Literature Review
Civilian Review Boards

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Nationwide demand for local Civilian Review Boards (CRBs) persists due to law enforcement's ongoing and disproportionate misuse of force among Black communities. This literature review briefly examines their historical context and identifies important trends regarding their structure and function. Notably, there is a growing consensus among advocates and researchers for proactive CRB models that are designed to address needed systemic reforms.

The continual, improper, and disproportionate use of force by police officers within Black communities (leading to the deaths of Tamir Rice, Eric Garner, Sandra Bland, Elijah McClain, George Floyd, Breonna Taylor, Rayshard Brooks, Marcus Davis Peters, and numerous others) has brought renewed attention to the need for police reform (Menifield et al., 2019). In December 2014 the work of #BlackLivesMatter motivated President Obama to create a national commission designed to "strengthen trust among law enforcement officers and the communities they serve" (The White House, 2014). During this same time period, some police professionals publicly advocated for change. In particular, Sgt. Johnson of the National Police Foundation called for a new code of ethics in the spirit of the Hippocratic oath used among health professionals:

> the [International Association of Chiefs' Law Enforcement Code of Ethics] rightfully speaks to protecting the weak and innocent while opposing unnecessary force and violence. However, our code should fundamentally acknowledge the sanctity of life and the duty to protect all lives, even those who have placed themselves and others in jeopardy. (November 27, 2017)

This momentum built upon a century's long history of change initiatives in the U.S. For example, the 1967 President's Commission on Law Enforcement and Administration documented several decades of work that addressed police brutality (Hoover's Wickersham Commission in 1931, Truman's Commission on Civil Rights in 1947, and The U.S. Civil Rights Commission in 1961; Ferdik et al., 2013, p. 105). Each prompted different reforms including modifications to officer training, minimum job qualifications, and department-wide operating standards (ibid.).

At the local level, police reform has been a concern in Richmond, Virginia for decades (see S.B. 615). Recently, organizations such as Justice and Reformation, the Virginia Coalition for Transforming Police, and the Richmond Transparency and Accountability Project (RTAP) have been at center of several advocacy efforts (Justice and Reformation, n.d.; Richmond Transparency and Accountability Project, n.d.-a; The Activated People, n.d.). For example, RTAP identified "improved community relations with the police" as a top priority among communities of color in 2017. Their initial efforts focused on revising the Richmond Police Department's data collection methods while simultaneously seeking the release of use of force and civilian complaints data for further analysis and accountability (Richmond Transparency and Accountability Project, n.d.-a; Richmond Transparency and Accountability Project, n.d.-b).

In August 2020, the Virginia General Assembly channeled these efforts into a special session, passing several bills that eliminated most no-knock warrants, increased the authority of police agencies to decertify officers guilty of misconduct, and gave localities permission to establish Civilian Review Boards (CRBs; Oliver, 2020; S.B. 5035). As for the latter, the work of formalizing CRBs currently rests in the power of individual localities. This literature review briefly examines their historical context and identifies important trends regarding their structure and function.

Police Reform

Researchers separate police reform strategies into internal and external categories. Internal strategies address "informal subsystems" related to "behaviors that govern daily interactions among police officers and the public" (Harris, 2013, p. 35). Common and generally accepted examples include ethics training, support for reporting misconduct, integrity-based promotions criteria, and transparency regarding discipline (Porter, 2013, pp. 170-71; Klockars et. al., 2005, pp. 8-9).

Regarding external reform strategies, agreement among senior officers, scholars, and the general public is tenuous due to competing perspectives regarding the role of *independence* and *accountability* in policing (Harris, 2013, p. 75). For example, some senior officers believe external accountability strategies hinder needed independence in policing by undermining existing leadership, promoting compulsory compliance, and prohibiting genuine internal transformation. However, the concepts of *accountability* and *independence* need not be mutually exclusive. Instead, Harris leveraged Patten's conclusions (1999, p. 32-3) and argued that the concept of an independent law enforcement agency, free from democratic oversight, is unfounded. Rather, agencies (all the way down to the police-officer level) are granted "operational responsibly" (p. 76). They should have the authority to make day-to-day decisions free from political interference while *also* being held accountable for their actions (ibid.).

Holding these conclusions to be true, I borrow the framework of Waddington (1999) to ask, "*for what* and *to whom* should police departments be accountable for [emphasis added]?" (p. 195, cited in Harris, 2013, p. 40). As to the former (*for what*), Harris points to the writing of Schedler (1999) and Patten (1999) to identify five key dimensions including political, legal, and financial, and administrative (see Table 1; p. 36).

