

RESOLVED that shareholders of CoreCivic Inc. (“CoreCivic”) urge the Board of Directors to oversee a racial equity audit analyzing CoreCivic’s impacts on nonwhite stakeholders and communities of color. Input from civil rights organizations and employees should be considered in determining the specific matters to be analyzed. A report on the audit, prepared at reasonable cost and omitting confidential and proprietary information, should be publicly disclosed on CoreCivic’s website.

SUPPORTING STATEMENT

High-profile police killings of black people—most recently George Floyd—have galvanized the movement for racial justice. That movement, together with the disproportionate impacts of the COVID-19 pandemic, have focused the attention of media, the public and policy makers on systemic racism, racialized violence and inequities in employment, health care, and the criminal justice system.

Several aspects of CoreCivic’s operations suggest that a racial equity audit would be useful. People of color are disproportionately represented in private low and medium security facilities at least in part because contracts tend to exclude elderly and ill inmates who are more likely to be white.¹ Immigration enforcement, which has been called “racial discrimination by proxy,”² has played an increasing role in CoreCivic’s business model, with the proportion of revenues derived from contracts with Immigration and Customs Enforcement reaching 29% in 2019.³

In 2017, CoreCivic entered into a conciliation agreement settling allegations by the Office of Federal Contract Compliance Programs of discriminating against black Correctional Officer applicants.⁴ The company’s 2019 ESG Report discloses that the proportion of its workforce that is “people of color and underrepresented minorities” decreased from 58.5% in 2017 to 56.9% in 2019. All members of the company’s Executive Leadership, and 16 of 18 Vice Presidents, are white.⁵

CoreCivic’s political contributions may have adverse racial equity impacts. CoreCivic contributes to state and local political candidates, parties, committees, and 527 organizations, with corporate funds.⁶ CoreCivic’s political activity report does not identify the names or parties of recipients, but contributions from

¹ <http://journal.radicalcriminology.org/index.php/rc/article/view/44/html>

² <https://scholarship.law.uci.edu/cgi/viewcontent.cgi?article=1044&context=ucilr>, n.5.

³ https://www.sec.gov/ix?doc=/Archives/edgar/data/1070985/000156459020005570/cxw-10k_20191231.htm, at F15.

⁴ See https://www.dol.gov/sites/dolgov/files/ofccp/foia/files/CoreCivicInc_Redacted.pdf

⁵ [corecivic.com/about/executive-leadership](https://www.corecivic.com/about/executive-leadership); <https://www.corecivic.com/about/vice-presidents>

⁶ <http://ir.corecivic.com/static-files/675786f6-d209-41ac-b5a8-e74cf6ce264a>, at 3.

CoreCivic's Political Action Committee skew strongly Republican.⁷ In the NAACP's most recent scorecard on "key civil rights, human rights, and civil liberties votes," no Republican Member of Congress received an A rating (one earned a B), while no Democratic Member received a D or F.⁸

CoreCivic has also lobbied for measures with adverse racial impacts. The American Legislative Exchange Council ("ALEC"), a nonprofit organization that drafts and promotes model legislation, arranged meetings between CoreCivic predecessor Corrections Corporation of America, an ALEC member, and Arizona legislators regarding SB 1070.⁹ That law required law enforcement to make a reasonable effort to determine the immigration status of anyone stopped, detained or arrested if reasonable suspicion existed to believe they were not in the country legally,¹⁰ and it was widely criticized as promoting racial profiling.¹¹

We urge shareholders to vote for this proposal.

⁷ <https://www.opensecrets.org/orgs/corecivic-inc/recipients?id=D000021940&>

⁸ <https://naacp.org/wp-content/uploads/2020/10/WB-Fed.-Report-Card.pdf>

⁹ <https://inthesetimes.com/article/corporate-con-game>

¹⁰ <https://www.ncsl.org/research/immigration/analysis-of-arizonas-immigration-law.aspx>

¹¹ E.g., <https://www.nbcnews.com/news/latino/generation-sb1070-these-latino-millennials-grew-under-controversial-immigration-law-n821806>