Step by Step Medical Forensic Exam 6/2021

Step	One - Before the patient arrives:	Rationale
	A. Assemble a bin or drawer of all the equipment needed	Being prepared will decrease stress for the staff when a sexual assault patient presents in the ED
	 Sexual Assault Kit Legal Blood Kit Blood drawing supplies Legal Urine kit Paper bags various sizes Evidence tape Sterile water or saline Measuring device – L Square, paper ruler etc. Paper work needed for documentation Speculum Camera 	
В.	Find out if there are trained sexual assault advocates available to respond to the hospital	http://rapehelpmn.org/find- help/ to find advocacy in your area
C.	Patient is not required to report to Law Enforcement –do not automatically call law enforcement when patient presents	Minn. Stat. 609.35 (c) "By providing victims with the opportunity to gather information, solidify their support system, and establish rapport with first responders, we hope to create an environment that encourages reporting, even for those victims who initially feel unable, unwilling, or unsure about doing so." EVAWI

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Step Two	
 Conduct Sexual Assault Exam up to 7-10 days following a sexual assault even if the patient has showered, is menstruating or intoxicated – but able to give consent and stay awake for exam. Contact advocacy if available Obtain consent for the exam – consent for the physical exam and consent for the forensic evidentiary portion of 	*Best practice is 7-10 days One consent form – advise
the exam.	patient may consent to all of the or to parts of the exam
Step Three	
 Acknowledge the trauma of sexual assault "I'm so sorry this was done to you." This shouldn't have happened to you." "Thank you for trusting me with this information." "I'm happy you decided to come in and learn about your options today." "What are you most worried about at this moment?" "I can't promise what will happen in your case, but I can promise to do my very best for you." 	Demonstrates genuine concern for patients' physical and mental health
Step Four	
Obtain: General demographic information Medical history Current medications Menstrual status if applicable Last consensual sex within in 2 weeks prior to the assault or post assault – date, time and name or initials of consensual partner	Explain to patient that last consensual sex is to be able to eliminate a consensual partner
Step Five	
Document: General appearance Demeanor – don't label behavior, be descriptive	See demeanor and behavior documentation Appendix I

Step Six	
Obtain an account of the sexual assault: During the account the only people present should be the nurse, patient and advocate, if available Ask "What are you able to tell me about your experience?" Document the account in the patient's words and using quotes For clarification use "tell me more about" No "Why" questions	Advocate has judicial privileged and cannot be subpoenaed
Step Seven	
 Obtain assault history: Does patient know the assailant? Stranger, recent acquaintance, family, friend, unknown – patient has no memory? Number of assailants? Race and gender of assailant(s)? Location of the assault? Physical surroundings of the assault – home, outside, in a car etc. Verbal or physical threats? – threatened with harm to patient or family? Put info on social media? Texts? Injuries resulting in the patient and/or assailant bleeding? Strangulation occur? – patient may refer to it as "choking" Suffocation? 	Use Documentation form specific for sexual assault exam Strangulation documentation form Appendix II
Step Eight	
Obtain information about patient activity since the assault:	
 Showered or bathed? Brushed teeth or used mouth wash? Urinated, defecated, and/or vomited? Removed or inserted tampon? Changed clothes? Location of clothing – provide paper bags for patient to collect if clothing is at home Washed bedding – if applicable 	

Step Nine	
Conduct physical exam – use account of the assault to guide exam and evidence collection	Use 1-2 drops of saline or sterile water to moisten swabs
A. Examine head, scalp, hair, face and neck	
 Did assailant(s) have oral contact with patient's neck? 	Proper drying and packaging
 Describe - Kissing, licking, biting or sucking? 	prevents growth of mold and
 If yes, collect 2 saline moistened swabs held together and gently roll over skin where contact occurred 	bacteria that can destroy
 Allow swabs to air dry before placing in the miscellaneous swab envelope, label location 	forensic samples.
Change gloves	
 Record size and appearance of injuries (abrasion, bruises, redness, tears, petechiae, swelling) 	Air-dry wet forensic evidence
Record pain and tenderness using 1-10 pain scale	at room temperature in a clean
If camera available, photograph injury	environment and manner that prevents contamination.
B. Examine the oral cavity	
 Describe oral penetration, no matter how slight or brief 	Note that the ever-increasing
 Was patient orally penetrated by penis? Finger? Object? 	sensitivity of DNA analysis
Did ejaculation occur?	creates a greater chance that
 Did oral assault occur within the last 24 hours? 	accidental contamination and
 If yes, use 4 dry swabs held together 	dilution by foreign DNA may be
 Gently roll swabs from one side of the mouth to the other side along the upper gum line, lower gum line and under tongue 	detected.
 Allow swabs to dry before placing in Oral swab envelope 	
Change gloves	
	See Appendix III for more
C. Examine entire body	information on Evidence
 Did assailant(s) have oral contact with patient's breasts or other body area? 	collection.
 Describe - Kissing, licking, biting or sucking? 	
 If yes, collect up to 72 hours (3 days) collect even if patient has showered once or twice 	Changing gloves between
 Collect 2 saline moistened swabs held together and gently roll over skin where oral contact occurred 	collections of each sample. This prevents possible
 Collect swabs from each area of oral contact, label location and package separately 	contamination of specimens
 Allow swabs to air dry before placing in swab envelope, label location 	and exposure to blood/body
Change gloves	fluids, as well as cross
Did assailant(s) ejaculate on patient's body?	contamination.
If yes, collect up to 72 hours (3 days) collect even if patient has showered once or twice	contamination.
Collect 2 saline moistened swabs held together and gently roll over skin where ejaculation occurred	
Allow swabs to air dry before placing in swab envelope, label location	
Change gloves	

