

RAINN

December 16, 2020

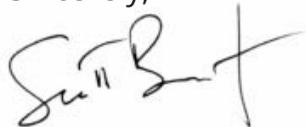
Dear President-Elect Biden and Vice President-Elect Harris,

As you transition and prepare for your first 100 days in office, we know that the needs of sexual assault survivors will be front and center, as they have been for both of you throughout your years of public service. While great progress has been made through our past efforts together on the Debbie Smith Act, Sexual Assault Kit Initiative, Violence Against Women Act, PROTECT Our Children Act, and other legislation, much more needs to be done to protect children, provide services for survivors of sexual violence, and hold perpetrators accountable to prevent future victimization. We ask that you consider the enclosed recommendations, which we believe will make a measurable difference for survivors.

As you know, RAINN is the nation's largest anti-sexual violence organization and operates the National Sexual Assault Hotline, a partnership with more than 1,000 local sexual assault service providers across the country. RAINN also operates the DoD Safe Helpline for the Department of Defense and carries out programs to prevent sexual violence and help survivors, help organizations improve their sexual assault prevention and response programs, and ensure that perpetrators are brought to justice. This year, RAINN's victim service programs will help more than 300,000 survivors and their loved ones, and our public education programs will educate more than 130 million Americans about sexual assault prevention and response.

Our nation can, and must, do more to stop sexual violence, support survivors, and hold perpetrators accountable. We look forward to partnering with you and with Congress to create safer communities and eliminate sexual violence.

Sincerely,



Scott Berkowitz
President & Founder



Camille Cooper
Vice President of Public Policy

Policy Recommendations

1. Eliminate the Rape Kit Backlog

President-Elect Biden, as both a senator and the vice president, led efforts to pass the Debbie Smith Act (DSA) and the Sexual Assault Kit Initiative (SAKI). This funding for the analysis of rape kits at state and local crime laboratories has turned out to be one of the most successful crime-fighting efforts in existence. Forty-two percent of all matches in the Federal Bureau of Investigation's (FBI) DNA system, CODIS, are a result of DSA funding. As of September 2020, CODIS had produced more than 533,268 hits assisting in more than 521,562 investigations.¹ That's more than 200,000 investigations aided as a result of DSA.

As a result of this success, and growing public and law enforcement awareness of the value of using DNA to solve old, as well as current, rape cases, demand for testing has grown: between FY 2011 and FY 2017, the demand for testing increased by 85 percent.² That means that the backlog of untested evidence has not yet been eliminated, despite the funding DSA and SAKI have provided. In fact, while some states have reduced or cleared their backlogs, it is estimated that hundreds of thousands³ of rape kits still sit untested in police stations and crime labs. As you know, this means that thousands of sexual offenders remain at large, free to reoffend.

Recommendation: As Vice President-Elect Harris has proposed, we support a \$1 billion infusion, over four years, to eliminate the rape kit backlog. This funding should be in addition to currently authorized amounts.

1 <https://www.fbi.gov/services/laboratory/biometric-analysis/codis/ndis-statistics>

2 Government Accountability Office, GAO-19-216: "DNA Evidence. DOJ Should Improve Performance Measurement and Properly Design Controls for Nationwide Grant Program." 17-18 (March 2019). Available at <https://www.gao.gov/products/GAO-19-216>.

3 Campbell R, Fehler-Cabral G, Bybee D, Shaw J. Forgotten evidence: A mixed methods study of why sexual assault kits (SAKs) are not submitted for DNA forensic testing. *Law Hum Behav.* 2017 Oct;41(5):454-467. doi: 10.1037/lhb0000252. Epub 2017 Jun 29. PMID: 28661168.

2. Increase Protections for Children from Sexual Abuse and Exploitation

Children have faced heightened risk of ongoing abuse by family members during the coronavirus pandemic. We have seen the result at the National Sexual Assault Hotline: Since March, 53 percent of victims calling the hotline for help have been minors. Sixty-seven percent of these kids identified their perpetrator as a family member, while 79 percent said that they were living with that perpetrator.

The New York Times this May published an alarming investigative report detailing a global child exploitation crisis. It detailed a system-wide government failure, resulting in first responders across the country reporting they are outmatched and overwhelmed.

