

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda—underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board —in recent past or present

- AT&T Services, Inc.
 - centerpoint360
 - UPS
 - Bayer Corporation
 - GlaxoSmithKline
 - Energy Future Holdings
 - Johnson & Johnson
 - Coca-Cola Company
 - PhRMA
 - Kraft Foods, Inc.
 - Coca-Cola Co.
 - Pfizer Inc.
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 - Peabody Energy
 - Intuit, Inc.
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 - Verizon
 - Reynolds American Inc.
 - Wal-Mart Stores, Inc.
 - Salt River Project
 - Altria Client Services, Inc.
 - American Bail Coalition
 - State Farm Insurance
- For more on these corporations, search at www.SourceWatch.org.

& MEETINGS

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

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Recidivism Reduction Act

Did you know the NRA--the National Rifle Association--was the corporate co-chair in 2011?

Summary

Research and practice over the past 25 years have identified new strategies and policies that can make a significant dent in recidivism rates. Implementing these research-backed programs and procedures is called "evidence-based practice." This Act requires that a to-be-determined percent of offenders be supervised in accordance with evidence-based practices within four years, as well as that a to-be-determined percent of state funds for offender programming be spent on programs that are evidence-based within four years. This Act also requires community corrections agencies to improve policies and practices for crime victims, to provide employees training on evidence-based practices, and to set aside a portion of funds for research on program effectiveness.

Legislation

Section 1. {Definitions.} In this title, the following words have the meanings indicated.

(A) "Agency" means:

(1) The Department of Corrections or the state agency responsible for

supervising individuals placed on probation by the courts or serving a period of parole or post-release supervision from prison or jail; and

(2) Any regional, local or county governmental agencies responsible for supervising individuals placed on probation by the courts or serving a period of parole or post-release supervision from prison or jail, provided such agencies receive state funding.

(B) "Evidence-based practices" means supervision policies, procedures, programs and practices that scientific research demonstrates reduce recidivism among individuals on probation, parole, or post-release supervision.

(C) "Community supervision" means:

(1) The placement of a defendant under supervision, with conditions imposed by a court for a specified period during which:

(a) criminal proceedings are deferred without an adjudication of guilt;

(b) a sentence of imprisonment or confinement, imprisonment and fine, or confinement and fine, is probated and the imposition of sentence is suspended in whole or in part; or

(2) The placement of an individual under supervision after release from prison or jail, with conditions imposed by the releasing authority for a specified period.

(D) "Supervised individual" means an individual placed on probation by a court or serving a period of parole or post-release supervision from prison or jail.

(E) "Supervision officer" means a person appointed or employed by the Agency to supervise individuals placed on community supervision.

(F) "Criminal risk factors" means characteristics and behaviors that when addressed or changed affect a person's risk for committing crimes. Scientific research identifies these characteristics and behaviors as including: antisocial attitudes, values, and beliefs; poor impulse control; criminal personality; substance abuse; criminal peers; dysfunctional family; and lack of employment or education.

(G) "Case plan" means an individualized accountability and behavior change strategy for supervised individuals that:

- (1) Targets and prioritizes the specific criminal risk factors of the offender;
- (2) Matches programs to the offender's individual characteristics, such as gender, culture, motivational stage, developmental stage, and learning style;
- (3) Establishes a timetable for achieving specific behavioral goals, including a schedule for payment of victim restitution, child support, and other financial obligations;
- (4) Specifies positive and negative actions that will be taken in response to the supervised individual's behaviors.

(H) "Program" means an intervention that:

- (1) is intended to reduce recidivism by supervised individuals; and
- (2) is funded in whole or in part by the state or administered by any agency of state government;
- (3) "Program" does not include medical services.

Section 2. {Implementation of Evidence-Based Practices to Reduce Recidivism.}

(A) The Agency shall adopt policies, rules and regulations that within [four] years of the effective date of this Act result in at least [X percent] of supervised individuals being supervised in accordance with evidence-based practices.

