

CONSTITUTIONAL EROSION ANALYSIS SYSTEM



EO_14340.PDF

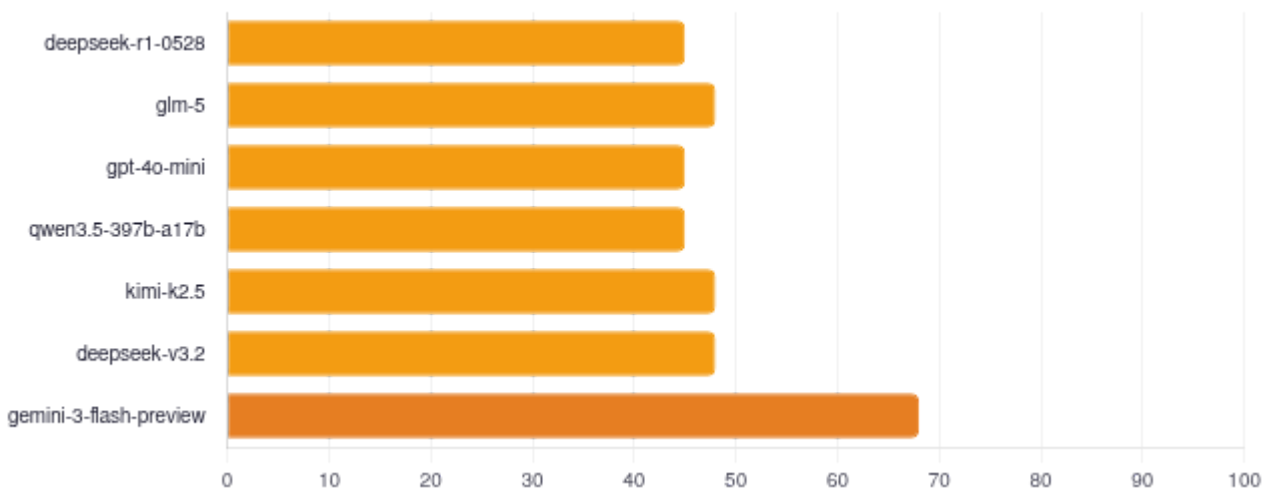
EO 14340 — Multi-Model Comparison Report

AVG THREAT LEVEL: MODERATE [50/100]

