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LDF Issues Statement on Department of Justice’s Review of Federal Monitors

Today, Attorney General Merrick Garland announced the conclusion of the Department of Justice’s (DOJ) review of the use of monitors in settlement agreements and consent decrees involving state and local governments, which it began in April 2021. In response, Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), issued the following statement:

“Consent decrees that seek to end unconstitutional policing are only as good as the monitors appointed to oversee the implementation of the decree’s requirements. Communities where consent decrees are in place have expressed serious concerns about the exorbitant cost of monitors, their lack of engagement and responsiveness to impacted communities, their lack of transparency, and the barriers they present to transforming public safety structures beyond the agreements they enforce.

“We are heartened that the DOJ has heard the complaints from communities around the country about monitors where local governments are implementing consent decrees to correct patterns and practices of unconstitutional policing, and in other areas such as lawsuits regarding correctional facilities and the rights of people with disabilities.

“The DOJ’s new parameters for monitors recognize the urgent need to improve monitorships to more effectively implement court-ordered agreements. To address unconstitutional conduct and abuses of authority by state and local actors, such as law enforcement agencies, to ensure the safety of impacted communities, and to improve the consent decree process, it is critical for the monitorship process to be cost-effective, focused on the communities it is intended to serve, and truly responsive to those subjected to unconstitutional conduct.

“We look forward to continuing to work with communities implementing consent decrees, such as in Ferguson and Baltimore, to ensure the changes the DOJ announced today are implemented.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since

1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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