

# Woman accuses US contractors in Iraq of rape as Justice Department shuns hearing

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21 December 2007

A woman testified before a Congressional hearing on Wednesday, charging that she was drugged and brutally raped by co-workers at a contracting firm in Iraq two years ago. After the attack she says she was held by her employer, contractor KBR, under armed guard without access to food, water or a phone, to prevent her from reporting the attack.

Jamie Leigh Jones, now 23, is suing her former employer, Halliburton Co., and its former subsidiary KBR, for compensatory and punitive damages in federal court in Houston, Texas. She also says that other women have come forward with reports of sexual harassment and assault while employed in Iraq by KBR.

The Department of Justice refused to send a representative Wednesday to answer questions from the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, and to date no charges have been filed in the case. Justice officials claim that they decided not to testify so as not to compromise any ongoing investigation.

The lack of response by the Justice Department to Jones's charges is in keeping with the government's record of shielding private contractors in Iraq from investigation and prosecution, as in the massacre of civilians in Baghdad last September by private security guards from Blackwater USA.

Jones says that the gang rape took place in July 2005, on her fourth night in Iraq at Camp Hope in the US-controlled Green Zone in Baghdad. She says that she met up with co-workers, working as firefighters, and one of them gave her a drink she believed was laced with the date-rape drug Rohypnol. "I took two sips from the drink and don't remember anything after that," she told the committee.

She says she awoke the next morning groggy and

confused, naked, with lacerations and severely bruised. Blood was running down her leg and her breast implants were severely disfigured and her pectoral muscles torn. She said she is still undergoing reconstructive surgery for injuries sustained in the attack.

Jones said she reported the incident to KBR and was examined by an army doctor, who confirmed she had been repeatedly raped. She said the doctor took photographs, made notes and handed all of the evidence over to KBR personnel. The doctor's report has never been made available to the woman's attorneys. A State Department official told Jones in May that the photos and notes were missing.

Jones testified that after the exam, "The KBR security then took me to a trailer and then locked me in a room with two armed guards outside my door. I was imprisoned in the trailer for approximately a day. One of the guards finally had mercy and let me use a phone."

She contacted her father, who called his congressman, Ted Poe, (Republican, Texas) who contacted the State Department, who dispatched two US Embassy agents in Baghdad within 48 hours. She was subsequently flown out of the country. According to Jones's lawsuit, KBR officials gave her two options: stay in Iraq and "get over it," or return home without the "guarantee" of a job in return.

KBR claims that following her allegations of rape, Jones was placed in a secure facility, with a company representative offering her counseling, food and an opportunity to call her parents. Jones describes this as an "extremely inaccurate" account of events.

She says that the rape was the culmination of a pattern of mistreatment, which included being forced into a sexual relationship with a supervisor. The assault

“never would have occurred but for the ‘boys will be boys’ attitude that permeated the environment,” her lawsuit charges.

Jones at first attempted to pursue her case through KBR channels, and then through the Justice Department, but with no results. In a statement, KBR said it investigated Jones’s allegations but was “instructed to cease by government authorities because they were assuming sole responsibility for the criminal investigations.”

At Wednesday’s hearing, Poe stated, “The Department of Justice has not informed Jamie or me of the status of a criminal investigation against her rapist if any investigation exists. It is interesting to note that the Department of Justice has thousands of lawyers but not one from the barrage of lawyers is here to tell us what if anything they are doing.”

Poe added, “Their absence and silence speaks volumes about the hidden crimes in Iraq. Their attitude seems to be one of blissful indifference to American workers in Iraq.”

Jones told the hearing that it was not until after she had given an interview to the “20/20” program on ABC News that she was questioned by an assistant US attorney in Florida about her case. But Jones’s attorney had already been informed by the Department of Justice Crime Victims office that it had closed out her complaint, claiming it didn’t have jurisdiction.

Jamie Leigh Jones has set up a foundation to help women with similar experiences, and she said 10 have reported their stories so far. At the hearing, Poe said three women had contacted him saying they had been subjected to sexual harassment and assault while working for KBR.

One of them, Tracy Barker, was at Wednesday’s hearing and has submitted written testimony of her experience working for KBR. She writes that she was sexually assaulted by a co-worker while working in Basra, Iraq, in 2005, and that the assault was preceded by retaliation for reporting sexual harassment in 2004.

Another unidentified woman had reported that she was molested several times and raped by a KBR co-worker, Poe said. Her attacker was allowed to continue working alongside her. When she complained, the co-worker was escorted off the base by military officers, and she was subsequently fired.

Jones also submitted an affidavit to the committee

from a former KBR human resources supervisor, which substantiated her description of the atmosphere pervading the contracting firm. Letty Surman writes, “During my time as an HR supervisor, I was aware that a lot of sexual harassment went on—it was our major complaint ... I am aware that Halliburton has a policy of sweeping problems under the rug.”

In her contract with KBR, Jones, like other employees, was required to agree to a clause that prevents her from suing her employer. It is possible that she may be forced into arbitration, where there would be no discovery, no public record of proceedings and no meaningful appeal process.

KBR is the Pentagon’s largest private contractor in Iraq. It has come under scrutiny by auditors, lawmakers and the Justice Department for its billing claims in relation to services provided to troops in Iraq. No criminal charges, however, have ever been filed against the company.

Explaining the Justice Department’s refusal to appear before the congressional committee, spokesman Peter Carr said the department had given Congress “a detailed explanation of its authority to investigate and prosecute criminal misconduct involving US persons who are contract employees in Iraq.”

Jamie Leigh Jones asked, “What is to stop these companies from victimizing women in the future? The US government has to provide people with their day in court when they have been raped and assaulted by other American citizens. Otherwise we are not only deprived of our justice in the criminal courts but in the civil courts as well. The laws have left us nowhere to turn.”

The Justice Department may seek to avoid any action against KBR on the grounds that civilian contractors in Iraq are subject to neither US nor Iraqi law. The same legal black hole has allowed these contractors a free hand in their actions against the Iraqi population.



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