through my emotions and my marriage counseling to
stem the damage this ordeal has done to my
relationship with my husband. I know that I didn't
ask for any of this and I didn't deserve it and I
still don't understand how this could happen to me
or other women and how the Michigan authorities
could have stood by and let it go unpunished until
this day. Thank you.

THE CHAIRMAN: Thank you very much, Ms.
Brown.

To both of you, what type of reporting system
do you think should be in place within the prison
system that would make inmates feel comfortable
about coming forward and reporting their ordeals?

MS. BROWN: Personally, myself, I feel
that an outside liaison, confidential, regardless
of the claim. I think it should be investigated
privately. I don't think the officer should know
about it until facts are shown. And then once
facts are shown and it still be kept silent so that
retaliation don't be brought against the woman. I
feel that if they felt safe to talk to somebody on
the outside that it might help them out. More people might want to report, more witnesses might come forward, instead of me being scared because if I tell, retaliation is coming towards me. Because in a small setting like that, if somebody reports it, there's no confidential there, so people don't want to come forth.

MS. RAGSDALE: Well, one thing I felt was making my report was that I definitely would have felt more comfortable reporting to a woman and that it was always men. And I notice we both mentioned polygraphs, which neither one was given. I think that would be helpful. I know they have some concern about inmates making inaccurate claims. And I think that would help if they did do an immediate investigation, do a polygraph, whatever they have to do to try to weed out the accurate and inaccurate claims.

THE CHAIRMAN: Thank you. Questions?

COMMISSIONER SMITH: I guess, from my perspective, one of the things that's very common about both of your stories is that you had
knowledge about these incidents which occurred to
other people, but these other people did not come
forward. I guess the question is what do you think
were the barriers -- we talked about a little
bit -- the barriers to them coming forward and how
do you think we could decrease those barriers?

MS. BROWN: Ms. Smith, I didn't come
forth for a long time. I had been home on tether
and never came forth because I've always wanted to
come home. So, for it to stop like that, I think,
once again, if it comes to where it is a private
person going in and talking to them, not a prison
staff or not somebody that's located in the control
center next to the warden or anything like that, or
have a personal relationship with these people that
they work with everyday, if they have somebody,
whether it we a normal person like me or you going
in and talking to them without anybody knowing who
that person is or this is my father up here meeting
me because you're reporting this or that, if it's
just like a common every day person that they can
just meet on the outside, a church person going in
there and talking to them so they don't know what
it is. If I would have felt safe and I knew that
when I reported it, it wouldn't have came back on
me like I did, I would have felt more willing to
share, whether it be my story or other person's
story. Safety, that was my main thing, safety, I
want to go home.

COMMISSIONER FELLNER: I have two
questions on that. This is to Necole. You talked
about what the prosecutor did or didn't do. What
did the Department of Corrections do or not do in
response to that rather long and pervasive pattern
you described? And, second, at some point in the
investigation, the staff person who is being
accused has to be -- of course, that question is
going to come so that that confidentiality, that
protection from confidentiality, is going to be
lost. And so I wanted to know what steps you think
prison officials should take to protect people who
have come forward with complaints once it can no
longer be kept confidential from the person and
what should they be doing?
MS. BROWN: Personally, in my case, the prison officials didn't help me. The only thing they did was tell me my grievance was frivolous. They said it was unfounded, I lied. They said that, basically, I had no case, no grievance, nothing.

COMMISSIONER FELLNER: And did you -- I'm just shocked. Did you like give them the information you shared with us?

MS. BROWN: Yes.

COMMISSIONER FELLNER: You know what his genitalia looked like, you knew about -- at the very least he had crossed the boundaries of familiarity, you knew his phone number and his wife's schedule and they just didn't --

MS. BROWN: Yes. Other officers knew, other inmates knew. The investigator had been coming to me for years trying to get me to tell and I was like, no comment, I don't want to talk about it because I'm trying to go home. When I finally turned it in, they basically laughed. They didn't do nothing. They told me -- I was incarcerated. They told me to get my own phone records. They
didn't try to help with the investigation, none, in no type of way. I agreed to take a polygraph test. They said that I didn't want to. At no time did they come get me for my polygraph test or anything like that. So they didn't tell help me out in any ways, in anything that they did.

I'm not going to say I would rather have been quiet, but I think if I wouldn't have spoke up and suffered the little bit that I have suffered, I think that I would still be in prison due to the retaliation of this situation.

COMMISSIONER FELLNER: So, to your knowledge, nothing was never done administratively to the officer?

MS. BROWN: No. I think he had to work in the control center. They put him up in the control center.

COMMISSIONER FELLNER: And about the confidentiality and kind of protecting what's confidential --

MS. BROWN: Personally I felt I think that they kept it confidential to prove my facts
maybe after a lie detector test or something like
that, like she stated, or to get my evidence and to
prove my side of the evidence, then question him,
then I could understand. Because I'm sure he's not
going to go around screaming, oh, Necole is going
to do this. I mean he might be a person, he or she
might be that type of person that want to tell
people that, but if it comes to a point of that,
then transfer to a different prison and have it be
confidential in their file so that it's not known
when they go from prison to prison.

