staff to use in any manner they feel appropriate.

And with that I would close my comments

and be glad to answer any questions you may have.

CHAIRMAN WALTON: Thank you.

In reference to the work that you do,

how receptive have the -- has the law enforcement

community been to your efforts?

MS. ELIZABETH LAYMAN: Actually, it's

been very interesting because they have been extremely

receptive. Once we have informed them of the

application of PREA to their facility, they are --

they are just hungry for information and for the

training procedure -- the training things that we're

going to be providing. So the response has been very

positive. It's definitely been cooperative.

CHAIRMAN WALTON: You said a couple of

things which we've heard throughout all of these

hearings, which is somewhat inconsistent with what we

have been told we can do. Because you say, for

example, overcrowding is a problem. And you say, for

example, that insufficient staff is a -- and those

things, obviously, to address them entail money. I

don't perceive that any time in the near future we're

going to see the prison population go down. I just

don't think that's going to happen. If anything, it's
probably going to increase. So, I mean, can we really make recommendations that are going to have a systemic impact on this problem if we aren't saying to Congress, look, money has to be also allocated to address some of these problems.

MS. ELIZABETH LAYMAN: Well, I certainly think that that's quite possible and I think it's something that's very important to do. I don't think you're ever going to hear any prison or jail system say that they don't have overcrowding problems. So I just think that's just an ongoing problem that is not something that the Commission really can address, but the agencies just have to prioritize.

Part of the issue with this -- with PREA and its implication for lock-ups has that it has not been a priority before. So I think making it a priority will, of course, then possibly change the way the funding is used. I mean, I can't speak for the agencies and how they budget their money, but making this a priority on their -- putting it on their radar screen, I think, may change how they actually consider their funding. I think that's important.

COMMISSIONER KANEK: Mr. Gotschalk.

MR. GEORGE GOTSCHALK: Yes, sir.

COMMISSIONER KANEK: Am I pronouncing
MR. GEORGE GOTSCHALK: You're doing well. Thank you.

COMMISSION KANE: I'll try to do even better. Gotschalk?

MR. GEORGE GOTSCHALK: Gotschalk. Like you've got a piece of chalk.

COMMISSIONER KANE: You observed that there is a myriad of certification, training requirements among various jurisdictions. What about the Federal system? Should I assume that it has clear certification, training -- or training and certification criteria?

MR. GEORGE GOTSCHALK: I would suggest that you not consider that. And I would suggest that by using D.C. as an example, and it's only been in the last few years that the District of Columbia has had some kind of POST commission to work with establishing any kind of training standards for the District of Columbia police department. At least my observations are that each major agency has kind of determined what training is required for its personnel, FBI agents, so forth and so on. And then, too, I would suggest to you that even within the states, we establish minimum mandated training standards required to do the job.
That doesn't mean that's everything a person would ever need to know in their entire four years, but what a person needs to know on an entry level basis to perform the job acceptably.

COMMISSIONER KANEB: As you may know, the Commission, our Commission is required to provide a menu of standards for how to run an incarceration facility so as to eliminate or at least greatly minimize prison sexual abuse. And submit it to the Attorney General, who is then mandated to adopt what he or she believes to be — let us say, the most efficacious version of proposed standards. And at that point, they become, in effect, the law or government regulation, Federal regulation for the Federal system. So should we assume that, in fact, such — such a framework of training and certification requirements needs to be put forward by us to the Attorney General as part of our standards menu?

MR. GEORGE GOTSCHALK: Given the issue that you're discussing, I think it's advantageous, at every level of government, to have those recommendations to put into place.

COMMISSIONER KANEB: So that means you would be willing to help us do that?

