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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

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1 COMMISSIONERS:

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3 HON. REGGIE B. WALTON, CHAIRMAN

4 COMMISSIONER JAMES E. AIKEN

5 COMMISSIONER JAMIE FELLNER, ESQ.

6 COMMISSIONER JOHN A. KANEB

7 COMMISSIONER DR. CINDY STRUCKMAN-JOHNSON

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1           CHAIRMAN WALTON: Good morning. I would  
2 like to welcome all of you to the sixth public  
3 hearing of the National Prison Rape Elimination  
4 Commission.

5           This Commission was created by the United  
6 States Congress by legislation that was signed by  
7 the President to examine the problem of prison rape.

8           The mission of our Commission is, as I  
9 said, to examine the problem of prison rape, to  
10 assess the nature of the problem, the prevalence of  
11 the problem, and also to recommend to the President,  
12 to the Congress, and to the Attorney General ways  
13 that can be implemented to impact this problem.

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

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

23           The purpose of these hearings are  
24 fact-finding to receive from the experts in the  
25 field their perspective on the problem so that we

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1 can factor that into our deliberations.

2 Today's hearing will focus on two issues:  
3 Sexual violence in immigration detention facilities  
4 and also labor involvement in the implementation of  
5 the Prison Rape Elimination Act.

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

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

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

22 I will have my fellow commissioners  
23 introduce themselves.

24 I am Reggie Walton. I serve as a judge,  
25 United States district judge in the District of

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1 Columbia. And I am chairman of the Commission.

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

9 We also have Mr. Gus Puryear, who is the  
10 executive vice president, general counsel, and  
11 secretary of the Corrections Corporation of America.

12 And we also have Commissioner Brenda Smith  
13 who could not be present because she had knee  
14 surgery recently, who is a professor of law at the  
15 American University, Washington College of Law.

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

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

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

25 COMMISSIONER STRUCKMAN-JOHNSON: Good

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1 morning. I'm Professor Cindy Struckman-Johnson from  
2 the University of South Dakota. And I have a  
3 background in conducting prison rape research.

4 COMMISSIONER KANEB: I'm John Kaneb. I'm  
5 from Boston and I'm in private business.

6 CHAIRMAN WALTON: Thank you.

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

10 And in that position he oversees the  
11 operation of four Los Angeles County correction  
12 facilities, including the Mira Loma Detention Center  
13 in Lancaster, California, which houses an average of  
14 800 to 1,000 Immigration and Customs Enforcement  
15 detainees on any given day.

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

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

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

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