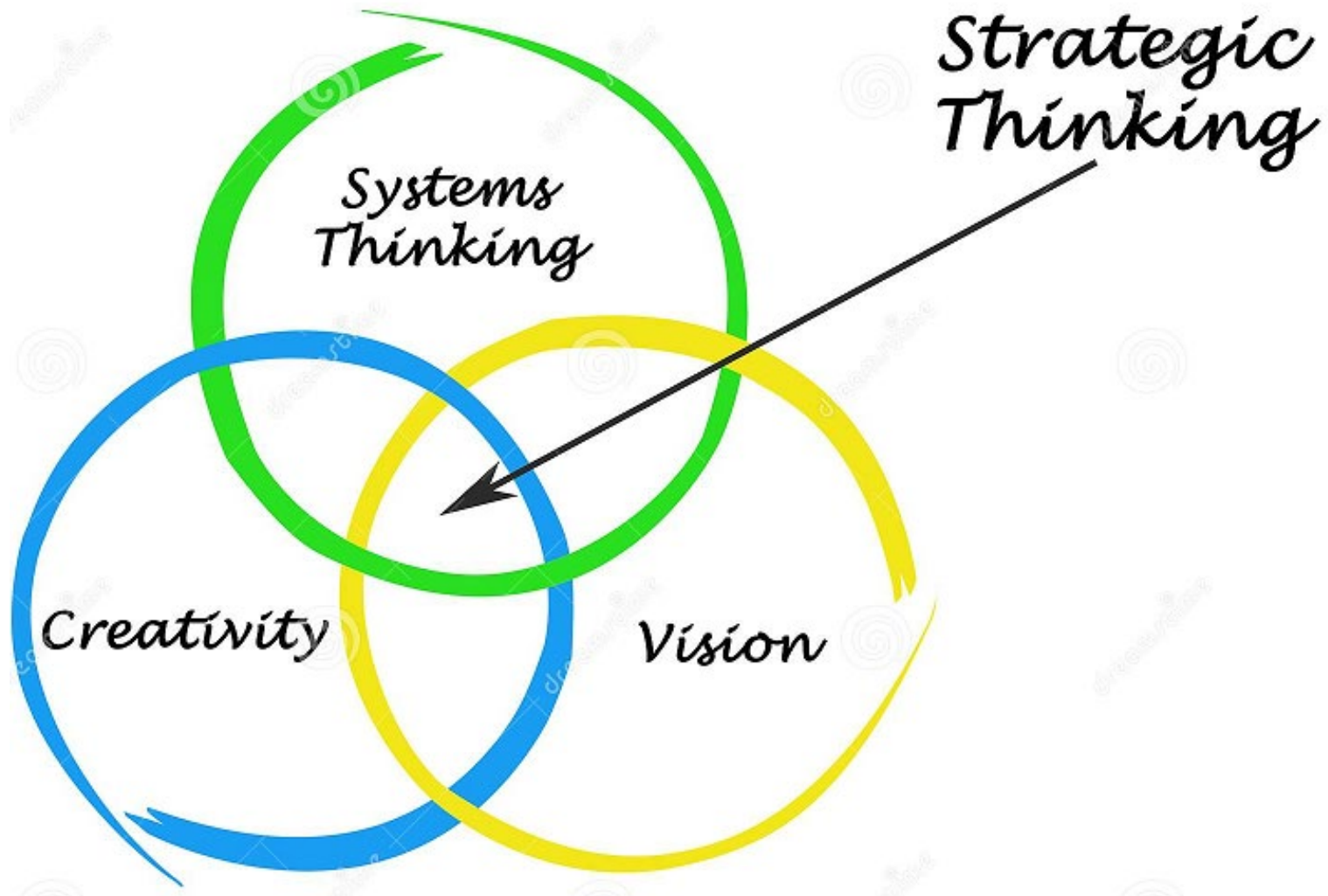
Results and looking forward:
What do you hope to see in 2025?



How will you set expectations and
measure success?



How will you actively listen to and
honor all voices, perspectives, and
lived experiences?



Thinking
Strategically

Thinking Strategically

How can you build on opportunities, while addressing and understanding the challenges?

How will you build legitimacy with all stakeholders and goodwill for the future?

What are your priorities and what can go on the “back burner”?

How can you adapt to conditions in order to achieve your mission?



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“If you have come to help me you are wasting your time.

But if you have come because your liberation is bound up with mine, then let us work together.”

Australian Aboriginal activists in Queensland, 1970s



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