

## 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).

**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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### Housing Out-of-State Prisoners in a Private Prison Act

#### Summary

This Act would allow a private prison contractor to provide housing, care and control of inmates of any state. The Act would require that all employees go through training equivalent to that required by the Department of Rehabilitation and Corrections. The Act would make the private prison contractor responsible for all incidents involving inmates, including those that are community based.

#### Model Legislation

{Title, enacting etc}

**Section 1. {Title.}** This Act may be cited as the Housing Out-Of-State Prisoners In A Private Prison Act

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

(A) "American Correctional Association (ACA) standards" means those standards at the time of implementation of this Act, or, if amended, the amended ACA standards, which are approved by the state.

(B) "Contractor" or "private contractor" means a person who has entered into a contract with the state or a local government pursuant to this Act.

(C) "Facility" means jail, prison, or other incarceration facility constructed or operated pursuant to a contract under this Act.

(D) "Inmate" means an adult serving a felony sentence in a facility as defined in this Act.

(E) "State" means the state acting through the office of the governor.

(F) "Local Government" means any city, town, joint powers board, or county in the state.

#### Section 3. {Authority to contract.}

(A) A private prison contractor may contract with another state and the District of Columbia to provide for housing, care, and control of inmates in a facility owned or operated by the private prison contractor.

Did you know that the Corrections Corporation of America, the largest prison corporation in the U.S., is on the Executive Committee of the Public Safety & Elections Task Force?

**Section 4. {Standards of operation.}**

(A) A private prison facility shall be accredited by the American Correctional Association within two years of commencement of operations and therefore maintain such accreditation.

(B) Any offense, which would be a crime if committed within a state or local correctional institution of this state, shall be a crime if committed in a facility owned or operated by a private prison contractor.

**Section 5. {Employee training requirements.}**

(A) Any personnel employed by a private prison contractor shall be authorized to carry and use firearms while in the performance of their official duties only after successful completion of training in the use of firearms equivalent to that of the state Department of Rehabilitation and Corrections (DOC).

(B) Personnel considered for employment by a private prison contractor will be subjected to and pass a criminal background check and drug screen.

(C) While employed by a private prison contractor, employees may be subject to random drug screening and a random criminal background check. Continued employment may be contingent upon passage of such screening and checks.

**Section 6. {Private company detention officers.}**

(A) After successful completion of use of force training equivalent to that of by the DOC, personnel employed by a private prison contractor shall have the same authority to use force against inmates housed at the private prison as DOC employees.

**Section 7. {Liability.}** A private prison contractor shall be responsible for all reasonable costs and expenses incurred by this state or a political subdivision thereof in pursuing an escapee from the private facility.

**Section 8. {Insurance.}**

(A) A private prison contract to house inmates from another state or the District of Columbia shall require a comprehensive general liability insurance policy with minimum limits of \$5,000,000 for personal injury or death and \$500,000 per individual for property damage for all claims arising under the services performed under the contract.

Section 9. {Authority of private facilities to coordinate with local government and law enforcement.}

(A) A private prison contractor shall coordinate procedures with local law enforcement and emergency management agencies in the event of a disturbance, escape or other emergency situation occurring in the facility.

(B) A private prison facility shall comply with all local zoning ordinances regarding its location.

**Section 10. {Restrictions.}**

(A) A private prison contractor which houses inmates of another state or the District of Columbia shall not accept for housing any inmates with a record of escape from a secure facility or inmates with a record of violence within a facility against a visitor or staff.

(B) If an inmate is to be released or discharged from incarceration from a private prison, the private prison contractor shall transfer or return the inmate to the contracting jurisdiction.

**Section 11. {Severability clause.}**

**Section 12. {Repealer clause.}**

**Section 13. (Effective date.)**

*Adopted by ALEC's Criminal Justice Task Force at the Annual Meeting August 21, 1998.  
Approved by full ALEC Board of Directors September, 1998.*

**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 bill further expands the role of the private prison industry over the corrections system. It allows a private prison operating in one state to contract with another state to hold prisoners without the consent of the local government in which the private prison is located. This bill would benefit the Corrections Corporation of America, a member of the Executive Committee of ALEC's Public Safety & Elections Task Force.