

September 11, 2019

*****CONSUMER ALERT*****

ATTORNEY GENERAL RAOUL RAISES CONCERNS ABOUT AT-HOME SEXUAL ASSAULT EVIDENCE COLLECTION KITS

Chicago — Attorney General Kwame Raoul today encouraged survivors of rape and sexual assault to seek immediate medical treatment and to think twice before using at-home sexual assault evidence collection kits.

Raoul's office is looking into at-home sexual assault evidence collection kits being marketed to survivors as a way to have more control and privacy over the collection of evidence following rape or sexual assault. Raoul's office says marketing of the kits is misleading and could result in survivors not seeking needed medical or psychological care. Raoul's office also says survivors could be misled into believing that the kit could deter rape and sexual assault, or that the evidence collected could be used to pursue criminal charges.

"I am concerned that these products are being marketed as an alternative to medical forensic exams and could result in survivors not seeking the medical care they need, or having a false sense of security that the evidence they collect will be used in criminal prosecutions," Raoul said. "Survivors must have access to services that will aid their physical and emotional recoveries and enable them to seek justice. The misleading information put out by these companies could have the effect of depriving survivors of both."

Though the kits have been promoted as empowering survivors of sexual assault and rape, Raoul's office argues that self-collected evidence is highly unlikely to be able to be used to pursue criminal charges. Giving survivors the misleading impression that using a kit is the same as getting a medical forensic exam is very concerning. Rather than using any type of at-home kit for evidence collection, Attorney General Raoul urges sexual assault survivors to seek medical attention.

In Illinois, a complete medical forensic exam involves treating a survivor's physical and emotional trauma. When a survivor enters an emergency room, a rape crisis advocate is contacted to provide support, explain each step of the examination, and ensure the survivor understands their rights. Survivors are examined by a Sexual Assault Nurse Examiner (SANE), who is specially trained to collect physical evidence, respond to the medical and psychological needs of a survivor, and testify in court. Survivors are not required to report to law enforcement in order to receive medical forensic services. Once a sexual assault evidence kit is completed, survivors have 10 years or until their 28th birthday, whichever is longer, to decide to involve law enforcement and have the evidence tested. Additionally, Illinois law prevents survivors from being charged for the examination, the Illinois State Police sexual assault evidence kit, or any additional services or medication received as an outpatient.

Last year, the Attorney General's office led passage of legislation to expand the Sexual Assault Survivors Emergency Treatment Act, to require Illinois hospitals to provide specialized sexual assault care in emergency rooms, which includes SANEs and other specially trained health care professionals. SANEs complete intense specialized education and clinical training, and are skilled in taking patient histories, assessing and treating trauma, collecting and managing evidence, documenting injuries, and providing emotional and social support. Since 2003, the Attorney General's office has provided classroom training to more than 2,000 nurses wanting to become SANEs.

Some companies are urging college campuses to make the kits available as a resource to survivors. In Illinois, the Attorney General's office initiated the Preventing Sexual Violence on Campus Act to set

standards for all Illinois colleges and universities to prevent and respond to sexual violence. The law requires colleges and universities to provide survivors with a confidential advisor to help them understand their options to report and seek medical, legal and other services; train students and campus employees annually to improve awareness of and responsiveness to sexual violence; and provide annual reporting to the Attorney General's office regarding trainings, incidents and more.

Attorney General Raoul's Crime Victim Services Division manages programs that provide assistance to crime victims and service providers. For more information or information about the rights afforded to survivors of a crime in Illinois, please visit [Raoul's website](#) or call his office's toll-free Crime Victims' Assistance Line: 1-800-228-3368 or 1-877-398-1130 (TTY).