MS. RAGSDALE: Exactly what they can do,
I'm not sure. I know it's a very life threatening
situation at times. There was a recent case in
Tallahassee prison where officers were killed
trying to do an arrest. Some officers were in sort
of a case. And it's very scary. It's very
life-threatening. I felt like I was living there,
and also I was sleeping, you know, having them --
having our safety in their hands and it's just a
very serious issue for them.

I have seen officers who walked off the
compound, you know, as soon as they felt they had
enough proof. They would walk them right off the
compound that day and not let them back on the
compound.

I don't know what they can do for their
safety. What they do now is put the girls in
isolation and that keeps a lot of women from making
reports because they'd rather go through what
they're going through than go into the isolation.
The isolation in Danbury, especially, is really
horrifying. I guess it's just loud all the time,
24 hours a day. Tiers, they go up like several
layers of cells and it's just really, you know, to
be really bad. Nobody wants to go there for any
reason.

COMMISSIONER FELLNER: Double whammy. If
you don't report or do report, either way.

MS. RAGSDALE: Like I said, I had several
girls come to me and tell me of situations they
were going through, so many, and sometimes, you
know, crying and stuff and they just didn't know
what to do.
COMMISSIONER FELLNER: Thank you.

COMMISSIONER SMITH: One of the questions that I have is -- and tell me if you don't understand this, okay -- legally, it sounds like both of you are -- I know that you, Ms. Ragsdale, are involved in litigation, right?

MS. RAGSDALE: (Nodding head.)

COMMISSIONER SMITH: And, Ms. Brown, I'm not sure if you are as well or not.

MS. BROWN: I'm currently in a civil suit.

COMMISSIONER SMITH: Okay. Because of a piece of legislation called Prison Litigation Reform Act, in order to pursue a civil suit against Michigan, the state of Michigan, or against the federal prisons, you have to exhaust administrative clinics, right?

MS. BROWN: Yes.

MS. RAGSDALE: Yes.

COMMISSIONER SMITH: I guess my question would be did you exhaust administrative remedies prior to filing suit because the whole process
there is really about giving the agency -- of
course you want to give the agency an opportunity
to do what they can do before it goes out to a
federal court. And I guess I would be interested
in sort of the procedures that you followed to do
that and how that process worked or didn't.

MS. BROWN: I filed grievances and it
didn't work and I wrote letters, it didn't work.
Well, I contacted Deborah LaBelle and she kind of
like directed me to the things that I needed to do
and it was a period of years where we went through
whatever we needed to go through to get -- because
we got no results because it didn't happen in that
prison, it doesn't happen in that prison.

So I had to go through -- I followed the
proper chains and with the excellent lawyer and her
partners and stuff, they did really good by taking
me through the proper chains so everything was
filed where the prosecutorial system didn't help me
in my case. As of yet, it hasn't helped me. So if
it wasn't for her, I probably wouldn't have known
the right chain because I didn't know what I needed
to do. All I know is I needed to file a grievance
and they told me my grievances wasn't good enough,
my evidence wasn't good enough. So I exhausted
everything I could exhaust.

COMMISSIONER SMITH: Ms. Ragsdale?

MS. RAGSDALE: I also filed some
administrative remedies with the help of other
inmates that were more knowledgeable in the process
of that. One of the inmates involved in the
testimony had an attorney come it. She called us
all down and interviewed us and took on our case.
The administrators -- I have them at home. I don't
recall what the exact reasons were to repeat them
right now. I just know they all were denied.

THE CHAIRMAN: In reference to the
criminal process, Ms. Brown, did somebody from the
police department outside the prison system ever
talked to you.

MS. BROWN: Yes, and she told me to get
my own phone records to prove it, not that they
could subpoena them, but she told me to get my own
phone records.
THE CHAIRMAN: That was a police investigator?

MS. BROWN: Yes.

THE CHAIRMAN: Did you ever have any contact with any prosecutor?

MS. BROWN: No.

THE CHAIRMAN: So it was the police department that told you that your claims would not be substantiated?

MS. BROWN: Yes. Well, actually I didn't know the extent of them saying that they interviewed him and he said it was a waste of his time or whatever. All I know is I was going through my lawyer and if they had to have contact with me that they would go through my lawyer. At no time did the prosecutor contact me or anything.

THE CHAIRMAN: So you don't know if the prosecutor was ever made aware of your claim?

MS. BROWN: The prosecutor was. They denied the claim for his warrant. They declined to press charges on him, said there was not enough evidence. And at no evidence was no evidence
subpoenaed, at no time.

THE CHAIRMAN: So the investigator did
submit something to the prosecutor's office?

MS. BROWN: Yes.

THE CHAIRMAN: Okay.

COMMISSIONER KANE: Ms. Ragsdale, let
me, first of all, commend you on what is obviously
a highly developed conscious.

