

Testimony of
Mrs. Debbie Smith

May 14, 2002

03-03-89; 9342-00 through 9342-05; Numbers of identification. 8905010; C89-1989; human identification. 180907; 89-85-00-0234 Written and spoken without a particular face impressed on the mind. 228-15-3839; VA654195; ... cold, impersonal ... necessary numbers of human identification revealing personal information about this faceless individual. There had never been so many ways to identify me and yet I had never felt so lost. I resented being referred to as a number. The numbers made it seem as if I didn't exist as a person, mechanical and unreal. Little did I know that it would be numbers ... matching numbers that would breathe air into my lungs and allow me to truly live again.

There is no way for you to understand how what is done in the DNA labs can mean the difference between life and death without taking you back to March 3, 1989. It is around 1:00 on a Friday afternoon. I am in my home in a nice neighborhood in the city of Williamsburg, VA, which happens to be one of the safest cities in this country. My husband, a police lieutenant is upstairs asleep, after having been up for over 30 hours. How could I have possibly been any safer?

In the midst of cleaning house and doing laundry I realized that my clothes dryer was not working properly, so I stepped outside to check the dryer vent. When I returned I decided to leave the back door unlocked just long enough for me to go in and grab the trash. But before I could return, within moments, a stranger entered that door and nearly destroyed and definitely changed my life forever. This masked stranger forcibly took me out of my home where he blind folded, robbed and repeatedly raped me. The sound of his voice rang through my ears as a deafening clamor, "remember, I know where you live and I will come back and kill you if you tell anyone." As soon as I was set free, I ran upstairs to my sleeping husband, waking him with the words, "he got me Rob, he got me." I begged him not to call the police, I pleaded with him because I feared this man would keep his promise to return and kill me. But the police officer in my husband knew that we couldn't let this go unreported. He also convinced me of the importance of going to the hospital, for he knew we may need the evidence collected with the rape kit. All I wanted to do was to take a shower and wash it all away.

For the first time in my life I couldn't find any reason to live. The love of my family and friends wasn't enough. They couldn't erase the memories or take away the pain. Even my faith in God seemed to be failing me.

There was no escaping the pain, no escaping the fear. Fear will not be satisfied until it has taken over your mind and body as a cancerous tumor. It cripples like arthritis, making every movement unbearable, until finally it no longer seems worth the pain. You become paralyzed feeling trapped and helpless. It was always there. It was there in my waking hours as well as in my dreams. On many occasions, my husband would be awakened in the middle of the night to the sound of

blood curdling screams from the nightmares. It was at this point that I began to realize that I could not and would not live this way. Death seemed to be the only alternative, the only answer that would end this horrible nightmare that had become my life. In death, there would be peace and quiet. I would no longer hear his voice in my ears, feel his arm around my neck or see his face before my eyes. My mind could rest. . Over and over I planned this suicide in my head. But there was one problem that had no solution ... my husband and two children. Who would find me? Would they live in guilt feeling they had failed me? What would this do to them? I thank God that my love for them was stronger than need to rid myself of this constant torment. I finally grabbed onto this thread and it became my reason to live. One of the most frequent comments I heard after being raped was, "At least you're alive." But I can tell you still today that while I was alive physically I had died inside. I cursed my attacker for leaving me alive to live with this pain. I didn't know relief from my pain sat on a shelf, just waiting for the manpower and funds to test my attacker's DNA sample and place it in the data bank.

Although this intruder never laid a physical hand on anyone else in my family, he left each of us a victim. He touched emotions that we had never known. We saw rage in the eyes of my son and fear kept my daughter from going from the porch to the driveway after dark. And each of us, especially my husband, felt the awful pain of guilt. Our home which was always filled with love and laughter had become a house full of bitterness, anger, fear, and guilt. But yet, our answers still sat on that shelf ... waiting to be processed.

