

107TH CONGRESS  
1ST SESSION

# S. 1391

To establish a grant program for Sexual Assault Forensic Examiners, and  
for other purposes.

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IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2001

Mr. SCHUMER (for himself and Mr. DEWINE) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To establish a grant program for Sexual Assault Forensic  
Examiners, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “SAFE Grant Act of  
5       2001”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

8               (1) Over 300,000 women are sexually assaulted  
9       each year in the United States. Unlike all other vio-  
10      lent crimes, rape is not declining in frequency.

1           (2) Most victims of sexual assault who seek  
2           treatment for an attack report to hospital emergency  
3           rooms.

4           (3) Since most sexual assault victims do not re-  
5           quire immediate medical attention, many wait hours  
6           before receiving treatment from nurses or other  
7           medical professionals. Some sexual assault victims  
8           leave the hospital altogether rather than endure ex-  
9           tended waits, diminishing the likelihood that the of-  
10          fense will ever be reported, investigated, or pros-  
11          ecuted.

12          (4) Most emergency room personnel who treat  
13          sexual assault victims lack training in collecting crit-  
14          ical forensic evidence and providing the physical and  
15          psychological care particularly required by sexual as-  
16          sault victims.

17          (5) Many hospitals lack the best and most re-  
18          cent forensic tools, such as dye capable of revealing  
19          microscopic scratches, and colposcopes, which detect  
20          and photograph otherwise invisible pelvic injuries.

21          (6) Some emergency room personnel avoid  
22          treating sexual assault victims for fear of having to  
23          participate in time-consuming witness preparation  
24          and court appearances, or decline to devote time and

1 attention to cooperating with investigators and pros-  
2 ecutors.

3 (7) By contrast, sexual assault victims treated  
4 by Sexual Assault Forensic Examiners (referred to  
5 in this Act as “SAFEs”) under the Sexual Assault  
6 Forensic Examiner program (referred to in this Act  
7 as the “SAFE program”)—

8 (A) rarely wait for treatment;

9 (B) are attended to by a single, specially  
10 trained examiner rather than multiple doctors,  
11 nurses, lab technicians, and administrative as-  
12 sistants; and

13 (C) receive sensitive care tailored specifi-  
14 cally for sexual assault victims and delivered in  
15 a private setting.

16 (8) SAFEs are far better able to document sex-  
17 ual assault than nonspecialized emergency room per-  
18 sonnel because they are primarily focused on col-  
19 lecting evidence of sexual assault from victims, have  
20 extensive training in the latest forensic techniques,  
21 and use the best and most recent equipment.

22 (9) SAFEs bolster the odds of prosecuting and  
23 convicting sexual assailants by gathering invaluable  
24 evidence and ensuring its proper preservation, and  
25 cooperating extensively with police and prosecutors.

1       Because of their specialized training and experience,  
2       SAFEs make better witnesses than ordinary emer-  
3       gency room personnel and can make the difference  
4       between success or failure at trial.

5           (10) There are approximately 500 SAFE pro-  
6       grams in the United States, which treat less than 5  
7       percent of all sexual assault victims.

8           (11) Financial obstacles have slowed the growth  
9       of SAFE programs which struggle to obtain the  
10      Federal, State, and private funding necessary to es-  
11      tablish and maintain service.

12          (12) Currently, SAFE programs are forced to  
13      compete against a myriad of other law enforcement  
14      and victims' programs to obtain limited Federal  
15      funding from existing sources.

16          (13) Establishing a specific and adequate  
17      source of Federal funding for SAFE programs will  
18      contribute to their proliferation and thereby aid in  
19      the successful prosecution of offenders and the im-  
20      provement of care provided to victims.

21   **SEC. 3. GRANT PROGRAM.**

22          (a) ESTABLISHMENT OF GRANT PROGRAM.—The At-  
23      torney General shall establish a program to award and dis-  
24      burse annual grants to SAFE programs.

1 (b) COMPLIANCE WITH NATIONAL PROTOCOL.—To  
2 receive a grant under this section, a proposed or existing  
3 SAFE program shall be in compliance with the standards  
4 and recommended national protocol developed by the At-  
5 torney General pursuant to section 1405 of the Victims  
6 of Trafficking and Violence Protection Act of 2000 (42  
7 U.S.C. 3796gg note).

8 (c) APPLICATION.—

9 (1) IN GENERAL.—Each proposed or existing  
10 SAFE program that desires a grant under this sec-  
11 tion shall submit an application to the Attorney  
12 General at such time, and in such manner, as the  
13 Attorney General shall reasonably require.

14 (2) CONTENTS.—Each application submitted  
15 pursuant to paragraph (1) shall include information  
16 regarding—

17 (A) the size of the population or estimated  
18 population to be served by the proposed or ex-  
19 isting SAFE program; and

20 (B) if the SAFE program exists at the  
21 time the applicant submits its application, the  
22 effectiveness of that SAFE program.

23 (d) PRIORITY GIVEN TO PROGRAMS IN UNDER-  
24 SERVED AREAS.—In awarding grants under this section,  
25 the Attorney General shall give priority to proposed or ex-

1 isting SAFE programs that are serving, or will serve, pop-  
 2 ulations currently underserved by existing SAFE pro-  
 3 grams.

4 (e) NONEXCLUSIVITY.—Nothing in this Act shall be  
 5 construed to limit or restrict the ability of proposed or  
 6 existing SAFE programs to apply for and obtain Federal  
 7 funding from any other agency or department, or under  
 8 any other Federal grant program.

9 (f) AUDITS.—The Attorney General shall audit re-  
 10 cipients of grants awarded and disbursed under this sec-  
 11 tion to ensure—

12 (1) compliance with the standards and rec-  
 13 ommended national protocol developed by the Attor-  
 14 ney General pursuant to section 1405 of the Victims  
 15 of Trafficking and Violence Protection Act of 2000  
 16 (42 U.S.C. 3796gg note);

17 (2) compliance with other applicable Federal  
 18 laws; and

19 (3) overall program effectiveness.

20 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
 21 are authorized to be appropriated to the Department of  
 22 Justice \$10,000,000 for each of fiscal years 2002 through  
 23 2006 for grants under this section.

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