

## **Statement of Laurie Dishman – Sacramento California**

Hello, my name is Laurie Dishman. I would like to thank the Chairman and the members of this committee for convening this hearing and inviting me to Washington. It is quite an honor and a privilege to be here today.

Senator Rockefeller, I am a cruise ship rape victim. I have an experience to tell you about.

A cruise line employee raped me during a vacation on a Royal Caribbean cruise to Mexico. The crew member was working as a security guard in a disco on the ship. He approached me and asked me my name and cabin number. He later snuck down to my cabin and forced his way in. I resisted and struggled. He strangled me and raped me. I awoke with ligature marks around my neck. He impacted my tampon during the violent rape.

I did not know what to do.

I did not know who to turn to.

There were no police on the ship, I learned. I was hesitant to call and report the crime to the security department because a crew member wearing a security badge has just raped me.

No one explained any rape protocols to me. No one provided me with a statement of my rights. I was unaware if I even had any rights.

Just three days earlier, I was looking forward to this cruise. The glossy color brochures advertised an “adventure every day” and an “experience to remember.” I was celebrating my birthday, as well as thirty years of friendship with my best friend, Michelle. I’ve known Michelle since we were both five years old. I was so excited.

But in the evening, I found myself in the middle of a nightmare. Michelle called the purser’s desk to report the crime. A security officer and the head purser (both men) appeared at our cabin door. They sat on the bed where the rape occurred. I told them what happened, but they insisted that I prepare a written statement and sign it. They left without securing the cabin or taking me to the ship infirmary.

After I had finished my statement, the security officer took me and Michelle to the infirmary. A doctor (a man) handed me two large, black trash bags. He told us to return to the cabin and collect evidence. Michelle and I returned to the cabin. We tried to preserve hair and other items by carefully folding the sheets and pillow cases and placing them into the bags. We returned to the infirmary along the public hallways. We then watched the

nurses take everything out of the trash bags, unfold the sheets and put everything into other bags.

It was a painful and humiliating ordeal.

The ship doctor eventually performed a rape kit and examined my neck, but failed to administer anti-retroviral medications to me. The procedures seemed disorganized and unprofessional. None of the medical staff were U.S. citizens. The experience was degrading.

I was returned to my cabin after the ordeal in the ship infirmary. I was traumatized to be back at the scene of the crime. I could not take my eyes off of the mattress where the crime occurred, stripped of its sheets, covers and pillow cases. The mattress seemed naked and dirty to me. It looked like I felt. I could not stop thinking about what had just happened to me over-and-over again.

I did not know what would happen next.

I just wanted to close my eyes and go home.

I was eventually instructed to meet with officers in an office where the questioning continued. Like the Security Officer, Head Purser, and cruise ship doctor, the officers were all men.

I was eventually given three options: (1) get off the ship when it reached Mexico and report the crime to the Mexican police; (2) stay on the cruise ship and report the crime to the FBI when the ship returned to port in Los Angeles; or (3) fly back to L.A. and report the rape to the FBI.

I opted to fly back to Los Angeles as soon as I could get off of the ship.

Once in L.A, I was questioned extensively by the FBI. They photographed the bruising around my neck.

Two days later the FBI boarded the ship when it returned to port, together with the cruise line defense lawyers. The crew member denied even going into my cabin. He did not pass a polygraph. But the FBI said it was just a "she said / he said" situation and declined to arrest him. The Department of Justice declined to prosecute on the same day.

The cruise ship then set sail again, full of passengers and the rapist onboard.

Two days later, I learned, the crew member changed his story. He claimed he had a romantic, consensual encounter with me. It was only then that the cruise line confined him in a cabin and put a security guard at his door. It was only then that the cruise line terminated him and flew him home to Trinidad.

With nowhere to turn, I hired a maritime lawyer in Miami. Why Miami? Because even though I live in Sacramento, and the cruise left from L.A., and the crime occurred in international waters heading to Mexico, the cruise line passenger ticket says that all passengers have to file suit in Miami. I subsequently learned that there are virtually no passenger rights at all contained in the cruise line tickets – only limitations, exclusions, disclaimers, and other fine print which act as a protective shield for the benefit of the cruise industry.

