



FOR IMMEDIATE RELEASE

Friday, October 14, 2011

CONTACT: Vince Rabago, [520-861-0833](tel:520-861-0833); Caroline Isaacs, [520.256.4146](tel:520.256.4146) cell; cisaacs@afsc.org

Former prosecutor joins fight to hold state accountable for failing to properly review private prisons as Arizona court hears arguments on fate of lawsuit.

Phoenix: Today, an Arizona court heard arguments to decide the fate of a lawsuit challenging the issuance of contracts for 5,000 new private prison beds in Arizona.

Vince Rabago, a former state prosecutor and candidate for Arizona Attorney General, joined the case this week in representing the plaintiffs challenging the new private prison bids. Rabago, a former Assistant Arizona Attorney General, is also an adjunct professor on crime and public policy at the University of Arizona.

The American Friends Service Committee filed suit on September 12 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. While the Judge denied the group's request for a Temporary Restraining Order to prevent the Department from awarding contracts before the case could be heard, he later ordered the Department to give notice before it signed any new contracts.

This week, the Department of Corrections apparently asked the four private prison companies under consideration to extend their bids through November 22, 2011, while the Department continues to evaluate the proposals. Spokesmen for the DOC have so far refused to comment on the reason for the extension ("Prison?," *Coolidge Examiner*, 10/12/11).

Security lapses and other failures of private prisons received national attention in 2010 after inmates escaped from a private facility in Kingman, AZ, resulting in the murder of two tourists.

Rabago argued against the state's efforts to dismiss the case, citing significant public safety and taxpayer concerns from the state's failure to do the statutorily required comparisons of public and private prisons. "The Arizona Department of Corrections has failed to do these studies for nearly a quarter century. The first study ever is expected in January 2012, yet they refuse to delay signing contracts for just a few months. There is nothing unreasonable in requiring the state to comply with its own laws. We are hopeful the court agrees and allows the case to go forward. Given the obvious public safety issues and impact on taxpayers, the parties should have a hearing on the merits of the State violating its own laws for more than two decades."

The case is pending before Judge Arthur T Anderson in Maricopa County Superior Court, case no. CV 2011-017119.

#####