



## Evidence Collection after an experience of Sexual Assault/Rape

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One of the time limited options a survivor of sexual assault has is the collection of forensic evidence. A Sexual Assault Nurse Examiner (SANE) completes this exam. Survivors can have this exam done up to 5 days after the assault.

The decision to get a forensic exam can be challenging. Here is some information that may help decide if this is an option to utilize:

- Examinations for evidence can usually be done up to 5 days post assault, and sometimes longer. The sooner an exam is completed the higher the chance of collecting evidence.
- Daily activities such as bathing, showering, douching, toileting, smoking, eating and drinking, and day to day movements can compromise evidence. However, the examination can still be done. If a person knows they want to have an exam done, its recommended to avoid the above activities until after the exam.
- Survivors have the option to complete the forensic exam without filing a formal report or pursuing prosecution. According to the [Attorney General's Standards of Service for Victims of Sexual Assault](#), survivors' consent is required to activate any part of the SART response.
- Evidence taken during a forensic exam can be signed over to the police and then taken to the state police laboratory for analysis, or it can be held for up to 5 years while you decide if you want to pursue a criminal investigation. Consent forms must be signed prior to the exam. Survivors also sign a transfer form allowing legal authorities to take the evidence.
- Evidence included in the kit will not be analyzed unless it is needed for prosecution of the perpetrator.

Understanding what happens during a sexual assault forensic exam can help survivors decide if this is the right option for them. Survivors have the right to consent to or not consent to any parts of the exam. Survivors also have the right to withdraw consent and end the exam at any time. Additionally, survivors may request to have an advocate present during the exam if they choose.

- The examination is similar to a general GYN exam and begins with taking information about what happened.
- The exam is generally completed by a SANE (Sexual Assault Nurse Examiner) who is specially trained. The overall purpose for the exam is to make sure the patient is not injured and to gather evidence from the survivor's body. The exam includes gathering samples from the part of the areas of the body that were assaulted. This may include internal and external genital areas. Additionally, samples are usually obtained from fingernails, hair, the mouth, and possibly clothing.
- All survivors have a right to have the examination explained prior to giving consent and the right to refuse any part of the examination or withdraw consent at any point.
- There is no fee for this examination, although some hospitals/centers may charge for lab work, radiology services etc.
- All survivors have the right to have an advocate present during the entire exam and hospital visit. An advocate from VPVA may be available to accompany survivors.
- Either the doctor or nurse will ask questions about the assault. This helps decide the type of examination needed. Questions may feel uncomfortable and difficult to answer because of the details required for a complete exam. Sexual Assault Nurse Examiners are trained to ask questions in a sensitive, non-judgmental, and supportive manner.
- The provider will conduct an extremal to check for any signs of injury and contact. All signs of injury will be documented. The option for treatment will also be available.
- Pictures may be taken if there is noticeable trauma to the body.
- Clothing may be taken, although this does not usually include coats and shoes. It can be helpful to bring a change of clothes if possible since the SANE nurse may keep clothing. The hospital will provide a change of clothes to survivors who don't have any with them.
- If the clothing worn during the assault has been changed already, place it in a paper bag, preferably one item per bag. Try not to use plastic, as it can destroy evidence.

- Some hospitals/centers will do baseline testing for sexually transmitted infections (STIs). Some facilities will give medications/prescriptions based on preventative treatment and survivors must be given information and access to emergency contraception (EC). Sometimes centers will refer to other programs for STI testing. This is also available at the health center on campus.
- If a survivor believes they were drugged, it's important to share this with the nurse so they can screen. If you have concerns with having a drug screen performed, you can speak with the Confidential Advocate or a counselor from VPVA.
- HIV testing is available and should be discussed. The health center on campus has information about testing and testing sites. Survivors can contact VPVA for information regarding free, anonymous, and confidential HIV testing.