And if I followed your testimony correctly,
and I also read over it before this, the fact is
you were never abused in the prison system
yourself, you were really following cases where you
knew other women had been or were being abused.
And I just want to acknowledge on behalf of the
Commission our admiration for you, so thank you.

Both of you are telling us, obviously,
different stories, and we've heard a lot of other
accounts that are different in many ways, but they
all have one theme in common, and that is that the
reporting system in most institutions that we have
become aware of doesn't work well or doesn't work
at all for reasons that you've talked about. I
think we'd just like to tell you that your coming here today will help us get to what I hope will be a much improved reporting verification system that will take some of the problems, the fear, the retaliation, the indifference, that you've experienced out of many prison systems. It's not going to be easy, but you're helping, so thank you.

MS. RAGSDALE: Thank you.
MS. BROWN: Thank you.

COMMISSIONER STRUCKMAN-JOHNSON: I would just like to follow up on John's word. Thank you very much for coming in and a lot of courage. Well, it's just very hard to hear. I especially -- I don't know what part is the worse, but it sounds like in Necole's case that a whole group of officers were participating, that it was part of the -- I mean to have -- it's almost like a group effort to deliver you, which is absolutely appalling. And to hear that -- to be aware if something happening to so many other women and to carry that knowledge and to have nobody helping, the sense of helplessness just must have been
One question would be, do you think that having female COs is the answer or -- which is hard to do because in this country both male and female have the right to apply for jobs, so I don't know if this is a sort of possible solution that actually can be implemented, but do you think having a preponderance of female COs would be useful or what would your recommendation be for having female staff versus no male or a mix of male?

MS. BROWN: A woman can do the same thing a man can do. I don't think it should just be secluded to women. I think that they should be trained, extensive training. And if it does happen, a claim comes, I don't think that they should be put in the control center where they have access to the person's mail, they have access to the people's visitors or to the people going in and out on med runs. I think they should be, I'm not going to say suspended, I think they should be put
aside, put on hold until the claims can be founded. If they're unfounded, then they come back to work and they get reinstated and they get their money for the paydays off, but they shouldn't be suspended with pay. They shouldn't be in another area. They should be put aside until the investigation can be cleared, whether it be a man or a woman. They should be trained. And if it does happen, they should get fired. Not only should they get fired, they be punished because if it was our everyday person who wasn't working for the prison system, they would get more time than just probation. So you're telling me in certain cases, the gentleman, three people, and he only got four months, that's not fair in any type of way.

I'm not saying that I think he should get life in prison, but I think that it should be a stricter law because you're assigned to me to make sure that I'm safe, to make sure I'm there, to make sure I'm following the rules, the rules that the state guided for me, not the rules that he made or she made for me.
There's rules that you have to follow. To me, for you to take advantage of a situation of a person that has no control, not even to when they can go to the bathroom, that's the lowest form that is. That's worse than doing something to a child or an older person.

I'm not saying I'm innocent because I did commit a crime. But for a person to take advantage of that situation, standards need to be set and there needs to be guidelines for this.

MS. RAGSDALE: We also had an officer at Alderson who that was his punishment, to be put in the control room, and I had been told at over 12 inmates that he had been with. And he finally was removed from the prison after his time in the control room. I don't think he had been prosecutor. As far as when I left, he hadn't been. They were doing an investigation on him though.

What she said about the vulnerability is true. I did four and a half years and I did a lot of sitting back and watching. And because of my own sexual abuse, I did read a lot and I did read where
certain amount of women, you know, like eight out
of ten or so have been sexually abused before they
ever land in prison. And then when they get into
prison, it's so easy for them to fall right back
into that role with the correctional officers and
they would offer them stuff like chewing gum and
cookies or extra phone time or, you know, just the
simplest stuff.

I don't know if there's a way for it to be
just women officers, I don't know if there's a way
for that. There are several women in there. I
guess they just -- I don't know if they don't know
that it's going on, if they turn a blind eye to it
or what they do, but I was more comfortable with
the women. I guess that's all.

COMMISSIONER STRUCKMAN-JOHNSON: Thank
you.

MS. RAGSDALE: Thank you.

THE CHAIRMAN: Well, we are at the point
when we have to take a recess before the next
panel. On behalf of my fellow commissioners, as
already indicated, we do appreciate your
willingness to come forward and present your
testimony and it will play a significant role in
our deliberations and our ultimate decisions as to
what recommendations we should make, so thank you
very much.

MS. RAGSDALE: Thank you.

MS. BROWN: Thank you very much for
taking the time and patience to see us. Thank you.

THE CHAIRMAN: We'll recess until
ten o'clock.

(Brief recess.)

CORRECTIONS ADMINISTRATORS DESCRIBE CHALLENGES OF
INTERNAL REPORTING, INVESTIGATION, DISCIPLINARY
PROCEDURES AND PROSECUTION

MR. CHAIRMAN: We'll reconvene with the
next panel.

Good morning to all you. Our next panel will
address the issue from the corrections
administrators' perspective and they will be
addressing the calendars of internal reporting, the
challenges of internal investigation, disciplinary
procedures and also prosecution.

I will let each witness identify themselves.