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

MS. CHERYL LITTLE: Thank you.

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

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

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

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

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

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

While in Mexico, I was raped by a fellow inmate while incarcerated in a jail in the state of Guerrero. Tired of fighting intolerance and fear for my life, I left the country.
On December 12th, 2003, I was arrested by Santa Ana police and taken to the San Pedro Service Processing Center three days later. Because of my gender identity, I was placed in an administrative segregation cell with 10 to 12 other transgender women. The cell was overcrowded, and we were denied the basic rights that other non-transgender detainees exercised. We were locked up for 23 hours a day and spent much of the time shackled and humiliated. As I sat in the cell, I couldn't help but feel that we were being punished simply for being transgender.

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

On December 19th, 2003, a few days after being transferred to the San Pedro detention center, I was taken to see my lawyer. Because she was with another client at the time, I was placed in a locked holding cell. While I waited in the cell which was directly adjacent to the interview room, an immigration officer came -- came in with his pants
unzipped and told me that I was going to suck him off.

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

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

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

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

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

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

As I was telling her about the assault, I was becoming more fearful because I noticed that the officer who had assaulted me was looking at me
through the cell door window.

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

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

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

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

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

The assault happened around 2:00 p.m., and I was not taken to the hospital for the exam until early the next morning.
The memory of the taste in my mouth is extremely upsetting and I have flashbacks of it all the time. I recommend, therefore, that evidence be gathered as quickly as possible so that the victim can clean up and wash away such immediate and traumatizing reminders of the assault.

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

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

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

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

Although I wanted to move on with my life, the urge for justice was strong, and I decided to move ahead with the criminal case. Had I known that
this decision would later cause me tremendous
distress, however, I might have reconsidered.

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

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

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

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

I quit sleeping altogether and slipped
further and further into depression. Finally, when
I threatened to commit suicide, one of the other
transgender detainees in the cell pleaded with an
officer and convinced him that I desperately needed
Due to the negative attitude the officials at the facility had taken towards me, my biggest fear at this point was that my application for asylum would be denied and I would be deported back to Mexico.

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

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

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

In April 2004, the FBI had me released so that I could testify against the officer who assaulted me. However, I was never given a chance to testify, and in October 2004 an FBI agent came to
my home and informed me that the officer had pled
guilty and was given six months' jail time plus
three years of probation.

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

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

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

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

Making matters worse, this time I was not
placed in a cell with other transgender women.
Instead, I was classified as a Level 4 offender and
placed in a unit with the most violent convicts.
I was definitely not violent and had not
been arrested for a violent offense. So I took this
as another form of retaliation.

I still do not understand how the facility
could justify placing someone as feminine as me in the same unit as murderers and rapists.

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

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

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

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

By then I was devastated and humiliated. I was placed in protective custody, which at this facility basically meant solitary confinement. I spent my days in a small cell with no water, magazines, or programming. I was rarely taken to the yard for recreation, and my pleas for water and something to read or occupy my time with usually went ignored.
The officer who guarded the units would pretend not to hear me. This is cruel treatment that I don't think anyone should have to experience, especially not someone who has already been victimized repeatedly.

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

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

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

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

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

We're considerably behind time. So,