



Testifying: Evidence Collection, DNA, and Establishing Chain of Custody

During the course of testimony, the prosecutor must establish that the clinician collected evidence from the victim and the chain of custody of that evidence.

Prosecutors will first ask clinicians about the specimens they obtained from the victim's body and why the clinician chose to collect such specimens. The clinician's testimony will reference what the victim reported about their medical history, the description the victim provided about the assault, and the clinician's own knowledge and expertise about the types of evidence and areas of the victim's body that may yield DNA foreign to the victim. In so doing, the clinician may have to testify about the use of medical equipment, alternative lights sources, or the use of toluidine blue.

Then, to establish chain of custody, prosecutors will ask the clinician if they recognize the evidence/swabs/samples that they collected. Clinicians are typically able to recognize the evidence they collected based on the clinician's signature or initials and the date. Clinicians will testify how and from where they collected each sample and how each sample was packed, stored, and secured. Clinicians will then testify when and how the evidence was provided to law enforcement.