November 1, 2019

George Zoley, Ph.D.
Chairman and Chief Executive Officer
The GEO Group, Inc.
621 NW 53rd Street, Suite 700
Boca Raton, FL  33487

Dear Dr. Zoley,

This past spring, the shareholder proposal requesting The GEO Group, Inc. (GEO) publish a report on how it is implementing its human rights policy that addresses “Respect for Our Inmates and Detainees” received 87.9% shareholder support. As proponents of the proposal, the USA West Province of the Society of Jesus and other shareholders indicated we were pleased with your move to develop the Human Rights and ESG Report (Report) and offered assistance with the process. Now that the Report is public and the company is not willing to meet with the shareholder group, we offer our response with a renewed request to meet with GEO representatives to discuss the Report and how we might move forward together on human rights. Since GEO chooses not to meet with us, we believe we have a responsibility to those who supported the shareholder resolution to issue a public account of our response to the Report.

Our group has reviewed both the original Human Rights Policy and the Report prepared and offers the following response:

- The Human Rights Policy does not reflect current standards for human rights policies, due diligence processes and disclosure, which have changed in the years since the UN Guiding Principles on Business and Human Rights were adopted. The best practice framework for human rights disclosure is the UN Guiding Principles Reporting Framework, where corporate disclosure is segmented into three areas: governance and policy; identification of salient issues; and management of salient issues. GEO’s Human Rights Policy does not fully reflect the new standards because it lacks the following key elements:
  - Explicit commitment to respect all internationally recognized human rights standards – understood, at a minimum, as the International Bill of Rights and the International Labor Organization core conventions.
  - Overview of the steps taken to develop the policy, including any stakeholder engagement.
  - Description of how GEO will deal with conflicts between international human rights principles and applicable host-government legal requirements.
  - Information on how GEO will implement its commitment, including senior-level oversight and day-to-day management of implementation (i.e. human rights governance and embedding).
Explanation of how the policy will be disseminated to personnel, business partners, and other relevant parties (e.g., in contracts, trainings and incentives).

Information on whether/how the company will conduct human rights due diligence.

Reviewing the Report developed by GEO, we identified the following issues:

- The means of embedding this policy are described but no metrics accompany the descriptions,
- the company does not clearly indicate the board’s continuing role in the oversight of human rights issues,
- the Report does not reference any vendor/supply chain commitment to human rights, and
- the company has not defined its salient human rights risks although the report deals with many issues that might be considered salient.

Using the Guiding Principles, GEO’s primary competitor has implemented their human rights policy using a formal human rights risk assessment facilitated by an experienced consultant on international human rights. In addition, they are assessing policies, practices and standards against these UN principles. In contrast:

- GEO does not indicate how risks are to be determined.
- GEO makes no indication of how the human rights risks identified will lead to improved policies and practices.
- The Report lacks audited results. Outside inspections are referred to but shareholders continue to look for external verification of metrics used to assess human rights performance and benchmarks used in developing goals and reporting.
- The Report focuses on positive impacts and success stories but fails to include reflection on the challenges the company faces in managing its salient human rights issues, lessons it has learned from those challenges, and detail of its efforts to address those challenges or continue to strive for improved performance despite those challenges. Such disclosure should include how GEO is addressing challenges such as the shortcomings of auditing and opaque supply chains they might have and should share targets and well-embedded plans for continuous improvement.

Much of the information in the Report is a standard ESG report and not focused on Human Rights. Shareholders applaud the use of the GRI reporting framework. At the same time, if a joint Human Rights and ESG are combined, future reports should utilize the UN Guiding Principles Reporting Framework and include disclosure on how the company manages salient human rights issues and not only material issues.

Management of salient human rights issues, including providing remedies for actual adverse impacts caused or contributed to is the last piece of the Guiding Principles Framework. Since human rights salient risks and impacts were not identified in GEO’s report, there is no indication of how the company has ensured that victims have access to remedy for these impacts.
The private prison industry on a whole is subject to a high level of public scrutiny. This is even more true in the current political context where policy makers are weighing the societal cost of large-scale incarceration of both criminal offenders and immigrants. In recent months we have seen many large banks reconsider their lending policies with the private prison industry. A growing number of reports flowing from both the media and the government entities that contract with GEO and other private prisons highlight egregious human rights violations in privately managed prisons. As long-term investors in GEO it’s critical to us that the company both improve human rights performance and report on those improvements to manage the reputational, regulatory, and legal risks to its business.

As stated here as well as in prior correspondence, we stand ready to meet to further this discussion and to see GEO become a leading company on human rights reporting.

Sincerely,

Rev. Bryan V. Pham, S.J., J.D., Ph.D.
Provincial’s Delegate (JCIR)
USA West Province of the Society of Jesus

cc: Richard H. Glanton, Director
    Anne Newman Foreman, Director
    Julie M. Wood, Director
    Christopher C. Wheeler, Director
    Guido Van Hauwermeiren, Director
    Scott M. Kernan, Director
    Norman A. Carlson, Director
    Joe Negron, Senior Vice President, General Counsel and Corporate Secretary
    Stefan J. Marculewicz, Littler Mendelson P.C.