

Forensic Examination and Evidence Collection Information for Victims of Sexual Assault Who Do Not Immediately Want to Cooperate with Law Enforcement

Under Colorado law the attending physician is required to report to a law enforcement agency any known or suspected physical and sexual abuse crimes as well as domestic abuse. However, as the victim of a sexual assault crime you are not required to participate in the criminal justice system or cooperate with law enforcement in order to receive a forensic medical exam and evidence collection. It is understandable that there are reasons why you may want a forensic medical exam but not want to go forward with the investigation and prosecution of the case at this time.

The forensic evidence collection kit will be turned over to a law enforcement agency for storage. The medical facility will let you know which law enforcement agency will be storing the forensic exam evidence. If you decide that you would like to discuss the crime in which you were a victim, you will need to contact that law enforcement agency directly. You may also want to talk to an advocate from the law enforcement agency. The forensic evidence collection kit will be held by the law enforcement agency for two years. After that time, it may not be available for the investigation or prosecution of the case.

None of your medical records will be turned over to a law enforcement agency at this time. If in the future you would like those records released as part of an investigation, you will need to sign a medical release.

The State of Colorado will pay the cost of the forensic medical exam only. **Any additional medical expenses incurred as a result of the crime will be the responsibility of you, the patient.**

Colorado does have a victim compensation program that provides assistance with medical bills. The program is administered locally by the district attorney's office. However, one of the requirements of receiving victim compensation is that the victim has cooperated fully with law enforcement officials in the apprehension and prosecution of the assailant. The victim compensation board can waive this requirement for good cause. If you would like to inquire whether the victim compensation program may or could pay for your medical expenses, you will need to contact the victim compensation program in the jurisdiction where the crime occurred and discuss your situation with the victim compensation administrator. You may contact the Colorado Division of Criminal Justice to locate the appropriate victim compensation administrator. Please call 303-239-5719.

Community victim service agencies can provide assistance to you even if you do not want to cooperate with law enforcement at this time. For a complete directory of resources for victims of crime throughout the state of Colorado, please visit the Colorado Organization for Victim Assistance website at www.coloradocrimevictims.org and click on Victim Assistance Online Directory.