

## **ACCOUNTABILITY**

### **I. INTRODUCTION**

Accountability in law enforcement is positively correlated with public safety because it builds public trust, encourages ethical conduct, and contributes to the public's perception of a law enforcement agency's legitimacy and effectiveness.<sup>1</sup> Civilian oversight agencies (COAs) can play a significant role in increasing accountability, reducing racial profiling, and, by extension, enhancing public safety.

This year's report discusses civilian oversight in more detail than prior reports in so far as it explores the history of civilian oversight in the United States, common goals of civilian oversight, principles for effective oversight, and four general types or models of COAs. This section also discusses the impact of COAs on reducing racial and identity profiling and increasing public safety and provides a brief overview of the COAs that oversee the largest law enforcement agencies (LEAs) in California. This section further provides recommendations for COAs in California regarding the use of RIPA data identify racial and identity disparities in policing practices and for implementing remedies that address these disparities.

Lastly, this section provides an updated analysis of officer decertification actions under Senate Bill 2 (SB 2), including an analysis of regional differences in SB 2 data and outcomes in California.

### **II. CIVILIAN OVERSIGHT**

Civilian oversight generally refers to the independent review of law enforcement agencies and officers by individuals who are not sworn officers.<sup>2</sup> Civilian oversight can take various forms, but the core purposes of COAs are to increase accountability, transparency, and public trust in policing, deter police misconduct, and ensure an accessible complaint process.<sup>3</sup> In light of the Board's mission to eliminate racial and identity profiling, the Board undertakes this detailed review of civilian oversight and its historical roots to assess how COAs can address civilian complaints relating to racial and identity bias and profiling and how systemic reforms can help mitigate such practices.

#### **A. Emergence of Civilian Oversight Agencies (COAs)**

Initial law enforcement oversight bodies took the form of internal police commissions, which were implemented by Progressive Era reformers in the late 19th and early 20th centuries as a strategy to break the hold of political machines on local policing.<sup>4</sup> Most early commissions failed

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<sup>1</sup> McLendon et al., *Improving Public Safety Through Better Accountability and Prevention*, American Progress (May 16, 2024) <<https://tinyurl.com/74vhn9zv>> [as of XX, 2025].

<sup>2</sup> See DeAngelis et al., *Civilian Oversight of Law Enforcement: A Review of the Strengths and Weaknesses of Various Models*, NACOLE (September 2016) p.5  
<[https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE\\_short\\_doc\\_FINAL.pdf?1481727977](https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977)> [as of XX, 2025].

<sup>3</sup> See DeAngelis et al., *Civilian Oversight of Law Enforcement: A Review of the Strengths and Weaknesses of Various Models*, NACOLE (September 2016) p.5  
<[https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE\\_short\\_doc\\_FINAL.pdf?1481727977](https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977)> [as of XX, 2025].

<sup>4</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 6  
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to provide meaningful oversight of local police departments, in part because early commission members were political appointees, had little expertise in policing, and tended to become highly deferential to police executives when proposing or implementing reforms.<sup>5</sup> A more formalized concept of civilian oversight emerged amid tensions between police and minority communities in the late 1920s.<sup>6</sup> For example, in 1928, the Los Angeles Bar Association established a Committee on Constitutional Rights to record complaints of police misconduct, although the committee had no authority to act on complaints received.<sup>7</sup>

From the 1930s to 1950s, riots over race relations and police violence in urban areas gave way to strengthened movements for police accountability and improved civilian complaint processes.<sup>8</sup> A breakthrough came about in Washington, D.C., in 1948, when the nation's first civilian review board was created in response to community concerns over police using excessive force against African Americans.<sup>9</sup> It was composed of three members but no staff, and was responsible for reviewing and recommending the disposition of complaints referred to it by the police chief.<sup>10</sup> However, it had limited effectiveness, reviewing just 54 cases in its first 16 years due to its informal and indirect access to civilian complaints.<sup>11</sup> The City eventually abolished this COA in 1995 amid a fiscal crisis and an unmanageable backlog of cases, citing ineffectiveness as a key reason.<sup>12</sup>

Modern COAs continued to evolve from the late 1960s through the 1980s,<sup>13</sup> in part, as a response to the Civil Rights Movement and protests over police treatment of African Americans.<sup>14</sup> Several oversight agencies, with greater resources, expanded organizational authority, and full investigative authority, developed during this time period, including: Berkeley's Police Review Commission, the first civilian oversight agency specifically authorized to independently investigate police complaints; the Detroit Board of Police Commissioners, authorized to set department policy and independently investigate and resolve complaints; and the San Francisco Office of Citizen Complaints (now known as the Department of Police

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<sup>5</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 6 <<https://tinyurl.com/466spbnv>> [as of XX, 2025].

<sup>6</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, Community Oriented Policing Serv. (2021) p. 4 <<https://drive.google.com/file/d/1Lj598k7KNUcbYBkT9zLITefA6jWRFj00/view?usp=sharing>> [as of XX, 2025].

<sup>7</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, Community Oriented Policing Serv. (2021) p. 4 <<https://drive.google.com/file/d/1Lj598k7KNUcbYBkT9zLITefA6jWRFj00/view?usp=sharing>> [as of XX, 2025].

<sup>8</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, Community Oriented Policing Serv. (2021) p. 4 <<https://drive.google.com/file/d/1Lj598k7KNUcbYBkT9zLITefA6jWRFj00/view?usp=sharing>> [as of XX, 2025].

<sup>9</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, Community Oriented Policing Serv. (2021) pp. 4-5 <<https://drive.google.com/file/d/1Lj598k7KNUcbYBkT9zLITefA6jWRFj00/view?usp=sharing>> [as of XX, 2025].

<sup>10</sup> Vitoroulis, *NACOLE Case Studies on Civilian Oversight, Office of Police Complaints, Washington, D.C. Investigation-Focused Model*, Community Oriented Policing Services (2021) p. 2

<<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-w0961-pub.pdf>> [as of XX, 2025].

<sup>11</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at pp. 5-6; Vitoroulis, *NACOLE Case Studies on Civilian Oversight*, *supra*, note X, at p. 2.

<sup>12</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at pp. 5-6; Miller, *Civilian Oversight of Policing: Lessons from the Literature*, Vera Institute of Justice (2002), p. 10,

<<https://www.vera.org/publications/civilian-oversight-of-policing-lessons-from-the-literature>> [as of XX, 2025].

<sup>13</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 7 <<https://tinyurl.com/466spbnv>> [as of XX, 2025].

<sup>14</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 7 <<https://tinyurl.com/466spbnv>> [as of XX, 2025].

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Accountability), which replaced the civilian complaint investigation functions of the San Francisco Police Department.<sup>15</sup>

By the 1990s, a new model of civilian oversight focused on systemic issues in law enforcement policies and procedures began to take shape.<sup>16</sup> For example, in 1991, the Seattle City Council established an independent civilian auditor to audit and review civilian complaint investigations. Two years later, the San Jose City Council proactively approved an ordinance creating an Independent Police Auditor, who was authorized to review the complaint investigations completed by the San Jose Police Department (SJPd), analyze complaint trends and statistics, and review and recommend improvements to SJPd policies and procedures.<sup>17</sup>

Today, civilian oversight continues to evolve. This report examines how modern COAs function within California and how they can use RIPA data to monitor and reduce identity group disparities in policing.

## B. Civilian Oversight Generally

In general, almost all COAs have common objectives, including:

- Improving public trust in law enforcement;
- Ensuring an accessible complaint processes;
- Promoting thorough, fair investigations of police misconduct;
- Increasing transparency and accountability;
- Deterring officers from engaging in misconduct;
- Holding law enforcement agencies accountable for officers' behavior;
- Promoting systemic changes in law enforcement; and
- Improving community-law enforcement relations and public trust in the complaint process.<sup>18</sup>

These objectives indirectly address several practices unlawful in California, including the prohibition against racial and identity profiling. Interestingly, many of the objectives of COAs also correlate with reductions in racial and identity disparities in policing *and* with increased

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<sup>15</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 7 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at pp. 5-7.

<sup>16</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 5.

<sup>17</sup> See Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at pp. 5-7; De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 6.

<sup>18</sup> See De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) pp. 7, 33-34 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; NACOLE Presentation, *Civilian Oversight of Law Enforcement, Its Principles and Role* (Sept. 10, 2020) <[https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/96/attachments/original/1643743160/CIVILIAN\\_OVERSIGHT\\_OF\\_LAW\\_ENFORCEMENT.pdf?1643743160](https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/96/attachments/original/1643743160/CIVILIAN_OVERSIGHT_OF_LAW_ENFORCEMENT.pdf?1643743160)> [as of XX, 2025].

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public safety, such as a reduction in violent crime and line-of-duty homicides of law enforcement agents.<sup>19</sup>

## 1. Measuring the Effectiveness of COAs

COAs have not developed metrics to systematically measure racial and identity disparities across LEAs, nor have they routinely reported on specific metrics. It was not until recently that researchers empirically examined the connection between, and possible impact of, COAs and the reduction of racial disparities in policing outcomes.<sup>20</sup> It is therefore not clear from the available research to what extent COAs have the capacity to influence law enforcement agencies to reduce racial and identity disparities while maintaining public safety for civilians and officers.

Similarly, despite the common goals of many COAs, there is a lack of standardized definitions and data across jurisdictions that inhibits systematic, comparative measurement among COAs.<sup>21</sup> For instance, commonly shared goals—such as positive change within the law enforcement organization, improved community relations and public safety, increased accountability, and greater transparency—may not have systematic or comparative metrics for measurement.<sup>22</sup> Even the meaning behind the most commonly reported metrics—such as the number of complaints, rates of sustained complaints, or complaints regarding uses of force—can be difficult to interpret, and these outcomes may not be attributed directly to the work of a civilian oversight agency.<sup>23</sup> For example, a decrease in the overall number of civilian complaints may indicate that an agency is “effectively deterring misconduct, in turn reducing the number of interactions that may lead to the filing of a complaint. On the other hand, it may signal a lack of public awareness or reduced confidence in the complaint process,”<sup>24</sup> leading to fewer individuals choosing to file a complaint even when misconduct is occurring. Similarly, the sustain rate—the rate at which complaints are sustained against a law enforcement agency—is affected by how complaints and allegations are handled and recorded, and a low sustain rate, or a decrease in the rate of sustained complaints, does not necessarily mean a law enforcement agency is doing a better job serving its community.

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<sup>19</sup> See Ali, & Nicholson-Crotty, *Examining the Accountability-Performance Link: The Case of Citizen Oversight of Police*, Public Performance & Management Review, 44(3) (2020) pp. 7, 22

<[https://www.researchgate.net/publication/343755384\\_Examining\\_the\\_Accountability-Performance\\_Link\\_The\\_Case\\_of\\_Citizen\\_Oversight\\_of\\_Police](https://www.researchgate.net/publication/343755384_Examining_the_Accountability-Performance_Link_The_Case_of_Citizen_Oversight_of_Police)> [as of XX, 2025].

<sup>20</sup> See Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police* (Nov. 17, 2019) p. 8 <<https://tinyurl.com/4c9dr3vk>> [as of XX, 2025] [looking at the relationship between COAs (including distinct types) and how they correlate with the reduction of racial disparities in policing].

<sup>21</sup> NACOLE Presentation, *Civilian Oversight of Law Enforcement*, “Best Practices” Limitations, *supra*, note X, at slide 14.

