

## Research Brief

### Interest Groups and Criminal Justice Policy

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#### **Introduction**

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The criminal justice system has become an increasingly large and expensive bureaucracy. According to the Bureau of Justice Statistics (BJS), in 2006 the total expenditures of the criminal justice system, including law enforcement, the courts, and corrections, was approximately \$215 billion — a 497 percent increase from 1982. The largest part of the budget has consistently been allocated to law enforcement, although the largest increase since 1982 has been for corrections (up 660 percent). As of March 2003, the total monthly payroll of the entire criminal justice system was \$9 billion; law enforcement constituted two-thirds of the total amount (BJS, 2010). This publication introduces the role criminal justice interest groups play in forming justice policy.

#### **The Criminal Justice System**

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##### *Law Enforcement*

According to the BJS, there are almost 18,000 law enforcement departments in the US, ranging from small town departments of one officer to large urban departments with 1,000 or more officers. There are over 1 million law enforcement employees (with about 750,000 sworn law enforcement officers) who share a monthly payroll greater than \$5.9 billion (Reaves, 2007; Hughes, 2006).

##### *The Courts*

In 2004, about 45 million cases were filed in trial courts and about 273,000 in appellate courts (Langton and Cohen, 2007). There are about 26,000 judges serving in these courts. The prosecutor's office has the largest payroll within the court system. As of 2005, there were about 78,000 personnel with a total payroll just under \$5 million in a total of 2,344 offices (U.S. Department of Justice, 2005, Table 1 and 4).

##### *The Correctional System*

The fastest growing component of the criminal justice system is the correctional system. As of December 30, 2005, there were 1,821 state and federal correctional facilities — an increase of 9% since 2000. As of December 31, 2009, there were more than 1.6 million prisoners housed in state and federal correctional facilities (up 16% from 2000), with an incarceration rate of 504

(compared to a rate of 478 in 2000), larger than any other nation in the world (See Figure 2). An additional 767,620 individuals are being held in local jails, bringing the total incarceration rate to 748 per 100,000 (West, 2010).

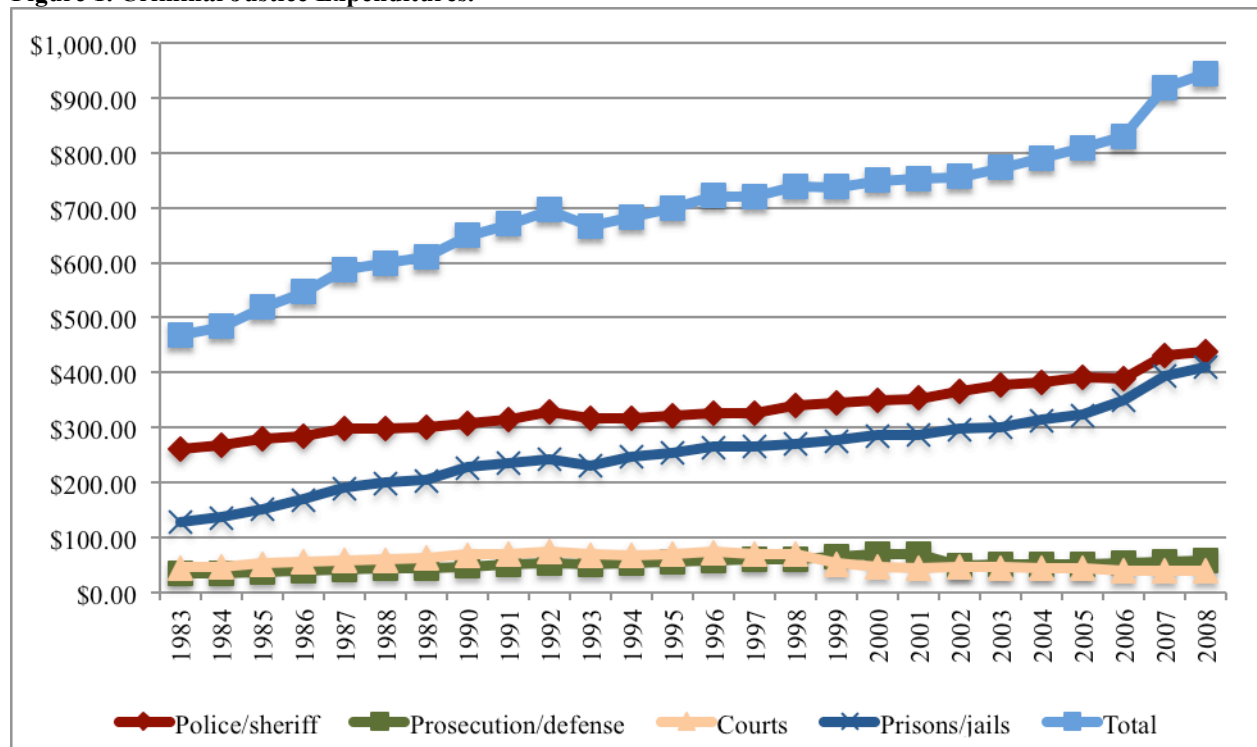
*The California Criminal Justice System*

For the state of California, expenditures have increased at a pace that parallels national figures. Between 1982 and 2010 total expenditures have increased by 1,019 percent (see Figure 1). While expenditures for police and sheriff’s departments have risen at about the same pace as expenditures for prisons and jails, expenditures for the court system (prosecution and defense) have barely changed.

