



END THE BACKLOG

A Joyful Heart Foundation Initiative

About Rape Kits

Every two minutes, someone is sexually assaulted in the United States. When the victim reports the assault to the police, a hospital, or a rape crisis center, a doctor or nurse will photograph, swab, and conduct an invasive four to six-hour examination of the victim's body for DNA evidence left behind by the attacker. The examiner collects and preserves this evidence in a sexual assault evidence—or rape—kit. When tested, rape kit evidence can identify an unknown assailant, reveal serial offenders, and exonerate the wrongly convicted.

For example, in [Detroit](#), officials discovered a backlog of 11,341 untested kits in 2009. Testing thus far has resulted in 2,616 DNA matches and the identification of 775 potential serial rapists. DNA has been linked to crimes committed in 40 states and Washington, D.C.

About the Rape Kit Backlog

It is estimated that there are hundreds of thousands of untested rape kits sitting in police and crime lab storage facilities across the country. Because most jurisdictions do not have systems for tracking or counting rape kits, we [cannot be sure](#) of the total number.

Since 2010, the Joyful Heart Foundation has made the elimination of the rape kit backlog a top priority. Through partnerships with federal, state and local government, non-profit organizations, law enforcement, advocates and survivors, we are working to bring attention, critical funding, and reforms to improve the criminal justice response to sexual violence.

In an effort to increase transparency and accountability, Joyful Heart launched [The Accountability Project](#), a multi-year initiative to investigate backlogs across the country. Through pro bono partnerships with law firms, Joyful Heart has already uncovered more than 32,000 untested kits.

Test All Kits

Joyful Heart joins experts in calling for the mandatory submission and [testing of every rape kit](#) booked into evidence and connected to a reported sexual assault. Each untested kit represents a missed opportunity to bring justice and healing to a survivor and increased safety to a community.

Mandating the swift testing of every sexual assault kit sends a powerful message to survivors that they – and their cases – matter. It sends a message to perpetrators that they will be held accountable for their crimes. It demonstrates a commitment to survivors to do everything possible to bring healing and justice. It is also the pathway to a more effective criminal justice system and safer communities across the country.

However, we believe special consideration must be given to unreported or anonymous kits. We must keep our promise to survivors of sexual assault to allow them to decide the path to healing and justice that works best for them. It is critical to a survivor's wellbeing that their choices about engaging in the criminal justice system are honored.

The Challenge

Testing rape kits is just the first step to comprehensive reform. Once the problem is acknowledged and the first kits are sent for testing, cities must grapple with the enormous task of finding a way to test all of the rape kits in their storage facilities and figuring out how to investigate and prosecute these cases, [re-engage survivors](#) in the process, and address any systemic failures that led to the creation of the problem in the first place.

Given the lack of scholarly research examining and suggesting best practices for victim notification, Joyful Heart and partner Dr. Courtney Ahrens brought together more than 90 survivors and criminal justice, medical, academic, clinical, and advocacy professionals to establish a set of best practice recommendations for victim notification. The result, [Navigating Notification](#), helps jurisdictions working to eliminate their backlogs of untested rape kits to develop policies and protocols for victim notification.

Comprehensive Reform

Ending the rape kit backlog will take a coordinated effort and deep commitment at all levels of our government and in communities across the United States. In the last two years, [21 states passed laws](#) requiring law enforcement agencies to count, test, or track rape kits. These laws will expand our knowledge about the true extent of the number of untested rape kits. They will also result in thousands of cases for law enforcement to investigate and prosecute, in addition to their current cases.

This work takes political will, but it also takes significant resources. As states and local jurisdictions enact legislation and policies to reform law enforcement practices around rape kit testing, the need for funding to implement a multi-disciplinary response will increase.

Funding Will Help Bring Justice to Survivors

The federal government has a key role to play in investing in justice for survivors, accountability for perpetrators, and safety for America's communities. Over a decade ago, Congress took a major step toward addressing the rape kit backlog with the creation of the Debbie Smith Act. This law has been essential to drawing attention to rape kit backlogs, especially those in crime laboratories, and galvanizing lawmakers and the public to action.

For years, Joyful Heart has been a national leader in the effort to create funding opportunities for jurisdictions seeking to address their backlog of untested rape kits. With our help and for the first time in 2014, federal partners created the [Sexual Assault Kit Initiative](#) (SAKI), a unique Department of Justice program that provides much-needed support for communities as they work to end their backlogs and secure justice for survivors. There is no other grant program like this. SAKI provides local communities the resources to test backlogged kits in their police storage facilities, create multi-disciplinary teams to investigate and prosecute cases connected to the backlog, and address the need for victim notification and re-engagement with the criminal justice system.

The President and Congress have thus far approved [\\$86 million for this unique program](#). The President's budget request for FY17 includes an additional \$41 million, which is now being considered by Congress as part of the ongoing continuing resolution. More information on grantees is available at: [sakitta.org](#).

Joyful Heart has created the premier national resource about the rape kit backlog, which includes an interactive map and resources for survivors, legislators, and the [media](#). Learn more at: [ENDTHEBACKLOG.org](#).