<sup>22</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 61 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

<sup>23</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 61 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

<sup>24</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 137 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

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For instance, some jurisdictions “forward low-level complaints to the subject officer’s command for informal resolution, often excluding them from calculations based on “formal” complaints.”<sup>25</sup> An agency could have a high sustain rate for “formal” complaints, but may be inadequately addressing or sustaining the “informal” complaints sent to resolution. Similarly, these metrics “do not account for incidents that are inaccessible to the oversight agency,” either because they lie outside its jurisdiction, are not properly reported, or are otherwise withheld from the COA.<sup>26</sup> “While there is merit in collecting, analyzing, and publishing this data, the lack of standardized definitions makes cross-jurisdictional comparison inappropriate.”<sup>27</sup> Nonetheless, “the value of such data is clear, [provided] these metrics are properly explained and contextualized so the public does not misinterpret them.”<sup>28</sup>

In California, RIPA data may provide a standardized and systematic dataset that could be used by COAs to assess and improve policing practices as it relates to identity group bias. Also, because all agencies in the state report this data, individual LEAs can conduct comparative analyses across the aggregate to identify high areas of disparity against particular identity groups within their jurisdiction. This may be one way in which California COAs can avail themselves of systematic and comparative measurements related to disparities in identity group policing, something that may be absent between agencies at a national level.

## **2. Principles for Effective Civilian Oversight and the Elimination of Racial and Identity Profiling by Law Enforcement**

Despite the lack of an accepted data metric by which COAs can be comparatively assessed,”<sup>29</sup> the National Association for Civilian Oversight of Law Enforcement (NACOLE) has developed “effective practices” that function as guiding principles for successful civilian oversight, which can be used to assess the work of COAs.<sup>30</sup>

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<sup>25</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 137 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

<sup>26</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 61 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

<sup>27</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 61 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

<sup>28</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 136 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

<sup>29</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) p. 61 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025]; see also De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 14 <<https://tinyurl.com/466spbnv>> [as of XX, 2025] [noting “there has been relatively little systematic, comparative research on the effectiveness of civilian oversight”].

<sup>30</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) pp. 9-, 36-44 <<https://tinyurl.com/466spbnv>> [as of XX, 2025];

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As discussed in the 2023 RIPA Report, NACOLE identified 13 principles, based on the work of several scholars and oversight professionals and conversations with experienced oversight practitioners, that form the commonly accepted preconditions for effective civilian oversight of law enforcement.<sup>31</sup> These principles include: independence from the law enforcement agency overseen by the COA; clearly defined and adequate jurisdiction and authority; timely and adequate access to records and facilities; access to law enforcement staff and internal affairs staff; full cooperation of the law enforcement agency; sustained stakeholder support; adequate funding and operational resources; public reporting and transparency; analysis of policies and patterns in practice; community outreach; community involvement; confidentiality, anonymity, and protection from retaliation; and procedural justice and legitimacy.<sup>32</sup> While each of these principles can significantly impact the effectiveness of a COA, several are especially important for a COA to address racial and identity profiling by law enforcement.

## (I) *Independence*

Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) pp. 5, 63 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025]., citing De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) pp. 36-44 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; see also Schaible, *Impediments and Challenges to Civilian Oversight of Law Enforcement*, NACOLE and Univ. of Colorado Denver (July 19, 2024), p. 4, <[https://assets.nationbuilder.com/nacole/pages/1302/attachments/original/1728589148/NACOLE\\_REPORT\\_FINAL\\_Impediments\\_and\\_Challenges\\_20241010.pdf?1728589148](https://assets.nationbuilder.com/nacole/pages/1302/attachments/original/1728589148/NACOLE_REPORT_FINAL_Impediments_and_Challenges_20241010.pdf?1728589148)> [as of XX, 2025].

<sup>31</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at pp. 36-44 [listing 12]; see also Schaible, *Impediments and Challenges to Civilian Oversight of Law Enforcement*, *supra*, note X, at p. 4 [listing 13; interviewing oversight professionals from all COA models regarding the critical components of COAs]; De Angelis et al., NACOLE Report 2016, *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at pp. 64-74 [listing 13]. In order to identify the combination of organizational components, authority, practices and resources that lead to successful civilian oversight of law enforcement, NACOLE acknowledged some disagreement within the literature, but focused on a growing consensus around the core components of oversight that are necessary to implement and sustain effective oversight. NACOLE further noted that Samuel Walker and his colleagues developed one of the more comprehensive frameworks outlining the key organizational components of an effective oversight agency. (De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 36.) They developed the initial framework out of a series of conferences with police auditors, where roundtable discussions were held regarding the key elements of effective oversight. (De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 36, citing Walker and Archbold, *The New World of Police Accountability*, 2nd ed. Edition, Los Angeles: SAGE Publications, Inc. (2014) 199.) As a result of those conferences, Walker published a set of oversight “principles” in a report titled: “Core Principles for and Effective Police Auditor’s Office.” (De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 36, citing Walker, *Core Principles for an Effective Police Auditor’s Office*, Univ. of Nebraska (2003).). Since its publication, several authors have sought to extend slightly revised versions of Walker et al.’s original 12 principles to other models of oversight (De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 36, citing Attard and Olson, *Overview of Civilian Law Enforcement in the United States* (2013); King, *Effectively Implementing Civilian Oversight Boards to Ensure Police Accountability and Strengthen Police-Community Relations*, *Hastings Race and Poverty Law Journal* 12 (91-259) (2015).)

<sup>32</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Community Oriented Policing Servs, U.S. Dept. of Justice (2021) pp. 63-74 <<https://tinyurl.com/mwm8jxd7>> [as of XX, 2025].

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Independence refers to the absence of real or perceived influence from law enforcement, political actors, or other special interests.<sup>33</sup> It is crucial for COAs to be structurally, politically, and operationally independent from the LEA they are monitoring in order to be effective and to establish and maintain legitimacy.<sup>34</sup> In other words, the more independent the COA, the more effective it is in overseeing the LEA.

In the context of RIPA, independence is a critical component of a COA dedicated to the elimination of racial and identity profiling. The recommendations and direction coming from the COA will likely be critical of an LEA's approach to addressing racial and identity disparities in its policing practices, and a COA dependent upon the LEA—for staffing, funding, or resources—may not advance recommendations that criticize the work of the LEA, even if those recommendations are necessary to eliminate profiling.

## **(2) *Clearly Defined and Adequate Jurisdiction and Authority***

An effective COA must also have adequate and clearly defined jurisdiction and authority to achieve its organizational goals.<sup>35</sup> This includes the ability to review allegations of misconduct from all sources, including the review of citizen complaints and the ability to handle and resolve allegations.<sup>36</sup> Subpoena power and the ability to administer discipline further enhance an agency's effective oversight.<sup>37</sup>

A COA dedicated to the elimination of racial and identity profiling therefore must have clearly defined jurisdiction and authority to address and resolve complaints that an agency's practice of profiling is contrary to the law. In the context of RIPA, such authority should additionally include the ability to implement structural policy reforms to eliminate racial and identity profiling, such as limiting officer discretion or eliminating pretextual stops.<sup>38</sup> An effective COA in this space should have the authority to recommend discipline, up to and including decertification, as discussed more fully in section II, below.

## **(3) *Timely and Adequate Access to Records and Facilities***

One of the most important components of effective oversight is the ability of the COA to access law enforcement records and facilities,<sup>39</sup> including access to complaints alleging racial or identity profiling, as this evidence could establish whether an officer has a practice of engaging in profiling or biased conduct. An effective COA has access to law enforcement records

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<sup>33</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 12; see also De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 36.

<sup>34</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at pp. 36-37; Vitoroulis, *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 12.

<sup>35</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, fn. X at p. 38; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 12.

<sup>36</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. X. Most of the civilian oversight agencies submitting data to NACOLE indicated that they have jurisdiction in relation to citizen complaints. A majority stated that they always or sometimes have jurisdiction in relation to officer-involved shootings, serious force, and in-custody deaths.

<sup>37</sup> Schaible, *Impediments and Challenges to Civilian Oversight of Law Enforcement*, *supra*, note X, at pp. 6-7.

<sup>38</sup> More information on these policy reform proposals can be found in the Policies section of this year's report.

<sup>39</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 39 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 13.

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(including officer discipline records), facilities (such as detention facilities or testing facilities), and all available evidence (including body-worn camera footage) and uses those records to make factual determinations and resolve allegations of misconduct.<sup>40</sup>

In the context of RIPA, access to the records, facilities, and evidence underpinning allegations of biased policing is necessary for COAs to properly assess whether racial and identity profiling occurred. If the COA can demonstrate similar past allegations against the same officers, or even statistical data that indicates identity group disparities in policing by the same officers, a COA can identify a common pattern or practice of impermissible racial or identity profiling and can effectively recommend discipline or policy reforms that promote the elimination of such profiling.

#### **(4) Full Cooperation of the Law Enforcement Agency**

Cooperation between COAs and LEAs is necessary for the COA to conduct thorough investigations and obtain sufficient information to carry out its work.<sup>41</sup> COAs may attempt to achieve voluntary cooperation by developing a working relationship with the law enforcement agency they oversee, or jurisdictions may build requirements for cooperation into the COA's enabling ordinance, charter, or statute.<sup>42</sup>

A COA dedicated to the elimination of racial and identity profiling requires the full cooperation of the law enforcement agency to which it makes discipline and policy recommendations, particularly where the COA may be critical of an LEA's approach to addressing racial and identity group disparities in its policing practices. A collaborative relationship is necessary for an effective COA because it increases the likelihood that the LEA voluntarily implements the recommended actions, without the need for public pressure or other external motivators.

#### **(5) Sustained Stakeholder Support**

Sustained and meaningful support from key stakeholders is another important component of effective civilian oversight.<sup>43</sup> If not supportive, government officials and office holders can undermine and reduce the effectiveness of civilian oversight in a variety of ways, including by failing to provide the COA with adequate resources or authority or by appointing ineffective managers or board members to the COA.<sup>44</sup>

In the context of RIPA, a COA's sustained and meaningful support from key stakeholders is vital to its effectiveness and capability to resolve complaints. With this sustained support, a COA can better weather institutional and external challenges. Such sustained support is necessary to avoid

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<sup>40</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 39 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 13.

<sup>41</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, at note X, at p. X.

<sup>42</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) p. 39 <<https://tinyurl.com/466spbnv>> [as of XX, 2025].

<sup>43</sup> <sup>43</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) pp. 40-41 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 13.

<sup>44</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, NACOLE (Sept. 2016) pp. 40-41 <<https://tinyurl.com/466spbnv>> [as of XX, 2025]; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 13.

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impairing or delaying the COA's ongoing capacity to audit, investigate, or review investigations or policing trends that implicate identify group profiling.

#### **(6) Adequate Funding and Operational Resources**

Although no studies have specifically measured the impact that various budgets and staffing have on the effectiveness of oversight,<sup>45</sup> a COA's resources, including adequate budget and staffing, is considered one of the most critical indicators of effectiveness.<sup>46</sup> If the COA is well-funded, it is more likely to achieve the goals set out for effective oversight. A COA that is professionally staffed by dedicated employees who have the time and expertise to support the work of the COA is also more likely to be effective.<sup>47</sup>

An oversight body tasked with eliminating racial and identity profiling cannot succeed without a budget and staff proportional to its responsibilities. In the context of RIPA, under-resourced COAs are unable to conduct timely investigations, perform the systemic reviews of department-wide practices, and sustain the public reporting and community outreach necessary to build trust.

