checklist. Very few people have this kind of a checklist. The reason we want a checklist is because it's more objective in looking at every case in the same manner. And if you get a certain number of checks on that checklist, that would indicate that you're a potential victim or a potential predator, and that would be helpful, I think, in making sure that nothing slips through the cracks.

Finally, we want to acknowledge that our research did not address the issue of sexual assault among female prisoners. It was commonly stated to us in Texas that the rate of sexual activity among the female prisoners is substantially higher than it is among the men. And the perception, unfounded, is that it's largely consensual. I don't think we know that, and I think we need to investigate much more in depth what is going there among the female prisoners, which is an area of research that has yet to be conducted.

Thank you.

CHAIRMAN WALTON: Thank you very much.

Ms. Luna.

MS. LISA LUNA: Good afternoon. My name is Lisa Luna. I'm a training specialist with the Texas Association Against Sexual Assault. I'm also a
Licensed Social Worker, a Certified Criminal Justice Specialist, and a Certified TCLEOSE Instructor, which means I can give continuing education hours to law enforcement.

I really feel like the remedial witness here because I'm not sure what is expected of me other than the written testimony. So maybe if -- if I can answer questions for you?

COMMISSIONER FELLNER: Do you want to just briefly, in a couple of minutes, summarize your written testimony?

MS. LISA LUNA: Okay. Well, first of all, I'm not sure if anybody else on the panel has actually been on a unit. I have, in fact, worked on a unit, on the James V. Allred Unit, which is the maximum security facility, for three and a half years. So not only do I talk the talk, I've walked the walk. And I also lived the walk on a daily basis because I am married to an offender that is incarcerated on a maximum security unit who, coincidentally, is a -- well, started out as a young Caucasian offender, so we've had great concerns.

I also feel like it's important to stress that I am probably the only outsider that TDCJ has allowed within their community to work with them
on their Safe Prisons Program. I was a part of the
development of the curriculum that they are using,
their peer-to-peer curriculum on sexual assault. I
also developed the Safe Prison -- the Prison Rape
brochure, in Spanish and in English, that is given out
to all the offenders as they are incoming into the
system.

I worked for TDCJ back in the mid '90s
when the response to a sexual assault allegation was
simply, go back and take care of your business, take
it like a man. So I have seen how really far it has
come. And I'm certainly not saying that they have
come all the way, because there is always room for
improvement. But I do recall several incidences that
took place when I was employed by the system, and can
tell you that, yes, they have made huge, huge steps in
improvements.

I also provide training to the -- all
the parole officers as they go through in-service
training on supervising sex offenders, so I get a
little bit of both sides of that coin, on both sides
of the bar, I suppose. But having been an employee of
TDCJ, I can attest to the solid doors that this
gentleman talked about. And -- but I would like to
clarify something. First of all, reporting standards
are very, very low for male victims, in general. And most of them will not report at all because of the -- I guess, the shame that they're going to receive. So I see the biggest problem is not necessarily TDCJ, but it's us in the community as well, because that's where the staff for TDCJ is coming from. So we need to not only educate the TDCJ staff, but we need to be educating the community and make them aware of it and make them concerned that this is an issue that directly affects everybody in the community.

The one thing that I did want to address was the statistic that the majority of sexual assaults are occurring between 6:00 a.m. and 6:00 p.m. That's probably because the offenders have greater access of going in and out of other cells other than their own, because once the doors are locked for the night, they're not coming and going. And when an in and out -- and I'm sorry, I don't know what the free world term for that be would be -- the doors are opened so an offender can go in, grab their clothes, or go in and do -- maybe go to the bathroom and then go back out. They'll call an out for them to go to a meal or go to work or go to school. But during the day, in and outs are called on a pretty regular basis, so offenders do have much, much greater access to go
in and out of other cells than they would after 6:00 p.m.

CHAIRMAN WALTON: Thank you.

Ms. Graybill, thank you -- you're not late. We started early.

Would you take the oath.

(Witness sworn.)

CHAIRMAN WALTON: Thank you.

MS. LISA GRAYBILL: Thank you.

CHAIRMAN WALTON: But you're not late.

We started early.

MS. LISA GRAYBILL: I feel better.

Thank you.

My name is Lisa Graybill. I'm the Legal Director at the ACLU of Texas. I've been here for two years. Before that and I was at the U.S. Department of Justice, also doing prison work.

I was asked and plan to speak specifically to Texas's Safe Prison Program. And my review is primarily based on the manual that we obtained via an Open Records Request. The last iteration of that manual that I was able to get is from 2005. And the manual is laid out, I believe, into six sections. It concentrated the review on three, which are prevention, intervention, and then