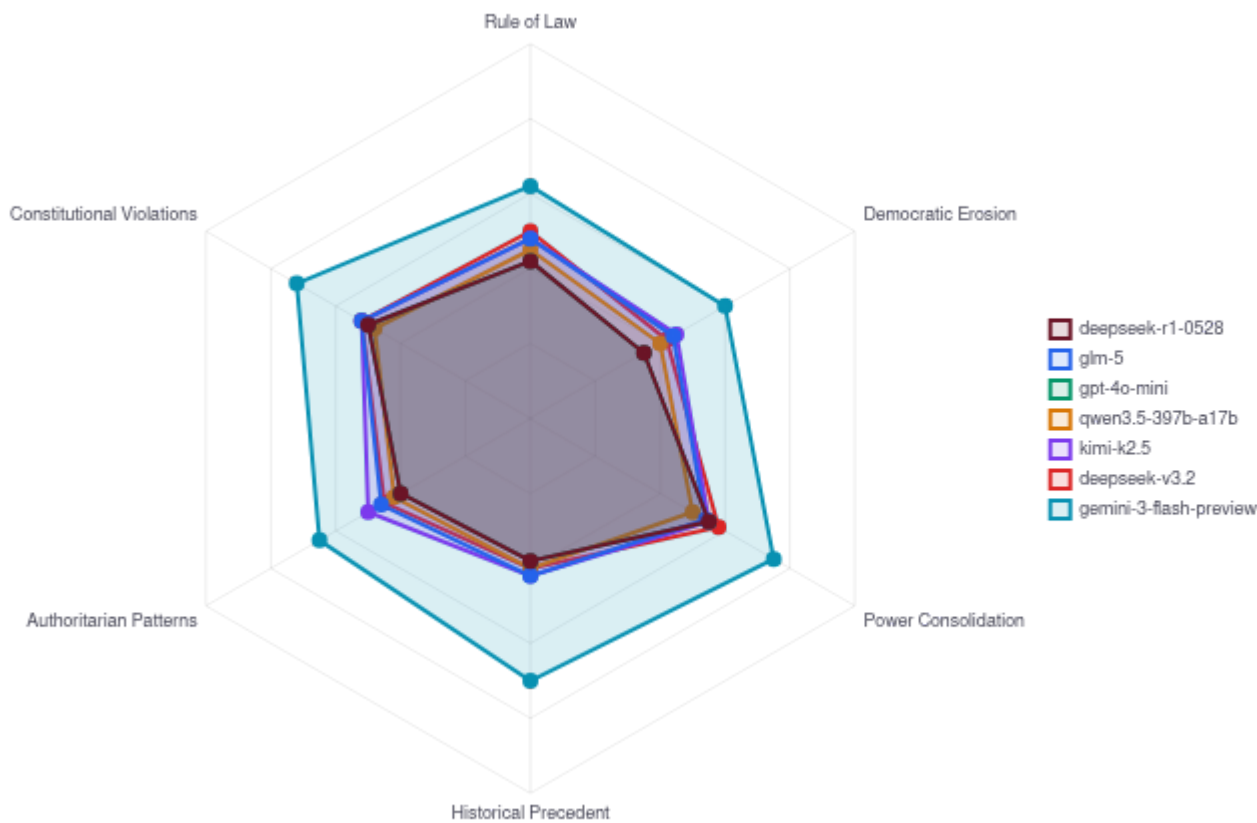
Models Compared: deepseek-r1-0528 • glm-5 • gpt-4o-mini • qwen3.5-397b-a17b • kimi-k2.5
• deepseek-v3.2 • gemini-3-flash-preview

Models Analyzed	Score Range	Model Agreement	Generated
7	45 – 68	92%	February 23, 2026

