

August 8th, 2015

Secretary Bernard Warner
Washington Department of Corrections
PO Box 41100, Mail Stop 41100
Olympia, WA 98504-1100

Governor Jay Inslee
Office of Governor Jay Inslee
Office of the Governor
P.O. Box 40002
Olympia, WA 98504-0002

RE: Department of Corrections Contract with Geo Group Inc.

Dear Governor Inslee and Mr. Warner,

We write on behalf of City of Seattle residents to express deep concern about the recently publicized contract signed between the Washington Department of Corrections and Geo Group Inc. As we understand it, this contract would potentially send up to 1,000 Washington-based prisoners to North Lake Correctional Facility in Baldwin, Michigan, for a sum of \$24 million per year¹. We are concerned that the Geo Group's long and documented record of mistreatment of prisoners rises to the level of international human rights violations, and that all alternatives to address Washington state's impending prison overcrowding situation have not been exhausted prior to entering into this contract.

First: The Department of Corrections is facing a serious overcrowding problem that requires re-thinking the criminal justice system as a whole. The prison population in the United States has quadrupled in size since 1980, and the United States now has one quarter of the world's prisoners and the highest incarceration rate in the world². Racial disparities in arrests, sentencing and incarceration are well documented, with African Americans incarcerated at nearly 6 times the rate of whites³. The City of Seattle is committed to race and social justice. We believe government must take on the work of racial equity, in accordance with its international human rights obligations assumed by ratifying the International Convention on the Elimination of all Forms of Racial Discrimination and the recommendations from international human rights

¹See: <http://www.opb.org/news/article/npr-washington-prisons-secretary-says-no-plans-to-ship-inmates-out-of-state/>

²See: <http://www.theatlantic.com/health/archive/2013/06/the-incarceration-epidemic/277056/>

³See: <http://www.pewresearch.org/fact-tank/2013/09/06/incarceration-gap-between-whites-and-blacks-widens/>

bodies⁴. This means working across institutions to address structural racial inequities in the criminal justice system, through innovative policy and program development and analyzing policy and budget decisions through a racial equity lens. To achieve racial equity in the criminal justice system and to address the impacts of incarceration on society, Washington State must place a focus on rehabilitative and restorative objectives, and on reforming the criminal justice system, instead of on contracts to address overcrowding in prisons.

Second: We are concerned that shipping people who are in prison out of state and away from their families impedes the potential for rehabilitation, directly undermining a central role of the criminal justice system. There is strong evidence to show that people who are able to maintain close ties with family members while incarcerated have better outcomes post-release and lower recidivism rates⁵. Securing the capacity to keep women and men close to their families by creating a continuum of social support from prison to the community has potential benefits to public safety, as well as cost-savings through decreased likelihood of recidivism post-release².

Third: Washington State has failed to screen out Geo Group, a corporation that is notorious for its poor human rights record. Seattle residents have been deeply concerned about human rights violations reported at the Geo Group-operated Northwest Detention Center in Tacoma. These human rights violations have been well documented since 2008.⁶ As a result, Congressman Adam Smith has introduced the Accountability in Immigration Act, calling for humane treatment of detainees. In the past two years, detainees at the Northwest Detention Center have reported inhumane detention conditions, exploitation of detainee labor, and retaliatory use of solitary confinement against detainees⁷. We also understand that the company has recently “come under fire for injuries to a detainee at that facility sustained at the hands of staff” and for threatening witnesses with administrative sanctions if they present any claim against the company.⁸ Washington State is failing to “exercise adequate oversight in order to meet their international

⁴ For example under the Universal Periodic Review 2015, the United States accepted the Human Rights Council recommendation to “[t]ake appropriate legislative and practical measures to prevent racial bias in the criminal justice system”, available at <http://www.upr-info.org>.

⁵See: <https://www.prisonlegalnews.org/news/2014/apr/15/lowering-recidivism-through-family-communication/>

⁶ *Voices from Detention: A Report on Human Rights Violations at the Northwest Detention Center*. Seattle University School of Law and OneAmerica, 2008, available at <http://www.detentionwatchnetwork.org/nwdcreport>; See also IAHR. Report on Immigration in the United States: Detention and Due Process, 2011, available at <http://www.oas.org/en/iachr/migrants/docs/pdf/Migrants2011.pdf>.

