

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?**

Home → Model Legislation → Public Safety and Elections

Victim Impact Statement Act

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

Summary

This Act would require the probation department to solicit a victim impact statement from a victim of a felony, after the conviction but before the sentencing of the felon. The probation officer would then be required to attach a victim impact statement to the presentence report submitted to the sentencing court. Furthermore, this Act would allow victims of all crimes to submit impact statements to the probation department, which would then be required to attach the statement to the presentence reports. The sentencing court would be required to consider victim impact statements when deciding on sentences.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as the Victim Impact Statement Act.

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

(A) "Victim" means an individual who suffers direct or threatened physical, emotional, or financial harm as the result of the commission of crime, or an immediate family member of a minor victim or a homicide victim.

(B) "Victim impact statement" means a statement providing information about the financial, emotional, and physical effects of the crime on the victim and the victim's family, and specific information about the victim, the circumstances surrounding the crime, and the manner in which it was perpetrated.

(C) "Victim representative" means a spouse, parent, child, sibling, or other relative of a deceased or incapacitated victim or of a victim who is under [cite state law] years of age, or a person who has had a close relationship with the victim and is designated by the court to be a victim representative.

Section 3. {Notice to victim or victim representative.}

(A) If a defendant is convicted of a felony involving one or more identifiable victims who suffered death or physical, emotional, or financial injury, the probation department (prosecuting attorney) shall notify the victim or the victim representative in writing of the date, time, and place of the sentencing hearing and advise him or her of the opportunity to present a victim impact statement.

(B) A copy of any relevant rules and regulations pertaining to the victim impact statement and the hearing shall accompany the notice.

(C) The notice and the copy of any relevant rules and regulations shall be sent to the last known address of the victim or the victim representative at least [determined by legislature] days prior to the sentencing hearing.

Section 4. {Submission of victim impact statement to the court.}

(A) Prior to imposition of sentence in a felony case, the probation department shall prepare a written victim impact statement and append it to the presentence report on the defendant. The statement shall include applicable information obtained during consultation with the victim or the victim representative. If the victim or victim representative cannot be located or declines to cooperate in the preparation of the statement, the probation department shall include a notation to that effect in the statement. If there are multiple victims and preparation of individual victim impact statements is not feasible, the probation department may submit one or more representative statements.

(B) Prior to imposition of sentence in both felony and misdemeanor cases, the victim or victim representative may also submit a victim impact statement in one or both of the following means:

(1) by presenting an oral victim impact statement at the sentencing hearing. Where there are multiple victims, the court may limit the number of oral victim impact statements;

(2) by submitting a written statement to the probation department, which shall append such statement to the presentence report of the defendant.

Exposed

By the Center for
Media and Democracy
www.prwatch.org

Section 5. {Access to written victim impact statements.} The court shall make available copies of the statement to the defendant, defendant's counsel, and the prosecuting attorney. These parties shall return all copies of the statement to the court immediately following the imposition of sentence upon the defendant.

Section 6. {Consideration of the victim impact statement.} Any victim impact statement submitted to the court pursuant to Section 4 shall be among the factors considered by the court in determining the sentence to be imposed upon the defendant.

Section 7. {Limitation.} This Act shall not be construed to require a victim or victim representative to submit a victim impact statement or to cooperate in the preparation of a victim impact statement.

Section 8. {Severability clause.}

Section 9. {Repealer clause.}

Section 10. {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 is part of a bundle of 1995 ALEC bills that aim to include victims in the criminal justice process.