The amount of child sexual abuse material on the Internet has dramatically increased in recent years. In March, the National Center for Missing and Exploited Children (NCMC) reported a 106 percent increase in CyberTipline reports of suspected online child exploitation compared to March 2019.⁴ Federal, state, and local law enforcement officers have been inundated with many more reports of Internet crimes against children than can be thoroughly investigated.⁵ Many agencies have indicated that the overwhelming number of reports “left them unable to carry out undercover investigations, which had often led to apprehending some of the more dangerous offenders.”⁶ Thousands of children are being abused every year, with videos and photos of their abuse shared across a global network of offenders. Many of these children are waiting for rescue.

The majority of children depicted in sexual abuse imagery are sexually abused by a relative or someone within their circle of trust. These images depicting abuse by a family member are more likely to be widely traded online.⁷

4 Brewster, Thomas, “Child Exploitation Complaints Rise 106% To Hit 2 Million In Just One Month: Is COVID-19 To Blame?” April 24, 2020, available at: <https://www.forbes.com/sites/thomasbrewster/2020/04/24/child-exploitation-complaints-rise-106-to-hit-2-million-in-just-one-month-is-covid-19-to-blame/#1c-c3a0014c9c>

5 See The National Strategy for Child Exploitation Prevention and Interdiction, A Report to Congress - April 2016, U.S. Department of Justice, pg. 81.

6 Keller, Michael H., “A \$5 Billion Proposal to Fight Online Child Sexual Abuse.” The New York Times, May 5, 2020, available at: <https://www.nytimes.com/2020/05/05/us/child-abuse-legislation.html>

7 https://www.missingkids.org/content/dam/missingkids/pdfs/ncmec-analysis/Production%20and%20Active%20Trading%20of%20CSAM_FullReport_FINAL.pdf

Additionally, children are being solicited online by strangers. Among these children, one emerging threat is “sextortion”—a form of online child sexual exploitation in which a child is threatened with the dissemination of sexual images to coerce them to provide additional sexual material. Predators frequently use gaming platforms and social media to develop relationships with children prior to requesting sexual images and videos. Since the CyberTipline began tracking sextortion reports, reports have skyrocketed from 50 in 2013 to 1,500 in 2018.⁸ Boys are both more likely to be targets of sextortion and less likely to report it to an adult.⁹

In 2019, the FBI, seeing an increase in sextortion on gaming sites, launched the “Stop Sextortion” awareness campaign in middle and high schools. However, COVID-19 has both limited in-person instruction for students and increased the amount of time children are spending online. In March 2020, the FBI warned of the increased risk to children online due to pandemic-related school closures.¹⁰ Additional resources are needed to adapt the program to effectively reach children and parents in the current climate.

Recommendation: We recommend the Biden-Harris administration establish a czar to oversee a new White House Office on Child Exploitation and Abuse and declare the abuse and exploitation of children a national emergency.

The Department of Education should be directed to work with states and the technology industry to add abuse reporting functions to all online learning systems. Every jurisdiction should be encouraged to establish multidisciplinary teams that include staff from child advocacy centers, child protective services, and Internet Crimes Against Children Task Forces.

In addition, we ask that your budget include increased funding for the Internet Crimes Against Children Task Forces; child advocacy centers; Homeland Security Investigations, C3 Child Exploitation Investigations and Forensic Units, Special Agent in Charge offices and the National Child Victim Identification System; NCMEC’s CyberTipline; FBI’s Innocent Images National Initiative; the Department of Justice’s (DOJ) Child Exploitation and Obscenity Section, and other

8 Bowles, Nellie and Michael H. Keller, “Video Games and Online Chats Are ‘Hunting Grounds’ for Sexual Predators.” The New York Times, December 7, 2019, available at: <https://www.nytimes.com/interactive/2019/12/07/us/video-games-child-sex-abuse.html>

9 Patchin, Justin W., “Sextortion: More Insight Into the Experiences of Youth,” November 19, 2019, available at: <https://cyberbullying.org/sextortion-more-insight-into-the-experiences-of-youth>

10 “School Closings Due to COVID-19 Present Potential for Increased Risk of Child Exploitation.” March 23, 2020, available at: <https://www.fbi.gov/news/pressrel/press-releases/school-closings-due-to-covid-19-present-potential-for-increased-risk-of-child-exploitation>

federal agencies supporting the fight against child sexual abuse and exploitation.