Overall Score Comparison



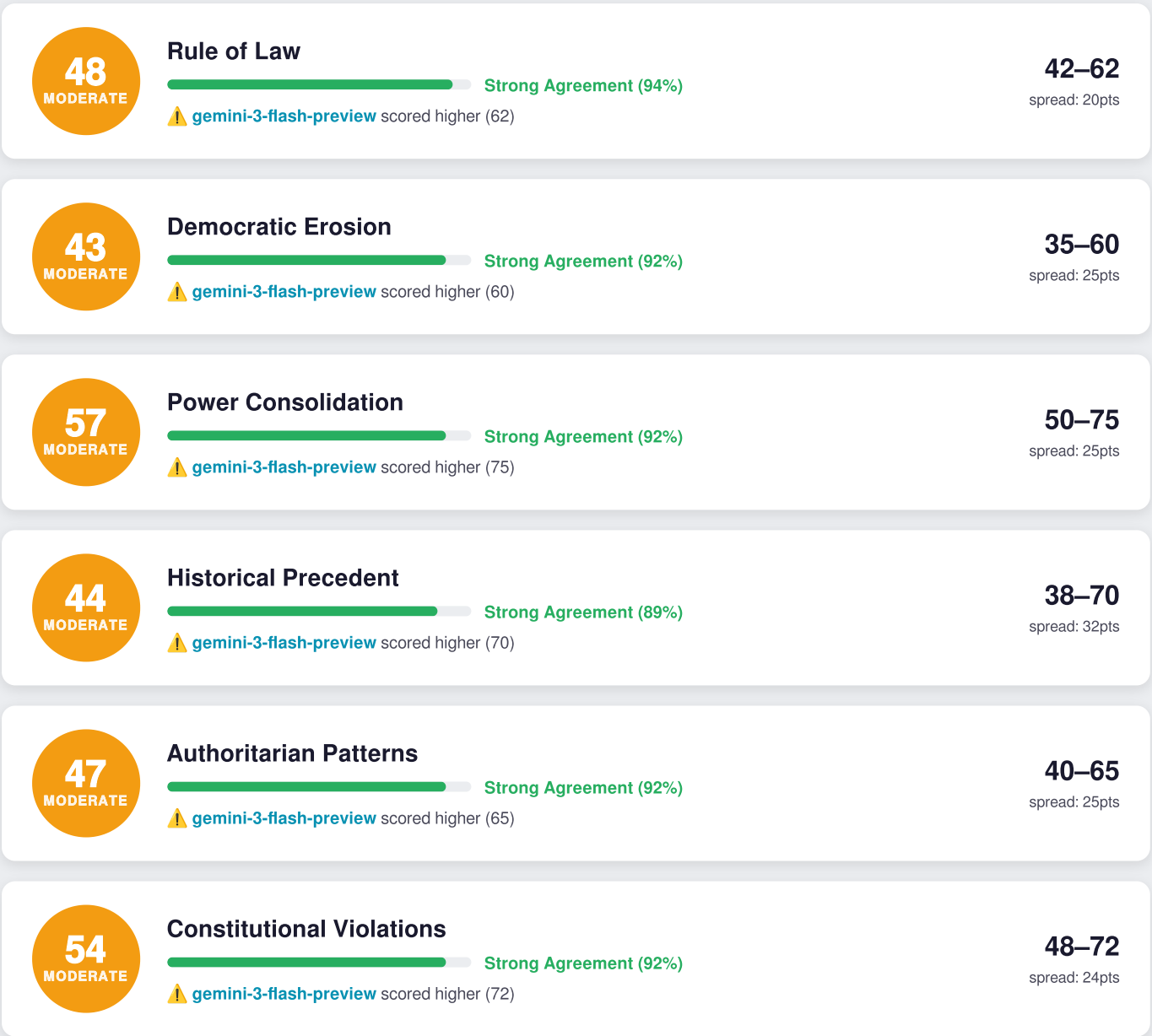
Framework Score Comparison (Radar)



Models Compared	Average Score	Score Range	Model Agreement	Highest Score	Lowest Score
7	50	45–68	92%	68 gemini-3-flash-preview	45 deepseek-r1-0528

Consensus Scorecard

Average scores across 7 models per framework, with agreement levels and outlier detection.



Model Comparison Matrix

Score heatmap across all 7 models and 6 analysis frameworks. Color intensity indicates threat level.

Framework	0528 deepseek-r1-	glm-5	gpt-4o-mini	a17b qwen3.5-397b-	kimik2.5	deepseek-v3.2	flash-preview gemini-3-	AVG
Rule of Law	42 MODERATE	48 MODERATE	42 MODERATE	45 MODERATE	48 MODERATE	50 MODERATE	62 HIGH	48 AVG
Democratic Erosion	35 LOW	44 MODERATE	35 LOW	40 LOW	45 MODERATE	42 MODERATE	60 MODERATE	43 AVG
Power Consolidation	55 MODERATE	54 MODERATE	55 MODERATE	50 MODERATE	55 MODERATE	58 MODERATE	75 HIGH	57 AVG
Historical Precedent	38 LOW	42 MODERATE	38 LOW	40 LOW	42 MODERATE	40 LOW	70 HIGH	44 AVG
Authoritarian Patterns	40 LOW	46 MODERATE	40 LOW	42 MODERATE	50 MODERATE	45 MODERATE	65 HIGH	47 AVG
Constitutional Violations	50 MODERATE	52 MODERATE	50 MODERATE	48 MODERATE	52 MODERATE	52 MODERATE	72 HIGH	54 AVG
OVERALL THREAT	45 MODERATE	48 MODERATE	45 MODERATE	45 MODERATE	48 MODERATE	48 MODERATE	68 HIGH	50 AVG

Threat Level:

