Emergency Room Treatment for Sexual Assault

The information provided here is taken from Handbook for Survivors: A Guide for Survivors of Sexual Assault ©2004 UVA Women’s Center/Sexual and Domestic Violence Services and adapted for the Colgate community.

Before You Arrive at the Hospital

In order to preserve as much evidence as possible, it is important not to change your clothes, shower or bathe, douche, brush your teeth, drink, or eat unless absolutely necessary before the medical exam. If you have already done some of these things, such as shower, you should still go to the hospital to be examined and evidence may still be collected. Bring a change of clothes with you to the hospital. If you’ve changed your clothes since the assault, place the clothes you wore at the time of the attack in a paper bag and bring them with you to the emergency room. Let the nurse or doctor know you brought the clothes, and tell them if you have done anything else (washed, etc.) before you arrived. This will assist them in making their report.

The doctor or nurse will usually begin by asking questions about your general health. If you are a female, you will be asked about your menstrual history and your use of contraception. You will also be asked specific questions about the assault. It may be difficult to recall some of the details, and it may be emotionally painful to remember and talk about what happened. Medical personnel ask specific questions to find out what to look for when they examine you. The information you give helps them conduct a thorough physical evaluation. For female victims, this usually includes a pelvic exam. Any information that you are asked to provide in the emergency room is confidential and necessary for registration, as well as for medical recordkeeping.

Do I Have to Report This?
The decision to report the assault to law enforcement authorities is solely up to you. If you aren’t sure whether or not you want to report the assault, you can talk with a police officer about having evidence collected and held while you make a decision. You don’t have to follow through with prosecution even if you choose to have evidence collected. Having evidence collected does give you a wider range of options later if you decide you do want to press charges against the assailant(s). The evidence will be kept by the police until you do decide to file charges, which requires an officer to make a brief report without your name explaining why they are holding evidence. They will then wait for your decision. It is important for you to know that if you don’t want to report the crime, the hospital isn’t required to notify the police when a sexual assault has occurred.

May I Have a Support Person With Me?
You can have a friend accompany you to the hospital. Hospital personnel will allow you to have someone with you during all examination procedures. In addition to having a friend with you, the Oneida hospital will contact Victims Of Violence (VOV) to send an advocate for you if you request this. You can also contact VOV yourself before you go to the hospital.
Your interaction with VOV counselors will be kept confidential. In Syracuse, the advocacy group is Vera House.

A well-trained advocate can provide emotional support during the examination and report-taking. Your advocate can help to explain medical procedures and the process of evidence collection, assist you with follow-up medical and counseling appointments, and provide support throughout the criminal justice process.

**Will I Have Any Control in Making Decisions Regarding My Care And Treatment?**

The medical staff cannot examine you or collect physical evidence without your permission. They need your signed consent for the examination and to give the evidence kit to the police. Remember, you have the right to refuse any part of the examination or treatment and to ask any questions you may have about any aspect of your care. All procedures should be explained so that you understand why and how they are done; if not, it's OK to ask the nurse or doctor to explain what they are doing. This may help you maintain some feeling of control during the medical procedures.

**What is The Physical Evidence Recovery Kit (PERK)?**

The PERK is designed to assist the examining clinician in the collection of evidence (specimens). If the assault took place within 96 hours of the medical exam, this kit can be used. If it occurred more than 72 hours ago, some evidence may still be collected.

Before the medical exam, you will be asked details about the assault. Even though these questions may seem very personal and difficult to answer, the information you give may be helpful in providing you with optimal care and in documenting the assault. They will also ask about your medical history regarding past and present health conditions, including date of your last period, contraceptive history and the date of your most recent voluntary sexual contact. Information is needed regarding the type of assault or penetration, such as oral, vaginal, or anal. The staff will ask you where the assault occurred and to describe what happened. What is included in the medical exam will depend on your answers to their questions.

After the physical exam, the nurse will draw a blood sample from your arm to determine your DNA type and screen for sexually transmitted diseases. A urine screen and pregnancy test will also be done. All screening tests done immediately after an assault are to document your state of health before the assault or for preexisting conditions. HIV and Hepatitis B screening will also be done after a sexual assault. If a significant exposure has occurred, medication and follow-up care will be initiated. This is why follow-up medical appointments are necessary for retesting 4-6 weeks after the assault. Follow up care is essential and can be done by your primary care physician or Colgate Health Services. The follow-up tests will indicate if pregnancy or sexually transmitted diseases resulted from your assault. HIV antibody tests may not give reliable results until 3 to 6 months after the assault. Your consent is needed before any of these tests are performed.

If you believe that you may have been drugged, screening tests may be done, including testing for alcohol. You have the right to refuse this, as with all procedures. Its important
for you to know that even if you voluntarily consume alcohol or drugs, such as GHB or Ecstasy, this could be evidence in a sexual assault case, because the assailant may have taken advantage of your incapacitation. That is why it is so important to tell your clinician if you took a drug yourself (illegal or not). Any drug (over-the-counter, prescription, or street drug), can also influence your medical needs/care, and any criminal case that may be prosecuted.

**Who Pays for My Treatment?**
If you have a private insurance policy, it may pay for your medical services. If you submit claims through your parent's insurance, you need to know that they may learn about your visit to the emergency room through the insurance company. After your emergency room visit, it is important for you to seek follow-up care at **Student Health Services**. There is no charge for an office visit with a clinician, but there are charges for any laboratory tests that are needed.

**Release of Evidence**
Evidence collected in a hospital may be released to a law enforcement officer only with your written consent. If the perpetrator is a Colgate student, and you elect to have your case heard on campus before the **Equity Grievance Panel**, you can provide written consent to have the evidence released to Campus Safety for inclusion in the campus proceedings.

**After the Examination**
The hospital staff will give you a card with the names of the staff who treated you, the police officer who took your report (if you did report), contact names at Victims Of Violence or Vera House, and instructions for follow-up care. If you wish to shower before leaving, the emergency department nurse will provide you with soap and shampoo, towels and fresh clothing if needed.

**Transportation**
Transportation, either back to campus or to the police department, may be arranged with Campus Safety.

*Source: Handbook for Survivors: A Guide for Survivors of Sexual Assault ©2004 UVA Women's Center/Sexual and Domestic Violence Services*