

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/new-funding-to-clear-rape-kit-backlog-an-important-step-but-long-overdue>

Public Facing Advocacy Writing

On Thursday, Vice President Biden and Manhattan DA Cy Vance [announced](#) that they will put a combined \$79 million toward addressing the vast number of untested rape kits that are held in crime labs and police agencies nationwide. However, these grants to more than 40 law enforcement agencies are expected to pay for just 70,000 kits not nearly enough to clear the national backlog.

How many untested kits are there? Nobody quite knows. One widely cited [estimate says 400,000](#). Others say its impossible to know for sure, but place it in the [hundreds of thousands](#). Despite the lack of definitive data, though, its clear that \$79 million wont solve this problem. Without an understanding of the number of untested rape kits nationwide, its impossible to know how much funding is needed to address them.

Headlines such as [Biden Announces Grants to End Rape Kit Backlog](#) and [Millions Earmarked to Clear Disturbing Rape Kit Backlog](#), however, imply that the justice denied to thousands of current and future victims of sexual assault has been resolved in one fell swoop. DA Vance characterized the grants announced today as "the single largest contribution toward ending the rape kit backlog that has ever been made, and hes right. But its only one step.

The Sexual Assault Forensic Evidence Reporting Act, passed in 2013 as part of the reauthorization of the Violence Against Women Act, required that the Department of Justice establish national standards for the accurate, timely, and effective collection and processing of DNA evidence by September 7, 2014. More than a year later, these protocols have not been developed. Efforts at the federal level to quantify and address the backlog have been underway since the Debbie Smith Backlog Grant Program named for a young woman who was sexually assaulted in 1989 but whose rape kit wasnt processed until 1994 was [first enacted in 2004](#). Unfortunately, the clearing of the backlog, which seemed to be made a priority through this federal legislation, has not been made a reality.

However, substantial progress has been made by jurisdictions since the tireless work of advocates and journalists has brought national awareness to the issue in the past few years. In Cleveland, Ohio, more than 100 rapists were convicted after *The Plain Dealer* reporter Rachel Dissells [investigative journalism](#) combined with the persistent efforts of Cuyahoga County Prosecutor Timothy McGinty led to the testing of nearly all of the citys 4,000 kits. The clearing of the backlog had profound implications not only for the victims whose suffering had been ignored, but also for potential future victims, as an estimated third of the reported rapes were committed by a repeat offender.

Sexual assault is one of the most underreported crimes to begin with victims only report rape an [estimated 32 percent](#) of the time. And while todays announcement is a big step in the right direction, the backlog is still unacceptable. When the efforts victims take to go to the police and suffer an hours-long, invasive forensic exam are ignored, the message we send is clear: the evidence of womens suffering isnt worth the time and money it would take to process.

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