



## Facts About Jamie Leigh Jones Litigation

**Houston, Texas** - October 7, 2009 - There are significant discrepancies between Ms. Jamie Leigh Jones' claims against KBR and the facts pertaining to her allegations. Below are key facts associated with several issues that have been raised by Ms. Jones and covered in the media.

### **Alleged Sexual harassment in "all male" barracks**

In her EEOC charge of discrimination, Ms. Jones first claimed she was the only female housed in all-male barracks in Iraq; that she was subject to sexual harassment; and that her complaints to KBR went unheeded. After KBR produced evidence to the EEOC that there were approximately 25 other women in the same barracks as Ms. Jones, including several down the hall from her, Ms. Jones changed her allegations and said that she was placed in "predominantly" male barracks.

With respect to Ms. Jones' alleged complaints of sexual harassment, in its EEOC response, KBR produced a number of emails Ms. Jones sent to KBR employees in Iraq, asking if they knew anyone who could help her move up on the wait list and get into a private living container (rather than in a room in the barracks where she would have a roommate). She did not mention the need to move from the barracks because of a sexually hostile environment. To the contrary, in one of her emails, Ms. Jones reports that things in Iraq were better than she expected, and that she had met a lot of neat people.

### **Discrepancy in stories regarding the night of the alleged assault**

When Ms. Jones first reported the assault to KBR personnel, she claimed she was drugged and sexually assaulted by multiple KBR firefighters who knocked on her door in the barracks at approximately 10:30 p.m. However, in her December 2007 testimony to the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, Ms. Jones stated that she received a phone call on her cell phone and stepped outside the barracks to take the call. There she saw co-workers (both male and female) socializing outside the barracks and they invited her to join them.

Also in Congressional testimony (and in several media interviews), Ms. Jones stated she only took two sips from a drink. However, several witnesses present at the social gathering outside the barracks observed her having several drinks and flirting with one particular firefighter whom she had socialized with the night before. She was also seen leaving the gathering with this firefighter.

The firefighter admits that he and Ms. Jones had consensual sex. However, he is certain that nobody else was present or had sex with Ms. Jones that night.

### **Jones' report the day after the alleged assault**

Ms. Jones did not make any outcry until late morning. After waking up with the firefighter she had left the gathering with the night before, she walked with him to the bus stop, where she was picked up by another male co-worker and driven to work. She did not mention that anything was wrong on the way to work, but told her co-worker that the firefighter was going to break up with his girlfriend and date her. Neither this employee nor anyone else observed that Ms. Jones had any injuries.

Late that morning, she exchanged emails with the co-worker who gave her a ride to work and told him that something had happened the night before and she wanted to talk to him about it. Her co-worker told her he would meet her in a few minutes so they could talk. When they met, her co-worker asked her what happened. At first, Ms. Jones said she could not remember what happened, but that the firefighter was there when she woke up. She then posed the question, "What if other people had sex with me? What if I was gang raped?" Her co-worker told her if she was alleging rape she needed to see a medic immediately, and he escorted her to the KBR medic. She was then taken to the military hospital, where she underwent a medical examination.

## **Jones' rape examination**

Ms. Jones claims she was told by the physician who did a rape kit that the examination revealed the presence of semen from multiple individuals and that she had been raped. No physician could have come to that conclusion or made such a statement based on physical examination of Ms. Jones. The rape kit had to be sent to a laboratory. The female KBR medic who witnessed the rape examination does not recall the physician making such a statement.

## **The rape kit**

Ms. Jones claims KBR took possession of and destroyed the rape kit. KBR has a signed chain of custody receipt showing that the sealed rape kit was turned over to the State Department. KBR has no knowledge of the contents of the rape kit or what was done with it after it was given to the State Department.

## **Jones' claims of imprisonment and deprivation of food and water**

Ms. Jones claims that she was imprisoned in a container for three days without food and water and was not permitted to call her parents. The facts, however, are that following her visit to the military hospital, Jones was taken to a secure living container, or trailer, similar to that in which other KBR employees lived. There she was attended to by a female KBR employee, who made up her bed, brought her drinks, food, clothing and toiletries, and kept her company for several hours until the State Department took Ms. Jones into their custody and she was moved to State Department housing.

KBR did not refuse to let Jones call her parents. When the female employee assigned to assist Ms. Jones returned from retrieving her (Jones') clothing and toiletries from Ms. Jones' barracks room, Ms. Jones was on the phone with her mother, and in fact requested that this employee speak to her mother as well. The employee did so and assured Ms. Jones' mother that she was being cared for.

Ms. Jones claims there were armed guards stationed outside her room. This is also false. While KBR did place members of its security department outside her room and down the hall, these individuals were not armed

(KBR employees do not carry weapons). Furthermore, these individuals were placed for Ms. Jones' safety, since the alleged perpetrators had not been identified at the time.

## Jones "rescue"

Ms. Jones claims that she was rescued from Iraq by Congressman Poe and that Congressman Poe alerted the State Department about the rape. However, it was KBR's security department that reported Jones' allegations of assault to the State Department immediately after she reported it. State Department Special Agents Timothy Lunardi, Matt McCormack and Heidi McMitchell met with and interviewed Ms. Jones the evening of July 28, 2005. KBR worked with the State Department in arranging for Ms. Jones to be sent home from Iraq and provided a female KBR Employee Assistance Program counselor to escort Ms. Jones all the way to the United States. Congressman Poe had nothing to do with it. KBR was in constant contact with Ms. Jones' father and apprised him of her movement at every leg of her journey.

## Investigation of the alleged assault

Ms. Jones claims that no investigation was done of the alleged rapes. KBR had begun a preliminary investigation, but was specifically instructed by the State Department to cease immediately, and that the State Department was assuming responsibility for the investigation. The State Department did conduct an investigation in Iraq, interviewing numerous individuals, including Ms. Jones. The State Department investigation *did not substantiate* Ms. Jones' allegation that she was raped by anyone.

## Criminal prosecution

Ms. Jones has told the media that the Department of Justice declined to investigate her claims. To the contrary, in the wake of the Congressional hearing and media blitz regarding Ms. Jones' allegations, there was a federal grand jury investigation in Florida in February 2008. In addition to hearing from Ms. Jones, the Justice Department flew numbers of individuals from Iraq, including the firefighter who admitted having a consensual sex with Ms. Jones, other firefighters, female employees socializing with the group the night of the alleged assault, and those involved after her report of the assault to testify before the grand jury. KBR has been informed that the *grand jury chose not to issue indictments*.

Although Ms. Jones named the firefighter as a defendant in the civil suit against KBR, *she has not served him or any of the other alleged assailants*.

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