

Police Misconduct Complaint Investigations Manual:

- [Police Misconduct Complaint Investigations Manual: For Investigators, Auditors, Monitors, and Others Conducting Or Reviewing Investigations: Attard, Barbara, Olson, Kathryn: 9780692736777](#)

Mediating Citizen Complaints Against Police Officers Guide:

- [Mediating Citizen Complaints Against Police Officers: A Guide For Police and Community Leaders](#)

Video Reference Library:

- [FLETC Talks - Graham v. Connor](#)
- [FLETC Talks - Carroll v US](#)
- [Tennessee v Garner](#)
- [FLETC Talks - Arizona v. Gant](#)
- [FLETC Talks - Tim Miller - Scott v. Harris](#)
- [FLETC Talks - Government Employees and Free Speech Rights](#)
- [FLETC Talks - Miranda v Arizona - Patrick Walsh](#)
- [New Employee Orientation](#)
- [Civilian Oversight 101 - Presented July 1, 2020](#)
- [NACOLE 2017 Webinar Series: Community Engagement Through Data and Other Strategies \(July 27, 2017\)](#)
- [Making Factual Determinations, Applying Legal Standards, and Reaching Allegation Outcomes](#)
- [Why Police Spending Has Grown Over 200% Since 1980](#)
- [Say Her Name, Police Budgets Explained, and More on Race and Violence in America](#)
- [How America's Police Departments Acquired Billions In Funding | Forbes](#)
- [2016 04 05 16 00 Police Data Initiative](#)
- [Police Civilian Review Board Training, 3/25/2021](#)
- [Police Civilian Review Board, 1/28/2021](#)
- [The Role of Journalism in Police Accountability June 23, 2016](#)
- [Strategies for a Successful Mediation Program \(March 28, 2017\)](#)
- [NACOLE 2017 Webinar Series: Assessing the Credibility of Witnesses \(May, 18, 2017\)](#)
- [NACOLE 2017 Webinar Series: Community Engagement Through Data and Other Strategies \(July 27, 2017\)](#)
- [2018 NACOLE Webinar Series - Investigating Search & Seizure Allegations \(May 23, 2018\)](#)
- [2019 NACOLE Webinar Series: Best Practices When Dealing with the Media](#)
- [2019 NACOLE Webinar Series: Strategies to Conduct Interviews with Officers](#)
- [2019 NACOLE Webinar Series: False Confessions, Interrogations, and Investigative Interviews](#)
- [2020 NACOLE Webinar Series: Mediators' Perspectives on Officer-Civilian Mediation \(April 13, 2020\)](#)
- [2021 NACOLE Webinar Series: Analyzing and Reporting Use of Force Statistics \(January 27, 2021\)](#)
- [NACOLE Webinar Series: Investigating and Analyzing Use of Force \(November 16, 2021\)](#)

Virtual Reference Library:

CPD General Orders and SOPs:

- <https://www.charlottesville.gov/335/General-Orders-SOPs>

Landmark Constitutional Cases (Supreme Court):

- [Frasier v Evans](#)
- [Mapp v Ohio](#)
- [Miranda v Arizona](#)
- [Terry v Ohio](#)
- [Weeks v US](#)
- [Yick Wo v Hopkins](#)

Use of Force:

- [Aldaba v Pickens \(10th Circuit\)](#)
- [Armstrong v Pinehurst \(4th Circuit\)](#)
- [Boyd v Benton County \(9th Circuit\)](#)
- [Bryan v McPherson \(9th Circuit\)](#)
- [Cruz v City of Laramie \(10th Circuit\)](#)
- [Deorle v Rutherford \(9th Circuit\)](#)
- [Martinez v New Mexico Department of Public Safety \(10th Circuit\)](#)
- [McGrew v Sergeant Duncan](#)
- [Nelson v City of Davis \(9th Circuit\)](#)
- [Parker v Gerrish \(1st Circuit\)](#)
- [Perea v Baca \(10th Circuit\)](#)
- [Tennessee v Garner \(6th Circuit\)](#)
- [Torres v Madrid \(Supreme Court\)](#)
- [Vinyard v Wilson \(11th Circuit\)](#)
- [Wilkins v Gaddy \(Supreme Court\)](#)

