



NNEDV
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VIOLENCE

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Testimony for the Judiciary Committee
of the United States Senate
Kim Gandy, President and CEO, National Network to End Domestic Violence
Regarding the Hearing on
Supreme Court of the United States Nominee Judge Brett Kavanaugh
on September 27, 2018

To Chairman Grassley, Ranking Member Feinstein, and members of the Judiciary Committee:

Thank you for this opportunity to provide testimony on the importance and impact of these hearings.

I am President and CEO of the National Network to End Domestic Violence (NNEDV), the nation's leading voice for victims of domestic violence and their advocates. We represent the 56 state and territorial domestic violence coalitions, their over 2,500 member domestic violence and sexual assault programs, and the millions of victims they serve each year. Our direct connection with victims and those who serve them gives us a unique understanding of their needs – their fears, the impacts of trauma, and the rationale behind reporting or not. We are honored to share these perspectives with you today.

Our movement is proud of the progress we have made over the last 40 years to bring hidden crimes like domestic and sexual violence into the light, centering each survivor's safety and well-being, and transforming our nation's response to these crimes. These last few weeks underscore that so much more needs to be done. While we have made progress in many ways – with laws, protections, support and resources for survivors – we have a long way to go with attitudes and assumptions.

Today you will hear the credible testimony of Dr. Christine Blasey Ford. Dr. Ford has nothing to gain from coming forward at this time. She is an American with vital information for this committee, for this process, and we urge the committee to treat her testimony as an opportunity to shed light on the character of a nominee for a lifetime appointment to the highest court in the land.

We echo leaders in the sexual assault field who have provided you with compelling testimony outlining why survivors are reluctant to come forward.

And we remind the Committee that the person before you today, Dr. Ford, is reporting a terrifying incident that was seared into her consciousness as a young adolescent – a 15-year-old assaulted by an older boy. It is almost absurd to assume that many young women would have done anything differently than young Christine Blasey did at the time, in the early 1980's.

Let us all recall the responses that sexual assault victims received before the passage of state and federal laws that criminalized sexual assault and created training programs for first responders. Let us recall that “date rape” and “acquaintance rape” had **yet** to be debated, defined, understood, or criminalized. Let us recall that spousal rape was not even accepted or understood until the 1990s in many states.

Let us recall that in 2018 we have forensic evidence in rape kits sitting untested in part because there is bias against rape victims. Let us remember that in 2017, convicted rapist Brock Turner got six months in jail for a rape that was witnessed by two bystanders, and was released after serving only three months. Let us remember that Bill Cosby, sentenced this week, openly joked about drugging and raping women – he just didn’t call it rape.

Before you sits a credible witness. Professor Ford provided a detailed account, along with therapist notes from six years ago, and passed a lie detector test. Yet she has faced death threats and has had to endure suspicion, ridicule, defamation and scorn. Her identity was revealed, her motives have been questioned and her credibility has been attacked. A *prosecutor* has been hired to question her. She is being treated like she is on trial.

We believe Dr. Ford. She is before you today as one survivor shouldering the burden of many who have come forward and many, many more who have not. As we learned this week, her account is in keeping with other reports from women Dr. Ford does not know. It is past time to halt these confirmation hearings and conduct a thorough and fair bipartisan investigation, adhering to trauma-informed principles.

This Committee had the privilege of hearing from another credible and brave witness in 1991 regarding the nomination of Clarence Thomas to the Supreme Court. Professor Anita Hill recounted the humiliation, shame, fear and disrespect she experienced working with Judge Thomas. Survivors and their advocates – who heard their stories resounded in Professor Hill’s – watched pensively as the Judiciary Committee heard unprecedented testimony on an issue that was widespread yet widely ignored at the time. The message this body sent at the time was “don’t come forward – you won’t be believed, your suffering doesn’t matter to us, we are moving on.”

The 2018 Judiciary Committee now has the blessing of hindsight. You must send the right message to our young people who face assault – we will help you, we will believe you. And to those who commit assault – even if they are our friends and colleagues – you will be held accountable for your actions.

Think about the survivors who are watching this process unfold. They are thinking, "How will be I treated if I come forward?"

Our daughters are watching and wondering: "Is this what will happen to me if I’m assaulted and tell someone?" Would it be any wonder if they didn't come forward?

Countless survivors, and their families, friends and advocates, are watching the Senate, to see what kind of tone you will set, and so far it’s not a good one. Senators should be leading by example. And that means treating Dr. Ford with respect, and treating her charges, and the others that have come

forward, as what they are – allegations of wrongdoing that deserve an actual investigation, not just a "hearing."

We have to foster an environment where survivors will feel safe, supported, heard, and understood, and where charges of sexual assault or domestic violence are fully and properly investigated, even when the timing is inconvenient.

In this very public arena, we urge the Senate Judiciary Committee to get this right.