



**American Friends
Service Committee**

Quaker values in action

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Injunction Filed, Group Asks Judge for Temporary Restraining Order to Halt Private Prison Contracts

Phoenix: The American Friends Service Committee filed an injunction yesterday in Maricopa County Superior Court to prevent the Department of Corrections from awarding any contracts for new private prisons until the state completes a statutorily-required review of the performance of for-profit prisons in Arizona. The Department of Corrections has said it might award the contracts as soon as this Friday, September 16. The AFSC therefore asked a Judge to grant a temporary restraining order to halt the contract awards until the court can hold a hearing on the AFSC's request for injunction.

The Special Assignment Judge, Arthur Anderson, had not ruled on the temporary restraining order as of 9:00am this morning, but is expected to make a decision later today.

In a press conference held yesterday, Caroline Isaacs, Program Director of the American Friends Service Committee office in Arizona, read through a list of actions the group and its members and constituents had taken prior to filing suit to stop the contracts from being awarded, including discussions with the Department of Corrections, meetings with the Secretary of State and Attorney General's offices, petitions, legislation, and participation in public hearings. "And yet, in spite of all evidence that privatization of prisons is an utter failure and waste of our scarce state budget dollars, the state is prepared to hand over another \$650 million to one of these companies, possibly the same one whose gross negligence led to the deaths of two people last summer," she said.

Isaacs speculated that the lack of action on the part of state leaders was a result of the for-profit prison corporations' generous donations to politicians in Arizona and their history of placing corporate lobbyists in positions of power in state government.

The other plaintiffs in the case are Joyce and Oralee Clayton, Sr., whose son, Oralee Clayton, Jr. has been incarcerated in the Kingman prison operated by Management and Training Corporation since 2009. Before and after the horrific escapes from Kingman last summer, the prison was rocked by a series of prison fights and riots. Mr. Clayton and other African-American prisoners in the facility report that they were targeted by white prisoners during those riots, and that the MTC staff in the facility were unable or unwilling to protect them from violence. His parents report that they fear constantly for his safety. Rev. Oscar Tillman, President of the NAACP of Maricopa County, spoke on behalf of the family at the press conference. Citing his years in law enforcement, he told the crowd that he knows all too well what can happen when

African-Americans are outnumbered in a prison setting, particularly one run by a for-profit corporation.

The injunction asserts that the state is in violation of ARS 41-1609.01, which mandates that the Department of Corrections perform a comparison review of the state's public and private prisons and evaluate them on a number of safety and quality measures. Although the statute has been on the books since the 1980's, such a review has never been completed. The group argues that no more contracts should be awarded to the corporations until the review is finished and there is solid and objective proof that for-profit prisons are safe, providing quality services, and accountable to the taxpayers of the state.

The case number of the injunction is CV 2011-017119.

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