The White House czar and law enforcement agencies should be directed to prioritize cases involving dual offenders (those offenders who commit both child exploitation offenses and contact offenses).

3. Prioritize Funding for Crisis Response to Sexual Assault

Local service providers who serve victims of sexual violence are overwhelmed; at the same time, Victims of Crime Act (VOCA) funding, which supports their work, is plunging.

When survivors first reach out to seek help for or report a sexual assault, that initial encounter can dramatically impact both their healing and criminal investigation outcomes. Local service providers are the backbone of every state's response to sexual violence. Agencies and organizations that respond to victims in crisis must have the resources needed to effectively communicate with and respond to a victim's needs.

VOCA is one of the largest funding mechanisms for states and local service providers for victims of sexual violence. Funding has decreased by nearly \$1 billion due to fewer prosecutions against corporations that commit crimes and because deferred prosecution and non-prosecution agreement penalties are not required to be deposited in the VOCA fund. The fund is being depleted, and states are receiving up to 25 percent less funding than they received just a few years ago.

In addition to VOCA, local service providers rely on the Sexual Assault Services Program, which supports the work of crisis centers in hundreds of communities.

National service providers are also facing unprecedented demand. For example, RAINN's victim service programs will help more than 300,000 people this year, double the number of just five years ago. National hotlines serving domestic violence, human trafficking, and other victims of crime are also experiencing huge demand.

Recommendation: Funding should be doubled for the Sexual Assault Services Program. We also ask that your budget include an additional allocation of \$30 million for competitive grants for existing national hotline providers that serve victims of sexual violence, domestic violence, human trafficking, child abuse and other violent crimes.

To replenish the VOCA fund going forward and ensure sustained support for local service providers, we ask that you support amending VOCA to allow penalties and fines from deferred and non-prosecution settlement agreements to be deposited in the VOCA fund. As a result of hardship experienced by local providers due to COVID-19, we also ask that you provide relief from matching requirements for grantees.

4. Increase the Availability of Sexual Assault Forensic Nurses

Imagine enduring one of the most traumatic events of your life, only to be told when you arrive at a hospital that they do not have anyone with the specialized training needed to help you. You end up having to drive for hours, sometimes even across state lines, to finally find help. This happens to rape victims every day across the U.S.

In the aftermath of a sexual assault, a forensic examination performed by a trained sexual assault nurse examiner (SANE)—which can provide survivors with vital medical care and trauma-informed support and ensure the preservation of DNA evidence—has been shown to improve patient outcomes as well as prosecution rates compared to cases without.¹¹ SANEs also provide expert testimony to help jurors understand the physical evidence in sexual assault trials. Across the U.S., many victims in rural and underserved areas have been turned away from their local hospital because there are no SANEs available.^{12 13} In 2018, the Government Accountability Office reported on the widespread lack of forensic nurses. It identified three main obstacles to care for survivors: a lack of hospital support for establishing sexual assault nurse programs; attrition of trained nurses to other medical fields; and a lack of hospital facilities qualified to provide professional supervision for nurses during training.

Recommendation: We urge you to encourage Congress to establish centers of excellence for sexual assault nurse programs throughout the U.S., in addition to supporting passage of the Survivor's Access to Supportive Care Act (SASCA), a bipartisan bill (S. 402/H.R. 1082) introduced

11 Campbell, Rebecca & Bybee, Deborah & Townsend, Stephanie & Shaw, Jessica & Karim, Nidal & Markowitz, Jenifer. The Impact of Sexual Assault Nurse Examiner Programs on Criminal Justice Case Outcomes: A Multisite Replication Study. *Violence against women*. (2014). 20.10.1177/1077801214536286.

12 Keenan, J. (2018, July 27). Why Did It Take 9 Hours and 3 Emergency Rooms For This Woman to Get a Rape Kit? Retrieved from <https://www.cosmopolitan.com/politics/a58941/dinisha-ball-rape-kit-texas-emergency-room/>.

