

Testimony Julie Weil
Rape Survivor

United States Senate Committee on the Judiciary
Subcommittee on Crime and Drugs

“Rape in the United States: The Chronic Failure to Report and Investigate Rape Cases”

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Good afternoon Chairman Specter, Ranking Member Graham, and distinguished members of the Subcommittee on Crime and Drugs. Thank you for the invitation to participate in today's hearing. I am truly humbled to be able to share my experience with you and I hope that by hearing my story, you are empowered to help rape victims everywhere get the support they need to heal and to fight the injustice of sexual assault.

Improving the reporting and investigation of rape will happen only when we are committed to providing victims with comprehensive support services -- from that first 911 call all the way through to sentencing. My story demonstrates this: the support services I received sustained me through the longest, most grueling years of my life, a time when giving up sometimes seemed like the best thing to do.

My name is Julie Weil. I was raised in Miami, Florida. I graduated from the University of Virginia and then spent a brief time here in Washington, DC working for the Department of Justice. I returned to Miami in the mid-1990s for graduate school. I got married, and my husband and I chose to settle down in the same community where I had grown up in South Miami. We started a family, and I decided to take some time off to raise my infant son Peter and my three-year-old daughter Emily.

My story begins on a beautiful, hot October morning in 2002. My son and I went to pick up my daughter at noon from the church preschool around the corner from our house. I had attended this same church my entire life and thought nothing of parking in the area back by the playground and running in to get her. After going to the church bookstore and chatting with friends, we slowly made our way back to the parking lot. When we got to our minivan, my daughter jumped inside while I buckled my son into his car seat. I then walked around to other side of the van to make sure Emily's car seat was secure. As I was doing this, I was suddenly ambushed from behind and hit over the head.

My daughter screamed for her life and fought to escape the van, ultimately being thrown to the back of the vehicle. My assailant stripped the car keys from my hand and held a knife to my neck. He told me that if I did not want to see my children die, I should stop screaming and get into the van. He closed the door behind me, locked us in and turned the radio all the way up to drown out the sounds of my children's cries. As he pulled out of the church parking lot he asked me, “do you believe in God?” When I answered “yes”,

he said “good, then you will forgive me for what I am about to do to you and your children”.

The first request our abductor made was for my driver's license. He informed us that he now knew where we lived and would kill us if we ever told anyone about what was going to happen. He then drove my children and me far away to an area that bordered the Everglades, parking our van on a canal bank surrounded by tall sawgrass. We were in the middle of nowhere. The hours that followed were the most terrifying of my life. The assailant beat me, held a knife on my children and me, and raped me four times. Each time I was violently raped, he forced both of my children to watch every moment of his crime. My daughter was forced to sit just inches from me as I screamed in pain during the brutal sexual assault. When he was done with me, he drove me to two ATMs and asked me to withdraw money. He then returned our van to the church and parked it behind some shrubbery. He told me to wipe down the surfaces of the car with my underwear to erase any fingerprints. Then he laid me naked on the floor of the van and stuck the knife at the base of my neck one last time. He made my daughter beg for my life. The fear in Emily's tiny voice as she pleaded for him not to kill me still haunts me today. Then, he suddenly opened the van door and walked away - finished with his afternoon of rape and torture.

I immediately drove to my parents' house and limped inside. Half naked and bleeding, I sobbed while my parents begged me to call 911. At first, I couldn't make the call. I was too afraid of what he might do to my family if I reported the crime. However, I soon called the police. They arrived within two minutes, although it seemed like an eternity. I collapsed out of relief when I saw the blue uniform and police badge--a feeling of safety at last. The responding officer and the SVU detective who arrived at the house that night set the tone for how I would view my experiences with law enforcement. Although strangers to me, I felt instantly drawn to them because of their compassion and professionalism. The care that they provided me with fostered a sense of trust in my darkest and most vulnerable hours. Without that beginning, my story might have ended quite differently.

