

SB167
Senate Judiciary Committee
Written Testimony submitted by Cindy Hillebrand
February 20, 2013

PROPONENT

Chairman King and Members of the Committee:

In 1985, I was kidnapped at knife point and raped. After reporting the incident, a suspect was apprehended and tried in a court of law in Kansas. However, that person was proven to not have committed the crime through DNA testing and in 1992 I dealt with confusion and guilt over the release of a wrongly convicted person. For the next 19 years I believed that no one would ever pay for my rape and I lived with the fear that he was still out there and he might find me again.

In early 2012, a small amount of DNA was located from the crime scene of my assault. The DNA was processed and a match was found. The man who raped me was conclusively identified by DNA evidence. He was located in a correctional facility in Kansas for other charges. However, because the rape occurred in 1985 and the DNA exception to the statute of limitations was not made law until 2001, the ex post facto clause of the US Constitution barred this man from being tried in a court of law for the rape he perpetrated against me.

I am 61 years old and almost half of my life has been dealing with not only the rape but also the legal consequences of the rape. Because of the existing statute of limitation my rapist will never pay for my rape. I would like to see the laws changed to keep up with the scientific tools that are available to us now.

I pursued this issue because there is no reason for a proven rapist to be allowed to commit a rape and face no legal consequences. While this man is currently incarcerated, he could be free in a few years if paroled and will be free to do it again to another woman. I also pursued this issue because unlike murder where there is no statute of limitations, I live on with the fear, the anxiety, and the horrible memories of that night in 1985. I beg of you, please do away with the statute of limitation for rape.

Thank you,

Cindy Hillebrand