NATIONAL PRISON RAPE ELIMINATION COMMISSION

PUBLIC HEARING

SEXUAL VIOLENCE IN IMMIGRATION DETENTION FACILITIES AND LABOR INVOLVEMENT IN IMPLEMENTING PREA

WEDNESDAY; DECEMBER 13, 2006

UNITED STATES COURT HOUSE
312 NORTH SPRING STREET
LOS ANGELES, CALIFORNIA

REPORTED BY:

REAGAN EVANS, RMR, CRR

CSR NO. 8176
COMMISSIONERS:

HON. REGGIE B. WALTON, CHAIRMAN
COMMISSIONER JAMES E. AIKEN
COMMISSIONER JAMIE FELLNER, ESQ.
COMMISSIONER JOHN A. KANEB
COMMISSIONER DR. CINDY STRUCKMAN-JOHNSON
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CHAIRMAN WALTON: Good morning. I would like to welcome all of you to the sixth public hearing of the National Prison Rape Elimination Commission.

This Commission was created by the United States Congress by legislation that was signed by the President to examine the problem of prison rape. The mission of our Commission is, as I said, to examine the problem of prison rape, to assess the nature of the problem, the prevalence of the problem, and also to recommend to the President, to the Congress, and to the Attorney General ways that can be implemented to impact this problem.

There are some who have a tremendous concern about the prevalence of the problem. And while obviously that is a concern of the Commission, that's not, at least from my personal perspective, the major concern because one prison rape is one too many.

And we know that the problem is a real problem, and it's a problem that obviously this nation has to address.

The purpose of these hearings are fact-finding to receive from the experts in the field their perspective on the problem so that we
can factor that into our deliberations.

Today's hearing will focus on two issues:

 Sexual violence in immigration detention facilities
and also labor involvement in the implementation of
the Prison Rape Elimination Act.

The prison establishment, I must say, based
upon my personal interaction with them, are
concerned about the problem. I think generally
there's an appreciation that there is a problem and
a desire to address the problem.

And with their effort and with the import
that we can give and ultimately that the Federal
Government and state and local government will give
to the issue, we can hopefully have a tremendous
impact on addressing this problem.

I would personally, on behalf of the
Commission, like to thank the Vera Commission and
Alex Busansky in the work that they've done in
helping us to organize the immigration part of this
hearing and the Commission staff in coordinating the
personnel aspect of this hearing.

I will have my fellow commissioners
introduce themselves.

I am Reggie Walton. I serve as a judge,
United States district judge in the District of
Columbia. And I am chairman of the Commission.

We have several commissioners who, unfortunately, because of either illness or other business who cannot be present. The other commissioners who are not present are Mr. Pat Nolan, who is president of the Justice Fellowship, which is the policy arm of Chuck Colson's Prison Fellowship Ministries.

We also have Mr. Gus Puryear, who is the executive vice president, general counsel, and secretary of the Corrections Corporation of America. And we also have Commissioner Brenda Smith who could not be present because she had knee surgery recently, who is a professor of law at the American University, Washington College of Law.

I will let my other commissioners introduce themselves starting to my right with Commissioner Aiken.

COMMISSIONER AIKEN: Good morning. My name is James Aiken. I'm President of James E. Aiken & Associates.

COMMISSIONER FELLNER: Good morning. I'm Jamie Fellner. I'm director of the U.S. program at Human Rights Watch.

COMMISSIONER STRUCKMAN-JOHNSON: Good
morning. I'm Professor Cindy Struckman-Johnson from the University of South Dakota. And I have a background in conducting prison rape research.

COMMISSIONER KANE: I'm John Kaneb. I'm from Boston and I'm in private business.

CHAIRMAN WALTON: Thank you.

We will now have welcoming remarks from Mr. Donald Rodriguez, who is area commander of the Los Angeles County Sheriff's Department.

And in that position he oversees the operation of four Los Angeles County correction facilities, including the Mira Loma Detention Center in Lancaster, California, which houses an average of 800 to 1,000 Immigration and Customs Enforcement detainees on any given day.

Mr. Rodriguez, thank you for your presence. Since you're only making an opening statement, we don't need to swear you, but we welcome you.

MR. DONALD RODRIGUEZ: Mr. Chairman, Members of the Commission, Don Rodriguez, Los Angeles County Sheriff's Department.

I have to apologize. I actually did prepare written testimony.

CHAIRMAN WALTON: Then we're happy to take your testimony.