

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.

& 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?**

Home → Model Legislation → Public Safety and Elections

Unlawful Use of Theft Detection Shielding or Deactivation Devices Act

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

Summary

This Act penalizes the distribution or possession of a detection shielding device, or any tool or device designed to remove a theft detection device from merchandise prior to purchase, for the intent to commit (or aid or abet) theft. A person who activates an anti-shoplifting device may be lawfully detained in a reasonable manner for a reasonable period of time.

Model Legislation

A. A person is guilty of unlawful distribution of a theft detection shielding device when he knowingly manufactures, sells, offers for sale or distributes in any way laminated or coated bag intended to shield merchandise from detection by an electronic or magnetic theft detector.

B. A person is guilty of unlawful possession of a theft detection shielding device when he knowingly possesses any laminated or coated bag or device intended to shield merchandise from detection by an electronic or magnetic theft detector, with the intent to commit (or aid or abet) theft.

C. A person is guilty of unlawful possession of a theft detection device deactivator or remover when he knowingly possesses any tool or device designed to allow, or capable of allowing, the deactivation, or removal from any merchandise, of any theft detection device, with the intent to use such tool or device to deactivate any theft detection device on, or to remove any theft detection device from, any merchandise without the permission of the merchant or person owning or lawfully holding said merchandise.

D. A person is guilty of unlawful distribution of a theft detection device deactivator or remover when he knowingly manufacturers, sells, offers for sale or distributes in any way tool or device designed to allow, or capable of allowing, the deactivation, or removal from any merchandise, of any theft detection device without the permission of the merchant or person owning or lawfully holding said merchandise.

E. A person is guilty of unlawful deactivation or removal of a theft detection device when he intentionally deactivates in a retail establishment a theft detection device on, or removes a theft detection device from, merchandise prior to purchase.

F. Any person convicted for violating the provisions of Subsections (A), (B), (C), (D) or (E) of this Section is guilty of a [state level of crime].

G. The activation of an anti-shoplifting or inventory control device as a result of a person exiting the establishment or a protected security device within the area within the establishment shall constitute reasonable cause for the detention of the person so exiting by the owner or operator of the establishment or by an agent or employee of the owner or operator, provided notice has been posted to advise the patrons that the

establishment utilizes anti-shoplifting or inventory control devices. Each such detention shall be made only in a reasonable manner and only for a reasonable period of time sufficient for any inquiry into the circumstances surrounding the activation of the device or for the recovery of goods.

H. Such taking into custody and detention by a law enforcement officer, security officer, merchant, merchant's employee or agent, if done in compliance with all the requirements of the foregoing subsection, shall not render such law enforcement officer, security officer, merchant, merchant's employee or agent, criminally or civilly liable, including any liability for false arrest, false imprisonment, unlawful detention, malicious prosecution, intentional infliction of emotional distress or defamation.

*Adopted by ALEC's Criminal Justice Task Force at the Annual Meeting July 27, 2000.
Approved by full ALEC Board of Directors August, 2000.*

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 analysis

This is part of a set of bills, favored by corporations, designed to increase criminal penalties for retail theft. This bill criminalizes the possession of theft detection shielding devices. This bill would benefit large retailers such as Wal-Mart, which sits on the ALEC Private Sector board.