

September 20 2017 9:34 AM

KEVIN STOCK  
COUNTY CLERK  
NO: 17-2-11422-2

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8 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**  
9 **FOR PIERCE COUNTY**

10 STATE OF WASHINGTON,

NO.

11 Plaintiff,

COMPLAINT

12 v.

13 THE GEO GROUP, INC.,

14 Defendant.

15 **I. INTRODUCTION**

16 **1.1** The State of Washington files this action against Defendant The GEO Group, Inc.  
17 (“Defendant” or “GEO”) to enforce Washington’s minimum wage laws and to remedy the unjust  
18 enrichment that results from Defendant’s long standing failure to adequately pay immigration  
19 detainees for their work at the privately owned and operated Northwest Detention Center  
20 (“NWDC”).

21 **1.2** The enforcement of minimum wage laws is of vital and imminent concern to the  
22 people of Washington as the minimum wage laws protect Washington workers and create  
23 employment opportunities.

24 **1.3** Each year Washington sets an hourly minimum wage, and employees protected by  
25 Washington’s minimum wage laws must be paid at least the set hourly minimum wage.  
26







1 **V. FIRST CAUSE OF ACTION**

2 **(Violation of Washington's Minimum Wage Law)**

3 **5.1** Plaintiff realleges and incorporates by reference herein all the allegations of  
4 paragraphs 1.1 through 4.9.

5 **5.2** RCW 49.46.020 requires every employer to pay the hourly minimum wage "to  
6 each of his or her employees" who is covered by Washington's minimum wage laws.

7 **5.3** Detainees work for Defendant and perform many of the functions necessary to  
8 keep NWDC operational including preparing and serving food to detainees, cleaning common  
9 areas, and operating the laundry.

10 **5.4** Defendant pays detainees \$1 per day for work performed at NWDC.

11 **5.5** The current hourly minimum wage in Washington is \$11.00 per hour.

12 **5.6** Defendant violates RCW 49.46.020 when it pays detainees who work at NWDC  
13 \$1 per day instead of the hourly minimum wage.

14 **VI. SECOND CAUSE OF ACTION**

15 **(Unjust Enrichment)**

16 **6.1** Plaintiff realleges and incorporates by reference herein all the allegations of  
17 paragraphs 1.1 through 5.6.

18 **6.2** Defendant operates NWDC as a for-profit business.

19 **6.3** Defendant utilizes detainee labor to operate NWDC.

20 **6.4** Defendant does not pay adequate compensation to detainees for their work.

21 **6.5** Defendant benefits by retaining the difference between the \$1 per day that it pays  
22 detainees and the fair wage that it should pay for work performed at NWDC.

23 **6.6** It is unjust for the Defendant to retain the benefit gained from its practice of failing  
24 to pay adequate compensation to detainees for the work they perform at NWDC.

1 **VII. PRAYER FOR RELIEF**

2 Wherefore, the State of Washington prays that the Court:

3 **7.1** Declare that detainees who work at NWDC are “employees” as defined by RCW  
4 49.46.010(3);

5 **7.2** Declare that Defendant is an “employer” of detainee workers at NWDC as defined  
6 by RCW 49.46.010(4);

7 **7.3** Declare that Defendant and must comply with RCW 49.46.020 for work  
8 performed by detainees at NWDC;

9 **7.4** Enjoin Defendant from paying detainees less than the minimum wage for work  
10 performed at NWDC;

11 **7.5** Find and declare that Defendant has been unjustly enriched by its practice of  
12 failing to adequately pay detainee workers for their labor at NWDC;

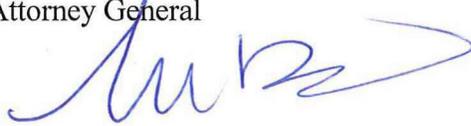
13 **7.6** Order Defendant to disgorge the amount by which it has been unjustly enriched;

14 **7.7** An award of reasonable attorneys’ fees and costs that the State incurs in  
15 connection with this action; and

16 **7.8** Award such additional relief as the interests of justice may require.

17 DATED this 20<sup>th</sup> day of September 2017

18 ROBERT W. FERGUSON  
19 Attorney General



20  
21 LA ROND BAKER, WSBA No. 43610  
22 MARSHA CHIEN, WSBA No. 47020  
23 Assistant Attorneys General  
24 Office of the Attorney General  
25 800 Fifth Avenue, Suite 2000  
26 Seattle, WA 98104  
(206) 464-7744  
LaRondB@atg.wa.gov  
MarshaC@atg.wa.gov