Regarding *whom* police agencies should be accountable to, senior police officers have traditionally been subject to police unions, city and county attorneys, state and local legislators, and private citizens who can bring lawsuits against the agency (Attard, 2010, p. 1556). However, Porter and Prenzler (2012) note that over the past few decades, "the shift world-wide" has increasingly incorporated "[public], civilian control models of oversight" (p. 166). In the U.S., external, civilian control models are commonly known as Civilian Review Boards (CRBs).

Civilian Review Boards (CRBs) seek to establish a fair and effective process for reviewing complaints and advocate for citizen concerns, in contrast to giving police departments full responsibility for handling these functions (Ofer, 2016, pp. 1039-40). Many recognize this as an important evolution of "democratic and accountable policing" (Harris, 2013, p. 14, citing Smith, 2010, p. 59) because CRBs can: (1) create a balance of power among citizens and public officials, and (2) compensate for biases in police governance (Ferdik et al., 2013, p. 104; Weaver et al., 2019, p. 1164).

Civilian Review Boards

Ferdik et al. (2013) discussed the early beginnings of Civilian Review Boards (CRBs) via Walker (2000), stating:

> although volunteer attorneys in the Los Angeles area during the 1920s proposed the idea of having private citizens evaluate complaints against police officers, it was the 1931 Wickersham Commission that recommended the creation of 'some disinterested agency' in each city to assist people with their complaints. (p. 105)

Unfortunately, localities were slow to develop these "disinterested agencies." Two decades after the Wickersham Commission, Washington D.C. and New York City created the first CRBs in 1948 and 1953, respectively. (Ferdik et al., 2013, p. 105; Ofer, 2015, p. 1040).

Today, Olson and Attard (2016) indicate that there are over two-hundred CRBs across the U.S. (p. 2). Below, I will discuss how their structures and functions continue to evolve to meet local demands for police reform and accountability.

Structure

Operational Independence

When CRBs remain under the oversight of a local police department, citizens can be unduly influenced by senior-level officers (Clarke, 2009, pp. 41,45). Therefore, publications produced by the leading agencies that provide guidance on CRBs, including the European Partners Against Corruption (EPAC) and the U.S.-based nonprofit, National Association for Civilian Oversight in Law Enforcement (NACOLE), advocate that they report directly to local and state legislators (EPAC, 2011, pp. 6-7; DeAngelis et al., 2016, p. 36).

Independent Funding

In the same spirit as operational independence, many experts note that CRB funding should be independent of a local police department's oversight. The rationale lies in the potential for fractured relationships between CRBs and local police agencies. If this relationship is fraught,

Table 1: ("For what" . . . should law enforcement be accountable for?)

	Schedler (1999, p. 22).	**Patten Report (1999, para 5.4)**
Political	*political accountability* (concerning policies and policymaking processes)	*democratic accountability*, by which the elected representatives of the community tell the police what sort of service they want
Legal	*legal accountability* (monitoring the observance of legal rules)	*legal accountability*, by which the police are held to account if they misuse their powers
Financial	*financial accountability* (concerning use of public money by state officials)	*financial accountability*, by which the police are held to account for the use of public money
Internal Conduct	(1) *administrative accountability* (concerning the expediency and procedural correctness of bureaucratic acts), (2) *professional accountability* (concerning ethical standards)	*internal accountability*, by which officers are accountable within a police organization
Public Relations	-	*transparency*, by which the community is kept informed

senior law enforcement officers might be tempted to reduce a CRB's funding. To remedy this conflict of interest, one strategy focused on linking CRB budgets to a percentage of the overall police budget in a given locality. As a result, resources for accountability measures would increase or decrease in tandem with any changes to a police department's budget (Ofer, 2016, p. 1050; Attard, 2010, p. 1558).

Attard (2010), and Adams and Rameau (2016) discuss the purposes of this funding. As for Attard, she identifies the need to (1) "hire staff at a level that allows timely and thorough investigation," (2) "purchase and utilize databases to track all aspects of complaints," and (3) "hire outside consultants, including independent counsel" (p. 1558). As for Adams and Rameau (2016), funding is necessary to support the needs of members who live in "socially and economically neglected communities." This funding would include transportation reimbursement, childcare, and a "modest stipend to prevent service to their community from creating a financial hardship" (p. 535).

