Evidence Collection: The ADA’s most formidable weapon.

- All evidence, including vital testimony, is valuable in sex assault prosecution.
  - But, medical/physical evidence is often the most compelling, particularly in “identity cases” where the perpetrator is unknown.
  - Medical/physical evidence can also be invaluable in acquaintance and/or “consent defense” cases, where the perpetrator is known.
Physical Evidence: Most Commonly Utilized Forms

- Evidence that can be analyzed for DNA identification.
- Evidence of physical trauma, either genital or non-genital.
- Evidence that corroborates and supports the victim’s account of what happened.
  - Examples include recovery of surface materials like road gravel, torn clothing, foreign objects, hair, carpet fibers, etc.
- All are gleaned from the victim’s body as a crime scene.
Physical Evidence: What Prosecutors Need

- A clear, unbroken chain of custody for all physical evidence gleaned from the victim.
- Absolute adherence to all written and/or accepted workplace protocols for forensic professionals.
- Utmost care when handling, labeling, transporting and storing evidence or evidence containers of all types.
Physical Evidence: What Prosecutors Need

- Forensic/medical professionals who treat patients with competence, professionalism and compassion, but who also maintain a sense of objectivity while gleaning and evaluating evidence from the victim’s person.

- Forensic/medical professionals who will cooperate with both prosecutors and defense attorneys as the case progresses, and be available for preparation and clear, objective, expert and lay testimony as needed.
What Forensic Examiners Should Expect From Prosecutors

- A willingness to learn about protocols, procedures and techniques in person while prepping for trial.
- Clear and continuing communication as the case progresses.
- Complete, in-person preparation before being asked to testify as an expert, and constructive feedback afterward.
- A sincere and competent effort to minimize the intrusion on the witness’ valuable time.
- A friendly, professional attitude.