(B) The policies, rules and regulations shall include:

- (1) Adoption, validation and utilization of an objective risk and needs assessment tool;
- (2) Use of assessment scores and other objective criteria to determine the risk level and program needs of each supervised individual, prioritizing supervision and program resources for offenders who are at higher risk to re-offend;

(3) Definitions of low, moderate and high risk levels during the period of supervision;

(4) Development of a case plan, based on the assessment, for each individual who is assessed to be moderate to high risk;

(5) Swift, certain, proportionate and graduated responses that an Agency employee will apply in response to a supervised individual's compliant and non-compliant behaviors;

(6) Caseload size guidelines that are based on offender risk levels and take into account Agency resources and employee workload; and

(7) Establishment of protocols and standards that assess the degree to which Agency policies, procedures, programs and practices relating to offender recidivism reduction are evidence based.

(C) Within [four] years of the effective date of this Act, [X percent] of state monies expended on programs shall be for programs that are in accordance with evidence-based practices.

(D) Within [four] years of the effective date of this Act, the Agency shall eliminate supervision policies, procedures, programs and practices intended to reduce recidivism that scientific research demonstrates do not reduce recidivism.

Section 3. {Improvement of Policies and Practices for Crime Victims.}

(A) The Agency shall adopt policies, rules and regulations that improve crime victim satisfaction with the criminal justice system, including:

(1) Payment by supervised individuals of victim restitution and child support;

(2) The opportunity for victims to complete victim impact statements or provide input into pre-sentence investigation reports;

(3) Providing victims information about their rights and services, and referrals to access those rights and services;

(4) Offering victims the opportunity to complete a "victim satisfaction survey," with data used to measure Agency performance; and

(5) Facilitate victim-offender dialogue when the victim is willing.

Section 4. {Professional Development.}

(A) The Agency shall provide its employees with intensive initial and on-going training and professional development services to support the implementation of evidence-based practices.

(B) The training and professional development services shall include assessment techniques, case planning, risk reduction and intervention strategies, effective communication skills, substance abuse and other topics identified by the Agency or its employees.

Section 5. {Data Collection, Analysis and Research.}

(A) The state [Department of Corrections] shall allocate a minimum of [X] percent of its operating budget to support data collection, analysis and research on supervision and programmatic effectiveness.

(B) The state [Department of Corrections] may form partnerships or enter into contracts with institutions of higher education or other qualified organizations for assistance with data collection, analysis and research.

Section 6. {Agency Report.}

(A) By [March 1] of each year, beginning in 201X, the Agency shall submit to the Governor, the Legislature and the judicial branch a comprehensive report on its efforts to implement this Act. The report shall include:

(1) The percentage of supervised individuals being supervised in accordance with evidence-based practices;

(2) The percentage of state monies expended for programs that are evidence based, and a list of all programs with identification of which are evidence based;

(3) Specification of supervision policies, procedures, programs and practices that were eliminated;

(4) The results of victim satisfaction surveys administered under Section 4 of this title;

(5) The Agency's recommendations for resource allocation, and any additional collaboration with other state, regional or local public agencies, private entities, or faith-based and community organizations.

(B) The Agency shall make the full report and an executive summary available to the general public on its website.

Section 7. {Severability Clause.}

Section 8. {Repealer Clause}

Section 9. {Effective Date}

Adopted by the Public Safety and Elections Task Force at the Spring Task Force Meeting on April 28, 2010.

Approved by the ALEC Board of Directors on June 3, 2010.

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECExposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy's quick summary:

This bill subjects community-based corrections programs to new levels of reporting requirements, with the requirement that programs be eliminated if they don't reduce recidivism. While accountability and evidence-based research are a necessary part of any program, this bill may be directed at attacking and eliminating community-based corrections programs (which reduce prison populations and could impact the profits of the Corrections Corporation of America, a member of the Executive Committee of ALEC's Public Safety & Elections Task Force). It focuses exclusively on recidivism, which ignores some of the other benefits of community-based corrections. A major shortcoming of community-based release programs is that agencies lack resources to effectively supervise all participants, and this bill would do little to change that.