Board Member Selection

Much of the CRB literature centers on creating a mix of community representation and independent, investigatory expertise among board members to establish and maintain their legitimacy with a broad spectrum of stakeholders (Harris, 2013, p. 83; Herzog, 1999, p. 479; Adams & Rameau, 2016, p. 531, Ofer, 2016,

p. 1044; Attard, 2010, p. 1556). Hiring independent investigatory expertise is less controversial; however, debates abound regarding the nature of community representation. Professional investigators and auditors are typically full or part-time employees who serve on behalf of the board, but in most cases, the Mayor or city council members appoint CRB members (Olson and Attard, 2016, pp. 8-9).

Recently, some local governments have experimented with alternatives to this appointee model for CRB membership. For example, Detroit elects its board members (Ofer, 2016, pp. 1042, 44), and Las Vegas chooses a portion of their members using a random selection process among a pool of qualified candidates (Stephens et al., 2018, p. 17).

Regarding models that *elect* CRB members, researchers discuss common weaknesses. For example, Adams and Rameau (2016) indicated that such models create lower-tier elected offices, and in turn, are often used as "stepping stones" in a broader political career (p. 531). This structure results in board members approaching their work on a CRB with mixed motives. Also, the need to campaign and raise money to win votes can make the office inaccessible. Adams and Rameau suggest that these dynamics create "a multiplier effect that is absolutely devastating for democracy in general and low-income Black communities in particular" (p. 531). Referencing the work of Waddington (1999) and Jones (2008), Harris came to similar conclusions (2013, p. 45). Overall, the election

model might hinder fair representation from affected communities.

As for a model that *appoints* community members to CRBs, challenges with this model date back to nascent oversight boards in the early 20th century (DeAngelis, 2016, p. 6). In some instances, appointees lacked the proper motivation and represented political interests in contrast to those of the community. Sometimes, this configuration resulted in a board made up of people who lacked the proper qualifications or training. As a result, members were quick to defer to the police department's recommendations (ibid.).

To minimize these challenges, some legal experts suggest that board members be nominated by civic organizations and confirmed by the Mayor (i.e., the current model used by Newark, NJ; see Ofer, 2016, p. 1044). Unfortunately, such nominations can also mirror the election process, albeit on an informal basis. For instance, those wishing to be nominated might use their influence to make a good impression on those responsible for choosing nominees, once again subverting true community representation.

To mitigate the weaknesses of *election* and *appointee* models, Adams and Rameau (2016) called for a random selection process akin to the Las Vegas Citizen Review Board (2016, p. 532). After a legislative body reviews the applicants, and they are deemed qualified, "residents of the given district will place their names into the proverbial hat, and board seat tenures will be selected at random from that pool" (p. 532). Paired with relatively short service terms, Adams and Rameau claimed that this practice would make the "subversion of the democratic process virtually impossible" (ibid.)

Functions

During the first few decades of civilian oversight in the U.S., CRBs focused on grievances leveraged against individual officers. This trend reflected research conducted in the 1980s and early 1990s that "a few police officers are often responsible for a disproportionate number of citizen complaints within a given agency" (Terrill, 2015, p. 3). However, subsequent research started to acknowledge that environmental factors significantly influenced the behavior of individual officers. Harris (2013), referencing the work of numerous scholars (Cooper, 2012, p. 169; Punch, 2003, p. 172; Waddington, 1999, p. 173), affirmed this notion, stating, "the causes of complaint are the product [of] (or at least influenced by) wider, systemic policies and practices within police organizations" (p. 68). In light of this dual locus of misconduct (both on the individual and systemic) today's CRBs often incorporate a

broad scope of duties that are both *reactive* (e.g., they review and or investigate complaints), and *proactive* (e.g., auditing broader policy; Ofer, 2016, pp. 1037-38). Harris used Lewis's (1999) term and referred to this as "holistic oversight" (2013, p. 67).

Reactive Oversight

On the reactive side, *reviewing* and *investigating* civilian complaints are the primary focal points of CRBs within the literature. Initially, CRBs were limited to *reviewing* the decisions of a police agency's internal affairs unit; however, since internal investigative proceedings are prone to bias, many CRBs sought to establish adjudicative authority (i.e., the power to conduct independent, external investigations; De Angelis et al., 2016, p. 29). The following paragraphs list common practices that promote the efficacy of *review* and *investigatory* processes.