For California, the total institutional population has grown in a pattern that parallels national figures. After little change in the 1950s, the incarceration rate declined until about 1980, after which the population skyrocketed by more than 4,000 percent. This growth stemmed mostly from the drug war (Shelden, 2010; Alexander, 2010).

Added to these numbers is the large and growing population under supervision of probation and parole. As of 2008, there were about 5 million under some form of supervision – 4.2 million on probation and 800,000 on parole. All together, more than 7 million people are under the supervision of the criminal justice system on any given day, an all-time high (Glaze and Bonczar, 2009).

**Figure 1. Criminal Justice Expenditures.**



Source: Criminal Justice Statistics Center (2010). California criminal justice profile, statewide (annual, 1979-2009). Sacramento, CA: California Department of Justice, Table 10.

## **The Role of Interest Groups**

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Public policies are determined by local, state and national legislative bodies. Special interest groups have a powerful influence on public policy. Every year, labor unions, professional associations, and corporations spend millions of dollars on campaigns to influence voting practices. These groups also employ legislative advocates, also known as lobbyists, who draft and push legislation while maintaining close relationships with lawmakers and government officials. While these special interest groups claim to be concerned with the systemic health and prosperity of the population, in many cases these groups are strongly motivated by the employment of their members and their profit margins.

### ***Criminal Justice Interest Groups***

Among the most notable national organizations directly involved in crime control legislation is the American Legislative Exchange Council (ALEC), which demonstrates the classic connections between politics, economics and the criminal justice system. The membership consists of private corporation executives, criminal justice officials, and more than one-third of state lawmakers in the country, most of whom are Republicans or conservative Democrats. Several major corporations and corporate foundations contribute money to ALEC.

Until recently, ALEC included a “Criminal Justice Task Force,” which drafted “model bills” on crime and punishment, including bills on mandatory minimum sentences, Three Strikes laws, and truth in sentencing laws.

Presently there is a task force called “Public Safety and Elections,” which is “dedicated to developing model policies that reduce crime and violence in our cities and neighborhoods, while also focusing on developing policies to ensure integrity and efficiency in our elections, and within our systems of government.” Among the members of this task force is Laurie Shanblum, Senior Director of Business Development for the Corrections Corporation of America (CCA), the nation’s largest private prison corporation. CCA is also a member of ALEC, as is the American Bail Coalition, which is dedicated to the long-term growth and longevity of the bail bond industry.

According to the Lobby Watch project by the Center for Public Integrity, between 1998 and 2004 1,243 different companies engaged in lobbying efforts related to crime, law enforcement, and criminal justice. The leader during this time was Corrections Corporation of America (CCA) with a total of 64 filings, spending about \$6.5 million, and \$3 million in 2004 alone. CCA currently operates two prisons in California: California City Correctional Center (a federal facility just north of Mohave) and San Diego Correctional Facility in the southeast part of San Diego County (serving the U.S. Marshalls Service and the Immigration and Naturalization Service).

Ranked second was the Arizona Justice Project with 38 filings, spending just over \$2 million between 1998 and 2004. This project investigates claims of innocence and provides legal representation for inmates alleged to have been failed by the criminal justice system. Presently this organization only works in Arizona.

Los Angeles County (2010) ranked third with 33 filings, spending just over \$6 million during this time period. Rounding out the top five were the National Rifle Association (NRA) with 31 filings, spending more than \$11 million and the Taxpayers Against Fraud with 29 filings, spending \$2.8 million.

Other companies and organizations include the National Troopers Coalition, the CCPOA, National Association of Assistant U.S. Attorneys, American Correctional Association, Wackenhut (another private prison corporation, now called the GEO Group), and the Boy Scouts of America.

In California, a 2005 examination of lobbying spending demonstrates the diversity of organizations with interests in criminal justice (see Table 1).

**Table 1. Associations that spent more than \$100,000 on lobbying in 2005.**

<b>ASSOCIATION</b>	<b>EXPENDITURES</b>
State Bar of California	\$660,631
Peace Officers Research Association of California	\$438,096
GEO Group	\$361,850
California Correctional Police Officers' Assoc. (CCPOA)	\$317,344
Los Angeles County District Attorney's Office	\$210,669
California Association of Highway Patrolmen	\$154,931
Cause State Law Enforcement Association	\$145,181
CA State Sheriffs' Assoc.	\$144,219
California District Attorneys Association (CDAA)	\$136,462
San Bernardino County Sheriff's Department	\$133,396
San Diego County Sheriff's Department	\$126,424
Corrections Corporation of America	\$121,653
California Defense Counsel	\$121,378
California Judges Association	\$116,743

Source: Secretary of State, 2010a; Secretary of State, 2010b.

Criminal justice special interest groups have joined forces with other large unions through independent expenditure committees. The Alliance for a Better California, funded by educators, firefighters, school employees, health care givers and labor organizations, is a remarkable consolidation of power that spent more than \$5 million during the 2006 election year.

A handful of Legislative advocates have significantly helped empower criminal justice special interest groups in California. These advocates are lawyers and former legislators whose political connections and ideological flexibility make them powerful players in Sacramento.

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