



**MINTPRESS  
NEWS**

# The Law Enforcement Lobby's Heavy Hand In American Policy

“It seems like we take [law enforcement’s] opinion into pretty heavy consideration whenever we’re passing legislation,” one Minnesota lawmaker says.

**By Katie Rucke**  
May 29, 2014

**MINNEAPOLIS** — The influence wielded in the U.S. political arena by the National Rifle Association, Monsanto and Koch brothers-controlled organizations is familiar to many Americans. But the average voter is likely unaware of a lesser-known lobby with a strong say in U.S. policy: law enforcement.

Although police officers may lead the public to believe they don’t create the laws, they just enforce them, Lt. Commander Diane Goldstein (Ret.), a member of Law Enforcement Against Prohibition, or LEAP, says if this were truly the case, law enforcement officers wouldn’t arrive at meetings with politicians while in uniform.

“Capitalism is alive and well in politics,” Goldstein said while talking to MintPress about the “incredibly powerful lobby” law enforcement has created over the years. The problem with lobbying, she says, is that it’s all about furthering self-interests.

Tim Lynch, director of the Project on Criminal Justice at the CATO Institute, agreed with Goldstein, noting that the spokesmen and spokeswoman for police departments often distance themselves from their influence on the law when legal issues or controversies arise, “as if they are disinterested or indifferent to” what law the legislature is writing.

While some of the issues taken up by the lobby are related to public safety, collective-bargaining packages for officers and other special legal protections as outlined under the [Law Enforcement Officers’ Bill of Rights](#), one of the largest political issues law enforcement attempts to influence is related to drug reform — specifically, marijuana legalization.

Exactly how much money police lobbies spend on legislative efforts isn't the easiest figure to decipher, since there are more than 18,000 different police departments in the United States. Of the total, some lobby, while others simply focus on keeping the people in their communities safe.

To make things even more complicated, there is a difference in the types of records that are required for lobbyists that are public unions compared to organizations, and the rules vary by state, as well. But according to Dan Auble, senior researcher at the Center for Responsive Politics, law enforcement spent roughly \$2.5 million lobbying lawmakers in Washington last year.

Auble says this amount seems relatively “paltry” when compared to what other groups spend on influencing the government, but the actual influence of law enforcement is likely much higher. He says this is because reported financial figures don't include the other ways law enforcement influences policies such as when lawmakers reach out for an “expert opinion.”

Law enforcement lobbies may not be as influential in Washington as the financial and pharmaceutical companies, but Auble says that especially when it comes to issues of particular concern to law enforcement, including drug policy, human trafficking, immigration and their own pension and retirement issues, “they are surely a well-respected voice in the halls of Congress.”

## Minimizing “reefer madness”

In California, for example, medical marijuana has been legal since 1996, and since then, law enforcement has been trying change this. Though states continue to legalize medicinal marijuana use because it's what the public wants, LEAP's Goldstein says law enforcement officials in the state continue to exert a tremendous amount of pressure on state lawmakers, hoping that medical marijuana will once again be a prohibited substance that is not legal for any reason.

Law enforcement in the Golden State may have not been able to fully undermine marijuana legalization efforts there, but Goldstein says police lobby groups were the ones pressing state legislators to allow cities and counties throughout the state to claim that medical marijuana legalization didn't apply in their particular localities.

“One thing I hear all the time is legalizing marijuana gives us less reasons to stop people,” Goldstein said, since legalization eliminates a tool that officers can use for probable cause. But as the former Redondo Beach, Calif., police chief told MintPress, that is “lazy policing,” which is why she said legalizing marijuana enhances civil liberties — something law enforcement should be striving for.

As a result of the more than \$1 million law enforcement associations and professional trade organizations have spent on lobbying in California, there are many places in California where medical marijuana is once again a prohibited substance. Hundreds of dispensaries have been shut

down and the rules regarding home cultivation have changed, forcing patients to once again either break the law or move to another part of the state,

Officers in the state are still continuing to push for the repeal of medical marijuana legalization. They're also pushing back against other proposed legislative items such as reduced penalties for the use of other drugs, and the elimination of asset forfeiture and mandatory minimum sentences.

## Culture of fear

Although the California state Legislature legalized medical marijuana, since it was the will of the majority of the people to do so, not every state legislature is ready to face off against the men and women in blue for various reasons, including concerns about reelection.

Minnesota, for example, recently passed a watered-down medical marijuana measure that some say pleases law enforcement more than it helps medical marijuana patients. Although the state's Legislature was prepared to pass a more favorable bill for the patients when the bill was first introduced last May, lawmakers altered the language and agreed to additional concessions weeks before the end of the legislative session in order to convince the state's Gov. Mark Dayton to support and sign the legislation into law.

Although the measures were introduced by Democratic lawmakers and received bipartisan support, Dayton repeatedly said he would only sign the legalization legislation into law if law enforcement supported the measure. Since law enforcement said they objected to all forms of legalization, some state lawmakers such as Rep. Carly Melin, who introduced two medical marijuana bills, [said](#) she was "starting to wonder who makes the laws around here."

