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1                   CHAIRMAN WALTON: Thank you very much for  
2 your testimony, Ms. Little. I'm sure we'll have  
3 some follow-up questions.

4                   MS. CHERYL LITTLE: Thank you.

5                   CHAIRMAN WALTON: Our next witness will be  
6 Ms. Mayra Soto.

7                   Ms. Soto, we truly appreciate your  
8 willingness to appear before us and your courage in  
9 telling us your situation. Thank you.

10                  MS. MAYRA SOTO: Good morning. I would  
11 like to take this time to thank you for inviting me  
12 to speak.

13                  It is an honor and a privilege to appear  
14 before you.

15                  I sincerely hope that my story will help  
16 other men and women behind bars who are confronted  
17 with sexual abuse.

18                  I came to the United States at the end of  
19 2002 because my sexual orientation and gender  
20 identity had made me a target of persecution in my  
21 home country.

22                  While in Mexico, I was raped by a fellow  
23 inmate while incarcerated in a jail in the state of  
24 Guerrero. Tired of fighting intolerance and fear  
25 for my life, I left the country.

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1           On December 12th, 2003, I was arrested by  
2 Santa Ana police and taken to the San Pedro Service  
3 Processing Center three days later.

4           Because of my gender identity, I was placed  
5 in an administrative segregation cell with 10 to 12  
6 other transgender women. The cell was overcrowded,  
7 and we were denied the basic rights that other  
8 non-transgender detainees exercised.

9           We were locked up for 23 hours a day and  
10 spent much of the time shackled and humiliated. As  
11 I sat in the cell, I couldn't help but feel that we  
12 were being punished simply for being transgender.

13           Despite all of this, I was relieved to be  
14 locked in a cell with other people like me. Having  
15 been raped previously, I had tremendous fear that I  
16 would be beaten and sexually violated if I were  
17 placed in a cell with men.

18           On December 19th, 2003, a few days after  
19 being transferred to the San Pedro detention center,  
20 I was taken to see my lawyer. Because she was with  
21 another client at the time, I was placed in a locked  
22 holding cell.

23           While I waited in the cell which was  
24 directly adjacent to the interview room, an  
25 immigration officer came -- came in with his pants

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1 unzipped and told me that I was going to suck him  
2 off.

3 He checked the hall to make sure that there  
4 was no one around. He -- then he reentered the cell  
5 and forced me to perform oral sex.

6 I did it once. Then he left, only to  
7 return ten minutes later, telling me that I suck  
8 really good and that I was going to do it again.

9 He spoke in such a threatening tone that I  
10 complied with his demands because I feared that he  
11 would hurt me.

12 He had ejaculated in my mouth, on my red  
13 detention uniform, and on the floor. I got a paper  
14 towel and spit the semen into it, realizing that it  
15 could be used as evidence of the crime.

16 I was also able to collect the semen from  
17 my uniform and the floor.

18 Once I was finally taken into the interview  
19 to see my lawyer, I immediately told her what had  
20 occurred -- happened. She was obviously shocked and  
21 did not want to leave me alone, so she sent her  
22 interpreter to flag down a supervising officer.

23 As I was telling her about the assault, I  
24 was becoming more fearful because I noticed that the  
25 officer who had assaulted me was looking at me

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1 through the cell door window.

2 Eventually two supervising officers came  
3 into the interview room to meet with me about the  
4 incident. They asked me to take off my prison  
5 clothes and that I hand over all evidence.

6 To this day the thought of what that  
7 immigration officer did to me makes me nauseous and  
8 fills me with fear, disgust, and anger.

9 It is difficult to comprehend how a federal  
10 employee who was supposed to maintain a secure  
11 environment for me while I was detained could abuse  
12 his authority in such a flagrant and appalling  
13 manner.

14 I also feel that while the immigration  
15 facility took appropriate steps to ensure that  
16 transgender women would not be sexually abused by  
17 housing us together, they did nothing to make sure  
18 we'd be safe in other places in the facility.

19 I desperately wanted to get rid of the  
20 taste of the officer's semen, but the investigators  
21 would not allow me to wash my mouth until the rape  
22 kit had been performed.

23 The assault happened around 2:00 p.m., and  
24 I was not taken to the hospital for the exam until  
25 early the next morning.

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1           The memory of the taste in my mouth is  
2 extremely upsetting and I have flashbacks of it all  
3 the time. I recommend, therefore, that evidence be  
4 gathered as quickly as possible so that the victim  
5 can clean up and wash away such immediate and  
6 traumatizing reminders of the assault.

7           Of course, speedy collection of evidence  
8 also lessens the chance of contamination.

9           I had never seen the officer who assaulted  
10 me before, and I never saw him again. It was  
11 rumored that when he found out about my report, he  
12 left and never returned to work.

13           At this point the only thing I wanted was  
14 to begin my healing process and begin to get over  
15 what he did to me. Soon after I made my initial  
16 report, the Federal Bureau of Investigations became  
17 involved.

18           When they came to interview me, I gave a  
19 description of the offending officer, including an  
20 explicit description of his penis. They were the  
21 ones who advised me that I could press charges  
22 against this officer.

