



[Police unions face lobbying fights at all levels of government](#)

Police unions are gearing up for their biggest lobbying fights in years as lawmakers at all levels of government push to reform law enforcement practices and protections.

In Congress, the brewing battle comes as House Democrats have introduced [sweeping legislation](#) to overhaul aspects of the criminal justice system, with Senate Republicans expected to unveil [their proposal](#) in the coming week.

The National Fraternal Order of Police (FOP), the country's largest police group that represents over 330,000 officers, is expected to play a major role, much like it did in 2014 when it tried to protect access to military equipment following the police killing of Michael Brown in Ferguson, Mo.

“There seems to be a lot of variation in how police unions are handling the situation, ranging from just the outright opposition and in some cases vile statements coming out of union heads to ... union heads that are open to reforms,” said Jake Rosenfeld, a professor at the Washington University in St. Louis who specializes in unions.

The FOP, which has in-house lobbyists, said it spent \$55,000 on lobbying activities in the first quarter of 2020, a relatively low amount compared to unions in other sectors. In 2019, it spent \$220,000.

An FOP spokesperson declined to comment on any plans for expanding lobbying in light of the new legislation.

The group's last lobbying surge was in 2014, when it was initially unsuccessful in arguing that a Pentagon program that provided surplus military gear to the police should be continued. Then-President Obama placed restrictions on the program, but [President Trump](#) lifted those restrictions during his first year in office.

But the debate this time around is much broader and one that threatens to reshape police forces nationwide.

Rosenfeld said that in 2014 “it certainly felt like it was just drawing a line in the sand and not moving from it. Here, this movement seems to be somewhat different.”

The FOP put out a statement last month after the killing of George Floyd while in Minneapolis police custody, when an officer knelt on his neck for almost nine minutes.

“Law enforcement officers are empowered to use force when apprehending suspects and they are rigorously trained to do so in order to have the safest possible outcome for all parties,” FOP national president Patrick Yoes wrote. “Police officers need to treat all of our citizens with respect and understanding and should be held to the very highest standards for their conduct.”

Other law enforcement unions have been active in Washington this year, particularly around COVID-19 relief funds.

The Minnesota Police and Peace Officers Association hired Folger Square Group on April 1 to work on supplemental funding to address the effects of the coronavirus and criminal justice. Those efforts have since been overshadowed by the May 25 killing of George Floyd while in Minneapolis police custody.

Police unions also have to prepare for fights outside the Beltway.

“It’s really at the local level where a lot of the real action will be. I think you’ll see a lot of variation in terms of where unions will be on what’s coming out of cities in efforts for fundamental reform,” Rosenfeld said.

In California this month, a coalition of district attorneys called on the State Bar of California to prohibit police unions from making campaign contributions to district attorneys “to reduce the possibility of political influence from law enforcement unions over prosecutorial decision making.”

Clamping down on police union contributions could further erode the clout of law enforcement groups, though restrictions on making donations to federal candidates is not even being discussed.

The FOP's PAC has spent 9,000 on federal candidates so far this cycle -- 44 percent to Democrats and 56 percent to Republicans, according to data from the Center for Responsible Politics.

That money was spent between Sen. [John Cornyn](#) (R-Texas), who received \$5,000, Sen. [Chris Coons](#) (D-Del.), who received \$2,500, and Rep. [Alan Lowenthal](#) (D-Calif.), who received \$1,500.

It also gave \$5,000 to Green Mountain PAC, which is Sen. [Patrick Leahy](#)'s (D-Vt.) leadership PAC, and \$5,000 to Majority Leader [Steny Hoyer](#)'s (D-Md.) Majority Fund.

The PAC spent the most on any race in 2012 when it gave over \$41,000 to federal candidates. Ninety-five percent of that went to Democrats, with Sen. [Amy Klobuchar](#) (D-Minn.) receiving the most at \$10,000, according to data from the Center for Responsive Politics.

Klobuchar, a contender for running mate for Biden, has received \$15,000 from police union and law enforcement PACs since she's been in the Senate, second only to Leahy, who has received \$21,250.

Leahy's office did not respond to a request for comment.

"Senator Klobuchar has a long record of working on justice reforms and police accountability. As a prosecutor she pushed for police accountability reforms such as videotaped interrogations and publicly supported outside investigations for police officers," a spokesperson for Klobuchar told The Hill.

