

PERSONAL ACCOUNTS FROM SURVIVORS
OF PRISON SEXUAL ASSAULTS

Next we'll have Ms. Shirley.

MS. SHIRLEY: My name is Marilyn Shirley and I'm here to tell you about my experience with prisoner rape by a federal Bureau of Prisons guard. I will never forget that night in March of 2000. I was convicted of a drug charge and placed in Federal Medical Center at Carswell in Fort Worth, Texas from January 12, 1998, until September 10th, 2000.

While in prison I took all of the required Bureau of Prison courses from substance abuse prevention classes to classes that taught me job

skills. I never once had an incident report filed against me. In fact, I was rewarded with time credited for good behavior.

Upon my release, I walked away with \$250 check from the Bureau of Prisons in a permanently destroyed and emotional and mental state as a result of my rape. I was raped by a federal Bureau of Prisons guard who was convicted for raping me and sentenced by a federal judge to 12 and a half years in prison.

on that night in March 2000 I was awakened at approximately 3:30 a.m. by Prison Ward Michael Miller, a senior officer of the Bureau of Prisons. When Miller came into my room, he was on duty. He was in his uniform and he was wearing his badge. He had his handcuffs and was carrying his flashlight. He used his authority as a Bureau of Prison officer guard to order me from my room.

He told me in the presence of my roommates that I was wanted at the officer's station. I was scared to death that they had called me because something had happened to my husband, who has had

heart problems and diabetes, or to my twins. I could not have been more wrong. I should have feared for my own safety.

After entering the officer's station, Miller made a phone call stating that if the lieutenant heads toward the prison camp to give him the signal. After hanging up the phone, Miller started forcing himself on me, kissing me and groping my breast. He then pushed me into the store room where supplies were kept for the inmates.

He continued to assault me. The more that I begged and pleaded for him to stop, the more violent he became. He tried to force me to perform oral sex on him. He then threw me against the wall, repeatedly slamming my head against it and violently raped me from behind.

I will never forget the smell. I can still remember him whispering in my ears during the rape, Do you think you're the only one? Don't even think of telling because it's your word against mine and you will lose. Miller also said, Who do you think they'll believe, an inmate like you or a fine

upstanding officer like me? Don't even try to talk.

The camp where I was low security and completely separate and apart and across the street from the main prison. Miller was the only guard on duty at the camp where I was during the rape. He was responsible for the entire camp at the time he was raping me, and he could have been called to duty at any time.

The ordeal was finally over after Miller received the signal from someone clearing their throat, (clearing throat two times) is what came over the radio. I later learned that there were no security cameras in the officer's station. The signal was someone clearing their throat over the radio signalling that someone was coming.

I later learned there was no security cameras in the officer's station or in the supply room where I was raped.

After returning to my room, I took off my sweat pants and put them in plastic and hid them underneath my locker. Soon after I confided in the

officer of Bureau of Prisons, who was my welding boss, that Miller had raped me, I asked her not to tell anyone because I didn't want anything to interfere with my release date. I was afraid of what Miller would do to me if I reported it. I also told one of my roommates and I swore her to secrecy too.

I stayed silent for seven months, having no where to hide. I went to sleep every night not knowing if Miller was going to order me out at the officer's station again.

Following the rape, Miller harassed, intimidated and threatened me in many direct and indirect ways. I lived in fear until I was released from prison in September of 2000.

That day I brought the sweat pants to the Carswell camp administrator and told her about the rape. The FBI was immediately called in and I gave statements and answered questions. The semen stained sweat pants were taken into evidence by the FBI crime lab. I was then given a lie detector test, which I passed.

About three years after my release from prison camp, Miller was found guilty of rape and was sentenced by a federal judge to 12 and a half years in prison. I owe a lot to my attorney, who believed in me, and to my family who supported me.

Back in 1998, preparing to enter prison, was one of the hardest things that I ever had to do. But now that I am out, it has left a terrifying impact on my life caused by the rape. This is very hard to talk about, but I haven't been able to be intimate with my husband since my rape.

Sometimes I fear that my husband will all of a sudden want sexual intimacy. What will I do? But we love each other and have been married for 30 years and he's been very supportive. I also have paralyzing panic attack. Sometimes I can't even hold my grand baby because I'm afraid of having a panic attack and dropping her. I can't do some of the basic things I never had trouble doing before the rape like watching certain TV shows or going over high freeway overpasses. I also have awful nightmares and sometimes I wet the bed as a result.

My husband has to come and pull me out of the closet where I go to have these attacks to feel safe. At the request of my therapist, I wear a rubber band around my wrist so that I can snap myself back to reality during these panic attacks. I'm also on five different medications for these conditions. I sometimes fear that Miller is going to come after me even though he's in prison for 12 and a half years. I'm still afraid that he will somehow get out. I see his face everywhere. Every day I relive this rape. My life is a mess and I'm afraid this is never going to go away.

I have filed a civil suit against the federal Bureau of Prisons for being negligent, lack of training and lack of proper security. But the Federal Bureau of Prisons is saying despite the federal prosecution and conviction of Miller for raping me that he was not acting within the scope of his employment as an on duty prison guard when he raped me. He was the only prison guard on duty when I was raped.

Miller was on duty and in full uniform and he

was the only prison guard on duty at the prison during that shift. When a law enforcement officer breaks the law, the Government must be held accountable or there is no law. A simple apology from the Bureau of Prisons would have been nice. Rape should not have been a part of my punishment. Though I'm still struggling with emotional damage, I have suffered from this rape and it's important for me to speak out. With God's help, I get strength from knowing that if I refuse to remain silent, maybe others won't have to suffer the same way.

Thank you for listening and please let's work together to end this injustice.

THE CHAIRMAN: Thank you, Ms. Shirley. Again, I know it is not easy to relate what happened to you, but it is essential that we again put a public face or a human face on what occurred and we thank you very much for your testimony.

MS. SHIRLEY: Thank you very much.