1. Proper Jurisdiction

To properly represent the public's interest by ensuring complaints receive proper attention, experts argue that a CRB's investigative scope be broad (Olson & Attard, 2013, p. 7; Ofer, 2016, pp. 1045). This includes not only high-profile cases such as officer-involved shootings, death, serious use of force, or in-custody deaths, but also lower-level offenses such as discourtesy, discrimination, and unlawful stops (Ofer, 2016, pp. 1045). While the latter may seem less important to some, many jurisdictions that serve communities of color indicate a higher frequency of such incidents (Prowse et al., 2019, p. 13-14; Weaver et al., 2019, p. 1164). Finally, some researchers advocate for powers that offer redress for internal wrong-doing within police agencies, such as officer-initiated and supervisor-initiated complaints (De Angelis, 2016, p. 67).

2. Adequate Access to Information

Due to an unspoken practice known as the "blue-curtain," whereby some officers see reporting misconduct against a peer as an act of betrayal, the literature documents the need for unrestricted access to records and witnesses inside and outside of police agencies (Ofer, 2016, pp. 1045). Ofer offers a compelling rationale:

> A civilian complaint review board will be only as strong as its authority to conduct independent investigations, and at the heart of such authority must be the ability to subpoena witnesses and documents, including internal police disciplinary documents, medical records, surveillance footage, and other materials relevant to an investigation. (p. 1045)

DeAngelis (2016). et al. agreed. Citing Attard and Olson (2003), King (2015), and Walker (2003), They indicated that open access to departmental records is one of the most important dimensions of effective oversight (p. 39).

3. Full Cooperation

In addition to police records and witnesses, Olson and Attard (2013) recommended access to elected officials and appointed senior-level executives within the police agency (p. 6-7). In particular, they suggested "regular meetings between oversight bodies, government representatives, and the police [to] ensure that everyone understands and supports each other's role in fostering police accountability" (ibid.). As a result, they argued that healthy communication patterns (beyond legal mandates) between the CRB and the respective police agency should be fostered to ensure proper accountability.

4. Transparency and Communications

The literature also focused on a CBR's public relations role. Attard (2010) advocated for an approach that provides pertinent information to the community, law enforcement, and labor organizations to build a CRB's legitimacy (p. 1559). Ofer (2016), Attard (2010), and Ferdik et al. (2013) discuss practices including bi-lingual, quarterly reports that highlight the activities of the CRB paired with a bi-lingual, annual report that identifies larger trends and practices within the agency (p. 1051; p. 1559; p. 109, respectively). In particular, Ofer notes that the reporting requirements of Newark's board are "unprecedented" due to mandating the quarterly disclosure of demographics, date-time-location, nature of the stops/arrests, and money spent to settle claims (Ofer, 2016, pp. 1051).

5. Due Process and Confidentiality

CRBs are prone to mistakes (as are internal affairs units within a police agency), and officers and citizens need full rights and protections to appeal a case. As for officers, Ofer (2016) explains:

> Police officers must be allowed to access the evidence being used against them, provide testimony, and offer responses and defenses to the allegations of misconduct. If the review board substantiates a civilian's complaint, the police officer should have the right to appeal the substantiation or the discipline. (p. 1050)

Other rights for police officers and citizens include a strong commitment to confidentiality. Violating this standard erodes trust in the process and jeopardizes future access to needed records (De Angelis, 2013, p. 44).

6. Disciplinary Oversight

Within the literature, CRBs commonly handle the intake process for complaints and complete an initial review, but ultimate disciplinary authority for an officer rests within the hands of the police chief and or the internal affairs unit. (Ofer's research is one of many examples that provides this insight using a comparative CRB review; 2016, pp. 1041-44). Unfortunately, this approach has proven ineffective in some localities. For example, in 2012 frustration in NYC peaked when disciplinary recommendations were largely ignored. Citing the work of Horan and Veltman (2014), Ofer stated, "the NYPD imposed no discipline in more than 40% of cases recommended by the [CRB] and followed the [CRB's] recommendation in only 9.7% of cases."

To counteract the inflation of dismissed recommendations, Ofer (2016) advocated for a process whereby substantiated CRB conclusions are paired with a "pre-negotiated disciplinary matrix" that is legally binding for the law enforcement agency (pp. 47-48). However, in incidents where a CRB is guilty of an indisputable error, the police chief would retain veto powers (p. 48).