23           Although I wanted to move on with my life,  
24 the urge for justice was strong, and I decided to  
25 move ahead with the criminal case. Had I known that

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1 this decision would later cause me tremendous  
2 distress, however, I might have reconsidered.

3 After the assault I was returned to the  
4 cell with the other transgender women. I  
5 immediately began to notice an air of hostility from  
6 the immigration officers in the unit. They treated  
7 me as if I was a liar and blamed me for the  
8 dismissal of their coworker.

9 And because it would not have been  
10 appropriate to discuss the case with the other  
11 detainees, I felt very lonely. I repeatedly asked  
12 to see a counselor because I needed to vent what I  
13 was feeling.

14 I literally felt like I was going to  
15 explode. The officers continuously ignored or  
16 humiliated me and looked upon me with what I felt  
17 was pure hatred.

18 Meanwhile, the memory of the assault was  
19 killing me inside. I lost my appetite and could  
20 hardly stomach any food.

21 I quit sleeping altogether and slipped  
22 further and further into depression. Finally, when  
23 I threatened to commit suicide, one of the other  
24 transgender detainees in the cell pleaded with an  
25 officer and convinced him that I desperately needed

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1 help.

2           Due to the negative attitude the officials  
3 at the facility had taken towards me, my biggest  
4 fear at this point was that my application for  
5 asylum would be denied and I would be deported back  
6 to Mexico.

7           I felt a constant pressure to retract my  
8 complaint against the officer, but I really did not  
9 want to give in. I wanted to remain strong and show  
10 that I was not going to let myself be taken  
11 advantage of.

12           I remained at the -- at San Pedro and my  
13 situation became increasingly hopeless. The  
14 hostility I felt from many of the officers grew.  
15 And in February 2004 I decided to withdraw my  
16 application for asylum altogether.

17           I felt it would be better to be sent back  
18 to Mexico than to stay in the destructive  
19 environment in that facility. After I withdrew the  
20 application, I remained at the facility for one more  
21 month.

22           In April 2004, the FBI had me released so  
23 that I could testify against the officer who  
24 assaulted me. However, I was never given a chance  
25 to testify, and in October 2004 an FBI agent came to

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1 my home and informed me that the officer had pled  
2 guilty and was given six months' jail time plus  
3 three years of probation.

4 I was extremely angered by the news because  
5 six months' jail time is completely inadequate  
6 penalty for the crime of rape, especially under  
7 these circumstances.

8 Since the FBI no longer needed me for their  
9 case, I was deported within days of receiving the  
10 news about the officer's sentence. I spent a couple  
11 of months in Mexico, but the situation there for  
12 transgender people had not improved.

13 So in January 2005 a friend collected  
14 enough money to bring me back to the United States.

15 In May of that year I was again detained at  
16 the San Pedro facility, and the trauma of my first  
17 visit began all over again.

18 Making matters worse, this time I was not  
19 placed in a cell with other transgender women.  
20 Instead, I was classified as a Level 4 offender and  
21 placed in a unit with the most violent convicts.

22 I was definitely not violent and had not  
23 been arrested for a violent offense. So I took this  
24 as another form of retaliation.

25 I still do not understand how the facility

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1 could justify placing someone as feminine as me in  
2 the same unit as murderers and rapists.

3           There was no reason to classify me this  
4 way. And even if the facility had reason to  
5 consider me a Level 4 risk, I should never have been  
6 housed with violent and potentially predatory men.

7           I was not given the option to be placed in  
8 a cell by myself or in protective custody. My  
9 boyfriend and I repeatedly requested a transfer, but  
10 each request was denied.

11           The men at the unit were constantly  
12 sexually harassing me, and eventually a riot broke  
13 out when two men began fighting over who would own  
14 me and be my man.

15           In the middle of all the fighting I was  
16 seriously injured, and only then did the facility  
17 take any action.

18           By then I was devastated and humiliated. I  
19 was placed in protective custody, which at this  
20 facility basically meant solitary confinement. I  
21 spent my days in a small cell with no water,  
22 magazines, or programming. I was rarely taken to  
23 the yard for recreation, and my pleas for water and  
24 something to read or occupy my time with usually  
25 went ignored.

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1           The officer who guarded the units would  
2 pretend not to hear me. This is cruel treatment  
3 that I don't think anyone should have to experience,  
4 especially not someone who has already been  
5 victimized repeatedly.

6           Protective custody should not be the same  
7 as solitary confinement, and prisoners who need  
8 protection should not be treated the same as those  
9 who need to be punished.

10           I was eventually able to see a judge in my  
11 case, and she granted me withholding of removal.  
12 Today I live in Santa Ana, California, and am still  
13 struggling to let go of the horrible experience I  
14 had at the San Pedro Service Processing Center.

15           Every day I work on healing the wounds of  
16 my past, and I want to gain -- again express my  
17 gratitude to you. Speaking out against sexual  
18 assault and detention and sharing a bit of my  
19 experience with you will surely help my progress.

20           I wish you luck in your work, and I hope  
21 that other detainees don't have to deal with the  
22 things that I went through. Thank you.

23           CHAIRMAN WALTON: Thank you very much for  
24 your testimony, Ms. Soto. We appreciate it.

25           We're considerably behind time. So,