My attorney found out many things that surprised and angered me.

The “security guard” was actually a janitor, who the cruise line called a “cleaning specialist.” He was paid less than \$550 a month. He was assigned to act in the “security” department because the cruise ship has a limited number of legitimate guards on its staff. He had no training or experience at all as a security guard.

Moreover, the Royal Caribbean records my attorney uncovered revealed an employee history which included lying, falsification of records, insubordination, anger management problems and sexual harassment of girls (who were passengers) during prior cruises. We also learned that on the night in question, witnesses observed him drinking beers given to him by the cruise line bartenders in the disco.

My attorney obtained reports from Royal Caribbean, pursuant to court orders, stating that the cruise line had studied the problem of sexual assaults on their ships as far back as 1999. The outside experts retained by the cruise line concluded that sexual misconduct occurred “frequently and the victims had no advocates to support them.” But the cruise line ignored what their own experts concluded, telling the public that such crimes are “rare.”

The cruise industry has grown tremendously in the last ten years. There will be more and more crimes as the industry grows. Twenty-one (21) million passengers are expected to cruise this year. Royal Caribbean now has the largest cruise ships in the world, with two of its ships (the Allure of the Seas and the Oasis of the Seas) carrying 6,500 passengers and over 2,000 crew members each. There is no doubt that women and children will continue to be victimized on these gigantic ships.

In 2007, I joined the International Cruise Victims. I am now a member of the ICV’s Board of Directors. I have testified in the past before the House of Representatives in support of the Cruise Vessel Security and Safety Act.

Notwithstanding our best efforts in the past, there remain serious shortcomings in the reporting of crimes and the protection of families whose choose to spend their vacations on cruise ships. Let me provide this committee with a few examples:

- There is substantial under-reporting of crimes on cruise ships. For example, in 2011, there were 563 alleged crimes reported by the cruise lines but only 105 publicly disclosed.
- Few cruise ship crimes are investigated and prosecuted. In 2012, the FBI opened only 18 cases and there were only 4 convictions.
- The cruise lines do not disclose when a crime involves a minor. Yes, there are sexual predators (both passengers and crew members) on cruise ships. Passengers deserve to know if children have been sexually abused in child daycare centers and in their cabins on prior cruises.
- The medical care on cruise ships is often substandard. Cruise lines try to isolate themselves when they maim or kill passengers through incompetent doctors and bad medical care. Most cruise lines claim that ship doctors are “independent contractors” for whom they are not liable. Few consumers understand this, until it is too late.
- The cruise ship passenger tickets, drafted by cruise line defense lawyers, are one-sided, unfair and entirely anti-consumer and pro-cruise line.
- As matters now stand, there is no one in the federal government empowered to help cruise consumers.

The cruise industry is strong and vibrant. Each year, there are millions more passengers who cruise. The ships are becoming bigger and bigger and carry more and more passengers. The cruise industry collects some 35 to 40 billion dollars a year in ticket sales and onboard purchases of excursions, casinos activities, spa and gift shop items, and alcohol. And as you know, the cruise lines pay virtually no taxes despite their great wealth and despite their use of our U.S. ports and our federal agencies. The cruise lines do not have to follow U.S. labor laws, minimum wages or overtime laws, or occupational health and safety laws. Tax loopholes protect the cruise lines from paying their fair share.

Cruise consumers, on the other hand, have virtually no rights or protections. I know this first-hand. I know exactly how it feels to have no rights and to be victimized by the cruise line a second time after their employee assaulted me.

Certainly our Congress can require such a powerful industry to:

- timely and accurately report crimes against cruise ship guests;
- provide a clear and accurate statement of our rights embodied in a ticket without incomprehensible legal mumbo-jumbo;
- hire competent medical providers; and
- provide protection under a consumer agency which will help us in our time of need.

Thank you.