

Sexual Offenses

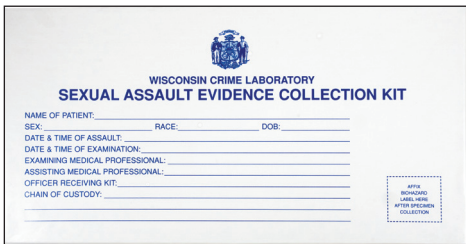
It is essential to have the victim(s) examined by a medical professional as soon as possible after the assault and before the affected areas (pubic area, vagina, rectum, etc.) or clothing are washed or cleaned.

I. Evidence Collection Kits

The Laboratory has made available two evidence collection kits to assist attending medical professionals in collecting the specimens required by the Laboratory in sexual assault cases:

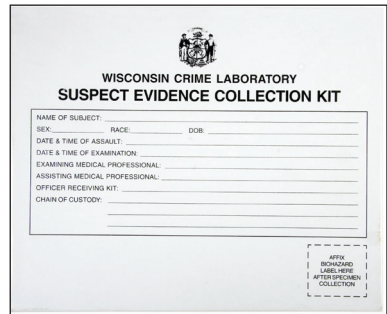
- A. Sexual Assault Evidence Collection Kit
- B. Suspect Evidence Collection Kit

These kits contain detailed instructions that should be used to collect appropriate samples from both male and female sexual assault victims and suspects. This evidence can be collected up to 96 hours after the assault.



The form for the Sexual Assault Evidence Collection Kit features the Wisconsin Crime Laboratory logo at the top center. Below the logo, the text reads "WISCONSIN CRIME LABORATORY" and "SEXUAL ASSAULT EVIDENCE COLLECTION KIT". The form contains several fields for data entry: "NAME OF PATIENT:", "SEX:", "RACE:", "DOB:", "DATE & TIME OF ASSAULT:", "DATE & TIME OF EXAMINATION:", "EXAMINING MEDICAL PROFESSIONAL:", "ASSISTING MEDICAL PROFESSIONAL:", "OFFICER RECEIVING KIT:", and "CHAIN OF CUSTODY:". A dashed box in the bottom right corner contains the instruction "AFFIX INSTRUCTIONS AFTER SPECIMEN COLLECTION".

Fig. 6-1
Sexual Assault Evidence Collection Kit



The form for the Suspect Evidence Collection Kit features the Wisconsin Crime Laboratory logo at the top center. Below the logo, the text reads "WISCONSIN CRIME LABORATORY" and "SUSPECT EVIDENCE COLLECTION KIT". The form contains several fields for data entry: "NAME OF SUBJECT:", "SEX:", "RACE:", "DOB:", "DATE & TIME OF ASSAULT:", "DATE & TIME OF EXAMINATION:", "EXAMINING MEDICAL PROFESSIONAL:", "ASSISTING MEDICAL PROFESSIONAL:", "OFFICER RECEIVING KIT:", and "CHAIN OF CUSTODY:". A dashed box in the bottom right corner contains the instruction "AFFIX INSTRUCTIONS AFTER SPECIMEN COLLECTION".

Fig. 6-2
Suspect Evidence Collection Kit

These kits can be purchased from Document Sales (1-800-DOC-SALE); for more information see Wilenet.org – *Crime Lab Kits*.

NOTE: USE STERILE SWABS WHEN COLLECTING EVIDENCE OR STANDARDS.

Collecting a Buccal Swab Standard

Prior to collecting the sample, have the person rinse his or her mouth with water. Using one swab, place the swab in solid contact with the inner cheek and gum surface. Gently move the cotton tip in and out five or six times rotating the swab while rubbing. Repeat this process with a second swab on the other inner cheek and gum surface. Allow swabs to thoroughly air dry. Package the swabs in a clean, properly labeled paper envelope and seal. **DO NOT COLLECT FROM THE TEETH OR ALONG THE EDGES OF THE TEETH.**

II. Transitory Evidence Collection

NOTE: *The water used to moisten swabs in the following collection procedures should preferably be deionized or bottled water though tap water may be used. During collection, care must be taken to avoid contaminating the water (or swabs) with extraneous DNA.*

Fingernail Scraping

When there is reason to believe evidence may exist under the patient's fingernails such as blood, skin, hair, fibers, etc., the fingernails should be gently scraped with a wood applicator stick or toothpick into a clean, paper envelope. Alternatively, the fingernail can be clipped and the clippings placed into the envelope. Each hand should be done separately (**not** each finger). Properly label and seal each envelope.

