

Quid pro quo: here's the money, give me the contract; here's the money, give me the building permit

By MARIA EUGENIA GUERRA

The degree of civilization in a society can be judged by entering its prisons.

Fyodor Dostoyevsky

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It had all the appearances of such a happy moment -- our elected officials practically dancing "La Raspa" for the media on May 16 when prison mogul George C. Zoley of the Geo Group flew in from Boca Raton to drop dollars here, there, and everywhere for the ceremonial inking of a non-standard service contract for water and sewer with Webb County and to pick up a building permit from the City of Laredo for the 1,500 bed jail his company will build at the southern edge of the city as it meets Río Bravo.

The mogul's largesse went to double the \$125,000 he had earlier pledged to the general funds of both the City of Laredo and Webb County. And don't forget the \$1,000 scholarships the mogul upped from 15 to 25.

After stating for the public record in March 2007 that he wanted to see the Geo Group's record for safety "inside and out" before giving the facility a green light, Mayor Raul Salinas accepted the check a scant 50 days later and glad handed the mogul what he'd come for. It was like all the other economic development dollar dances we see public officials do these days -- no research; exchanges of niceties in the name of prosperity at the cost of quality of life; the sickening, groveling, overstated gratitude for investment in the community; and more low-paying jobs for the people.

It would seem, given the wealth of information available online about the Geo Group (formerly Wackenhut) and its lengthy and grisly record of prison murders, assaults, and sexual abuse scandals that neither the Mayor nor Webb County Judge Danny Valdez chose to be informed about the city's newest corporate citizen. Half a million bucks can be mesmerizing, if not blinding.

Had they not read the letter written by Zulema Salazar, sister of Gregorio De la Rosa Jr., the Laredoan brutally beaten to death in 2001 at Wackenhut's Willacy State Jail in Raymondville? Recounting the horrific tragedy of her brother's death at the hands of two inmates swinging socks filled with Wackenhut (Geo) issue padlocks. Salazar implored both Salinas and Valdez by letter April 8, 2007 to reconsider letting the Geo Group build and operate a federal detention center in Laredo. De la Rosa Jr., serving a six-month sentence for drug possession, was only days away from being released when he was savagely beaten by inmates Daniel Sanchez and Pedro de Jesus Equia who were indicted for murder and sentenced to 20 years.

With the alacrity that both Mayor Salinas and Judge Valdez responded to Zoley handing out checks and promises for scholarship funds, it might be assumed, too, that in their haste -- or their grab for the dough -- they had read nothing, heard nothing of the well publicized September 2006 \$47.5 million jury verdict against the Geo Group and former Willacy County State Jail warden David Forrest for negligence in De la Rosa's murder.

The case argued and won by Laredo attorney Ronald Rodriguez for De la Rosa's three children, and the verdict -- the largest jury award in Willacy County and the sixth largest in the nation -- proved Geo negligent as to inmate searches and lack of staffing and that although Geo had been put on notice of the incidence of padlock attacks, the company took no action to stop them. Though Warden Forrest said in depositions that he had viewed a videotape of the beating, the Geo Group did not produce the tape at the trial. Of the wrongful death verdict, attorney Rodriguez said, "The evidence that Wackenhut was abusing the legal system and abusing the jury's right to hear the truth by destroying evidence was very compelling to the jury." Rodriguez also contended that once the beating had occurred, Wackenhut officials did not respond quickly enough and had failed to promptly render medical attention to De la Rosa.

According to Rodriguez, the lack of prompt medical attention for an inmate in peril is not a one-time footnote in the Geo Group's history.

Up the road at its South Texas Detention facility in Pearsall, immigration detainee Ramon Gonzalez, despite continuous pleas for help in December 2006, was ignored by Geo prison guards and medical personnel. Without treatment, Gonzalez suffered catastrophic physical injuries as a result of a stroke on December 24. Gonzalez, also represented by attorney Rodriguez, made a cross-claim with third party defendants United States Public Health Service, a division of the United States Department of Health and Human Services, and the Department of Homeland Security- Immigration and Customs Enforcement Agency (DHS-ICE).

The Geo Group further abused Gonzalez's rights by interrogating him without counsel in early April. An injunction signed by 111th District Court Judge Raul Vasquez at a May 1, 2007 hearing restrains Geo Group, Inc., warden Erasmo Bravo, CEO Zoley, and detention facility employees from injuring, assaulting, coercing, harassing, and interrogating Gonzalez.

IN A VACUUM, THINGS SUCK

Do the Mayor of Laredo, the Webb County Judge, and most of our elected officials really live in a news vacuum, or do they selectively hear only the news they want to hear? How could they not have known of the unwieldy baggage that Zoley and the Geo Group/Wackenhut lug around?

