




Medical Forensic Sexual Assault Exams
September/October 2021

Objectives 

- Describe the components of the Medical-Forensic Exam
- List the number of swabs required to collect, per MN BCA guidelines, for each body site
- Explain the labeling and packaging requirements for each evidence kit
- Describe the process for and details of collecting clothing as evidence

30%

of people that experience sexual assault report to law enforcement

Less than

5%

of people that experience sexual assault will see the inside of a courtroom

100%

will experience the emotional and physical consequences of sexual violence

What is a Medical Forensic Exam?

- MN - Exam done up to **240 hours**** after a sexual assault
- ND – 96 hours per legislation
- Provide health care for both physical and emotional trauma
- Evidence collection which may be used by criminal justice system to investigate and prosecute offenders



Legal Consideration #1 MN

- Healthcare professionals in Minnesota are NOT mandated reporters of the sexual assault of a competent adult victim.

Sexual assault is not listed as a "suspicious wound" in itself mandating a report be made to law enforcement. If a patient also presents with a "suspicious wound," it seems possible to report wound, but not sexual assault.

- Minn. Stat. § 626.52 (2007)

Legal Consideration #1 ND

- When the physical injury is the result of a sexual offense, as defined in chapter 12.1-20 the individual's name, address, and any identifying information may not be included in the report without the individual's written release.
- LE still has the ability to respond to the hospital and ask to talk to the victim.
- The victim is able to share information in regard to the case, including the details of the offender and location of the assault so they can investigate the crime.
- The victim's name can only be included through a signed release.
- The name of the victim will still be on SAK and LE can still pick this kit up and store the SAK until the victim chooses to move forward with the case.

2014 North Dakota Sexual Assault Protocol

Legal Consideration #2

Healthcare professionals in Minnesota are mandated reporters of the sexual assault of a **vulnerable** adult victim.

Report suspected maltreatment of a **vulnerable adult**

Minnesota Adult Abuse Reporting Center (MAARC)

1-844-880-1574 or online MDH website

Open 24 hours a day, seven days a week

Legal Consideration #3 MN

- Minor victims of sexual assault may give consent for the medical forensic exam
- Minors may give consent for their sexual, mental and chemical health
- Minnesota Statute § 144.343, 144.344
- *"Minor" is interpreted to mean 13 and older.*

Legal Consideration #3 ND

- Health care provider may provide emergency medical care or forensic examination services to a minor who is a victim of sexual assault without the consent of the minor's parent or guardian.
- Health care providers must take reasonable steps to notify the minor's parent or guardian of the care provided.
- In cases where a parent or guardian is unavailable or is intentionally preventing authorities from gathering evidence, an order for temporary custody should be obtained from the Juvenile Court, through law enforcement or CPS.

Minor Consent Resources ★

CONSENT & CONFIDENTIALITY

Providing Medical and Mental Health Services to Minors in Minnesota

Legal Guidelines for Professionals

Adolescent & Young Adult Health Care in Minnesota
 A Guide to Understanding Consent & Confidentiality Laws
 Margaret Knight, M.D. Center for Adolescent Health & the Law



HOUSE RESEARCH | Short Subjects

Minors' Consent for Health Care

When may an unemancipated health care services recipient (the patient) consent, without specified parental or guardian consent, to receive:

Health Services

- to receive the provision of or to be treated by a health care provider
- to receive a health care service
- to receive a health care service
- to receive a health care service

Legal Consideration #4 MN

- Not every sexual assault of a **minor** requires a mandatory report to law enforcement.
- 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.
- To report: call county or reservation where the child lives during business hours.
- Immediate risk of harm call local law enforcement or 911
<https://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/contact-us/>
 Minnesota Statute § 626.556 subd. 2(d)

Legal Consideration #4 ND

- County Social Service Office in the county where the child is located, which can be accessed at: <http://www.nd.gov/dhs/locations/countysocialserv/index.html>
- Must be reported immediately.
- Reports may be oral or written, though oral reports must be followed by written reports within 48 hours if so requested by the Department of Human Services.

Legal Consideration #5 MN

- **Patients are not responsible for the cost of the medical forensic exam, whether they report the assault to law enforcement or not.**
- Federal Violence Against Women Act of 2005
- Minnesota Statute 609.35
- Exams are paid for by the county where the assault occurred
- Document exact location of the assault – be specific – important for billing and law enforcement
- Jude at MNCASA is the state expert on billing jfoster@mncasa.org

Legal Consideration #5 ND

- **Payment for Sexual Assault Forensic Medical Examinations**
N.D.C.C. § 12.1-34-07 a victim of sexual assault is not required to pay for any prescreening or examination for the purpose of gathering evidence for a possible prosecution, including the cost of antibiotics and other medications administered as part of the examination.
- The hospital or clinic where the victim is examined will be reimbursed directly by the North Dakota Office of Attorney General.
- The medical facility cannot bill the insurance company for these costs.