MR. GEORGE GOTSCHALK: I would be — I
think, from an IADLEST standpoint, we're willing to -- 
always willing to try to push forward the 
professionalism of law enforcement. And the 
discussion was had this morning of whether this is a 
systemic problem or an aberration. And you'll pardon 
me, I'm still in an idealistic world where I feel like 
when you accept the duties of the office and you take 
the oath, you have a responsibility to act in that 
manner. And if we don't, then you're hurting 
everybody that wears the uniform of whatever you do, 
corrections, law enforcement, dispatch, or whatever. 
And a citizen of this state has an -- citizens of all 
states in this country have an expectation of that 
person wearing the uniform that services are going to 
be provided regardless of who you are. It doesn't 
make any difference. So my answer to you is, I would 
be more than willing to try to help and I think the 
organization would as well, to try to help in any way 
we can.

COMMISSIONER KANEK: It could be that 
we will ask for your assistance. As you probably 
know, what the Federal government establish -- through 
the Attorney General, establishes for standards in the 
Federal prison system, which goes all the way down to 
lock-ups, is the standard by which state systems and
local systems are going to be rated in terms of -- of
how well they're performing which, in turn, could well
affect how much Federal aid they're going to get. So
there is this -- this necessity that the Federal
system be set up as a shining example of how to do it
right. Now, not just what it's going to do in the
Federal system, but for what it, by inference, will
hopefully do in most of the states.

MR. GEORGE GOTSCHLK: I have a little
saying that I use that people in Virginia get tired
of. You're only as strong as your weakest link. And
until you raise people up, you're not going to
strengthen the system. And you've got to work -- how
you choose to work, you're working from the top down
and, quite frankly, I can hear it in Virginia and hear
it in the General Assembly now, where are the dollars?
Where is the money? The Feds have all kinds of money;
they can do these things. Where does the money come
so that I can do these things? And each state is
addressing it differently. I'm seeing a trend, for
example, in Virginia, where we're going away from
individual jails by individual sheriff's offices
except in the large urban areas. And what you're
seeing is a lot of regional jails to service a lot of
these small areas where you have better facilities and
better personnel whatever.

The other thing I would suggest to you, I think you need to address and I think it came across clearly is, the need to address what a lock-up is. And I don't think -- I would not have considered an area where you hold somebody to question or interview them as a lock-up. From my experience, a lock-up was somebody went to the Magistrate, they were booked, they were being held for their first court appearance. That may be it -- in the early '70s, in Virginia, that was a -- had maybe a police department. A lot of places have changed so that's now the regional jail or the sheriff's office where they're held. But that definition of lock-up, what is a lock-up, I think is important.

And, again, what I would suggest to you that even in Virginia, the State Board of Corrections establishes standards for local jails and lock-ups. I would not believe that they would consider the definition you're considering as a lock-up. That's not what we consider it. So I think that's important, defining what a lock-up is.

COMMISSIONER KANEK: Okay. But that point is taken. We do know that clarity has to be brought to that particular definition.
Well, thank you for your willingness to help us.

MR. GEORGE GOTSCHALK: I'm glad to.

COMMISSIONER AIKEN: Thank you both for appearing.

Ms. Layman, I want to -- in your presentation, if I remember correctly, you made reference to making an assessment of the design issues of facilities as well as operational detail, I think your word was.

MS. ELIZABETH LAYMAN: Yes, sir.

COMMISSIONER AIKEN: What are some of the examples of those?

MS. ELIZABETH LAYMAN: I'll give you one particular example. A small facility in the state of Georgia that has three lock-up cells. They do not use those cells more than, I would say, maybe once or twice a month. Now, they have a surveillance camera set up to survey that area. However, the camera is only supposedly turned on when there is going to be somebody placed in that cell. Well, my question is, is how are we sure that that's being done properly. So there is some -- that type of thing, surveillance cameras is part of it. Also, just the design of the cell itself. Whether or not there is a direct line of
sight for someone to actually supervise what is going on there, and if there isn't, then is there a surveillance camera. Some of the issues with cameras that did come up, which was pretty important was, and you know, it had to do with the privacy issues as well. Should the toileting facilities be surveyed by camera. I mean, how is that done. Some of these facilities hold people for up to 72 hours, so there are showering and toileting facilities. So that is a real key issue for developing standards for that, is how this is that to be done.