 Record size and appearance of injuries (abrasion, bruises, redness, tears, petechiae, swelling) Record pain and tenderness using 1-10 pain scale If camera available, photograph injury 	
 D. Did patient scratch assailant? If yes, use 1 saline moistened swab to collect under fingernails from each hand separately Place in envelopes labeled "right hand" and "left hand" Allow swabs to air dry before placing in swab envelope Change gloves 	Swab fairly vigorously (as opposed to lightly for a skin swab) to get as much skin cell material that may be present jammed between the finger and the nail. Use a small
 E. Collect patient's DNA sample Place 4-6 drops of patient's blood on the paper inside the blood card Blood may be obtained by blood draw or finger stick Allow to air dry Place card in envelope 	amount of pressure on the finger pad to separate the skin from the nail.
Step Ten	

Genital Exam – Female:

A. Did vaginal assault occur within the last 7-10 days?

- Describe vaginal penetration no matter how slight or brief
- Was patient assaulted by penis? Fingers? Object?
- Did ejaculation occur?
- Did assailant(s) use condom?

B. Pubic hair combing

- Has patient taken a bath or shower since assault?
- If no, then **collect pubic hair combing** place paper under buttocks, use comb provided to comb pubic hair, fold comb in paper and place back in envelope
- If yes, do not collect pubic hair combing

C. Examine external genitalia and perineum

- Use 4 saline moistened swabs, held together and gently roll the swabs over **perineum and area around** vaginal opening
- Collect even if patient has showered once or twice
- Collect even if patient is menstruating
- Allow swabs to air dry before placing in the perineal envelope
- Change gloves
- Record size and appearance of injuries (abrasion, bruises, redness, tears, petechiae, swelling)
- Record pain and tenderness using 1-10 pain scale

D. Examine vagina and cervix

- If patient declines speculum exam, offer to collect vaginal swabs by gently inserting 4 dry swabs into vagina or patient may self-swab the vagina
- If using a speculum, do not use lube, moisten the speculum with saline prior to insertion
- Use 4 dry swabs held together and collect from vaginal walls and vault
- Collect even if patient is menstruating
- Allow swabs to air dry before placing in the vaginal envelope
- Use 2 dry swabs (one at a time) to collect from the cervix
- Allow swabs to air dry before placing in the cervix envelope
- Change gloves
- Record size and appearance of injuries (abrasion, bruises, redness, tears, petechiae, swelling)
- Record pain and tenderness using 1-10 pain scale

Genital Exam – Male

E. Pubic hair combing

- Has patient taken a bath or shower since assault?
- If no, then **collect pubic hair combing** place paper under buttocks, use comb provided to comb pubic hair, fold comb in paper and place back in envelope
- If yes, do not collect pubic hair combing

F. Examine genitalia and perineum

- Record size and appearance of injuries (abrasion, bruises, redness, tears, petechiae, swelling)
- Record pain and tenderness using 1-10 pain scale

G. Examine penis

- Use 2 saline moistened swabs held together and gently roll the swabs on penis (if indicated by history)
- Collect swabs even if patient has showered one or two times
- Allow swabs to air dry before placing in penile envelope
- Change gloves

H. Examine scrotum

- Use 2 saline moistened swabs held together and gently roll the swabs on scrotum (if indicated by history)
- Collect swabs even if patient has showered one or two times
- Allow swabs to air dry before placing in envelope, label "scrotum"
- Change gloves

