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Franken, Grassley, Feinstein, Hatch Introduce Justice for Survivors of Sexual Assault Act

Justice for Survivors of Sexual Assault Act Will Reduce Rape Kit Backlog

WASHINGTON, DC [11/05/09] –Today, U.S. Senators Al Franken (D-Minn.), Chuck Grassley (R-Iowa), Dianne Feinstein (D-Ca.), and Orrin Hatch (R-Utah) introduced the Justice for Survivors of Sexual Assault Act of 2009. The House companion bill will be introduced by Rep. Carolyn Maloney (D-N.Y.).

The legislation will work to reduce the national backlog of over 180,000 untested rape kits currently in police storage. It will also address several other problems that work to deny justice to victims of sexual assault – including the denial of free rape kits to survivors of sexual assault and the shortage of trained health professionals capable of administering rape kit exams.

“These backlogs have serious consequences for law enforcement and public safety,” said Sen. Franken. “We just learned of a case where a rapist struck both a pregnant woman and a minor while the rape kit for one of his earlier victims sat unprocessed at a crime lab. It takes about a week to process a DNA evidence sample and there is no reason that every rape kit completed should not be tested in a timely manner.”

“It's unacceptable that rape kits sit around for months or even years while the perpetrators are still out on the streets potentially harming others. Victims deserve justice in a timely manner and our bill works to ensure that this back log is a thing of the past,” Sen. Grassley said.

“The denial of a rape kit to a woman in any jurisdiction and for any reason is unacceptable,” Sen. Feinstein said.

“I am proud to sponsor this critical legislation that will strengthen the Debbie Smith Act and provide grant incentives to law enforcement to clear their backlog of forensic samples,” said Sen. Hatch. “The inventory of DNA samples waiting processing in our nation is nearly 200,000. This is simply unacceptable to victims of sexual assaults who deserve quick resolution of their cases. This bill will also provide much-needed assistance to rural and tribal communities in collecting and processing evidence from sexual assaults.”

The Justice for Survivors of Sexual Assault Act of 2009:

- Requires jurisdictions applying for federal funds to implement plans to halve rape kit backlogs in a two-year period.
- Creates monetary incentives for jurisdictions to reduce their rape kit backlogs, promptly process incoming rape kits, and report their backlog numbers.
- Creates an annual reporting mechanism for rape kit backlogs across the nation.
- Requires states to be responsible for the full, upfront cost of rape kit examinations. Victims should not have to pay for rape kits and seek reimbursement.
- Requires that health professionals notify victims that they have a right to a rape kit examination free of charge.
- Creates an additional funding stream for training of sexual assault forensic medical personnel examiners through the Grants to Encourage Arrest Program.
- Defines “trained examiner” in a way that will allow rural and tribal areas to use grant funds authorized under the Violence Against Women Act (VAWA) to pay for admissible rape kits, even if they don’t have certified Sexual Assault Nurse Examiners to perform them.

National supporters of this legislation include the National Alliance to End Sexual Violence, RAINN (Rape, Abuse, and Incest National Network), SOAR (Speaking Out About Rape), Human Rights Watch, National Network to End Domestic Violence, Family Violence Prevention Fund, Stop Family Violence, National Women's Law Center, National Health Law Program, Feminist Majority, NOW, National Partnership for Women and Families, National Research Center for Women and Families, National Council of Women’s Organizations (NCWO), Women’s Research & Education Institute (WREI), Wider Opportunities for Women, and the Equal Justice Society.

Minnesota groups supporting the legislation include the Minnesota Coalition Against Sexual Assault, the Minnesota Indian Women’s Sexual Assault Coalition, the Minnesota Nurses Association, the Minnesota Coalition for Battered Women, the Minnesota Indian Women's Resource Center, Advocates for Human Rights, the Domestic Abuse Project, Alexandra House, Breaking Free, Minnesota National Organization for Women, and the Mid-Minnesota Legal Assistance/Legal Services Advocacy Project.

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