Some of the other things, I guess, would be access to emergency call buttons or whatever you may want to call it. If you have more -- particularly, if you have -- I guess it really doesn't matter if you have one arrestee in a cell or two or more in a cell, if there no line of sight or if nobody is monitoring what is going on there 24 hours, around the clock, do they have some way to have an emergency call button or an assist button. Or if there is a sexual assault taking place or some sort of assault taking place, is there some panic button that they can use. So that was one of the other issues that came up. That was particularly applicable to court holding facilities where you have multiple people in one
holding area, and nobody is really sure who is responsible for that. You have, you know, this county jail bringing somebody into the court holding facility, this other county jail, the state prisons, or whatever, and these people are all mixed together and you have one bailiff there supervising them, who is not there all the time. So that type of physical design, is there a way for these arrestees to make an emergency distress call or whatever. Those types of things.

COMMISSIONER AIKEN: And what about the operational assessment? What are some examples of operational--

MS. ELIZABETH LAYMAN: Some of the operational assessments? Really, all revolve around policy and procedures and what is their practice, how often do they make checks on these arrestees, how are staff responding when they hear certain things or there may be a suspicion of something going on. Do they report that. To whom do they report it. What happens to that report when it's received. Who investigates it. Who collects the evidence. Who seeks medical treatment for these arrestees, should they need it or should they become victims. And is there an agreement with where they are going to be
taken should they need medical or mental health assistance.

COMMISSIONER SMITH: A couple of questions. Actually, one, for both of you.

Could you talk a little bit more about the connection between standards and the decertification process? Because certainly one of the things that we have heard a lot in our hearings, and it kind of goes into, I think, Mr. Ruecker's point about the labor process, is that often what happens is -- let's talk about staff for a minute. Staff who are involved in these incidents, but what happens is, they resign and they go to another jurisdiction, or go and work in another setting. And I wondered if you could talk a little bit about how strengthening the certification or decertification process might provide us some tools in that area?

MR. GEORGE GOTSCHALK: Let me address that, if I will. One thing let me tell you. IADLEST has developed and is working on a national decertification database, and it would allow any criminal justice agency to take a look at, at least that database, to determine if that person had been decertified in another state. It wouldn't tell them exactly what for, but it should be a red flag to say,
you need to contact this state to determine what went
on before I hire this person.

COMMISSIONER SMITH: And that
decertification could be for this, or it -- for some
other off-duty conduct or whatever?

MR. GEORGE GOTSCHALK: Well, every
state is going to be different, again, in terms of its
ability and the strength of its program.

COMMISSIONER SMITH: Right.

MR. GEORGE GOTSCHALK: And I'll use the
state of Florida for an example. And I'm not an
expert. The gentleman who runs that is named Mike
Crewes out of Florida. But they have broad authority
and, for example, if a police officer is arrested for
DUI, they can do everything from give him a verbal
warning to actually removing them from office. And
they've got a set of guidelines that the POST
commission uses to do that. But they can decertify
the officer and say -- independently of the agency
itself, and say, you cannot serve as a law enforcement
officer in the state of Florida. You just can't do
that.

And it was mentioned today, and I think
one of the things I even hear in Virginia is, when a
chief tries to fire somebody and, unfortunately, it
goes through the personnel department and personnel reinstates them. There is no choice for that chief but to try to do something with that individual to keep them out of harm's way. And I've got one case, I know, in Virginia where a chief has complained to me where the judge has actually said, don't bother sending him to the courtroom because I'll never believe anything they say. So now he's got a sworn law enforcement officer that personnel is making him keep, but he can't use him in any kind of situation where he can make an arrest because the judge refuses to hear anything that's brought before him. And that is a dilemma for him. Where in this particular case, at least in those states that do decertification, there is another body available to them. I will say this, too, because I think it's just as important, because I get calls from Virginia, if a citizen has a complaint against a police department and they can't get any of -- what they feel is assistance from anybody, where do they go. At least in those states that have a strong decertification program, they have an alternative to go to.

