

3 of 99 DOCUMENTS

National Public Radio (NPR)

April 13, 2002 Saturday

American Legislative Exchange Council

ANCHORS: SCOTT SIMON

REPORTERS: JOHN BIEWEN

Weekend Edition Saturday (12:00 Noon PM ET) - NPR

LENGTH: 2468 words

SCOTT SIMON, host:

This is WEEKEND EDITION from NPR News. I'm Scott Simon.

In the past two decades, America's prison population has doubled. Then it's doubled again before finally leveling off at about two million inmates. Americans now spend \$50 billion a year on prisons. That's more than we spend on tobacco. The prison boom has enriched companies that build prisons or sell products to them. Some of those companies help sponsor a little-known organization called ALEC--A-L-E-C--that has worked to pass tough sentencing laws in state legislatures. Those laws bring more profits to the corrections industry. This report by John Biewen of American RadioWorks is part of an NPR series on money and the politics of crime.

JOHN BIEWEN reporting:

The annual trade show sponsored by the American Correctional Association is like other big trade shows, a sprawling bazaar of colorful display booths. This one fills a huge hall at the Pennsylvania Convention Center in Philadelphia. It brings together shoppers, mostly prison administrators, and hundreds of vendors hawking their wares.

Mr. RICK HAMILTON (American Fence): My name is Rick Hamilton. I'm with American Fence company out of Phoenix, Arizona.

Mr. MICHAEL HINES (Sprint): Michael Hines. I'm with Sprint, providers of inmate telephone systems and...

BIEWEN: Uniforms, janitor service, those steel doors and powerful locks. DuPont shows off a new lightweight protective vest just for prison guards. And then there's the eye-catching BOSS chair with its wires and straight back and gray finish. It looks electric, but it's not what you think, explains David Turner of Ranger Security Technologies.

Mr. DAVID TURNER (Ranger Security Technologies): It's a Body Orifice Security Scanner. It's for detecting metal contraband that sit inside of body cavities. So we're looking for handcuff, keys, razor blades, small shanks, etc. Basically, the person sits down in the chair. If they have any metal contraband hidden in the vaginal or anal cavity, it gives you an audible as well as a visual on it.

BIEWEN: You can get a BOSS chair for \$5,000. On its Web site, the Correctional Association points to the \$50 billion spent each year to run the nation's prisons and jails. And it warns companies: Don't miss out on this prime revenue-generating opportunity. Think of it. Two million prisoners eat six million meals a day.

Mr. JIM CARROLL (Canteen Correctional Services): Hi. My name is Jim Carroll. I'm with Canteen Correctional Services. We provide food services and commissary services to correctional facilities around the country.

BIEWEN: Inmates get sick.

Mr. JIM TENNEY (Correctional Medical Services): Jim Tenney. I'm with Correctional Medical Services. We provide comprehensive medical care in jails and prisons on a contract basis.

BIEWEN: Prisoners exercise and kill time in the game room.

Mr. BRIAN WEXLER (Quality Tablegames): Brian Wexler. I'm vice president of sales and marketing with Quality Tablegames. We sell a lot of sporting goods, board games, puzzles to prison facilities.

Unidentified Man: No more prisons!

Demonstrators: (In unison) No more prisons! No more prisons!

BIEWEN: Outside the Convention Center in Philadelphia, a few hundred people block traffic for a peaceful march through Center City. These protesters say a powerful web of private and public interests of the prison industrial complex perpetuates the war on crime for money.

Unidentified Woman: We're no longer asking, we're demanding, no more making money off of the flesh of other human beings!

BIEWEN: Some conventioners with the Correctional Association seem bemused at the notion that they're causing people to get locked up.

Mr. RAY ZERUFI: I think it's Halloween in Philadelphia, man.

BIEWEN: Ray Zerufi(ph) watches protesters dressed in striped inmate costumes. His company supplies prison commissaries.

Mr. ZERUFI: The prisoners have got to eat. They've got to shave. Somebody got to sell that to the state to put in those jails and the prisons, right?

BIEWEN: Zerufi has a point. Just because people make a profit from prisons, that doesn't mean there's a corrections lobby that works to drive up the inmate population. Certainly other forces help to do that. Crime soared in the 1970s and '80s. Many Americans were alarmed.

President RONALD REAGAN: The problem of crime, one as real and deadly serious as any in America today.

BIEWEN: Politicians from both parties seized the issue and held on tight for two decades.

