

Statement on law enforcement transparency and accountability - June 12, 2020

Many of our nation's cities have experienced unrest and violence in response to the death of George Floyd at the hands of a Minneapolis police officer with a long record of public complaints. "Business as usual" in the oversight of law enforcement is not a satisfactory response to urgent and well-founded concerns that police officers are able to avoid consequences for wrongdoing, abetted by a tight regime of official secrecy. Change must happen.

Trust is a key element in police-citizen relationships. Secrecy is the enemy of trust. Effective public oversight of government institutions is what makes democracies work. Effective oversight of law enforcement requires meaningfully improving the flow of information to the public, both as a matter of law and as a matter of culture.

More public oversight leads to better policing, which leads to better public safety and stronger communities. A small, but concrete, show of good faith would be for every state to enact reforms opening every aspect of the police misconduct oversight process to public scrutiny. Only by seeing the substance of each complaint, how it is resolved, and what consequences are imposed can the public trust that justice is being dispensed without favor. These records are publicly accessible today in only a small minority of states, but should be made readily available --and thoroughly archived-- everywhere, without delay.

We understand the difficult challenge police officers face each day in their work. While they have a unique position in our communities, they are still public employees --but with extraordinary power to use deadly force, to search private homes, and to detain and arrest.

With an extraordinary level of power, these public servants should have a higher level of accountability and oversight than other government employees --not less. However, in many states, law enforcement officers occupy a privileged position in which information about their official conduct is insulated from public scrutiny.

Beyond this immediate reform, all states and local jurisdictions should commit to identifying and remedying the points of needless opacity throughout the criminal justice system that corrode public confidence. Accountability is hard but necessary for democracy to work. Our organizations are prepared to assist in this work and will not rest until we see it fully achieved.

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Electronic Frontier Foundation
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Georgia First Amendment Foundation
Idahoans for Openness in Government
Iowa Freedom of Information Council
Indiana Coalition for Open Government
Institute for Rural Journalism and Community
Issues
International Society of Weekly Newspaper
Editors
Kansas Press Association
Kansas Sunshine Coalition for Open
Government
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Maine Association of Broadcasters
Maine Freedom of Information Coalition
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Minnesota Broadcasters Association
Minnesota Coalition On Government Information

National Association of Black Journalists
National Association for Civilian Oversight of
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