Wrongful Arrest & Malicious Prosecution:

- [Martinez v Department of Public Safety \(New Mexico District Court\)](#)

Terry Stop & Search and Seizure:

- [Carroll v US \(Supreme Court\)](#)
- [Chimel v California \(Supreme Court\)](#)
- [Graham v Connor \(Supreme Court\)](#)
- [US v Dotson \(6th Circuit\)](#)
- [US v Arvizu \(Supreme Court\)](#)
- [Whren v US \(Supreme Court\)](#)

Into the Constitution:

- [Constitution](#)
- [4th Amendment](#)
- [3rd and 4th Amendments](#)
- [5th Amendment](#)
- [6th Amendment](#)
- [13th Amendment](#)
- [14th Amendment](#)
- [Chapter 3: The Right to Equal Protection of the Laws – Annenberg Classroom](#)
- [Freedom from Discrimination – Annenberg Classroom](#)
- [A Conversation on the Constitution with Justice Ruth Bader Ginsburg: The Fourteenth Amendment – Annenberg Classroom](#)

Video Discussions on Landmark Court Cases:

- [Search and Seizure: Mapp v. Ohio – Annenberg Classroom](#)
- [Habeas Corpus: The Guantanamo Cases – Annenberg Classroom](#)
- [A Conversation on the Constitution with Justice Anthony Kennedy: Miranda v. Arizona – Annenberg Classroom](#)
- [Right to Remain Silent: Miranda v. Arizona – Annenberg Classroom](#)
- [A Conversation on the Constitution with Justice Sandra Day O'Connor: Search and Seizure – Annenberg Classroom](#)

City Ordinances:

- [Code of Ordinances | Charlottesville, VA | Municode Library](#)
- [Chapter 33 - WEAPONS | Code of Ordinances | Charlottesville, VA | Municode Library](#)
- [Chapter 20 - POLICE | Code of Ordinances | Charlottesville, VA | Municode Library](#)
- [Chapter 17 - OFFENSES—MISCELLANEOUS | Code of Ordinances | Charlottesville, VA | Municode Library](#)
- [Chapter 1 - GENERAL PROVISIONS | Code of Ordinances | Charlottesville, VA | Municode Library](#)
- [Chapter 1 - Arrest Procedure for Violations | Code of Ordinances | Charlottesville, VA | Municode Library](#)
- [Chapter 2 - Police Civilian Review Board | Code of Ordinances | Charlottesville, VA | Municode Library](#)

Helpful Sites:

- [National Use-of-Force Data Collection](#)
- [Resources — FBI](#)
- [Legal Learning Center](#)
- [Library of Congress](#)
- [Supreme Court](#)

Comprehension Check:

Reading and Viewing Assessment:

1. Video or reading reference
2. Three things I learned and their applicable relevance (i.e. why is this important, how can I apply this, what does this mean, etc.)
3. Three things I did not know or understand, and where – in the member website or otherwise – I can get more information
4. Three things I want to know more about based on the reading or video

PCOB Ordinance Assessment:

