

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.

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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Habitual Juvenile Offender Act

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

Summary

This Act strengthens the juvenile code by creating a special category of "habitual juvenile offender" for youths who have habitually and repeatedly committed serious felonies, sexual offenses, or used a gun in the course of committing a crime. The Act ensures that juveniles who habitually commit serious crimes are not treated with a "slap on the wrist."

Model Legislation

Section 1. {Short Title} "This act may be cited as the Habitual Juvenile Offender Act"

Section 2. {Legislative Declarations} Establishes a new category of juvenile offenders, the "habitual juvenile offender", against whom charges for criminal proceedings as adults may be filed directly in district court. Provides that habitual juvenile offenders may be sentenced to the youthful offender system in the department of corrections.

Section 3. {Definitions}

(A) An Act that constitutes a felony as noted 1 to 5 shall include the attempt, conspiracy, solicitation, or complicity to commit such offenses.

(B) A "habitual juvenile offender" is a juvenile offender who has previously been twice adjudicated a juvenile delinquent for separate delinquent acts, arising out of separate and distinct criminal episodes that constitute felonies.

Section 4. {Main Provisions}

(A) A juvenile may be charged by the direct filing of information in the district court or by indictment only when:

(1) The juvenile is fourteen years of age and is alleged to have committed a class 1 or class 2 felony; or

(2) The juvenile is fourteen years of age or older and:

(a) Is alleged to have committed a felony enumerated as a crime of violence as defined in Sec.3; or

(b) Is alleged to have committed a felony offense noted in Section 3, except for the position of a handgun by a juvenile; or

(c) Is alleged to have used, or possessed and threatened the use of, a deadly weapon during the commission of felony offenses against the person; or

(3) The juvenile has, within the two previous years, been adjudicated a juvenile delinquent for a delinquent act that constitutes a felony, is sixteen years of age or older, and allegedly has committed a crime defined as a class 3 felony.

(4) The juvenile is fourteen years of age or older, has allegedly committed a delinquent act that constitutes a felony, and has previously been subject to proceedings in district court as a result of a direct filing pursuant to this section or a transfer; except that, if a juvenile is found not guilty in the district court of the prior felony or any lesser included offense, the subsequent charge shall be remanded back to the juvenile court; OR

(5) The juvenile is fourteen years of age or older, has allegedly committed a delinquent act that constitutes a felony, and is determined to be a "habitual juvenile offender".

(B) Whenever criminal charges are filed by information or indictment in the district court pursuant to this section, the district judge shall sentence the juvenile as follows:

(1) As an adult; or

(2) (a) To the youth offender system in the department of corrections in accordance with state criminal code, if the juvenile is convicted of an offense described in Section 4 (A) (2) or (5); except that, if a person is convicted of a class 1 or 2 felony, any sexual offense or a second or subsequent offense described in said subparagraph (2) or (5) for which such person received a sentence to the department of corrections or to the youthful offender system, such person shall be ineligible for sentencing to the youthful offender system.

(3) Pursuant to the provisions of this article, if the juvenile is less than sixteen years of age and is convicted of an offense other than a class 1 or class 2 felony or a crime of violence as defined in Section (3).

Section 5. A juvenile may be sentenced to the youthful offender system created pursuant to this section under the circumstances set forth. In order to sentence a person to the youthful offender system, the court shall first impose upon such a person a sentence to the department of corrections. The court shall thereafter suspend such sentence conditioned on completion of a sentence to the youthful offender system, including a period of parole supervision. The court shall impose any such sentence to the youthful offender system for a determinate period of not less than one year not more than five years and a mandatory period of parole supervision for a period of one year. Upon the successful completion of the programs in the youthful offender system, including the mandatory period of supervision, the sentence to the department of corrections shall have been completed. Whenever a person is returned to the district court for revocation, the court shall impose the original sentence following the revocation of the sentence to the youthful offender system.

Section 6. {No appropriation}

(A) The general assembly has determined that this act can be implemented within existing appropriations, as set forth in subsection B of this section and therefore no separate appropriation of state monies is necessary to carry out the purposes of this act.

(B) Of the adult beds provided for over a five year period by appropriations up to 5% of those beds will be allocated to implement this act. Of the beds provided for over a five year period by appropriations for the youthful offender system, up to 25% of those beds will be allocated to implement this act.

Section 7. {Safety clause} The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Section 8. {Severability Clause}

Section 9. {Repealer Clause}

Section 10. {Effective Date}

ALEC's Sourcebook of American State Legislation 1996

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.