

## 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.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- 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](http://www.SourceWatch.org).

& MEETING

**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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### Citizens' Right to Know: Pretrial Release Act

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

**Section 1. {Title.}** This Act may be cited as the "Citizens' Right to Know: Pretrial Release Act."

**Section 2. {Definitions}** As used in this Act:

- A. "Annual Report" means a report prepared by a Pretrial Release Agency that accurately summarizes the effectiveness of such agency's uses of public funds
- B. "Non-secured release" means any release of a defendant from pretrial custody where no financial guarantee is required as a condition of such release.
- C. "Pretrial Release Agency" means any government funded program whose function includes making recommendations for the non-secured release of criminal defendants or for the release of criminal defendants on the partial deposit of bail amount.
- D. "Register" means a public record prepared by the Pretrial Release Agency readily available in the clerk's office of the courthouse which displays the required data.
- E. "Secured Release" means any release of a defendant from pretrial custody where a financial guarantee, such as cash or surety bond, is required as a condition of such release.

**Section 3. {Public Record.}**

- A. The Pretrial Release Agency in each county of (State) shall prepare a register displaying information regarding the cases and defendants who are recommended for release by such agency. The register shall be located in the clerk's office of the court in which the Pretrial Release Agency is located and the register shall be readily available to the public
- B. The register shall be updated on a weekly basis and shall display accurate information regarding the following information for each defendant whose non-secured release was recommended by the Pretrial Release Agency:
  1. the charge against the defendant;
  2. the nature of any prior criminal convictions against the defendant;
  3. any court appearances required;
  4. missed court date;
  5. bench warrants issued; and,
  6. instance of program non-compliance.

**Section 4. {Annual Report.}**

A. Prior to the end of the first quarter of each calendar year, every Pretrial Release Agency in each county of (State) shall submit an annual report to (Applicable State Office) for the prior calendar year.

B. The annual report shall contain but not be limited to the following information:

1. the complete operating budget of the Pretrial Release Agency;
2. the number of personnel employed by the Pretrial Release Agency;
3. the total number of release recommendations made by the Pretrial Release Agency.;
4. the total number of cases reviewed by the Pretrial Release Agency;
5. the total number of cases in which non-secured release was denied by the Pretrial Release Agency.;
6. the number of defendants released on non-secured release after a positive recommendation by the Pretrial Release Agency;
7. the average period of time the defendant is incarcerated before being released on recommendation by the Pretrial Release Agency (These statistics should be classified as felonies and misdemeanors);
8. the total number of cases where the defendant was released on a non-secured release after a positive recommendation by the Pretrial Release Agency and the defendant had at least one missed court date within one year of the date of release;
9. the total number of cases where a defendant was released on a non-secured release after a positive recommendation by the Pretrial Release Agency and a bench warrant was issue by the court on the defendant's failure to appear on a non-secured release;
10. the total number of cases where a defendant was released on a non-secured release after a positive recommendation by the Pretrial Release Agency and a bench warrant was issue by the court but remained unserved after one year; and
11. the total number of cases where a defendant was released on a non-secured release after a positive recommendation by the Pretrial Release Agency and a warrant was issued for the defendant after his or her release for additional criminal charges within one year.
12. total number of cases where a defendant was released on a non-secured release after a positive recommendation by the Pretrial Release Agency and the defendant was arrested on a new offense while on release under the Pretrial Release Agency's recommendation.

C. The annual report shall also contain an accounting of the percentage of the Pretrial Release Agency's annual budget which is allocated to steering defendants eligible for secured release toward obtaining their own release through non-government sponsored programs.

**Section 5. {Preparation of the Register and Annual Report.}** Every Pretrial Release Agency shall prepare the register and annual report out of their existing budgets, and no additional government funds shall be made available for the production of these items.

**Section 6. {Sanctions For Noncompliance.}** If the chief judge finds that the pretrial release program has not maintained the register or filed an annual report as required by Section 5, the chief judge shall:

1. For a first occurrence of noncompliance, require the pretrial release program immediately to prepare a written report explaining the noncompliance and what measures will be taken to bring the program into compliance and the date by which the noncompliance will be corrected.
2. For a second or subsequent occurrence of noncompliance, order the pretrial release program to show why it should not be sanctioned for its continued noncompliance. If pretrial release program cannot justify the continued noncompliance, the chief judge may order the program to reduced its budget by 25 per cent if it is a pretrial release program receiving public funds, and if the pretrial release program is a private entity, suspend further agency operation until full compliance is demonstrated.

**Section 7. {Severability Clause.}**

**Section 8. {Repealer Clause}**

**Section 9. {Effective Date}**

*Adopted by the Criminal Justice Task Force on July 31, 2008.*

*Approved by the ALEC Board of Directors on September 11, 2008.*

**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](http://www.PRWatch.org), [www.SourceWatch.org](http://www.SourceWatch.org), and now [www.ALECexposed.org](http://www.ALECexposed.org). For more information contact: [editor@prwatch.org](mailto:editor@prwatch.org) or 608-260-9713.

**Center for Media  
and Democracy's  
quick summary:**

This Act is part of the commercial bail-bond industry's effort to suppress alternative pre-trial release programs that don't involve persons accused of crimes making non-refundable payments to a bail-bondsman. When an accused person is offered bail, he or she is released from jail by paying 10% of that amount to a bail-bondsman. Many states, counties, and courts have been exploring alternative pre-trial release options that don't require the accused to make a payment, such as those that include supervised release and efforts that include necessary drug, alcohol, or social interventions. This Act would impose new reporting burdens on pre-trial release agencies, with severe legal penalties for non-compliance; it also requires the release of statistics that the bail-bond industry will likely use to attack the pre-trial release programs. It should be noted that similar reporting requirements are not imposed on the bail-bonding industry.