Legal Consideration #6 MN

- **Patient does not have to report sexual assault to law enforcement in order to have medical forensic exam**
- Federal Violence Against Women Act of 2005
- Minnesota Statute 609.35

Legal Consideration #6 ND

- Sexual assault victims can choose:
 - Forensic medical examination for medical care and evidence collection
 - Medical examination for medical care only
 - No medical examination
- Every victim has a right to a free forensic medical examination
- Local LE responsible for coordinating collection of SAK from the hospital
- Victim's name and DOB required for collection of SAK
- SAK collected within 96 hours after the alleged incident

Reporting Sexual Assault

Sexual assault is the most under reported, least prosecuted and has the lowest conviction rate for any serious felony

- In most cases, it is the patient’s decision to report
- No one should be forced to report
- Mandated reporting
- Barriers to reporting

Talking About Reporting with the Patient

Start with asking the patient if they have talked to the police already?

- If yes, find out
 - Law enforcement agency that took the report?
 - Do they have a case number?
- If no, ask
 - “Would you like to talk to the police?” – offer to have law enforcement come to the hospital
 - Tell the patient that medical care and evidence collection is time sensitive
 - Encourage patient to talk with the sexual assault advocate to help make the decision
 - The decision to report is up to the patient - unless it’s a mandated report
 - Not everyone reports, some wait weeks, months or even years

Respond With Your Best Reaction

- **Support**
 - Provide patients with all of their options and support the patient to make their own choices.
- **Concern**
 - Demonstrate genuine concern for patients’ physical and mental health.
- **Absence of pressure**
 - Try not to pressure patients regarding their decision to involve (or not involve) law enforcement.



Reporting Options

1. Report to Law Enforcement before coming to hospital
2. Law Enforcement will come to the Emergency Department/Hospital
3. Report after leaving the hospital
 - Patient advised to call Advocacy for support
 - Call 911 or the jurisdiction where the assault occurred
 - Give officer information about when and where medical forensic exam was done
4. No report to Law Enforcement

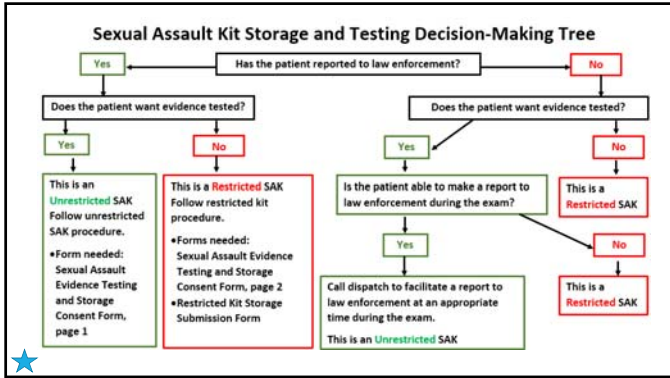
New Legislation October 2019

MN Statute 609.3459 - Law Enforcement; Reports Of Sexual Assaults

A victim of any violation of sections 609.342 to 609.3453 may initiate a law enforcement investigation by contacting any law enforcement agency, regardless of where the crime may have occurred.

New Legislation in 2020

- MN Legislation - SAK Testing and Storage
- Statute defines **Unrestricted** – assault reported to law enforcement
- Statute defines **Restricted** – sexual assault **not** reported to law enforcement
- First time MN has had statewide storage for **Restricted** SAKs



Reporting Options: **Unrestricted SAK**

- Reported to law enforcement before or during hospital visit
- Medical Forensic Exam completed
- Sexual assault kit, toxicology samples and clothing collected
- Evidence labeled with patient information
- All evidence and the exam report* given to law enforcement

Guidelines for Releasing Patient Information to Law Enforcement

American Hospital Association

Victims of a Crime:

In response to a request by a law enforcement official, a hospital may disclose information to the official about a patient who may have been the victim of a crime, if the patient agrees to the disclosure. Such agreement may be oral, but should be documented.

