

## **SUGGESTED DO'S AND DON'T'S FOR CIVILIAN OVERSEERS**

### **DO:**

- As soon as practicable, arrange to meet the people with whom you will be interfacing on the “other side” (e.g, the Commanding Officer of Internal Affairs/Training Division; Internal Affairs or other department investigators).
- Consider conducting the initial meeting on “neutral” territory, such as a restaurant or coffee shop, instead of either party’s offices.
- Discuss the police agency’s (PA’s) fears about your role as civilian overseer, and attempt to allay them by explaining the parameters and limitations of, as well as the authority for, your role as civilian overseer (e.g., as a result of the settlement of a lawsuit, voter-approved initiative, etc.), while also providing insight into your background and what qualifies you for the position of civilian overseer.
- Listen to the PA’s perspective about what they believe to be wrong with the department and what issues, if any, they seek your guidance on.
- Attempt to establish common areas of agreement as to ideal “best practices” (e.g., tape-recording all complaint interviews; canvassing the incident location for witnesses, etc.)
- Work together to develop joint solutions to issues/concerns upon which you both agree.
- Be flexible in how you approach your counterparts at the PA, depending upon their rank, feelings toward civilian oversight, knowledge about the civilian oversight process, etc.
- Make an effort to meet/talk/email regularly with your counterparts at the PA, even if it is just to keep them informed as to upcoming reports, projects, community meetings, etc.
- Send the PA items of common interest – e.g., recent legal decisions on Search and Seizure/*Miranda*/administrative investigations.
- Try to meet at least once with every stakeholder or community group who wants to meet with you. You never know where helpful information may come from.
- Consistently apply the law governing your agency’s work (e.g., confidentiality of investigations, standards of proof for complaint adjudications, etc.), regardless of whose interests are involved (e.g., a high-profile complainant/attorney/politician).
- When participating in a community/public forum, educate the public about your “process” as the civilian overseer, and reinforce that that process will be consistently applied in each case (see bullet above).
- Endeavor to attend whatever PA trainings apply to the areas which you will routinely be evaluating (e.g., tactics, use of force, complaint investigations, etc.)
- *Invite PA representatives to sit on NACOLE panels with you.*

### **DON'T:**

- Publish a report criticizing the PA without giving them an advanced copy and an opportunity to respond to and/or “correct” any perceived inaccuracies in the draft report.
- Give the impression that you have a particular agenda, or have already come to a conclusion about the PA before starting your work as civilian overseer (e.g., “I know about the problems with the gang unit”).
- Forget that rank and file officers, and their respective police unions, are also stakeholders in the civilian oversight process with whom you should meet and whose interests and concerns you should take into account whenever feasible.