Fingernail swabbings can be used if the fingernails are short. Moisten the swab with water and swab the fingernails. Use one swab for each hand. Allow the swab to thoroughly **air dry**. Package the swabs in a clean, properly labeled paper envelope and seal.

Finger Swab(s) (Suspects Only)

If the victim was digitally assaulted, the suspect's finger(s) should be swabbed with a swab (one per hand) moistened with water. Allow swab(s) to thoroughly air dry. Package the dried swab(s) in a clean, properly labeled paper envelope and seal.

Bite Marks

Bite mark evidence (see Chapter 7, Bite Marks) must be photographed to document the impression. The specific method to properly

photograph this type of evidence is described in [Chapter 2, Forensic Photography](#).

The bite mark impression should also be swabbed using a swab moistened with water to collect any potential traces of the assailant's saliva. Re-swab the impression with a second dry swab to collect any remaining traces. Allow the swabs to thoroughly air dry. Package the swabs together in a clean, properly labeled paper envelope and seal.

III. Additional Relevant Physical Evidence

Clothing

Articles of clothing worn by the victim and suspect (if possible) should be submitted to the Laboratory to be examined for seminal stains, bloodstains, foreign hairs and fibers or other trace evidence adhering to the clothing. In addition, items at the crime scene may provide important evidence that associates the victim and/or the suspect to the scene.

Procedure for clothing:

- A.** Clothing of the victim must be kept separate from those of the suspect at all times.
- B.** Clothing worn at the time of or immediately after the offense must be recovered and preserved. This includes undergarments, handkerchiefs and sanitary napkins and/or tampons (only if used during or after the offense).
- C.** Garments should be handled as little as possible to avoid the loss of trace evidence.
- D.** Package each item of clothing **separately** in a clean, properly labeled paper bag and seal.

Condoms

When condoms are recovered in suspected sexual assault cases, the amount of possible seminal fluid in them should be a consideration during collection, packaging and storage. Because DNA from the victim may be identified on the outside of the condom, great care should be taken to minimize leakage of semen from inside the condom. If little liquid appears to be in the condom itself, it can be placed in a

glass specimen jar and frozen until submitted to the Laboratory. If a large amount of liquid is present, leakage is a concern and one of the following procedures should be used:

Alternative One

1. Attach the opening of the condom (with the fluid inside) to the top or side of a specimen jar so the fluid cannot leak out.
2. Label the jar so it is maintained in an upright condition.
3. Freeze the jar until submitted to the Laboratory. (Do not mail, submit in person.)

Alternative Two

1. Using dry swabs (as many as necessary) collect all or as much of the fluid from inside the condom as possible.
2. Allow these swabs to dry together but separately from the condom itself. Package in a properly labeled **paper** bag or envelope and seal. Label as collected from the condom. Submit the condom in a separate package (see step 3).
3. Stand up another set of dry swabs and drape the condom over them, tent-style, with the opening of the condom at the bottom. Allow to thoroughly air dry in a protected area. Package in a properly labeled **paper** bag or envelope and seal.

IV. Processing the Scene

- A.** Document the scene. See Chapter 1, Evidence Integrity; Chapter 2, Forensic Photography and Chapter 4, Crime Scene Sketch.
- B.** Check for fingerprints. See Chapter 11, Latent Prints.
- C.** Recover articles such as handkerchiefs, rags, tissues, etc., which may have been used as a wipe after ejaculation. See Chapter 20, Clothing and Fabrics.
- D.** Recover and submit any articles that may have become stained during the offense or might have foreign hairs present (e.g., bedding, rugs, sofa cushions, etc.). See Chapter 21, Hairs and Fibers.

Unusual Sexual Offenses

When unusual situations are encountered, contact the Laboratory for specific instructions for evidence collection.

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