Every person that touched my life or my family's lives, felt the effect of this crime. They too felt invaded and vulnerable. I could see the pain in their eyes because I was a constant reminder that rape can truly happen to anyone, anywhere. They were angry for me and yet they felt helpless for there was nothing they could do. Our minds and bodies ached for understanding and yet there was none to be found. I waited daily to hear the news that they had found this man who had changed our lives so drastically. Hearing his words over and over in my head, "I know where you live and I will come back and I will kill you." Our help remained on the shelf, waiting.

I craved peace of mind and did everything I could to attain it. An alarm system was installed in our home including panic buttons throughout the house as well as one I could wear around my neck. The privacy fence was put around our backyard and motion detectors were installed. At one point, I even took to carrying a gun. My peace of mind still sat on that shelf ... not enough money ... not enough time.

There just didn't seem to be any way to attain this peace and rest that my mind and my body craved for so long. I would suffer daily with the memory of a man who was in my life for such a short span of time and he may never have to pay for his crime, but I was going to have to pay for it forever. I can tell you that it is only by the grace of God that I am here today. For six and a half years, I simply existed trying to go on and live life as normal.

VA122015Y, 01-14-91, More numbers. 91-17682, 07-24-95, But these numbers bring with them a life giving force and a renewed hope. 4183, 07-26-95. As George Li sat at his computer in the Virginia Division of Forensic Science on July 24 1995, on what probably seemed to him to be just another day at the lab, he had no way of knowing what effect his work that day would have on my life and those around me. On this day Mr. Li entered a prisoner's blood sample into the

computer and it automatically began its cross check against previously entered samples. To his joy and surprise he received a cold hit, something fairly rare at that time. This information was passed on to the Williamsburg Police Department. They in turn passed the information on to the shift Lieutenant working that day who just happened to be my husband. On that day, July 26, 1995, my husband walked into our living room and handed me a composite that he had carried with him ever since the incident, and told me I could throw it away because we weren't going to need it anymore. Not only had they identified my rapist but he was already in prison for another crime...and he was put there 6 months after I was attacked. Finally they had unpacked the box that contained my release from fear ... my freedom had been delivered.

For the first time in six and a half years, I could feel myself breathe. I felt validated. There was a real name and a real face to go with the nightmare. Everyone would know that I was telling the truth, that it was real. Finally, I could quit looking over my shoulder. No longer did I have to drive around in circles hoping a neighbor would drive by so I could get the courage to get out of my car to go into my own front door if no one else was home. Unfamiliar noises no longer left me panic-stricken. I no longer scanned faces in a crowd to see if he was following me. Suicide was no longer a consideration. And finally, my husband is grateful that I don't wake him up anymore in the middle of the night with the ear-piercing screams. Within myself, the healing had begun and peace had come at last. Because of your efforts this man is off the streets for good. The jury gave Norman Jimmerson 2 life sentences plus 25 years with no chance of parole.

In the few minutes that I have been talking at least two women have been raped. Could we have prevented it? I believe so. Millions of dollars are spent every day for research on problem solving, our research is done. We have the answers before us. There are literally thousands of inmate DNA samples waiting to be tested and entered into the data bank. Answers to the questions of a rape victim, her freedom and peace, could be sitting on a shelf. It breaks my heart to see shelf after shelf filled with old, untested rape kits, each kit representing a life in turmoil. We could have the answers to the questions that haunt her mind day and night and yet they still sit. With all of the rape kits that are sitting on those shelves, there should be many more. But because the evidence collection is so devastating and humiliating, victims do not report this horrific crime. We have the answer, Sexual Assault Nurse Examiners are trained to give one on one care to a rape victim, making her more willing to allow the evidence collection. With this bill you can provide the solution for the past, present and future. By eliminating the backlog of untested rape kits and offender samples, we could be saving the life of the victim who can no longer hold on to that one thread of hope that keeps her alive. We can offer hope to those victims that walk into the E.R. today. The average rapist commits eight to twelve rapes before he is caught, identifying him now and making him pay for his crimes we can prevent many from becoming victims. This bill can protect your wives, daughters and sisters. How can we do any less?

On behalf of myself and other rape victims past, present and future, I thank you for caring enough to allow me to share my heart with you today.