13 Fantz, A., Grinberg, E., & Ravitz, J. (2016, May 19). Bill aims to give rape victims better health care. Retrieved from <https://www.cnn.com/2016/05/18/health/sexual-assault-examiner-shortage/>.

by Sens. Patty Murray (D-WA) and Lisa Murkowski (R-AK) and Reps. Pramila Jayapal (D-WA) and Peter King (R-NY). SASCA would establish a task force to identify barriers and make recommendations for improving survivors' access to SANEs. The bill also authorizes grants to states to collect data on survivors' access to SANEs.

5. Reauthorize the Violence Against Women Act

The Violence Against Women Act (VAWA) has historically had strong bipartisan support and was regularly reauthorized. Recent events have not lived up to that standard, and VAWA has been snagged in Congress for two years. We hope you will work with both parties in Congress to once again renew VAWA.

As part of any VAWA reauthorization, marginalized communities should not be left behind. Reauthorization should provide full protections for Alaska Native, Native American, and lesbian, gay, bisexual, transgender, and queer (LGBTQ) survivors. Native women suffer from domestic violence¹⁴ and murder¹⁵ at a rate 10 times higher than the national average. More than 50 percent of Native American and Alaska Native women have experienced sexual violence;¹⁶ and the majority of violence against Native American and Alaska Native women is perpetrated by a non-Native person.¹⁷ In 2018, the Alaska Department of Public Safety reported that Alaska Native women comprised 43.7 percent of all reported victims of felony sexual assaults,¹⁸ yet made up only 18 percent of Alaska's population.¹⁹ Yet, under current law, tribes are limited in their ability to hold offenders accountable when acts of sexual violence are perpetrated against tribal members on tribal lands. We hope that the new VAWA will correct that.

For victims whose English proficiency is limited, language barriers can present a significant impediment to their ability to engage with services and communicate with law enforcement. The National Immigrant Women's Advocacy Project has found that, among immigrant victims

14 Ending Violence Against Native Women, Indian Law Resource Center. 2020 Oct. 19. <https://indianlaw.org/issue/ending-violence-against-native-women#:~:text=Native%20women%20are%20murdered%20at,be%20pros-ecuted%20by%20tribal%20governments>

15 <https://www.csvanw.org/mmiw/>

16 Rosay, Andre B. Violence Against American Indian and Alaska Native Women and Men. National Institute of Justice Journal. June 1, 2016. <https://nij.ojp.gov/topics/articles/violence-against-american-indian-and-alaska-native-women-and-men>

17 Rosay, at Figure 1: Estimates of Lifetime Interracial and Intra-racial Violence. <https://nij.ojp.gov/media/image/19456>

18 <https://dps.alaska.gov/getmedia/dec8c6c2-1db7-45fb-9401-637932594882/Felony-Level-Sex-Offenses-2018> (pg. 4)

19 <https://www.nativefederation.org/alaska-native-peoples/>

of intimate partner violence, if police do not have access to qualified interpreters at the crime scene, language barriers prevent these victims from receiving law enforcement assistance.²⁰ Additionally, deaf survivors sometimes have difficulty accessing services because of barriers in communicating with 911, police officers, and prosecutors.

When qualified interpreters are not available to respond to a crime scene, police may use family or friends to communicate with a victim. This prevents victims from openly discussing their experiences, particularly if the perpetrator is known to the person providing interpretation.

Recommendation: First and foremost, we urge you to help pass the reauthorization of VAWA. The 2016 reauthorization of VAWA added tribal jurisdiction over crimes of domestic violence committed by non-tribal members on tribal lands. This jurisdiction should be extended to sexual violence; tribes should have full authority to prosecute all offenders who sexually assault tribal members, including children, on tribal lands.

6. Prioritize Trauma-Informed Training for Law Enforcement

Victims of sexual violence have a right to expect that, if they report a sexual assault to their local law enforcement agency, the response they will receive will be trauma-informed and respectful. However, research and experience show us this is not always the case.

Studies have shown that victim cooperation is the strongest predictor of arrest in sexual assault investigations.²¹ If a victim's first encounter with law enforcement—or previous experience with law enforcement—is negative, this diminishes the likelihood of cooperation, resulting in the potential for serial offenders to remain at large.

Due to the effects of trauma on the brain, victims of sexual violence may have difficulty conveying their experience to investigators.²² Unfortunately, officers may interpret this as signs of a false report rather than what they are: a normal, human response to trauma.

