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September 18, 2009

Governor Arnold Schwarzenegger
 State Capitol Building
 Sacramento, CA 95814
 Fax: 916-558-3160

Dear Arnold:

We are writing to urge your support for AB 1017, which requires law enforcement agencies in California to report statistics regarding rape kits—including the number of untested rape kits in law enforcement facilities to the California Department of Justice. By passing this bill, California would take a significant step toward eliminating California's backlog of rape kits.

When Human Rights Watch began researching the rape kit backlog in Los Angeles, we heard powerful stories from rape victims whose kits had not been tested. Without hard numbers, however, it was difficult to generate the political will to fix the problem. Obtaining these numbers proved our most difficult—and vital—task.

A March 2009 report by Human Rights Watch found that in the Los Angeles area alone, there were more than 12,500 sets of untested rape kits.¹ Our research reveals that backlogs are not unique to Los Angeles—they exist in any major jurisdiction that does not have a policy of testing every kit booked into police evidence. We are not aware of any jurisdiction in California that has such a mandatory testing policy outside of the recently revised policies of the Los Angeles Police and Sheriff's Departments.

Under California public records law, public entities can be held accountable for reporting the results from rape kits they have inventoried and counted. But when police and sheriff's departments fail to inventory and count rape kits, it is as if the information collected by the kits does not exist. It took nearly nine months of advocacy and awareness building to get the Police and Sheriff's Departments in Los Angeles to count their untested rape kits. It was not until the numbers were publicized that law enforcement was compelled to change its policies.

Now that the extent of Los Angeles' backlog is understood, immense progress has been made towards its elimination, including recent commitments by the Los Angeles Police and Sheriff Departments to count and test every rape kit collected from a victim and booked into evidence.

California must replicate this level of commitment to victims of rape throughout the state. Los Angeles should not be the only city in California where rape victims can be assured that the evidence from their crimes will be inventoried and tested. The passage and signing of AB 1017 and the creation of a statewide reporting mandate is a necessary

¹ Human Rights Watch, *Testing Justice: The Rape Kit Backlog in Los Angeles City and County*, March 2009, <http://www.hrw.org/node/81826>.

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first step toward justice for rape victims. Only through annual reporting to the Department of Justice will California law enforcement provide accountability to those victims who entrust them with the future of their cases. By publicly supporting this bill, your office can signal to rape victims that their rape kits matter enough to require law enforcement agencies to count them.

Sincerely,

/s/

Sid Sheinberg
Vice Chair, International Board of Directors

/s/

Jon Sheinberg
Member, California Committee South

/s/

Sarah Tofte
Researcher, US Program