COMMISSIONER FELLNER: Can I just ask you how many states do have decertification programs?

MR. GEORGE GOTSCHALK: I don't have
that off the top of my head. It is on the disk.

COMMISSIONER FELLNER: It is on the disk?

MR. GEORGE GOTSCHALK: Yes, ma'am.

COMMISSIONER KANEB: Excuse me. May I -- to get this fellow's name in Florida. Mike what?

MR. GEORGE GOTSCHALK: Mike Crewes.

COMMISSIONER KANEB: C-r-u--

MR. GEORGE GOTSCHALK: C-r-e-w-e-s.

MS. ELIZABETH LAYMAN: In Tallahassee.

COMMISSIONER SMITH: And are there -- sort of in this whole decertification group of questions, are there particular states -- I mean, Florida has been mentioned a couple of times. Are there particular states that seem to be ones that we might look to in terms of looking at that process?

MR. GEORGE GOTSCHALK: They --

COMMISSIONER SMITH: Not as necessarily models, but as useful states to look at.

MR. GEORGE GOTSCHALK: Utah was one of the first states that was very active in this decertification initiatives. And I use Florida because I see their newsletter quite a bit. I think --

COMMISSIONER SMITH: Idaho maybe?
MS. ELIZABETH LAYMAN: Idaho and California also. I will -- I do have one other to add about -- being from Florida and working in Florida for many years, I do have to say that Florida has something, I believe, is unique to all of the 50 states. And I think they are the only state that does this. Law enforcement and corrections officers who are certified, when there is an internal investigation that is complete, that investigation is now public record. Anybody has access. Now, not necessarily to all of the interviews, but to the actual charging document, whatever you want to call it, and then to the findings and conclusions, they are public record. So that is a -- that is actually, I think, unique and it is something that does sort of help that decertification process carry some weight across the country.

MR. GEORGE GOTSCHALK: And I would suggest to you and I know we're now dealing with the issue of minority-based policing, that one of the common complaints we heard from the various minority communities was that they submit complaints to the police department and never hear back. And unlike Florida, a lot of the police departments will tell you that it's a personnel issue. We can't -- we are
forbidding from reporting back. It's a closed record.

COMMISSIONER FELLNER: So how did Florida get around -- I'm just curious the legal framework by which -- because most places, they won't tell you anything other than jail or prison, they have something -- how did Florida --

MS. ELIZABETH LAYMAN: The Florida legislature actually passed that as a law.

COMMISSIONER FELLNER: Recently? A long time ago?

MS. ELIZABETH LAYMAN: Oh, it's been in existence for at least, I would say, eight years, probably. Five to eight years maybe. Brenda probably knows more because, you know, Brenda has done an awful lot of research on the state laws that we have been working with her on. So I would say it's at least five years probably.

COMMISSIONER SMITH: And just one other question. I guess, again, for both Mike and Beth. What impact does decertification -- if I'm decertified in Florida, does that have any impact when I go to Idaho or wherever to get a job?

MS. ELIZABETH LAYMAN: The only impact that I would be aware of is that there in no preclusion unless, let's say, Iowa or whomever you
have applied to now, unless they have something that says they cannot hire you because you have been decertified somewhere else. So it would have to be a reciprocity thing where they recognize a decertification from another state. Maybe Mr. Gotschalk can tell you if that actually exists.

MR. GEORGE GOTSCHALK: I think that what you're -- you're absolutely right. It's a state by state issue. In Virginia, if somebody came from Florida and the Chief of Police submitted a training exemption form to me to give them a waiver of training, I check the other states. And if they are decertified in another state, all I tell them is, there is a problem, they were decertified. I'm not going to give them a training waiver. They could be -- I'm not sure what the issue is. You need to check. But I can tell you one thing, they're going to go through the entire training program.