- PCOB = Police Civilian Oversight Board
 - CPD = Charlottesville Police Department
1. True or False: The PCOB shall enjoy the protection of sovereign immunity to the extent allowed and provided pursuant to Virginia statutory and common law.
 - a. True
 - b. False
 2. The PCOB shall have the following powers and duties (Select all that apply)
 - a. Organize and conduct community outreach sessions
 - b. Develop and administer a process for receiving civilian complaints about the CPD
 - c. Provide policy recommendations to the City Council and CPD
 - d. Review CPD internal affairs investigations at the request of the civilian complainant
 - e. Operate as a niche court between the CPD and the public
 - f. Conduct hearings and make findings concerning CPD internal affairs investigations initiated by civilians
 3. True or False: The PCOB shall be composed of 10 voting member(s) and 3 non-voting member(s) appointed by the City Council.
 - a. True
 - b. False, it should be 7 voting members and 1 non-voting member.
 - c. False, it should be 3 voting members and 10 non-voting members.
 - d. False, it should be 1 voting member and 7 non-voting members.
 4. The voting members shall include at least (X) members who come from historically disadvantaged communities that have traditionally experienced disparate policing or who are residents of public housing and at least one other member who represents an organization that seeks racial or social justice on behalf of historically-disadvantaged communities.
 - a. 1
 - b. 3
 - c. 7

- d. 10
 - e. 5
5. Who appoints members of the PCOB?
 - a. City Council
 - b. PCOB interns
 - c. The Executive Director
 - d. The CPD
 - e. The public
 6. True or False: The PCOB shall be empowered to employ its own legal counsel.
 - a. True
 - b. False
 7. True or False: The PCOB may not recommend policies or procedures to the City Council or the Charlottesville Police Department concerning police practices
 - a. True
 - b. False
 8. A complaint shall contain (Select all that apply)
 - a. Identifying information for the person filing the Complaint
 - b. A statement describing the reasons for the Complaint
 - c. The specific police behavior of concern
 - d. A description of the incident in which the behavior occurred
 - e. A list of the names, addresses and phone numbers of all witnesses to or persons with knowledge of the incident known by the complainant
 9. The PCOB may review all of the following EXCEPT (Select all that apply)
 - a. CPD internal affairs investigations
 - b. Any Complaint related to an incident that occurred before the date of the Charlottesville City Council's adoption of the 2019 Ordinance
 - c. A Complaint that is filed more than one year after the date of the incident that is the subject of the Complaint
 - d. A Review Request filed more than seventy-five days after the date of the CPD notice sent to the complainant that informs the complainant of the completion of the CPD's internal affairs investigation
 - e. A Review Request concerning matters that are subject of a pending criminal proceeding in any trial court, a pending or anticipated civil proceeding in any trial court, or any City of Charlottesville grievance proceeding
 10. Upon scheduling a Review Request for a hearing before the PCOB, the Board shall notify the Charlottesville Chief of Police. The CPD shall then prepare each Board member a complete copy of (Select all that apply)
 - a. The internal affairs file that is the subject of the Review Request
 - b. The officer's complete complaint history including any final disciplinary action taken against the officer that is the subject of the Review Request
 - c. The officer's friend's complete complaint history including any final disciplinary action taken against them
 - d. Any material or evidence utilized by the CPD during its internal affairs investigation related to the Review Request

- e. Raw and aggregated data on the timing, findings, and dispositions of CPD internal affairs investigations
11. What is the evidentiary standard used by the PCOB?
- a. Beyond a reasonable doubt
 - b. Clear and convincing
 - c. Preponderance of evidence

Operating Procedures Assessment:

- CPD = Charlottesville Police Department
 - PCOB = Police Civilian Oversight Board
1. The purpose of the Board is to
 - a. Act as a court
 - b. Create distance between the public and the CPD
 - c. Establish and maintain trust between and among the CPD, the City Council, the City Manager, and the public
 - d. Establish and maintain trust between all police departments and the public
 2. The Board shall provide objective and independent civilian-led oversight of the CPD in an effort to (Check all that apply)
 - a. Mimic an unbiased court
 - b. Enhance transparency and trust
 - c. Placate the police department
 - d. Promote fair and effective policing
 - e. Protect the civil and constitutional rights of the people of the City of Charlottesville
 3. The Board's functions shall pursue the following principles and objectives (Check all that apply)
 - a. Ensuring that police officers act with integrity and treat every person with equal dignity
 - b. Empowering and inspiring self-governance and a culture of mutual respect
 - c. Seeking social and racial justice
 - d. Engaging in community outreach and amplifying the voices of the socially, politically, and economically disenfranchised
 - e. Listening to and building cooperation between all stakeholders to find and develop common ground and public purpose
 - f. Championing just, equitable, and legitimate policing policies and practices
 - g. Processing complaints, reviewing police practices and internal investigations, issuing findings, writing public reports, and making recommendations
 4. Board members are appointed by
 - a. City Council
 - b. A public election
 - c. Showing up at meetings and asking to be on the board
 - d. The mayor