⁷ See: <http://www.thenation.com/article/179987/why-immigrant-detainees-are-turning-civil-disobedience>

⁸ Jenkins, Austin. “Washington Prisons Secretary Says No Plans To Ship Inmates Out-Of-State.” KUOW, 27 May, 2015. Web. 7 Jun. 2015. < <http://kuow.org/post/washington-prisons-secretary-says-no-plans-ship-inmates-out-state>>

human rights obligations when they contract with [...] business enterprises to provide services that may impact upon the enjoyment of human rights⁹.”

There is also a pattern of repeated human rights violations at Geo Group facilities across the country. An April 2015 Department of Justice Inspector General report found that a Geo Group detention facility in Texas “consistently struggled to meet or exceed baseline contractual standards” and “received an unacceptable number of deficiencies and notices of concern.”¹⁰ In 2012, a federal judge used the word “cesspool” to describe a juvenile prison in Mississippi operated by The GEO Group¹¹. By contracting with a corporation with well-known and well-documented record of human rights violations, Washington is failing to “promote respect for human rights by business enterprises with which they conduct commercial transactions¹².”

Fourth: Washington’s five-year contract will not shrink costs associated with detention, and it will place the inmates under inadequate supervision. The Northlake Corrections facility claims that it provides industry-leading, evidence-based offender rehabilitation programs, however, it was shut down in 2005 due to a series of audits and investigations that found high levels of assault, frequent staff vacancies and operating costs that exceeded those in comparable state prisons¹³. This private prison, like many of the Geo Group’s medium-sized prisons, is more costly and less safe than Washington State prisons.

Fifth: We observe that the fundamental profit-making motive of the private prison industry introduces incentives that neither respect basic human rights, nor further the rehabilitative mission of the criminal justice system. Costs are cut, shortcuts are taken, and money flows to politicians who support harsher and longer punitive sentences. Such measures lay the foundation for inhumane practices and fundamental human rights abuses which violate detainees’ dignity. Moreover, the dependence on privately-owned facilities incentivizes incarceration, and thus plays a role in perpetuating a system that disproportionately targets people from low-income and communities of color.

We strongly encourage you as public servants of the State of Washington to pursue justice reform measures that (1) address the root causes of the overcrowding problem in Washington State prisons, which necessitates a focus on eliminating racial inequities in the criminal justice system (2) are aligned with the mission that those who serve prison time for wrongdoing have the greatest chance to be restored as full, productive members of our

⁹ See UN Guiding Principles on Business and Human Rights. Principle 5. See also IAHR. Report on Immigration in the United States: Detention and Due Process, cit.

¹⁰ Jenkins, Austin., cit.

¹¹ Ibid.

¹² See UN Guiding Principles on Business and Human Rights. Principle 6.

¹³ *Michigan Private Prisons Law Could Reopen Facility With Checkered Past*. Huffington Post, January 2013, available at http://www.huffingtonpost.com/2013/01/12/michigan-private-prisons-_n_2453117.html

communities, and (3) eliminate Washington State contracts with private prison corporations and institutions that violate human rights.

Respectfully,

Asian Counseling and Referral Service
Asian Pacific Islander Coalition of King County
Asian Pacific Islander Coalition Spokane
Asian Pacific Islander Coalition Snohomish County
Asian Pacific Islander Coalition Yakima Valley
Asian Pacific Islander Coalition South Puget Sound Chapter
Casa Latina
Cavazos & Espinosa PLLC
Coalition of Anti-Racist Whites
Community to Community
Domestic Fair Trade Association
El Comite de Derechos Humanos de Forks
Entre Hermanos
Episcopal Diocese of Olympia
Faith Action Network
Health Equity Circle, University of Washington
Intercommunity Peace & Justice Center
Kitsap Immigrant Assistance Center
Latino Advocacy
Northwest Immigrant Rights Project
OneAmerica
Seattle Immigrant and Refugee Commission
Seattle Human Rights Commission
Tacoma Community House
Unitarian Universalist Voices for Justice
University Unitarian Church
Washington DREAM Act Coalition