who will testify as witnesses. We would like to give a special thanks, obviously, to the University of Texas and to its law school.

As with our prior hearings, I'm confident that what we will hear during the next few days will greatly assist the Commission as we proceed with our deliberations in assessing what our report should indicate, and more importantly, what our standards will recommend.

So, again, we thank you for your presence and we will proceed with our first panel.

Our first panel will consist of Ms. Kathy Hall-Martinez, who is associated with Stop Prison Rape, and she will introduce the videotape of the survivor witness who will present her testimony by videotape.

Thank you. Good seeing you again.

MS. HALL-MARTINEZ: Thank you very much, Judge Walton.

My name is Kathy Hall-Martinez. I am the Co-Executive Director of Stop Prison Rape. I'm here today because I want to introduce to you all the testimony of Ms. Erica Hejnar. We at SPR met her for the first time just over a month ago at the Survivor Summit we convened in Los Angeles. She flew to L.A.
from Philadelphia to be part of SPR's survivor advocacy, really, for the first time. And we were just a little bit floored when we realized that she was well over seven months pregnant and had not even told anybody on our staff this. She just so wanted to be a part of what we were doing that she came, and while the trip was a little bit hard on her, she seemed so energized and empowered by sharing what really was a horrifying experience for her, with other survivors, and realizing that, unfortunately, she is not alone in what happened to her. Her frustration over the impunity of the officer who abused her and her friends, and the officers who didn't intervene was so clear when we met her.

Happily, the Office of Internal Affairs of the Philadelphia Police Department substantiated all of her allegations just over two weeks ago and found five officers guilty of misconduct. But I want to emphasize that this was three and a half years after her experience. And that weighed heavily on her, as I said, even, you know, five weeks ago when we first met her.

I do want to thank the Commission very profoundly on behalf of SPR and all the survivors who attended the summit that we held in February. The
statement that you all issued in solidarity and your
willingness to continue to receive input from
survivors, both at the hearings that you've convened
as well as -- as well as, for example, in the format
that we hope to submit to you to help with the
standards that you're drafting that will come directly
from the survivors who were part of our summit in
February.

We really hope that you do agree that
the testimonies of survivors and also, as we'll hear
tomorrow, those of their loved ones in cases where
they are still incarcerated and they can't necessarily
be part of a hearing itself.

I haven't seen Ms. Hejnar's taped
testimony yet, but with a baby on the way, as she --
as she is awaiting her baby, I really hope that the
recent finding in her favor has lightened the burden
that she has carried up until recently. The sexual
abuse that she and others have suffered can be too
easily dismissed as one rogue officer run amuck. Yet,
again, in her case at least four other officers
enabled him and didn't act to stop him or to report
him. And it's -- it's worth thinking about how many
others suffered at his hands, both before and after
one young woman was brave enough to move forward and
to complain. And we find that in the case of those who are sexually abused in lock-ups, similar to -- in jails, they tend to be even less likely to report than those who are in prison. In many cases, their stay at a lockup is extremely short and they want to quickly move on from what happened. They don't want to push their luck by reporting the officers and risk not being able to get out quickly. That's something that will be quite obvious, I think, in Ms. Hejnar's testimony. And as in her case, there is such a feeling of powerlessness, given the uncertainty of their legal situation. It almost seems to paralyze them more than someone who is in prison and, obviously, is there for rather a longer period in most cases. If they do leave the lockup with little or no jail time, they just want to forget what happened. Again, police and security officers too often exploit these vulnerabilities as the officer did in this case. Ms. Hejnar is really one of the rare few who wanted to see justice done and who has been -- has just been absolutely adamant in her pressing forward with what happened and trying to make sure that justice was done and trying to see that this didn't happen to anyone else.

So I invite you to hear Ms. Hejnar's
testimony and experience it in her own words. We're very glad that she was able to do the videotape testimony last week and that her -- her pregnancy did not interfere with her being able to do that. And, again, we thank you very much for being willing to hear her testimony in rather an unorthodox fashion in a videotape format. Thank you very much.

(The following is testimony given by videotape.)

MS. HEJNAR: Hi. Good morning. My name is Erica Hejnar, and under the penalty of perjury, I swear that the statement I am about to make is true and correct to the best of my knowledge, information and belief.

I would like to thank you for allowing me to share my story with you via prerecorded video. Although I would have liked to testify before the National Prison Rape Elimination Commission in person, I'm eight months pregnant and it would not have been feasible for me to travel to Austin.

It is extremely difficult to recount the experience with the -- with the sexual abuse I had at the 26th District of Philadelphia, Pennsylvania Police Department, in 2003. But I hope that what I share with you will motivate the Commission to do everything in its power to ensure that others are not