Eventually, they took me to the Roxcy Bolton Rape Treatment Center at Jackson Memorial Hospital in Miami. I was not permitted to have anyone from my family accompany me, which was very scary in light of the trauma I had just suffered. Thankfully, the police and the nurses at the rape treatment center were gentle and treated me with a great deal of respect and sensitivity. They were all veterans in dealing with the unique needs of rape victims. The rape exam was horrible and very painful. Being poked, prodded and photographed gave me flashbacks of the original assault. It was almost too much to take, but the excellent forensic nurse stuck by my side and helped me through the pain. She encouraged me to push through the fear and made me feel safe and cared for. I was offered STD testing and counseling, along with information about follow-up care and local advocacy services. After more police questioning, I finally returned to my parents' house some time after midnight.

The next few months were torture on my family for many reasons. First, the police

recovered no fingerprints from my van and the rape treatment center found no DNA on my body. This was extremely disheartening. Fortunately, a few days after the rape I received a call from the police who informed me that tests revealed a tiny speck of DNA on my clothing. The DNA matched with a sample left at another rape. Unfortunately, the rapist's information was not in the system. In a city of millions of people, my attacker could be anyone. I was terrified.

Fortunately for me, while I remained secluded in my home battling PTSD and caring for my children, the community I lived in and the Metro-Dade police force put everything they had into looking for this man. My relationship with the detectives in my case served as a source of strength for me in the agonizing months after my rape. Because they communicated with me and checked in on me regularly, I felt like they were personally invested in securing justice for my family. This gave me the strength I needed to hold on – and to continue forward with the process

By a stroke of luck and good police work, my rapist was finally identified months later in January 2003. Police were called to investigate a domestic dispute at a hotel where a man was beating up his pregnant girlfriend. Although she dropped the charges, police fingerprinted him and swabbed the man for DNA. It had become customary to perform voluntary swabbing on any man matching the general description of my rapist. Three weeks later, the DNA tests came back as a match to my rape and another prior assault. I finally had a face and a name to put with my attacker--Michael Thomas Seibert. One of the happiest and most freeing days of my life was the morning I received the call that he had finally been apprehended. It was finally over, I thought to myself. I did not know that the real endurance test was just beginning.

At this point, the State Attorney's Office in Miami-Dade took over the case. I was thrown headfirst into the complex criminal justice system, something totally foreign to me. The first eighteen months after my rapist's capture were filled with a great deal of confusion and disappointment. I learned that despite confessions and DNA, rape cases like mine move at a snail's pace. I went through two State prosecutors and suffered multiple delays due to events outside my control. I began to feel hopeless.

Finally, my case ended up on the desk of Assistant State Attorney Laura Adams. Laura and her team were amazing in every regard. They saved my life when I felt I couldn't go on another day. They promptly returned my phone calls, communicated with me about every motion and eased my anxiety during what seemed like endless continuances from the court. They empathized with my concerns and helped me to see the bigger picture, which translated into justice for my precious family. Amazingly, the case seemed as important to them as it was to me. They assisted me in finding the appropriate services to help my daughter cope emotionally and were especially sensitive to her needs through out the years -- yes, years -- it took to get the case to trial.

My positive experience with the system is illustrated by what happened at the end of my story when a plea deal was put on the table. The State Attorney's Office had definitively

linked Michael Seibert to two other rapes besides mine, one through DNA and one by confession. The plea offer was thirty years total for all three cases. In order to avoid being dragged through the system again and having old wounds re-opened, the other two victims agreed to the light sentence. Significantly, in the wake of their attacks, they had not had the supportive experience that I did. They had done much of their healing alone and did not want to travel that difficult road again.

Miami-Dade County had, by this time, assembled a very effective network of services to support rape victims throughout their trial experience. In my opinion, thirty years was not enough time for my rapist to serve for all of the damage he had done to my life and, more importantly, to my children. I rejected the plea offer and we went to trial on my case alone.

