

1 *Forensic Science International: Genetics* 2019; 43:102153: 1-6
2 (DOI: [10.1016/j.fsigen.2019.102153](https://doi.org/10.1016/j.fsigen.2019.102153))

3

4 **A retrospective study on the transfer, persistence and recovery of sperm and**
5 **epithelial cells in samples collected in sexual assault casework**

6 Ane Elida Fonnepøl^a, Helen Johannessen^a, Guro Heen^a, Karen Helene Molland^a; Peter Gill^{a,b}

7

8 ^aOslo University Hospital, Norway, and ^bUniversity of Oslo, Oslo, Norway

9 **Introduction**

10 In rape cases the detection of spermatozoa in a sample from an intimate swab is frequently used as
11 evidence of sexual activity. Given ejaculation and normal sperm quality, it has been shown that
12 spermatozoa will normally be detected in intimate samples with a time since intercourse (TSI) up to
13 48 hours, and in some cases up to 6 days [1, 2]. However, in a large proportion of casework, no
14 spermatozoa are detected [3-5]. This could be because a condom was used, the assaulter did not
15 ejaculate or is sterile, the sampling was insufficient, or sperm cells were already degraded by the
16 time of sampling. In these cases there could be a higher chance of detecting female epithelial vaginal
17 cells on the perpetrator's penis if sampling has taken place within 24 hours [6-8]; persistence of more
18 than 24 hours has not been tested in a controlled experiment to our knowledge. There is also a
19 possibility of detecting male DNA from epithelial cells shed from the penis, hands or from saliva, and
20 deposited during contact with other parts of the body e.g. grabbing of the neck, breasts, and kissing
21 or biting the victim's skin. These areas can be sampled to look for perpetrator's DNA. Saliva is
22 considered a good source of DNA; controlled experiments have demonstrated persistence of up to
23 96 hours for saliva deposited on skin [9]. In contrast skin cells are reckoned to be a poor source of
24 DNA; it has been shown that DNA from skin contacts will be detected less frequently, even directly
25 after contact, and will be "removed" more rapidly from another person's body [10]. The persistence
26 and detection of epithelial cells deposited on the body will be affected by factors such as new
27 contacts, activity and personal hygiene, e.g. bathroom visits or showering. A DNA sample from a
28 vaginal swab will be dominated by the female mucosal cells and often no male DNA will be detected
29 with the standard autosomal analysis. In some cases, if the quantitation results reveal that a small
30 amount of male DNA is present, Y-STR analysis that targets the male DNA on the Y chromosome can
31 be used. However, rapid degradation of epithelial cells is expected in addition to mechanical
32 removal.

33 In Norway, collection of biological evidence from a victim of sexual assault is carried out by a
34 specialized medical rape unit or a doctor. A collection kit for sexual assault cases has been
35 developed: including sterile cotton swabs (Puritan), water tubes, pre-labelled paper bags (tick off box
36 record for common areas of sampling), unlabelled paper bag, a comb and an examination form with
37 questions to the victim and instructions to the examiner on how to carry out the sampling of
38 biological material. The doctors are encouraged to do full anamneses as new information may be

39 added to the case at a later state. In general, samples from genitals and finger nails are collected;
40 samples from skin areas are taken if the victim describes a specific contact.

41 The suspect, on the other hand, is usually examined by a doctor or a scene of crime officer in the
42 arrest with standard sampling equipment (sterile cotton swabs (Puritan), water tubes and paper
43 bags).

44 If the case is further investigated the police may request The Oslo University Hospital, Section of
45 Forensic Biology, to analyse the biological samples collected from the victim and/or the suspect.
46 Typically, all the samples from the medical examination are included with the request form, and the
47 forensic scientist has to prioritise which samples are examined based on case information such as
48 relation between victim and offender, type of activity/sexual offence, activity after the offence
49 (shower etc.) and time between alleged assault and sampling. Based on the information and
50 knowledge of transfer and persistence of biological material, the scientist will choose the samples
51 that will possibly provide useful information to the case and are likely to detect semen or epithelial
52 cells from the involved persons.

53 In this paper we present data from a retrospective study from sexual assault cases, analysed in the
54 period 2013-2015 at the section, where all standard analyses have been conducted using the
55 methods with increased sensitivity amplification using the PowerPlex® ESX 17/ ESX 17 Fast and
56 separation on the Applied Biosystems 3500xl Genetic analyser. In this study “positive findings” refer
57 to evidence to support the proposition that the DNA profile was contributed by the person of
58 interest (POI) and do not just correspond to detection of cell type, i.e. sperm cells. Thus, the positive
59 findings are case relevant. Transfer and persistence data of epithelial cells detected on the victim or
60 suspects’ skin areas are also included. There are controlled experiments published on recovery of
61 epithelial cells after skin contact [10], but many uncontrolled factors will influence the persistence
62 and detection in “real life” (casework). Consequently, these data may be more representative of the
63 expectations of the findings and can serve as a guide to help prioritize samples collected at different
64 times since an assault, In addition, expectations of “success rates” can be used to address questions
65 related to positive or negative results.

