

**Caroline Isaacs, Program Director,
American Friends Service Committee,
Arizona**



**American Friends
Service Committee**

Quaker values in action

Statement

Monday, September 12, 2011

My name is Caroline Isaacs and I am the program director for the Arizona program of the American Friends Service Committee, an international social justice organization grounded in the Quaker faith. Our Arizona program focuses on criminal justice reform, and in this capacity, we have been monitoring the growth of for-profit prisons in Arizona over the last 15 years. It is in this capacity that I represent AFSC as a plaintiff in this suit.

We have extensively researched this issue, gathering national data as well as data specific to the state of Arizona. We have heard from people incarcerated in for-profit prisons and their families. We have heard from people who live in communities where private prisons are located. We have studied this issue and there is no doubt: For-profit prisons are a bad deal for the state of Arizona.

Private prisons in Arizona are not saving the state money. This is a statutory requirement, yet 6 years worth of the Department of Corrections' own cost comparison studies show that minimum security private prisons cost about the same, and medium security private prisons are actually more expensive.

A security audit of the state's existing private prisons completed after the Kingman escapes show long standing problems common to many for-profit prisons: Malfunctioning security devices and equipment that wasn't fixed; lax security procedures; lax inventory standards for tools, kitchen equipment, and even weapons; guards unsure about or completely unaware of policy and procedures.

This is not opinion, this is fact. 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 dollars to one of these companies, possibly the same one whose gross negligence led to the deaths of two people last summer. And what can anyone do to stop it?

We have exhausted every avenue available to a community organization to challenge a failed government policy:

- We have raised our concerns with the Department of Corrections

- We, and hundreds of our participants, have contacted our elected representatives repeatedly, for several years
- We supported the introduction of legislation that would have placed reporting and oversight requirements on for-profit prisons in Arizona. The Chair of the Senate Judiciary Committee, Ron Gould, openly said he refused to allow the bills to be heard
- We met with representatives of the Secretary of State and Attorney General's offices about our concern that for-profit prison corporations have undue influence over policy making in Arizona. We were told there was nothing they could do.
- After the escapes from the Kingman prison last summer and the horrible murder of an Oklahoma couple, we called on the state legislature to hold hearings. Despite their assurances, no legislative hearings were ever held.
- So we organized a community hearing in October of 2010 and presented the findings to the Governor, the Department of Corrections, and the Legislature.
- We have gathered almost 500 petitions against awarding any new private prison contracts in Arizona, and between 55 and 200 signatures on petitions against every one of the 5 proposed prison locations.
- Our staff and volunteers attended every single public hearing held by the Department of Corrections on the proposed new prison locations, testifying against the proposal
- We have worked with the press in Arizona, asking them to cover the dismal records of each of the corporations bidding for a contract, and their histories of escapes, prisoner abuse, mismanagement, and costly litigation over prison conditions and treatment

Nothing has changed.

By now, it is no secret that these corporations go to great lengths to place their people in positions of power and to buy the loyalty of state and local elected officials. Consider the following:

- The Governor's top advisors are or have been lobbyists for Corrections Corporation of America
- The Director of the Department of Corrections, Charles Ryan, who has the final say on the award of these contracts, has a long standing close relationship with Terry Stewart, who is now a consultant and lobbyist for MTC in Arizona. Ryan was Deputy Corrections Director under Stewart. After leaving Arizona, Director Ryan went to work for a private prison consulting firm owned by Stewart, and even followed him to Iraq as a US contractor hired to set up the Iraqi prison system
- CCA associates and its political-action committee have reported giving about \$35,000 in political donations over the past decade to Governor Brewer, Senate President Russell Pearce, former House Speaker Kirk Adams, House Speaker Andy Tobin and many others

- In the 2010 election cycle, Geo Group's lobbyists made about \$39,000 in campaign contributions to Brewer, Pearce, Adams, House Appropriations Chairman John Kavanagh and others

Is it any wonder that our state leaders continue to turn a blind eye to the systemic problems in the state's private prisons?

Even when our Department of Corrections has *tried* to hold these corporations accountable, the for-profit company was able to bully them into getting what they want, by threatening costly lawsuits.

After the horrific escapes from MTC's Kingman prison, the state pulled 238 high-risk prisoners and said it would stop sending prisoners to Kingman until MTC fixed faulty alarms, broken lights and other problems and retrained its corrections officers. It suspended the 97% guaranteed occupancy rate, because MTC was dragging its feet in fixing flaws at Kingman. Rather than taking responsibility and correcting the problem, the company threatened to sue, demanding millions of dollars to make up for what it had lost since the state stopped sending prisoners.

The state of Arizona was simply outgunned. These corporations have unlimited cash and leagues of attorneys. The state caved in. In exchange for MTC dropping its claim, Corrections agreed to begin paying MTC at the 97 percent rate on May 1, even though it would take until the end of August to send enough new inmates to refill the prison to that level. Since May, Arizona has paid MTC—a company whose negligence let three people escape and murder two people—over \$3 million for empty beds.

We simply have nowhere else to turn. Clearly, the normal checks and balances in government practice have been circumvented by the undue influence of these corporations.

We are turning to the courts as the last refuge of sanity and protection for taxpayers, prisoners, and the community at large. We are asking them to do a small thing—halt the process until the facts can be brought to light and the people of Arizona can evaluate objectively how good a job these companies are doing and whether we are getting our money's worth.

Caroline Isaacs

American Friends Service Committee

103 N. Park Ave., Ste. 111

Tucson, AZ 85719

520.623.9141

cisaacs@afsc.org

www.afsc.org/tucson