

YOUR RIGHTS AS AN ADULT VICTIM/SURVIVOR OF SEXUAL ASSAULT

- **You have a right to medical forensic exam, regardless of whether you report to law enforcement.**
- Medical forensic exams are provided at no cost to you.
 - However, there may be costs related to medical care provided by emergency department staff, such as lab work, tests, and medications.
 - An advocate can arrange for you to speak with emergency department staff if you have questions about billing.
- You can still receive medical care without having a medical forensic exam.
 - Hospital staff can treat injuries and provide medications, including medication to prevent sexually transmitted infections and pregnancy.

IF YOU CHOOSE TO RECEIVE MEDICAL CARE WITHOUT A MEDICAL FORENSIC EXAM

- You can still receive advocacy, including support during this process and information about your options for services and aftercare.
 - See our “Sexual and Domestic Violence Services” List for advocacy services in Arizona [here](#).
- You can go to the emergency room, your physician, or a local clinic.
- Healthcare providers in some counties are mandated to report to law enforcement, however, **you do not have to speak with police.**
- Without a medical forensic exam, biological and trace evidence will not be collected, and this can make investigation and prosecution more difficult if you decide to pursue a case in the criminal justice system.

WHAT TO EXPECT DURING A MEDICAL FORENSIC EXAM

- A medical forensic exam is a comprehensive medical exam performed by a forensic examiner.
 - A forensic examiner is a registered nurse, nurse practitioner, or physician with specialized education and clinical preparation in the medical care and treatment of sexual and domestic violence.
- **Each component of a medical forensic exam requires your consent—you do not have to participate in anything that makes you uncomfortable.**
 - Each part of a medical forensic exam has a purpose, and the forensic examiner or an advocate can explain the purpose for each step and potential outcomes if that step is not completed.
- During a medical forensic exam, a forensic examiner will:
 - Gather information about your medical history and ask you to describe the assault or abuse.
 - Provide a detailed head-to-toe physical examination, which may include photographing injuries.
 - Perform a detailed genital examination, which may include an examination with a speculum.
 - Collect biological and/or trace evidence from your body.
- Forensic examiners can provide you with information about follow-up healthcare and services in your community for victims/survivors of sexual and domestic violence.

EVIDENCE

- Evidence collected may help with the identification and prosecution of the perpetrator of the crime.
 - Without this evidence, it is often more difficult to identify/prosecute the person who committed the assault.
- In order to preserve evidence, victims/survivors are asked to refrain from eating, drinking, smoking, using the bathroom, or showering prior to the exam.
 - Even if you have done one or more of these things, it is possible that evidence is still present, and you may want to consider a medical forensic exam.
- Over time, evidence begins to degrade or becomes contaminated, and then becomes difficult or impossible to process.
- Even when a medical forensic exam is performed immediately after an assault, there is the possibility that little-to-no evidence will be found.

THINGS TO CONSIDER WHEN DECIDING TO REPORT TO LAW ENFORCEMENT

- For many people, the decision to report victimization to law enforcement can be stressful.
- Many victims/survivors are concerned they will be blamed for their appearance or their behavior before, during, and after the assault.
- **Victims/survivors are NEVER at fault for sexual or domestic violence.**
- Reporting to law enforcement can be a difficult decision, and it is important that you take as much time as needed to decide whether reporting is right for you.
- In making this decision, it can be helpful to understand possible outcomes associated with immediate reporting, delayed reporting, and not reporting:
 - There are benefits to cooperating with law enforcement, which include:
 - Law enforcement will have the opportunity to collect evidence from you, the suspect, and the crime scene in a timely manner.
 - Witnesses may be interviewed in a timely manner.
 - You may be eligible for Victim Compensation.
 - The person who assaulted you may be prosecuted and held accountable for their actions.
 - Any delay in the investigation may reduce law enforcement's ability to investigate the case:
 - Evidence, like that on suspects and at the crime scene, may be permanently lost.
 - Suspects and witnesses will not be interviewed, and may be unwilling to cooperate or unable to provide information with as much accuracy at a later date.
 - It may be more difficult for a prosecutor to file charges against the assailant, and more difficult for successful prosecution to occur.
- Law enforcement may choose to contact you, but you have the right to decide if or when you want to make a report.
- **Ultimately, it is your decision whether you want to speak with law enforcement. An advocate can support you during this process, and help you make informed decisions.**

SEXUAL ASSAULT KIT STORAGE

- If you do not report to law enforcement, evidentiary kits will be kept in storage in case you decide to report to police at a later date.
- **You can report to police at any time, but your kit may be destroyed within one year of receiving the exam.**
 - Storage length varies by jurisdiction—most agencies hold kits for a minimum of 90 days.
- You can contact an advocate or your local police department to find out how long kits are stored in your area.
- The biological evidence in your kit may be analyzed even if you do not participate in the criminal justice process.

VICTIMS/SURVIVORS OF DOMESTIC VIOLENCE AND/OR STRANGULATION

- Medical forensic exams can be conducted to provide medical care and collect evidence if you have experienced domestic violence/strangulation.
- **Provisions under state and federal law are currently specific to sexual assault exams.** If you are a victim/survivor of domestic violence/strangulation and are considering a forensic exam, it is important to know:
 - Counties are **not** mandated to cover the costs of medical forensic exams performed as a result of domestic violence/strangulation, although some counties will still conduct these exams at no cost to you.
 - Policies regarding the storage of evidence collected during domestic violence or strangulation exams vary by jurisdiction.
 - An advocate or forensic examiner in your area can provide more information on payment policies and the storage of evidence.

IF YOU WANT TO GET A MEDICAL FORENSIC EXAM IN ARIZONA

- See our "Arizona Medical Forensic Exam Facilities" List [here](#).
- To date, there are not medical forensic exam facilities in all Arizona counties. For information on the facility nearest you, you can speak with an advocate at our **Legal Advocacy Hotline: 602-279-2900/800-782-6400/TTY 602-279-7270.**