66 **2 Methods**

67 **2.1 Data collection and classification**

68 Data were collected from cases of sexual assault analysed at the institute during the period 2013-
69 2015. A total of 1499 cases, were reviewed to study persistence of cells deposited on the body.
70 Samples collected from either the suspect or the victim’s body, and with a known time between
71 alleged assault and sampling were included. In some cases a time interval is given instead of a
72 specific time of assault or sampling (e.g. victim does not remember the exact time, or the assault
73 lasted for a longer period), we only included cases with a maximum 12 hours interval in this study.
74 Cases where only exhibits (e.g. clothing) were examined were excluded in this study.

75 Data were collected and divided into cell type, location of sampling, time between alleged assault
76 and sampling and whether or not a DNA profile from the other part (victim or suspect/accused) was
77 obtained with autosomal and/or Y STR analysis. Detection of spermatozoa was recorded based on
78 detection by microscopy. In summary, approx. 1/3 of the swab tip was sampled and incubated with

79 50 µl Milli-Q water at room temperature in a shaker (600rpm) for 60 minutes. Subsequently 3 µl
80 were added in two parallels to designated zones on a microscope slide, dried and stained with
81 Christmas three staining. Microscopic confirmation of sperm cells was classified into three categories
82 dependent on the highest number of sperm cells detected in one parallel: 1) 3-19 sperm cells, 2) 20-
83 99 sperm cells and 3) ≥ 100 sperm cells. Slides with less than three sperm cells were regarded as
84 negative (and reported as absence of sperm cells). The presence/absence of epithelial cells during
85 the microscopy examination was also recorded, but not further specified in this data set.
86 Presumptive test for semen (Acid phosphatase test, and occasionally Seratec[®] PSA semiquant test kit
87 and/or RSID semen test (Independents Forensics)) are routinely carried out when examining for
88 semen, but only the confirmation test, i. e. detection of sperm cells by microscopy, are included in
89 this data set. Saliva examinations were carried out, if requested, using the Phadebas Press test and
90 occasionally RSID saliva test (Independents Forensics). The data from these presumptive tests are
91 included in the data set for skin samples.

92 Data were recorded with regards to sperm or epithelial cells and further divided into the following
93 location categories; Internal vaginal swabs, external genital swabs (exterior vagina and anus), internal
94 rectal swabs, oral swabs, hand swabs (fingernails, fingertips and palm), skin swabs and penile swabs.
95 A maximum of one sample in each cell category (epithelial or sperm) was included from each location
96 in this study.

97 **2.2 DNA analysis**

98 Casework samples were extracted by the 5% Chelex[®] procedure from Bio-Rad (epithelial samples) or
99 QIAamp[®] DNA Microkit from Qiagen (differential extraction of semen samples) according to current
100 practice at the department. All samples were quantified with Quantifiler[®] Duo Kit or Quantifiler[®] Trio
101 kit (both Applied Biosystems[®]) on the 7500 Real-Time PCR system (Applied Biosystems[®]).
102 Information related to possible inhibitors and degradation (latter only in Quantifiler[®] Trio kit), as well
103 as the total human / male DNA ratio in a sample, affect the analysis strategy (for instance,
104 purification step, second analysis with a complementary kit or a Y-STR analysis respectively), but
105 these parameters were not collected, thus not further studied in this data set. All samples were
106 amplified using the PowerPlex[®] ESX 17 / PowerPlex[®] ESX 17 Fast System kit (Promega) as
107 recommended by the manufacturer (0.5 ng template, 25 µL reaction volume and 30 amplification
108 cycles). Some of the samples were also analysed with Yfiler[™] PCR Amplification Kit or Yfiler[™] Plus PCR
109 Amplification Kit (Thermo Fisher) as recommended by the manufacturer (1 ng template, 25 µL
110 reaction volume and 30 amplification cycles). Samples that had lower concentrations than the
111 recommended template amount were amplified with the maximum template volume of 17.5 µL (ESX
112 17 Fast) or 10 µL (Yfiler/ Yfiler Plus), but samples with a lower concentration than 0.004 ng/µl were
113 not amplified. Amplification was carried out using a GeneAmp[®] PCR System 9700 (Applied
114 Biosystems[®]). Samples were injected on the Applied Biosystems 3500xl Genetic Analyzer at 1.2 kV for
115 10s (ESX 17), 24s (ESX 17 Fast) and 12s (Yfiler Plus), The results were analysed using the
116 GeneMapper[®] ID-X Software (Applied Biosystems[®]) and the limit of detection (LOD) for alleles was
117 set to 200 RFU (ESX 17 / ESX 17 Fast) and 100 RFU (Yfiler Plus). The samples analysed with Yfiler
118 were injected on the Applied Biosystems 3130 Genetic Analyzer and the LOD was set to 50 RFU.

