

# Contents

<b>Goals</b> .....	<b>1</b>
<b>Recommendations at a Glance</b> .....	<b>4</b>
<b>Introduction</b> .....	<b>12</b>
Background .....	12
About this document.....	13
Use of terms .....	14
<b>Section A. Overarching Issues</b> .....	<b>21</b>
<b>1. Coordinated Team Approach</b> .....	<b>23</b>
Understanding the purpose of the exam .....	23
Key responders and their roles.....	23
Quality assurance measures .....	26
<b>2. Victim-Centered Care</b> .....	<b>29</b>
Patient priority as an emergency case .....	29
Patient privacy .....	29
Exam adapted to patients' needs and circumstances .....	30
Issues commonly faced by patients from specific populations .....	31
Importance of victim services within the exam process.....	39
Presence of personal support persons in the exam room .....	41
Requests for a responder of a specific gender.....	41
Explanation of procedures during the exam process .....	41
Respect for patients' priorities .....	41
Integration of medical and evidentiary collection procedures .....	41
Patient safety during the exam process .....	42
Information patients can review at their convenience.....	42
Physical comfort needs of patients .....	42
<b>3. Informed Consent</b> .....	<b>43</b>
Seeking informed consent as appropriate .....	43
Obtaining consent from specific populations .....	44
<b>4. Confidentiality</b> .....	<b>47</b>
Scope and limitations of confidentiality.....	47
Building understanding of confidentiality issues .....	47
Impact of federal privacy laws .....	48
Resolving intrajurisdictional conflicts .....	49
<b>5. Reporting to Law Enforcement</b> .....	<b>51</b>
Making the decision to report. ....	51
Consequences of reporting. ....	52
Alternatives to standard reporting procedures.....	53
Promoting a victim-centered reporting process .....	53

<b>6. Payment for the Examination Under VAWA .....</b>	<b>55</b>
VAWA provisions related to exam payment .....	55
 <b>Section B. Operational Issues .....</b>	 <b>57</b>
<b>1. Sexual Assault Forensic Examiners.....</b>	<b>59</b>
Specific knowledge, skills, and attitudes .....	59
Advanced education and clinical requirements .....	61
Access to experts .....	61
<b>2. Facilities.....</b>	<b>63</b>
Obligation to serve patients .....	63
Use of specially educated and clinically prepared examiners .....	63
Optimal site locations .....	64
Basic requirements .....	64
Patient transfers .....	65
<b>3. Equipment and Supplies .....</b>	<b>67</b>
Availability of specific equipment and supplies.....	67
Cost barriers .....	68
<b>4. Sexual Assault Evidence Collection Kit.....</b>	<b>71</b>
Minimum guidelines for contents .....	71
Standardized kits .....	72
<b>5. Timing Considerations for Collecting Evidence .....</b>	<b>73</b>
Importance of the history and exam findings.....	73
Prompt exam to minimize loss of evidence .....	73
Decisions made on a case-by-case basis .....	73
Resources for responders .....	74
<b>6. Evidence Integrity .....</b>	<b>75</b>
Policies to dry, package, label, and seal evidence .....	75
Evidence transfer policies.....	75
Storage policies .....	75
Documentation of evidence.....	76
 <b>Section C. The Examination Process.....</b>	 <b>77</b>
<b>1. Initial Contact .....</b>	<b>79</b>
Consensus among agencies regarding procedures .....	79
Essential activities .....	79
<b>2. Triage and Intake .....</b>	<b>83</b>
Priority cases .....	83
Acute care needs .....	83
Alerting examiners.....	83
Contacting advocates .....	84
Safety concerns upon arrival of patients at the site.....	84

Immediate medical and mental health interventions .....	84
<b>3. Documentation by Health Care Personnel.....</b>	<b>85</b>
Completion .....	85
Education for examiners.....	85
Mechanisms to ensure accuracy and objectivity .....	85
<b>4. The Medical Forensic History .....</b>	<b>87</b>
Coordination of history taking and investigative interviewing .....	87
Presence of advocates during the history .....	87
Patient needs addressed prior to and during history .....	88
Obtaining the history.....	88
<b>5. Photography .....</b>	<b>91</b>
Extent .....	91
Photographers and equipment .....	91
Patient comfort and privacy .....	91
Explanation of photography procedures .....	92
Initial and follow-up photographs.....	92
Photograph storage .....	93
<b>6. Exam and Evidence Collection Procedures .....</b>	<b>95</b>
Evidentiary purpose of the exam .....	95
Collecting as much evidence as possible.....	95
Issues related to consent to sexual contact.....	95
Testing of biological evidence .....	96
Exposure to infectious materials and evidence contamination.....	96
Importance of semen evidence .....	97
Addressing patients' needs and concerns.....	97
Explanation of exam and evidence collection procedures.....	97
Conducting the exam and documenting findings.....	97
Evidence to submit to the crime lab for analysis .....	98
Other evidence .....	105
Medical specimens separate from forensic specimens .....	105
<b>7. Alcohol and Drug-Facilitated Sexual Assault.....</b>	<b>107</b>
Training and development of policies .....	107
Response to voluntary use of drugs and/or alcohol .....	107
Circumstances in which testing may be indicated .....	108
Explanation of testing procedures .....	108
Collecting samples .....	109
Toxicology labs.....	110
Preservation of evidence and chain of custody .....	110
<b>8. STI Evaluation and Care .....</b>	<b>111</b>
Information on STIs .....	111
STI testing .....	111
Prophylaxis against STIs .....	112
Follow-up care .....	112
Concerns about HIV infection.....	113

<b>9. Pregnancy Risk Evaluation and Care</b> .....	<b>115</b>
Probability of pregnancy .....	115
Pregnancy testing.....	115
Treatment options.....	115
Facility policy .....	116
<b>10. Discharge and Follow-up</b> .....	<b>117</b>
Medical discharge and follow-up care .....	117
Coordination among responders prior to discharge .....	118
<b>11. Examiner Court Appearances</b> .....	<b>121</b>
Broad education on court appearances.....	121
Prompt notification for examiners .....	122
Pretrial preparation .....	122
Feedback on testimony .....	123
<b>Bibliography</b> .....	<b>125</b>
<b>Appendix A. Developing Customized Protocols: Considerations for Jurisdictions</b> .....	<b>129</b>
<b>Appendix B. Creation of Sexual Assault Response and Resource Teams</b> .....	<b>133</b>
<b>Appendix C. Impact of <i>Crawford v. Washington</i>, <i>Davis v. Washington</i> and <i>Giles v. California</i> .....</b>	<b>135</b>