Unrestricted Sexual Assault Kit

- Law enforcement is required to pick-up **Unrestricted** SAKs within 10 days
- Law enforcement is required to deliver the **Unrestricted** SAKs to the BCA within 60 days
- Only **Unrestricted** SAKs are tested at BCA
- Only **Unrestricted** toxicology kits tested at BCA



Examples of **Restricted** SAKs

- Patient has not reported to law enforcement
- Patient says they will report in the near future, but has not reported at time of exam
- Patient says they reported but they don't have a case number
 - Call law enforcement to get a case number
 - No case number = it is **Restricted**
- Patient reported a crime – but did not report sexual assault -
 - Evidence collected is **Restricted**
- Patient has reported to LE but does not want to release evidence for testing

Examples of **Restricted** SAKs

- A friend or family member reported, patient unwilling to participate in investigation
- Exam done on incapacitated patient
- Patients sexually assaulted prior to/in prison or jail
 - Able to have a medical forensic exam
 - Choose to have their kit tested - **Unrestricted**
 - Choose to release SAK to Office of Special Investigations - **Unrestricted**
 - Choose not to have their SAK tested – **Restricted**

Reporting Options: **Restricted** SAK

- No Law Enforcement involvement at time of exam
- Medical Forensic Exam completed
- Sexual Assault Kit, toxicology samples and underwear collected
- SAK and evidence labeled on the boxes with a unique ID number
 - Number documented in the patient chart
- Gives time to decide about reporting - medical exam is time sensitive

Restricted Sexual Assault Kit

- Hospitals must send **Restricted** SAKs to BCA within 60 days
- **Restricted** SAKs will be stored for minimum of 30 months at BCA
- **Restricted** SAKs are stored but **not** tested at the BCA
- **Restricted** toxicology kits are stored but **not** tested at the BCA



North Dakota

Sexual assault evidence collected from non-investigated cases should be kept by law enforcement for a minimum of seven years or until the victim turns twenty-two, whichever occurs later.

Reporting Options: **No** Sexual Assault Kit

- Medical care provided – no forensic exam
- Discuss exam and reporting options with patient
- Administer medications if appropriate
- Encourage follow-up with advocacy
- Patient may return to hospital up to 5 -10* days following the assault for exam
- Encourage patient to keep clothing (underwear) in paper bag
- Medical care will be billed to patient's insurance

Why Perform a Medical Forensic Exam?

- Peace of mind for the victim that they “are okay”
- Provides information about the sexual assault
- Corroborate “account of incident”
- Diagnose and treat injuries
- Assess risk for Sexually Transmitted Infections and Pregnancy



Components of a Sexual Assault Exam

- Consent
- Account of the Sexual Assault
- Medical history
- Physical exam
- Injury care
- Evidence collection
- Sexually Transmitted Infections prophylaxis
- Pregnancy prevention
- Crisis intervention
- Discharge instructions

Medical Forensic Exam Documentation

1. BCA Patient Information and Sexual Assault History Form

Hospital: _____ Collected by: _____
 Please return this form to the kit after the exam is completed.

STEP 1: General Information **Patient label**

Patient's Name: _____
 Age: _____

Date of alleged assault: ____/____/____ Time: _____ AM/PM
 Date of hospital exam: ____/____/____ Time: _____ AM/PM
 Patient's description of assault: _____ *Often referred to as "Account of Incident"*

2. SANE Exam Form

Regions Hospital
Emergency Center - EOC Project
SEXUAL ASSAULT MEDICAL REPORT

Date of Exam: _____ Time of Exam: _____ Date of Assault: _____
 Assault: _____ ED Staff
 MD: _____ SANE RN: _____

Patient Race: _____ Height: _____ Weight: _____
 Number of Assaults: _____

Assault 1: _____	Assault 2: _____
Race: _____	Race: _____
Height: _____	Height: _____
Weight: _____	Weight: _____
Assault 3: _____	Assault 4: _____
Race: _____	Race: _____
Height: _____	Height: _____
Weight: _____	Weight: _____

Does patient know assailant(s)? _____ If yes, how? _____

County where assault occurred: _____ Assault reported to: _____
 Case Number: _____
 Consensual sexual contact within the last 120 hours? Yes: No: Name: _____

Consent

- Informed consent is obtained throughout exam
- There are two essential but separate consents
 - Medical evaluation and treatment
 - Forensic exam and evidence collection
- Consent can be rescinded at any time
- The medical forensic exam should NEVER be done against the patient's will



Consent vs. Assent

- **Consent** is the legal concept that adults of sound mind should be able to make decisions about their own health care
- **Assent** is the expressed willingness or agreement to participate in an activity
- **Permission** is a parent or guardian's agreement

Medical History

- Ongoing medical concerns
- Current medications
- Pregnancy status
- Menstrual cycle information
- Genital surgery



Account of Incident

- **Guides the exam and evidence collection**
- When given to a medical provider it is an "excited utterance" and is exempt from hearsay rule in court
- Assists in discharge planning, safety planning and assessing suicide risk

Your Best Reaction

- **Support:** Provide patients with all of their options and *support* the patient to make their own choices.
- **Concern:** Demonstrate genuine *concern* for patients' physical and mental health.
- **Absence of pressure:** Try *not to pressure* patients regarding their decision to involve (or not involve) law enforcement.



Helpful Phrases

- "I'm sorry this was done to you. This shouldn't have been done 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?"