President GEORGE BUSH: ...and for enforcement of tough sentences...

President BILL CLINTON: More prisons, more prevention, a hundred thousand more police.

BIEWEN: Sure, when it snowed prison-related contract, businesses flocked to grab them, but do they also try to boost demand for their services?

State Representative STEVE McDANIEL (Republican, Tennessee): ...and say how much of a pleasure it is to be with all of you here in New York City for ALEC's 28th annual conference.

BIEWEN: Tennessee State Representative Steve McDaniel welcomes a luncheon audience of a thousand at the Marriott

Marquis in Times Square. The **American Legislative Exchange Council**, or ALEC, is not well known to the general public and doesn't try to be. It does boast of helping to pass hundreds of state laws every year from tax cuts to longer prison sentences.

State Rep. McDANIEL: As all of you know, ALEC plays a vital, if understated, role in shaping our nation's agenda. We are the unsung heroes of American public policy.

BIEWEN: More than a third of the nation's state lawmakers, 2,400 of them, are members of ALEC. Most are Republicans and conservative Democrats. ALEC says its mission is to promote free markets, small government, states' rights and privatization. The featured lunchtime speaker is Tommy Thompson, the former Wisconsin governor and now the Bush administration's secretary of Health and Human Services.

Secretary TOMMY THOMPSON (Health and Human Services): Thank you so very, very much. I appreciate it. I love you. Thank you.

(Soundbite of applause)

Sec. THOMPSON: It's great to be a conservative, isn't it?

BIEWEN: Members gather at ALEC meetings to swap ideas and form model legislation. Legislators then take those bills home and try to make them state law. Thompson was an ALEC member in his days as a state rep in Wisconsin.

Sec. THOMPSON: Myself, I always loved to go to these meetings because I always found new ideas, and then I'd take them back to Wisconsin, disguise them a little bit, and declare that it's mine.

BIEWEN: Informing and spreading its ideas, ALEC gets help from corporate leaders. More than a hundred companies co-sponsor ALEC conferences, including Turner, a construction giant and the number-one builder of prisons, and Wackenhut Corrections, which runs private prisons. Another 200 companies and interest groups join ALEC as private-sector members. They pay dues for the privilege of helping to write ALEC's model bills. The result is corporate-sponsored legislation, says Edwin Bender of the National Institute on Money in State Politics.

Mr. EDWIN BENDER (National Institute on Money in State Politics): When you look at the sponsor list, Bayer Corporation or BellSouth or GTE or Merck, pharmaceutical companies sitting at a table with elected representatives actually hammering out a piece of legislation behind closed doors. I mean, this isn't open to the public. And then that then becomes the basis on which representatives are going to their state legislatures and debating issues.

BIEWEN: ALEC's corporate members include at least a dozen companies that do prison business, like DuPont and the drug companies Merck and GlaxoSmithKline, telephone companies that compete for lucrative prison contracts and Corrections Corporation of America, or CCA. It dominates the private prison business, building and running prisons and renting cells to governments. Louise Green is a CCA vice president.

Ms. LOUISE GREEN (Corrections Corporation of America): Presently we have about 55,000 inmates who are housed in our care. We have 65 facilities in 21 states and in Puerto Rico.

BIEWEN: ALEC's corporate memberships go for \$5,000 to \$50,000 a year. Neither the company nor ALEC will say how much CCA pays. Green says belonging to ALEC gives the company a chance to educate state lawmakers.

Ms. GREEN: If those states and counties have considerable overcrowding in their jails and prisons, that partnering with a private corrections company can realize cost savings to their taxpayers, and we can offer effective programming for their inmates.

BIEWEN: But CCA does more than chat with lawmakers at ALEC meetings. On top of its membership, the company pays \$2,000 a year for a seat on ALEC's Criminal Justice Task Force which writes the group's model bills on crime and

punishment. The committee promotes state laws letting private prison companies operate. And at least since the early 1990s, it has pushed a tough-on-crime agenda. ALEC staffer Andrew LeFevre says crime task force members led the drive for more incarceration.

Mr. ANDREW LeFEVRE (Staffer, ALEC): It really took the forefront in promoting those ideals and then taking them into their states and talking to their colleagues and getting their colleagues to understand that if, you know, we want to reduce crime, we have to get these guys off the streets.

