

**Statement of Senator Patrick Leahy (D-Vt.),  
Ranking Member, Senate Judiciary Committee,  
Hearing on “Taking Sexual Assault Seriously: The Rape Kit Backlog and Human Rights”  
May 20, 2015**

We are here today to address our nation’s response to the devastating crime of rape. I appreciate that this hearing will not only focus on the unacceptable and ongoing backlog of untested rape kits, but also on the human right to be free from this violence. The crimes of rape and sexual assault are so reprehensible because they strike at the core of victims’ personal autonomy and control over their bodies.

For too long, survivors of sexual assault, the vast majority of them women, have been ignored or disbelieved. They have been told they must have done something wrong - they walked down the wrong street, sent mixed signals, or just feel regret. This attitude is offensive and unacceptable – at its base it suggests a lingering belief that women do not fully own their own bodies or decide their own actions. When we let these rape kits languish for years on lab shelves, when we treat crimes of rape with less urgency, it reinforces the terrible message that these are second class crimes. Each of these kits represents a devastated, traumatized survivor, and we owe it to them to find their offenders and to hold them accountable.

Debbie Smith, who I am proud to count as a dear friend, waited seven years after being attacked before her rape kit was tested and the perpetrator was caught. *Seven years.* I have worked with Debbie and her husband Rob for more than a decade to ensure others will not experience the same ordeal.

Debbie is a model of courage and the most tenacious and effective advocate I know. When we first worked to get the Debbie Smith Act passed as part of the Justice for All Act in 2004, Debbie spent hours going from office to office with another friend of ours Kirk Bloodsworth – the first person to be exonerated from death row by DNA. It was their personal appeal – their ability to remind us all that real lives are in the balance – that got that legislation passed into law.

Now, Debbie, I know you thought your job would be over long ago, but I am so grateful for your ongoing and tireless efforts.

The Debbie Smith Act makes a difference - rape survivors across the country have found justice because of it. In September of last year, I went to the Senate Floor and asked unanimous consent to reauthorize this important legislation. I was proud when President Obama signed it into law just a few days later. And now I look forward to working with Senator Cornyn to reauthorize the other important programs in the Justice for All Act.

We must change the national response to sexual assault and that is why when we drafted the Leahy-Crapo Violence Against Women Reauthorization Act of 2013, we put our money where our mouth is and dramatically increased specific, dedicated funding to sexual assault response, including greater attention to collecting and processing rape kits.

Solving this problem won't be easy. My home state of Vermont has committed professionals at the Vermont Forensics Laboratory and the Vermont Network Against Domestic and Sexual Violence who work to ensure these kits are tested promptly and backlogs are minimized. But challenges remain. Although the goal in Vermont is to have every kit tested by the lab within 48 hours, sometimes kits remain in storage longer, and the cause of delay is not always clear. Sometimes the kits remain at the hospital, sometimes the police station, and sometimes the lab. States all over this country are wrestling with these same issues - they want to do better - and it is our job to help them improve.

Survivors are asking us to do more. They are asking us to believe them and to take these cases seriously. We owe them that.

I thank Senator Cornyn for convening this hearing, and I look forward to hearing the testimony of our witnesses.

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