State of Louisiana

- Defines rape as an act of anal, oral, or vaginal intercourse with a male or female person committed without the person’s lawful consent
- Emission is not necessary and any sexual penetration, vaginal or anal, however slight, is sufficient to commit the crime
State of Louisiana

- Defines sexual assault as the unwanted contact and includes a wide range of victimizations, distinct from rape or attempted rape
- Includes completed or attempted attacks generally involving unwanted sexual contact between the victim and offender
The Forensic Examination

- Collects evidence to aid in the prosecution of a crime
- The body and clothing of a sexual assault victim are considered a “crime scene” in cases of sexual assault
- Should not be emotionally or physically traumatic
The Forensic Examination

- Will not confirm or deny an allegation of sexual assault
- Assists investigators in a determination of an allegation
- Corroborates the victim’s story
When to Obtain

- If the sexual assault occurred within 120 hours
- Beyond 120 hours if the victim reports
  - Pain or bleeding
  - An unusual amount of force and injuries
  - Ejaculation with clean-up
  - Vaginal ejaculation without condom
  - Child with vaginal/anal penetration
Informed Consent

- Patient should be presented with relevant information regarding the forensic exam.
- Complete information allows the patient to make an informed decision regarding his/her desire to accept or decline the forensic examination.
Informed Consent

- Patient may accept or decline any part of the medical evaluation and treatment and the forensic exam and evidence collection.
- If a patient declines all or part of the exam, they must be made aware of the impact of declining a particular procedure in the criminal investigation.
Informed Consent

- Patients who are minors (under the age of 17), unconscious, intoxicated, or under the influence of drugs, are not able to give informed consent.
- If age 16 or younger, sexual assault is reportable to police and OCS.
- ABOVE ALL: An exam should NEVER be done against the will of the patient!
History of the Sexual Assault

- Complete history is critical to direct the SANE in the collection of forensic evidence
- Specimens are collected only from the orifices or sites that the victim indicates were involved in the assault
- Exception: DFSA
Forensic History

- Coordinate with other responders
- Allow for a quiet and private setting
- Advocacy should be allowed to remain with the patient for support during the history
Forensic History

- History should include:
  - Date and time of assault
  - Pertinent medical history
  - Recent consensual sexual activity
  - Post-assault activities
  - Assault related history
  - Suspect information
  - Nature of the physical assault
Assessment of STI Risk

- Date and time of assault
- Interval between assault and medical eval
- Number of assailants
- If known, his/her HIV status
- Assailant’s history of STI and risk behaviors
- Type of sexual content
Assessment of STI Risk

- History of consensual sexual intercourse
- LMP and pregnancy status
- Use of contraception
- History of bathing, urinating, defecating, douching, changing clothes, or brushing teeth
- Victim history of STI
Assessment of STI Risk

- History of previous sexual assault
- Any symptoms
- History of prior or chronic medical conditions
- Medication allergy
Sexually Transmitted Infections

- If <72 hrs, not time to incubate and be detected
- If *Chlamydia trachomatis* present in assailant’s semen, may be detected immediately after the assault
- Before the assault or after?
  - May carry important legal or emotional ramifications
## STIs

<table>
<thead>
<tr>
<th>STI Confirmed</th>
<th>Sexual Abuse</th>
<th>Suggested Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gonorrhea</td>
<td>Diagnostic</td>
<td>Report</td>
</tr>
<tr>
<td>Syphilis</td>
<td>Diagnostic</td>
<td>Report</td>
</tr>
<tr>
<td>HIV</td>
<td>Diagnostic</td>
<td>Report</td>
</tr>
<tr>
<td>Chlamydia</td>
<td>Diagnostic</td>
<td>Report</td>
</tr>
<tr>
<td>Trichomonas</td>
<td>Highly Suspicious</td>
<td>Report</td>
</tr>
<tr>
<td>Condyloma acuminata</td>
<td>Suspicious</td>
<td>Report</td>
</tr>
<tr>
<td>Herpes</td>
<td>Suspicious</td>
<td>Report</td>
</tr>
<tr>
<td>Bacterial vaginosis</td>
<td>Inconclusive</td>
<td>Medical Follow-up</td>
</tr>
</tbody>
</table>
Factors predicting risk of acquiring STI

- Penile penetration
- Ejaculation
- Type of sexual assault
- Number of assailants
- Victim’s susceptibility to infection
- Size of the inoculum for a given pathogen
- Organism’s infectivity