

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

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

20                   Thank you.

21                   CHAIRMAN WALTON: Thank you very much.

22                   Ms. Luna.

23                   MS. LISA LUNA: Good afternoon. My  
24 name is Lisa Luna. I'm a training specialist with the  
25 Texas Association Against Sexual Assault. I'm also a

1 Licensed Social Worker, a Certified Criminal Justice  
2 Specialist, and a Certified TCLEOSE Instructor, which  
3 means I can give continuing education hours to law  
4 enforcement.

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

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

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

23 I also feel like it's important to  
24 stress that I am probably the only outsider that TDCJ  
25 has allowed within their community to work with them

1 on their Safe Prisons Program. I was a part of the  
2 development of the curriculum that they are using,  
3 their peer-to-peer curriculum on sexual assault. I  
4 also developed the Safe Prison -- the Prison Rape  
5 brochure, in Spanish and in English, that is given out  
6 to all the offenders as they are incoming into the  
7 system.

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

18 I also provide training to the -- all  
19 the parole officers as they go through in-service  
20 training on supervising sex offenders, so I get a  
21 little bit of both sides of that coin, on both sides  
22 of the bar, I suppose. But having been an employee of  
23 TDCJ, I can attest to the solid doors that this  
24 gentleman talked about. And -- but I would like to  
25 clarify something. First of all, reporting standards

1 are very, very low for male victims, in general. And  
2 most of them will not report at all because of the --  
3 I guess, the shame that they're going to receive. So  
4 I see the biggest problem is not necessarily TDCJ, but  
5 it's us in the community as well, because that's where  
6 the staff for TDCJ is coming from. So we need to not  
7 only educate the TDCJ staff, but we need to be  
8 educating the community and make them aware of it and  
9 make them concerned that this is an issue that  
10 directly affects everybody in the community.

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

1 in and out of other cells than they would after 6:00  
2 p.m.

3 CHAIRMAN WALTON: Thank you.

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

6 Would you take the oath.

7 (Witness sworn. )

8 CHAIRMAN WALTON: Thank you.

9 MS. LISA GRAYBILL: Thank you.

10 CHAIRMAN WALTON: But you're not late.  
11 We started early.

12 MS. LISA GRAYBILL: I feel better.  
13 Thank you.

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

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