

# HOUSE RESOLUTION NO. 129

Reps. Hood, Yancey, Aiyash, Scott, Puri, Brabec, Steckloff, O'Neal, Rogers, Neeley, Stone, Sowerby, Brixie, Brenda Carter, Thanedar, Weiss, Young, Rabhi and Jones offered the following resolution:

1           A resolution to urge the U.S. Department of Justice to  
2 increase the use of consent decrees to hold police departments  
3 accountable.

4           Whereas, In 1994, Congress enacted legislation directing the  
5 Department of Justice (DOJ) to investigate local law enforcement  
6 agencies for practices of unconstitutional policing. In situations  
7 where unconstitutional policing practices are identified, the DOJ  
8 has authority to enter into consent decrees that mandate specific  
9 changes to policing practices; and

10           Whereas, Consent decrees, which operate as legally binding

1 agreements between the DOJ and police departments, are approved and  
2 enforced by federal courts. Consent decrees provide the DOJ with  
3 the ability to hold law enforcement agencies accountable when  
4 incidents of misconduct arise. The consent decrees focus on  
5 reducing police misconduct, such as excessive use of force, and  
6 mandate proper procedures within police departments; and

7       Whereas, In 2018, the DOJ significantly restricted the use of  
8 consent decrees, requiring that consent decrees be approved by  
9 senior leadership rather than DOJ lawyers and have a set  
10 termination date. These limits resulted in a lapse in oversight  
11 over law enforcement agencies that do not obey the law, making it  
12 impossible for the DOJ to address police brutality and other issues  
13 of misconduct; and

14       Whereas, Under Attorney General Merrick B. Garland, the DOJ  
15 policy that curbed the use of consent decrees was rescinded. With  
16 authority to investigate and enter into agreements with local law  
17 enforcement, the DOJ must use the administrative tools it has been  
18 given by Congress to the fullest extent possible and enforce  
19 reforms in police departments accused of officer misconduct; now,  
20 therefore, be it

21       Resolved by the House of Representatives, That we urge the  
22 U.S. Department of Justice to increase the use of consent decrees  
23 to hold police departments accountable; and be it further

24       Resolved, That copies of this resolution be transmitted to the  
25 Attorney General of the United States.