

# *Houston Chronicle*

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## **Ex-KBR Workers' Suit Against Firms Alleges Sex Abuse**

*Women say they endured sexually charged environment while in Iraq*

By Robert Crowe

Four women who worked for Houston-based Halliburton Co.'s former subsidiary Kellogg Brown & Root have filed federal lawsuits against the companies, claiming they endured sexual harassment and, in two cases, rape while working in Iraq.

Attorneys say their clients encountered a sexually charged atmosphere where women were repeatedly demeaned and solicited for sex despite reporting harassment to supervisors.

The lawyers for women in the alleged rape cases, including a Conroe woman, say they are turning to the civil courts in part because they haven't been able to determine whether federal authorities are pursuing criminal prosecutions.

KBR would not comment specifically on the cases, but spokeswoman Heather Browne said all KBR employees are briefed on the company's code of business conduct, which "strictly prohibits sexual harassment by KBR employees," before being deployed to Iraq.

Halliburton spokeswoman Cathy Mann said her company "is improperly named" in the lawsuits. Halliburton and KBR split earlier this year.

Experts say they fear that untold numbers of crimes by civilian contractors have not been prosecuted because of confusion over which judicial system to apply to U.S. civilians working in a foreign war zone.

"You are using more and more contractors and yet you've created a legal netherworld where there's, at the least, a lack of accountability," said Peter W. Singer, a fellow with the Brookings Institution and author of the book *Corporate Warriors*. "At the same time you're paying contractors more than you pay soldiers, yet you're holding soldiers to higher standards."

### **Under Review**

United States Department of Justice spokesman Bryan Sierra said U.S. attorneys since 2003 have filed felony charges on two contractors and one former soldier accused of violent crimes

under the Military Extraterritorial Jurisdiction Act. Twenty-five defendants have been charged with procurement fraud related to military contracts.

The soldier was charged in the rape and murder of an Iraqi girl. One contractor was charged with possessing child pornography. The other was charged with assault with a deadly weapon.

“There have not been a very significant number of referrals,” Sierra said.

He said Justice Department policy prevents him from releasing any statistics that specify the number of pending criminal cases or referrals involving contractors.

“If any agencies are aware of any (crimes) we would like to know,” he said. “The department has set up a system to prosecute these types of crimes. There are difficulties, obviously, because of distant locations of crime scenes. But, to the extent the department can, we are committed to do so.”

The U.S. State Department’s Bureau of Diplomatic Security serves as the primary law enforcement agency for civilian contractors in Iraq, said bureau spokesman Kendall Smith. He confirmed that the bureau had begun an investigation into the rape allegations by the Conroe woman, but he could not discuss whether the suspect will be prosecuted.

“There has been an inquiry into the circumstances into this particular case and it is being reviewed at this point,” he said.

### **‘Hostile’ Environment**

The plaintiffs in the lawsuits say the culture among the male-dominated contractor population was hostile to women when they worked there in 2004 and 2005. In court papers filed in May, a Conroe woman said that she needed surgery to repair torn muscles and ruptured breast implants after she was drugged and raped by a drunken co-worker and other male firefighters in a coed dorm at Camp Hope in Baghdad in July 2005.

A rape kit taken shortly after she awoke revealed DNA from a man who was sleeping in her bed as well as other unknown attackers, according to the lawsuit filed by Houston attorney Todd Kelly.

“This attack never would have occurred but for the ‘boys will be boys’ attitude that permeated the environment that defendants first created, then failed to warn (the woman) about an environment that was excused, if not encouraged, and of which the defendants had ample prior notice,” states the lawsuit, filed on May 30 in U.S. District Court for the Eastern District of Texas in Beaumont.

Kelly is representing the Conroe woman, then 20, as well as a North Carolina woman who filed a lawsuit in May alleging that she was nearly raped in a separate 2005 incident.

## **Problems with Alcohol**

In another lawsuit filed in January in Florida, a woman alleges that she was raped by a drunken male KBR employee at an apartment in Ramadi, Iraq, in December 2005. And on Tuesday, an Oklahoma woman filed a lawsuit in Oklahoma, claiming she was fired in October 2005 for reporting sexual harassment.

The Chronicle is not naming the women because they say they are victims of sex crimes. Each woman is seeking unspecified damages.

Their lawyers say the problems were exacerbated because KBR permitted the consumption of alcohol in barracks.

And even when it banned alcohol later in 2005, the company did little to stop its employees from drinking in living quarters, said John Spiegel, a Miami attorney representing the Florida woman.

That lawsuit states that the woman was raped by a drunk co-worker who entered her room with a stolen key.

But KBR's Browne said the company does not permit alcohol in its living quarters and it "does fully investigate improper conduct including any allegations of sexual harassment."

The U.S. Equal Employment Opportunity Commission, however, found that KBR's investigation into the Conroe woman's allegation was "inadequate and did not effect an adequate remedy," according to a May 8 letter from R.J. Ruff Jr., the commission's Houston district director.

KBR told officials that the male accused in the rape said the woman "consented to have sex with him," according to Ruff's letter.

Lawyers for the alleged rape victims say KBR, Halliburton and federal authorities have refused to say whether their alleged attackers will face criminal charges or whether they are still in Iraq.

All of the women have stopped working for the company.

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