

Do consent decrees adequately address police misconduct?

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In recent years, the US Department of Justice (DOJ) has forced reform in police departments through the consent decree process, in which departments have agreed to take specific actions without admitting fault or guilt.

In a study exploring the relationship between consent decrees and civil rights litigation in 23 police jurisdictions, researchers found that DOJ intervention may be associated with modest reductions in civil rights filings. Reductions in such filings may signal increased satisfaction with police agencies and a move toward reduced systemic police misconduct.

Consent decrees should be considered as a possible tool for correcting problematic police departments, but additional research in this area is critical.

"Consent decrees represent a potentially powerful tool to instigate reform in police agencies deemed to exhibit a pattern or practice of police misconduct. In an era where concerns surrounding the important issue of police misconduct appear to be on the rise, it is crucial to examine whether any mechanism designed to correct misbehavior achieves its intended goal," said Zachary Powell, lead author of the *Criminology & Public Policy* study. "Our results, while preliminary, suggest consent decrees may reduce the number of lawsuits filed against [law enforcement agencies](#). To the extent that lawsuits serve as an indicator of public satisfaction with a police department, this may prove to be an important finding."

Powell noted that if the DOJ continues to use consent decrees as a tool for initiating reform efforts, the research community—in concert with local, state, and federal government officials and community leaders—should consider the impact of consent decrees on [police](#) behavior and community relations.

More information: *Criminology & Public Policy*, [DOI: 10.1111/1745-9133.12295](#)

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