## Good afternoon,

My name is Scott Moffat and I am a police officer for the Allegheny County Police department in Pittsburgh Pennsylvania. I have been a police officer for 17 years. For eight of those 17 years, I was a detective assigned to the General Investigations unit, which included investigations of all sexual assault crimes. I drove six hours to be here today on behalf of my brother, Jonas Caballero. Jonas is many things. He is a brother, a son, a Fullbright scholar who obtained a Master of Philosophy in Middle Eastern Studies from the University of Cambridge in the UK. He has worked as a human rights activist in Israel and Palestine. He was once a man on his death bed. He became extremely sick four years ago and slipped into a coma. I received messages from around the globe in several different languages, all people saying my brother changed their life in one way or another and they were praying for his. And currently he is a prisoner at Greene Correctional Facility... serving a 3-year sentence for a first-time, nonviolent felony drug offense.

On March 6 2018 Jonas was sexually assaulted by a corrections officer while he was a detainee at the Brooklyn Detention Complex. Jonas reported the assault to a Captain. The captain called him a liar. Not knowing the proper procedure for reporting sexual assault in prison, he told a female officer who laughed, pointed to his crotch and said that the officer probably thought his genitals was contraband. He reported the assault to a second female officer. She told him that he shouldn't have minded the assault since he's gay and QUOTE" you people do that kind of stuff all the time".

He then contacted 311 and again reported the incident. An investigative team visited him that very day. They informed him that his allegations would be investigated and that he would receive word in a timely manner of the results.

He did not hear back.

Jonas began filing grievances.

He still has not heard back.

He had no choice but to file a prisoner right's lawsuit in Federal Court. And still, he has not heard back.

It should be noted that on the same date as my brother's incident, another incident occurred under very similar circumstances on another inmate committed by the same officer. Jonas was shocked to see that officer on his unit for several days even after reporting the incident. He decided to stay in his cell rather than participate in optional activities such as visiting the medical clinic or getting his hair cut to avoid further contact and/or retaliation.

It is now 413 days since the assault. According to the Prison Rape Elimination Act and Board of Correction guidelines, the case should have been closed at least 323 days ago. Although I find this unjust and contrary to New York City human rights laws and Congressional legislation, it is not entirely surprising after examining the outcome of the Board of Corrections audit of the Department of Corrections handling of PREA investigations. The PREA makes it clear that sexual assault in prison is a crime, whether committed by correctional staff or other inmates. It also ensures that prisoners who are victims of sexual assault will have a safe and fair mechanism to bring forth allegations of their sexual assault in their quest to heal and find resolve.

My brother has told me he feels sad, frustrated, angry, forgotten, marginalized, and worthless. And this from a man who has a voice and uses it. He feels as a prisoner that suffering through something like this just comes with the territory. That it should just be accepted and everyone move on like it didn't happen. Sexual assault is not supposed to be part of his punishment. Not for him, and not for any of the prisoners, including the ones who are afraid to speak up, who give up after filing the first report, who give up after hearing about Jonas's story because if he can't get a single response - what chance do they have?

Luckily, my brother Jonas has found allies through the Crime Victims Treatment Center, councilman Daniel Dromm's office, journalists from the Gothamist and the New York Daily News, and through his family. Throughout my law-enforcement career, I have seen first-hand the traumatic effects of sexual assault on victims and how they can last for years. One thing that can bring some type of closure in many cases, however, is the timely investigation of these criminal acts and prosecuting those individuals involved in committing them. Criminal acts that occur inside any type of detention or prison facility should be treated the same as those that occur outside of them.

It is abundantly clear that the current system is broken, providing no avenue to heal and no measures to resolve. Sexual assault in prison is a crime and recognized as torture under international law. In an era where the #MeToo movement is helping to embolden and empower victims of sexual assault, and at a time where even the New York City Council and the watchdog agency, The Board of Corrections, recognizes that the system has flatlined, it is extremely discouraging to stand here today and say my brother still hasn't received an update about the investigation into his sexual assault. My brother spent years of his life being a voice for the voiceless, fighting for basic human rights for those that couldn't fight for themselves... even today, from his jail cell, he knows i'm speaking out on his behalf and he hopes my words don't just help his case, but the countless other victims who are being ignored by the system, and those who are afraid to speak up.

Thank you for your time.