

NO. _____

THE STATE OF TEXAS

VS.

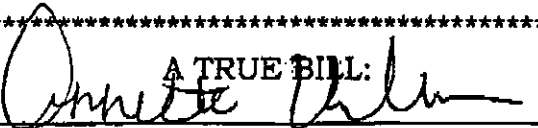
GEO GROUP, INCORPORATED, FORMERLY
WACKENHUT CORRECTIONS CORPORATION
AND DAVID FORREST

INDICTMENT

OFFENSE:

MURDER
AND
MANSLAUGHTER

JUAN ANGEL GUERRA
DISTRICT AND COUNTY ATTORNEY


A TRUE BILL:
Foreman of Grand Jury

Filed on _____ 2008

GILBERT LOZANO,
Clerk of the District Courts of
Willacy County, Texas

By: _____
Deputy

Amount of Bail _____
Bond set by Judge _____

of said facility,

The agent(s) then witnessed the assault on Gregorio De La Rosa, Jr., and failed to act in that such an assault was allowed, thereby causing the death of Gregorio De La Rosa, Jr. and by allowing one or more inmates to physically assault the victim and said inmates using or exhibiting a deadly weapon, to wit: socks with padlocks inside, a deadly weapon or an instrument that by the manner of its use, being capable of causing death, inasmuch as it did cause the death of Gregorio De La Rosa, Jr.,

The agent(s) acts or failure to act allowed one or more inmates to physically assault the victim and said inmates used or exhibited a deadly weapon, to wit, socks with padlocks inside, a deadly weapon or an instrument that by the manner of its use, was capable of causing death, inasmuch as it did cause the death of Gregorio De La Rosa, Jr.,

COUNT II

AND THE GRAND JURORS aforesaid, upon their oaths in said court, present that the Defendant GEO Group, Incorporated, formerly Wackenhut Correction Corporation hereinafter styled Defendant, being criminally responsible for a felony offense in that the commission of said offense was authorized, requested, commanded, performed or recklessly tolerated by a high managerial agent acting in behalf of the corporation and within the scope of his office or employment, and said agent was Co-Defendant, David Forrest, who was the warden and he was acting in the capacity of an agent of the Defendant corporation, while acting on behalf of the Defendant corporation, and within the scope of his office or employment, said agent(s), acted or failed to act were in violation of their duties imposed by law,

The acts of Defendant corporation and those of David Forrest, or failure to act allowed one or more inmates to physically assault the victim and said inmates used or exhibited a deadly weapon, to wit, socks with padlocks inside, a deadly weapon or an instrument that by the manner of its use, was capable of causing death, inasmuch as it did cause the death of Gregorio De La Rosa, Jr. On or about the 26th day of April, 2001 A.D., 2001, and before the presentment of this indictment, in the County and State aforesaid, during the incarceration of Gregorio De La Rosa, Jr., the victim, Defendant did then and there cause the death of Gregorio De La Rosa, Jr., an individual, who was an inmate in said corporation's buildings, duly designated as a prison facility,

On or about the 26th day of April, 2001 A.D., Defendant, David Forrest, the warden an agent of the Defendant corporation, while acting on behalf of the Defendant corporation, and within the scope of his office and employment, being a high managerial agent and acting in the scope of his office or employment, said

agent(s), in violation of their duties imposed by law, allowed such acts and the commission of such of acts were authorized, requested, commanded, performed, or recklessly tolerated by said Defendant David Forrest, acting as agent of Defendant corporation in allowing one or more inmates to assault the victim, Gregorio De La Rosa, Jr., failed to stop an assault on victim by other inmates. The said agents operated the jail-type facility and were entrusted with all aspects of said facility,

The agent(s) then witnessed the assault on Gregorio De La Rosa, Jr., and failed to act in that such an assault was allowed, thereby causing the death of Gregorio De La Rosa, Jr. and by allowing one or more inmates to physically assault the victim and said inmates using or exhibiting a deadly weapon, to wit: socks with padlocks inside, a deadly weapon or an instrument that by the manner of its use, being capable of causing death, inasmuch as it did cause the death of Gregorio De La Rosa, Jr.,

The agent(s) acts or failure to act allowed one or more inmates attempted to commit a felony, to wit, an aggravated assault and thereby committed an act dangerous to human life, thereby the inmates began to physically assault the victim and said inmates used or exhibited a deadly weapon, to wit, socks with padlocks inside, a deadly weapon or an instrument that by the manner of its use, was capable of causing death, inasmuch as it did cause the death of Gregorio De La Rosa, Jr.,

COUNT III

AND THE GRAND JURORS aforesaid, upon their oaths in said court, present that the Defendant GEO Group, Incorporated, formerly Wackenhut Correction Corporation hereinafter styled Defendant, being criminally responsible for a felony offense in that the commission of said offense was authorized, requested, commanded, performed or recklessly tolerated by a high managerial agent acting in behalf of the corporation and within the scope of his office or employment, and said agent was Co-Defendant, David Forrest, who was the warden and he was acting in the capacity of an agent of the Defendant corporation, while acting on behalf of the Defendant corporation, and within the scope of his office or employment, said agent(s), acted or failed to act were in violation of their duties imposed by law,

The acts of Defendant corporation and those of David Forrest, or failure to act allowed one or more inmates to physically assault the victim and said inmates used or exhibited a deadly weapon, to wit, socks with padlocks inside, a deadly weapon or an instrument that by the manner of its use, was capable of causing death, inasmuch as it did cause the death of Gregorio De La Rosa, Jr. On or about the 26th day of April, 2001 A.D., 2001, and before the presentment of this indictment, in the County and State aforesaid, during the incarceration of