

**TESTIMONY OF DAMON T. HININGER**

**CORECIVIC, INC.**

**BEFORE THE U.S. HOUSE OF REPRESENTATIVES**

**COMMITTEE ON HOMELAND SECURITY**

**SUBCOMMITTEE ON BORDER SECURITY, FACILITATION, & OPERATIONS**

**JULY 13, 2020**

Chairwoman Rice, Ranking Member Higgins, and members of the Subcommittee, my name is Damon Hininger, and I am the President and Chief Executive Officer of CoreCivic, Inc. For over 35 years, CoreCivic has worked with our federal and state partners to provide safe, respectful, and humane environments for those individuals housed at our facilities. I have been with the company for more than twenty-seven years; I began my career as a correctional officer with the company in Leavenworth, Kansas, which is where I was born and raised. I have worked in nearly all areas of corrections, including in the commissary, the laundry room, compliance, transportation services, and as a training manager.

My experience in our facilities informs my actions every day. At CoreCivic, we all take seriously our responsibility to ensure the people entrusted to our care are safe and treated in a humane manner.

I appreciate the opportunity to discuss the work CoreCivic performs in partnership with its federal, state, and local partners and how our company has responded to the COVID-19 global pandemic. The COVID-19 global pandemic is an unprecedented situation that has presented challenges to our company just as it has for other organizations, such as hospitals and nursing homes, where individuals are housed together or share accommodations. Despite these challenges, I believe the measures CoreCivic has implemented in our facilities have prevented further transmission of COVID-19.

**About CoreCivic**

CoreCivic was established in 1983 to help address critical problems in United States correctional institutions. Since its founding, the company has provided correction and detention management services to local, state, and federal facilities, including the Federal Bureau of Prisons (“BOP”), the United States Marshals Service (“USMS”), and United States Immigration and Customs Enforcement (“ICE”) (and its predecessor agencies). In addition to providing fundamental residential services, CoreCivic’s correctional, detention, and reentry facilities offer a variety of rehabilitation and educational programs, including basic education, faith-based services, life skills and employment training, and substance abuse treatment. We currently operate 50 correctional and detention facilities, 43 of which we own and manage and seven of which we manage but are owned by our government partners. With respect to ICE, we currently operate sixteen detention centers.

I am proud of the hard work of our nearly 14,000 employees across 23 states to ensure proper, respectful treatment for the people entrusted to our care. Their job is difficult and challenging. Often, individuals placed in our care have just completed an arduous, emotional, and physically draining journey. They arrive with little — and frequently without any records or documented medical history. In response, our staff works tirelessly to provide them with safe quarters, medical assistance, appropriate food, and overall support. After accepting these individuals into our care, our staff provides a number of services and programming opportunities. Each year, individuals at CoreCivic facilities across the country earn High School Equivalency Certificates, achieve trade certifications for professions, engage in religious services, obtain pro bono legal representation, receive medical care, and undergo addiction treatment and mental health counseling.

Each CoreCivic facility adheres to a detailed set of government-mandated standards and CoreCivic has a strong compliance history and commitment to transparency. We invest a substantial amount each year in perfecting our compliance and quality assurance efforts, including our pre-employment training and routine, annual training for our nearly 14,000 employees. CoreCivic is subject to inspections and oversight from a number of parties, as required by our contracts. All audits, whether they be by federal agencies, local government departments, or third party accreditors, add a unique level of scrutiny and complexity. At ICE facilities, for example, our employees are in frequent contact with ICE personnel. ICE has unimpeded access to review and monitor our compliance and has personnel on site in our facilities.

On top of these efforts, we operate our own Quality Assurance program where we audit and assess our performance and compliance with our contracts. Each facility has at least one full-time Quality Assurance Manager whose job it is to assess compliance with the contracts and accreditation standards. The inspection team for CoreCivic not only evaluates for compliance with ICE detention standards but also CoreCivic's own policies and procedures. We have a long history of unannounced Quality Assurance visits to our facilities, and we have continuously worked to enhance and improve our internal inspections program. We are not perfect every day, but we make every effort to correct any problems. I take very seriously my responsibility to make sure that our facilities are safe, compliant, and frequently monitored.