Step Eleven	
Examine buttocks and anus	
Did anal assault occur in the last 48 hours?	
 Describe anal penetration no matter how slight or brief 	
 Was patient assaulted by penis? Fingers? Object? 	
Did ejaculation occur?	
 Did assailant(s) use condom? 	
 Collect up to 48 hours following anal assault 	
 If yes, collect 2 saline moistened swabs 2-4 cm into anal canal, gently rotate 	
Repeat to collect total of 4 swabs	
 Allow swabs to air dry before placing in rectal envelope 	
Change gloves	
 Record size and appearance of injuries (abrasion, bruises, redness, tears, petechiae, swelling) 	
Record pain and tenderness using 1-10 pain scale	
Step Twelve	
Evidence collection	
A. Clothing	M/site information on the hag
 Collect underwear worn after the assault and other clothing if indicated 	Write information on the bag – labels can loosen with humidity
Place clothing in a paper bag	in the refrigerator. Patient labe
 Label bag with patient's name, MRN, date and time of exam 	may be used in addition to
 Brief description of the article(s) of clothing 	written information.
Case number (if reported) and Jurisdiction	Written mormation.
 Moist or damp clothing needs to dry prior to packaging 	
B. Tampon or condom	Sterile scissors work best
 Place in sterile urine cup with holes punched in cover for ventilation (sterile scissors work best) 	See the selssors work sest
Label cup	
Place in paper bag	
Seal paper bag with evidence tape	
 Label bag with patient's name, MRN, date and time of exam, Case number (if reported) and Jurisdiction 	
Store in refrigerator	BCA will only test biological
	specimens – hairs. Photograph
C. Foreign hair(s) or other biological evidence from assailant found on victim	and document other foreign

Step Thirteen	
• Loss of memory – describe • Indications of memory loss – woke up in a strange location, articles of clothing missing? Period of time unaccounted for? • Loss of consciousness – describe A. Use Legal Blood collection kit to obtain blood for alcohol and toxicology • Collect up to 48 hours post assault • Label tubes with exact time	Explain to patient that alcohor drug use is important to document to show inability to consent and vulnerability. Minors will not be in trouble for underage alcohol consumption.
 Label kit and place in locked refrigerator B. Use Legal Urine collection kit to obtain urine for toxicology Collect up to 120 hours post assault Label container with exact time of collection Label kit and place in locked refrigerator Step Fourteen	Drugs stay in the urine longe than blood.
Medication recommendations for medical provider A. Obtain UPT Pregnancy test negative — administer emergency contraception Levonorgestrel (Plan B) 1.5 mg orally once or Ulipristal 30 mg orally once If patient would like to take EC, it must be administered in hospital per MN Statute 145.4712 Document if patient declines Emergency Contraception and reason for declining	Follow CDC Guidelines: http://www.cdc.gov/std/tg2 5/sexual-assault.htm
 Antibiotics Trichomonas – Metronidazole 2 grams orally in a single dose (no alcohol 48-72 hours before or after) Chlamydia – Azithromycin 1 gram orally in a single dose Gonorrhea – Ceftriaxone 500 mg IM in a single dose Document if patient declines antibiotics 	http://www.cdc.gov/hiv/pdf, ogramresources/cdc-hiv-npe guidelines.pdf

http://nccc.ucsf.edu/clinician-C. HIV non-occupational Post Exposure Prophylaxis (nPEP) • nPEP needs to be start within 72 hours of sexual assault consultation/pep-postexposure-prophylaxis/ Contact National Clinician's Post-Exposure Prophylaxis Hotline 1-888-448-4911 for recommendations • Truvada (Tenofovir/Emtricitabine) orally once a day for 28 days **PLUS** • Raltegravir (Isentress) 400 mg orally twice a day for 28 days or Tivicay (Dolutegravir) 50 mg orally once a day Document if nPEP indicated and patient declines **Step Fifteen** A. Unrestricted Sexual Assault Kit – patient made report to law enforcement (prior to or at time of exam) Mandated Reporting of a. If patient would like to make report to Law Enforcement – call them to interview patient at the hospital Maltreatment of Vulnerable b. Seal and label envelopes and sexual assault kit with patient labels Adults c. Patient signs page 1 of the Sexual Assault Evidence Testing and Storage Consent Form on http://www.mncasa.org/assets /PDFs/svji facts 20 19224653 **Bureau of Criminal Apprehension** website under Forensic Testing Services. d. Call law enforcement to pick up sexual assault kit 76.pdf e. Keep sexual assault and toxicology kits refrigerated until law enforcement picks them up Mandated Reporting of Sexual and Physical Abuse or Neglect B. Restricted Sexual Assault Kit – Patient has not made report to law enforcement at time of exam a. Sexual assault kit and toxicology kits will be stored anonymously of a Child http://www.mncasa.org/assets b. Seal envelopes with tape or blank labels, label sexual assault kit with a unique ID number (for example - date and hospital name) /PDFs/svji facts 31 55854867 c. Patient may sign page 2 of Sexual Assault Evidence Testing and Storage Consent Form on BCA website 3.pdf under Forensic Testing Services. Medical provider signs if patient does not want identifying information on the form. Parent or guardian does not have to sign for minors. d. Fill out Restricted Kit Storage Submission Form – do not put patient identifying information unless patient agrees to put it on the form. Leave patient identifying information blank if patient does not agree to it. e. Seal kit with tape, put Sexual Assault Evidence Testing and Storage Consent Form and Restricted Kit Storage Submission Form between outer BCA sleeve box and sexual assault kit. f. Mail the sexual assault kit and toxicology boxes to Bureau of Criminal Apprehension (address on the

