



REPORT

Evaluating Police Consent Decrees:

From Compliance to Results

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Evaluating Police Consent Decrees: From Compliance to Results

EXECUTIVE SUMMARY

Police consent decrees are a federal oversight tool intended to address patterns or practices of unconstitutional policing and improve public trust. In rare and extreme cases, they can play an important role in correcting systemic failures. However, more than three decades after Congress authorized their use, there has been no comprehensive evaluation demonstrating that the current consent decree model consistently produces better public safety outcomes, improved constitutional compliance, or stronger police–community relationships.

This report examines how consent decrees are implemented in practice and finds that the process often prioritizes procedural compliance over measurable results. Many jurisdictions under consent decrees experience prolonged federal oversight lasting a decade or more, significant financial burdens driven by monitoring and administrative costs, and operational constraints that can affect officer morale, staffing levels, and service delivery. Compliance is frequently measured by adherence to prescriptive, burdensome and ineffective requirements rather than by outcomes such as reduced misconduct, improved trust, or safer communities.

The report also identifies structural weaknesses in the monitoring system, including limited transparency, insufficient accountability for court-appointed monitors, and financial incentives that encourage extended timelines and shifting compliance benchmarks.

This analysis does not argue against accountability or constitutional policing. Instead, it concludes that when consent decrees are necessary, they should be more targeted, efficient, transparent, outcome-driven and limited to extreme cases in which departments are unable or unwilling to make improvements independently.

New requirements for investigation timelines, evidentiary standards, monitor selection and oversight, and public reporting would better align federal oversight with its stated goals—protecting civil rights while ensuring public safety and restoring local control as promptly as possible.

Reforming the consent decree process is not about lowering standards for policing; it is about ensuring that when federal intervention occurs, it delivers meaningful improvements for both communities and the officers who serve them.

How Law Enforcement Consent Decrees Work

The Violent Crime Control and Law Enforcement Act of 1994¹ was intended to be a comprehensive federal response to rising violent crime, while also creating new tools to promote constitutional policing and civil rights protections. As part of the package, Congress gave the United States Department of Justice (DOJ) the authority to file civil actions in federal court whenever it has reasonable cause to believe that a local law enforcement agency has a “pattern or practice” of unconstitutional policing. Since the inception of this law, the DOJ has avoided the need to prove in court that a “pattern or practice” of unconstitutional policing exists by relying on its own investigations to do so. If the DOJ finds evidence that the department has a problem,

it will begin the process of initiating a consent decree. A police consent decree is a legally binding agreement between a local government and the DOJ that puts a police department under federal oversight. The local government must agree to a detailed set of reforms and pay for a court-appointed monitor to oversee compliance. The department must demonstrate compliance for an extended period – often 1-2 years – before control is returned to the local community.

While the process appears reasonable and solution-oriented, research demonstrates that the use of police consent decrees has veered off course from the original intent.

INTENT VERSUS REALITY

Intent of Police Consent Decrees:

- Provide limited federal oversight to address specific constitutional violations
- Used sparingly when repeated, systemic problems exist
- Used when local governments are unwilling or unable to make improvements
- Encourage timely reform without lengthy litigation
- Quickly return authority to local control

Reality of Police Consent Decrees:

- Manage broad institutional change regardless of the scope of the initial complaint
- Often used in response to isolated incidents
- Intervention often occurs before affording local governments the opportunity to fix it
- Last for an undetermined number of years without a clear finish line
- Lack of local control or transparency throughout the process

Why the Current Consent Decree System is Broken

Expensive & Burdensome

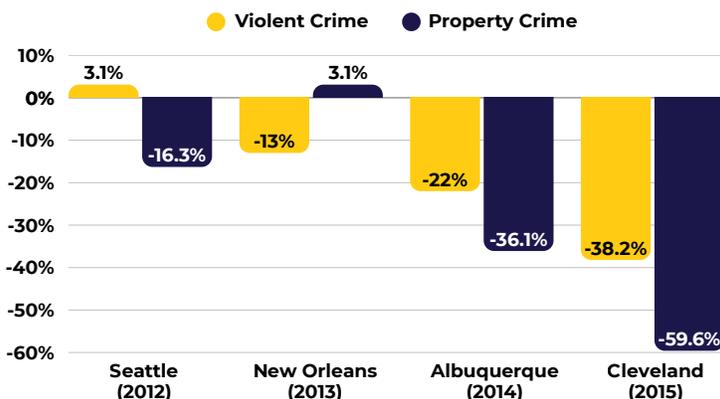
Consent decrees are the most burdensome and expensive reform model there is. The incredibly high cost of monitors, training, reporting, and more – often between \$3 and \$10 million a year² – take away from resources that could be used to better the communities these jurisdictions serve.

