

107TH CONGRESS
2D SESSION

S. 2318

To provide additional resources to States to eliminate the backlog of unanalyzed rape kits and to ensure timely analysis of rape kits in the future.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2002

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide additional resources to States to eliminate the backlog of unanalyzed rape kits and to ensure timely analysis of rape kits in the future.

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 “Rape Kit DNA Anal-
5 ysis Backlog Elimination Act of 2002”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Every 2 minutes, somewhere in America,
9 someone is sexually assaulted.

1 (2) The Department of Justice reports that in
2 the year 2000, there were an estimated 261,000
3 rapes and sexual assaults.

4 (3) The annual National Crime Victimization
5 study consistently finds that only about $\frac{1}{3}$ of the
6 rapes in the United States are reported.

7 (4) According to the Bureau of Justice Statis-
8 tics of the Department of Justice, in the year 2000,
9 34 percent of female victims of rape or sexual as-
10 sault reported that the offender was a stranger.

11 (5) According to the Department of Justice,
12 DNA evidence is often recovered from crime scenes
13 and can be crucial to the investigation of sexual as-
14 saults and other violent crimes.

15 (6) According to the Department of Justice, the
16 importance of the role forensic DNA evidence plays
17 in solving sexual assault and homicide cases cannot
18 be overstated.

19 (7) A DNA profile from a crime scene can be
20 entered into the Combined DNA Index System of
21 the Federal Bureau of Investigation (known as
22 CODIS), which allows agencies to match DNA pro-
23 files with other profiles entered into local, State, and
24 national databases to identify a suspect or link serial
25 crimes.

1 (8) A 1999 study commissioned by the National
2 Institute of Justice estimated there was an annual
3 backlog of 180,000 rape kits that have not been
4 analyzed, and news reports indicate that the number
5 of rape kits in the backlog may be as high as
6 500,000.

7 (9) Law enforcement officials using CODIS
8 have matched unknown DNA evidence taken from
9 crime scenes with known offender DNA profiles in
10 the State and national DNA database 2,371 times.

11 (10) At least 100 inmates have been cleared
12 and freed to date due to DNA testing.

13 (11) By convicting the guilty and freeing the
14 innocent, DNA evidence truly serves the interests of
15 justice.

16 (b) PURPOSE.—The purpose of this Act is to provide
17 adequate funding to ensure that the backlog of unanalyzed
18 rape kits is eliminated.

19 **SEC. 3. GRANTS FOR DNA ANALYSIS OF DNA SAMPLES**
20 **FROM RAPE KITS.**

21 Section 2 of the DNA Analysis Backlog Elimination
22 Act of 2000 (42 U.S.C. 14135) is amended—

23 (1) in subsection (a)(2), by inserting after
24 “from crime scenes” the following: “, to eliminate
25 the backlog in carrying out DNA analyses of sam-

1 ples from rape kits, and to ensure that DNA anal-
2 yses of samples from rape kits are carried out in a
3 timely manner in the future”; and

4 (2) in subsection (j)(2)—

5 (A) in subparagraph (C), by striking
6 “\$25,000,000” and inserting “\$150,000,000”;
7 and

8 (B) in subparagraph (D), by striking
9 “\$25,000,000” and inserting “\$100,000,000”.

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