No single piece of evidence is as important as all the evidence taken together to support and corroborate a victim's disclosure of sexual assault



Physical Evidence

- Physical injuries such as bruising and lacerations
- Toxicology
- Digital evidence such as text messages, emails and cellphone records
- Biological fluids such as saliva and semen
- Trace evidence - hairs
- Clothing



Evidence Collection

- To collect potential DNA samples
- To help identify the suspect(s)
- To corroborate the victim's "Account of the assault"



Minnesota SAK Contents

1. BCA Documentation Form
2. Foreign matter envelope
3. Pubic hair combing
4. Oral envelope
5. Perineum envelope
6. Cervix envelope
7. Rectal envelope
8. Penile envelope
9. Miscellaneous envelope
10. Bloodstain preparation card

North Dakota Kit - Contents of the SAK (outside)

1. Guide to the Legal Process Sexual Assault Forensic Examination Procedures
2. Chart Summary
3. Blood and Urine Drug Screen Analytes (list of drugs tested for)
4. HIPAA Authorization for Release
5. Informed Consent for Examination and Treatment
6. Urine Sample guide
7. Forensic Medical Examination Reimbursement- on outside of kit

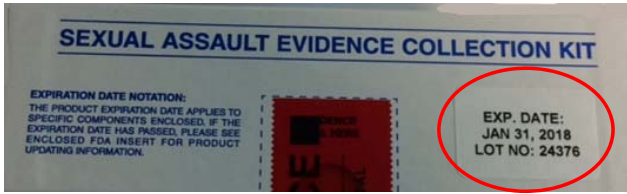
North Dakota Kit - Contents of the SAK (inside)

- | | |
|--|--|
| 1. Sexual Assault Report Form for Crime Laboratory | 7. Head Hair Combing |
| 2. Clothing Collection | 8. Physical Condition Documentation Form |
| 3. Foreign Material | 9. Pubic Hair Combing |
| 4. Clothing Documentation | 10. Vaginal and Penile Swabs and Smears |
| 5. Oral Swabs with Dental Floss | 11. Rectal Swabs |
| 6. Dried Body Secretions | 12. Known Saliva Sample |
| 7. Fingernail Scrapings | 13. Known Blood Sample |

DNA Evidence

- | | |
|---|---|
| <ul style="list-style-type: none"> ▪ Can be collected from - ▪ Mouth ▪ Fingernails ▪ Skin ▪ Vulva/vestibule ▪ Vagina/cervix ▪ Penis/scrotum ▪ Anus/rectum ▪ Clothing | <ul style="list-style-type: none"> ▪ Can be found in - ▪ Blood ▪ Semen ▪ Hair ▪ Skin cells ▪ Saliva ▪ Perspiration ▪ Urine ▪ Feces |
|---|---|

Expiration Date



Evidence Cannot be Left Unattended



Swab Collection

- All swabs are collected with a light touch, in a circular motion
- Purpose is to obtain DNA from suspect, not the victim
- All swabs are collected together, at the same time

Swab Collection

- Use sterile water or saline to moisten swabs
- Use a **moist** swab to collect **dry** secretions
- Use a **dry** swab to collect **moist** secretions



BCA Collection Guidelines



Quick Guide to Number of Swabs to Collect		
Site	# of Swabs	Timeframe
Oral	4 dry	24 hours
Skin	2 per site lightly moistened	48-72 hours
Perineum	4 lightly moistened	120 hours
Vagina	4 dry	120-240 hours
Cervical os	2 dry	120-240 hours
Fingernails	1 per hand lightly moistened	120 hours
Perianal	4 lightly moistened	120 hours
Rectal	4 lightly moistened	48 hours
Penis	2 lightly moistened	48-72 hours
Scrotum	2 lightly moistened	48-72 ours



Swab Collection

- Swab collection is based on patient's account
- **No** oral assault = **no** oral swabs
- Reason swabs were collected need to be documented in chart
- Best evidence is body fluids

Evidence Persistence

- Semen in mouth <31 hours
- Saliva on skin 96 hours
- Sperm in anus < 72 hours
- Semen in vagina 24 hours to 7 days or more
- Sperm on cervix 10 days or more
- Touch DNA (neck) 10 days
- Under fingernails 2 days and several washings

Based on estimates across literature from Core Curriculum for Forensic Nursing

Contamination of Evidence

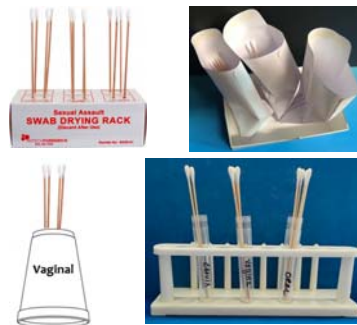
- Make every attempt not to talk, cough, or sneeze while collecting samples (or wear a mask)
- Avoid cross-contamination
 - Wear gloves when handling evidence
 - Change gloves between each sample
 - Ensure working area is cleaned
- If swab drops after collection, document – Do Not Use!



