

Testimony of Troy Erik Isaac

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Subcommittee on Crime, Terrorism, and Homeland Security

Hearing on Keeping Youth Safe While in Custody: Sexual  
Assault in Adult and Juvenile Facilities

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Good afternoon, and thank you Mr. Chairman and members of the committee for holding this hearing and for inviting me to testify. I am 36 years old, and have spent most of the past 24 years in California corrections facilities.

I first went into a juvenile facility when I was 12 years old. I was sent to the reception center after an altercation I had with other kids in my neighborhood. I didn't know my sexual orientation, but I knew that I was different. Almost immediately, other boys began to harass me. After a couple of days, one boy forced me to have oral sex with him in the shower area. He said to me, 'Your name is gonna be Baby Romeo and I'm Big Romeo.' He claimed that he would protect me from others, but he didn't. Soon after that, I was raped by another older boy.

After both rapes, I didn't know who to go to. I was scared to tell anyone because I didn't know if I would get killed or beaten up. I didn't know if staff members would take me seriously. No one informed me that this was how the facility ran.

I realized I needed to figure out what to do to protect myself and keep myself safe. Guards knew what was happening and looked the other way; I was too afraid to fight back. So I started telling staff members that I was suicidal; I would cut my wrists -- anything to get out of that situation and get into isolation. I found myself in situations I could not handle. People would take advantage of me and I just didn't know how to get help.

Being attacked and not receiving support from the adults in charge turned my world upside down. It's a traumatizing experience for someone that is young. I take that with me wherever I go.

That trauma sent me into a cycle of imprisonment – I kept being sent to juvenile hall, and later to prisons, where I continued to be assaulted and abused. I have spent most of my life in prison – never for anything violent. When I was released two years ago, I committed to staying out of prison. I started a community service organization, Hands On Advocacy Group. I provide peer counseling and crisis support, and I talk with young people about my experience and what they can learn from it.

The recent government report shows that this abuse is still happening. In my experience, juvenile facilities don't try hard enough to prevent this, and they do not like to deal with it when it happens. There were no preventative measures in place when I was assaulted.

When I was first locked up, when I was first raped, I was a terrified 12 year old boy. I had never been violent, and I was different – I was skinny and effeminate. Everything about me made clear that I was a likely target, but the guards never considered my vulnerability in deciding where to house me. Never was I provided with the protection that I clearly needed.

Having been incarcerated – and sexually assaulted – in both youth and adult facilities, I have seen how things are similar and how they are different. Vulnerable inmates are vulnerable wherever they are, and those protections are needed everywhere. Young inmates, in particular, need extra attention.

Officials should be careful in their decisions about housing and program assignments. A slight, first time offender should not be placed with a larger, older inmate who is serving many years for violent crimes. Youth and other vulnerable inmates should not be punished with isolation.

Juvenile detention is supposed to help young people to improve themselves, offering them support so that they can return to society and not be re-incarcerated. Allowing youth behind bars to be raped completely contradicts this mission.

Juvenile detention authorities need to take special care in screening employees and educating youth about their right to be free of abuse.

Despite my experiences, I am hopeful. The standards developed by the National Prison Rape Elimination Commission would provide protections that can make things better. One of the things that would have made me safer is a vulnerability assessment, like what is included in both the juvenile standards and in the adult prison and jails standards.

The standards also mandate that officials encourage youth to report abuse, respond with investigations and discipline of perpetrators, and provide proper after-care care for youth who are assaulted; including age-appropriate mental health treatment.

I hope that Congress encourages the Attorney General to act quickly and enact the national standards drafted by the National Prison Rape Elimination Commission. The sooner that these basic measures are put into place, the sooner we can finally end the sexual abuse of youth in detention.

Thank you again for addressing this problem and for allowing me to share my story.