
3-38 Human Trafficking

FSC EFFECTIVE DATE: MAY 22, 2017

FSC SUPERSEDES DATE: N/A

FACILITY:

FACILITY SUPERSEDES DATE:

FACILITY EFFECTIVE DATE:

POLICY:

The United States government has adopted a policy prohibiting trafficking in persons and prohibiting trafficking-related activities in all federal government contracts. CoreCivic shares the United States government's zero-tolerance policy for human trafficking and is committed to following all laws and regulations prohibiting human trafficking and trafficking-related activities. The purpose of this policy is to define and describe the prohibited conduct, notify employees and agents of the consequences for violation of this policy, and establish our commitment to compliance and ongoing awareness programming.

AUTHORITY:

CoreCivic Company Policy

DEFINITIONS:

Agent – Any individual, including a director, officer, employee, or independent contractor authorized to act on behalf of CoreCivic.

Coercion – Any of the following: (1) a threat of serious harm to or physical restraint against any person; (2) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or (3) the abuse or threatened abuse of the legal process.

Commercial Sex Act – Any sex act on account of which anything of value is given to or received by any person.

Contracting Officer – The person with the authority to enter into, administer, and/or terminate contracts as delegated by the respective government authority.

Ethics and Compliance – The CoreCivic corporate Ethics and Compliance Officer or qualified designee.

Federal contract – Any contract with an agency or component of the United States government.

Forced labor – Knowingly providing or obtaining the labor or services of a person by threat, means of threats, or coercion. Forced labor does not include "convict labor" as contemplated in Federal Acquisition Regulation (FAR) part 22.201 or other related federal, state, and local regulations.

Human trafficking – Includes: (1) recruiting, harboring, transporting, providing or obtaining a person for labor, services or commercial sex acts by means of force, fraud or coercion for the purpose of exploitation, involuntary servitude, debt bondage, or slavery or (2) any commercial sex act involving a minor.

Involuntary servitude – Includes a condition of servitude induced by means of (1) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such conditions, that person or another person would suffer serious harm or physical restraint; or (2) the abuse or threatened abuse of the legal process.

Retaliation – Discharge, demotion, or other discrimination as reprisal for disclosing information the employee reasonably believes is evidence of gross mismanagement or waste; a violation of law, rule, or regulation; or a substantial and specific danger to public health or safety.

Sex trafficking - The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

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PROCEDURES:

A. ZERO TOLERANCE FOR HUMAN TRAFFICKING

- A1. Employees and agents are prohibited from engaging in human trafficking.
- A2. Employees and agents are prohibited from engaging in activities related to human trafficking during the performance of a contract, including the following:
 - A2a. Procuring commercial sex acts.
 - A2b. Using forced labor in the performance of a contract. Nothing in this part is intended to preclude approved inmate/resident work programs and practices.
- A3. Employees, agents and subcontractors that violate this policy will be subject to consequences, up to and including termination, reduction in benefits, or removal from the contract.

B. MANDATORY REPORTING

B1. Employee Reporting Requirements

CoreCivic employees, agents and subcontractors are expected to report violations and suspected violations of this policy promptly. Reporting options include:

- B1a. Your supervisor or facility Warden/Administrator;
- B1b. Ethics and Compliance;
- B1c. Ethics Line (800-461-9330 or corecivic.com/ethicsline);
- B1d. Contracting Officer or agency Inspector General (Federal contract facilities); or
- B1e. National Human Trafficking Resource Center (1-888-373-7888).

B2. Facilities Reporting Requirements – Federal Contract Facilities

CoreCivic facilities with a Federal contract are required to report credible reports of human trafficking.

- B2a. CoreCivic will immediately report any credible information it receives alleging that an employee, subcontractor, or agent has engaged in human trafficking or trafficking-related activities to the Contracting Officer or the respective agency Inspector General.
- B2b. CoreCivic will also immediately report any actions taken against an employee, subcontractor, or agent for violating this policy. These reports will include, at a minimum, information sufficient to identify the nature, extent, and individuals responsible for the alleged violation.
- B2c. Allegations of human trafficking or trafficking-related activities where a determination cannot be made as to whether the information constitutes credible information shall be escalated to the General Counsel Office of Investigations pursuant to the escalation procedures in Policy 1-24, Internal Investigations. If, following an investigation, the report is deemed credible, a report conforming to the requirements of this section 3-38.B2 will be made.

B3. Facility Reporting Requirements – Non-Federal Contract Facilities

CoreCivic facilities that not under a federal contract shall escalate any allegations of human trafficking to the General Counsel Office of Investigations pursuant to Policy 1-24, "Internal Investigations." Upon review, a determination will be made as to whether external reporting is required or appropriate and to whom the report, if any, should be made.

B4. Non-Retaliation

CoreCivic prohibits retaliation against employees and subcontractor employees who make good faith reports of apparent or potential violations of this policy or other evidence of human trafficking or trafficking-related activities.

C. AWARENESS PROGRAM AND COMPLIANCE

- C1. CoreCivic will take reasonable steps to notify all CoreCivic employees of the United States government's zero-tolerance policy on human trafficking and CoreCivic's shared commitment to that policy. Employees shall be required to sign the 3-38A Human Trafficking Policy Acknowledgment confirming their understanding of this policy, their obligations for compliance, and the consequences for violation of this policy as set forth above. The signed 3-38A shall be retained in the employee's personnel file.
- C2. CoreCivic will cooperate with the United States government's efforts to anti-trafficking policy. This includes cooperation with partner audits and investigations of anti-trafficking compliance and by protecting suspected victims or witnesses to trafficking violations.
- C3. In the event that CoreCivic is awarded a contract for supplies (other than commercially available off-the-shelf items) acquired outside the United States or services to be performed outside the United States with a value exceeding \$500,000, and to the extent then currently required by a CoreCivic contract or other applicable law, rule or regulation, CoreCivic will develop and maintain an anti-trafficking compliance plan.

REVIEW:

This policy will be reviewed by Ethics and Compliance on an annual basis

APPLICABILITY:

All CoreCivic Safety facilities

APPENDICES:

None

ATTACHMENTS:

None

REFERENCES:

CoreCivic Policy 1-24 Internal Investigations

48 C.F.R. § 52.222-50

48 C.F.R. § 22.201