Collecting Swabs

Different options

- Swab drying rack
- Cups
- Test tubes/rack
- Linda's method



Collecting Swabs – North Dakota

- A different sterile cotton swab should be used for each secretion collected from each location on the body.
- If the area to be swabbed is larger than the tip of your swab, two swabs should be used.
- Extra supplies are not provided in the kit; however, so available hospital or clinic supplies should be used.
- The swab should be allowed to dry and then returned to the carton provided in the kit.
- If no carton is available, the cotton swab should be allowed to dry and then placed in an envelope and placed in the kit.



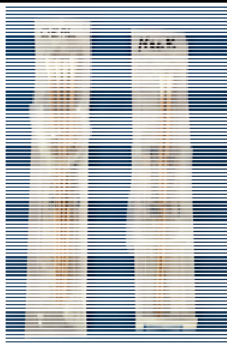
Collecting Swabs

1. Carefully open swab wrapper
2. Pull back the clear wrapper side
3. Label swab wrapper
4. Collect sample



Collecting Swabs

5. Slide wooden stick ends in first
6. Leave swab wrapper pulled back to air dry cotton tips
7. Put all the of the swabs for each sample back in one wrapper



Drying Collected Samples

- Carefully place swab wrappers in cups
- Ensure that the individual swab wrappers do not touch to prevent cross contamination



Linda's method

1. Put SAK box bottom into SAK box top



2. Place swabs back in swab wrappers

3. Slide wrappers between the top and bottom box



Drying Collected Samples

- Allow to dry for ~ an hour
- Dry in a low traffic area
- Don't use a fan
- Drying swabs prevents
 - Contamination (leak through) from sample to sample
 - Loss of sample – wet samples stick to the envelope when they dry

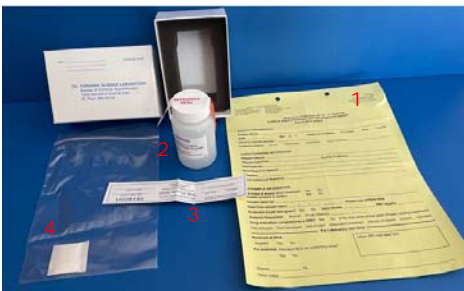
Toxicology Evidence

- Collect on all patients
- Patient may decline – make sure to document “declined” not “refused”
- Collect Blood up to 48-120 hours post assault
- Collect Urine up to 120 hours post assault
- Refrigerate - if not sending to BCA or handing off to law enforcement

Urine Toxicology Kit

1. Form
2. Specimen Container
3. Label
4. Plastic bag

- Collect ASAP
- Instruct patient not to wipe
- 100 ml is preferred
- DFSA - document number of times patient has voided

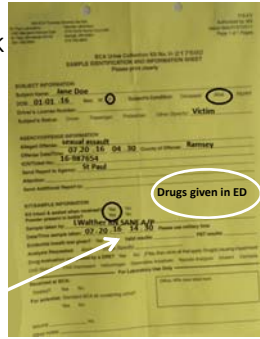


Completing Urine Kit Paperwork

Document -

- Drugs given in the ED
- Patient's pertinent medications
 - Last dose date/time
- Patient's stated drug and alcohol consumption

Collection time of urine sample is the **Exact** time it was obtained

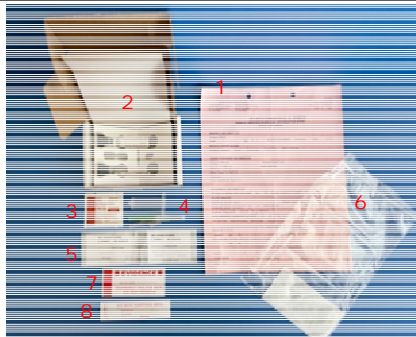




1. Label specimen container
2. Place in bag and bottom of box
3. Lift flaps and seal

Blood Toxicology Kit

1. Form
 2. Inner box with gray top tubes
 3. Betadine wipe
 4. Vacutainer/needle
 5. Tube labels
 6. Plastic bag
 7. Inner box seal
 8. Outer box security seal
- Collect ASAP
 - 10 ml per tube



Completing Blood Kit Paperwork

Document -

- Drugs given in the ED
- Patient's pertinent medications
 - Last dose date/time
- Patient's stated drug and alcohol consumption
- Concern for DFSA