Geo CEO Zoley is a Bush Pioneer. *Rolling Stone* called him one of "Bush's bagmen," a "warden for profit." The Geo Group is the world's largest operator of private prisons (49 facilities with 36,000 beds in the U.S., Canada, Australia, and South Africa), posting earnings of more than \$600 million a year. *RS* writer Barry

Yeoman said, "Its facilities are notorious: In Louisiana where guards routinely beat and tear-gassed teenage offenders, a Republican judge lambasted Geo for treating children 'as if they walked on all fours.' In Texas, where male guards molested female inmates, a 14 year-old named Sara Lowe committed suicide after her release. Asked by CBS whether Lowe deserved an apology, Zoley said, 'Not that I'm aware of. I don't know what you meant by that.'"

The Prison Legal News website (www.prisonlegalnews.org) offers deep background on Wackenhut/Geo Group's legal problems.

In 1998, the Wackenhut warden and six guards at Lea County Correctional facility in Hobbs, N.M. were convicted in federal court on charges stemming from the brutal beating of an inmate and subsequent cover-up attempts. The guards were found guilty of civil rights abuses, conspiracy, and obstruction of justice. The warden pled guilty to obstruction of justice and deprivation of rights under color of law. That facility is the scene of nine stabbings, of which two were fatal. At the Santa Rosa facility, also operated by Wackenhut, one prisoner was beaten to death with a laundry bag containing two rocks and another was stabbed in the facility's gym, the fourth death in nine months. At an ensuing lockdown failure commandeered by 290 inmates, a Wackenhut guard was stabbed to death in a disturbance that lasted over three hours.

Then-New Mexico Gov. Gary Johnson told Wackenhut that if the violence continued, he would remove state prisoners from the facility. He made good on this threat three days later. Wackenhut was investigated to determine if it was criminally negligent in delaying reports of the riot, the death of the guard, and the beating death of the inmate. N.M. Public Safety director Darren White accused the prison giant of placing "public relations over public safety." Wackenhut was faulted for having inadequate and ill-prepared staff at its two New Mexico facilities.

The following information chronicles Wackenhut's history of violence and abuse from a story compiled by Ron Young of *Prison Legal News*:

"Five Wackenhut guards were fired from a work release facility in Ft. Lauderdale, Fla. for having sex with prisoners in the summer of 1999. In Jena, La., Wackenhut agreed to surrender control of its 15-month old juvenile prison in June 2000 after the Department of Justice sought to protect imprisoned boys from harm at the hands of guards and fellow prisoners.

In Texas, where Wackenhut operates 11 facilities, the company lost its \$12 million a year contract in September 1999 for failing to live up to its promises in running a state jail. Twelve guards were indicted for having sex with female inmates, some who said they had been raped. The same charges arose at the Travis County State jail where female prisoners alleged rape and beatings.

The state of Texas filed criminal charges of sexual misconduct against two guards at the Coke County Juvenile Justice Center facility for girls in 1999. Both pled guilty. The attorney representing Sara Lowe, the 14-year old who committed

suicide after her release, called the Coke environment one of “offensive sexual contact, deviant sexual intercourse, and statutory rape.”

In May 2005, the Geo Group settled for \$125,000 in a lawsuit that arose from the suicide of a recently interned inmate at the George W. Hill Correctional facility in Delaware County, Penn. The inmate was placed in detox and had a history of depression and was housed in isolation on suicide watch, but was found dead two days after arriving at the prison. He was found dead about an hour, hung by his shoe laces, 45 minutes past his last scheduled monitoring of every 15 minutes.”

THEN AND NOW

There’s a then and now to the contemplation of the private prison facility, a story so multi-faceted that it is difficult to stay on the task of telling it. A Wackenhut facility was considered in October 2003 by a Webb County Commissioners court headed by then-Judge Louis H. Bruni. The court also included Commissioner David Cortez who would later be convicted on bribery charges related to prison construction in Willacy County. At that time, the court updated the membership of the Public Facilities Corporation (PFC) and agreed that the PFC would act as the agency to issue revenue bonds for construction of the \$100 million, 2,800-bed prison.

Over the next couple of years the decision to move forward with the prison facility idled away from public view, no doubt moving in mysterious machinations behind the scenes and gaining momentum as the Office of the Federal Detention Trustee awarded the Geo Group a five-year contract in April 2007 for the 1,500 bed facility in south Laredo.