5. True or False: Board members cannot be removed until the end of their terms
 - a. True
 - b. False
6. What shall be used as guidance for the conduct of meetings?
 - a. The 7 Golden Rules
 - b. Robert's Rules of Disorder
 - c. Robert's Rules of Order
 - d. There is no guidance for the conduct of meetings
7. The Executive Director supports the board in all areas EXCEPT
 - a. Mediation
 - b. Auditing
 - c. Training
 - d. Legal compliance
 - e. Investigations
 - f. Disciplinary recommendations
 - g. Interdepartmental relations
 - h. All of these are ways the Executive Director supports the board
8. The Board's jurisdiction extends to all civilian complaints alleging misconduct by sworn officers and civilian employees of the CPD, irrespective of duty status. The Board may also independently investigate incidents including (Check all that apply)
 - a. The use of force by a law enforcement officer
 - b. Death or serious injury to any individual held in custody
 - c. Serious abuse of authority or misconduct
 - d. Allegedly discriminatory stops
9. The following have standing to have their complaints alleging misconduct by sworn officers or civilian employees considered by the PCOB (Check all that apply)
 - a. Any individuals directly affected by incidents of police misconduct who were physically present and in physical or verbal contact with police during the alleged misconduct
 - b. Designated representatives of individuals affected by police misconduct
 - c. Parents, guardians, legal custodians of minors or persons under a disability who have alleged to have been victims of police misconduct
 - d. Any alleged victim's distant relative offended by the act
 - e. Any witnesses to incidents of police misconduct who were present during the alleged misconduct
 - f. Any individual with material information concerning police misconduct
 - g. Any individual who heard about the alleged misconduct secondhand and months later
10. Complainants may file complaints
 - a. Online
 - b. In writing
 - c. Orally
 - d. All of the above

11. Upon the receipt of a complaint, WHO create a case file for the complaint, designates a number for the complaint, enters the case in a database, and preserves any body-worn camera evidence?
 - a. City Council
 - b. Board members
 - c. The Chair of the Board
 - d. The Executive Director
 - e. The intern
12. How may a complaint be withdrawn from further consideration at any time by the complainant?
 - a. Orally
 - b. In writing
 - c. Online
 - d. All of the above
13. If the Executive Director becomes aware that the misconduct alleged in the complaint or disclosed by investigation may be criminal in nature, he or she shall refer the case to (X) for possible criminal prosecution.
 - a. The police
 - b. The President of the United States
 - c. The City of Charlottesville Commonwealth Attorney
 - d. The Board
14. True or False: If the Board receives complaints regarding the conduct of non-CPD officers and employees, the Executive Director shall notify the complainant of the lack of jurisdiction to investigate and forward the complaints to the appropriate agency with the permission of the complainant.
 - a. True
 - b. False
15. Who is responsible for directly investigating complaints and incidents or engaging independent investigators?
 - a. The Executive Director
 - b. Members of the board
 - c. The public
 - d. CPD internal affairs
16. True or False: If the subject officer, or an employee of the CPD, refuses or fails to cooperate in the investigation, the Executive Director shall notify the relevant Chief of Police in writing.
 - a. True
 - b. False
17. True or False: The Executive Director is not authorized to actively monitor all investigations of Complaints of employee misconduct conducted by the Department
 - a. True
 - b. False
18. True or False: Subpoenas may be issued only after making good faith efforts.
 - a. True
 - b. False
19. True or False: Hearing Examiners must remain entirely neutral and therefore may not have professional experience in mediation, police oversight, or other relevant

area of jurisprudence.

