

Hospitals are required to provide survivors with notice of their right to be accompanied by an advocate during any examination or consultation performed at the hospital as a result of a sexual assault.

After An Assault: Seeking Medical Care

After a sexual assault, survivors face a number of choices including whether to have a physical exam to address health concerns, whether to have a forensic exam for the collection of evidence, and whether to report the crime to law enforcement. It is important to note that some survivors – particularly those from marginalized communities – may be reluctant to engage with systems, including medical and law enforcement. Advocacy services should be provided, regardless of the reporting decision by the victim.

Survivors wanting to receive medical attention after a sexual assault may go to the emergency room (ER) of their nearest hospital. Receiving medical care after an assault can help identify and treat any injuries and provide options for prevention of pregnancy and sexually transmitted infections (STIs).

Survivors may also wish to consider receiving a forensic exam to collect evidence that might link the perpetrator with the crime for prosecution purposes. In Wisconsin, Sexual Assault Kits (SAKs) are used which include all the items needed for the collection of evidence (swabs, slides, envelopes, etc.). Many hospitals now have specially trained Sexual Assault Nurse Examiners (SANEs) on staff to perform these types of examinations.

Survivors can still have a SAK collected, even if they are uncertain about reporting to law enforcement. In these instances, the hospital will send the SAK to the Crime Lab where it will be stored for up to 10 years. Within that 10-year time period, the survivor can report the assault to law enforcement and the SAK would then be tested.

Components of a forensic examination

Generally, medical staff begin by asking questions about the assault which will help them to determine where to look for evidence. Samples are then collected from all areas of the body that were involved in the assault. Any signs of bruising, tearing, tenderness or lacerations are documented and/or photographed to create a visual record.

Sexual Assault Nurse Examiners (SANEs)

SANEs are registered nurses who have received advanced education and training in the medical-forensic examination of sexual assault victims. They have skills in injury identification, evaluation, documentation and referral.

SANEs have also been trained to respond to the psychological and emotional trauma that may be present after an assault. They are able to provide medical testimony in court and consult with legal authorities.

Please see the following website to locate a SANE program in your area:
<http://sane.doj.wi.gov>

If a survivor is considering reporting the crime to law enforcement for investigation, it is important that they have a forensic examination done as soon as possible after the assault and avoid things that may destroy evidence, such as:

- Bathing
- Changing clothes
- Cleaning up the crime scene
- Using the restroom
- Coming hair
- Moving anything the perpetrator may have touched

Emergency Contraception

Hospitals that provide emergency care are required to provide medically accurate and unbiased information about emergency contraception, including on-site provision of the first dose and all subsequent doses (if applicable) to survivors who choose to take it.

Financial considerations

There are options available to assist survivors in Wisconsin with expenses related to medical-forensic exams.

Crime Victim Compensation (CVC)

Crime Victim Compensation (CVC) is designed to cover a wide range of costs associated with a sexual assault, including the cost of forensic exams and medical care, and the replacement of items confiscated as evidence. To qualify for CVC funds, the survivor must report to and cooperate with law enforcement in a timely manner and first submit claims to health insurance.

Sexual Assault Forensic Exam (SAFE) Fund

The Sexual Assault Forensic Exam (SAFE) Fund can provide financial assistance to survivors who do not wish to report the crime to law enforcement or to submit the bill to their insurance provider. The SAFE Fund may reimburse hospitals for the cost of a forensic exam, associated lab cost, and medication administered to prevent/treat STIs.