

Testimony of Danielle Tudor - May 27^h, 2015

Bill #HB2317

Senate Judiciary Committee

Chair (Senator) Prozanski

Vice-Chair (Senator) Kruse

Chair Prozanski, Vice Chair Kruse, and Members of the Senate Judiciary Committee:

I would like to thank you for allowing me to speak today. I am here to talk about HB 2317 and extending Oregon's Statute of Limitations on rape from six years. There has been a lot of debate over this bill and what is fair and right for victims of rape.

As most of you know, I was a victim of Portland's Jogger Rapist, Richard Troy Gillmore. The night I was raped, I worked with a police sketch artist on a composite sketch of my attacker—a piece of evidence which led to his arrest and conviction—almost eight years later.

At that time, the statute of limitations in Oregon was only three years. Because it was so short, Richard Gillmore was not prosecuted for all of his nine known rapes. In fact, law enforcement at the time suspected that Richard Gillmore could be responsible for as many as 100 rapes, but they did not pursue those cases because the statute of limitations had already expired.

Consequently, not only was I locked out of the justice system, but seven other known victims were, as well. The words "justice" and "healing" will never be used in the same sentence for at least eight of us victims of Richard Gillmore.

In 1989, Oregon's statute of limitations on rape was extended to six years. It still didn't—and still doesn't—offer justice for most of Richard Gillmore's victims. Richard Gillmore was a rapist who was clever. He knew how to avoid leaving DNA evidence behind.

In fact, other evidence became key to his conviction. They were: the composite sketch, a fingerprint, a line-up at the Multnomah County Justice Center and Gillmore's own admissions. As many of you know, this man was a rapist who was on his way to becoming a police officer.

In the on-going conversation about how long victims of rape deserve justice, some people maintain that rape victims, after being raped, have a moral obligation, and an obligation to society, to move forward in the justice system to receive justice swiftly. After all, that's what the rapist deserves. The onus has been placed entirely on the shoulders of victims of rape to deal with both the trauma of having been raped and to deal immediately with the justice system. This is simply not reality for someone who has just been raped. In fact, I think it has become a deterrent to rape victims to report.

I have found that people don't always understand the effects of rape unless they themselves have been sexually assaulted. It's nearly impossible to put yourself in the place of a victim and understand how that—being penetrated in the most private parts of your body by another person—is different than any other crime and trauma. But it is.

A rapist counts on humiliation, degradation, and shame to keep victims living in silence and isolation. Certainly, in my own life, rape has left its mark of fear on me. Since then, I must take extraordinary measures to feel safe in my own home.

Chair Prozanski, I met with you on a couple of occasions to discuss your hesitancy about a statute of limitations set at 20 years. It should be

noted that Nevada just signed into law yesterday a new statute of limitations on rape, moving from four years to twenty.

You stated on several occasions that you want a work group of “certified smart people” to look at ALL of the statutes of limitations in the Oregon Criminal Code, rather than considering them “piecemeal”---statute by statute. You want to adjust any and all statutes of limitations that need changing. You then told me to come back next session, or the next, to get the remaining eight years. My response is, if 20 years is good next year or in 2017, then it is good now.

I have met with almost every single Senator at the Capitol. In a few cases, I have had to meet with staff. I want this Committee to know there is overwhelming support amongst your colleagues for a 20-year statute of limitations on rape. I have confirmed that if a bill asking for a new 20-year statute of limitations on rape went to the Senate floor to be voted on, it would pass.

Numerous letters from both citizens in Oregon, organizations in Oregon who work with rape victims, and from organizations around the country who work with rape victims on a daily basis, have been expressing their support for 20 years or more. I hope and trust that the will of Oregonians and of your own colleagues in the Senate will not be ignored.

Oregonians expect transparency in our government where the State Legislature is built upon a majority, not a dictatorship. But that is exactly what is happening with this bill. The will and determination of a few is dictating and driving the outcome of this bill.

This bill is a modest compromise asking for an extended Statute of Limitations for four first degree sex-crimes: Rape, Sodomy, Unlawful Penetration With a Foreign Object and Sex Abuse.

I understand that a work group is now being put together to look at the pros and cons of extending Oregon statute of limitations on rape from 12 years to 20. Most of the people that you want to participate in this group already are for at least a 20-year statute of limitations. In the words of numerous State Senators, "It's a no-brainer." This work group is nothing more than a smokescreen to bury any more action on this bill.

And, I must say I am confused by your offer, Chair Prozanski, for this work group. Having this group look at the statute of limitations on rape is "piecemealing" this statute, which is what you have said you are against on numerous occasions.

Right now, finally, we are seeing a movement across the country where victims of rape are using their voices to bring change to a crime that has remained nameless and faceless for far too long. Along with those voices comes change. Part of that change is longer statutes of limitations on rape, where perpetrators are held accountable for a more reasonable amount of time.

As I have been kept fighting for a 20-year statute of limitations on rape, I have heard the words in my mind that I taught my sons as they were growing up. Those words were, Always go for your best. Believe in yourself, and you can conquer anything. Never back down when you stand for truth and justice and what you know to be right. Never give up.

The more I have pondered those words, the more I have been convinced by what I had taught my sons. What example was I setting for them now? Why would I be willing to settle for something that I knew was not the best that we could do for victims this session? How would I feel down the road when a rape victim could not get justice at year 13, because I had been willing to settle for the easy 12 years?

So I continue to ask for a 20-year statute of limitations on rape—but not for me; for them. Given the rate at which rape occurs—every two minutes in the U.S.—there will be many more “thems”.

In fact, Oregon is second in the nation on rape. We are second in the nation for sex-offender population per capita and we are second in the nation on human trafficking. Yet we have one of the lowest statute of limitations on rape.

I respectfully ask this Committee to join the majority of your colleagues and vote to change Oregon’s statute of limitations on rape to 20 years. I ask you not to ignore the will of Oregonians and organizations all across the state who are asking that we do better when it comes to justice for rape victims.

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