



TRACKING THE BACKLOG AND SEARCHING FOR JUSTICE

How Melissa's Law is working to address Oregon's rape kit problem

By Corinne Boyer

Rachael said “no” repeatedly to the man who came into her Oregon apartment and attacked her on the night of July 6, 2014. She cried, knowing that her children were in the next room. She didn’t want them to hear. The man who raped her lived across the street.

Two days later, Rachael went in for a sexual assault nurse exam (SANE) in which evidence would be collected for a rape kit. She waited weeks more to report the rape to police because she was “terrified” of her attacker.

“I had already showered and everything by then, but I still had my underwear not washed yet, my pants not washed yet, the sheets, blanket, and I submitted that for evidence in the place of ... you know, I mean I had the full kit done, but they were saying you showered pretty well,” she says.

No DNA was found on her body, but it was found on the clothing and bedding. *Eugene Weekly* is not using Rachael’s full name because she has never told her story outside of court and does not want to be identified.

In Oregon’s 2016 legislative session, Senate Bill 1571 passed unanimously in both chambers and was signed into law on March 29 by Gov. Kate Brown.

It’s dubbed Melissa’s Law, after 14-year-old Melissa Bittler, a Portland girl who was raped and murdered by a serial rapist in 2001. Portland Police detectives found similar attacks on girls in 1997 and sent in their untested rape kits for analysis.

“Had law enforcement tested the kits immediately following the crimes, the suspect may have been identified sooner, and Melissa might still be alive today,” according to Portland attorney Jacqueline Swanson in an article published by End The Backlog. That’s a nonprofit founded by *Law & Order* SVU actress Mariska Hargitay that tracks the nationwide backlog of rape kits.

Melissa’s Law requires that all non-anonymous rape kits be prioritized and tested.

Assault Evidence Kit Instructions

of evidence with the patient's name, description of the your initials. Seal the bag to maintain the integrity of the kit when handling the kit contents and the evidence.

while standing on a piece of exam paper. enclosing and place in separate paper bags. of exam paper so as to collect any trace evidence and a separate bag.

id gum line of the mouth with the four (4) sterile swabs tabs and place in the provided envelope. purpose of collection, i.e., collected as DNA standards or seminal fluid from an oral sodomy (NOTE: if oral use submit a victim blood standard as well).

collecting any loose hair(s) or other trace evidence. used comb in the provided envelope.

pubic hairs from various areas of the pubic region. d envelope.

irs from various areas on the head. l envelope.

amine the body and hair for possible seminal sample on to water moistened swab(s) and smear he collected material. Place the swab(s) in an envelope and the slide