As noted previously, De Angelis et al. (2016) indicates that some models take full control of the disciplinary process and hire professional, external investigators (p. 25). Unfortunately, the ability to substantiate the effectiveness (or ineffectiveness) of this approach is currently lacking in the research. De Angelis et al. offers some critique, indicating that this approach might hinder a police agency's ability to learn from and take ownership of the disciplinary process. In contrast, he states, "a robust internal affairs process can result in investigators and supervisors who are more committed to ensuring a police culture of integrity and accountability within their own organization" (p. 27).

Regardless of which disciplinary framework a CRB adopts, the literature indicates that a CRB must have some measure of influence upon the enacted discipline. Otherwise, community members will question the CRB's power to hold officers accountable. As Ofer states, "a weak [CRB] is worse than no [CRB] . . . [because it] can lead to an increase in community resentment, as residents go to the board to seek redress yet end up with little" (pp. 1052).

7. Mediation and Learning

Due to a large number of unsustained complaints (i.e., filings lacking needed evidence to merit a judgment from the CRB), often involving disrespectful one-on-one interactions, CRBs are increasingly focused on mediation

strategies (Harris, 2013, p. 84; Attard, 2010, 1559-60; DeAngelis, 2016, p. 10). These include one-on-one meetings "facilitated by a neutral third-party" (Walker and Archbold, 2000, cited by De Angelis, 2016, p. 47). The positive outcomes of this strategy are described by Olson and Attard (2013):

> in successfully mediated complaints, both the complainant and the officer can gain an understanding of why the other person acted as he or she did. This understanding can change behavior in a more meaningful and effective way than is possible through the disciplinary process, and helps build police/community trust on the individual level. (pp. 10-11)

One notable study in Denver, CO (Schaible et al., 2012) verified these claims, indicating that citizen and officer satisfaction with a mediation exercise was higher than those who went through the traditional compliant submission process (p. 639). This was particularly true among women and people from Latino backgrounds (pp. 639, 643). Notably, this study substantiated previous research, indicating that in some instances, "complainants are more interested in receiving an apology or having their feelings or views acknowledged than they are in having officers severely punished" (p. 644).

The concept of mediation pairs with a similar and emerging framework that moves from systems of "blame to learning" (Porter and Prenzler, 2012, p. 167). Previous iterations of CRB models focused on the two extremes of "exoneration or punishment" when handling civilian complaints; however, new approaches emphasize changed behaviors and practices at the officer and agency level. Porter and Prenzler describe this phenomenon as follows: "external regulators, while retaining investigatory or review functions in relation to police complaints, are increasingly providing educational functions that encourage collaborative work towards police improvement" (p. 167). This practice is part of a broader trend among CRBs called "proactive oversight" which seeks to implement systems-level reforms.

Proactive Oversight

Citing Herzog (2000), Harris (2013) states that CRBs with a narrow focus on individual behavior are insufficient. Instead, CRBs must have both the "mandate" and the "means to intervene in police policy and other organizational patterns" that shape the *environment* conducive to misconduct (p. 68). A notable example supporting this approach is documented in Clark's 2009 article, "Arrested Oversight." He states:

> When the NYPD chose to increase its stop-and-frisk activity, the [CRB] did not examine the choice and study its implications. Instead, it focused on investigating complaints, and it substantiated complaints against an increasing number of individual officers who conducted stops in accordance with departmental policy, if not the law. (p. 45)

This scenario demonstrates the need for CRBs to have the resources and the power to focus on root causes (e.g., the stop-and-frisk policy; see Attard, 2010, p. 1557) in contrast to solely focusing on symptoms (e.g., complaints).

Another example includes the broken-window theory that resulted in over-policing in an effort to counter an influx of "criminal elements into [a] community" by creating a false sense of order. This approach not only raised civil liberty concerns but also lent itself to ethnocentric practices that disproportionately affected communities of color (Ofer, 2016, pp. 1049; Harcourt, 2002).

Overall, the literature suggests that a proactive posture centered on policy review and reform are equally, and in some cases possibly more, important than the reactionary focus on complaint processes. In the following paragraphs, I review common practices in the literature that discuss effective strategies for proactive oversight.

1. SARA Model.

The first strategy is a framework entitled the SARA model. It is discussed in Porter's 2012 article "Beyond 'oversight': a problem-oriented approach to police reform" and it provides CRBs with a method grounded in research for performing proactive functions. It stands for *scan, analyze, respond,* and *assess* and it seeks to re-imagine longstanding challenges using innovative ideas. Eck & Spelman (1987) first introduced this framework and it continues to be received positively (Porter, 2012, p. 172).