#### **(7) Policy and Patterns in Practice Analysis**

Analyzing and reporting on law enforcement policies, patterns, and practices in relation to complaint handling processes and outcomes is another critical function of effective oversight to identify inequities, areas for improvement, and to ensure compliance with legal and ethical standards.

An oversight body tasked with eliminating racial and identity profiling should avail itself of systematic, comprehensive, and objective data—including RIPA stop and complaint data—to identify disparities, look for patterns by specific officers, investigate biased policing allegations, develop policies and practices intended to improve those outcomes, and to otherwise measure their own efficiency in reducing racial and group profiling over time.

#### **(8) Confidentiality, Anonymity, and Protection from Retaliation**

For civilian oversight to be effective, COAs must ensure confidentiality, anonymity, and protection from retaliation for complainants and others who share sensitive information.<sup>48</sup> A fear of retaliation can have a chilling effect on those interested in disclosing misconduct or participating in an investigation.<sup>49</sup>

In the context of RIPA, a COA's capacity to ensure confidentiality, anonymity, and protection from retaliation for complainants and others who share sensitive information is pivotal to ensure that persons come forward as victims or witnesses of biased policing. This may also protect officers who wish to report misconduct committed by a colleague, and which would otherwise go undetected.

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<sup>45</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 41.

<sup>46</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at pp. 41-42; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 14.

<sup>47</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at pp. 41-42; Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 14.

<sup>48</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 15; see also De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, *supra*, note X, at p. 44.

<sup>49</sup> See Vitoroulis et al., *The Evolution & Growth of Civilian Oversight*, *supra*, note X, at p. 15.

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### 3. Types of COAs

Although there is a high amount of variation in the structure and authority of civilian oversight agencies in the United States,<sup>50</sup> researchers have classified civilian oversight into three primary models based on their core agency functions: Investigative, Monitor/Audit, and Review. Some COAs may be a hybrid of these three models. This section analyzes the strengths and limitations of each model, as well as their potential to eliminate racial and identity disparities in law enforcement outcomes.

#### a. Investigative Model

Investigative COAs generally operate separately from law enforcement.<sup>51</sup> Although the structure, resources, and authority of investigative COAs may vary, these COAs have the ability to conduct investigations of alleged misconduct by officers independently of the LEA's internal affairs unit or replace the functions of the LEA's internal affairs unit.<sup>52</sup> Investigative COAs may also have the authority to serve as the intake point for public complaints against officers; review and classify civilian complaints; subpoena documents and witnesses; conduct independent interviews of complainants, officers, and witnesses; and issue findings to LEAs.<sup>53</sup> They may have the authority to recommend and/or impose discipline of officers and generally have greater access to law enforcement records and databases.<sup>54</sup>

Investigative COAs also generally have a more substantial budgetary authority and are usually the most expensive and organizationally complex. They generally employ professionally trained investigative staff, and some investigative COAs also have a volunteer board or commission.<sup>55</sup>

#### (1) Potential Key Strengths

Investigative COAs with trained staff can complete thorough and impartial investigations and are the most independent forms of oversight.<sup>56</sup> Investigative COAs also tend to have greater resources and larger staff than other types of oversight, and their investigative staff are likely to have had highly specialized training.<sup>57</sup>

Investigation-focused models also have the ability to increase public faith in the integrity of the investigation process.<sup>58</sup> Most investigation-focused COAs utilize civilian staff to conduct fact-finding investigations and operate a multi-member community board that may hold hearings,

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<sup>50</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, supra, note X, at pp. 22-23.

<sup>51</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, supra, note X, at p. 24.

<sup>52</sup> NACOLE, Models of Civilian Oversight of Law Enforcement <[https://www.nacole.org/models\\_of\\_oversight](https://www.nacole.org/models_of_oversight)> [as of XX, 2025]; De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, supra, note X, at p. 24; Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field & Effective Oversight*, supra, note X, at p. 19.

<sup>53</sup> De Angelis et al., *Civilian Oversight of Law Enforcement: Assessing the Evidence*, supra, note X, at p. 25.

<sup>54</sup> Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field & Effective Oversight*, supra, note X, at p. 20.

<sup>55</sup> NACOLE, Models of Civilian Oversight of Law Enforcement, supra, note X; De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X; Vitoroulis et al., *Civilian Oversight of Law Enforcement: Report on the State of the Field & Effective Oversight*, supra, note X, at p. 20.

<sup>56</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 25.

<sup>57</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 25.

<sup>58</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 25.

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issue findings and/or make recommendations to the LEA.<sup>59</sup> As a result, this model may reassure a community that investigations are unbiased and thorough and that civilian perspectives are represented both within the complaint investigation process and upon review of completed investigations.<sup>60</sup>

## **(2) Potential Key Limitations**

Investigative COAs are more organizationally complex and expensive than other forms of oversight.<sup>61</sup> They require significant resources to conduct timely and thorough investigations, including more professionally trained staff.<sup>62</sup> However, as discussed above, the available resources of a COA is considered one of the most important potential indicators of effectiveness, and the higher cost of the investigative COA can be mitigated by the reduction in personnel needed to conduct internal LEA investigations.<sup>63</sup>

Another potential limitation is that investigative COAs may face strong resistance from law enforcement personnel and police unions.<sup>64</sup> Some researchers have also argued that, while the public may have confidence in the full investigative model initially, the public may become disillusioned over time if community expectations for reform are not met.<sup>65</sup>

## **(3) Investigative Model's Correlation with the Reduction of Racial and Identity Disparities in Law Enforcement**

A 2019 study examined the impact of COAs on disparities in policing outcomes for Black and white individuals using survey data from a sample of 88 municipal-level COAs in the United States.<sup>66</sup> The study analyzed four factors that drive institutional change and outcomes: (1) the COA's scope of authority; (2) the degree of discretion afforded by existing institutions to an officer in disorderly conduct arrests (where law enforcement officers have a high degree of discretion in whether to act and make an arrest) and police homicides of citizens (where law enforcement officers have a very low amount of discretion in whether to act); (3) the extent to which "citizen voice" and "teeth" reinforce each other (in other words, a COA's ability to apply negative sanctions and recommend policy change); and (4) the governance of the COA.<sup>67</sup>

The results indicate that the broader the scope of authority of the COA, and the broader the officers' discretion to interpret rules, the greater the likelihood of change in institutional outcomes.<sup>68</sup> Specifically, the study found that investigative COAs have a statistically significant impact on reducing racial disparity in disorderly conduct arrest rates and police homicide of

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<sup>59</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 25.

<sup>60</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 25.

<sup>61</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence* supra, note X, at pp. 25-26.

<sup>62</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at pp. 25-26.

<sup>63</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at pp. 25-26.

<sup>64</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 26.

<sup>65</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, supra, note X, at p. 26.

<sup>66</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police* (November 17, 2019), supra, note X, at p. 414.

<sup>67</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police* (November 17, 2019), supra, note X, at p. 414.

<sup>68</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, supra, note X, at p. 414.

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civilians.<sup>69</sup> Investigative COAs were found to reduce racial disparity in police homicide of citizens by around 6 percent per year.<sup>70</sup>

The study also found that COAs with the authority to classify the nature of a citizen-initiated complaint, conduct investigations of citizen complaints independent of the police agency, recommend/issue investigation findings to the police, recommend discipline to officers it found guilty of misconduct, and have paid, full-time staff—in other words, investigative COAs—were also well-resourced, with a median budget of about \$1 million, a median full-time staff of 9 (as opposed to a median budget of \$112,500 and 4 full-time staff for the sample overall).<sup>71</sup> This suggests that institutional outcomes are more likely to change when institutions afford COAs broad discretion and adequate resources to hold LEAs accountable.<sup>72</sup>

Investigative COAs are also associated with a reduction in the violent crime rate and line-of-duty homicides of police officers.<sup>73</sup> The effect on line-of-duty police homicides is plausibly achieved due to such agencies' effect on citizen perceptions of procedural and distributive justice during police encounters, which in turn increases police legitimacy, and thus decreases aggression towards police.<sup>74</sup>

## **b. Auditor/Monitor Model**

Auditor and/or monitor COAs tend to focus on promoting large-scale systemic reform of LEAs by conducting systematic reviews of LEA policies, practices, or training, and making recommendations for improvement.<sup>75</sup> These COAs are sometimes referred to as inspectors general or police monitors.<sup>76</sup>

Auditor/monitor COAs are generally authorized to audit, monitor, investigate, and review a wide range of law enforcement policies, practices, and procedures, including the LEA's complaint investigation process.<sup>77</sup> Rather than focusing on reviewing or investigating individual complaints, they review broad patterns in complaints and focus on examining broad patterns in complaint investigations, including patterns in the quality of investigations, findings, and discipline.<sup>78</sup> Some auditor/monitor COAs may actively participate in or monitor open internal investigations.<sup>79</sup>

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<sup>69</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 31- 39.

<sup>70</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 31-39.

<sup>71</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 34.

<sup>72</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 34.

<sup>73</sup> Ali and Nicholson-Crotty, *Examining the Accountability-Performance Link: The Case of Citizen Oversight of Police*, Public Performance & Management Review, 44(3) (2020) <<https://doi.org/10.1080/15309576.2020.1806086>> [as of XX, 2025].

<sup>74</sup> Ali and Nicholson-Crotty, *Examining the Accountability-Performance Link: The Case of Citizen Oversight of Police*, *supra*, note X at p. X.

<sup>75</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, p. 30.

<sup>76</sup> NACOLE, *Models of Civilian Oversight of Law Enforcement*, *supra*, note X; De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 29.

<sup>77</sup> NACOLE, *Civilian Oversight of Law Enforcement, Accessing the Evidence*, p. .

<sup>78</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at pp. 30-31.

<sup>79</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 30.

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## (1) Potential Key Strengths

Given their focus on organizational reform, auditor/monitor COAs often have more robust reporting practices than other types of oversight.<sup>80</sup> Since they tend to focus on reviewing patterns in complaints, they may also have more access to LEA records, case files and electronic databases than review-focused COAs.<sup>81</sup>

They may be more effective at promoting long-term, systemic change in police departments because they can focus on broader trends and patterns in complaints and make public recommendations for how the LEA can improve.<sup>82</sup> They also have the ability to track whether LEAs have implemented their recommendations and whether those recommendations have resulted in organizational improvement over time.<sup>83</sup>

Auditor/monitor COAs are also often less expensive than full investigative COAs, but more expensive than review-focused COAs.<sup>84</sup>

## (2) Potential Key Limitations

Because auditor/monitor COAs focus on examining broad patterns in complaints rather than individual complaints, those who want discipline to be imposed in specific cases of officer misconduct may oppose this model of civilian oversight.<sup>85</sup> Additionally, to achieve long-term reform, an auditor/monitor COA may reach compromises on individual cases with LEA officials to ensure a long-term relationship is developed between agencies.<sup>86</sup> In some cases, an auditor/monitor COA may choose to allow the LEA executive to take credit for the reform initiative to maintain long term relationships with LEA leadership.<sup>87</sup> While these actions may support positive reform, there may be a lack of understanding by the community as to the effectiveness of the oversight.<sup>88</sup>

Like other models of oversight, auditor/monitor COAs can only make recommendations but cannot require LEAs to make changes.<sup>89</sup> However, in cases where an LEA does not implement the COA's recommendations, the auditor/monitor COA can use its public reporting function to inform the public and policy makers about the LEA's decision.<sup>90</sup>

Another potential limitation of auditor/monitor models is that conducting broad, systematic policy evaluations requires significant expertise and their effectiveness is dependent on the quality of staff hired to do the work.<sup>91</sup>

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<sup>80</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 30.

