

Senate Homeland Security & Governmental Affairs Committee

Permanent Subcommittee on Investigations

December 13, 2022 Hearing

Sexual Abuse of Female Prisoners

in the Custody of the Federal Bureau of Prisons

Written Testimony of Linda De La Rosa

Chairman Ossoff, Ranking Member Johnson, and members of the Subcommittee.

I am a victim and survivor of sexual abuse by a federal correctional officer. That predator is now serving a 135 month sentence in a federal prison. In 2019, he sexually attacked me and three other women inmates at the Federal Medical Center (FMC) in Lexington, Kentucky. It took three years to arrest, prosecute, convict and sentence him.

On the one hand, I am grateful for the efforts of those in the Department of Justice who helped me and who successfully put my attacker away. In particular, FBI Victim Specialist Cassie Young and Assistant U.S. Attorney Tashena Fannin.

However, the Bureau of Prisons (BOP) entirely failed. My attacker stayed at his job for *years* – even though BOP management and investigators knew he was a sexual predator. My life at FMC-Lexington was a living hell.

I believe my attacker had been investigated on numerous occasions for sex crimes against female inmates. FMC-Lexington management and investigators were well aware that female inmate-victims were reluctant to come forward because they rightly feared retaliation, which

took many forms, including: transfer to a different facility, disciplinary segregation, loss of early release rights, detrimental write-ups, loss of work privileges, and interference with vocational skills programs. I witnessed many examples of punishments handed out to other inmates that challenged or reported abuse by prison officials. The ongoing threat of retaliation stopped me and other inmates from filing complaints, let alone timely ones.

Incredibly, FMC-Lexington management granted my attacker unrestricted and unsupervised contact with me on work details -- which gave him one on one access to abuse or threaten to abuse me. Because of his position, my attacker could and did access my personal history files, recordings of my telephone calls and personal emails -- giving him additional leverage to extract sexual favors and threaten my safety.

After my attacker was convicted, I filed a federal lawsuit seeking damages. My complaint, a public record and pending, alleges that:

- At FMC-Lexington, I was transferred to a work position for vehicle maintenance in the garage area. My attacker was a direct supervisor and was granted one-on-one access in designated areas that were not equipped with security cameras.
- My attacker began an immediate campaign of harassment by making sexually suggestive comments and statements. He also began requesting that I accompany him for “special” projects that required that I get into a vehicle with my attacker. Once inside the vehicle, my attacker would routinely pull his penis out of his pants, display his penis and demand that I engage in sexual acts.
- My attacker would also routinely grab me on the outside of my clothes, smack and hit my butt, grope my breasts and rub his pelvis area against my legs and butt. On one occasion while I was replacing a toilet in the administrative bathroom, my attacker walked up behind me, pulled out his penis and placed his penis out on my shoulder demanding I “suck his dick.”
- Another time, I was working under a truck in the garage area replacing an exhaust pipe on one of the vans. I was holding the exhaust pipe with two hands laying on her back trying to reassemble the parts when my attacker appeared beside me under the van. Instead of helping with the exhaust pipe, my attacker forced his hands down my pants inserting his fingers into my vagina.

- As a result of the sexual assault and harassment, I have suffered and am suffering from extensive psychological trauma, depression, pain and suffering, physical trauma. I am seeking compensation from the United States and attacker for this abuse in an amount to be determined at trial.

The system failed at every level. Management from the warden on down – repeatedly – failed to monitor, supervise, discipline, and remove male correctional officers – predators – sexually abusing female inmates. Special Investigative Services (SIS) officers supposedly charged with investigating staff misconduct failed – repeatedly – to investigate known and suspected predators.

It is not enough just to call this horrible. I believe the problem is “the old boys club.” Prison staff – managers, investigators, correctional officers – work together for years, if not decades. No one wants to rock the boat, let alone listen to female inmates. There is no effective, independent oversight.

The mission of the BOP is “to protect society by confining offenders in the controlled environments of prisons ... that are *safe, humane* ... and *appropriately secure*.” (Emphasis added). The agency failed me and my fellow inmates. We were knowingly confined in a facility that was *unsafe, inhumane* and *insecure*. And nothing was done. That was wrong. It never should have happened.

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Senators, I make one request: stop this from happening, from repeating. Now. Nothing you are hearing today is new. You have the power and authority to force the system to change. Use it.

Thank you.