

1 police lock-up in a situation where no one else knew  
2 where I was or what was happening to me. The police  
3 had all the power and I had none, and no one within  
4 the police department was apparently willing to  
5 challenge what this rogue officer did to us.

6 I thank you again for providing me the  
7 opportunity to speak to you today. And I'm sorry that  
8 I was unable to be there for the -- for the interview.  
9 But I just wanted to say thank you, and thank you to  
10 Stop Prison Rape for being there for me and helping me  
11 through this, and the Philadelphia Enquirer.

12 CHAIRMAN WALTON: Okay. We have about  
13 three minutes. I don't know if any of the  
14 Commissioners have any questions of Ms. Hall-Martinez  
15 regarding the videotape.

16 COMMISSIONER FELLNER: Kathy, one of  
17 the -- I mean, the whole thing that happened to her is  
18 quite powerful and, I suspect, unfortunately, not all  
19 unusual. But one of the things that was quite  
20 interesting is how, if but for the press, it sounds  
21 like nothing would have happened in this case. And I  
22 wonder if you would like to say something, tell us  
23 about your sense of whether that is a role that the  
24 press often has played and whether, as we think about  
25 standards, if there should be -- should we have

1 recommendations that make it almost easier for the  
2 press to be able to play that role?

3 MS. KATHY HALL-MARTINEZ: I do think  
4 that it often plays -- the press often plays more of a  
5 role than -- really than they should, given that there  
6 should be mechanisms internally to make the truth --  
7 both ensure that the truth comes out and that justice  
8 is done. And I can think of numerous cases that we're  
9 aware of, you know, an incident in California where  
10 the press played a major role in the California Youth  
11 Authority being taken to task for some things. Of  
12 course, here in Texas, that's another prime example.  
13 It's difficult to imagine things going, perhaps, as  
14 quickly as they have in terms of measures being taken  
15 to try to ameliorate the situation with the Youth  
16 Commission here in Texas.

17 So I think that it really is quite  
18 common, and I do think that there are still some  
19 deficiencies in sort of the media's access to what is  
20 going on in terms of reports of sexual violence. And  
21 I do think that there has to be more transparency in  
22 general so that, you know, there can be a more  
23 effective check. And it really is in the public's  
24 best interest to see that this happens. I think  
25 legislatures should play a role in making sure that

1 that is the case. Yeah, I mean, it's definitely quite  
2 disturbing when one thinks of -- you know, both in  
3 this -- in Ms. Hejnar's situation and in many that we  
4 see, it's -- that is, in fact, what the -- what sort  
5 of the catalyst is for action being taken.

6                   Unfortunately, we see so many cases  
7 where the person is in prison for quite a number of  
8 years, they really don't have access to -- I mean, in  
9 her case, she got out and that's really the reason she  
10 was able to pursue justice. The opposite is true of  
11 those who are incarcerated for long periods. And,  
12 again, if the media had better access to the  
13 complaints that are made and were able to monitor what  
14 the follow up is by the authorities that have the  
15 power to see that justice is done, I think that could  
16 be quite an important measure.

17                   CHAIRMAN WALTON: Okay. Well, we  
18 appreciate you appearing before us again and we ask  
19 that you give a special thanks to Ms. Hejnar for her  
20 testimony and tell her that it will be very important  
21 to our deliberations.

22                   MS. KATHY HALL-MARTINEZ: We will  
23 definitely do that. Thank you very much.

24                   CHAIRMAN WALTON: We'll proceed with  
25 our next panel, which will address court lock-ups and

1 transportation concerns.

2 Ms. Lowry and Ms. Hill.

3 CHAIRMAN WALTON: I would ask that the  
4 two of you please take the oath.

5 (Witnesses sworn.)

6 CHAIRMAN WALTON: Thank you.

7 We would ask that you please identify  
8 yourselves and tell us what you do. We'll proceed  
9 first with Ms. Lowry and then Ms. Hill, and then we'll  
10 proceed with Ms. Lowry presenting your testimony and  
11 then Ms. Hill.

12 MS. HEATHER LOWRY: My name is Heather  
13 Lowry. I am a Senior Inspector with the U.S. Marshals  
14 Service. I work in the Witness Security and Prisoner  
15 Operations section. At the moment, I handle jail  
16 inspection programs, prisoner policy on cellblock, and  
17 transport, and any issues that arise in districts  
18 concerning difficult prisoner moves, prisoner issues  
19 in facilities we are using. Basically, that has to do  
20 with prisoners that come into our office.

21 CHAIRMAN WALTON: Thank you.

22 Ms. Hill.

23 MS. CLAUDIA HILL: My name is Claudia  
24 Hill and I'm an Assistant Trustee for the Office of  
25 the Federal Detention Trustee. I oversee the

1 detention standards and compliance division, in which  
2 we have the responsibility of going out and providing  
3 quality assurance reviews to non-federal facilities  
4 that house U.S. Marshal, BOP, Federal Bureau of  
5 Prisons -- I'm sorry -- and on occasions, Homeland  
6 Security detainees.

7 CHAIRMAN WALTON: Thank you.

8 Ms. Lowry, you may proceed with your  
9 testimony.

10 MS. HEATHER LOWRY: Thank you.

11 Basically, I would start off with just  
12 a very brief history of the missions of the Marshals  
13 Service and then into our policies and procedures that  
14 pertain to cellblocks and transport, which is where we  
15 would come into contact with anything that would have  
16 to do with PREA.

17 The Marshals Service was created more  
18 than 200 years ago by the first Congress through the  
19 Judiciary Act of 1789. Over the past two centuries of  
20 the Marshals Service, the duties have changed. From  
21 taking the census to protecting the President, the  
22 missions of the Marshals Service have evolved to meet  
23 the needs of the Nation. The Federal judicial system  
24 has grown from 13 districts to 94, covering the  
25 continental United States, Hawaii, Alaska, Guam, the