WOMEN'S LAW PROJECT
Safeguarding Rights, Creating Opportunities

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Women's Law Project to Testify at U.S. Senate Judiciary Committee Hearing on Police Mishandling of Rape Cases

Advocates Applaud Investigation into Widespread Problem Across U.S.

Philadelphia, Pa.—Calling it "a long overdue step toward justice for rape survivors who were re-victimized by the systems that should have protected them," Women's Law Project Executive Director Carol E. Tracy announced today that she will testify at the September 14, 2010, U.S. Senate Judiciary Subcommittee on Crime and Drugs Hearing on "Rape in the United States: The Chronic Failure to Report and Investigate Rape Cases."

In 1999, the *Philadelphia Inquirer* published an investigative series exposing the Philadelphia Police Department's widespread, decades-long practice of labeling rape cases as non-criminal offenses and dismissing reports as "groundless" after little or no investigation. The WLP spearheaded an advocacy effort that resulted in a reinvestigation of police files, finding 681 cases which should have been classified and investigated as rapes and 1700 other cases which should have been investigated as other sex crimes. Massive reforms took place, including an invitation for advocacy groups to review case files. Ten years later, the review of files continues.

Recently, the WLP has been contacted by reporters in other major American cities who are discovering that their local police departments are using similar tactics to sweep rape cases under the rug without investigation. The news accounts show a chronic and systemic pattern of police refusing to accept cases for investigation, misclassifying cases to non-criminal categories so that investigations do not occur, and "unfounding" complaints by determining that women are lying about being sexually assaulted. They also show a shocking disregard and callous indifference to victims who are interrogated as though they are criminals, are presumptively disbelieved, are threatened with lie detector tests and/or arrest, and are blamed for the outrageous conduct of perpetrators.

News accounts contain horrifying stories:

- In Cleveland, Anthony Sowell was accused of assaulting and raping numerous women in his home, but wasn't prosecuted until police finally investigated the property and found the bodies of 11 murdered women, most of whom were strangled to death. Two victims who escaped from

Sowell were not considered credible by police and their cases were ignored, even though blatant evidence (including blood at the reported crime scene) linked Sowell to the crimes.

- In Baltimore, a 32-year-old woman was raped at gunpoint. At the hospital, a police officer asked her questions clearly indicating that he didn't believe her account, including why she waited for two hours before calling the police and why she hadn't just flagged down a squad car. After this accusatory line of questioning following her rape, the woman retracted her statement and the crime was re-classified as "unfounded." The *Baltimore Sun* reported that more than 30% of cases investigated by the police are labeled "unfounded," five times the national average. And in 4 out of 10 emergency calls to the police involving reports of rape, officers conclude that "there is no need for a further review, so the case never makes it to detectives."

- In Milwaukee, a woman tried to report being raped several times by Gregory Tyson Below over the course of hours, but was told at three different police stations to go someplace else. She says she was assaulted by Below two more times and finally moved to Georgia to get away from him. In a separate assault by Below, police disbelieved the woman, whom they found bruised and naked from the waist down, because they discovered she had a previous drug charge.

After speaking with these journalists, Tracy realized that the situation called for nationwide action on the issue. The WLP contacted Senator Arlen Specter, Chairman of the Senate Judiciary Subcommittee on Crime and Drugs, who scheduled a public hearing and invited police officials, advocates, experts and victims to testify. Among the victims is Sara Reedy, a rape survivor from Butler County, Pa., whose account of a sexual assault and robbery at the convenience store where she worked was disbelieved by the police detective assigned to her case. Reedy was arrested for making a false report, spent five days in jail, and was awaiting trial when her assailant was caught and confessed to assaulting her and two subsequent women. In 2009, the Women's Law Project submitted an *amicus curiae* brief on her behalf in *Reedy v. Evanson* (2010 WL 2991378 (3d Cir. 2010)).

The WLP will ask Congress to direct the FBI to charge the Uniform Crime Program staff to undertake a nationwide audit of police practices to insure that local law enforcement agencies are recognizing and investigating sex crimes so that they are properly reported as crimes to the FBI.

"Police departments across the United States need to sit up, pay attention, and review their practices when it comes to rape cases," said Tracy. "Rape is second only to murder in the FBI's Crime Index. It's past time for this heinous crime to be taken seriously."

About the Women's Law Project:
The Women's Law Project, with offices in Philadelphia and Pittsburgh, Pennsylvania, creates a more just and equitable society by advancing the rights and status of all women throughout their lives. To this end, we engage in high-impact litigation, advocacy, and education.

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