



December 12, 2023

The Honorable Nikki Fortunato Bas
Oakland City Council President
1 Frank H. Ogawa Plaza,
Oakland, CA 94612

Dear President Fortunato Bas,

NACOLE is a not-for-profit 501(c)(3) association of law enforcement agencies, oversight practitioners and supporters of civilian oversight that works to enhance accountability and transparency in policing and build community trust through civilian oversight. We are reaching out today on behalf the National Association for Civilian Oversight of Law Enforcement (NACOLE), to express our support of civilian oversight of law enforcement that is independent and thorough, that has access to information that is necessary to its work, and that is guided by enabling legislation that is consistent with the City Charter.

The first principle of effective civilian oversight of law enforcement is independence. Among the thirteen, it is one of the most important and defining concepts and speaks to the need for structural, political, and organizational independence. It allows for oversight to exist free from the real or perceived influence of law enforcement, elected officials, or others who may want to have influence over the oversight process. In a hybrid system, like that in Oakland, independence is particularly important to allow for unbiased and regular evaluation that validates the work and findings of oversight entities within the system. When independence exists and is prioritized, it allows for oversight agencies within a hybrid system to build legitimacy and allow them to act impartially, fairly, and in a manner that maintains the trust of all stakeholders.

Independence is only one of the thirteen principles essential to effective and sustainable civilian oversight of law enforcement. Additional principles include access and the ability to review *all* records relevant to investigations or other matters that fall within the scope of the civilian oversight agency's authority and that is allowable by law. Having such access that can occur in a timely manner is essential to providing effective, informed, and fact-driven oversight.

It is important that the principles of oversight are adhered to in an environment that provides clear and concise mandates with language that is consistent between enabling legislations and the city charter.

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NACOLE stands by the need for jurisdictions to make sure the thirteen principles are being adhered to – including the two mentioned above – and is here to serve as a resource. We are happy to answer any questions you might have regarding effective, sustainable oversight moving forward.

Sincerely,

Anthony Finnell
President
NACOLE

Cameron McElhiney
Executive Director
NACOLE

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