outer BCA sleeve box)

g. Mail within 60 days of kit collection.

h. BCA stores the **Restricted** kits for 30 months

C. Mandated Reports

- a. Healthcare professionals in Minnesota are NOT mandated reporters of the sexual assault of a competent adult victim. Minn. Stat. § 626.52 (2007)
- b. Minor victims of sexual assault may consent to their own medical care. Minn. Stat. §§ 144.343, 144.344
 - i. "Medical care" is interpreted to include medical forensic examination.
 - ii. "Minor" is interpreted to mean 13 and older.
- c. Not every sexual assault of a minor requires a mandatory report to law enforcement and or Child Protection
 - i. Minn. Stat. § 626.556 subd. 2(d)
 - ii. Only when sexual assault is perpetrated by someone with a "significant relationship" or in a "position of authority" over the minor is it a mandatory report.

Step Sixteen

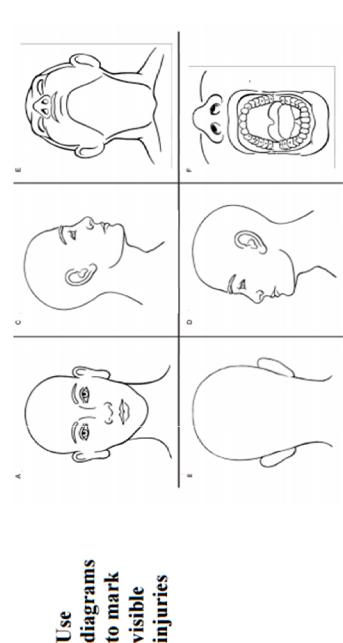
- A. Establish and document the security and chain of custody of forensic specimens
- B. Seal specimen packages to prevent tampering. However, do not lick envelopes.
- C. Document the examiner's signature, date, and time across the envelope seal
- D. For forensic evidence to withstand judicial scrutiny, the chain of custody must be documented from the time the specimens are collected to their release to the investigating agency
- E. Limit the number of people who handle any forensic evidence.
- F. Use Chain of Custody Form
- G. Store forensic specimens at the hospital until released to law enforcement
 - Store evidence in a locked refrigerator
 - If a locked refrigerator is not immediately available, samples can be kept at room temperature for no longer than 24 hours.

See Appendix IV for Chain of Custody Form

Appendix 1			
Quantify behaviors: Number of times Amount of time Intensity loud, soft	Qualify behaviors: Manner measured, halting, abruptly, tentatively	Do not use: Cool, composed, controlled Flat affect	Use: Describe behaviors
Eye contact (do not use good or poor)	Maintained eye contact, Avoided or averted Fixed Stare Glare, Looked at Closed eyes (when, how long) Looked only when addressed	Indifferent or disinterested Afraid, fearful, scared	Startled, stunned, cower, cringe, flinch
Speech (always use quotes, do not paraphrase)	Responded in one or two word answers Responded when only asked a question Whispered, Hoarse, Slow Talked and cried at the same time Mumble, Shout, Stammer, Stutter Hesitated, hesitant	Angry or enraged	Agitated, irritated
Responsiveness to SANE (do not use cooperative)	Followed direction Answered questions when asked Paused before answering, Unresponsive Volunteered information, Alert, oriented	Body posture and muscle tension	Slouched, Slumped Arms crossed across body, Fetal position Stooped, Clenched fists, Wringing hands Restless, Shudder, Shake tremor Tremble, Cower, Stun, Startle Feet pulled up under her as she sat
Nonverbal expressions	Cry, Wail, Sob, Weep Sniffle, Moan, Whimper Sigh	Behaviors and actions	Blew nose, Wiped at eyes with tissues, Clutching clothes Pacing, Rocking, agitated Pulling at sheets, Pulling away
Facial expressions	Frown, Scowl, Grimace, Flinch Wince, Biting lips, Clenched jaw Pursed lips, Grinding teeth	Behavior descriptors	Serious, Sluggish, Silent Somber, Solemn Listless, quiet
Describe anxiety (state patient is anxious and then support with observable behaviors)	Wringing hands, Tapping foot Sweating profusely, Dilated pupils Feels nauseated, States has a knot in stomach	Appearance	Bruised, Red-eyed, Dirty Wet, Clothes inside out Covered with debris Scratched, Bloody, smells Clothes disheveled, Hair disheveled

