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February 28, 2013

Dear President Saunders:

We commend you for agreeing to conduct a public meeting on campus this Friday to discuss the University's recent decision to accept a \$6 million donation to its athletic program from for-profit prison corporation, GEO Group in exchange for naming rights to the University's stadium.

As you may be aware, the American Civil Liberties Union (ACLU) has called upon Florida Atlantic University to reconsider its decision to publicly associate itself with GEO Group, which has been sued repeatedly, found deficient by auditors, and harshly criticized by a federal judge based on unconstitutional conditions it maintained in its for-profit prisons. While there may be a short-term financial benefit for the University, an educational institution needs to carefully consider the long-term impact on its reputation, its students and its faculty. There are costs to its legacy that the University should calculate.

We are writing to correct the record regarding GEO's responsibility for gross human rights abuses at one of its prisons. In response to Monday's student protest, GEO vice president for corporate relations, Pablo Paez, issued a statement characterizing the criticisms of GEO as "unfair." He singled out statements about GEO's Walnut Grove Youth Correctional Facility as a particular example of this unfairness. He stated:

For instance, a number of media reports cite problems at a facility formerly operated by GEO in Mississippi, the Walnut Grove Correctional Facility, quoting a report by the Department of Justice issued in **November 2010**. What those media reports fail to disclose is that our company only assumed management of the facility in late **August 2010**, and the findings related to problems that preceded GEO's involvement at the facility, when it was operated by different private operator.

In fact, the true chronology of the Walnut Grove case is as follows:

- In **August 2010**, GEO took over operation of the Walnut Grove Youth Correctional Facility.
- Two months later, in **October 2010**, the U.S. Department of Justice notified the State of Mississippi that it had opened an investigation into conditions at Walnut Grove.
- In **November 2010**, the ACLU and the Southern Poverty Law Center jointly filed suit against GEO and others responsible for the facility, alleging that conditions in the facility violated the Eighth Amendment's prohibition against cruel and unusual punishment.
- Beginning with site visits **January 10-13, 2011**, and **throughout 2011**, the DOJ continued its investigation of Walnut Grove. During the same time period, the ACLU and SPLC continued to litigate their case in federal court.
- On **March 20, 2012**, the DOJ issued a report to the Governor of Mississippi describing the "systematic, egregious, and dangerous practices exacerbated by a lack of accountability and controls" at Walnut Grove and stating that the sexual misconduct they found there was "among the worst that we have seen in any facility anywhere in the nation."
- On **March 22, 2012**, Judge Carlton W. Reeves, the Mississippi federal judge overseeing the litigation, presided over a hearing in which he heard evidence of the ongoing abuse and neglect at Walnut Grove.
- On **March 26, 2012**, Judge Reeves entered a consent decree in the ACLU and SPLC's Walnut Grove litigation, stating that the prison was "a picture of such horror as should be unrealized anywhere in the civilized world."
- On **April 20, 2012**, Mississippi Commissioner of Corrections Christopher Epps announced that Mississippi was ending all of its contracts with GEO.

Significantly, the DOJ investigation did not conclude in November 2010. Neither did the unconstitutional conditions which precipitated both the ACLU/SPLC lawsuit and the DOJ investigation. As Judge Reeves stated in his order dated **March 26, 2012**:

Nothing has curtailed actions of the staff and indifference of management officials to the constant violations, even though the parties and their experts have been monitoring, investigating and conducting on-site visits constantly since before the lawsuit was filed and during the pendency of this action. Moreover, the fact that the DOJ dared to begin its investigation in October 2010 has not caused the defendants to transform the facility into one that complies with the United States Constitution. But even more astounding is the fact that the notice of the fairness hearing itself did not cause the defendants to change course. The testimony established that only two days before the hearing, the facility remained so understaffed that a teenage offender was brutally attacked by several other

offenders while only one staffer was on site. As of the date of the [March 22, 2012] hearing, according to testimony, management has done nothing to address staffing issues. WGYCF [Walnut Grove Youth Correctional Facility] has allowed a cesspool of unconstitutional and inhuman acts and conditions to germinate, the sum of which places the offenders at substantial ongoing risk.

The factual support for this chronology comes from publicly-available sources – namely, the U.S. Department of Justice’s March 20, 2012, report entitled *Investigation of the Walnut Grove Youth Correctional Facility, Walnut Grove, Mississippi*, and the March 26, 2012 order in *C.B. et al. v. Walnut Grove Correctional Authority, et al.*, No. 3:10-cv-00663-CWR-FKB (S.D. Miss.). For your convenience, we have attached both documents to this letter.

We hope that this explanation helps set the record straight as you consider the long-term impact of the GEO Group brand name on FAU’s Stadium, reputation, its students and its faculty. We also hope that this clarifies for you whether it is prudent for you to rely solely upon GEO’s representations about its own corporate conduct.

If you would like to discuss this matter further with us or have any questions, please feel free to contact us.

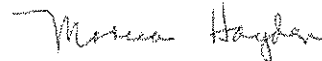
Sincerely,



Carl Takei  
Staff Attorney  
ACLU National Prison Project



Julie Ebenstein  
Staff Attorney  
ACLU of Florida



Marcia Hayden  
President  
ACLU Palm Beach Chapter