

Written Testimony of Ebony Tucker, Advocacy Director
National Alliance to End Sexual Violence
Senate Judiciary Committee

September 27, 2018

To Chairman Grassley, Ranking Member Feinstein, and committee members:

I'm Ebony Tucker, representing the The National Alliance to End Sexual Violence (NAESV), the voice in Washington for the 56 state and territorial sexual assault coalitions and 1300 rape crisis centers across the country, working to end sexual violence and support survivors.

NAESV, along with our partners on the National Task Force to End Sexual and Domestic Violence, have advocated for the rights of survivors to always be protected, including during this hearing. We have asked that Dr. Ford be given as much input as possible, including the time, date and format of any questioning. We have asked that this Committee ensure a safe and comfortable environment, allowing her to have support people with her and to take breaks as needed. We have asked that this Committee repudiate personal attacks on Dr. Ford and refrain from inaccurate, stereotypical assumptions that have been refuted by research. For example, repeating the falsehood that delayed reports of sexual assault are not credible or that gaps in memory suggest dishonesty. None of that is true, as extensive research on the neurobiology of trauma has revealed.

Our hope was that the treatment of sexual assault victims would have improved in the 27 years since Anita Hill gave testimony during Justice Thomas's confirmation hearings. So far we have been disappointed. Proper and supportive treatment of sexual assault victims encourages increased reporting and can reduce trauma for victims. Rape is the most underreported crime in the United States. This is not the fault of rape victims. This is the fault of our society. We have established a practice where it is more common to respond a victim with accusations of lying than affirmations of belief.

In more than a decade of working on issues related to sexual assault, I have known many survivors, men and women, to come forward after many years or decades after abuse occurred. I have taken hotline calls from adult survivors of child and teen sex abuse who are disclosing and seeking services for the first time. I've given legal advice to survivors who needed to

understand how the statute of limitations worked in their state because they wanted to report rapes that happened decades in the past. Even in my personal life, I've had male friends confide that they did not know how to handle disclosures from other men. Those friends of mine had not known what to say when their male friends disclosed abuse, often abuse that happened years before. And even though delayed disclosure is so prevalent in our society, we still have many ask why victims wait to report.

Those of us who do this work can tell you only what survivors have shared with us and what we've seen. I've seen teens disclose to families and not be believed. I've seen women report to law enforcement only to have those reports not investigated. And if cases were investigated, I've seen prosecutors refuse prosecution with little to no explanation to the victim. I've seen the cases of child rape victims be stalled in our criminal legal system. These issues of non-responsive systems are even more likely to occur when victims are from marginalized communities: women of color; LGBT youth and adults; and youth and adults with disabilities. When you know these things and have seen what reporting victims face, you understand why people don't report or if they do, why that reporting is delayed. When our response is to find a reason why a victim is lying, instead of believing and supporting them, how can we expect people to disclose?

This past week has been very painful for survivors. Every time we question, ridicule and demean a survivor that comes forward, we hurt those who are living with the trauma of sexual abuse and discourage even more people from coming forward.

In the past week, I've thought about how long survivors have fought to be believed only to be reminded that right is still being denied. For me, it has made me think a lot about a case I encountered while working on a rape crisis hotline. I received a call from a father whose daughter was a high school student who was raped by an athlete and fellow student. His daughter had been harassed and bullied at school, shamed and was now unable to return to classes. He called with questions about resources. A few minutes into the call it became apparent that he didn't need information as much as he needed to understand how this could happen. How could his child be raped but be unable to return to school? How could his child be raped and have people harass her? Why was there no investigation, much less a prosecution? It is difficult to tell a victim (or a loved one) that reporting can be met with punishment. That many will say they are supportive of victims but when a victim comes to them, they won't believe her. Even those who believe a victim may prefer that he or she suffer in silence because their victimization is inconvenient.

There are those who think that reporting years or even decades after a sexual assault is too late or that a delayed report is unfair because it ruins an offender's life. When we value the lives of victims, often women, as much as we value the lives of men, this will no longer be a serious consideration. Victims of sexual assault suffer trauma for years. The event is not old enough to be forgotten; it has changed their lives entirely. The bravery required to make oneself whole after suffering abuse should be respected, not shamed into silence because an abuser would rather forget than be held accountable.

My experience as an advocate, our collective experiences as advocates, is why we've consistently reiterated that Dr. Ford is not on trial. It is why we've insisted there be a comprehensive investigation. It's why we can't believe the Senate Judiciary Committee is not calling expert witnesses and eyewitnesses to testify. What more do we need as a society, in the era of the #MeToo movement, to do the right thing about sexual violence?

We want all Senators and the nation to understand that this is much bigger than a single Supreme Court nominee. This is about the 15-year-old girl who finds herself hiding in the bathroom, terrified. She is thinking "Is this how I will be treated if I come forward?" And the 17-year-old boy who finds himself emboldened to take without consent? He too is watching, and learning. What are we teaching them both?

We'd like to offer support as a network for sexual assault survivors. The 1,300 rape crisis centers and 56 state and territorial sexual assault coalitions support survivors and we believe you.