COMMISSIONER FELLNER: Do you think there should be something more like -- you know, registries are very much in vogue for certain kinds of offenders. Should there be, not just the national database you said, but including on it why? And should it be mandatory that before anybody is hired, that the agency doing the hiring check the database to
see if the person has been decertified or fired, or whatever? Some way to make it -- because we've heard many stories of people gone from one place to another, which seems to me to be a problem in and of itself. I wondered if you have any thoughts about that.

MR. GEORGE GOTSCHALK: Well, first of all, not everybody has decertification, so what you would be getting is a snapshot from a small group of states. And then decertification is different from state to state. The requirements are different from state to state. So there is still, I think, the need to check with the state for a locality and you -- I will tell you a little story that happened a few years back. And you talked about checking the database and so forth. I had a small town police department and I asked them to fax me something. And the woman said -- told me, she said, honey, I'm lucky if I have a copy machine. You know, not everybody has the resources. This was a one-man department. You know, crazy things like accesses to the Internet, they may have to go to the library to do. I don't know. What you'll find is, everybody's resources are different and everybody's knowledge base is different. And in some of the small towns, if you can get them to meet -- they have to meet the state entry level requirements
for employment if the state has it. But that's about all they're going to do, because there is a cost associated with it.

COMMISSIONER FELLNER: And do the states require -- when you go into an academy, do they do a criminal background check of any sort? Can you be certified if you have a current -- some kind of criminal record?

MR. GEORGE GOTSCHALK: Yes. Now, in the state of Virginia, the code says, to be a law enforcement officer, you have to be -- actually, it's 18 years of age. You have to be of Constitutional age with the Chief or Sheriff, which is 18 now, because you can vote. You have to have a high school education or a GED. You have to have a valid driver's license. You have to have a physical examination to do the position. And you have to have a background investigation to minimally include a criminal -- a fingerprint-based criminal history reference check. But that's the extent that it goes.

COMMISSIONER FELLNER: I actually wanted to ask you, Ms. Layman. In your written testimony, your oral, you referred to, you've developed a risk assessment checklist and you have a physical checklist and you have training. Can you
provide the Commission with all of those materials?

MS. ELIZABETH LAYMAN: I will certainly be happy to do that.

COMMISSIONER FELLNER: That would be great.

MS. ELIZABETH LAYMAN: I will tell you that they are in draft form at this point because we are piloting some of those and there will be changes to them. But we are happy to provide you those assessment tools.

I just -- I wanted to just add one more thing about this decertification issue. Every state will be different. I know that in the state of Florida, if you have a conviction for a felony, you lose your civil rights, and -- which means, if you go -- if you are hired to be -- if you're applying to be a police officer, you can have your civil rights restored, but the right that is never restored is the right to have a firearm. Therefore, you could not be hired as a police officer because you would not qualify to carry a firearm. But every state will be different on that, and that is just widely varied.

COMMISSIONER SMITH: Can I just ask? I would like to ask one last question. I had two questions, one was around this decertification and
another one around data collection. Okay? So if
lock-ups are just coming into vogue, could you give me
some assessment on the status of data collection
around the prevalence of these behaviors in lock-ups?

MR. GEORGE GOTSCHALK: I don't know

that I could at all.

MS. ELIZABETH LAYMAN: Only

anecdotally, if that will help at all.

COMMISSIONER SMITH: Yeah. I'm just

asking for your impressions.