"It seems like we take [law enforcement's] opinion into pretty heavy consideration whenever we're passing legislation," she [said](#).

Minnesota state Sen. Branden Petersen agreed, [saying](#) the influence of law enforcement in politics had to be checked.

"Law enforcement is the one entity — government entity — that has the ability to imprison you and take your life if necessary," Petersen said. "If anybody should be constrained by the law, it ought to be law enforcement."

Lynch, of the CATO Institute, noted that the main issue with law enforcement lobbying and influencing elected officials is that citizens expect lawmakers to oversee police departments. But if elected officials are afraid of criticizing or checking the power of the police, he noted, then we are in trouble.

## Moneymaker

One reason the law enforcement community has largely been against the legalization of drugs such as marijuana, even for medicinal use, is that the war on drugs has been a major moneymaker for police departments across the country.

Prison guard unions also have an interest in ensuring the drug war doesn't end, as arresting people for marijuana possession allows for more prisons to be built and more guards to be hired — which, essentially, means more money for prison guard unions.

Goldstein, the retired police chief, says it is common knowledge that the drug war has failed, but those working in law enforcement sometimes become so ingrained in the culture that they get tunnel vision.

It wasn't until Goldstein retired after serving some 20 years on the police force that she realized that she and other police officers “suffered from a little hubris,” and believed that as police officers, they tried to tell the public what was best for them.

As Pete Eyre of Cop Block told MintPress, the issue really boils down to ideas, such as people believing that the police have their best interests at heart or that police officers believe they know what's best for the public. And, as he explained, ideas have consequences.

“If people buy into the idea that a stranger has authority over them because of a title or a costume, it's going to lead to bad things,” he said.

This is especially evident in policies such as asset forfeiture, which Eyre describes as an example of police officers arguing that they have the right to steal from an individual in order to protect them.

Reflecting on her own career, Goldstein says that when it comes to drug crimes, law enforcement is ineffective and inefficient because the war on drugs has been a failure. This conclusion, she says, has been supported over and over again by alternative media organizations, and is something that even the Government Office of the Drug Czar doesn't dispute.

In the wake of the failure of the war on drugs, she says, groups like LEAP are now trying to refocus the conversation on marijuana legalization as one that chronicles the harms of prohibiting the substance.

Goldstein adds that thanks to drug policy reformers who have created a safe place for lawmakers to publicly acknowledge a need for policy reform, lawmakers have the opportunity to make real social change now — a change that the public is ready for and wants.

## Partners in “crime”

The close relationship between police officers and politicians in the U.S. is far from new, but until the latter part of the 20th century, it appeared that politicians held considerable sway over the actions of police officers, not vice versa.

When the role of an institutionalized police officer was first introduced in the U.S. in the 1800s, the American police force was modeled after what Sir Robert Peel had done with the London Metropolitan Police Department. But while the “Bobbies,” as the London police are commonly known, went through training so they didn’t have to be armed, American police officers wanted firearms and the ability to use force whenever necessary.

According to a [Sage Publications article](#) on U.S. police history, during the 1800s and the early 1900s, policing was “heavily entrenched in local politics.”

“The relationship between the police and local politicians was reciprocal in nature: politicians hired and retained police officers as a means to maintain their political power, and in return for employment, police officers would help politicians stay in office by encouraging citizens to vote for them,” according to “[The History of the Police.](#)”

In fact, police officers and politicians were so close that the entire personnel of a police department often changed when a new local political administration took over. Those on the police force not only had little influence when it came to criminal justice-related decisions, but they also [paid politicians to secure their jobs.](#)

For example, patrol officers paid between \$300 and \$400 for a job, depending on the part of the country. A job as a police sergeant cost about \$1,600 to obtain, and a position as captain could set someone back anywhere from \$12,000 to \$15,000.

Local politicians may no longer be tasked with handpicking a local police force, but the relationship between police officers and lawmakers continues to be a strong and messy one, regardless of party affiliation.

During the 1800s, officers spent most of their time in saloons, bowling alleys, restaurants, barbershops and other establishments where they could eat, drink and socialize, which led to rampant police misconduct and corruption, such as rigged elections, misuse of force, corporal punishment of juveniles, and the use of violence to coerce confessions or in response to an officer feeling disrespected.

Any attempts to reform police departments were quashed, as local courts and supervisors often sided with officers whenever a complaint was made. But in the early part of the 20th century, there was evidence of some reform, such as the creation of recruiting and hiring standards, implementation of record-keeping systems, use of lie detectors, and the use of science-based crime labs.

Despite the apparent progress, police officers were still following racial policing policies in the 1950s — ticketing black motorists more than whites, and arresting black people even at peaceful sit-ins. When images of police officers hitting, pushing and arresting protesters were published in the news media during the 1960s, there was no denying the abuse of power that appeared to be rampant amongst those in the police force.

The role of law enforcement in the U.S. may have progressed for the better since the institution as we know it was first formed centuries ago. However, police reform advocates argue there is still a need for improvement, pointing to racial policing policies such as stop-and-frisk and a high rate of police brutality incidents as proof.