

Police Union Head Wonders Why Everybody Suddenly Wants Them to Stop Stealing People's Stuff

It's the worst defense of civil asset forfeiture you'll read today, or possibly ever.

Scott Shackford | Jan. 4, 2017 1:55 pm



Fraternal Order of
Police

If you want to get a sense of how poorly police unions grasp why the citizenry have grown more and more upset with them, check out this absolutely awful commentary by Chuck Canterbury, president of the Fraternal Order of Police, over at *The Daily Caller*.

Canterbury's here to defend civil asset forfeiture, the process by which police seize and keep the money and assets of citizens who are suspected of crimes. This type of forfeiture is facing bipartisan calls for reform because the police are seizing property on the basis of just suspicion, not conviction. The consequence has been the creation of massive "civil" bureaucratic process designed to grab and keep the property of people who are ultimately never even charged with criminal behavior. It is legalized theft.

Canterbury declares the push for reform to be a "fake issue" and is opposing any effort to eliminate the federal Equitable Sharing program (the Department of Justice program that allows municipal police to partner with the feds for seizures and for police to keep up to 80 percent of what they grab) just because somebody writes "a sympathetic piece describing a case in which the system may not have functioned as intended."

Note the many issue deflections and deliberate omissions in Canterbury's argument:

At a time when the number of officers is declining, federal assistance to state and local agencies is evaporating and deliberate attacks on law enforcement officers are rising, how can this issue be a law enforcement priority? Why are anecdotal accounts in the media suddenly making this a priority in the editorial pages of some newspapers?

For over 30 years, the asset forfeiture program has allowed law enforcement to deprive criminals of both the proceeds and tools of crime. The resources provided by the equitable

sharing program have allowed agencies to participate in joint task forces to thwart and deter serious criminal activity and terrorism, purchase equipment, provide training upgrade technology, engage their communities, and better protect their officers. It has been remarkably successful.

A sarcastic paraphrase: "How can you be so concerned about police stealing and keeping citizen property when we're being attacked? What is wrong with you?"

The anecdotal accounts of police misuse of forfeiture are making the news because there's a bipartisan realization that civil forfeiture violates the citizenry's property rights. Canterbury deliberately and purposefully suggests that the program is only used against "criminals" when that's absolutely not the case. That's why it's called a "civil" asset forfeiture. Authorities go after the property itself in a civil, not criminal, court, accusing the property of being involved in a crime. This means that the property owners are deliberately *not* provided the same due process as somebody accused of criminal behavior. The threshold for taking property away through a civil administrative system is deliberately lower than convicting somebody, and Canterbury knows it.

The forfeiture program has indeed been "remarkably successful" in separating citizens from their property. The grotesque abuses of the program were what earned it so much negative attention. And property-defending attorneys with the [Institute for Justice](#) have been taking on cases and going to the press with them to help the public understand what is actually going on here.

And when the public does understand how civil asset forfeiture works, they don't like it. They really, really don't like it. Polls show that majority opposition to civil asset forfeiture cuts across all demographics. It is truly bipartisan distaste for the process of taking property from people without convicting them of crimes.

If Canterbury or anybody representing the police unions have any doubts that they're on the wrong side on this, check out the comments under his piece. No, really! At *The Daily Caller*, a significantly conservative site, there is not a single commenter defending Canterbury's position.

And why should they? One of Canterbury's arguments is that asset forfeiture provides the police with money to buy things that they want. It's literally an argument in favor of stealing! If any of us were to take somebody's money then use it to buy something that helps other people, it would still be theft. The police would arrest us. This is not a conservative defense of asset forfeiture. He instead ends up highlighting how the police's behavior here is downright criminal.

You can read about so many more of these "anecdotes" about police abuse of the [asset forfeiture here at Reason](#). Our coverage of the horrors of asset forfeiture go back years. It's not some hot

new thing we've just noticed.