MS. ELIZABETH LAYMAN: My impression

is, of course, that we need to be very specific about
definitions, not just what is a lock-up, but what is
sexual harassment, what is sexual violence, what is
this, what is that. We all know that. Part of the
issue is --

COMMISSIONER SMITH: But don't the BJS
definitions --

MS. ELIZABETH LAYMAN: BJS definitions

are there --

COMMISSIONER SMITH: -- help in that --

MS. ELIZABETH LAYMAN: They do help
tremendously. And we are -- those are the definitions
that we are using in our training, are the BJS
definitions. Which, of course, align with the Act
But part of the other thing is training staff to be aware of indicators or red flags if we want to call them. And I'll just give you an example of something that was told to me when I was doing an on-site visit. An officer that was supervising a lock-up, there were three people in the lock-up. One of the arrestees said, hey, Joe Smith has grabbed my balls and I want to him to stop doing that. Well, to me, that is an indicator that there is something going on. No matter what it is, it's not right, but the officer supervising the lock-up just says, oh, you people just need to, you know, get a grip and just leave each other alone. And I don't really care what you do to each other.

And this sometimes tends to be the attitude. I don't know that it's malicious. I think it's just sort of maybe a form of ignorance and that it's trying to get the message across that these things are indicators of something else that could be potentially wrong. A culture issue, if I may say.

MR. GEORGE GOTSCHALK: I was thinking to my years back at the Richmond Sheriff's Office. I actually left because I went home and told my wife one night, I'm starting to think this is a normal
environment and it's not. I've got to get out. And in all honesty, it is probably to me the worst situation you could ever work in. It's one of the hardest jobs and people don't realize it, because you work in a strange environment every day, and you are just as confined as the individuals who are there. And the behaviors are different. Regardless of what you say, the behaviors are different, and you can start having your world skewed if you're not careful. You have to keep perspective, and that's not easy to do for everybody.

COMMISSIONER SMITH: So in response to my question about the status of data collection in lock-up facilities.

MS. ELIZABETH LAYMAN: I think it's -- I think it's possible, of course, as long as there are clear definitions of what needs to be reported and all staff -- and I'm talking about all staff, too, I'm talking about line staff as well as secretaries and blah, blah, blah -- you know what I'm saying. They all need to know what they're supposed to be looking for if we want that data collected.

COMMISSIONER FELLNER: Do you have any thoughts, either of you -- I think you were both here when Ms. Ritchie testified earlier and talked about
what her research has been showing in terms of misconduct in lock-up. Do you have any sort of -- as you listened to her, did you have any thoughts or suggestions that you would like to sort of share with us based on what you were hearing from her?

MS. ELIZABETH LAYMAN: Ms. Ritchie was Amnesty --

COMMISSIONER FELLNER: Well, she spoke about -- she was talking about the -- yeah. Giving examples of the abuse of women and transgender --

MS. ELIZABETH LAYMAN: Yes. Yes. In the eight years that I've been working through various cooperative agreements on staff sexual misconduct, I have to say that it is -- in my opinion, from what I have found, it is probably more rogue than systemic, to use her words or to use your words. However, I do think that it -- those incidents that are occurring probably are not getting reported. I think reporting is just absolutely minimal compared to what is actually going on. So to make that kind of assessment now without really knowing -- you know without really having full reports is very difficult. But I do think that, in general, most correctional and law enforcement people are of high ethical morals, and I think there are rogues that this will happen.
However, you know -- I hesitate to kind of say it at this point, but I think it's also a systemic cultural issue where these things happen. Let me say that if you have, for example, the incident that I just told you about where these three people in the lock-up facilities were, you know, doing whatever they were to each other and the officer is not really paying attention or thinking that it was significant, to me, is a cultural issue systemic within the culture. What is accepted in that organization and what is not accepted in that organization. So I would rather kind of keep it at that, that I think it's basically a systemic cultural issue that causes these things.

COMMISSIONER FELLNER: Can I just follow up on that. We've heard often throughout the hearings about the role of leadership, and today, you can have all the best policies, the best standards, you know, and if they're not enforced, if the person in charge does a wing and a nod, it all falls apart. We can't, in essence, legislate leadership. We can encourage, but short of being able to legislate leadership, what could we as a Commission do to try and support and strengthen so that leaders do provide leadership in this area? If you understand my -- the
dilemma we're going to have about that.