2. Auditor Approach

Another recent trend within a proactive framework includes an auditor approach. This model can represent a singular, full-time staff member or a team of professionals, who identify larger patterns within a police department by focusing on policy review and procedural justice (De Angelis et al., 2016, p. 29; Attard, 2010 can pp. 1552-1553). The formation of the Portland, Oregon, Independent Police Review (IPR) Division in the early 2000s is a notable example. Some of the auditor functions incorporated by this body included "data-driven recommendations for improving police policies, practices and training" (De Angelis et al., 2016, p. 22).

Today, some question whether or not professional staff can accurately represent a community's interests; a conversation, in part, that is rooted in accountability (ibid. p. 31). While the auditor approach is a growing and critical CRB function that allows the board to play active role in addressing systemic reforms (ibid. 32), this dialogue points to the fact that, like other noted strategies, the mechanism continues to evolve.

For smaller agencies for which the auditor is a singular person, Porter and Prenzler (2012) caution against what they call "capture" (originally identified by Grabosky and Braithwaite, 1986; p. 167). As described by Prenzler (2000), capture is a phenomenon where "the group being regulated subverts the impartiality and zealousness of the regulator" (p. 622). This can be intentional (conscious), or unintentional (e.g., when an auditor maintains close personal relationships with senior officers), but it should be avoided to reduce bias and maintain CRB independence (Porter and Prenzler, 2013, p. 153). To ensure this, Porter and Prenzler note a suggestion from the Police Ombudsman for Northern Ireland (PONI) in 2010 that investigative roles be separated from those responsible for promoting reform (p. 167).

3. *Full Cooperation.*

As outlined in the previous paragraphs, cooperation from law enforcement agencies is an essential component for the *reactive* functions of effective CRBs. However, it is an equally important function for its *proactive* duties as well (DeAngelis et al., 2016, p. 39). The literature describes at least three mechanisms to promote law enforcement's full cooperation with CRB policy recommendations. First, DeAngelis et al. (2016) discovered that while many internal affairs officers were willing to consider the recommendations of CRBs, those that had greater power (e.g., investigative and auditing roles) were more likely to see their recommendations implemented (p. 69). Another strategy identified by Harris (2013) indicated that legal requirements were necessary for agencies to incorporate CRB recommendations. Otherwise, they could simply ignore them (p.188). In addition to instituting legal mandates and changing power structures, some of the literature suggested that cooperation hinges on local government's ability to foster "trust," "interagency collaboration," and joint "ownership in tackling problems" (Porter, 2013, p. 170-71; Ferdik et al., 2013, p. 114). Attard (2010, p. 1558).) and Harris (2013, p. 90) look at the idea of cooperation from the standpoint of leadership, noting that police agencies must dedicate the necessary time, resources and energy to implement recommended changes.

CRB Effectiveness

The ability to demonstrate a causal link between CRBs and a reduced number of civilian complaints (across all demographics) is one of the strongest measures of effectiveness. Unfortunately, without proper funding for a large-scale study, this finding remains elusive (DeAngelis et al., 2016, pp. 11-12). Building off of Walker (2007, p. 20), Terrill and Ingram (2015) pointed to this research gap by stating:

> the extent to which civilian oversight is any more effective at rooting out police misconduct has received little empirical inquiry . . . there are no studies attempting to assess whether a particular organizational structure or procedure is more effective than another. Nor are there any studies attempting to assess whether the investigation of officer misconduct by external oversight agencies is a more effective than investigation by internal units. (p. 5)

Harris (2013) identified a similar deficit in the research; however, he also noted two complicating factors. First, he indicated that it is difficult to compare metrics before and after CRBs are instituted because data collection is often different pre and post implementation. Secondly, he identified the difficult task of "isolating extraneous causal factors" (p. 101). For instance, Harris outlined a hypothetical situation where economic hardship might lead to mass protests, leading to an uptick in police/citizen interactions. Due to heightened community tensions, there would likely be an increase in complaints that would have little to do with the work of the CRB (p. 102).

