

Supervisors, thank you for holding this hearing today. Special thanks to Supervisor Ronen, Carolina Morales, and your office for your support and call for reform. And thanks to Rachel and Tiffany for speaking out.

Today I'll introduce myself as Jane Doe, though some of you may recognize me as a longtime employee of the City's Human Rights Commission. In fact, the last time I stood before you was about two and a half years ago, when I was honored for my work at the HRC. Just days later, I was drugged and raped.

I grew up in New York in a big, close-knit family. For college, I moved to Washington, DC, where I studied human rights issues and began a career focused on civil rights. I moved across country in 2010, and have been living in the Haight (District 5) and working at HRC ever since.

As the Director of the Discrimination Division, San Francisco's citizens come to me with complaints of discrimination, I investigate them, I mediate them, a resolution is reached. I intimately know how our City departments function.

What is happening to victims of drug-facilitated rape in San Francisco is a failure of the system--those who summon the courage to report this degrading, humiliating crime are punished for having the audacity to believe that if they go to the police, the police would take the investigation of their rapes as seriously as other serious crimes.

January 2, 2016 was a Saturday. I went out to catch up with a girlfriend that night, and shortly after midnight I met a charming man who went on to trick, drug, and rape me. Within hours, I reported the rape to the police. I threw up in the ambulance on the way to SF General.

There, I was brought to a dingy waiting room where I sat for hours, waiting to be seen. I was physically ill and in shock. No one told me what to expect or offered any kind of orientation or assistance. There was no phone service, so I couldn't even call my family.

I later learned that I was waiting in line behind other rape victims to be seen by the sole nurse who could conduct the "rape kit" examination. This is an incredibly invasive but important examination of the entire body that collects DNA and other evidence of the rape.

The nurse was lovely and professional, but she was the first person to take my blood and urine. In a drug-facilitated rape, predators use drugs that are deliberately designed to be eliminated rapidly from the victim's body. The police and EMTs didn't take my blood and urine, nor did they save my vomit as evidence.

It is not an overstatement to say that letting those critical hours pass before collecting that evidence from my body is equivalent to destroying evidence - potentially because that evidence was not immediately preserved, toxicology tests were unable to detect the drug used to incapacitate me.

On January 4, 2016, the day after I was raped, I went to the Special Victims Unit and met with an SVU Sergeant. I told him that I wanted the predator who raped me to be arrested and prosecuted. Unlike many victims who are drugged and raped, I remember being raped - I remember briefly coming to consciousness while he was raping me, but I was unable to will my body to scream or move.

I also knew the rapist's identity, and had a third party witness to key facts—including, for example, that I was unconscious before I was raped. Despite these critical facts, the Sergeant greeted me with discouragement from the moment we met, making dismissive remarks about how "these things are hard to prove." "It's complicated," he'd tell me, and suggested repeatedly that I had merely combined alcohol with "[my] prescription medication" (though he had not asked whether I had taken any medication that day — which I had not), and he repeatedly asked whether I "really want this guy arrested." Though I was intimidated and rattled by his discouragement, I have not wavered in my resolve.

It was like entering the Twilight Zone. Since that first meeting, the SVU Sergeant revealed not only his incompetence to handle a rape investigation, but that he plainly does not regard rape as a crime worth his while to investigate. His missteps in the investigation were shocking. I'll give you a few examples.

- (1) Despite asking him over and over to please secure the videotapes from the bar where I was drugged, he failed to do that and the bar taped over them;
- (2) he failed to seek key witness statements; and
- (3) he told me there was no way to get toxicology testing results for SIX months, and it was not possible to have the results expedited. This length of time for testing reflects that there is no sense of urgency at the SVU to process key evidence, nor did the Sergeant have the inclination to even try. I came to learn that, in fact, it is possible to have toxicology testing expedited.

Perhaps most egregious, the police treated me as though I made all of this up. Months after I reported the rape, on a call to discuss the status of the investigation, the Sergeant began a sentence by saying "if you did, in fact, have intercourse with him...." I had to remind him that I did not "have intercourse with" the rapist—he had intercourse with my unconscious body.

Moreover, the Sergeant's suggestion that there is an "if" in this case is nauseating and degrading—I promptly and consistently reported to him that I remember being raped. There is no "if" in this case. I cannot imagine there is another crime where it is suggested to the victim that she is making it up.

Nor can I imagine another crime where the public safety threat is taken less seriously. Based on the rapist's brazen conduct the night of the crime, I firmly believe that I am not the first or last woman to be assaulted by this predator. When I last pointed out that, as long as this rapist is free, he may be raping other women, the Sergeant flippantly responded, "Well, hopefully they'll come forward if he does."

If there were a known knife-wielding attacker on the loose, I'm certain the police response would not be that "hopefully" all the stabbing victims will come forward after they're stabbed—the attacker would be arrested. The risk of rape by an identified rapist, however, is not treated as a public safety issue by the SFPD.

These failures cannot be chalked up to the incompetence or misogyny of a rogue officer. I communicated my concerns to the acting head of the Special Victims Unit, Lieutenant Edward Santos and even to then-Chief of Police Gregory Suhr. No one intervened. This is a predicament in which no victim should be left-- at the mercy of the investigating authorities who are not doing their jobs, but any pleas to them to investigate or take the case seriously jeopardize whether the criminal case will go forward at all.

