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COMMITTEE ON THE JUDICIARY

Before the Subcommittee on Crime, Terrorism, and Homeland Security

2138 Rayburn House Office Building

**PREPARED TESTIMONY of Amanda Nguyen
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Implementation of the Survivors' Bill of Rights Act**

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Chairman Sensenbrenner, Ranking Member Jackson Lee, and Distinguished Members of the Subcommittee, thank you for inviting me to testify today to discuss the Sexual Assault Survivors' Bill of Rights Act.

My name is Amanda Nguyen. I never thought that I'd be made to suffer a greater injustice than what I went through on the day that I was raped. Growing up, I'd believed in those familiar American promises: that our rights were sacred, that everyone was equal in the eyes of the law, and that the legal system existed to right wrongs and restore justice. It was only after my ordeal that I discovered firsthand the ways in which rape survivors are continually re-victimized and betrayed by our country's failure to make good on these promises.

When I went to research my options, I discovered huge irregularities and shortfalls in the civil rights available to survivors. Some states destroy untested rape kits before the statute of limitations, other states deny survivors a copy of their police report or medical records. Some don't even tell survivors' what rights they have. I realized I had a choice: accept the injustice or take change into my own hands. So, I decided to rewrite the law. I founded a team called Rise, and together we organized and did the impossible – help drafted and unanimously passed the Sexual Assault Survivors' Bill of Rights. The law,

signed by President Obama on October 7, 2016, codifies a basic set of comprehensive civil rights for at least 25 million rape survivors across the country. Before Rise came along, only 20 bills, or 0.016%, in modern United States history had passed through Congress with unanimous support. Ours became the 21st.

I remember when I couldn't get anyone's attention on this issue. I once poured my heart out to an intern in the hallway for 5 minutes just to talk to anyone about these rights. Now, I'm returning to these same halls, with you listening here today, having won my fight. We've come a long way, but the fight isn't over yet.

There is a long, rich tradition of activism in America—of people taking their painful living truths and channeling them into justice. I chose to join that tradition by penning my own civil rights into existence. And because my theory of change is that hope is contagious, I'm helping others pen their own civil rights into existence, too. Inspired by the Rise federal law, survivors, allies, and public servants in 41 states have organized to fight to build upon these rights in their home communities. That has resulted in the creation of 10 new state laws in 12 months and one international law, in Japan. That's a total of 12 laws in 12 months.

I know firsthand the failings of America's justice system, but I also know the change that ordinary Americans can bring—after all, I lived it. Here's what I learned: no one is powerless when we come together. No one can make us invisible when we demand to be seen. On one of my trips to Washington, my Uber driver and I rode in silence until he asked why I was going to Congress. When I told him, this huge, stoic man began tearing up, and said, "My daughter is a rape survivor. The police asked her what she was wearing and if she was drinking, blaming her. The system isn't working." When he stopped the car, he asked to shake my hand and thanked me for fighting for his daughter. We are all living in a collective story—a narrative of progress. Most rape cases are adjudicated in state courts - that's

why we need to pass these rights on the state level. **The federal bill is a model for states to follow. 9 states have but we still have 41 states to go. I urge anyone listening here today to join Rise at risenow.us and help pass these rights state by state.** These civil rights may be the closest I'll ever get to justice. But seeing other survivors thrive as they penn their own civil rights into existence has been one of the most empowering experiences of my life. Survivors like Jennifer Li and Flannery who came up to me one day after hearing my story and said "I want to join the fight". Jennifer has since created and passed the Sexual Assault Survivors' Bill of Rights through California. Survivors like Lauren Libby, who helped pass the federal law with me and now coach survivors like Jenn to pass civil rights in their own communities. Survivors like Abby Haglage whose rape kit was destroyed but now fights for these rights New York to make sure no one has to experience what she experienced.

I see progress every day when I go to work with Risers, survivors and allies, across the country, across party lines, who fight to deepen the meaning of freedom and to form a more perfect union. These people prove that while hope and change can be inspired by our leaders, they must be made real by ordinary citizens standing up. They are the perfect example of why our country has hope. I celebrate that they are met with a government of the people, by the people and for the people.