

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR PUTNAM COUNTY, FLORIDA

CENTURION OF FLORIDA, LLC,

Plaintiff,

No. 22-CA-357

v.

HUMAN RIGHTS DEFENSE CENTER, a not
for profit corporation; and THE ESTATE OF
CURTIS DETTMANN,

Defendants.

**DECLARATION OF PAUL WRIGHT IN SUPPORT OF
DEFENDANT HUMAN RIGHTS DEFENSE CENTER'S DISPOSITIVE MOTION
AND REQUEST FOR DAMAGES**

I, Paul Wright, declare as follows:

1. I am Executive Director of Human Rights Defense Center ("HRDC"), a Defendant in this action. This declaration is based on personal knowledge and review of HRDC's regularly maintained contemporaneous business records. I make this declaration in support of HRDC's concurrently filed dispositive motion and request for actual damages. If called, I could testify competently as follows.
2. HRDC is a non-profit, IRS section 501(c)(3) organization, incorporated in the State of Washington and with principal offices in Lake Worth, Florida.
3. HRDC was founded in 1990 as Prisoners' Legal News, and adopted its current name in 2009. Its mission is to advocate for the human rights of people held in U.S. detention facilities. Central to its mission is public and prisoner education, advocacy, and outreach in furtherance of basic human rights, HRDC conducts newsgathering, reporting, and distribution of many different criminal justice, legal, and self-help books and magazines. Since its founding, it has continuously published *Prison Legal News*, a monthly periodical that that reports on prison-

related news and nationwide litigation related to abuses of prisoners. HRDC also engages in litigation, media campaigns and outreach, public speaking and education, and testimony before legislative and regulatory bodies.

4. As an ongoing project in support of its investigative reporting, HRDC has investigated and reported on the practices and approaches various government agencies and private corporations serving state agencies take with respect to settling claims and lawsuits. As part of that project, HRDC has made numerous public records requests and brought suit under state and federal laws for settlement agreements and other documents revealing how agencies—and private corporations like Plaintiff Centurion of Florida, LLC (“Centurion”) acting on their behalf—resolve claims against them. *See, e.g., HRDC v. Centurion Healthcare of New Mexico, LLC, et al.*, No. 101-CV-2021-01620 (N.M. 1st JDC 2021); *HRDC v. Centurion of Vermont LLC, et al.*, No. 21-CV-03976 (Vt. Super. 2021).

5. In December 2019, HRDC made a public records request to Centurion under Florida’s Public Records Act as part of the ongoing research and reporting project described above. After Centurion failed to produce documents as required, HRDC brought suit. *HRDC v. Centurion of Florida, LLC, et al.*, No. CACE19025141 (Fla. 17th Cir. Ct). A true and correct copy of HRDC’s complaint in that action is attached as **Exhibit A**.

6. On February 4, 2020, Centurion filed a motion to dismiss HRDC’s complaint based on its assertion that it was not a public agency under Florida law and was not required to produce any documents. A true and correct copy of Centurion’s motion to dismiss in that action is attached as **Exhibit B**.

7. After briefing, the 17th Judicial Circuit denied Centurion’s motion to dismiss and ordered it to show cause as to why it should not produce the documents. A true and correct copy

of the court's June 18, 2021 order in that action is attached as **Exhibit C**.

8. Following the court's order, Centurion and HRDC settled the suit, with Centurion agreeing to produce the documents and pay HRDC's attorneys' fees. A true and correct copy of the parties' settlement agreement in that action is attached as **Exhibit D**.

9. Based on allegations made in the matter of *McCrimmon, et al. v. Centurion of Fla., LLC, et al.*, No. 3:20-cv-36-BJD-JRK (M.D.F.L. 2020) (the "Dettman Action"), HRDC began investigating the allegations and obtained a copy of the publicly available complaint in the Dettman Action. A true and correct copy of the complaint in the Dettman Action is attached as **Exhibit E**.

10. As part of its newsgathering and reporting, HRDC also obtained a copy of Centurion's motion to dismiss and its relevant contract with the Florida Department of Corrections ("FDOC") for the provision of healthcare services. A true and correct copy of Centurion's motion to dismiss the Dettman Action, which attached its relevant contract with FDOC, is attached as **Exhibit F**.

11. On June 27, 2022, HRDC sent Centurion a request under Florida's PRA for a copy of its settlement agreement in the Dettman Action, attached as the sole exhibit to Centurion's complaint in this matter. Centurion did not reply to HRDC's request until it filed this suit.

12. As a result of this improper suit by Centurion, HRDC has incurred a variety of attorneys' fees and costs, as well as \$12,650 in total actual damages. Those damages include (a) \$11,900 based on a lost fundraising and diversion of resources by virtue of the unnecessary

expenditure of management hours during HRDC's fundraising season,¹ which occurs from October 1 through December 31 and normally would have resulted in more solicitations to donors but for Centurion's suit, and (b) \$750 based on a diversion of resources by virtue of the unnecessary expenditure of staff hours,² which would have otherwise been devoted to additional records requests, prisoner letter evaluations and responses, articles written, and issues researched in furtherance of HRDC's mission.

I declare under penalty of perjury under the laws of the State of Florida that the foregoing is true and correct and that this declaration was executed on December 1, 2022, in Palm Beach County, Florida.

Respectfully submitted,

By _____


Raul Wright


¹ This amount accounts for 22 hours of my time, which I bill and am paid at \$500 an hour, as well as 2 hours of time for HRDC Deputy Director Kevi Brannelly, who bills at \$450 an hour.

² This amount accounts for 3 hours of time for HRDC Records Manager Tiffany Hollis, who bills at \$250 an hour.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that pursuant to Rule 2.516(b)(1) of the Florida Rules of Judicial Administration, a true and correct copy of the foregoing document was electronically filed through the Florida Courts e-filing Portal, which will serve a copy on all counsel of record.

DATED this 1st day of December, 2022.

By 
James Slater, FBN 111779