

PRESS RELEASE

Human Rights Defense Center
For Immediate Release

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Human Rights Defense Center Files Public Records Suits Against Private Prison Companies, New Mexico Corrections Department

Santa Fe, NM – Earlier this week, the prisoners’ rights nonprofit organization Human Rights Defense Center (HRDC) filed two lawsuits in the First Judicial Court of New Mexico, County of Santa Fe, alleging violations of the New Mexico Inspection of Public Records Acts. These complaints were filed against two private prison companies— The GEO Group, Inc. (GEO) and Management & Training Corporation (MTC)—as well as the New Mexico Corrections Department (NMCD), which contracts with both companies to operate multiple prisons within the state.

On February 6, 2020, HRDC submitted two public records requests to GEO and MTC seeking verdicts and settlements related to all claims or lawsuits brought against the companies concerning any confinement facility operated under a contract within the boundaries of New Mexico. In their initial responses to these requests, both MTC and GEO denied being public entities and therefore claimed exemption from state public records laws. In its response letter, GEO additionally stated that, “GEO’s obligations run solely to the NMCD’s custodian, not any requester, and any such obligation by GEO to assist the NMCD’s custodian and furnish any such records to that custodian is triggered only when a proper request is made in the first instance to NMCD’s custodian and the custodian, in turn, contacts GEO in connection with that custodian’s discharge of his or her duties and obligations to a requester.”

In accordance with these responses, HRDC submitted a new request for public records to NMCD on February 27, 2020 to cover GEO, MTC, and other private prison companies. However, NMCD neither provided the requested public records nor referred the request to GEO for completion, instead responding that NMCD believed that the companies had responded separately and that the agency therefore had “no additional documents to provide and is closing this matter.” No documents were subsequently received from GEO or MTC, confirming that NMCD failed to refer the request after that point. As articulated in the complaints filed by HRDC, all three agencies thus responded inappropriately under the New Mexico Inspection of Public Records Act.

HRDC is seeking declaratory and injunctive relief for these violations, including the issue of a writ of mandamus or injunction ordering the Defendants to produce the records immediately, to produce all such records in the future, and to pay damages, costs, and attorneys’ fees.

“Just because the government has contracted away its responsibility for imprisoning its citizens does not mean it gets to contract away the public’s right to know and transparency in government,” said Paul Wright, HRDC’s founder and executive director.

HRDC is represented by attorneys Mark H. Donatelli and Caroline “KC” Manierre with Rothstein Donatelli, LLP and HRDC staff attorney Eric Taylor. The cases are *HRDC v. Management &*

Training Corporation, et al. and *HRDC v. The GEO Group, Inc.*, et al. The complaints are available [here](#) and [here](#).

The Human Rights Defense Center, founded in 1990 and based in Lake Worth, Florida, is a non-profit organization dedicated to protecting human rights in U.S. detention facilities. HRDC publishes *Prison Legal News* (PLN), a monthly magazine that includes reports, reviews and analysis of court rulings and news related to prisoners' rights and criminal justice issues. PLN has subscribers nationwide and operates a website (www.prisonlegalnews.org) that includes a comprehensive database of prison and jail-related articles, news reports, court rulings, verdicts, settlements and related documents. HRDC also publishes *Criminal Legal News*, which reports on criminal law and procedure, law enforcement and policing, sentencing and habeas corpus and news. (www.criminallegalnews.org).

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