Interviews with sex crimes investigators reveal a need for additional training to help law

20 Jessica Mindlin, et al., “Dynamics of Sexual Assault and the Implications for Immigrant Women,” National Immigrant Women’s Advocacy Project, p. 6, available at: <http://niwaplibrary.wcl.america.n.edu/wp-content/uploads/2015/CULT-Man-Ch1-DyanimcsSexualAssaultImplications-07.10.13.pdf>

21 Morabito, Melissa S. et al, “Decision Making in Sexual Assault Cases: Replication Research on Sexual Violence Case Attrition in the U.S.” Abstract. <https://www.ncjrs.gov/pdffiles1/nij/grants/252689.pdf>

22 See Wilson, C., Lonsway, K. A., Archambault, J. (2020). Understanding the Neurobiology of Trauma and Implications for Interviewing Victims. End Violence Against Women International. Pg 26, 30.

enforcement more effectively investigate sex crimes by interviewing survivors in ways that best produce case results and promote post-trauma recovery.²³ Patrol officers, who are often the first to encounter a victim upon a report of sexual assault, also require trauma-informed, culturally responsive training, both to prevent harming victims and to obtain information and evidence necessary for a successful investigation and prosecution. Research shows “a direct relationship between training and a lowered [law enforcement] perception of false reports.”²⁴

Recommendation: Every state is responsible for establishing training standards for its law enforcement officers. These state standards and required training curricula come under review every several years. The Biden-Harris Administration should support the establishment of a grant program to incentivize states to revise their standards to include mandatory trauma-informed victim interviewing training for law enforcement officers. In addition to detective-level training, these standards should require training for all patrol officers, who are often the first to engage with a victim of sexual assault. This will ensure that victims are more likely to receive responses that are centered around their well-being. This training will also ensure that law enforcement is able to obtain the information and evidence necessary for a successful prosecution.

7. Close the Law Enforcement Consent Loophole

An Associated Press review of data from 41 states found that, between 2009 and 2014, almost 1,000 law enforcement officers lost their licenses due to sexual misconduct.²⁵ A 2014 study showed that “police sexual misconduct includes serious forms of sex-related crime and that victims of sex-related police crime are typically younger than 18 years of age.”²⁶ The International Association of Police Chiefs has published policy recommendations that describe sex-related misconduct as an issue that “warrants the full attention of law enforcement leadership.”²⁷

23 Wells, William, Bradley Campbell, and Cortney Franklin. “Unsubmitted Sexual Assault Kits in Houston, TX: Case Characteristics, Forensic Testing Results, and the Investigation of CODIS Hits,” 13. 2016. <https://www.ncjrs.gov/pdffiles1/nij/grants/249812.pdf>

24 Schwartz, Martin D. “National Institute of Justice Visiting Fellowship: Police Investigation of Rape -- Roadblocks and Solutions,” pg. 32, available at: <https://www.ncjrs.gov/pdffiles1/nij/grants/232667.pdf>

25 Sedensky, Matt “AP: Hundreds of officers lose licenses over sex misconduct.” November 1, 2015. <https://ap-news.com/article/fd1d4d05e561462a85abe50e7eae4ec>

26 Stinson, Philip M. et. al, Police sexual misconduct: a national scale study of arrested officers. Bowling Green State University, 2014; p. 1. <https://www.bwjp.org/assets/documents/pdfs/webinars/dhhs-police-sexual-misconduct-a-national-scale-study.pdf>

27 International Association of Chiefs of Police, “Addressing Sexual Offenses and Misconduct by Law Enforcement: Executive Guide,” p. 1, available at: <https://www.theiacp.org/sites/default/files/all/a/AddressingSexualOffensesandMisconductbyLawEnforcementExecutiveGuide.pdf>

Law enforcement officers sometimes engage in sexual conduct with an individual who is detained and later claim such conduct was consensual. Eight states have enacted statutes that have entirely eliminated this defense, known as the “consent loophole.” However, a number of states and the federal government still allow consent as a criminal defense to sexual misconduct by law enforcement in many circumstances.

