

## 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).

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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### Community Corrections Performance Measurement Act

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

#### Summary

This Act implements a systematic performance measurement model for community corrections agencies, which includes measures of outcomes in key performance areas. This model provides regular, objective and quantitative feedback on how well agencies are achieving their goals. Such information will help agency managers and staff as well as the public judge how well the agency is performing, and will provide managers with accurate and reliable information on which to base their management decisions. This comprehensive performance measurement system will address the many tasks that community corrections agencies are responsible for: tracking performance at multiple levels (individual cases, staff, units, programs and the entire agency) and examining both process and outcome measures.

#### Legislation

**Section 1. {Definitions.}** In this title:

(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-incarceration supervision after jail or prison; and

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

(B) "Community Supervision" means:

(1) The placement of an individual under supervision in the community by a court for a specified period with conditions imposed, as a result of either a conviction and sentence to probation, or the suspension of criminal proceedings without an adjudication of guilt; or

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

(C) "Supervised Individual" means an individual placed on supervision or probation by a court or serving a period of parole or post-incarceration supervision following jail or prison.

(D) "Performance Measurement System" means a systematic method of identifying, recording, compiling, analyzing, reporting and applying information

about an agency's activities and accomplishments, for both internal management purposes and for accounting to supervising and oversight agencies, legislative and executive bodies, constituents and stakeholders and the public.

(E) "Key Performance Indicator" means a measure that captures agency performance on critical variables that are central to the accomplishment of the agency mission and goals.

(F) "Recidivism" means:

(1) The arrest of a supervised individual for a new offense while under community supervision;

(2) The conviction of a supervised individual for a new offense while under community supervision; or

(3) The adjudication of a supervised individual for violation of the conditions of supervision while under community supervision.

(G) "Employment" means that the supervised individual is employed

(1) Full time (more than X hours per week) at legitimate employment; or

(2) Part time (less than X hours per week) at legitimate employment.

(H) "Controlled Substances" means drugs and other illicit substances whose possession and use is controlled or regulated by the state.

(I) "Substance Abuse Testing" means the administration of quantitative tests using urine, saliva or other approved methods to detect the use of controlled substances by supervised individuals.

(J) "Victim Restitution" means court-ordered financial payments to the victim of a crime by the supervised individual for compensation of damage or loss.

(K) "Victim Protection" means compliance with "no contact" orders by the supervised individual.

(L) "Status of Discharge from Supervision" means the status of supervised individuals when they were removed from supervision. A successful discharge is one in which the supervised individual is removed from supervision at the end of the term or prior to the end of the term, having fully or substantially completed the requirements of supervision. An unsuccessful discharge is when the supervised individual is removed from supervision through revocation for violation of the conditions of supervision or for a new offense.

## **Section 2. {Implementation of Performance Measures.}**

(A) The agency shall develop and implement a performance measurement system within [18 months] of the effective date of this Act.

(B) The performance measurement system shall include, at a minimum, information on the following key performance indicators:

(1) Recidivism of supervised individuals;

- (2) Employment of supervised individuals;
- (3) Substance use by supervised individuals;
- (4) Victim restitution paid by supervised individuals;
- (5) Compliance with "no contact" orders by supervised individuals; and
- (6) Status of discharge from supervision.

(C) The performance measures should be formatted and reported consistent with the following outcome measures prescribed in the *Performance Based Standards for Adult Probation and Parole Field Services* (4th edition) published by the American Correctional Association:

- (1) Recidivism - Performance Standard 1A, Outcome Measures 1 and 2,  
Performance Standards 2B, Outcome Measures 1, 2, and 3;
- (2) Employment - Performance Standard 2D, Outcome Measures 1 and 2;
- (3) Substance Use - Performance Standard 2D, Outcome Measure 3;
- (4) Victim Restitution - Performance Standard 2E, Outcome Measures 2, 3 and 4;
- (5) Victim Protection - Performance Standard 2E, Outcome Measure 1;
- (6) Status of Discharge from Supervision - Performance Standard 2A,  
Outcome Measure 1.

(D) The agency shall ensure that accurate, reliable and complete records are maintained on the key performance indicators.

(E) The agency shall report on agency performance on the key performance indicators at least annually to supervising and oversight agencies, legislative and executive bodies, constituents and stakeholders and the public.

(F) The agency shall utilize information on the key performance indicators for agency management purposes, reporting and reviewing performance on no less than a monthly basis.

### **Section 3. {Severability Clause.}**

### **Section 4. {Repealer Clause}**

### **Section 5. {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](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 subjects community-based corrections programs to new levels of reporting and recordkeeping. 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). 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.