



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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February 11, 2026

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

RE: February 13, 2026, "The Monitoring Racket: The Grift that Keeps on Giving" Hearing

Dear Chairman Biggs:

I am submitting this statement today on behalf of the National Association of Police Organizations (NAPO), representing some 250,000 sworn law enforcement officers throughout the United States. NAPO is a coalition of over 1,000 police unions and associations from across the nation, which was organized for the purpose of advancing the interests of America's law enforcement officers through legislative advocacy, political action, and education.

I want to thank the Subcommittee for holding this important hearing recognizing the detrimental impact of federal consent decrees on state and local law enforcement agencies, which is exacerbated by the monitors who too often use these decrees for their own unrelated gain.

Consent decrees are utilized to remedy violations of rights and protect the party that faces injury. Consent decrees should not be used to further any policy extraneous to the protection of those rights or be expanded to apply to parties not involved in the litigation.

State and local governments have often found their interests and judgments in managing their own affairs vitiated by the federal courts' structuring of consent decrees. Consent decrees often exemplify a top-down, Washington knows best, one-size-fits all, coercive approach to how state and local policing should be done, what officers should look like, and even what they should think and believe. Such agreements do not instill a sense of partnership between the Department of Justice (DOJ) and the law enforcement agencies they address, which affects the efficacy of the consent decrees.

The history of the Department's use of consent decrees within the state and local law enforcement context is checkered. In some cases, improper or concerning practices or

situations have been correctly identified, addressed, and resolved, and the Decree closed or otherwise set aside. In too many other cases, however, the Decree process, once in place, turns into a self-perpetuating entity, with monitors overseeing what becomes, in effect, a cottage industry of oversight and shifting goalposts. The original goals of the Decree, which may have been appropriately tailored to address specific issues or shortcomings, have long since been achieved. Yet the agency and officers continue to have additional, burdensome requirements imposed upon them.

NAPO strongly supports protecting the interests of state and local governments in managing their own affairs and limiting the duration of federal consent decrees to which state and local governments are party. Further, consent decrees should not over-reach in forcing superfluous policies on police departments.

The DOJ should provide state and local governmental entities, including rank-and-file officers and their representatives, an adequate opportunity to respond to any allegations of legal violations; require special caution before using a consent decree to resolve disputes with state or local governmental entities; limit the circumstances in which a consent decree may be appropriate; and limit the terms for consent decrees with state and local governmental entities, including term limits for monitors.

Further, the DOJ must ensure rank-and-file officers, and their representative organizations or unions, have a seat at the table, and a voice, during the consideration of instituting a pattern or practice investigation; entering into a consent decree; and the appointment of a monitor.

NAPO also advocates for the recognition of the local rank-and-file organization as a bona fide party to any consent decree, giving them legal standing to raise any concerns about a monitor's actions, and the ability to petition the court, the DOJ, or other authority to modify or terminate the consent decree or monitoring once one or more of its goals have been met.

We must work to ensure that the interests of state and local agencies in managing their own affairs are protected. Thank you for your time and consideration of this important issue. If we can provide any assistance, please feel free to contact me at (703) 549-0775.

Sincerely,

A handwritten signature in dark ink, appearing to read 'William J. Johnson', followed by a long horizontal flourish.

William J. Johnson, Esq.
Executive Director