119 The stochastic threshold was set to 1200 RFU. The method used to assign contributors to a DNA
120 profile was based on either matching a single source full profile or analysis of their respective mixture
121 proportions in a sample as described by Gill et al. [11]. Good quality 2 or 3 person mixtures, i.e. all

122 alleles from the contributors are considered detected, are suitable for further comparison with
123 reference samples, while mixtures of more than 3 contributors were only considered if there was a
124 clear major contributor. For weaker profiles consisting of 2 or 3 persons, where allele drop out is
125 expected, only the major contributor(s) was reported. If the minor contributor was a partial match to
126 the POI, with exception of a few alleles which could be explained by allele drop out, the POI was
127 reported as not excluded as a contributor to the sample. Likelihood ratio (LR) calculations were
128 carried out in many of the cases but are not normally reported in the statement.

129

130 **3 Results**

131 The final dataset consist of 2349 samples from 766 cases; 222, 267 and 277 cases from 2013, 2014
132 and 2015 respectively. From the original 1499 cases 325 cases were excluded because information
133 about the time of the incidence and/or medical examination were missing or the given time intervals
134 were too large (more than 12 hours), hence these data could not provide useful information about
135 persistence. In addition 370 cases were excluded since only exhibits (e.g. clothing) were examined.
136 Finally 38 cases were also excluded due to missing information.

137 The number of sampled locations analysed in each case varied between 1 and 9, table 1. At least one
138 positive sample (transfer of cells between suspect and victim) was detected in 356 (47%) of the
139 cases.

140 **Table 1: Number of cases including 1-9 sampled locations and the average frequency of positive samples**

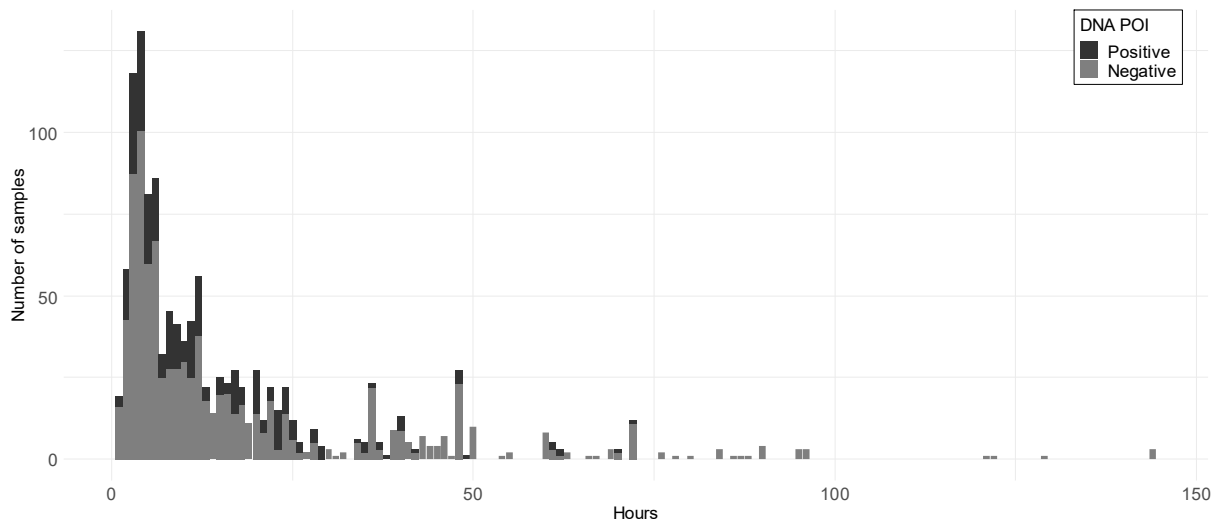
Number of locations	cases	Freq. of positive
1	132	0.41
2	184	0.41
3	176	0.20
4	139	0.23
5	81	0.24
6	30	0.23
7	14	0.21
8	8	0.17
9	2	0.56

141

142 **3.1 Results from analysis of spermatozoa**

143 A total of 1223 samples, in 627 cases, examined for detection of sperm cells (microscopy), are
144 included in the dataset. A positive sample is defined as detection of spermatozoa, where the DNA
145 result of the sperm fraction supported the prosecution's proposition that the POI contributed to the
146 sample. At least one positive sample was detected in 194 cases (31%). The samples in the data set
147 were collected between 1 and 144 hours after the alleged assault occurred, with the majority
148 collected within 24 hours, (fig. 1). Positive results were detected in samples collected up to 72 hours
149 after deposition.