Collection time of blood sample is the **Exact** time it was obtained





1. Label tubes
2. Seal inner box
3. Place box in plastic bag

Evidence Collection – Oral

- Collect **4 dry swabs** up to **24 hours*** after oral assault
- Swab upper gum line and behind top teeth
- Swab lower gum line and behind bottom teeth



North Dakota

- Two sterile cotton swabs should be used to swab the mouth.
- Attention should be given to the areas where seminal material might remain for the longest period of time, such as between the upper and lower lips and gum and under the tongue.
- If the patient reports that oral copulation occurred, unflavored floss or floss sticks may be used to floss the patient's teeth.
- If floss is used, only the used portion should be packaged.
- Floss should be placed in a paper envelope.
- IAFN - Position Statement DNA Evidence Collection from the Oral Cavity

Evidence Collection – Oral

Swab under tongue



Swab around piercings



STEP 9		ORAL SWABS
PATIENT'S NAME:	_____	
DATE COLLECTED:	TIME:	AM/PM
COLLECTED BY: _____		
WAS SAMPLE COLLECTED?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
IF N/A, WHY NOT? _____		

Evidence Collection - Skin

Examples of when to collect skin swabs

- Strangulation – swab neck and fingernails from patient's hands
- Perpetrator oral contact on patient's body – kissing, licking, biting, sucking
- Perpetrator ejaculated on patient's skin
- Pre-ejaculate on patient's skin
- Perpetrator held patient's wrists tightly for a few minutes – Touch DNA
- "Did any bodily fluid like saliva, vaginal secretions, or semen touch any part of your body?"

Factors that determine the amount of DNA transfer

- Shedder status
- Hand washing
- Personal habits
- Type of contact
- Surface of item touched
- Perspiration
 - Passes thru pores collects cells and washes them to the surface
 - Also contains epithelial cells and cell-free nucleic acids – more DNA to transfer

<http://ryanforensicsdna.com/touchdna/>

Evidence Collection - Skin

- Collect **2 moistened swabs** from each site - MN
- Collect **2 moistened swabs** from each site - ND
 - Neck - both sides on the same 2 swabs
 - Breasts - collect swabs from each breast and package separately
- Collect even if showered 1-2 times

STEP 12		MISCELLANEOUS SWABS	
PATIENT'S NAME	DATE COLLECTED	TIME	AM PM
COLLECTED BY	BODY LOCATION <u>Neck</u>		
SUSPECTED FLUID TYPE <u>Saliva</u>			
WAS SAMPLE COLLECTED?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
IF NO, WHY NOT?			



Evidence Collection - Fingernails

- Collect if patient reports scratching perpetrator

Cumulative moist swab on all 5 fingernails



Evidence Collection – Fingernails MN

- Collect **1 moistened swab** from all of the fingernails on right hand
- Collect **1 moistened swab** from all of the fingernails on left hand
- Package each hand swab separately

STEP 10 MISCELLANEOUS SWABS	
PATIENT'S NAME:	_____
DATE COLLECTED:	TIME: AM/PM
COLLECTED BY:	_____
BODY LOCATION:	Fingernails left hand
SUSPECTED FLUID TYPE:	Skin cells
WAS SAMPLE COLLECTED?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IF NO, WHY NOT?	_____



Evidence Collection –Fingernails ND

- Scrapings for each hand should be made over a separate piece of paper, one for left and one for the right
- Fingernails should be scraped, one hand at a time, with scrapers provided
- If fingernail damage is present, the nail should be clipped proximal to the damage.
- Nails should **NOT** be clipped unless they are damaged or broken.



Evidence – Fingernails

- Digital penetration – Study published in 2011
- 20% digital penetration of vagina and 3% digital penetration of anus
- 6 hours full female profiles - irrespective of their daily activity
- 12- 18 hours – lower numbers and more affected by hand washing

Flanagan, N., & McAlister, C. 2010 The transfer and persistence of DNA under the fingernails following digital penetration of the vagina Forensic Science International: Genetics

- Case Study – victim submerged 2 hours in bathtub

The persistence of DNA under fingernails following submersion in water S.A. Harbison et al. / International Congress Series 1239 (2003) 809–813 ★

Alternate Light Source

- Inspect patient's body with Alternate Light Source (ALS)
 - Around mouth
 - Neck
 - Breasts
 - Abdomen
 - Mons Pubis
 - Genitalia & buttocks





