



February 12, 2026

The Honorable Andy Biggs  
Chair, Judiciary Subcommittee on Crime and  
Federal Government Surveillance  
U.S. House of Representatives  
Washington, D.C. 20510

The Honorable Jim Jordan  
Chair, Judiciary Committee  
U.S. House of Representatives  
Washington, D.C. 20510

RE: February 13, 2026 Hearing – “The Monitoring Racket: The Grift that Keeps on Giving”

Dear Chairman Biggs,

On behalf of the Peace Officers Research Association of California (PORAC), representing more than 87,000 public safety professionals and 960 member associations, I thank the Subcommittee for holding this hearing and bringing the critical issue of federal consent decrees to the forefront at the national level. By examining this matter in a public forum, you are helping to raise awareness and advance the meaningful, effective reforms our nation’s law enforcement agencies urgently need. I appreciate the opportunity to share PORAC’s perspective on the consent decree process and its impact on local policing.

Consent decrees were originally intended to be a limited federal oversight tool, used only in extreme cases where a department demonstrated a clear, proven “pattern or practice” of unconstitutional policing and was unwilling or unable to make reforms on its own. In their best form, they protected civil rights, encouraged timely change without prolonged litigation, and returned control to local authorities quickly. Despite more than three decades of use, no comprehensive, independent evaluation has demonstrated that the current model consistently delivers better public safety outcomes, constitutional compliance, or improved community trust. Too often, the process prioritizes procedural box-checking over real results, leaving jurisdictions under federal oversight for a decade or more without a clear endpoint.

In the past, consent decrees were often managed collaboratively, with monitors playing a limited role. Today, the Department of Justice’s (DOJ) approach has expanded dramatically, granting monitors broad authority that can delay compliance, impose unnecessary requirements, and drive up costs for taxpayers — often between \$5 million and \$20 million annually, with \$1–\$2 million going directly to the monitor. Some cities have spent hundreds of millions over the life of their decrees. The consequences are real: suppressed proactive policing, increased violent crime, declining officer morale, and worsening staffing shortages. Examples from New Orleans, Seattle, and Cleveland show how long-term decrees have strained resources, reduced staffing to historic lows, and, in some cases, failed to deliver promised improvements in public safety.

The monitoring system also suffers from structural flaws — limited transparency, little to zero accountability, and financial incentives to prolong oversight by moving compliance benchmarks or creating new ones. Monitors, earning between \$500,000 and \$4 million a year, often decide when, or if, a decree ends. Compliance is measured by adherence to hundreds of prescriptive

requirements, many unrelated to the original issues, rather than by tangible results like reduced misconduct or safer communities.

PORAC believes the process must be reformed to be fair, transparent, and cost-effective. These recommendations build directly on PORAC's detailed reform platform, which calls for DOJ investigations to be completed within one year (provided jurisdictions under review provide full access to records and personnel), and decrees should be limited to five years unless ongoing violations are proven in court. Investigations must be based on clear and convincing evidence, conducted without unnecessary publicity, and findings should be formalized in court complaints signed by DOJ attorneys. Monitor selection should be based on objective criteria prioritizing law enforcement and criminal justice experience, with strict conflict-of-interest rules, regular performance evaluations, and required onsite presence in the jurisdiction. Monitors who are inefficient, biased, or profit-driven should be removable through a clear process. Transparency must be built in, with annual public reports to Congress detailing compliance status, costs, crime statistics, and staffing levels so communities can see whether reforms are working.

Reforming the consent decree process is not about lowering standards for policing. It is about ensuring that when federal intervention occurs, it produces real, lasting benefits for both the public and the officers sworn to protect them. Without these changes, the process will remain costly, overly prolonged, and misaligned with its original purpose, leaving communities less safe and officers less able to serve effectively. To learn more about PORAC's evidence-based concerns and specific reform recommendations—including supporting statistics, city case studies, and visual data—visit <http://porac.org/consent-decrees/>.

Thank you again for convening this hearing and elevating this discussion to the national stage. PORAC stands ready to work with the Subcommittee, federal leaders, and community stakeholders to create a consent decree system that is targeted, outcome-driven, transparent, and respectful of local control.

Sincerely,  
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