- a. True
 - b. False
20. True or False: Throughout the Hearing process, all parties may consult with and be represented by legal counsel or another individual advisor/representative of their choosing at any meeting or proceeding related to the Hearing process.
- a. True
 - b. False
21. What is the purpose of factfinding hearings?
- a. For the board to understand the allegations of misconduct and the facts as determined during the board's investigation and as presented by the involved parties
 - b. For the board to begin its investigation
 - c. For the Executive Director to gather information from parties to present to the board at the next board meeting
22. True or False: Review hearings shall be conducted for the board to analyze the sufficiency of the Internal Affairs Division investigation of a complaint and its findings.
- a. True
 - b. False
23. True or False: The board may refer complaints to mediation.
- a. True
 - b. False
24. True or False: Complaints may be made against board members which may lead to removal by City Council.
- a. True
 - b. False

Additional Readings and Considerations:

Annotated Bibliography:

- [Additional-Readings-Annotated-Bibliography_28144.docx](#)
 - Knife-Edge of Citizen Oversight – Formation and Mechanics
 - [A REVIEW OF THE STRENGTHS AND WEAKNESSES OF VARIOUS MODELS](#)
 - [Arrested Oversight: A Comparative Analysis and Case Study of How Civilian Oversight of the Police Should Function and How It Fails](#)
 - [Civilian Oversight of Law Enforcement](#)
 - [Citizen oversight in the United States and Canada: an overview](#)
 - [CIVILIAN OVERSIGHT OF POLICE: A Test of Capture Theory](#)
 - [Copwatching](#)
 - [Guidebook for the Implementation of New or Revitalized Police Oversight](#)
 - [The President's Task Force on 21st Century Policing Implementation Guide: Moving from Recommendations to Action](#)
 - [Problem-Solving and Community Policing](#)
 - [Social Accountability and Institutional Change: The Case of Citizen Oversight.pdf](#)
 - [Task Force on 21st Century Policing](#)
 - [The Effect of Civilian Oversight on Police Organizational Performance: A Quasi-Experimental Study - Jisang Kim, 2022](#)
 - [Theme and Variation in Community Policing](#)
 - Corresponding Laws & Court Cases of Police-Civilian Interaction
 - [A comparative interrupted time-series assessing the impact of the Armstrong decision on officer-involved shootings](#)
 - ["Civilian Oversight of the Police in the United States" by Merrick Bobb](#)
 - [From Selma to Ferguson: The Voting Rights Act as a Blueprint for Police Reform](#)
 - [THE JUDICIAL PRESUMPTION OF POLICE EXPERTISE](#)
 - Interplay of Varying Levels of Government
 - [FEDERALISM AND CRIMINAL LAW: WHAT THE FEDS CAN LEARN FROM THE STATES](#)
 - [STATUTORY FEDERALISM AND CRIMINAL LAW Joshua M. Divine*](#)
 - [Articles - The Making of Ferguson](#)
 - Theories on the Police and Policing
 - [Language from police body camera footage shows racial disparities in officer respect.pdf](#)
 - [Police and the Limit of the Law](#)
 - [Police Discretion and the Quality of Life in Public Places: Courts, Communities, and the New Policing](#)
 - [Reforming the police through procedural justice training: A multicity randomized trial at crime hot spots.pdf](#)

- [The Illegality of Vertical Patrols](#)
- [The Impact of Psychological Science on Policing in the United States: Procedural Justice, Legitimacy, and Effective Law Enforcement](#)
- [THE PROBLEM OF POLICING](#)
- [Who Polices the Police?](#)
- PCOB Constituent Documents
 - [PCOB Operating Procedures](#)
 - [PCRB Hearing Procedures](#)
 - [PCOB Ordinance](#)
 - [Re-establishing the PCRB as a PCOB.pdf](#)