### **Response to the COVID-19 Global Pandemic**

COVID-19 has created extraordinary challenges for every corrections and detention system in America, public and private. CoreCivic has worked closely with its government partners, the Centers for Disease Control and Prevention (“CDC”), and state health officials to respond to this unprecedented situation appropriately and thoroughly for our staff, the well-being of those entrusted to our care, and our communities.

Preventing and addressing infectious diseases to protect the health and safety of those who reside and work at CoreCivic facilities has long been a part of correctional facility operations. At ICE facilities in particular, CoreCivic staff has experience managing and treating communicable diseases, as the populations in these facilities typically have not received the kind of medical care and vaccinations that we have in the United States, and are therefore at greater risk of carrying certain infectious diseases. CoreCivic is required to adhere to applicable standards established by ICE and other CoreCivic partners to respond to the threat of infectious disease at CoreCivic

facilities. These standards, which CoreCivic implements and is audited against by its government partners, have formed the basis for CoreCivic's preparation and management of the COVID-19 global pandemic. For example, the Performance-Based National Detention Standards 2011 (Revised December 2016) ("PBNDS") Part 4.3(II)(10) mandates that CDC guidelines be followed to prevent and control the spread of infectious and communicable diseases. Part 4.3(V)(C) requires that facilities have infection control plans that address the management of infectious and communicable diseases, including procedures for "screening, prevention, education, identification, monitoring and surveillance, immunization (when applicable), treatment, follow-up, [and] isolation (when indicated) . . . ." When necessary, these plans provide for reporting to the appropriate government agencies.

In addition to following these and other standards, CoreCivic has taken numerous company-wide steps in response to the COVID-19 pandemic. In February, CoreCivic began monitoring the development of COVID-19, both nationally and throughout its facilities. On March 18, we activated our Emergency Operation Center ("EOC"), functioning 24 hours a day, seven days a week, from our Facility Support Center (corporate headquarters), to assist our facility leadership team in managing COVID-19. Our EOC, which uses software employed by the Federal Emergency Management Agency for emergency response, serves as a central point to identify and direct resources needed, such as Personal Protective Equipment ("PPE"), tracks and analyzes cases, holds regular conference calls with our facilities, and collects and shares data to assist in making informed decisions. The role of the EOC in coordinating the response to the pandemic by our facilities has been particularly important as the CDC guidance and recommendations, as well as the recommendations of our partners, have evolved over time and as we have learned more about COVID-19.

Consistent with the recommendations of the CDC and following the guidance of our government partners, including the ICE COVID-19 Pandemic Response Requirements, CoreCivic also has implemented measures to combat the spread of COVID-19 in our facilities. We have distributed signage, posters, and educational packets to facility staff to inform them and the detainees about the symptoms of the disease and promote enhanced hygiene practices to prevent its transmission. Our staff actively encourages these best practices, including social distancing when possible, regular handwashing, respiratory etiquette (coughing or sneezing into a sleeve or tissue), and avoiding touching one's face. The company also provides masks to detainees in our ICE facilities and includes instruction on how to wear them properly in order to reduce the chance of transmission. Masks are replaced as necessary. CoreCivic regularly provides soap to detainees free of charge, and replenishes soap as needed and upon request. In the event of any positive cases, CoreCivic separates detainees who test positive for COVID-19 from the general population. Detainees who test positive are isolated or housed with other detainees who have tested positive. Detainees exposed to a positive case are quarantined with other detainees who have also been exposed and are monitored for any symptoms. CoreCivic also adjusts meal schedules and services to promote social distancing and, if necessary, delivers meals to detainees to reduce contacts that may lead to COVID-19 transmission.

In addition to educating staff and those in our care about hygiene practices, CoreCivic screens all employees before entry to prevent the spread of COVID-19. These screenings include temperature checks and questions designed to identify possible COVID-19 symptoms or potential exposure. If a staff member exhibits symptoms of, or indicates exposure to, COVID-19 during the

screening, a human resources (“HR”) representative is notified, and the staff member is designated for a necessary leave of absence. In addition to these screenings, if an employee calls out sick with COVID-19-like symptoms, HR managers will contact the employee telephonically to discuss the employee’s symptoms to determine whether the employee should refrain from returning to work until he or she has recovered or is determined not to have contracted COVID-19. By taking these precautions with staff before they enter the facilities, and sending home those with symptoms of or likely exposure to COVID-19, CoreCivic aims to prevent situations where staff who are symptomatic, or believe they have been exposed to COVID-19, enter its facilities and risk infecting other employees or detainees. The company requests that employees who test positive for COVID-19 or who experience COVID-19 symptoms inform their supervisors and HR managers and refrain from returning to work until the appropriate time following the guidance of a healthcare professional.