Minimal

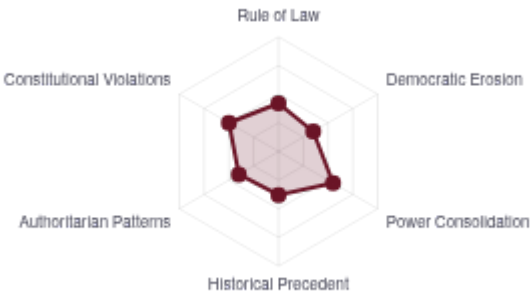
Low

Moderate

High

Critical

Framework Scores



Rule of Law		42
Democratic Erosion		35
Power Consolidation		55
Historical Precedent		38
Authoritarian Patterns		40
Constitutional Violations		50

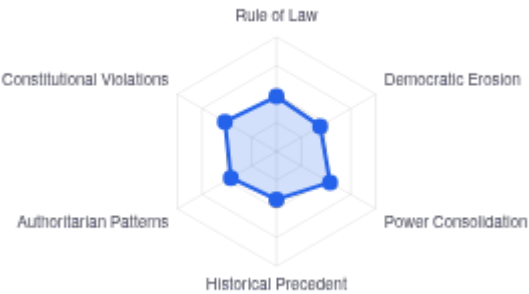
Executive Summary

The order demonstrates moderate authoritarian tendencies through its emergency framing and federal coercion tactics against D.C.'s bail policies. While operating within technical legal boundaries via the Home Rule Act, it systematically undermines local autonomy by creating parallel federal detention pathways and leveraging funding for compliance. The approach echoes historical federal overreach in policing but stops short of direct constitutional suspensions or wholesale elimination of judicial oversight.

Top Key Findings

- ✓ **[Rule of Law]** Selective application of legal authority for political objectives
- ✓ **[Rule of Law]** Circumvention of established pretrial procedures
- ✓ **[Democratic Erosion]** Bypassing normal intergovernmental consultation channels

Framework Scores



Rule of Law		48
Democratic Erosion		44
Power Consolidation		54
Historical Precedent		42
Authoritarian Patterns		46
Constitutional Violations		52

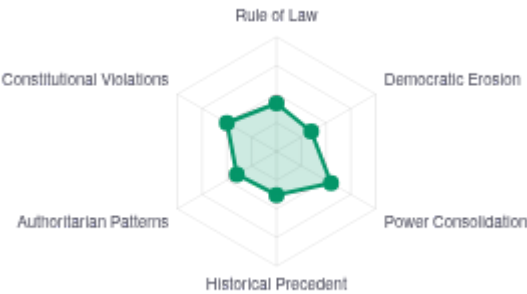
Executive Summary

This document shows moderate constitutional concerns with an overall threat score of 48/100. Key concerns include: The directive to pursue federal charges 'whenever possible' to bypass local pretrial release policies represents a deliberate circumvention of local democratic governance and judicial discretion.; The order effectively commandeers local law enforcement policy through federal coercion, violating the principle that the federal government cannot compel states (or D.C.) to enforce federal policy preferences..

Top Key Findings

- ✓ **[Authoritarian Patterns]** Executive order overrides locally-elected D.C. government policy decisions through federal intervention
- ✓ **[Authoritarian Patterns]** Uses emergency declaration ('crime emergency') to justify expanded federal authority over local criminal justice
- ✓ **[Constitutional Violations]** Raises significant Tenth Amendment federalism concerns by using federal power to override local criminal justice policy

Framework Scores



Rule of Law		42
Democratic Erosion		35
Power Consolidation		55
Historical Precedent		38
Authoritarian Patterns		40
Constitutional Violations		50

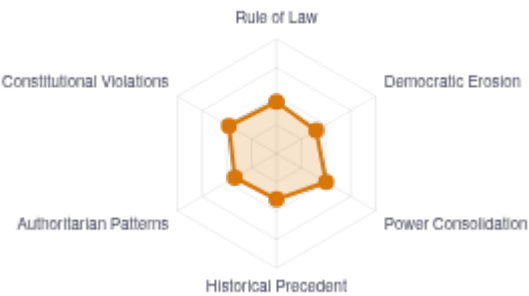
Executive Summary

The analysis indicates that the Executive Order demonstrates several concerning authoritarian patterns, including federal overreach into local governance, potential constitutional violations, and a consolidation of power that undermines democratic norms. The emergency framing is particularly troubling as it could set a precedent for future similar actions.