Documentation Chart for Non-Fatal Strangulation

Breathing	Voice or Vision Swallowing	Swallowing	Behavioral	OTHER
Changes	Changes Changes	Changes	Changes	
☐ Difficulty Breathing☐ Hyperventilation☐ Unable to breatheOther:	Raspy voice Hoarse voice Hoarse voice Coughing Unable to speak vision changes	Trouble swallowing Painful to swallow Pain to throat Nausea /Vomiting Drooling	Agitation Amnesia PTSD Hallucinations Combativeness	☐ Dizzy or faint ☐ Headaches ☐ Urination ☐ Defecation ☐ Hearing changes



Face	Eyes & Eyelids	Nose	Ear	Mouth
☐ Red or flushed ☐ Pinpoint red spots (petechiae) ☐ Scratch marks	☐ Petechiae to R and/or L eyeball (circle one) ☐ Petechiae to R and/or L eyelid (circle one) ☐ Bloody red eyeball(s)	☐ Bloody nose ☐ Broken nose (ancillary finding) ☐ Petechiae	☐ Petechiae (external and/or ear canal) ☐ Bleeding from ear canal	Bruising Swollen tongue Swollen lips Cuts/abrasions (ancillary finding)
Under Chin	Chest	Shoulders	Neck	Head
Redness Scratch marks Bruise(s) Abrasions	Redness Scratch marks Bruise(s) Abrasions	Redness Scratch marks Bruise(s) Abrasions	Bedness Scratch marks Fingernail marks Bruise(s) Swelling Ligature mark	Petechiae Hair pulled Bump Skull fracture Concussion

To All Health Care Providers: Having been advised of my right to refuse, I hereby consent to the release of my medical/dental records related to this incident to local law enforcement, my attorney, my advocate, the District Attorney's Office and/or the City Attorney's Office.

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Training Institute on Strangulation Prevention at www.strangulationtraininginstitute.com

Questions to ASK: Method and/or Manner:

victim strangled? (R or L)	1
☐ How long? seconds minutes or Can't remember?	
 From 1 to 10, how hard was the suspect's grip? (Low): 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 (high) Continuous pressure? From 1 to 10, how painful was it? (Low): 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 (high) 	gh)
☐ Multiple attempts: ☐ Multiple methods:	
Could the victim breathe, talk and/or scream?	
Is the suspect RIGHT or LEFT handed? (Circle one)	
What did the suspect say while he was strangling the victim, before and/or after?	
Was she simultaneously smothered while being strangled? Shaken? Straddled? Restrained?	
Head pounded against wall, floor or ground? (Possible concussion)	
Where did the incident occur (Any corroborating evidence/possible sexual assault)?	
Any visual changes (describe)?	
Any hearing changes (describe)?	
Any breathing changes (describe)?	
Any changes in consciousness (describe)?	
What did the victim think was going to happen?	
How or why did the suspect stop strangling her?	
Any witnesses?	
What was the enemant's damagner? Describe enemant's facial expression during etranomiation?	en.

What was the suspect's demeanor? Describe suspect's facial expression during strangulation?

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Hospital Label

Chain of Evidence Form:

Placed in secure storage by:	Collection Date: Time:	
Flaced in secure storage by. SANE Signature	Printed name	Date/Time placed in storage
	Evidence Released to Law Enforcement by SANE	
☐ BCA Sexual Assault Kit ☐ BCA Blood Kit for Toxicology ☐ BCA Urine Kit for Toxicology ☐ DVD ☐		Bags of clothing ☐ Other
Police Officer signature Badge number	Printed name	Date/time
SANE Signature	Printed name:	Date/ Time placed in storage
Evidence Released to Law Enforcement by Security or ot	l let	iuthorized personnel
Police Officer signature Badge number	Printed name	Date/time
Released by: Signature	Title Printed name	Date/Time placed in storace