

1 Sir, you can proceed.

2 MR. JOHN DOE: Okay. Well, first of
3 all, I would like to thank the National Prison Rape
4 Elimination Commission for giving me the opportunity
5 to address you today. I am here on behalf of my
6 fiancée, who is incarcerated in a women's prison in
7 Texas and has been sexually assaulted on a number of
8 occasions by a male corrections officer who was
9 assigned to her housing unit. I am very concerned for
10 her safety and the possibility that she will
11 experience retaliation as a result of my appearance
12 here today. Therefore, I would not use her real name
13 nor indicate which prison she is at, and I will refer
14 to her as Jane.

15 Jane engaged in a sexual relationship
16 in 2002, with a corrections officer who has more
17 recently sexually assaulted her. The sexual
18 relationship occurred during a previous stay at the
19 same prison where she is currently incarcerated. Jane
20 and I met online in 2002. At first we just
21 corresponded as friends, but we soon declared our
22 commitment to each other, and plan to marry upon our
23 release -- upon her release from prison.

24 Shortly after we met in 2002, but long
25 after Jane had committed to this officer that she no

1 longer wished to be involved with him, he entered her
2 cell one night and sexually assaulted her. Jane
3 reported this incident and was transferred to another
4 facility. Jane does not know what, if any, actions
5 were taken against the officer. If he had been
6 prosecuted, Jane wouldn't have had to endure what she
7 has been through during these past six months.

8 Although she reported what this officer
9 did to her in 2002, Jane was transferred back to the
10 prison where he works on October 2nd, 2002, and -- I'm
11 sorry. I'm sorry. Back on October 2006 -- Jane was
12 transferred back to the prison where he works on
13 October 2nd, 2006, and placed in a housing area where
14 he is stationed. The officer immediately began asking
15 her questions to see if she would agree to resume
16 having sexual encounters with him. When she refused,
17 he began sexually assaulting and threatening her.

18 The first assault occurred on
19 October 3rd, 2006, her second day at the facility,
20 when the corrections officer was escorting Jane to the
21 shower. On the walk back to her cell, while she was
22 handcuffed, he forcefully grabbed her breast. Only
23 weeks later, he threatened her while she was in the
24 shower area to be escorted back to her cell, asking
25 her something to the effect of "we're not going to

1 have a problem here, are we?" Then she demanded --
2 then he -- I'm sorry. Then he demanded that she lift
3 her gown and he inserted his fingers into her vagina.

4 Although Jane had been too fearful to
5 say anything after the first incident, when he
6 assaulted her again, she reported it to the
7 lieutenant, the prison warden, and the Texas Office of
8 Inspector General. The prison initiated an
9 investigation late last year, which is still ongoing.

10 My understanding is that Jane was told
11 by the investigators that the officer was no longer to
12 be stationed in her housing area. The prison has
13 several sections, and he was to be assigned to a
14 different area pending the outcome of the
15 investigation.

16 However, Jane continued to see him
17 working in her area. She told me that the prison was
18 experiencing a shortage of personnel, and that she
19 understood this to be the reason that he continued to
20 work in her area. In addition, Jane feared that the
21 corrections officer would continue to sexually assault
22 her if given the opportunity, and she felt that the
23 Inspector General's Office was not handling her
24 complaint seriously.

25 About two months after the second

1 assault, on December 17th, 2006, the officer was
2 serving the inmates in Jane's area a meal in their
3 cells. When he arrived at the door of Jane's cell,
4 she happened to be standing close to the door. The
5 officer reached into the tray slot, grabbed her and
6 pulled her towards the slot, at which point he
7 violently reached through her clothes and put his
8 fingers into her vagina. He committed the same
9 criminal act about two weeks later, on December 31st,
10 2006, when he began -- when he was again delivering
11 meals to the women in Jane's housing area.
12 Fortunately, Jane's cellmate witnessed this incident,
13 and she and Jane jointly reported it to the facility.
14 An investigation into the second complaint is ongoing.

15 After making the second report, Jane
16 was placed into a protective custody housing unit
17 called "transit" where she has now been for about
18 three months. Transit is usually where inmates are
19 placed pending transfer to another unit. I hope this
20 will be the case for Jane and that she will be removed
21 from this prison very soon.

22 Our understanding is that the officer
23 who assaulted her is still working at that prison, but
24 Jane has not seen him in transit. She continues to
25 live in fear of reprisal, however, as it would be easy

1 for this officer to walk over to her unit to harass or
2 threaten her, or have one of his buddies who work in
3 the area do so.