150



151

152 **Fig. 1 Bar graph displaying the number of positive and negative spermatozoa samples according to the time between**
 153 **incidence and sampling**

154 The percentage of positive samples decreased with increasing time between assault and sampling
 155 (table 2). The percentage difference between positive samples at different time intervals (table 2)
 156 was significant between at least two of the groups (Pearson’s Chi-squared, $p=0.001$). In oral swabs
 157 positive samples were obtained up to 12 hours after the alleged assault, while the 12 samples
 158 collected at 13-24 hours were all negative. Positive samples could be detected up to 35 hours in
 159 rectal swabs, 72 hours in internal vaginal swabs and 62 hours in external genital swabs.

160

161 **Table 2: Percentage positive samples (total number of samples) analysed for detection of spermatozoa divided into**
 162 **location of sampling (internal vaginal swabs, external vaginal swabs, rectal swabs, oral swabs and skin surface) and in 4**
 163 **categories according to the time between incidence and sampling.**

Sample	1 1-24h	2 25-48h	3 49-73h	4 ≥74h
Internal vaginal swabs	30% (413)	24%(82)	17%(29)	0(18)
External genital swabs	26% (406)	24%(55)	13%(15)	0(4)
Rectal swabs	19%(68)	5%(19)	0(7)	0(4)
Oral swabs	11% (71)	0(2)	0(1)	-
Skin surface	62% (29)	-	-	-

164

165 The samples referred to as negative are mainly due to no detection of spermatozoa (768). However
 166 in some of the samples (94) sperm cells were detected, but no DNA result was obtained. The majority
 167 of these samples (88) was classified as category 1 during microscopy (3-19 sperm cells), while a few
 168 (6) were classified as category 2 (20-99 sperm cells), most of these samples were collected within 48
 169 hours (table 3).

170 **Table 3: Observed spermatozoa categories for samples with no DNA results divided in to four categories of time between**
 171 **incidence and sampling.**

Spermatozoa	1 1-24h	2 25-48h	3 49-73h	4 74≥h
1 (3-19 sperm cells)	68	14	5	1
2 (20 -99 sperm cells)	4	1	0	1
Negative	599	106	39	24

172

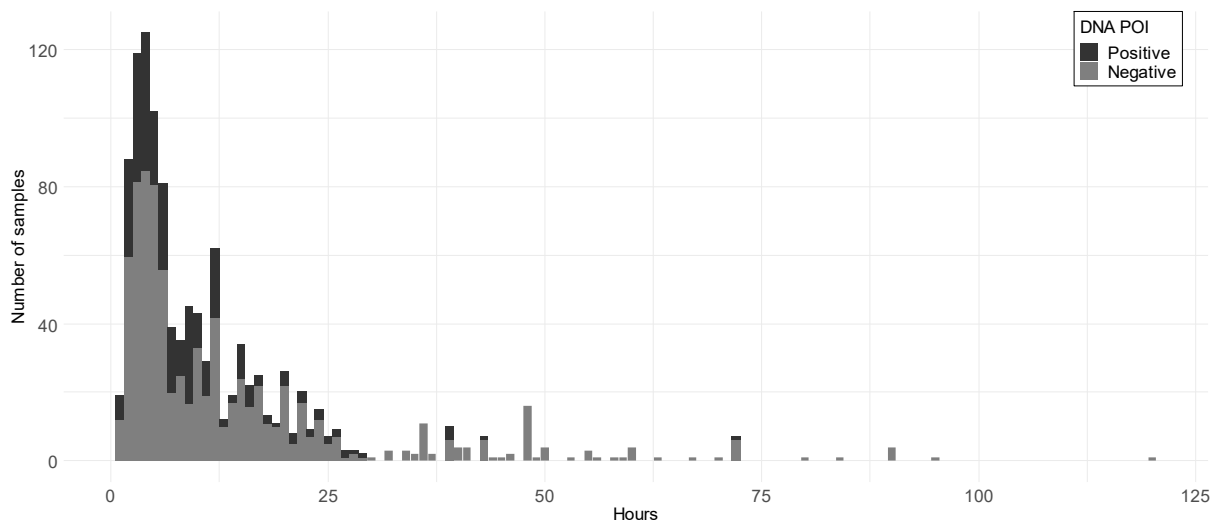
173 **Excluded samples**

174 For 38 samples from 28 cases spermatozoa was detected but the DNA profile did not match the
 175 suspect, the DNA profile from an individual unrelated to the crime (e.g. boyfriend). These samples
 176 were excluded from the dataset.

