

## **What is a SANE?**

A Sexual Assault Nurse Examiner is an RN who has been specifically trained to:

Provide comprehensive care to sexual assault patients; Demonstrate competency in conducting a medical forensic exam to include evaluation for evidence collection; Have the expertise to provide effective courtroom testimony; and Show compassion and sensitivity to survivors of sexual assault.

## **What is a sexual assault medical forensic exam?**

A sexual assault medical forensic examination is performed by specially trained medical professionals for the purpose of evaluation and treatment of trauma, treatment of possible exposure to infection, referral to counseling and follow-up medical care, and for the collection of evidence following a report of sexual assault by a victim. The medical well-being of the patient is the primary objective of the SANE at all times during the examination.

## **Who may request a sexual assault medical forensic exam?**

If the victim reports the crime, local law enforcement may authorize the exam or the victim may request a sexual assault exam without first reporting to law enforcement as a 'non-reported sexual assault.'

## **What is a 'non-reported sexual assault?'**

The Non-Reported Sexual Assault Evidence Program was created in HB 2626 by the 81st Legislature and went into effect June 21, 2009. The program allows survivors of a sexual assault to obtain a medical forensic exam and have evidence collected, without cost to the victims, even if they do not wish to involve law enforcement at the time of evidence collection. This allows the evidence to be secured while giving the survivor time to consider whether they want to report the assault. A patient who has requested and obtained a non-reported sexual assault medical forensic examination has up to two years to decide to report the crime. Information related to the program can be found in Chapter 56.065 Code of Criminal Procedure.

## **Will the sexual assault medical forensic exam "prove" I have been sexually assaulted?**

The presence or absence of physical evidence does not prove whether a person has been sexually assaulted. Rather, the examination may provide supportive evidence to be used during legal proceedings. A SANE examination is one piece of information in a community effort by healthcare, advocates, local law enforcement and prosecutors to investigate and prosecute a reported case of sexual assault.

## **Are sexual assault medical forensic exams performed on adults and children?**

Yes. Many of the evidence collection issues apply equally to adult and child survivors of sexual assault/abuse. However, there are particular issues regarding the interviewing and medical examination needs of children that differ from those of adults.

### **What happens during a sexual assault medical forensic exam?**

Once consent is obtained from the patient, a medical history is taken by the SANE to determine injuries and appropriate medical treatment for the patient. The next step is a head-to-toe examination, including the genital area, in order for the SANE to document trauma to any part of the body. Last, a collection of forensic evidence is done, and a sexual assault evidence collection kit is sometimes used.

### **What is an evidence collection kit?**

In addition to the sexual assault examination, a kit is used to collect physical evidence. Kits can be made from materials readily available at most medical facilities or purchased commercially. Kits are packaged in a crush-proof box to protect the contents during transportation to a forensic lab.

### **When would a sexual assault evidence collection kit not be used?**

If it is determined that the assault took place more than 96 hours prior to the examination, the use of an evidence collection kit may not be necessary. It is unlikely that evidence would still be present on the survivor. However, evidence may still be gathered by documenting any findings obtained during the medical examination (such as bruises or lacerations), photographs and bite mark impressions (if appropriate), and securing statements made by the survivor about the assault.

### **Who pays for the exam?**

State law requires the law enforcement agency requesting the exam to pay all expenses related to the gathering of forensic evidence from the victim. The victim's cooperation in pressing charges is not a factor; if the law enforcement agency requests that the exam be conducted, the law enforcement agency is responsible for paying the costs.

For victims who report to law enforcement, other medical care for the victim such as treatment of physical injuries, testing for AIDS/HIV and sexually transmitted diseases, or counseling may be paid for by the Crime Victims' Compensation Program, if eligible. Applications for Crime Victims' Compensation and assistance completing the form are available from the hospital, sexual assault program or law enforcement agency.

### **How does a SANE program benefit a sexual assault survivor?**

It is vital to a victim's recovery to be treated properly while the evidence is collected. It is also vital to the survivor's recovery and the prosecution of the offender that forensic evidence be properly collected. It has been noted that survivors heal faster when treated properly by someone who is trained to be a sexual assault examiner. In addition, victims are more likely to follow through with the prosecution of criminal cases when they have received compassionate treatment from the same caregivers throughout the exam.

**For more information go to the Texas Attorney Generals website at:**

**<https://www.texasattorneygeneral.gov/cvs/crime-victim-services-assisting-victims-of-violent-crime>.**