



32 West 22nd Street, 4th Floor
New York, New York 10010
(212) 475-2026
joyfulheartfoundation.org

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February 27, 2018

To: Senator Timothy D. Larson, Co-Chair
Senator Anthony Guglielmo, Co-Chair
Representative Joe Verrengia, Co-Chair
Members of the Public Safety and Security Committee

From: Lisa Winjum
Vice President of External Affairs
Joyful Heart Foundation

Re: Testimony in Support, Senate Bill 17, An Act Promoting Fairness in Access to Information, Support and Justice for Sexual Assault Victims

Good afternoon, Senator Larson, Senator Guglielmo, Representative Verrengia, and members of the Public Safety and Security Committee.

I am honored to be testifying today on behalf of the Joyful Heart Foundation, whose mission is to transform society's response to sexual assault, domestic violence, and child abuse, support survivors' healing, and end this violence forever. **We strongly support Senate Bill 17, which will strengthen rights for survivors of sexual assault and requires the development of guidelines for tracking sexual assault kits across Connecticut.**

Every 98 seconds someone is sexually assaulted in the United States. Following a sexual assault, a victim may choose to undergo a medical forensic examination to collect evidence left behind in the assault. A doctor or nurse will conduct the four-to-six hour examination and will preserve this evidence in what is commonly called a rape kit. Survivors who take the step of undergoing this exhaustive and invasive forensic exam expect that their cases will be taken seriously and the kit will be tested. The public expects the same. The DNA evidence in these kits is a powerful law enforcement tool. Too often, however, these rape kits languish for years—even decades—in storage facilities.

Testing rape kits sends the message we take sexual assault seriously—that survivors and their cases matter. That is why in 2010, Joyful Heart made eliminating the backlog of hundreds of thousands of untested rape kits across the United States our top advocacy priority.

Joyful Heart's staff, consultants, and partners have decades of expertise at forefront of rape kit reform efforts. We have been instrumental in passing rape kit reform legislation in Arizona, Florida, Georgia, Hawai'i, Kentucky, Nevada, New Mexico, New York, Texas, and Utah, and have collaborated with local and state agencies to provide support during the implementation process. This year we are supporting rape kit reform legislation in 19 states.

Connecticut was an early leader in the work to end the backlog and reform policies for handling rape kits. Joyful Heart has had the honor and privilege of working with the Connecticut Alliance to End Sexual Violence on this problem since 2012. We worked closely with the Alliance and the Connecticut Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations (“Commission”) to ensure the survey of law enforcement agencies, released in 2015, reflected national best practices. That survey uncovered a backlog of 1,188 untested rape kits in the custody of law enforcement agencies in the state.

Since then, Connecticut has made strides toward comprehensive rape kit reform. A 2015 law requires that newly collected rape kits be submitted to a laboratory within 10 days of collection and tested within 60 days of receipt. In December 2017, Governor Malloy announced that 75% of backlogged kits identified by the Commission have been tested. The state has also contracted with UPS to develop a barcode tracking system for all newly collected rape kits. **S.B. 17 is an important next step in rape kit reform in Connecticut.**

S.B. 17 will strengthen the rights of survivors of sexual assault by requiring the Commission to develop standard policies and procedures to ensure victims can access information about their kits. These procedures must allow victims to know the testing date and findings, and must be in place by October 1, 2018. **Joyful Heart Foundation strongly supports the access to information provision in S.B. 17.**

Access to information about the status and location of their rape kits can help counter the loss of self-determination and control that is often at the core of a sexual assault experience. Most survivors, after leaving the hospital, are never contacted about the status of their rape kit. In 2016, Joyful Heart released *Navigating Notification*, the result of a 3-year research project studying best practices for victim notification and re-engagement. In partnership with researcher Dr. Courtney Ahrens of California State University at Long Beach, we brought together the voices of more than 90 survivors, criminal justice, medical, academic, and advocacy professionals to establish survivor-centered, trauma-informed policies and protocols for victim notification.

One of the key findings of our research was that, for survivors who want to know about their case, not having access to such information can severely hamper recovery. Survivors in our study strongly asserted that information about their case “belongs” to them and limiting access to information is “unacceptable and misguided.” As one advocate asserted, “everyone should have access to information about their life.”

S.B. 17 also directs the Commission to develop guidelines for the use of the established tracking system by healthcare facilities and law enforcement agencies, including guidelines for employee training in system use. Once the tracking system is fully in use, stakeholders in the rape kit handling process will know the location and status of all newly collected rape kits, bringing increased transparency and accountability to rape kit handling across the state.

Connecticut has made meaningful progress in rape kit reform. Joyful Heart applauds the significant milestones the Governor’s Working Group and the Commission have achieved in improving the handling of sexual assault evidence kits and these cases, including:

- Implementing a new barcode system for all kits under a contract with UPS that utilizes software to track the kits. All new kits purchased by the state and provided to hospitals have barcodes and hospital emergency room departments are currently receiving training to track sexual assault kits in the new online tracking system.

- Developing survivor-centered guidelines for notifying survivors whether their case may be reopened due to the testing of DNA evidence in their sexual assault evidence collection kits.
- Conducting two all-day training events for prosecutors and law enforcement regarding the investigation of sexual assault cases and trauma-informed interview practices.

With the victims' rights and tracking provisions of S.B. 17, lawmakers can ensure that Connecticut policy is fully aligned with federal best practices for rape kit reform. We look forward to working with you to enact and implement comprehensive rape kit reform in Connecticut.

Thank you,

Lisa Winjum
Vice President, External Affairs
Joyful Heart Foundation
(212) 475-2026
policy@joyfulheartfoundation.org