Additional gaps were noted by De Angelis et al. (2016) regarding the effectiveness of CRBs, including the impact of police officer participation on the board, the different forms of CRB independence, legislative requirements that mandate cooperation, and many others (see p. 36, para. 4; p. 37, para 5,6; p. 40, para 1,2; p. 41, para 5; p. 42, para 2; and p. 44, para 1 for but a few examples.). However, despite these deficits, some studies demonstrate positive outcomes. Schaible et al.'s (2012) work regarding the effectiveness of mediation (discussed previously) is one such example. Below, I discuss two more: sustained complaints and stakeholder perspectives.

Sustained Complaints

Citizen dissatisfaction with the complaint process in law enforcement is often a key rationale for creating CRBs. Therefore, one measure of an effective CRB is demonstrating an increase in the sustain rate (i.e., allegations that are found to have merit; Terrill and

Ingram, 2015, p. 5; Attard, 2010, p. 1550). Some argue that an increase in sustained complaints results in more mediation or discipline, ultimately reducing police misconduct (Livingstone, 2004 p. 654, as cited in Porter, 2013, p. 170).

Terrill and Ingram's (2015) study found evidence that sustain rates increase (78%) when CRBs review the decisions of a police agency's internal affairs (IA) units. They hypothesized that a CRB's additional emphasis on transparency was an important variable (p. 24). However, Terrill and Ingram disclose important limitations of this particular finding. First, this finding came from examining a low number CRBs (5 in total; ibid.). In addition, other variables could not be accounted for (e.g., differences in complaint investigation or filing procedures, staff workloads, and organizational cultures).

De Angelis et al. (2016) had similar reservations regarding sustain rates. During their discussion focused on an investigative model (or auditor model, see above), where CRB's have the power to conduct independent investigations, they stated:

> the public may expect that more citizen complaints will be sustained and stronger punishments imposed after full investigative oversight models are implemented. However, there is *currently no systematic evidence* [emphasis added] to support this expectation and it is currently unclear what impact full investigative models have on patterns in findings and discipline for police officers alleged to have engaged in misconduct. As a result, disillusionment among the public may develop over time when community expectations for change are not met. This is, in part, one of the reasons for the recent recommended dissolution of Chicago's Independent Police Review Authority. (De Angelis et al., 2016, p. 26).

Assuming De Angelis et al.'s assessment still holds in 2021, it seems prudent for community members and local legislators to exercise measured caution during the creation of local CRBs. While the work of Terrill and Ingram (2015) shows promise, systematic evidence for an increase in sustained complaints has yet to be discovered.

Stakeholder Perspectives

Stakeholder satisfaction with CRBs is another area of study that can serve to measure their effectiveness. Guzman (2007) found that functional independence of the review board (in contrast to the physical; i.e., operating in a separate building from the police headquarters) led to higher rates of CRB satisfaction. For Harris (2013), he concluded that Kosovinian officers had a positive perception of ECO (external citizen oversight), particularly when it came to *policy recommendations* (pp. 189-190). In each of these instances, stakeholders had significant input regarding what they deemed to be "effective"; an important lesson for communities seeking to measure the efficacy of a local CRB.

Conclusions

Civilian Review Boards (CRBs) continue to proliferate as nationwide efforts for police reform maintain momentum. As a result, a growing body of literature speaks to notable and effective CRB practices and structures (e.g., proper jurisdiction, financial and functional independence, board member selection) that can facilitate its *reactive* (i.e. reviewing an investigating complaints) and *proactive* functions.

Today, there is a growing consensus that the *reactive* posture of CRBs is insufficient in order to address long-term, systemic reforms (Clark 2009; Attard, 2010; Harris, 2013; De Angelis et al., 2016). As a result, researchers emphasize the voices of government officials and local citizens who advocate for collaborative, *proactive* strategies (e.g., the ability review new policing practices before they are implement within an agency, such as "stop and frisk"). The auditor model emphasized by Attard (2010) and De Angelis et al. (2016) is a notable example that allows for such an approach. By focusing on complaint trends, procedural justice, and macro-level policies, auditor roles can serve important preventative functions. Without it, individual police officer accountability might increase; however, long-term reforms will receive insufficient attention.

To demonstrate the effectiveness of CRBs, promising studies focus on sustained complaints (Terrill and Ingram, 2015), stakeholder satisfaction (Harris 2013), and mediation strategies (Schaible et al. 2012). Unfortunately, numerous research gaps persist. Most notably, the ability to demonstrate the overall reduction in citizen complaints remains elusive and the subsequent need for large-scale, systematic studies analyzing the effectiveness CRBs has yet to be fulfilled.

Acknowledgements

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