<sup>81</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 30.

<sup>82</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 31.

<sup>83</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 31.

<sup>84</sup> NACOLE, *Models of Civilian Oversight of Law Enforcement*, *supra*, note X.

<sup>85</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 31.

<sup>86</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 31.

<sup>87</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 31.

<sup>88</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 31.

<sup>89</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 32.

<sup>90</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 32.

<sup>91</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Accessing the Evidence*, *supra*, note X, at p. 32.

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### (3) Auditor/Monitor Model's Correlation with the Reduction of Racial and Identity Disparities in Law Enforcement

The 2019 study referenced in Section XX above found that monitoring COAs were associated with a reduction in racial disparities in disorderly conduct arrest rates, a “high discretion” event (i.e., an event where an officer has a great deal of discretion in whether to act or not, in turn creating situations where an officer’s unconscious prejudices can disproportionately influence their decisions).<sup>92</sup> <sup>93</sup> In contrast, monitoring-focused COAs, unlike the investigative COAs, did not reduce racial disparities in police homicides of civilians, a “low discretion” event.<sup>94</sup> However, the audit/monitor models’ correlation with a decrease in racial disparities in high discretion interactions remains highly impactful given the volume of high discretion interactions that the law enforcement has with the public.

#### c. Review Model

Review-focused COAs are the most common type of COAs in the United States.<sup>95</sup> The review model often focus on reviewing the quality of the LEA’s internal investigations.<sup>96</sup> These COAs provide community members outside of and unaffiliated with the law enforcement agency an opportunity to review the quality of misconduct investigations performed by the LEA.<sup>97</sup> These COAs may make recommendations to law enforcement executives regarding findings or request that further investigation be conducted.<sup>98</sup> They are commonly headed by a review board composed of citizen volunteers, and they often hold public meetings to collect community input and facilitate law enforcement-community communication.<sup>99</sup>

#### (1) Potential Key Strengths

Review-focused COAs have a number of key strengths, including ensuring that the community has the ability to provide input into the complaint investigation process.<sup>100</sup> Community review of

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<sup>92</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 3.

<sup>93</sup> Social and Personality Psychology Compass 10/1 (2016), Implicit Bias and Policing Katherine B. Spencer<sup>1</sup>, Amanda K. Charbonneau<sup>2</sup> and Jack Glaser  
<https://gspp.berkeley.edu/assets/uploads/research/pdf/SpencerCharbonneauGlaser.Compass.2016.pdf>

<sup>94</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 31. In contrast to the high discretion event of disorderly conduct, police homicides of civilians are “low discretion” events, as “police officers’ discretionary authority in using deadly force against citizens is checked by internal and external accountability mechanisms,” including the legal restrictions imposed by cases such as *Tennessee v. Garner* (1985) 471 U.S. 1, which prohibits police officers from using deadly force against fleeing suspects unless the officer has probable cause to believe that the suspect poses a significant threat of death or physical injury to the officer or to others. Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police* (Nov. 17, 2019) pp. 14-15 <<https://tinyurl.com/4c9dr3vk>> [as of XX, 2025].

<sup>95</sup> NACOLE, Models of Civilian Oversight of Law Enforcement, *supra*, note X.

<sup>96</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at pp. 27-28.

<sup>97</sup> NACOLE, Models of Civilian Oversight of Law Enforcement, *supra*, note X.

<sup>98</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 27.

<sup>99</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 27-28.

<sup>100</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 28.

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complaint investigations may increase public trust in the complaint process.<sup>101</sup> Review-focused COAs are also generally the least expensive form of civilian oversight since they typically rely on the work of volunteers rather than paid staff members.<sup>102</sup>

## **(2) Potential Key Limitations**

Review-focused COAs tend to have limited authority and few organizational resources.<sup>103</sup> They also typically focus on individual case investigations, so their ability to promote broad systemic organizational changes may be limited.<sup>104</sup> Review board volunteers may have significantly less expertise in law enforcement issues and limited time to perform their work.<sup>105</sup> These COAs may be less independent from other forms of oversight and tend to report to the head of the LEA.<sup>106</sup> Review-focused COAs also tend to have a smaller budget and may be more appropriate for smaller jurisdictions with a small budget.<sup>107</sup>

## **(3) Review Model's Correlation with the Reduction of Racial and Identity Disparities in Law Enforcement**

The 2019 study referenced in Section XX above found that COAs with a board composed of citizens appointed by a municipal district, such as review-focused COAs, reduced the racial disparity in disorderly conduct arrests by around 41 percent (200.28/487.5), relative to the average pretreatment disparity in such arrests.<sup>108</sup> The study found that the governance of COAs likely has major implications in terms of reducing racial disparity in policing outcomes. As previously noted, however, review-focused COAs did not reduce racial disparities in police homicides of citizens to a statistically significant level.<sup>109</sup> This correlation to decreased racial

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<sup>101</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 28.

<sup>102</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at p. X; Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 28-29.

<sup>103</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at p. X; Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 28-29.

<sup>104</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at p. X; Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 29.

<sup>105</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at p. X; Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 28-29.

<sup>106</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at p. X; Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 28-29.

<sup>107</sup> De Angelis et al., *Civilian Oversight of Law Enforcement, Assessing the Evidence*, *supra*, note X, at p. X; Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 28-29.

<sup>108</sup> Ali and Pirog, *Social Accountability, and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 33.

<sup>109</sup> Ali and Pirog, *Social Accountability, and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 31.

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disparities remains significant because of the volume of police and public interactions in that context.

#### **d. Hybrid Model**

COAs are increasingly adopting hybrid forms of oversight that combine the functions of several models.<sup>110</sup> Hybrid COAs may consist of hybrid agencies or hybrid systems. A hybrid agency may primarily focus on one oversight function (such as investigations) while also performing other functions (such as reviewing the LEA's internal investigations and auditing policy compliance).<sup>111</sup> In a hybrid system, a single jurisdiction may have multiple agencies overseeing the same LEA, such as an independent investigative agency and an inspector general.<sup>112</sup>

### **C. Final Takeaways as to the Impacts of COAs on Racial and Identity Profiling and Public Safety**

The core factors of an effective oversight body (discussed above in **Section 2**) gauge success in relation to public safety, public trust, and officer accountability for misconduct, generally. These metrics do not expressly measure whether COAs decrease racial and identity disparities in policing. However, research shows that there is an overlap between the factors that make up effective COAs generally and reductions in racial profiling, and that each COA model reduces racial disparities in high discretion situations, such as disorderly conduct arrests.

#### **1. Overlap Between Core Factors of Effective COAs and Reductions in Racial Profiling**

Recent literature shows there is overlap between the factors that promote effective COAs generally and a reduction in racial and identity disparities. The degree to which a COA reduces racial disparities in policing outcomes depends on its scope of authority, as well as the degree of discretion afforded by existing institutions to police officers. This suggests that robust COAs are correlated with increased public and officer safety *and* a decrease in racial disparities in policing.

#### **2. All COAs Reduce Racial Disparities in High Discretion Events, but More Aggressive COAs Reduce Racial Disparities in Low Discretion Events**

Although it is difficult to quantify and compare the effectiveness of each COA model in general, some research suggests that the existence of any COA, regardless of the model, may help to reduce racial disparities in policing. For example, the 2019 study discussed above found that all COAs, regardless of type, reduce racial disparities in high discretion events, such as disorderly conduct arrests, by around 20.7 arrests per 100,000 adults per year, although only the more robust COAs reduced racial disparities in low discretion events, such as police homicides of citizens.<sup>113</sup>

The study further found that a reduction in the racial disparity of disorderly conduct arrests was observed for each additional year of a COA's existence, regardless of the type of COA that was

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<sup>110</sup> NACOLE, Models of Civilian Oversight, *supra*, note X.

<sup>111</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 9.

<sup>112</sup> Vitoroulis et al., *The Evolution and Growth of Civilian Oversight*, *supra*, note X, at p. 9.

<sup>113</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at pp. 33-34.

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in place (i.e., 20.7 fewer disorderly conduct arrests per 100,000 adults per year).<sup>114</sup> On the other hand, only investigative COAs reduced racial disparity in police homicides of citizens (by 6% per year) for each additional year of existence of the COA.<sup>115</sup> This finding shows that the impact of COAs on the racial disparity in high discretion events (such as disorderly conduct arrests) is broader than the impact on racial disparity in low discretion events (such as police homicides of citizens).

In sum, existing research shows that all COA models contribute to a reduction in racial and identity disparities in interactions where officers have a high degree of discretion, such as disorderly conduct arrests and pretextual stops. As such, COAs in California should look for ways to further reduce racial and identity profiling by law enforcement, including by reducing or eliminating the discretion of officers in these interactions—by, for example, eliminating pretextual stops.<sup>116</sup> Law enforcement agencies and COAs would also benefit from engaging with the RIPA data to assess whether the agency is properly addressing disparities among different populations and to develop systematic reforms that help reduce racial and identity profiling.

## D. Civilian Oversight in California

This section provides an overview of civilian oversight for the fifteen largest LEAs in California. Many of these COAs already have the infrastructure and tools to address racial and identity disparities in their LEA's policing practices. These COAs can further strengthen their existing models by using RIPA data to develop and propose updated policies and practices that can help reduce racial and identity disparities and increase public safety.

### 1. Wave 1 Agencies

Five of the eight Wave 1 LEAs in California have formal, independent COAs. These five COAs use a hybrid of the three primary COA models.<sup>117</sup>

*Table X: Civilian Oversight of Wave 1 Law Enforcement Agencies*

LEA	COA Name	Model	Actions/Authority
Los Angeles Police Department (LAPD)	The Board of Police Commiss-	Hybrid (Auditor/Monitor & Review)	The BOPC sets overall policy for the LAPD, and LAPD's Policy Section assists the BOPC in developing, analyzing, and monitoring the progress of implemented policies. <sup>120</sup>

<sup>114</sup> Ali and Pirog, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 33.

<sup>115</sup> Ali, Mir and Pirog, Maureen, *Social Accountability and Institutional Change: The Case of Citizen Oversight of Police*, *supra*, note X, at p. 31.

<sup>116</sup> For more discussion on how the elimination of pretextual stops provides benefits to public safety, please see the Policies section of this year's report.

<sup>117</sup> For purposes of this report, a COA is only classified as investigative if it conducts independent investigations of civilian complaints or actions of individual peace officers.)