Michael Rigby, a writer for Prison Legal Network, wrote of Wackenhut, which became Geo Group in 2003, “The company cannot attribute its success solely to good business. Powerful lobbyists and political patronage have played a significant role in its ascent.” (See also inthesetimes.com for a story called “Follow the Prison Money” by Silja J.A. Talvi.)

On the day Zoley flew in for the half-million dollar giveaway, the rush to move forward with the project was palpable, such a rush that the county’s eight-page service contract for water and sewage for the Geo Group’s facility had none of its exhibits attached to it – no legal description of the site, no plats, no description of the improvements (waterlines and sewage lines), no letter of credit, no metes and bounds for easements. Despite the lack of specificity about such things, Judge Valdez and Zoley signed.

“I don’t want a prison built near a school. I want to protect our citizens,” Mayor Salinas said in March said at the signing with Zoley. “It’s exciting because Laredo is once again busting at the seams. It’s upgrading the salaries for our citizens.”

Webb County Attorney Homero Ramirez confirmed there were no exhibits attached to the contract.

“It was not completed because the acquisition of other lands had not been completed yet. The contract document is good, but it should not have gone out

that way without attachments,” Ramirez said. “We know pretty much everything about it with respect to the amounts and the cost of acquisitions, but it wasn’t clear how we would be acquiring the property and some of the easements in order to completely service the area, the area for Geo as well as going to other future developments.”

Ramirez said he didn’t know if the exhibits were now completed.

LareDOS asked Ramirez what the rush was to get the water and sewage document signed, and he said, “The rush was coming from the Geo Group to the members of the commissioners court. From what I understood, Geo needed to begin construction because they had a certain window in conjunction with contracts and deadlines from the federal government.”

Asked if there had been due diligence into Geo Group’s record of abuses and deaths in their facilities, Ramirez said there had been, “but it is not material to this, because it is an agreement to supply water to a consumer, and not a joint venture of any kind.”

He added that he was well aware of the background of Wackenhut/Geo and that he did not see the prison as an economic benefit to the community.

“Speaking for myself, I don’t see how it will foster development or work as an anchor for other development,” Ramirez said.

Commissioner Keko Martinez lamented a lack of citizen input.

“Regrettably, the community did not speak up to tell us they did not want the prison here,” Martinez said.

He said that Geo Group’s attorney Carlos Zaffirini knew the votes weren’t there to go into a joint venture with Webb County and that he would have opposition to forming a Public Facilities Corporation to sponsor building the prison.

“They came to us for water and sewage, and paid the county some money to increase the plant’s capacity,” he said.

Dr. Sean Chadwell, a professor at Texas A&M International University who with other Encinal citizens waged organized resistance to the LaSalle County federal detention facility in 2002 and 2003, said, “Water has been the most pressing issue at the Encinal detention facility. It has been a water hog and a sewer hog. The truth is that if the Geo Group wants to build this south Laredo prison themselves, there’s little anyone can do about it. It’s tremendously unpleasant to have them in your neighborhood. It will be a giant freaking eyesore. The whole principle of incarcerating for profit offends me deeply. If someone in the private sector says, ‘I can run a prison more cheaply,’ you owe it to your country to share how to do it more cheaply.”

City Council member Dr. Michael Landeck, in whose district the Geo Group will build their facility, echoed Chadwell’s sentiments.

“The whole idea of having a private entity running a jail in general is appalling to me. It is morally wrong,” Landeck said. “It doesn’t even work properly because

when a private company runs a jail, the bottom line for them is a dollar. You cannot expect them to do anything beyond what they are forced to do. These are people who are in the prison, not animals. We hope to provide them with a humane environment.”

Landeck did his Geo Group homework and doesn't like what he has read.

“I am very much against this company in particular. Their human rights violations are also appalling,” he said. “I'm opposed to this prison and that company in particular, from ethical and moral ground. Economically it's a bad idea. The economic effect on our community would be much greater if we ran it locally.”

Landeck said there he already has one jail in his district and wishes Mayor Salinas had communicated with him before leaping to approve the project.

Landeck also questioned exchanging documents while receiving money.

“Here's the money, here's the building permit. Here's the money, here's the water and sewage contract,” Landeck said. “At the same time that the Geo Group gave money, they got something in return.”

According to a website called texasprisonbidness.org, once Geo Group's Río Bravo prison reaches completion in 2008, is full and operational, it will take the facility less than a week to earn back the half-million dollars it gave to Webb County and the City of Laredo.

The site noted that there's big money to be made in private prisons in South Texas.

“A May 2006 count by the *Texas Observer* put the number of private prison beds in South Texas alone at approaching 5,000 – 5,000 prison beds making money a day...that's a lot of profit and a lot of lives...certainly the sort of profit that will get someone handing out money and promises pretty freely,” it said.