Recommendation: Reform is necessary to hold law enforcement officers accountable for abusing their authority and victimizing people in their custody who have no ability to withhold informed consent. Either through Executive Order or by supporting congressional efforts, we ask that you close the law enforcement consent loophole. Congress recently reintroduced H.R. 1574 & S. 855, the Closing the Law Enforcement Consent Loophole Act of 2019. This bill would make it unlawful for a federal law enforcement officer to engage in a sexual act while acting under color of law or with someone who is under arrest, in detention, or in custody. Officers could not rely on the “consent” of the detained victim as a defense to prosecution. The bill would also authorize DOJ to provide grants to states that enact similar laws to close this loophole for state and local law enforcement.

8. Eliminate the Remaining Statutes of Limitations on Sex Crimes

The need to reform criminal statutes of limitation has never been clearer. DNA testing has demonstrated that a significant portion of sexual assaults are committed by serial rapists; it also is a source of evidence that can be stored for many years without losing its ability to identify a perpetrator. Meanwhile, we know that many of those victimized as children delay reporting until later in life; a study from the National Institutes of Health found that “between 60 and 80 percent of victims of childhood sexual abuse wait until adulthood to disclose their abuse.” However, many states have statutes of limitation that require a perpetrator be charged within a strict time frame — sometimes as little as three years after an offense. These arbitrary and archaic restrictions hinder victims’ ability to bring their abusers to justice and prevent prosecutors from taking dangerous, often serial, offenders off the streets.

Recommendation: We hope the Biden-Harris administration will lend public support for the No Time Limit For Justice Act, which would award a five-year, 5 percent increase in funding to states that repeal their statutes of limitation for sex offenses committed against a minor and work to reduce the backlog of untested rape kits.

9. Improve Data on Sexual Violence and Child Sexual Abuse System Response

Out of the tens of thousands of reports of sexual assault and child sexual abuse received by law enforcement and child welfare agencies each year, only a small percentage of perpetrators are charged and convicted of these crimes. In a 2019 study of 500 child sexual abuse cases, fewer than one in five were prosecuted, while only half of prosecutions resulted in a conviction.²⁸

Despite a growing trend toward collaboration and the use of multidisciplinary teams, many law enforcement and child protective service agencies still work in silos. Data systems for each are unable to share data across agencies, (e.g., OASIS is often used for child protective services but this system can not share data with law enforcement systems). As a result, decision makers and the public are unable to see how well these systems are responding to sexual violence and how well they protect children. Due to a lack of transparency in this process, it is difficult to obtain information about deficiencies and where and how attrition is occurring systemwide.

Recommendation: The Department of Justice should conduct a feasibility study for the establishment of statewide systems to track reports of sexual assault and child sexual abuse across child welfare, law enforcement, courts, juvenile justice, and sentencing agencies (e.g., the [Virginia Child Protection Accountability System](#)).

10. Address the Sex Abuse to Prison Pipeline

Studies have shown that as many as 81 percent of girls in the juvenile justice system have experienced sexual violence.²⁹ Black and Brown girls are disproportionately incarcerated for status offenses that studies have shown are often associated with trauma, such as truancy, underage drinking, curfew violations, and smoking.³⁰ Taking girls into custody disrupts their education. Harsh responses by schools to these behaviors may initiate a cycle of court involvement, which leads to the overrepresentation of girls of color in the juvenile justice system. Rather than punishment, these girls need access to alternatives like mediation and wraparound services.

28 Block, Stephanie D. and Linda M. Williams, “The Prosecution of Child Sexual Abuse: A Partnership to Improve Outcomes.” February 2019, available at: <https://www.ncjrs.gov/pdffiles1/nij/grants/252768.pdf>

29 Id at 12.

30 Saar, Malika Saada et al, “The Sexual Abuse to Prison Pipeline: The Girls’ Story,” Center on Poverty and Inequality, Georgetown Law, 2019, available at: https://rights4girls.org/wp-content/uploads/r4g/2015/02/2015_COP_sexual-abuse_layout_web-1.pdf.

Recommendation: To provide immediate relief, we recommend that the Biden-Harris administration issue an Executive Order directing the Office of Civil Rights at the U.S. Department of Education to prohibit school resource officers and school officials from utilizing the court system to remedy status offenses like truancy, drinking, smoking, and other behaviors that may be associated with trauma. The Biden-Harris Administration should also direct the Department of Education to provide additional funding to school systems to screen for trauma and provide support services to address status offenses by minors with trauma histories. Additionally, we ask that you encourage Congress to pass H.R. 1885 & S. 866, the Prohibiting Detention of Youth Status Offenders Act of 2017. The bill would eliminate an exception in the Juvenile Justice and Delinquency Prevention Act that allows states to detain juvenile status offenders who violate court orders.

