

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?**

& MEETING

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Anti-Crime (Secured Release) Act

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

Summary

This Act requires that persons arrested for an offense other than a misdemeanor to be released by "secured release", which is by cash deposit, secured bail bond, or real property. Persons may only be released on their own recognizance after a hearing in which the accused proves financial inability to obtain a "secured release".

Model legislation

{Title, enacting clause, etc.}

Section 1. {Title.} "This Act may be cited as the Secured Release Act."

Section 2. {Misdemeanors.}

(A) Persons arrested for any of the infractions or misdemeanors listed in subsection (B) of this section may be released at the discretion of and upon terms set by the Court in which their case is pending.

(B) This section shall apply to the release of persons arrested for the following infractions or misdemeanors: (List type of offense and appropriate section of the state criminal law.)

Section 3. {Other offenses.}

(A) Persons arrested for any offense other than those in Section 2, shall be released, after the bail amount is set in that case, upon their own recognizance or by "secured release."

(B) "Secured release", as used in this Act, shall mean:

- (1) deposit in cash with the court in the full amount of the bail;
- (2) secured bail bond posted by a surety authorized by law; or
- (3) pledge of real property. In order to be accepted by the court, the real property securing a bail bond must be situated in this state, with an equity value equal to the full amount of bail set plus \$5,000.

(a) As a condition of acceptance of a bail bond secured by real property, the owner of the real property shall file with the court:

- (i) a copy of a grant deed containing a legal description of the real property;
- (ii) a written statement under penalty of perjury that the depositor is the sole owner of the property and that the property has an equity value commensurate with subsection B paragraph 3 of this section; and
- (iii) an appraisal, acceptable to the court, of the current market value of the property.

(C) "Own recognizance release" shall mean any pre-trial release other than a "secured release" as defined in this Act.

(D) Release upon own recognizance shall be granted only by a court upon application by the accused and only if:

- (1) The court considers the request for own recognizance release at a hearing held in open court;
- (2) The accused makes a showing, at such hearing, satisfactory to the court, of financial inability to obtain a "secured release";

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(3) The accused has previously failed to appear in court on any offense within the past seven years, or is presently on bond on another case in any jurisdiction or is presently on probation or parole, the accused may be released only by "secured release."

Section 4. {Severability clause.}

Section 5. {Repealer clause.}

Section 6. {Effective date.}

ALEC's Sourcebook of American State Legislation 1995

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 summary

This "model" legislation appears to be a handout to the commercial bail-bond industry, and would prevent courts and law enforcement from exploring alternative methods of pre-trial release. Under the bill, for all of the crimes listed, the only way the accused can be released is through paying a bondsman (which usually requires a nonrefundable payment of 10% of the total bail) or posting 100% of the bail in cash or property. This would prohibit courts, counties, or states from exploring pre-trial release options such as those that include supervised release and efforts to include necessary drug, alcohol, or social interventions. Additionally, payment to a bail bondsman would be the most likely option if this bill were passed -- judges would not set bail at the amount they think appropriate to make sure the person returns to court, but at 10X that amount, knowing that the accused will be released by paying a bondsman 10% of the bail. This bill also prevents a judge from determining that an accused person should be released without bail because they pose no risk to public safety and are not a flight risk. In addition to limiting the discretion of the judicial branch, it would likely increase profits for the bail-bond industry by expanding their client pool.