<sup>120</sup> Office of the Executive Director, <https://www.lapdonline.org/police-commission/office-of-the-executive-director/>

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LEA	COA Name	Model	Actions/Authority
	ioners (BOPC) <sup>118</sup> & Office of the Inspector General (LAPD OIG) <sup>119</sup>		<p>The LAPD OIG reports to the BOPC, providing information and analysis regarding LAPD conduct and performance.<sup>121</sup> The LAPD OIG has the authority to:</p> <ul style="list-style-type: none"> <li>• Review/analyze investigations into serious uses of force, including officer-involved shootings, and other uses of force resulting in death/hospitalization.<sup>122</sup></li> <li>• Oversee disciplinary misconduct processes and investigations, and act as intake for complaints against employees.<sup>123</sup></li> <li>• Conduct reviews/audits to ensure compliance with policy/law, identify systemic issues, and recommend corrective actions to the BOPC.<sup>124</sup></li> <li>• Initiate investigations or audits.<sup>125</sup></li> <li>• Access records, facilities, databases, and personnel.<sup>126</sup></li> <li>• Subpoena witnesses.<sup>127</sup></li> <li>• Conduct community outreach.<sup>128</sup></li> </ul>
Los Angeles County Sheriff's Department (LASD)	Sheriff Civilian Oversight Commission <sup>129</sup> (COC) & Office of the Inspector General,	Hybrid (Auditor/Monitor & Review)	<p>The COC has the authority to:</p> <ul style="list-style-type: none"> <li>• Review, analyze, solicit input, and recommend changes to operational policies/procedures<sup>131</sup> and systemic Sheriff-related issues or complaints, including recommendations made by outside entities or in other reports.</li> <li>• Function as a liaison or a mediator for ongoing disputes between LASD and community members.</li> <li>• Obtain community input/feedback on use of force incidents, detention conditions, or other civil rights concerns; convey</li> </ul>

<sup>118</sup> Los Angeles Police Department, Police Commission, <<https://www.lapdonline.org/police-commission/>> [as of XX, 2025].

<sup>119</sup> Office of the Inspector General, Los Angeles Police Commission, <<https://www.oig.lacity.org/>> [as of XX, 2025]

<sup>121</sup> Los Angeles Charter, § 571.

<sup>122</sup> Office of the Inspector General, Los Angeles Police Commission, <<https://www.oig.lacity.org/>> [as of XX, 2025].

<sup>123</sup> LAPD, Office of the Inspector General, <<https://www.lapdonline.org/police-commission/office-of-the-inspector-general/>> [as of XX, 2025]; Office of the Inspector General, Los Angeles Police Commission, <<https://www.oig.lacity.org/>> [as of XX, 2025].

<sup>124</sup> LAPD, Office of the Inspector General, *supra*, note X; Office of the Inspector General, Los Angeles Police Commission, *supra*, note X.

<sup>125</sup> LAPD, Office of the Inspector General, *supra*, note X.

<sup>126</sup> LAPD, Office of the Inspector General, *supra*, note X.

<sup>127</sup> Office of the Inspector General, Los Angeles Police Commission, About Us <<https://www.oig.lacity.org/about-us>> [as of XX, 2025].

<sup>128</sup> LAPD, Office of the Inspector General, *supra*, note X; OIG, Community Relations and Strategic Initiatives Section, <<https://www.oig.lacity.org/about-us>> [as of XX, 2025]., 2025].

<sup>129</sup> Sheriff Civilian Oversight Commission, County of Los Angeles, <<https://coc.lacounty.gov/>> [as of XX, 2025].

<sup>131</sup> LA County Code of Ordinances 3.79.030.

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LEA	COA Name	Model	Actions/Authority
	County of Los Angeles (LASD OIG) <sup>130</sup>		<p>community complaints, concerns or positive feedback to LASD and the Board of Supervisors.</p> <ul style="list-style-type: none"> <li>Advise the Sheriff and the Board of Supervisors.</li> <li>Direct LASD OIG to issue subpoenas on COC's behalf.<sup>132</sup></li> </ul> <p>The COC has no authority to manage/operate LASD or its employees, and cannot impose discipline.</p> <p>The LASD OIG serves as the investigative arm of COC and Probation Oversight Commission (POC). The LASD OIG has authority to:</p> <ul style="list-style-type: none"> <li>Access all LASD information, documents, materials, facilities, and meetings, reviews and other proceedings.</li> <li>Monitor complaints related to operations, conditions of confinement, and conduct of contractors/employees.<sup>133</sup></li> <li>Monitor compliance with civil rights laws, and review health information to determine compliance.</li> <li>Review use-of-force patterns, trends and statistics; investigations of force incidents and allegations of misconduct; and disciplinary decisions.<sup>134</sup></li> <li>Review the quality of internal audits and inspections and conducts its own audits and inspections.<sup>135</sup></li> <li>Regularly communicate with the public, the Board of Supervisors, the COC and the POC, and the LASD and Probation Department regarding OIG findings.<sup>136</sup></li> <li>Subpoena records, information, or testimony.<sup>137</sup></li> <li>Conduct an inquiry, audit, or monitoring, on its own or per the request of the Board of Supervisors, the COC or POC, the Sheriff, or the Chief Probation Officer.<sup>138</sup></li> <li>Investigate matters involving LASD, its employees, or others regarding matters within the authority of the COC or POC under certain specified conditions.<sup>139</sup></li> </ul>

<sup>130</sup> Office of the Inspector General, Los Angeles Police Commission, <<https://www.oig.lacity.org/>> [as of XX, 2025]

<sup>132</sup> Los Angeles County Code, § 3.79.032.

<sup>133</sup> Los Angeles County Code, § 6.44.190.

<sup>134</sup> Los Angeles County Code § 6.44.190.

<sup>135</sup> Los Angeles County Ordinance 6.44.190

<sup>136</sup> Los Angeles County Code § 6.44.190.

<sup>137</sup> Los Angeles County Code § 6.44.190.

<sup>138</sup> Los Angeles County Code § 6.44.190.

<sup>139</sup> Los Angeles County Code, § 6.44.190.

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LEA	COA Name	Model	Actions/Authority
San Diego Police Department (SDPD)	Commission on Police Practices (CPP) <sup>140</sup>	Hybrid (Investigative, Auditor/Monitor, & Review)	<p>The CPP is required to take the following actions:</p> <ul style="list-style-type: none"> <li>Independently investigate all custody deaths; deaths resulting from officer interaction, and all City police officer-related shootings, and make findings.<sup>141</sup></li> <li>Receive and evaluate all complaints, except where the complainant requests that the Commission not investigate, or where there is no specified allegation/officer.<sup>142</sup></li> <li>Review and evaluate all findings/conclusions arising from an SDPD investigation of misconduct, including disciplinary decisions proposed following sustained findings, and provide advisory recommendations.<sup>143</sup></li> </ul> <p>The CPP also has the authority to:</p> <ul style="list-style-type: none"> <li>Investigate/evaluate complaints that do not involve custody deaths, deaths resulting from officer interaction, or officer-related shootings.<sup>144</sup></li> <li>Review and evaluated allegations of inappropriate sexual conduct, physical assault, or domestic violence by an officer.<sup>145</sup></li> <li>Review and evaluate administration of discipline arising from other matters not involving alleged misconduct, and provide advisory recommendations.<sup>146</sup></li> <li>Review and evaluate compliance with federal, state, and local reporting laws and requirements.<sup>147</sup></li> <li>Review and evaluate the policies, procedures, practices, and actions of the SDPD.<sup>148</sup></li> <li>Subpoena witnesses and documents.<sup>149</sup></li> </ul>
San Diego County Sheriff's	Citizens Law Enforcement Review	Hybrid (Investigative & Auditor/Monitor)	<p>CLERB has the authority to:</p> <ul style="list-style-type: none"> <li>Receive and investigate citizen complaints regarding peace officer conduct while employed by the SDSD or the Probation Department.<sup>151</sup> Applies even if no complaint is filed.<sup>152</sup></li> </ul>

<sup>140</sup> The City of San Diego, Commission on Police Practices <<https://www.sandiego.gov/cpp>> [as of XX, 2025]

<sup>141</sup> San Diego Mun. Code, § 26.1107, subd. (a)(2).

<sup>142</sup> San Diego Mun. Code, § 26.1107, subd. (a)(4)

<sup>143</sup> San Diego Mun. Code, § 26.1107, subd. (a)(6)

<sup>144</sup> San Diego Mun. Code, § 26.1107, subd. (a)(3).

<sup>145</sup> San Diego Mun. Code, § 26.1107, subd. (a)(3)

<sup>146</sup> San Diego Mun. Code, § 26.1107, subd. (a)(7).

<sup>147</sup> San Diego Mun. Code, § 26.1107, subd. (a)(8).

<sup>148</sup> San Diego Mun. Code, § 26.1107, subd. (a)(9).

<sup>149</sup> San Diego Mun. Code § 26.1110.

<sup>151</sup> Citizens Law Enforcement Review Board, About, <https://www.sandiegocounty.gov/content/sdc/clerb/about/> [as of XX, 2025].

<sup>152</sup> San Diego County Code, § 340.

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LEA	COA Name	Model	Actions/Authority
Department (SDSD)	Board (CLERB) <sup>150</sup>		<ul style="list-style-type: none"> <li>Investigate all incidents involving the discharge of a firearm, use of force resulting in great bodily injury, and the use of force at protests or other events.<sup>153</sup></li> <li>Subpoena witnesses and documents.<sup>154</sup></li> <li>Make advisory findings on complaints and recommend discipline.</li> <li>Make recommendations on policies and procedures of the SDSD and the Probation Department.<sup>155</sup></li> <li>Publish summary and statistical reports and provide “early warning reports” to the Sheriff and Chief Probation Officer.<sup>156</sup></li> </ul> <p>CLERB does not have the authority to decide policies or impose discipline against officers or employees of the SDSD or the Probation Department.<sup>157</sup></p>
San Francisco Police Department (SFPD)	San Francisco Police Commission (Police Commission) <sup>158</sup> & Department of Police Accountability (DPA) <sup>159</sup>	Hybrid (Investigative, Auditor/Monitor, & Review)	<p>The Police Commission oversees the SFPD and the DPA.<sup>160</sup></p> <p>The Police Commission has the authority to:</p> <ul style="list-style-type: none"> <li>Set policy for the SFPD.<sup>161</sup></li> <li>Conduct disciplinary hearings on police misconduct charges filed by the Chief of police or DPA Director.</li> <li>Impose discipline.</li> <li>Hear officers’ appeals from discipline imposed.</li> <li>Assess the performance of the Chief of Police; may remove the Chief by majority vote.</li> </ul> <p>The DPA has the authority to:</p>

<sup>150</sup> Citizens Law Enforcement Review Board <<https://www.sandiegocounty.gov/content/sdc/clerb.html>> [as of XX, 2025].

<sup>153</sup> San Diego County Code, § 340.9, subd. (b).

<sup>154</sup> San Diego County Code, § 340.11.

<sup>155</sup> San Diego County Code, § 340.9, subd. (g).

<sup>156</sup> Citizens Law Enforcement Review Board, About, <<https://www.sandiegocounty.gov/content/sdc/clerb/about/>> [as of XX, 2025].

<sup>157</sup> San Diego County Code, § 340.

<sup>158</sup> SF.gov, Police Commission <<https://www.sf.gov/departments--police-commission>> [as of XX, 2025].

<sup>159</sup> SF.gov, Department of Police Accountability <<https://www.sf.gov/departments--department-police-accountability>> [as of XX, 2025].

<sup>160</sup> SF.gov, About the Police Commission, <<https://www.sf.gov/departments--police-commission--about>> [as of XX, 2025].

<sup>161</sup> SF.gov, About the Police Commission, <<https://www.sf.gov/departments--police-commission--about>> [as of XX, 2025].