11. Support Additional LGBTQ Protections

According to the the National Network of Runaway and Youth Services, lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth are a disproportionate percentage (20-40 percent) of homeless youth.³¹ Homelessness among LGBTQ youth frequently follows physical and emotional abuse and family rejection that comes after telling their family about their sexual orientation.³²

Commercial sexual exploitation of minors can be misunderstood and overlooked, as it often affects those living at the margins of society and most vulnerable to exploitation, including the homeless and those among the LGBTQ community. Commercial sexual exploitation can refer to exploiting a minor through prostitution, for child sexual abuse material (CSAM), or requiring the exchange of sex for food or shelter.³³

The Institute of Medicine and National Research Council have stated, “given that homelessness is considered one factor contributing to commercial sexual exploitation and sex trafficking of minors, it is not surprising that studies show both a disproportionate experience of homelessness and a disproportionate experience of commercial sexual exploitation among LGBT youth.”³⁴

31 Ray, N., C. Berger, S. Boyle, M. Jo Callan, M. White, G. McClland, and T. Nolan. 2006. Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness. Washington, DC: National Gay and Lesbian Task Force

32 IOM. 2011. The health of lesbian, gay, bisexual, and transgender people: Building a foundation for better understanding. Washington, DC: The National Academies Press.

33 IOM (Institute of Medicine) and NRC (National Research Council). 2013. Confronting commercial sexual exploitation and sex trafficking of minors in the United States. Washington, DC: The National Academies Press.

34 IOM (Institute of Medicine) and NRC (National Research Council). 2013. Confronting commercial sexual exploitation and sex trafficking of minors in the United States. Washington, DC: The National Academies Press.

Recommendation: We urge you to work with Congress to reauthorize the Runaway and Homeless Youth Act to ensure that homeless youth are provided with transitional housing, street outreach, and crisis intervention programs.

Additionally, we ask you to include in your budget request an increase in funding for services provided under the Youth Homeless Demonstration Program at the Department of Housing and Urban Development, and the McKinney-Vento Homeless Youth in Elementary and Secondary Education.

12. Match EU Resource Commitments to End Gender-Based Violence in Africa

According to the United Nations, “35 percent of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence.” In some countries, the risk is even greater; the UN reports that in the Democratic Republic of the Congo, lifetime physical and sexual victimization rates are as high as 51 percent.³⁵ Under COVID-19, Liberia has seen a 50 percent increase in gender-based violence; in Kenya, local media have reported almost “4,000 schoolgirls becoming pregnant when schools were closed during the lockdown. In most cases, they had allegedly been raped by relatives or police officers.”³⁶

In 2019, The UN Trust Fund to End Violence Against Women partnered with the Spotlight Initiative, led by UN Deputy Secretary-General Amina J. Mohammed and European Union High Representative for Foreign Affairs and Security Policy/Vice-President of the Commission Josep Borrell. The Spotlight Initiative “is a global, multi-year partnership between the European Union and the United Nations to eliminate all forms of violence against women and girls by 2030.”³⁷ The EU has committed \$500 million to the initiative.

Recommendation: We hope the Biden-Harris administration will support U.S. matching funding towards the EU partnership with the Spotlight Initiative to support efforts to end gender-based violence in Africa by building on partnerships with local African civil society groups providing post-rape services and care for victims of sexual violence.

35 Ministère du Plan et Suivi de la Mise en oeuvre de la Révolution de la Modernité (MPSMRM), Ministère de la Santé Publique (MSP) et ICF International, 2014. Enquête Démographique et de Santé en République Démocratique du Congo 2013-2014. Rockville, Maryland, USA : MPSMRM, MSP et ICF International. <https://evaw-global-database.unwomen.org/en/countries/africa/democratic-republic-of-the-congo>

36 <https://www.dw.com/en/africa-pandemic-violence-rape-women/a-55174136>

37 <https://spotlightinitiative.org/what-we-do>