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Advocates Praise Senate Bill on Sexual Assault Victims' Rights

[New York Times](#)

Advocates for victims of sexual assault on Tuesday praised the Senate's unanimous approval of a bill that would establish a set of rights for victims, including the right to be informed of the results of forensic tests and to have evidence preserved.

The Senate vote on Monday appeared to give momentum to an issue that has drawn bipartisan interest. The measure now moves to the House, where the Judiciary Committee is examining it.

Rebecca O'Connor, vice president for public policy at the Rape, Abuse and Incest National Network, said the proposed protections were an important part of the effort to tackle the complex concerns of sexual assault victims. "It's kind of this tangled web of programs that all complement one another, and this is just another piece of that pie," she said.

Advocates said that more work remained, with hundreds of thousands of rape kits — collections of evidence from assaults — still untested in police stations and crime laboratories across the country.

The Senate measure would generally require that victims be notified of the results of rape kit tests, including any DNA matches, as well as toxicology reports that could show whether they had been given a date-rape drug, for instance. It would codify existing protections from the Violence Against Women Act that prevent victims from being charged for those exams, meaning that the right could be upheld in court.

The bill would also ensure that rape kits would be preserved without charge for 20 years or until the statute of limitations expires, whichever comes first. Statutes of limitations vary greatly: Wyoming does not have one for felony sex crimes, while the cutoff in Illinois is three years if the victim does not report the crime within that time, Ms. O'Connor said.

The fight for greater protections has played out most publicly on college campuses and in military courts-martial. And highly visible examples like the accusations against the comedian Bill Cosby — who faces trial on charges of sexual assault after a judge ruled on Tuesday that the case against him could proceed — have helped bring attention to the cause, Ms. O'Connor said.

Congress has been working its way through a handful of bills to improve the treatment of victims.

This month, the Senate Judiciary Committee approved a criminal justice bill that included a provision to eliminate the heavy backlog of rape kits awaiting testing. And Democrats on the Senate health committee, led by Senator Patty Murray of Washington, have been pressing for a bill to improve medical services for victims, including the development of the first national standards for care after assaults.

The biggest hurdle for the measures, as it has been for nearly all legislation in Congress in recent years, is the cost. Conservatives in the House have balked at most any bill that calls for new spending, as some of these would.

The legislation that passed the Senate on Monday was inspired in part by Amanda Nguyen, who visited Senator Jeanne Shaheen, Democrat of New Hampshire, last summer to express concerns about the handling of her sexual assault. Ms. Nguyen had been horrified to discover that her rape kit could be discarded within months under Massachusetts law; she has to return to the state every six months to ensure that it is not destroyed, Ms. Shaheen wrote in a post on Medium.

Sarah Haacke Byrd, the managing director of the Joyful Heart Foundation, a victims' advocacy organization, said her group was encouraged by the efforts to improve the handling of rape kits.

"The backlog represents a failure of the criminal justice system to protect survivors and hold perpetrators accountable," she said in a statement.

The provisions approved by the Senate on Monday were part of a bill to reauthorize the Adam Walsh Child Protection and Safety Act, a law passed in 2006 that expanded the National Sex Offender Registry, among other actions intended to shield children. The act was named after 6-year-old Adam Walsh, whose murder after he was abducted from a Florida mall in 1981 drew national attention.