MR. GEORGE GOTSCHALK: Let me add a
piece to that, I guess. What I would suggest to you.
You heard from IACP this morning. There is an
offshoot of IACP called SACOP, which is --

COMMISSIONER FELLNER: Safe --

MR. GEORGE GOTSCHALK: SACOP. Which is
the various state associations that are affiliated
with IACP. For example, the Virginia Association of
Chiefs of Police has a SACOP to IACP. They are very
instrumental in providing information to their
membership throughout the state. And for a lot of
chiefs in small and medium-sized towns who cannot go
to the national IACP conference, they can maybe go to
the state conference. Tomorrow when I get back to
Virginia, I'm going to be providing training to new
chiefs at Natural Bridge. I do that twice a year.
The SACOP would be a group that be excellent to
disseminate information to within their states, as
would the various state association directors for the
Sheriffs' Association.

COMMISSIONER FELLNER: Thank you.

COMMISSIONER SMITH: One other thing
that I also wanted to raise again, since you are from
Virginia, and you're from Florida. One of the things
I know is that in terms of dealing with that cultural issue, because I think that you're right, that it may be one -- there might be the critical incident, but around all of those critical incidents there are people who know about what happened.

COMMISSIONER SMITH: Who witnessed it. There also may be people who have information but don't provide that information. And, certainly, there are a couple of states who actually have created separate laws around failure to report in this area, and I believe that Florida is one of them. Right?

COMMISSIONER SMITH: Where there is a separate criminal penalty for failure to report abuse, not just sexual abuse, I believe, but sexual abuse of a person in custody. Right?

MS. ELIZABETH LAYMAN: Absolutely. A separate law. Let me just also -- just comment on that. Florida tends -- seems to have an extremely comprehensive law on the issue of staff sexual misconduct, and seems to have a very good process for criminal justice standards and training and what they do. However, that does not mean that what is going on in Florida corrections is perfect. Let me just say
that.

COMMISSIONER SMITH: We know that.

MS. ELIZABETH LAYMAN: Again, the leadership issue.

COMMISSIONER SMITH: We know that.

CHAIRMAN WALTON: Anybody else? Okay. Thank you. What you've said will be very helpful to us, I'm sure.

COMMISSIONER FELLNER: And do send us, even if they're draft or even -- you can, again, send them to the staff -- I just wanted to ask, you have done -- there are some other written -- your training materials. We're just trying to gather as much stuff as possible to then guide us as we're drafting.

MS. ELIZABETH LAYMAN: Yes.

CHAIRMAN WALTON: Do we have our next panel here? Mr. Rivera? Do we have our next panel here?

We'll start back -- we'll start a little early so we can finish a little early. We'll start back at 3:00 o'clock rather than 3:15.

(RECESS.)

CHAIRMAN WALTON: Okay. We will proceed with the final panel today, which is on Native American Facilities, issued related to
sovereignty and the overall situation, and what, if 
anything, we should be thinking about as it relates to 
the facilities involving Native Americans. We're 
happy to have three -- no. Two? Only two. Okay. 
Two participants here today to testify. If the two of 
you would please stand and take the oath. 
(Witnesses sworn in.)

CHAIRMAN WALTON: Thank you. Identify 
yourselves and tell us who you are and then we'll 
proceed with Mr. Rivera's testimony first, and then 
Mr. Gover.

MR. GUILLERMO RIVERA: Good afternoon. 
My name is Guillermo Rivera. I'm the Associate 
Director of Corrections for the Bureau of Indian 
Affairs.

CHAIRMAN WALTON: Thank you.

MR. KEVIN GOVER: And my name is Kevin 
Gover. I'm a law professor at Arizona State 
University and a former Assistant Secretary for Indian 
Affairs.

CHAIRMAN WALTON: Thank you very much 
for your presence.

Mr. Gover.

MR. GUILLERMO RIVERA: First of all, 
thank you --