\$700,000,000 spent by the city of Chicago in the **first six years** of its consent decree.³

Sharp Increases in Violent Crime

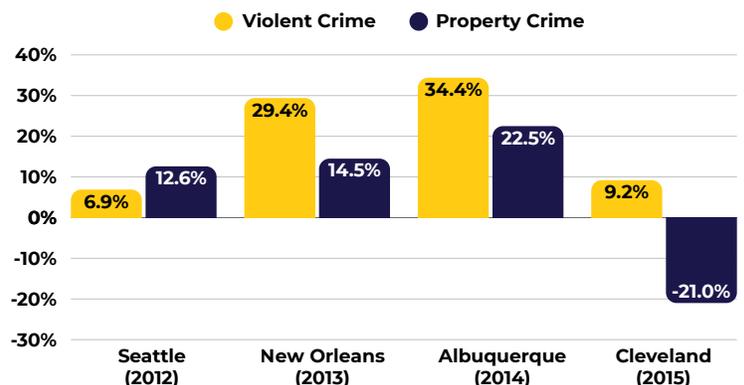
Many communities with their police departments under **consent decrees** saw **violent crime rates skyrocket immediately** after their consent decrees took effect.⁴ This can be attributed to suppression of proactive policing by consent decree mandates for reduced stops, arrests, searches, and uses of force.⁵

FEWER CRIMES SOLVED UNDER CONSENT DECREES



Note: Compares three-year average prior to consent decree to three-year average following, excluding imposition year.

CRIME SPIKES UNDER CONSENT DECREES



Note: Compares three-year average prior to consent decree to three-year average following, excluding imposition year.

Impacts to Officer Morale & Retention

Consent decrees are often enacted in response to the actions of a few officers in a department. Instead of holding individual officers accountable, the consent decree punishes the entire department. Additionally, consent decrees are incredibly invasive to an agency and the way it functions – impacting morale and often leading to de-policing, disengagement, and resentment toward the department and its leadership. This friction impacts recruitment and retention, pushing some officers to leave the department and forcing departments to relax their standards for recruitment to get more officers through an academy.^{6 7}

There is **no evidence** to support the notion that satisfying the terms of the **consent decree** effectively leads to more equitable policing.



Police Departments are Already Short-staffed Nationwide

On average, agencies are staffed at only 90% of their approved positions, meaning **approximately 10%** of roles remain unfilled.⁸

Box-Checking Over Real Outcomes

Consent decrees do not have a proven record of effectiveness. Even though this reform tactic has been used for more than 30 years, a thorough evaluation of their effectiveness has never been performed. The DOJ uses cookie-cutter templates for consent decrees across the country. Agencies must meet all the requirements in their consent decrees whether or not they are actually needed for reform and improvement. Furthermore, few settlements from the DOJ require the monitors or the jurisdictions to evaluate the impact of the required changes. Compliance with a consent decree means simply checking boxes rather than implementing meaningful reforms.

Lack of Transparency

In an academic legal analysis of police consent decrees, researchers found that the consent decree is ineffective for police accountability due to municipalities' continued lack of transparency and failure to emphasize public participation in the reform process.⁹ This includes the fact that community leaders and organizers typically do not have the ability to meaningfully shape or edit the decree. The public is often locked out of the process — including monitor selection, reports made by the departments throughout the consent decree, and insight into a department's compliance with the consent decree terms.

Consent decrees have **no transparency**, and the reform process is conducted behind **closed doors** with little, if any, community involvement.

Perverse Incentives Lead to Long Terms

Most recent consent decrees have lasted over a decade. The monitors have a financial disincentive to find agencies in compliance and new terms and conditions are continually added that extend the length of consent decree requirements. Agencies cannot achieve compliance when the goal posts keep moving, and they cannot challenge the monitor's findings.

