



AVAILABILITY OF FREE SEXUAL ASSAULT FORENSIC MEDICAL EXAMS AND RESOURCES FOR SURVIVORS OF SEXUAL ASSAULT

If you or someone you know has been the victim of a sexual assault, California offers **free** sexual assault forensic medical exams and support for survivors. Below is information about how to access these exams and commonly asked questions related to the exams.

OBTAINING A FREE SEXUAL ASSAULT FORENSIC MEDICAL EXAM

If you have been the victim of a sexual assault, you are entitled to a sexual assault forensic exam, from a trained forensic nurse free of charge. Along with the examination, the Sexual Assault Response Team (SART) can offer additional support including medical and mental healthcare.

The sexual assault forensic exam is designed to gather evidence of the sexual assault and provide healthcare services. Both for medical and evidentiary purposes, the exam should occur as soon as possible and should be completed within **5 days** of the attack. Medical and mental health treatment are available as part of the exam.

While the exam preserves evidence of the assault, it is important to know that getting the exam does not obligate you to participate in the criminal justice system if you choose not to. Every victim has the right to have a support person with them at all phases of the medical and legal process, including the exam. This includes a friend, family member, or advocate with a local rape crisis center. You also have the right to transportation to and from the medical examination.

Information about support services is available here:

- By Phone: National Sexual Assault Hotline, (800) 656-4673. This Hotline can connect you with a Rape Crisis Center in your area.
- Online: [California directory of Rape Crisis Centers](#)
- Online: [Information about where to get a medical exam in California](#)
- Online: [California directory for pediatric medical exams](#)

The California Department of Justice **issues the following warning to** victims of sexual assault regarding the use of self-administered “at-home” evidence kits.

These “at-home” kits may be advertised as “evidence kits” however, trained medical professionals are essential in collecting samples, examining and treating the victim, and preserving and testing evidence that is obtained during the exam. At-home kits should not be used where the identity of the perpetrator is at issue and we strongly encourage victims to obtain medical exams from trained professionals.

Further disadvantages of “at-home” kits include:

- DNA collected from “at-home” kits without a qualified forensic examiner may not be entered into nationwide DNA databases to identify an unknown attacker.
- “At-home” kits do not gather other important evidence. The trained forensic nurses who perform free examinations are experts at gathering physical evidence of non-consensual assaults, even evidence that you may not notice.



- “At-home” kits may not offer critical additional in-person services like physical and mental health treatment, emergency contraceptives, and sexually transmitted infections (STI) screening. These are all available through forensic medical examinations free of charge.
- The Department of Justice is currently not aware of any evidence used from an “at-home” kit ever being successfully introduced in criminal court in California.
- If evidence from an “at-home” kit is introduced in court, it would very likely require your detailed testimony about how, when, and where you collected the evidence.
- A forensic examiner is assumed under the law to have performed the exam correctly. This presumption does not apply in the case of “at-home” kits.

FREQUENTLY ASKED QUESTIONS

WHAT IS A SEXUAL ASSAULT FORENSIC MEDICAL EXAM AND WHAT SHOULD I EXPECT?

- A sexual assault forensic medical exam is intended to collect forensic evidence for use in the criminal prosecution of the person who perpetrated the sexual assault.
- The medical exam is performed by healthcare professionals with specialized training in working with survivors and collecting samples.
- The collected samples go to a crime lab within 20 days of collection and must be processed by the lab within 120 days.
- In addition to swabbing parts the body to obtain samples, examiners will take photographs and look for injuries.
- You should be offered emergency contraception or medication to prevent STIs.
- If possible, try not to shower, bathe, eat/drink, or brush your teeth until you have had the opportunity to discuss possible options immediately after the assault. These activities have the potential to eliminate any DNA evidence that could potentially be found through the medical exam process.

WHERE CAN I REPORT SEXUAL ASSAULT CRIMES?

If you are in California, you can contact any Law Enforcement Agency or call 911 in an emergency. Alternatively, you can locate your county’s emergency response number on your county’s website. Law enforcement can also assist you in accessing the forensic exam and medical care.

You can also report through your local Rape Crisis Center. Rape Crisis Centers provide mental health help, legal aid, safe housing and other services for survivors of sexual assault and domestic violence. Find your local Rape Crisis Center by calling the National Sexual Assault Hotline at (800) 656-4673 or by [visiting their website](#).

HOW DO I CHECK THE STATUS OF MY SEXUAL ASSAULT EVIDENCE EXAM?

Starting in July 2022, survivors of sexual assault will be able to privately, securely, and confidentially access and track their own Sexual Assault Evidence Kit on a DOJ portal.¹

In the meantime, to learn the location and status of your medical exam (aka your kit), you may contact the California Department of Justice’s Victims’ Services Unit (VSU) by phone at (877) 433-9069 or by email at victimservices@doj.ca.gov. VSU requires a police report number or kit number to identify the evidence.

1 Senate Bill 215 https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB215



WHAT IF I RECEIVE A MEDICAL BILL FOR MY SEXUAL ASSAULT FORENSIC MEDICAL EXAM?

Forensic exams for sexual assault victims are free in the state of California. If for some reason you are billed, you should contact your local Rape Crisis Center and file a complaint with the California Department of Justice's Public Inquiry Unit. For more information about filing a complaint, call (800) 952-5225 or [visit our website](#).

For more information about victim services and your rights as a sexual assault survivor, [visit our website](#).

This advisory was issued by the Healthcare Rights and Access (HRA) Section of the California Department of Justice. HRA works proactively to increase and protect the affordability, accessibility, and quality of healthcare in California. HRA's attorneys monitor and contribute to various areas of the Attorney General's healthcare work, including consumer rights; anticompetitive consolidation in the healthcare market; anticompetitive drug pricing; nonprofit healthcare transactions; privacy issues; civil rights, such as reproductive rights and LGBTQ healthcare-related rights; and public health work on tobacco, e-cigarettes, and other products.