Medical Forensic Examination:

An exam provided to a sexual assault victim by medical personnel trained to collect evidence of a sexual assault for use in a court of law.

The exam should include at a minimum:

√Documentation of physical trauma, such as bruising, bites, abrasions, etc.;

√Documentation of any penetration or force;

√Patient interview; and

√Evidence collection and evaluation.

If you are a victim of sexual assault, help is available by calling the National Sexual Assault Hotline.
1-800-656-HOPE

If it is an emergency or you need assistance Call your Local Law Enforcement or 911.

Funding for this brochure is provided by:

DEPARTMENT OF MILITARY AFFAIRS & PUBLIC SAFETY
OFFICE OF THE SECRETARY

Division of Justice & Community Services

If you or someone you love has been sexually assaulted you can…

Receive at no charge, a medical forensic examination for the purpose of collecting evidence …..

without making a decision about criminal justice/law enforcement participation at the time of the exam.

Options for Adult Victims:

When an adult victim of sexual assault presents at a hospital; hospital staff will provide these options:

Receive a medical forensic exam and make a report to law enforcement;

OR

Receive a medical forensic exam and do not make a report to law enforcement;

OR

Receive medical treatment only. Any cost for medical treatment is the individual's responsibility as it involves no evidence collection.

The victim also has the option to have a victim advocate present.

If the non-report option is chosen, the individual will be informed of:

The Benefits:

Time to weigh options before participating in the criminal justice system.

There is no statute of limitations in prosecution of sexual assault in West Virginia.

If a victim later decides to initiate an investigation, law enforcement can be contacted and the kit retrieved and processed by the WV State Police Crime Lab.

The Drawbacks:

Challenges for investigation and prosecution.

Loss of toxicology evidence.

Evidence Storage:

Non-reported evidence is stored in active status at Marshall University Forensic Science Center for 24 months, and then moved to inactive status.

Note:
The non-report process does not conflict with mandatory reporting laws for child sexual abuse.

All State mandatory reporting legislation for law enforcement and/or government agencies such as Child Protective Services or Adult Protective Services must be followed.