

NATIONAL JUDICIAL EDUCATION PROGRAM*

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PRESENTING MEDICAL EVIDENCE IN AN ADULT RAPE TRIAL

A DVD Resource

Presenting Medical Evidence in an Adult Rape Trial is a two-hour DVD widely used by prosecutors and forensic sexual assault examiners across the country.

It is divided into ten independent segments. Each segment presents a prosecutor interviewing an expert in a particular area dealing with the presentation of medical evidence in an adult victim rape trial. The segments cover the most up-to-date research available and present it in a clear, concise, useable format geared specifically for prosecutors. Although not a trial manual, there are concrete examples as well as sections with specific guidance for sex crimes prosecutors.

The segments are:

- I. Introduction
- II. Medical Assessment and Evaluation
- III. Types of Injury Types of Injury
- IV. Colposcope and Forensic Sexual Assault Examination *Including a Dramatization of an Actual Rape Victim Forensic Exam*
- V. DNA and Drug-Facilitated Rape
- VI. Pre-Trial Preparation of the Medical Witness
- VII. Admitting Medical Evidence in a Rape Trial
- VIII. Cross-Examination of the Medical Witness
- IX. Other Ways a Medical Expert Can Help Your Case
- X. Conclusion

The DVD is designed for prosecutors to use on an as-needed basis on their own or in small groups in their offices. It will be helpful to prosecutors at all different skill levels. The DVD can be viewed in one sitting or segment-by-segment.

The experts who appear in this DVD include:

- Tamiko Amaker, Esq.
Assistant District Attorney, Office of the District Attorney, Bronx County, NY
- Sam Braverman, Esq.
Criminal Defense Attorney, New York & New Jersey

- Roger Canaff, Esq.
Assistant Commonwealth's Attorney, Alexandria, Virginia
- Donna Gaffney, RN, DNSC, Sexual Assault Nurse Examiner
Director, Forensic Nursing Course, Seton Hall University, New Jersey
- Elise J. Turner, C.N.M., S.A.N.E. Program, Mississippi Coalition
Against Sexual Assault
- Michael L. Weaver MD, FACEP, St. Luke's Hospital, Kansas City, Missouri,
Sexual Assault Center, Associate Clinical Professor UMKC School of Medicine

In addition to listening to these national experts, viewers can access a dedicated website (<http://www.legalmomentum.org/assets/pdfs/videoreferenceguidejuly2007.pdf>) containing the transcript of their commentary to use in preparing their own trials.

Viewer Comments:

Presenting Medical Evidence in an Adult Rape Trial was piloted with prosecutors across the country who completed a detailed evaluation instrument. In answer to the question whether the information presented will be helpful to prosecutors who handle rape cases, the evaluators scored the DVD 5 on a scale of 1 to 5. Comments from individual viewers included:

"Very informative"

"Overall: excellent"

"The information is great."

"It was good to see what actually happens in a rape exam. Doctors describing it does not compare to actually having seen one."

The pre-trial preparation of the medical witness segment, "is a great section and will really help prosecutors in developing good relationships with medical providers!"

"The information is great...the content is so helpful."

Presenting Medical Evidence in an Adult Rape Trial is the DVD companion to NJEP's highly regarded model curriculum *Understanding Sexual Violence: Prosecuting Adult Rape and Sexual Assault Cases*. An online version of the complete curriculum is available on the Department of Justice Violence Against Women Office website at www.vaw.umt.edu/FinalDocuments/usvpros.asp. The DVD/self-study guide was developed under a grant from the Department of Justice Violence Against Women Office. The model curriculum from which it was drawn, also funded by the Violence Against Women Office, was developed at the request of judges nationwide who asked NJEP to adapt its model judicial education curriculum on rape trials to create a similar program for prosecutors.