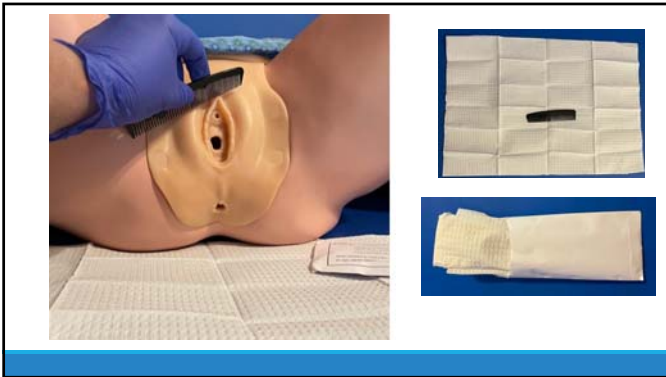
Pubic Hair Combing

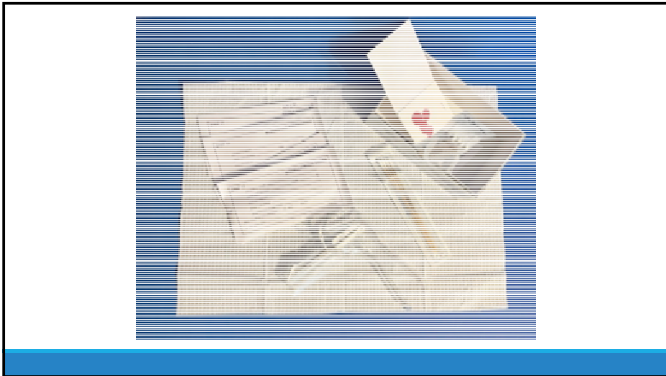
- Place edge of white paper under buttocks
- Lightly comb the pubic hair over the white piece of paper
- Fold the comb and any loose hairs into the paper
- Place in the envelope, label and seal it
- Showered = **NO** collection
 - Hairs are extremely transient
 - Hair is not a good source of DNA



Hair Combing – North Dakota

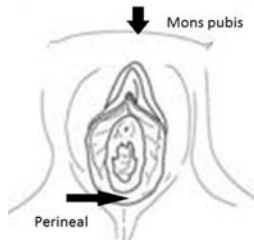
- **Head Hair Combing**
- To collect all loose hair and fibers, the patient's head hair – top, back, front, and sides – should be combed over a piece of paper.
- The combings, comb, and paper should be placed in an envelope marked "head hair combings"





Evidence Collection – Female Genital

- Mons pubis (shaved) even if showered
- Collect **2 lightly moistened** swabs
- Perineum (Perineal)
 - **4 swabs** collected at the same time
 - Lightly moistened
 - Collect up to **120 hours**
 - Even if showered 1-2 times
 - Even if menstruating



Evidence Collection – Female External Genital

STEP 8 PERINEAL SWABS

PATIENT'S NAME: _____

DATE COLLECTED: _____ TIME: _____ AM/PM

COLLECTED BY: _____

WAS SAMPLE COLLECTED? YES NO

IF NO, WHY NOT? _____

STEP 8 Mons Pubis PERINEAL SWABS

PATIENT'S NAME: _____

DATE COLLECTED: _____ TIME: _____ AM/PM

COLLECTED BY: _____

WAS SAMPLE COLLECTED? YES NO

IF NO, WHY NOT? _____

Evidence Collection - Female Internal Genital

- Don't use Lube (document on the BCA form if you do)
- Collect **4 dry swabs** from vaginal vault up to **240 hours**
- Collect **2 dry swabs** from cervical os up to **240 hours**
- Collect even if menstruating



Evidence Collection - Female Internal Genital

STEP 6 VAGINAL SWABS PATIENT'S NAME: _____ DATE COLLECTED: _____ TIME: _____ AM/PM COLLECTED BY: _____ WAS SAMPLE COLLECTED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, WHY NOT? _____	STEP 7 CERVICAL SWABS PATIENT'S NAME: _____ DATE COLLECTED: _____ TIME: _____ AM/PM COLLECTED BY: _____ WAS SAMPLE COLLECTED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, WHY NOT? _____
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Patient Declines Speculum

- You can collect vaginal swabs if patient declines speculum exam
- Insert swabs 4-5 cm and gently rotate
- When would it be important to do a speculum exam?



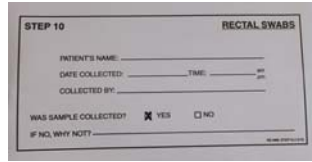
Evidence Collection – Anal

- Anal = exterior
- Label envelope **Anal**
- Collect **4 moistened swabs**
 - Collect all 4 at the same time
 - Collect up to **120 hours**
 - Even if showered 1-2 times

STEP 10 ANAL SWABS Anal PATIENT'S NAME: _____ DATE COLLECTED: _____ TIME: _____ AM/PM COLLECTED BY: _____ WAS SAMPLE COLLECTED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, WHY NOT? _____
--

Evidence Collection – Rectal

- Rectal = inside
- Collect **4 moistened swabs**
- Collect up to **48 hours**
- Collect 2 swabs at a time
- Insert 3-4 cm into anal canal
- Gently rotate