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LEA	COA Name	Model	Actions/Authority
			<ul style="list-style-type: none"> <li>Investigate all complaints about police misconduct involving one or more sworn members regarding on-duty actions.<sup>162</sup></li> <li>Investigate officer-involved shootings.<sup>163</sup></li> <li>Audit use of force and handling of police misconduct.<sup>164</sup></li> <li>Conduct performance audits/reviews to check whether SFPD has followed all laws, ordinance, and policies.<sup>165</sup></li> <li>Make policy recommendations to the SFPD and the Police Commission.<sup>166</sup></li> <li>Mediate cases involving Conduct Unbecoming an Officer, Unwarranted Action, and Neglect of Duty.<sup>167</sup></li> <li>Conduct public outreach.<sup>168</sup></li> </ul>
San Bernardino County Sheriff's Department	No formal, independent COA		
Riverside County Sheriff's Department	No formal, independent COA		
California Highway Patrol	No formal, independent COA		

## 2. Wave 2 Agencies

All of the Wave 2 law enforcement agencies have COAs, which can be categorized as the Review Model, Audit/Monitor Model, or a hybrid of these. No Wave 2 COAs employ the Investigative Model.

<sup>162</sup> Investigation Division, <<https://www.sf.gov/departments--department-police-accountability--investigation-division>> [as of XX, 2025].

<sup>163</sup> Department of Police Accountability, <<https://www.sf.gov/departments--department-police-accountability>> [as of XX, 2025].

<sup>164</sup> Audit Division, <<https://www.sf.gov/departments--department-police-accountability--audit-division>> [as of XX, 2025].

<sup>165</sup> Audit Division, <<https://www.sf.gov/departments--department-police-accountability--audit-division>> [as of XX, 2025].

<sup>166</sup> Policy Division, <<https://www.sf.gov/departments--department-police-accountability--policy-division>> [as of XX, 2025].

<sup>167</sup> Mediation Division, <<https://www.sf.gov/departments--department-police-accountability--mediation-division>> [as of XX, 2025].

<sup>168</sup> Outreach Division, <<https://www.sf.gov/departments--department-police-accountability--outreach-division>> [as of XX, 2025].

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Table X: Civilian Oversight of Wave 2 Law Enforcement Agencies

LEA	COA Name	Model	Actions/Authority
Orange County Sheriff Department	Orange County Office of Independent Review (OC OIR) <sup>169</sup>	Review / Noncommission	<p>The OC OIR<sup>170</sup> is authorized to investigate and review:</p> <ul style="list-style-type: none"> <li>• Uses of force, including deadly force and/or force reasonably likely to result in death or serious bodily injury;</li> <li>• In-custody deaths/serious bodily injuries;</li> <li>• Deaths/serious bodily injuries in which the person harmed has had official contact with relevant County Departments;</li> <li>• Misconduct directed to review by Board of Supervisors, Executive Director, and the County Department head; and</li> <li>• Any of the following citizen complaints: <ul style="list-style-type: none"> <li>○ Excessive force;</li> <li>○ Discrimination, disparate treatment, or verbal slurs based on race, ethnicity, religious affiliation or belief, national origin, political affiliation, gender, disability or sexual orientation;</li> <li>○ Sexual harassment;</li> <li>○ Improper use of firearms, other weapons, or force;</li> <li>○ Falsification of government documents or reports;</li> <li>○ Interference/obstruction/influence over any investigation in a manner that inhibits or compromises the impartial search for truth;</li> <li>○ Making false or misleading statements;</li> <li>○ Use of illicit drugs;</li> <li>○ Using an official position for personal or financial gain;</li> <li>○ Bringing contraband to inmates or others in custody; or</li> <li>○ Criminal conduct.</li> </ul> </li> </ul> <p>The OC OIR is not authorized to:</p> <ul style="list-style-type: none"> <li>• Subpoena documents or witnesses.</li> <li>• Disclose information from inquiries, except as provided or as otherwise ordered by a court.</li> <li>• Make any report concerning any complaint to any individual or body other than to the County Board of Supervisors or the relevant County Department head.</li> <li>• Affect the wages, hours, or working conditions of any union employee represented by a union.<sup>171</sup></li> </ul>

<sup>169</sup> Orange County Office of Independent Review, Welcome to the Office of Independent Review <<https://oir.ocgov.com/>> [as of XX, 2025].

<sup>170</sup> Orange County Office of Independent Review, Mission <<https://oir.ocgov.com/about-oir/mission>> [as of XX, 2025].

<sup>171</sup> Ord. No. 08-004, § 1, 2-26-08; Ord. No. 15-022, § 2, 12-15-15.

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LEA	COA Name	Model	Actions/Authority
Sacramento County Sheriff's Office	Sacramento Sheriff Community Review Commission (SCRC) <sup>172</sup>	Review / Commission	<p>The SCRC's powers and duties are as follows:</p> <ul style="list-style-type: none"> <li>• Work with the OIG to develop an annual review to the Board of Supervisors concerning complaints related to Sheriff operations, policies and procedures. When appropriate, provide an independent report to the Board of Supervisors;</li> <li>• Review, analyze and, where appropriate, solicit community input, to make and monitor recommendations to the OIG on the Sheriff's Office operational policies and procedures that affect the community;</li> <li>• Review policy recommendations made by outside entities merit its analysis and report to the OIG whether or not the recommendation(s) should be implemented by the Board of Supervisors or the Sheriff or, if the recommendation(s) is being implemented, the status of implementation. The Commission's reports shall contain an analysis supporting its recommendations and shall seek the input of the OIG before publishing its reports;</li> <li>• Obtain community input regarding specific incidents involving the use of force, detention conditions, or other civil rights concerns regarding the Sheriff's Office, convey to the OIG community complaints, feedback received by the Commission, and where appropriate, make recommendations;</li> <li>• Function as a bridge between the OIG and the community by providing the community an additional means of giving input to the OIG, bringing an additional perspective to the OIG's decision-making to ensure an ongoing balance between the sometimes competing factors of ensuring public safety and constitutional, civil and human rights, and communicating community concerns to the OIG that otherwise might not be as clear or might go unnoticed;</li> <li>• Following the affirmative vote of two-thirds (2/3) of those Commission members present and in compliance with these Rules, the Chair of the Commission may issue a subpoena or subpoena duces tecum in accordance with Sections 1985 to 1985.4, inclusive, of the Code of Civil Procedure whenever the Commission deems it necessary or important to examine the following: <ul style="list-style-type: none"> <li>○ Any person as a witness upon any subject matter within the jurisdiction of the Commission.</li> </ul> </li> </ul>

<sup>172</sup> Sacramento County, Sheriff Community Review Commission  
<https://sccob.saccounty.gov/Pages/SheriffCommunityReviewCommission.aspx> [as of XX, 2025].

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LEA	COA Name	Model	Actions/Authority
			<ul style="list-style-type: none"> <li>○ Any officer of the County in relation to the discharge of their official duties on behalf of the Sheriff's Office upon any subject matter within the jurisdiction of the Commission.</li> <li>○ Any books, papers, or documents in the possession of or under the control of a person or officer relating to the affairs of the Sheriff's Office upon any subject matter within the jurisdiction of the Commission. A subpoena shall be served in accordance with Sections 1987 and 1988 of the Code of Civil Procedure. If a witness fails to attend, or in the case of a subpoena duces tecum, if an item is not produced as set forth therein, the Chair or the Chair authorized deputy issuing the subpoena upon proof of service thereof, may certify the facts to the Sacramento Superior Court. The Chair or the Inspector General shall confer with County Counsel prior to issuing a subpoena.</li> <li>○ Serve in an advisory capacity to the OIG and Board of Supervisors, and without the authority to manage or operate the Sheriff's Office or direct the activities of Sheriff's Office employees, including but not limited to the imposition of discipline.</li> <li>○ Participate on speakers' bureaus on issues relevant to the Commission.</li> <li>○ Other activities consistent with the Commission purpose, at the request of OIG.<sup>173</sup></li> </ul>
San Jose Police Department	San Jose Independent Police Auditor <sup>174</sup>	Audit/Monitor <sup>175</sup>	<ul style="list-style-type: none"> <li>● <b>Review of Internal Investigation Complaints:</b> The auditor shall review police professional standards and conduct unit investigations of complaints against police officers to determine if the investigation was complete, thorough, objective and fair.</li> <li>○ The minimal number of complaints to be reviewed annually are: <ul style="list-style-type: none"> <li>▪ All complaints against police officers which allege excessive or unnecessary force; and</li> <li>▪ No less than twenty percent of all other complaints.</li> </ul> </li> <li>○ The auditor may interview any civilian witnesses in the course of the review of police professional standards and conduct unit investigations.</li> </ul>

<sup>173</sup> Sheriff Community Review Commission Rules and Regulations (amended March 18, 2025) <[https://sccob.saccounty.gov/Documents/CRC/Rules\\_and\\_Regulations.pdf](https://sccob.saccounty.gov/Documents/CRC/Rules_and_Regulations.pdf)> [as of XX, 2025].

<sup>174</sup> City of San Jose, Independent Police Auditor - About <<https://www.sanjoseca.gov/your-government/appointees/independent-police-auditor>> [as of XX, 2025].

<sup>175</sup> City of San Jose, Meet the IPA & Staff <<https://www.sanjoseca.gov/your-government/appointees/independent-police-auditor/establishment-of-the-office/staff-biographies>> [as of XX, 2025].

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LEA	COA Name	Model	Actions/Authority
			<ul style="list-style-type: none"> <li>○ The auditor may attend the police professional standards and conduct unit interview of any witness including, but not limited to, police officers. The auditor shall not directly participate in the questioning of any such witness but may suggest questions to the police professional standards and conduct unit interviewer.</li> <li>○ The auditor shall make a request, in writing, to the police chief for further investigation whenever the auditor concludes that further investigation is warranted. Unless the police auditor receives a satisfactory written response from the police chief, the police auditor shall make a request, in writing, for further investigation to the city manager.</li> <li>● <b>Review of Officer-Involved Shootings:</b> The auditor shall participate in the police department's review of officer involved shootings.</li> <li>● <b>Community Function:</b> <ul style="list-style-type: none"> <li>○ Any person may, at his or her election, file a complaint against any member of the police department with the independent auditor for investigation by the police professional standards and conduct unit.</li> <li>○ The independent auditor shall provide timely updates on the progress of police professional standards and conduct unit investigations to any complainant who so requests.</li> </ul> </li> <li>● <b>Reporting Function:</b> The auditor shall file annual public reports with the city clerk for transmittal to the city council which shall: <ul style="list-style-type: none"> <li>○ Include a statistical analysis, documenting the number of complaints by category, the number of complaints sustained and the actions taken.</li> <li>○ Analyze trends and patterns.</li> <li>○ Make recommendations.</li> </ul> </li> <li>● <b>Confidentiality:</b> The auditor shall comply with all state laws requiring the confidentiality of police department records and information as well as the privacy rights of all individuals involved in the process. No report to the city council shall contain the name of any individual police officer. (Ords. 25213, 25274, 25922.)<sup>176</sup></li> </ul>

<sup>176</sup> City of San Jose, City Charter <<https://www.sanjoseca.gov/your-government/appointees/independent-police-auditor/establishment-of-the-office/charter>> [as of XX, 2025].