Top Key Findings

- ✓ **[Rule of Law]** The order raises concerns about the application of law in a politicized context.
- ✓ **[Rule of Law]** It suggests that federal authorities can override local judicial decisions.
- ✓ **[Democratic Erosion]** The language used frames local governance as ineffective and dangerous.

Framework Scores



Rule of Law		45
Democratic Erosion		40
Power Consolidation		50
Historical Precedent		40
Authoritarian Patterns		42
Constitutional Violations		48

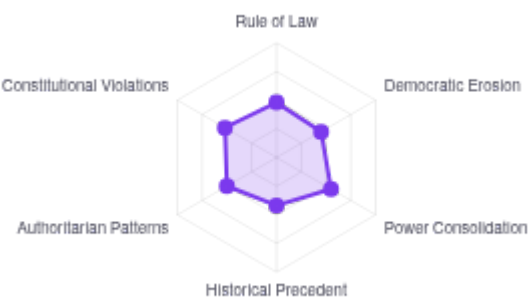
Executive Summary

The document exhibits moderate threats to democratic norms primarily through the expansion of federal executive power into local judicial and policing domains. While the President holds specific authority over the District of Columbia under the Home Rule Act, the use of emergency declarations to mandate bail policies and threaten funding represents a significant centralization of power. The mechanisms described align with patterns of democratic erosion where local autonomy is compromised by federal coercion, though the actions remain within a legal gray area rather than explicit constitutional breach. The primary risk lies in the normalization of executive overrides for local policy disputes.

Top Key Findings

- ✓ **[Rule of Law]** Ambiguous standards for 'threat to public safety' defined by executive
- ✓ **[Rule of Law]** Prioritization of detention outcomes over procedural consistency
- ✓ **[Democratic Erosion]** Undermining elected local officials (Mayor) through federal directives

Framework Scores



Rule of Law		48
Democratic Erosion		45
Power Consolidation		55
Historical Precedent		42
Authoritarian Patterns		50
Constitutional Violations		52

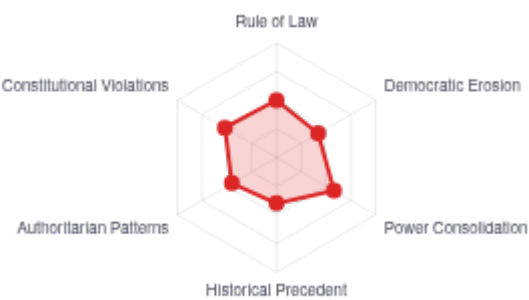
Executive Summary

This document shows moderate constitutional concerns with an overall threat score of 48/100. Key concerns include: Invocation of emergency powers to effectively federalize local criminal justice policy and override voter-enacted bail reform; Coercive use of federal funding mechanisms to dictate local criminal procedure and bail policy, potentially violating the distinction between encouragement and coercion established in *South Dakota v. Dole*.

Top Key Findings

- ✓ **[Authoritarian Patterns]** Use of emergency declaration to bypass normal legislative and local democratic processes
- ✓ **[Authoritarian Patterns]** Centralization of law enforcement authority under direct federal executive control
- ✓ **[Constitutional Violations]** Potential violation of the anti-commandeering principle as applied to DC's limited sovereignty

Framework Scores



Rule of Law		50
Democratic Erosion		42
Power Consolidation		58
Historical Precedent		40
Authoritarian Patterns		45
Constitutional Violations		52