In October 2006 my trial began. It had taken more than four years of work to get to this point but the end was finally in sight. Because of the trust I had built up in the officers, nurses and attorneys that had worked tirelessly on my case over the years, I was confident in their ability to secure justice for my family. Facing my rapist in court was extraordinarily difficult, not just for me but for my family. The compassionate care of wonderful counselors from the State Attorney's office was invaluable to my mother as she prepared to testify. It is something I will always be grateful for. Finally, after many days, it was my turn to take the stand. For nearly two hours, just feet away from my rapist, I relived the horrendous acts of October 16th, 2002 in graphic detail. I endured degrading questioning from his defense attorney and felt like I was being violated all over again as I recited all of the despicable details to a room full of strangers. Later that night, the jury deliberated for two and a half hours before returning to the courtroom with a verdict. I held my breath as they read their decision: guilty on three counts of armed kidnapping, guilty on 4 counts of rape in the first degree with a deadly weapon and guilty on one count of robbery. Cheers erupted in the courtroom as I hugged my family and the support team of officers and advocates who had been there for me through it all.

Sentencing came five weeks later on December 15th, 2006. My parents, my husband and I were all given the chance to make victim impact statements. I told the judge how Michael Seibert broke my dreams and destroyed the life I wanted for my family. I told of how his actions forced us to leave the city, home, friends and family we loved because we no longer felt safe. Michael Seibert took away our notion of security, left us with emotional scars bigger than could ever be imagined and had made us his prisoners for life. I asked the court to take away his freedom forever in return. The judge sentenced Michael Seibert to an astounding seven consecutive life sentences plus fifteen years for the events that occurred against my family. Justice was indeed served. It is gratifying to know that he received an individual life sentence for what he did to each of my children and it is, as a victim, important to me that the judge saw fit to give him a life sentence for each separate time he raped me.

In the immediate aftermath of the trial I realized that closure is not a myth. There is immense power in seeing a case through to the end for a victim. Being able to take the

stand and to name a rapist publicly for what he is enables victims to regain the feeling of control that rape steals. Seeing my rapist led away from the courtroom in handcuffs was more gratifying than I ever thought it would be. While nothing can bring back the life we had before or replace what he stole from us that day, I know that I did everything I could to make sure he will never hurt anyone ever again. The justice system can work when victims are provided with the support we need in order to get justice for ourselves and to make our communities safer. Without that support, my rapist may still be free and victimizing other women and their families.

It is so important that we continue to improve the system for rape victims. Organizations like RAINN, the Rape, Abuse & Incest National Network, provide victims and their families valuable information on their website and much needed emotional support through their National Sexual Assault Hotlines.

Seven years ago I was lying on the floor of my van, in the presence of my children naked and bleeding. I never would have imagined having the strength to come here to Washington and speak to you as a survivor activist -- but it is too important for me not to. I suppose that is why I have made it my personal mission to attend law enforcement trainings and State Attorney meetings to share my story. We cannot underestimate the power that a positive experience with law enforcement and the legal system can have on a life -- and on public safety. Rape thrives on secrecy and shame. The details are often too painful and intimate to share with anyone. The crime of rape has an intense power to affect individuals in devastating ways that may not show up on the surface but last a lifetime.

In conclusion, I believe that to increase the reporting and investigating of rape cases -- and therefore get more rapists off our streets -- we must start with caring for the victims. The safest and healthiest communities acknowledge the severity of rape as a crime and begin by respecting all victims, providing specialized training to law enforcement and healthcare professionals, and not downplaying the prevalence or the severity of rape.

Recovery from sexual assault is an intensely personal journey but one that requires the company of professional and compassionate advocates who understand its complexity.

In order to put rapists behind bars, victims' well-being must be a priority throughout the criminal justice process. Specialized training to law enforcement and healthcare professionals is crucial to supporting victims and therefore to increasing chronically low reporting and prosecution rates. With the proper support in place, victims will feel more confident reporting the crime. They will have the knowledge that someone will stand with them to help them heal and seek justice. For me, Miami's coordinated response team's expert training, coupled with their compassion and dedication, helped me not to give up on the notion of justice or on my own recovery. Because of them, I reached the finish line and I am filled with hope for a bright future.

Every victim of rape has suffered a horrible trauma. It should be our priority as citizens to make sure each victim is given the opportunity to heal and to seek justice.

Thank you for your time and for inviting me to speak on this important issue.