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LEA	COA Name	Model	Actions/Authority
Fresno Police Department	Fresno Commission for Police Reform <sup>177</sup>	Review	<p>Power and Duties:</p> <ul style="list-style-type: none"> <li>• Establish Subcommittees to research and advise on the implementation of one or more reform practices, procedures, and/or policies, and collectively develop a comprehensive model of community safety (“model”).</li> <li>• Give input and advice on the model and reform recommendations drafted by the Subcommittees.</li> <li>• Provide robust methods for resident engagement that ensure meaningful access for all Fresno residents regardless of race, ethnicity, spoken language, gender, income level, disability status, familial status.</li> <li>• Create a final recommended community safety model with budget and present findings to the Executive Committee and public.<sup>179</sup></li> </ul>
	Fresno Office of Independent Review (OIR) <sup>178</sup>	Audit/Monitor	<p>OIR reviews are always performed after the Police Department completes its internal affairs investigation. OIR reviews will include:</p> <ul style="list-style-type: none"> <li>• Use of force investigations, including officer involved shootings;</li> <li>• Death of any person while in police custody;</li> <li>• Vehicle collisions during pursuits resulting in serious injury or death;</li> <li>• Complaints involving alleged bias relating to gender, race, ethnicity, religion, age, sexual orientation, or disability;</li> <li>• Other collisions during pursuits;</li> <li>• Claims of retaliation against individuals filing complaints against police officers; and</li> <li>• Any other complaint relating to officer or department conduct.</li> </ul> <p>Each review will focus on evaluating the adequacy, thoroughness, quality, and accuracy of the Police Department’s investigation report. The OIR also reviews Police Department Inquiry and Complaint logs, identifies and monitors trends within the Police Department, provides guidance to police officers and police managers when requested; and serves as an informational resource for the community.<sup>180</sup></p>

<sup>177</sup> City of Fresno, Mayor, City Council Announce Members of New Police Reform Commission <<https://www.fresno.gov/news/mayor-city-council-announce-members-of-new-police-reform-commission/>> [as of XX, 2025].

<sup>178</sup> <https://www.fresno.gov/citymanager/office-of-independent-review/>

<sup>179</sup> [https://gvwire.s3.us-west-1.amazonaws.com/wp-content/uploads/2020/07/08225831/Bylaws-\\_-FINAL-Commission-on-Police-Reform-Bylaws-.pdf](https://gvwire.s3.us-west-1.amazonaws.com/wp-content/uploads/2020/07/08225831/Bylaws-_-FINAL-Commission-on-Police-Reform-Bylaws-.pdf)

<sup>180</sup> <https://www.fresno.gov/citymanager/office-of-independent-review/#review-overview>

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LEA	COA Name	Model	Actions/Authority
Long Beach Police Department	Long Beach Office of Police Oversight <sup>181</sup>	Hybrid Audit/Monitor	<p>Core Services of the Police Oversight Director</p> <ul style="list-style-type: none"> <li>• Conduct systemic reviews of LBPd operations, policy, procedures and training, working with the Commission in response to community concerns or other indicators that a matter should be systematically reviewed.</li> <li>• Audit Police Department investigations for timeliness, thoroughness, and quality.</li> <li>• Prepare annual reports and special reports to the Commission and City Council.</li> <li>• Independently investigate complaints against the Chief of Police and command staff upon request of the City Manager.</li> <li>• Independently investigate major uses of force or critical incidents, upon request of the City Manager.</li> <li>• Review Police Department operations, policy, procedures, and training and make recommendations on such review.<sup>183</sup></li> </ul>
	Long Beach Police Oversight Commission <sup>182</sup>	Review / Commission	<p>The Commission provides input to the Director based on community feedback and engagement; receives briefings on high-profile incidents; reviews and approves recommendations made by the Director; and provides feedback on annual and special reports that are delivered to City Council.<sup>184</sup></p>
Oakland Police Department	Oakland Office of Inspector General <sup>185</sup>	Hybrid Audit / Monitor	<p>Authority and Jurisdiction</p> <ul style="list-style-type: none"> <li>• In 2020, Measure S1<sup>188</sup> was passed. It established the OIG, tasking it with monitoring the Oakland Police Department's compliance with policies, procedures, and laws, particularly those stemming from the Negotiated Settlement Agreement (NSA).<sup>189</sup></li> </ul> <p>The OIG is responsible for auditing and reviewing the performance of both OPD and CPRA.</p> <ul style="list-style-type: none"> <li>• It conducts regular audits;</li> <li>• Evaluates whether investigations and internal processes meet established standards, and</li> <li>• Identifies areas for improvement.</li> </ul>

<sup>181</sup> <https://www.longbeach.gov/policeoversight/>

<sup>182</sup> <https://www.longbeach.gov/policeoversight/commission/>

<sup>183</sup> <https://www.longbeach.gov/policeoversight/about-us/>

<sup>184</sup> <https://www.longbeach.gov/policeoversight/commission/>

<sup>185</sup> <https://www.oaklandca.gov/Government/Departments/Inspector-General>

<sup>188</sup> <https://www.oaklandca.gov/files/assets/city/v/1/community-police-review-agency-cpra/documents/measure-s1.pdf>

<sup>189</sup> <https://www.oaklandca.gov/Government/Departments/Inspector-General/About-the-OIG>

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LEA	COA Name	Model	Actions/Authority
	<p>Oakland Police Commission<sup>186</sup></p> <p>Oakland Community Police Review Agency (CPRA)<sup>187</sup></p>	<p>Review / Commission</p> <p>Investigative</p>	<ul style="list-style-type: none"> <li>The OIG helps ensure transparency, consistency, and systemic accountability throughout the oversight process.<sup>190</sup></li> </ul> <p>The Oakland Police Commission is a civilian-led body responsible for overseeing the policies, practices, and disciplinary systems of the Oakland Police Department. The Commission has the authority to:</p> <ul style="list-style-type: none"> <li>Review and recommend changes to OPD policies; and</li> <li>Make final disciplinary recommendations when there is a disagreement between the Chief of Police and the investigative agency.<sup>191</sup></li> </ul> <p>The CPRA serves as the independent investigative arm of the Commission.</p> <ul style="list-style-type: none"> <li>It receives and investigates public complaints involving police conduct, including use of force, racial profiling, First Amendment violations, and other potential misconduct.</li> <li>CPRA may recommend disciplinary action and works independently of OPD's internal affairs system.<sup>192</sup></li> </ul>
Sacramento Police Department	Sacramento Office of Public Safety Accountability <sup>193</sup>	Audit / Monitor	<p>The office shall:</p> <ul style="list-style-type: none"> <li>Audit all complaint investigations of the police and fire departments, as the director deems necessary.</li> <li>Monitor all complaint investigations conducted by the police department and fire departments.</li> <li>Request the police and fire departments perform further investigation in those complaint cases that require additional investigation as determined by the director.</li> <li>Receive all documents, reports, or any other item necessary to monitor or audit a complaint investigation.</li> <li>Assist the city council, or any duly appointed committee of the council, in performing its investigative functions under section 34 of the charter.</li> <li>Request the city council, or any duly appointed committee of the council, to issue subpoenas as provided in section 34 of the charter. The city council may, by resolution, establish the</li> </ul>

<sup>186</sup> <https://www.oaklandca.gov/Government/Departments/Community-Police-Review-Agency;>

<https://www.oaklandca.gov/files/assets/city/v/1/community-police-review-agency-cpra/documents/measure-ll.pdf>

<sup>187</sup> <https://www.oaklandca.gov/Government/Departments/Community-Police-Review-Agency;>

<https://www.oaklandca.gov/files/assets/city/v/1/community-police-review-agency-cpra/documents/measure-s1.pdf>

<sup>190</sup> <https://www.oaklandca.gov/Government/Boards-Commissions/Police-Commission>

<sup>191</sup> <https://www.oaklandca.gov/Government/Boards-Commissions/Police-Commission>

<sup>192</sup> <https://www.oaklandca.gov/Government/Boards-Commissions/Police-Commission>

<sup>193</sup> <https://www.cityofsacramento.gov/opsa/oversight>

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LEA	COA Name	Model	Actions/Authority
			<p>procedures for the request, issuance, and service of those subpoenas.</p> <ul style="list-style-type: none"> <li>• Perform such other inquiries and investigations as prescribed by council resolution.</li> <li>• Accept and document complaints directly from citizens as an alternative procedure for citizen complaints concerning public safety personnel, using a complaint form distinct from that used by the police or fire departments. All such complaints shall be promptly forwarded to the respective public safety department for investigation.</li> <li>• Provide complainants with timely updates on the status of investigations, excluding disclosure of any information that is confidential or legally protected.</li> <li>• Explain how the complaint process works to all complainants.</li> <li>• Monitor or independently investigate any other matter as directed by the city council pursuant to section 34 of the charter.</li> <li>• Serve in a public information capacity, including providing public information, excluding disclosure of any information that is confidential or legally protected, on pending investigations as directed by the city council; and making presentations in community forums.</li> <li>• Respond to critical incidents involving police or fire personnel and provide a report to city council regarding the details and concerns of those incidents. (Ord. 2016-0054 § 2)</li> <li>• At a minimum, the director shall prepare quarterly reports consistent with California <a href="#">Penal Code</a> section 832.7(c), relating to the number, kind, and status of all citizen complaints filed against police department personnel for review by the Sacramento community police review commission and the city council. (Ord. 2016-0054 § 2)</li> </ul>

### E. Recommendations for Civilian Oversight

As discussed above, COA models that emphasize broad discretion and authority are correlated to a reduction in racial and identity disparities in high discretion interactions, such as disorderly conduct arrests. RIPA data contains standardized data from California LEAs during vehicle and pedestrian stops, which are also a high discretion interaction. As such, RIPA data could and should be used by COAs to assess whether the LEAs are properly addressing and resolving disparities for the various identity groups that RIPA requires LEAs to measure, and to develop systematic reforms in their LEA.

**[Area for Board discussion]** The Board makes the following recommendations related to the use of RIPA data by COAs and LEAs:

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1. COAs should incorporate the elimination of racial and identity profiling as part of efforts to increase public safety.
2. COAs should have unfettered access to their agency's annual RIPA data and citizen complaint data, both in relation to all vehicle and pedestrian stops and citizen complaints alleging racial and identity profiling.
3. COAs and researchers should consider the use of RIPA data when measuring for and reducing racial disparities.
4. COAs should analyze RIPA data, identify any racial and identity disparities in policing practices, and if any exist, propose changes to policies and practices aimed at remedying these disparities, and continue to monitor.
5. COAs could use RIPA data to assess longitudinal and annual trends; trends within the department as a whole, by units, and individual officers; and compare the LEA-level racial disparities to statewide trends to identify gaps; and seek community input to interpret trends and address them. COAs could also use the RIPA data to assess how certain policies effect certain groups.
6. COAs should develop additional ways to use the RIPA data in a way that is consistent with their model and mission and look for ways to strengthen their existing model.

## II. SB 2 PEACE OFFICER DECERTIFICATION

Senate Bill No. 2 (2021-2022 Reg. Sess.) (SB 2), the Kenneth Ross, Jr. Police Decertification Act of 2021,<sup>194</sup> established a statewide system for the suspension or permanent revocation of a peace officer's certification due to serious misconduct, including officers who demonstrate bias or engage in racial and identity profiling. Pursuant to SB 2, POST reviews and investigates complaints of serious misconduct by officers and suspends or revokes an officer's certification in cases of serious misconduct.<sup>195</sup> In addition to investigating serious misconduct allegations, SB 2 requires POST to revoke the certification of a peace officer who has become ineligible to hold office because of a criminal conviction listed in Government Code section 1029.<sup>196</sup>

The SB 2 decertification process provides statewide public accountability for misconduct. SB 2 process data identifies the reports of misconduct received by POST and how the allegations have been resolved, providing a separate look into how peace officers interact with the public. Particularly relevant to the RIPA Board, information regarding bias in police conduct is tracked with SB 2 data.