With respect to medical care, the ICE Health Service Corps is responsible for providing at six of CoreCivic’s ICE facilities;<sup>1</sup> at the remainder, CoreCivic is responsible for providing medical care. CoreCivic has drafted and implemented a Coronavirus Plan for each facility, procured COVID-19 test kits, and strengthened the medical intake process to identify those at high risk of contracting COVID-19. As recommended by the CDC, CoreCivic provides medical staff who are treating patients infected with COVID-19 with PPE, including N95 respirators, face shields, gloves, and gowns. Within the facilities we operate on behalf of ICE, CoreCivic or ICE Health Service Corps staff are responsible for caring for detainees diagnosed with COVID-19; in the event that hospital care is indicated, CoreCivic arranges transport for those detainees to a medical facility for further treatment or calls an ambulance.

The health and well-being of the nearly 14,000 CoreCivic employees is a top priority. We recognize that reporting to work during the global pandemic can be stressful for our employees and we have taken a number of steps to protect their health and support them during this uncertain time. Early in our response, CoreCivic suspended all non-essential business travel, shared guidance with employees regarding COVID-19, and distributed information to the families of our employees. To accommodate employees during this time, CoreCivic expanded its paid leave policies to employees who have to miss work for COVID-19 related reasons. CoreCivic also makes accommodations for employees who may face an elevated risk of complications from COVID-19 and employees who wish to take extended leave for COVID-19 related reasons. To recognize CoreCivic employees’ service and dedication during this unprecedented time, CoreCivic has provided every CoreCivic facility employee, including part-time employees, with a \$500 “Hero Bonus” and additional time off in recognition of their efforts to respond to COVID-19. In addition, CoreCivic distributes masks to employees and mandates their use when inside a facility to protect themselves and the health and safety of those entrusted to our care.

In addition to our efforts to promote the well-being of our employees, we understand that the individuals placed in our care and their families are concerned about the spread of COVID-19. The pandemic has presented detainees and their families, like much of the world, with unprecedented circumstances. Detainee health and safety is our top priority, and CoreCivic

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<sup>1</sup> The ICE Health Service Corps provides medical care at the Elizabeth Detention Center, Eloy Detention Center, Houston Processing Center, T. Don Hutto Residential Center, Otay Mesa Detention Center, and South Texas Family Residential Center.

suspended visitation in order to reduce the risk that COVID-19 may enter CoreCivic facilities. While we recognize this deprives detainees of crucial social and familial interaction, we have aimed to facilitate additional virtual communication through phones and other means. In addition, CoreCivic has worked with our partners to provide additional free call minutes, and has scheduled video sessions for detainees and their counsel in many facilities. CoreCivic facilities have also taken steps on a facility-by-facility basis to preserve activities for detainees in a safe manner. We have also held numerous town halls to convey information to detainees and listen to their concerns. CoreCivic's website has a dedicated section for the families of those in our care to visit to, among other things, provide resources, answer frequently asked questions, convey CDC guidance, and deliver updates on visitation changes.

Throughout this time, CoreCivic has continued to prioritize compliance and monitor its facilities. While the company is not able to conduct on-site inspections of all its facilities as it did before the pandemic, we believe that continued internal audits and inspections are critical to our ability to maintain compliance and meet our partners' requirements. We have continued to provide technical assistance to our facilities and adjusted our Quality Assurance practices to carry out certain monitoring and auditing functions remotely. Our senior operations managers and executive team have continued to visit our facilities during the pandemic to ensure compliance with COVID-related guidance.

### **Conclusion**

COVID-19 continues to threaten our nation and affect more and more Americans in every region and working in every industry. The inherent nature of our work means thousands of CoreCivic employees are on those frontlines every day. I am immensely proud of our CoreCivic staff who work daily to protect and care for those in our facilities. The challenges we have faced have been unprecedented and our company has worked continuously to respond to the requirements of our partners and adjust our operations as we learn more information about the virus. I believe CoreCivic's efforts and the steps we have implemented have helped to reduce the transmission of COVID-19, and we will continue to do all we can to protect our staff and those entrusted to our care.