It is profoundly sad and unsettling to have been dehumanized first by the predator who raped me, and then, by the police, the organization I went to for protection and justice. Each time I interacted with SFPD,

I spent the night stunned, crying, and sleepless. I have nightmares not only about being raped, but also about having to fight for my case to move forward at the police station. Such betrayal of trust.

SFPD needs reform. Their institutional failings are founded on bias and reinforced by their collective interest in protecting their own fellow officers. The SFPD acts as the gatekeeper to justice. But where do we turn when the gatekeeper is complicit in crime? This is not hyperbole.

SFPD makes a mockery of rape investigation and rape victims. They dismiss rape as "complicated" and unworthy of time or effort. This necessarily must embolden predators, and cuts into the moral and psychological fabric of our communities.

It is easy to understand why so many girls and women decline to subject themselves to this abusive treatment by law enforcement - there are moments when I have wondered if I should not have reported this crime, if my PTSD would not be so severe if I had not spent the last 2 years and four months of my life asking for this criminal to be brought to justice. But I cannot accept the alternative. It is unconscionable. We need change.

It is appalling to think of how my experience of being trivialized and mistreated by the police reflects more broadly for others. I am fortunate to be equipped with skills and experience to advocate for myself, and to have in my support network the extraordinary NOW advocate, Jane Manning.

At the City's Human Rights Commission, I work with some of the most vulnerable individuals and communities in the city, most of whom face barriers to accessing resources and support. It is chilling to think of the members of these communities attempting to navigate the SFPD Special Victims Unit—those who have limited resources, no advocate, and for whom this mountain of discouragement must regularly be insurmountable.

I have done my best to advocate for myself and for others, while trying not to alienate those in law enforcement who are responsible for the fate of my case. Imagine this happened to you. What would you do?

I wrote to the head of the Sexual Assault Response Team, Dr. Boccelari, about my experience, and ideas for how cracks in the system could be filled. She graciously met with me and discussed each of my concerns. When Captain Una Bailey became head of the Special Victims Unit, I wrote to and met with her as well.

I wrote to the Department of Justice Investigator who was looking into civil rights issues at SFPD, and we talked about my experiences. I wrote to former Supervisor Campos - he and now Supervisor Hillary Ronen have been supportive throughout this nightmare. Supervisor Breed, I wrote to you, as my District representative, asking for help. It was disappointing to simply be referred to a nonprofit in response. I met with advocates from nonprofits, as well as Minouche Kandel from the Department on the Status of Women. I appreciate the support I've received.

And I've been told by prosecutors from the San Francisco District Attorney's Office that I did everything "right," and that they believe me. Although there is an abundance of evidence in my case, 842 days have passed, and still no arrest has been made.

SFPD has shown jarring incompetence, misogyny, and callous disregard towards rape victims in a way that demonstrates deep-rooted gender bias. This continues to be so incredibly damaging for me as a victim. And there is limited victim advocacy here in San Francisco. No one is following up with every single victim that goes to SF General and to the police, and also advocating for appropriate steps to be taken by law enforcement in each of their cases.

The first night after the rape, after spending the day at the police station, my sister and I had dinner together. I told her that this wasn't going to change me. I couldn't have been more wrong. I never could have fathomed the catastrophic impact this would have on my life.

Being discarded by law enforcement is an ongoing trauma, and an absolute impediment to recovery. At first, I could not relax or sleep or think. My body was tense all the time. When I did fall asleep, I'd wake up convulsing with nightmares, flashbacks of the rape. I could think of nothing but the rape - and each day was a battle with incompetent, misogynist police.

I became like a totally different person. I had been in a good place personally and professionally. Suddenly I couldn't work or even talk about anything but the rape. My body and mind were gripped. I cried all the time. I'd forget to breathe. I developed severe PTSD.

I did everything I could to try and escape and get back to normal, to feel like myself. Thanks to insomnia and hypervigilance, I'd get up before dawn and just go running - but I was frozen in a nightmare the rest of the time. I couldn't believe that I had been raped, and that the police didn't care.

I missed work all the time and when I did go, I could hardly read and certainly couldn't concentrate. Eventually I took a leave of absence from work, when I was fortunate enough to connect with the Trauma Recovery Center, Rape Treatment Center.

The Trauma Center has been so incredible, and my treatment is ongoing, but the trauma of being discarded by law enforcement makes recovery elusive. It is demoralizing and maddening. Every day I struggle with severe depression and anxiety.

I shake - I have tremors all the time, even as I sit before you now. I have panic attacks. I jump out of my skin at the slightest noise or surprise. I have to sit with my back to the wall in public spaces. I am a shadow of the person I used to be. This is all-consuming.

"Focus on healing" law enforcement has told me over and over when I ask what progress is being made on my case. This refrain is a cruel joke - I've tried everything - therapy, yoga, meditation, bottling it up, you name it. I will continue to scratch my way out of this darkness. But what I really want is a life that is not spent thinking about what can be done, what should be done.

Since the time when I reported being raped, our society has begun a seismic shift. More and more women are summoning the bravery to say "me too" publicly - and if a woman can subject herself to the hell of coming forward, the SFPD must rise to the challenge, and fulfill their duty to serve and protect.

We need reform, and I implore you to be the force that makes traumatizing experiences with the SFPD, like mine, a relic of history for women and girls in San Francisco.