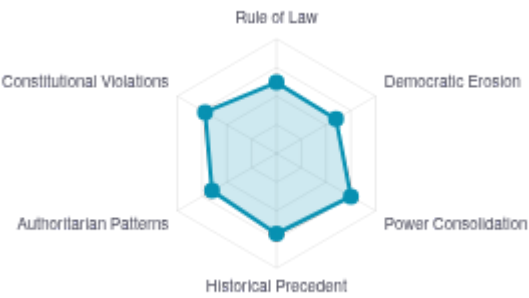
Executive Summary

The order represents a significant federal incursion into local criminal justice policy under the guise of emergency powers. While public safety is a legitimate concern, the mechanisms employed—creating parallel federal enforcement tracks, using funding as coercion, and overriding local democratic decisions on pretrial detention—establish concerning patterns of authoritarian governance. The most critical threat lies in normalizing the use of federal emergency declarations to bypass normal democratic processes for policy disputes. However, the order includes qualifications like 'consistent with applicable law' and 'subject to the availability of appropriations,' which somewhat limit its immediate authoritarian potential. The overall pattern suggests a moderate threat that warrants monitoring, particularly if this approach is expanded to other policy areas or jurisdictions.

Top Key Findings

- ✓ **[Rule of Law]** Creates unequal application of justice based on jurisdiction (federal vs. local)
- ✓ **[Rule of Law]** Encourages forum-shopping for charges to achieve detention outcomes
- ✓ **[Democratic Erosion]** Bypassing of normal legislative and local democratic processes

Framework Scores



Rule of Law		62
Democratic Erosion		60
Power Consolidation		75
Historical Precedent		70
Authoritarian Patterns		65
Constitutional Violations		72

Executive Summary

This Executive Order represents a significant escalation in federal intervention into local governance, utilizing a 'Crime Emergency' as a legal vehicle to override the District of Columbia's Home Rule. By leveraging federal funding and the threat of federal custody, the order seeks to dismantle local criminal justice policies (cashless bail) and replace them with executive-mandated detention standards. This creates a high threat to constitutional norms regarding federalism, due process, and the separation of powers, as it effectively subordinates local police and judicial discretion to the Attorney General's 'determinations.'

Top Key Findings

- ✓ **[Rule of Law]** Potential interference with judicial independence by mandating a executive-preferred outcome (detention) for specific classes of crime.
- ✓ **[Rule of Law]** Vague definitions of 'threat to public safety' that grant broad discretion to executive officials.
- ✓ **[Democratic Erosion]** Subversion of local democratic will in the District of Columbia by federal executive fiat.

Consensus Analysis

Where models agree and disagree across the 7 analyses.

✓ Areas of Agreement (<10pt spread)

No frameworks had close agreement (<10pt spread).

⚠ Areas of Disagreement (≥10pt spread)

⚠ Historical Precedent	Range: 38–70 — Spread: 32pts High variance between models
⚠ Democratic Erosion	Range: 35–60 — Spread: 25pts High variance between models
⚠ Power Consolidation	Range: 50–75 — Spread: 25pts High variance between models
⚠ Authoritarian Patterns	Range: 40–65 — Spread: 25pts High variance between models
⚠ Constitutional Violations	Range: 48–72 — Spread: 24pts High variance between models
⚠ Rule of Law	Range: 42–62 — Spread: 20pts High variance between models

📋 Consolidated Recommendations

Merged and deduplicated across all 7 models — prioritized by how many models suggested each.

- Clarification of emergency declaration thresholds to prevent abuse for policy disputes

Suggested by 1 model: **deepseek-v3.2**
- Congressional oversight hearings on the use of emergency declarations for local policing policy

Suggested by 1 model: **qwen3.5-397b-a17b**
- Congressional oversight hearings on use of emergency powers for local policy override

Suggested by 1 model: **deepseek-v3.2**
- Congressional oversight hearings regarding the definition and scope of the 'Crime Emergency'.

Suggested by 1 model: **gemini-3-flash-preview**
- Congressional review of Home Rule Act emergency invocation legitimacy

Suggested by 1 model: **deepseek-r1-0528**
- Development of intergovernmental negotiation protocols for federal-local criminal justice conflicts

Suggested by 1 model: **deepseek-v3.2**
- Encourage public discourse on the balance of power between federal and local authorities.

Suggested by 1 model: **gpt-4o-mini**