Last year, the Board provided an overview of SB 2 and POST's process for decertifying peace officers who are found to have engaged in serious misconduct under SB 2 and analyzed data on certification actions initiated by POST against peace officers from January 1, 2023 - October 1, 2024. While this analysis focused on SB 2 data from a statewide or agency-level perspective, large Southern California agencies appeared to be more represented in SB 2 decertification actions.

This year's report provides updated data on certification actions POST has initiated against peace officers since 2023 and incorporates an analysis of regional differences in SB 2 data in California

<sup>194</sup> Stats. 2021, c. 409 (S.B.2) eff. Jan. 1, 2022.

<sup>195</sup> Pen. Code, § 13510.8, subds. (a), (c).

<sup>196</sup> See Pen. Code, § 13510.8; Cal. Code Regs., tit. 11, § 1212, subd. (a).

Training, Penal Code § 13512 Annual Report, supra note 492, at p. 4.

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throughout. Additionally, this year’s analysis looks separately at Northern and Southern California to better understand if there are regional differences of concern.

## A. POST Certification Actions by the Numbers

### 1. Misconduct Reports

From January 1, 2023, to August 4, 2025, POST received 38,608 misconduct reports from law enforcement agencies, as well as 2,583 public complaints submitted directly to POST. Of the misconduct reports by agencies, 16,672 cases (43.18%) related to an incident that took place prior to January 1, 2023.

As of August 4, 2024, 34,743 cases (90.00%) have been assigned to POST investigators, of which 24,219 cases (62.73%) have been closed. This represents significant progress by POST in closing misconduct report cases since October 2024, when only 7,967 cases (20.64%) had been closed.<sup>197</sup>

When it receives a report of serious misconduct, POST classifies the type of serious misconduct alleged into the following basis categories. Because a report can include different types of allegations, the number allegations may be greater than the number of misconduct reports. As shown in Figure X below, of the 43,958 serious misconduct allegations POST has received between January 1, 2023, and August 4, 2025, physical abuse/excessive force is the most common type of serious misconduct alleged, followed by demonstrating bias, abuse of power, dishonesty, acts that violate the law, and sexual assault.<sup>198</sup>

**Figure X.** Serious Misconduct Allegations Received by Basis (Up to August 4, 2025)

Basis <sup>199</sup>	Allegations Received <sup>200</sup>	
	Number	Percent
Physical Abuse/Excessive Force	15,983	36.36%
Demonstrating Bias	11,888	27.04%
Abuse of Power	6,732	15.31%
Dishonesty	3,295	7.50%
Acts that Violate the Law	2,969	6.75%
Sexual Assault	1,737	3.95%
Convicted of a Felony	666	1.51%

<sup>197</sup> See POST, Peace Officer Certification Reporting, <<https://post.ca.gov/Peace-Officer-Certification-Reporting>> [as of XX, 2025].

<sup>198</sup> See POST, Peace Officer Certification Reporting, <<https://post.ca.gov/Peace-Officer-Certification-Reporting>> [as of XX, 2025].

<sup>199</sup> A report or complaint of misconduct may include multiple types of misconduct.

<sup>200</sup> Number of allegations is as assessed by POST. Any one report, complaint, and/or case may include multiple allegations, and reports, complaints, and/or cases may involve one or more officers. Allegations were received by POST starting January 1, 2023, and this data is current to August 4, 2025. POST, Peace Officer Certification Reporting, <<https://post.ca.gov/Peace-Officer-Certification-Reporting>> [as of XX, 2025].

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Basis <sup>199</sup>	Allegations Received <sup>200</sup>	
Other Serious Misconduct	688	1.57%

## 2. Common Grounds for Certification Actions

As of August 4, 2025, POST has initiated certification actions against 554 peace officers. Of those proceedings, a discrete category of serious misconduct was described 207 times as being relied upon, sometimes with more than one discrete category relied upon in a single action.

Actions were spread fairly proportionally between Northern and Southern California,<sup>201</sup> with 289 SB 2 certification actions initiated against 224 officers in Northern California and 289 officers in Southern California. An additional forty-one actions were against peace officers employed by a statewide agency like the California Highway Patrol or the California Department of Justice. Of the 554 certification actions, 186 proceedings against a peace officer involved ineligibility to serve as a peace officer pursuant to Government Code section 1029. For every thousand peace officers, there were about eight, six, and four officers subject to a certification action among local Northern California agencies, local Southern California agencies, and statewide agencies, respectively.<sup>202</sup>

According to POST's online listing of certification actions, the most common complaint, charge, or allegation for decertification actions that POST has initiated based on serious misconduct is egregious or repeated acts that violate the law followed by physical abuse or excessive force, dishonesty, sexual assault, demonstrating bias, and abuse of power.<sup>203</sup> As of August 4, 2025, there have been no public SB 2 misconduct certification actions relating to participation in a law enforcement gang or the failure to intercede when present and observing force that is clearly unnecessary.<sup>204</sup>

Figure X. Proportion of Serious Misconduct Bases Within Certification Actions (Up to August 4, 2025)

<sup>201</sup> Southern California is defined as San Luis Obispo, Kern, and San Bernardino counties, and all counties south of those three counties. Northern California is defined as all other counties, including Monterey, King, Tulare and Inyo counties. Population of the two regions is approximately 24 million and 16 million, respectively. As of August 2025, there were approximately ten thousand peace officers employed by a statewide agency, forty-six thousand peace officers employed by a local Southern California agency, and twenty-seven thousand employed by a Northern California agency. POST, *Agency Statistics* <<https://post.ca.gov/Agency-Statistics>> [as of XX, 2025]; POST, *Peace Officer Certification Actions* <<https://post.ca.gov/Peace-Officer-Certification-Actions>> [as of August 4, 2025]; POST, *Agency Statistics* <<https://post.ca.gov/Agency-Statistics>> [as of XX, 2025].

<sup>202</sup> POST, *Peace Officer Certification Actions* <<https://post.ca.gov/Peace-Officer-Certification-Actions>> [as of August 4, 2025].

<sup>203</sup> See POST, *Peace Officer Certification Actions* <<https://post.ca.gov/Peace-Officer-Certification-Actions>> [as of August 4, 2025].

<sup>204</sup> POST, *Peace Officer Certification Actions* <<https://post.ca.gov/Peace-Officer-Certification-Actions>> [as of August 4, 2025].

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Basis <sup>205</sup>	Certification Actions <sup>206</sup>	
	Number	Percent
Acts that Violate the Law	113	54.59%
Physical Abuse/Excessive Force	31	14.98%
Dishonesty	23	11.11%
Sexual Assault	21	10.14%
Abuse of Power	9	4.35%
Demonstrating Bias	8	3.86%
Failure to Cooperate	2	0.97%

Between Northern and Southern California, the basis of a complaint, charge, or allegations of serious misconduct did not vary significantly; there is a relatively higher proportion of the abuse of power and demonstrating bias basis in Southern California, and a relatively higher proportion of the dishonesty basis in Northern California.

Figure X. **Regional Serious Misconduct Basis for Certification Actions**

Basis	Certification Actions	
	Northern	Southern
Acts that Violate the Law	67.92%	67.19%
Physical Abuse/Excessive Force	10.38%	10.16%
Dishonesty	11.32%	8.59%
Sexual Assault	8.49%	8.59%
Abuse of Power	1.89%	5.47%
Demonstrating Bias	1.89%	4.69%

### 3. SB 2 Actions Within Agencies

Generally, as a result of county and municipal organization, Southern California's largest law enforcement agencies are larger than Northern California's largest law enforcement agencies. As

<sup>205</sup> The basis of allegations and certification actions may include multiple types of misconduct.

<sup>206</sup> A certification action is a suspension or revocation of a certificate, or an officer being made ineligible pursuant to Government Code section 1029. A certification action may be the result of one or more allegations, and certification action with different bases may occur in the course of one SB 2 process. For example, an officer may be temporarily suspended after being discharged for demonstrating bias, then subsequently the officer's certification could be revoked following a voluntarily surrender. In that instance, the basis of the final action, revocation, would not be demonstrating bias. **Certification actions began on January 1, 2023. This data is current to August 4, 2025.**

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of August 4, 2025, the five law enforcement agencies in Southern California with the most officers subject to SB 2 certification actions, including those most recently previously employed by the agency, had between 12 and 62 officers subject to such actions, whereas in Northern California that number of officers is between 9 and 19. Generally, the most common type of serious misconduct involves acts that violate the law.<sup>207</sup> Agencies are presented with Southern California agencies first.

Figure X. SB2 Actions by Agency

Last Employing Agency	SB 2 Officers	Sworn Officers	Most Common Recent Certification Action <sup>208</sup>	Most Common Serious Misconduct
Los Angeles County SD	62	8689	23 Temporary Suspensions	21 Acts that Violate the Law
Los Angeles PD	39	8534	11 Ineligible Pursuant to GC 1029	12 Acts that Violate the Law
Riverside County SD	25	2864	11 Temporary Suspensions	12 Acts that Violate the Law
San Diego PD	13	1765	5 Revoked	2 Acts that Violate the Law
San Bernardino County SD	12	2025	6 Revoked	3 Acts That Violate the Law
San Francisco PD	19	1776	8 Temporary Suspensions	6 Acts that Violate the Law
Alameda County SD	19	997	12 Temporary Suspensions	11 Acts that Violate the Law
San Jose PD	12	997	6 Temporary Suspensions	5 Acts that Violate the Law
Contra Costa County SO	9	631	5 Temporary Suspensions	5 Acts that Violate the Law
Antioch PD	9	88	4 Revoked	5 Acts that Violate the Law
California Highway Patrol	33	7157	12 Temporary Suspensions	7 Physical Assault/Excessive Force

<sup>207</sup> POST, *Peace Officer Certification Actions* <<https://post.ca.gov/Peace-Officer-Certification-Actions>> [as of August 4, 2025].

<sup>208</sup> Multiple certification actions may occur in the course of one SB 2 process. Because temporary suspensions frequently precede more permanent SB 2 dispositions, only the most recent certification action is reported.

#### **DRAFT REPORT – PENDING EDITING AND REVIEW**

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#### 4. Temporary Suspensions

Last year, temporary suspensions made up around half of all most recent certification actions regarding a particular officer, but now temporary suspensions make up around one third of those actions, demonstrating the resolution of those temporary suspensions.<sup>209</sup> As of August 4, 2025, there are 139 temporary suspensions related to a pending criminal proceeding. They have been pending for an average of 458 days. Forty-nine temporary suspensions without collateral criminal proceeding have been pending for 393 days on average. Those proceedings are typically related to serious misconduct of a discharged or retired officer. As of August 4, 2025, 55 temporary suspensions reached a permanent disposition. Of those 55, 27 temporary suspensions with related collateral criminal proceedings took an average of 407 days to resolve. The other 28, the ones without collateral criminal proceedings, took an average of 303 days to conclude.<sup>210</sup>

### III. VISION FOR FUTURE REPORTS

[Area for Board discussion]

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<sup>209</sup> See Racial and Identity Profiling Advisory Board, Annual Report (2025 Report) (2025) p. 137 <<https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf>> [as of Aug. 27, 2025].

<sup>210</sup> POST, *Peace Officer Certification Actions* <<https://post.ca.gov/Peace-Officer-Certification-Actions>> [as of August 4, 2025].

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