Monitors decide when the consent decree ends — if ever.¹⁰

They make up to

\$2 MILLION
A YEAR

Even key supporters of consent decrees know they are far from perfect. In 2021, the DOJ held 50 listening sessions with key stakeholders,¹¹ including current and former monitors, state and local officials, chiefs of police and law enforcement organizations, civil rights advocates, academics, and community leaders. The main takeaway was that key stakeholders agreed that the monitors are a problem — their selection process, oversight, high salaries, and lack of effectuating real change.

CASE STUDIES

CONSENT DECREES IN ACTION

More than 99% of police departments have never been under a consent decree. This does not mean they have not faced challenges; rather, it means they were able to improve and correct problems on their own.

But for those that have been part of this system, the current implementation process is deeply flawed.

SEATTLE, WASHINGTON



- **Background:** The Seattle consent decree began in 2012 following a letter from the American Civil Liberties Union to the then-Attorney General alleging excessive use of force.¹²
- **Length:** 13 years
- **Status:** Terminated in September 2025
- **Cost:** More than \$200 million
- **Result:** After over a decade, the City of Seattle requested the termination of its consent decree in July 2025, which took effect in September 2025. While under its decree, Seattle's monitors were scrutinized heavily and involved in a public-facing texting scandal – leading to questions around the purity of their intentions and financial motives.¹³ Today, Seattle has fewer officers per capita than most major U.S. cities, with Washington ranking 51st in police staffing behind all 50 states and D.C.¹⁴ During this time, Seattle also saw a clear rise in both violent and property crime.¹⁵

CLEVELAND, OHIO

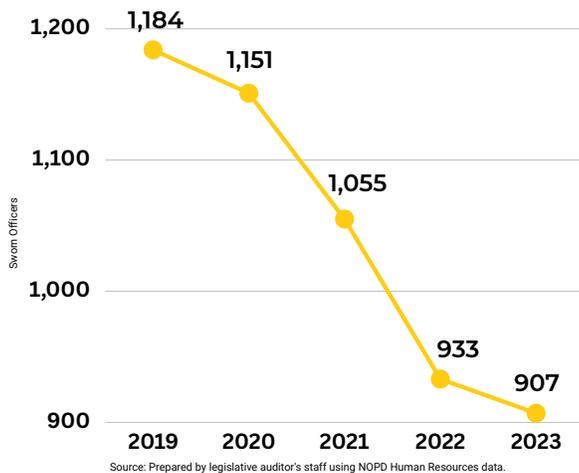


- **Background:** From 2012-2014, Cleveland had two high-profile officer-involved killings of unarmed civilians that led to the filing of the city's consent decree in 2015. It was intended to last 5 years.¹⁶
- **Length:** 10+ years
- **Status:** The city and DOJ filed a joint motion to terminate the decree on February 19, 2026. While both parties agree that the important terms of the decree have been met, the federal judge overseeing the decree is delaying its termination.
- **Cost:** More than \$60 million¹⁷
- **Result:** The department has faced challenges implementing the 400+ paragraphs of the consent decree. Cleveland's police staffing shortfall is more severe than the national average.¹⁸ The city's monitor recently resigned after multiple scandals and billing irregularities.¹⁹

New Orleans **response times tripled**, from 51 minutes to 146 minutes, due to critically low staffing under its **consent decree**.

NEW ORLEANS, LOUISIANA

Number of NOPD Sworn Officers Reaches Lowest Point Since 1940s



- **Background:** A consent decree was enacted in New Orleans in 2013 after the former mayor invited the DOJ to investigate an alleged pattern of civil rights violations and misconduct in 2010.²⁰ At the time, it was the most detailed consent decree to date, and more than 300 officers left the department within the first two years. In 2019, the federal judge overseeing New Orleans' consent decree stated they hoped the city could be in full compliance with the agreement in 2020.

- **Length:** 12 years
- **Status:** Terminated in November 2025
- **Cost:** About \$150 million²¹
- **Result:** New Orleans' consent decree was terminated in November 2025. According to a report from the Louisiana Legislative Auditor's office, between 2019 and 2023, the department lost 26.6% of its staff²², bringing the total number of sworn officers to its lowest point since the 1940s.²³ As a result, response times have tripled, from 51 minutes to 146 minutes in this period.²⁴

What's Next: Increasing the Effectiveness of Necessary Consent Decrees

The need to reform the consent decree process is a **bipartisan issue** – both sides of the aisle advocate for constitutional policing. To create a more effective system, **PORAC advocates for regulatory and legislative changes that would reform the process** and allow consent decrees to be as effective and impactful as possible.