4 I saw my fiancée approximately three
5 weeks ago when I came to Texas to visit her.
6 Fortunately, she is allowed to have visits, but not
7 much else. She told me that she is not permitted to
8 participate in any inmate programs such as work or
9 educational programs, and she spends most of her time
10 in her cell reading. This keeps her from being able
11 to better herself and participate in activities that
12 would help increase her chances of being able to
13 parole. Before being transferred to this facility,
14 she completed a drug rehabilitation program. I
15 remember how proud she was of this because she sent me
16 the certificate in the mail. I know there are other
17 goals she would like to pursue so that she could make
18 her -- I know there are other goals she would like to
19 pursue so that she has marketable skills when she gets
20 out prison, but any such plans are on hold until these
21 investigations are complete or she is transferred.

22 My biggest fear is that with nothing to
23 do all day and very little human contact, she is left
24 alone in her cell to think about the sexual abuse she
25 has experienced and the likelihood that it will happen

1 again. I know she also worries about her former
2 cellmate who helped her report the recent incident of
3 sexual abuse, as that inmate has been retaliated
4 against as a result.

5 In addition, these incidents are not
6 only incidents -- in addition, these incidents are not
7 the only instances of sexual abuse Jane has been
8 subjected to. In 2004, she was incarcerated at
9 another Texas prison. She awoke one night to her
10 cellmate touching and rubbing her in a sexual manner.
11 And although I am not aware of the details, Jane has
12 told me that the correction officer who assaulted her
13 at the facility she is now at is not the only
14 corrections officer who has sexually assaulted or
15 abused her. It is my impression that Jane did not
16 report the incident with the cellmate nor the other
17 corrections officers because she felt it would be
18 pointless to do so.

19 Thus, I come before the Committee today
20 with a sense of urgency. My fiancée has been
21 devastated by this abuse. During my visit with her a
22 few weeks ago, I was very concerned about her
23 emotional state. Physically, she suffers spotting in
24 her vagina area from these assaults and had to endure
25 further trauma of undergoing a rape kit examination.

1 However, the mental injuries have been much more
2 severe. She has told me that she feels dirty and
3 violated at all times and that her vagina area never
4 feels clean. She has been become visibly anxious, a
5 condition she has never experienced before. She
6 flinches whenever anyone comes close to her and does
7 not like anyone to touch her at all. I noticed that
8 she has been making very dark jokes about what has
9 happened to her, in what seems to be a desperate
10 attempt to cope with it. She has had very little
11 opportunity to speak with a therapist, and I can see
12 how desperate and withdrawn she is, particularly since
13 being placed in protective custody.

14 She told me, after months of not
15 sleeping well, she has finally being -- she is finally
16 beginning to get a decent night's sleep. Part of the
17 difficulty she has had with sleeping is because she is
18 afraid to sleep at night when the lights are out. She
19 feels safer sleeping during the day with the lights on
20 and being awake at night. She feels in greater danger
21 of the corrections officer who assaulted her sneaking
22 into her cell.

23 I have struggled during these past
24 months trying to figure out what more I can do to help
25 my fiancée. It is troubling to realize that the same

1 corrections officer may have sexually assaulted other
2 female inmates who may not be courageous as Jane has
3 been, and that now, nearly five years after Jane first
4 reported this officer, and two subsequent reports she
5 has made, he is still employed by Texas Department of
6 Criminal Justice and still continues to have access to
7 many female inmates, including Jane.

8 It has gotten to the point where I
9 don't either eat or sleep anymore -- I don't eat or
10 sleep right anymore because I am so preoccupied with
11 her situation. I have reached out to the faculty
12 warden and other officers on her -- and other
13 officials on her behalf, and I have found that they
14 did not take me seriously until I contacted the
15 ombudsman for the Texas Department of Criminal
16 Justice. I have yet to receive any response to my
17 efforts, except that Jane's complaints are being
18 investigated.

19 I have been told that the Texas -- I
20 have been told that the -- that the Texas Legislature
21 is now considering legislation to seek to create a
22 more independent ombudsperson outside of the Texas
23 Department of Criminal Justice to handle sexual
24 violence cases. I am not an expert on this, but my
25 fiancée and my experiences certainly illustrate that

1 the current system not responding well and is not
2 protecting inmates like my fiancée from serious harm.

3 It is very difficult for me to discuss
4 what my fiancée has been through, but I would like to
5 once again express my appreciation to the Commission
6 for taking the time to listen, and I hope that
7 appearing here today will make some small difference,
8 both for her and many other inmates who have been
9 through something similar.

10 Thank you.

11 CHAIRMAN WALTON: Thank you, sir.

12 Ms. Galloway.

13 MS. GENGER GALLOWAY: Good afternoon.

14 I would like to express my sincere gratitude to the
15 National Prison Rape Elimination Committee --
16 Commission for hearing my testimony today.

17 I am here seeking justice for the young
18 people being sexually victimized in Texas Youth
19 Commission facilities. My son Joseph, now 19 years
20 old, is currently being held at the Crockett State
21 School and is one of those victims.

22 My son should have never been placed in
23 a juvenile detention facility, but a number of
24 unfortunate circumstances led to it. As a young boy,
25 Joseph suffered from attention deficit hyperactive