

The Backlog Justice Act of 2026

to End the National Backlog of Untested Sexual Assault Kits and Deliver Justice to Victims



THE PROBLEM:

Almost every minute, someone in the United States is sexually assaulted. In the aftermath of an assault, victims can choose to undergo a thorough forensic analysis conducted by a doctor or nurse, where key evidence is obtained from their person. That evidence, which can include samples of the perpetrator's hair and bodily fluids and evidence of the harm they inflicted on the victim, is then collected and stored in a sexual assault kit, or SAK. The evidence in SAKs can be key to catching perpetrators, delivering justice to victims, exonerating innocent parties, and connecting cases of assaults carried out by serial offenders. Unfortunately, far too often, SAKs are not tested. Bias against victims, lack of training and technology, and overwhelmed crime labs are just some of the many factors that have created this crisis. There is currently a national backlog of untested SAKs that experts estimate ranges from the tens of thousands to the hundreds of thousands. This is a failure that must be addressed.

THE BILL:

The bipartisan Backlog Justice Act of 2026, led by **Rep. Emanuel Cleaver (D-MO)** and **Rep. Ann Wagner (R-MO)**, would create a National Sexual Assault Database. The database would collect and make publicly available information on untested kits from state and local governments, police departments, and crime labs across the country. The information in the database would be anonymized and include no personally identifiable information about victims. The bill would also create a federal training program to prepare more professionals to test and process SAKs, as well as a federal validation and technology transfer program to determine best practices, vet new technologies, and provide technical assistance to labs across the country. Finally, it would increase STOP VAWA Grant funding to states to use in setting up an electronic tracking and notification system for victims.

PREVIOUS VERSION:

Representative Cleaver, along with Representative Ann Wagner and Representative Katherine Clark, introduced the Backlog Justice Act of 2022 (H.R.8264) in the 117th Congress. The bill was endorsed by the Joyful Heart Foundation, the Rape, Abuse & Incest National Network (RAINN), and the Missouri Coalition Against Domestic & Sexual Violence. The bill received support from sixty-eight cosponsors from both sides of the aisle.

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