The FOP has not endorsed a presidential candidate this cycle, but it endorsed Trump in September 2016 for that year's race after not endorsing now-Sen. [Mitt Romney](#) (R-Utah) when he was the GOP presidential nominee in 2012.

FOP did not respond to The Hill's request for information on further plans for contributions or endorsements in 2020.

Presumptive Democratic nominee [Joe Biden](#) has not received any police union endorsements this cycle.

As of April, law enforcement officers had individually contributed to more than \$70,000 to Biden's campaign, compared to \$62,000 for Trump, according to the Center for Responsive Politics.

[State Supreme Court denies petition to open special session to public](#)

The future has a way of being unimaginable.

The framers of the New Mexico Constitution in 1911 might never have predicted the general public and lobbyists would ever have to watch democracy in action from outside the state Capitol, as the New Mexico Supreme Court ruled they would in a 3-2 decision Tuesday.

Chief Justice Judith Nakamura described the ruling as a difficult one to make, but she nonetheless concurred with Justices Barbara Vigil and Michael Vigil in denying a petition by several lawmakers to open the Roundhouse to the public for the special legislative session this week.

The ruling means those who want to follow the session will be watching hearings from their computer screens — rather than in committee rooms and House and Senate galleries — due to ongoing public health concerns from the COVID-19 pandemic.

While the court issued an order denying the petition, it has not yet released an opinion explaining the prevailing justices' rationale.

Nakamura said one would be coming. The issues presented in oral arguments Tuesday were “very important, and we do plan to write” about the decision, she said.

A. Blair Dunn, a lawyer on behalf of 24 predominantly Republican lawmakers and the state's former land commissioner, Libertarian Aubrey Dunn, who had filed the petition, had argued the framers of the state constitution intended for people to be physically present for legislative sessions.

“Democracy dies in darkness,” A. Blair Dunn said in his opening remarks to the court, quoting the slogan of the Washington Post.

Attorney Dunn, Aubrey Dunn's son, was a 2018 Libertarian candidate for attorney general.

Starting Thursday, lawmakers will gather at the Capitol to begin debating tough decisions on how to shore up an estimated \$2 billion shortfall in projected revenues for the fiscal year 2021 budget, largely because of financial havoc wreaked by the pandemic. Gov. Michelle Lujan Grisham also has outlined five key proposals that might come up for a vote during the session, including efforts to streamline the November general election and financial assistance for small businesses affected by the pandemic-related shutdown.

The Legislative Council announced earlier this month the building would be accessible only to members of the media, lawmakers and their staffs.

The general public and the state's corps of lobbyists will not be allowed into the building to watch floor hearings from the chamber galleries, offer input during committee hearings — where legislation is debated and often amended before it moves to the House or Senate floor — or rub elbows with lawmakers, as has happened for years before COVID-19 arrived.

A. Blair Dunn argued Tuesday the state constitution requires public access to the Roundhouse. “Meaningful participation” in a legislative session requires physical presence, he said — and making an appearance is an action that should be protected under the First Amendment.

He also argued about the possible pitfalls of a technological solution to a closed Capitol.

Underscoring those arguments, the courthouse lost its internet connection for nearly 10 minutes Tuesday, forcing the Supreme Court to pause oral arguments.

When they came back online, justices questioned whether lawmakers would pause legislative proceedings this week if there are problems with the video feed.

Thomas Hnasko, an attorney for the Legislative Council, assured justices that lawmakers would do so.

Hnasko argued streaming debate, committee hearings and votes online satisfies the constitutional requirement that the public be allowed to observe the New Mexico Legislature in action.

They would “take that extremely seriously and stop the proceedings” if technical issues prevent online streaming,” he said. “I have the utmost faith in that.”

At the discretion of those chairing House committees, the public will be allowed to speak at hearings via videoconference. The Senate has decided, however, the public will only be allowed to email a committee, rather than take part in a videoconference, Hnasko said.

Meeting in person “could result in a catastrophe for our citizens from a public health standpoint,” he added.

Hnasko said virtual proceedings balance the need to protect the public from “the acute public health problems brought by the pandemic” with the need to ensure the legislative session remains open and transparent.

New Mexico Republican Party Chairman Steve Pearce denounced the justices’ decision in a statement.

“It’s the people’s government,” Pearce said. “It’s a violation of what open government represents.”