Information on Evidence Collection

Here is some information to consider:

● Examinations for evidence can usually be done up to 5 days post assault but the sooner it is done, the better chance of retrieving evidence.

● It is important to remember not to bathe, shower or douche as this destroys evidence. Evidence is also destroyed or compromised by smoking, drinking or eating. If possible, these activities should be avoided prior to evidence collection. However, the examination can still be done even if you have done all of the above.

● The examination for evidence collection, often called a forensic exam, will sometimes not be done until the police have been called. The policies on police involvement vary from county to county. However, calling the police or even talking with them while in the rape crisis center does not mean that you have to follow through on prosecution or file a formal report.

● 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 90 days while you decide if you want to pursue a criminal investigation. You will have to sign a consent form prior to the exam being done, and will 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.

About the Exam

● The examination is similar to a general OB/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. Whether the survivor is male or female, the exam includes specimens gathered from the part of the body that was assaulted including internal and external genital areas. Additionally, samples are usually obtained from fingernails, hair and mouth.

● All survivors have a right to have the examination explained prior to giving consent. Also, you have the right to refuse any part of the examination.

● There is no fee for this examination although some hospitals/centers may charge for lab work, radiology services etc.

● Transportation is available from the Rutgers University Police Department. Being transported by the police does NOT obligate you to press criminal charges or file a complaint.

● All survivors have the right to have an advocate present during the entire exam and hospital visit. A counselor from VPVA is available to accompany you.

● Either the doctor or nurse will need to ask questions about the assault in order to make decisions about the type of examination to be done. You may need to answer questions that are sometimes very uncomfortable regarding the types of sexual acts
which were done either by or to you. These questions may sound intrusive but are usually asked in a non-judgmental manner.

- You will be examined externally to check for any signs of injury and contact. All signs of injury will be documented.
- Pictures may be taken if there is noticeable trauma to the body.
- Clothing is also taken although this does not usually include coats and shoes.
- Replacement clothing needs to be brought from home as most centers and hospitals don’t have surplus clothing. Clothing given to the police will be used for evidence and will not be returned. If you have already changed your clothing, place the clothing you had on at the time of the assault in a paper bag, preferably one item per bag. Try not to use plastic, as it can destroy evidence.
- Some 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 you to other programs for STI testing. This is also available at the health center on your campus.
- If you believe you were drugged prior to the sexual assault, it is important to disclose that information so that a drug screen can be done. If you have concerns with having a drug screen performed, you can speak with the Rape Care Advocate or a counselor from VPVA.
- HIV testing is available and should be discussed. You can contact the health center on campus to ask for more information about testing and testing sites, or contact VPVA for information regarding free, anonymous and confidential HIV testing.