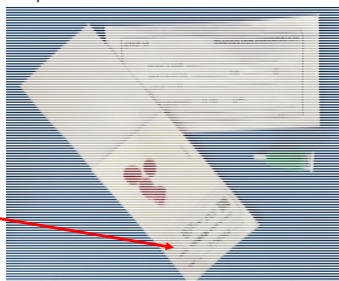


Patient's DNA Blood Sample

- Blood needs to be collected for the patient's DNA sample
- Blood should be placed on **inner** filter paper
- If no blood draw needed - a finger prick and collection of 4-5 drops of blood is sufficient

Patient's DNA Blood Sample

Patient label
Time
Your Initials



Patient's DNA Sample – Buccal

- If unable to collect blood - Collect 4 dry swabs from inner cheeks
- Label Buccal swabs

STEP 10
Patient DNA sample - Buccal Swabs

PATIENT'S NAME: _____
DATE COLLECTED: _____ TIME: _____ AM
COLLECTED BY: _____

WAS SAMPLE COLLECTED? YES NO
IF NO, WHY NOT? _____



Moist Biological Trace Evidence – Unrestricted SAKs

- Tampons
- Condoms
- Menstrual pads
- Other foreign bodies in body cavities



Packaging Moist Biological Trace Evidence- Unrestricted SAKs

Poke holes in top of specimen container with large bore needle, or sterile scissors

Label specimen container with patient label, exam time, & initials



Clothing Evidence

- Collect clothing worn after the assault - **Unrestricted** SAK
- Collect underwear for **Unrestricted** and **Restricted** SAKs
- Do not force patient to provide clothing - document "patient declined"
- Handle/manipulate clothing as little as possible
- Important to ensure clothing is dried prior to packaging
 - If not, notify law enforcement

Packaging of **Moist** Biological Trace Evidence and Clothing

- Document trace evidence and clothing in the chart
- Place container or clothing in a brown paper bag
- Label paper bag
- Seal the paper bag with evidence tape
 - Initials and date across the seal
- Refrigerate until handoff to LE or send to BCA

Clothing Collection

- Clothing at home – give patient paper bags to patient
- Patient can bring clothing to wear home
- Assistance League provides **Assault Survivor Kits**



▪ MN Hospital Association > Store > search > Assault Survivor Kits
https://my.mnhospitals.org/nc_store?filter=All

Non Biological Trace Evidence

Photograph and Document

- Dirt, Sticks, Leaves, Grass, etc.
- Package separately in brown bags
- Do not include in SA Kit
- BCA will not analyze



Legal Consideration #7

All hospitals that provide emergency services **must** provide:

- Medically accurate written and verbal information on Emergency Contraception
- Immediate prophylactic care for pregnancy
- *Catholic-affiliated hospitals are not exempt from this requirement*

◦ Minnesota Statute, §145.4712 subdivision 1(2007)

Legal Consideration #8

All hospitals that provide emergency services **must** provide:

- Medically accurate written and verbal information on Sexually Transmitted Infections
- Immediate prophylactic care for STIs

▪ Minnesota Statute §145.4712 subdivision 2(2007)

m DEPARTMENT OF HEALTH

For People Who Have Been Sexually Assaulted
 INFORMATION ABOUT SEXUALLY TRANSMITTED DISEASES (STDs)

People who have been sexually assaulted often have concerns and questions about many subjects, including STDs. STDs are also sometimes referred to as sexually transmitted infections, or STIs. If you do not understand this information, or would like additional information, ask your health care provider to assist you.

Sexually Transmitted Diseases (STDs)

pain. These symptoms may develop days, weeks, or even longer after a person becomes infected. But you can't depend on these symptoms to know if you are infected. Many people with an STD will not have any symptoms. Therefore, it is very important that you see a physician for an examination and STD tests to find out if you have been infected after a sexual assault, even if you don't have any symptoms.

STD Testing and Treatment After Assault

STI Prophylaxis, Emergency Contraception & HIV nPEP

Best Practice --- Follow CDC Guidelines ★

- Discuss & provide coverage for
 - Gonorrhea, Chlamydia, Trichomonas/Bacterial Vaginosis
 - Oral, Vaginal, or Rectal assault

Also Consider.....

- Tetanus, HPV, Hepatitis B (first dose)
- Oral Emergency Contraception options - 0-120 hours
- HIV nPEP - 0-72 hours post assault

Discharge & Follow-Up

- Overwhelming amounts of information to absorb at this point
- Provide handouts for patient to take home and reference
- Provide cheat-sheets and detailed instructions for follow-up
- Give names of advocacy centers, specialists, free clinics, support groups, etc.
- Prevent any barriers to follow-up care
- Collaborate with advocacy, social work, and ED if patient needs other services
- Housing, transportation, mental health, etc.