PORAC Supports:

- Requiring the Attorney General to complete investigations into allegations against a jurisdiction **within one year of initiation**, provided the law enforcement agency under review grants the DOJ full access to relevant records, documents, and personnel.
- Requiring the DOJ to prove a **“pattern or practice” of unconstitutional policing** by a preponderance of the evidence, supported by facts and data, to ensure investigations are grounded in demonstrable systemic issues.
- **Limiting consent decrees to five years from the date of approval**, unless the DOJ proves ongoing constitutional violations in court.
- Creating **objective criteria for selecting consent decree monitors** that prioritize law enforcement experience, expertise in criminal justice research methods, and cost efficiency.
- Requiring all selected monitors to:
 - Be held to strict conflict-of-interest policies, undergo regular performance evaluations, and disclose all financial interests related to their work prior to their service.
 - Spend at least 40% of their time performing their services physically in the jurisdiction subject to the consent decree.
 - Be subject to removal if they demonstrate inefficiency, ineffectiveness, bias, or profit-driven motives, subject to a review process established by the Attorney General.
- Requiring monitors to issue an **annual public report that addresses progress on the agency's compliance and details** personnel and salary data for personnel assigned to the project, annual crime statistics for the jurisdiction, and sworn officer staffing numbers for the agency involved.

Conclusion

Implementing these changes to the consent decree process will allow us to move forward in a way that prioritizes public safety while fostering productive, meaningful reform. Without these changes, the consent decree processes will continue to be misused and ineffective, making communities less safe.

PORAC remains committed to driving this change forward and encourages collaboration among federal elected officials and community stakeholders to achieve this important reform for public safety.

Endnotes

¹ <https://www.congress.gov/bill/103rd-congress/house-bill/3355>

² <https://imagine.sa.ucsb.edu/issue/51/2024/examining-effectiveness-consent-decrees-relation-police-accountability>

³ <https://news.wttw.com/chicago-police-reform-consent-decree>

⁴ <https://www.axios.com/2021/05/14/police-consent-decrees-crime-jump-reforms>

⁵ <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/home>

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⁸ https://www.theiacp.org/sites/default/files/2024-11/IACP_Recruitment_Report_Survey.pdf

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¹⁰ https://www.washingtonpost.com/national-security/police-monitor-seattle-biden/2021/08/01/c3d9ebe2-e976-11eb-97a0-a09d10181e36_story.html

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¹² <https://www.aclu-wa.org/re-request-investigate-pattern-or-practice-misconduct-seattle-police-department/>

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¹⁴ <https://www.axios.com/local/seattle/2025/08/13/washington-police-staffing-2024-fbi-data>

¹⁵ <https://www.king5.com/article/news/crime/seattle-2022-crime-report/281-61f06cb3-9d2b-4183-a6d8-476bf6b50963>

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¹⁷ <https://www.mprnews.org/story/2023/03/27/explainer-whats-a-consent-decree-and-what-could-it-mean-for-minneapolis>

¹⁸ <https://www.cleveland.com/news/2024/09/in-a-year-cleveland-lost-nearly-as-many-police-officers-as-columbus-and-cincinnati-combined-why.html>

¹⁹ <https://www.news5cleveland.com/news/local-news/investigations/federal-monitor-overseeing-cleveland-police-reforms-resigns-according-to-court-document>

²⁰ <https://www.fox8live.com/2025/11/19/federal-oversight-new-orleans-police-ends-with-consent-decree-dissolution/>

²¹ <https://www.kens5.com/article/syndication/associatedpress/federal-oversight-of-new-orleans-police-department-ends-after-13-years-began-due-to-racial-bias/616-c63111f1-50f9-42cc-a992-e6c7b8415b3d>

²² [https://app2.lla.state.la.us/publicreports.nsf/0/5b91bf92a72bbb7d86258bd4007f6353/\\$file/000063a7.pdf?openelement&.7773098](https://app2.lla.state.la.us/publicreports.nsf/0/5b91bf92a72bbb7d86258bd4007f6353/$file/000063a7.pdf?openelement&.7773098)

²³ <https://www.police1.com/staffing/articles/new-orleans-pd-drops-below-900-officers-for-first-time-since-1940s-n8pPTyTwc8bOjzge>

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