BIEWEN: Among ALEC's model bills, mandatory minimum sentences, three-strikes laws giving repeat offenders 25 years to life and truth in sentencing which requires inmates to serve most or all of their time without a chance for parole. ALEC didn't invent any of these ideas, but it's played a pivotal role in making them law in the states, says Bender of the National Institute on Money in State Politics.

Mr. BENDER: By ALEC's own admission in its 1995 model legislation scorecard, they were very successful. They had introduced 199 bills. They had the Truth In Sentencing Act become law in 25 states. That right there is fairly significant.

BIEWEN: But the late 1990s, about 40 states had passed versions of truth in sentencing similar to ALEC's model bill, helping to push up state prison populations even while crime rates fell. The result: more demand for private prison companies like CCA. In Wisconsin, a group of lawmakers led passage of truth in sentencing in 1998.

State Representative **SCOTT WALKER** (Republican, Wisconsin): Many of us, myself included, were part of ALEC.

BIEWEN: Republican State Representative **Scott Walker** authored the Wisconsin bill.

State Rep. WALKER: Clearly, ALEC had proposed model legislation, and probably more important than just the model legislation, had actually put together reports and such that showed the benefits of truth in sentencing and showed the successes of other states. And those sorts of statistics were very helpful to us as we pushed it through when we passed the final legislation.

BIEWEN: But a former head of Wisconsin's prison system, Walter Dickey, says it's shocking that lawmakers would write sentencing policy with help from ALEC, a group that gets funding, and supposedly expertise, from a private prison corporation.

Mr. WALTER DICKEY: Well, I don't know that they know anything about sentencing. They know how to build prisons, presumably, since that's the business that they're in. They don't know anything about probation and parole. They don't know about the development of alternatives. They don't know about how public safety might be created and defended in this state and in other states.

BIEWEN: The Wisconsin Department of Corrections says the truth in sentencing law will add to the state's prison population in the years to come. That's money in the bank for Corrections Corporation of America, the company that sits on the committee that wrote ALEC's truth in sentencing bill. Wisconsin is a CCA customer. Its prisons are overcrowded, so the state houses more than 3,000 inmates at CCA facilities in Minnesota, Oklahoma and Tennessee. The price tag: more than \$50 million a year. Representative Walker says he took into account that CCA and some other ALEC sponsors might have a vested interest in the truth in sentencing bill.

State Rep. WALKER: So oftentimes as a legislator, I mean, that's your great challenge is trying to weed through what everybody's hidden agenda is and figure out who's giving you credible information and in many cases playing one interest off of another to try and sort out what the truth is. More information, to me, is better.

BIEWEN: Still, Walker says he relied on an ALEC report that credited Virginia's truth in sentencing law with a five-year drop in the state's crime rate, but crime dropped in all states in the 1990s whether or not they've passed laws

like truth in sentencing.

(Soundbite of convention)

BIEWEN: The Corrections Corporation of America booth with its black and yellow logo has a prominent place at the Corrections' trade show. Vice president of customer relations, James Ball, says CCA does not take an active role in writing or promoting ALEC's model sentencing bills.

Mr. JAMES BALL (Vice President of Customer Relations, CCA): You don't see CCA advocating for longer sentences; that's not true. And if the government, through its elected representatives, identified that, 'Well, we are going to need to provide for public safety by incarcerating individuals,' that is not a Bender-driven issue.

BIEWEN: Asked if giving money and time to the **American Legislative Exchange Council** doesn't constitute support for tough sentencing policies, Ball says ALEC is just a research organization and doesn't drive public policy. In fact, the group's stated mission is to drive public policy.

The former Wisconsin Corrections administrator, Walter Dickey, says he paid close attention to the debate over truth in sentencing in Madison.

Mr. DICKEY: There was never any mention that ALEC or anybody else had any involvement in this.

BIEWEN: Dickey says especially when society is debating how to make the streets safe and what it means for the punishment to fit the crime. Profit has no place in the discussion.

Mr. DICKEY: As I used to tell the troops when I was working in corrections, 'We lock the door. We deny people autonomy and freedom, most cherished things in American life.' And to discover that there's a group pushing criminal justice policy because it's a way to make money is very disappointing to me.

BIEWEN: For NPR News, I'm John Biewen, American RadioWorks.

SIMON: American RadioWorks is the documentary project of Minnesota Public Radio and NPR News. For more on this series, visit the Web site americanradioworks.org.

LOAD-DATE: April 24, 2002

LANGUAGE: ENGLISH

TYPE: Profile