177 **3.2 Results from analyses of epithelial cells**

178 The dataset includes analysis of 1126 epithelial samples from 568 cases. Positive results that
 179 supported the prosecution proposition in the specific case that the POI contributed to the sample
 180 were obtained in 218 cases (38%). Persistence of cells was shown up to 72 hours post contact,
 181 however, the majority of positive samples were collected in the period 1-12 hours, fig. 2.

182



183

184 **Fig. 2 Bar graph displaying the number of positive and negative results of epithelial samples according to the time**
 185 **between incidence and sampling**

186 Percentage of positive samples, where the DNA evidence supported the prosecution proposition,
 187 decreased when time between incidence and sampling increased, table 4. The percentage
 188 differences between positive samples at different time intervals (table 4) were significant between at
 189 least two time groups (Pearson’s Chi-squared, $p < 0.001$). Positive samples were detected up to 12
 190 hours in external genital swabs, 27 hours in hand swabs, 43 hours in skin swabs, 39 hours in penile
 191 swabs and the longest persistence time was observed in a sample from the internal vagina which was
 192 collected 72 hours after the incidence (14/16 alleles, Y-filer). Only few samples have been analysed

193 when the time between assault and sampling exceeds 49 hours, hence all samples exceeding this
 194 time has been combined in class 5 in table 4. Only few samples have been collected from the internal
 195 vagina, rectum and mouth for epithelial analysis: five of these samples provided a positive result, all
 196 from internal vaginal swabs and all based on Y chromosome analysis where four of the samples were
 197 collected within 12 hours.

198

199 **Table 4: Percentage positive samples (total number of samples) analysed for detection of epithelial cells divided into**
 200 **location of sampling internal vaginal swabs, external vaginal swabs, rectal swabs, oral swabs, hand swabs, skin swabs**
 201 **and penile swabs) and in 5 categories according to the time between incidence and sampling.**

Sample	1 1-12h	2 13- 24h	3 25-36h	4 37-48h	5 49 <-
External genital swabs	14% (242)	0 (68)	0 (10)	0 (17)	0 (10)
Hand swabs	45% (108)	38% (24)	17% (6)	0(5)	0 (6)
Skin swabs	30% (268)	18% (67)	30% (10)	50% (8)	0 (2)
Penile swabs	59% (152)	43% (47)	24% (17)	8% (12)	0 (12)
Internal vaginal swabs	50% (8)	0 (2)	0 (1)	0 (3)	33% (3)
Rectal swabs	0 (8)	0 (6)	-	0 (2)	0 (1)
Oral swabs	0 (2)	-	-	-	-

202

203 Positive epithelial samples collected on the skin was further studied to look for differences in success
 204 rates between different locations. There was a significant difference between at least two groups
 205 (Pearson’s Chi-squared, $p=0.001$), for instance positive results were obtained in 41% of the samples
 206 collected from the breast/chest area while 15% were positive from lips and around mouth, table 5.
 207 The longest persistence time observed was a positive sample collected from breast/chest area 43
 208 hours post assault. A selection of the skin samples (94) were tested for the presence of saliva as
 209 explained in section 2.1. In the group of samples that tested positive for saliva 64 % had a positive
 210 DNA result consisted to be from the POI, while among the samples that tested negative 27% of the
 211 samples gave positive DNA results, table 6.

212

213

214

215

216

217

218

219

220 **Table 5: Total number epithelial samples collected from different areas of the skin and percentage of positive samples.**

Skin locations	Total	Positive (%)
Face	45	38
Lips and around mouth	62	15
Neck/throat	92	33
Breast/Chest	73	41
Arm	27	11
Legs	5	40
Seat	12	8
Thigh	20	10
Body (rest)	19	21

221

222

223 **Table 6: Number of samples with a positive and negative result when tested for the presence of saliva (α -amylase) and**
 224 **the percentage that provided a profile from the POI**

	Number of samples	Positive (%)
Saliva ÷	59	27
Saliva +	33	64

225

226 **4 Discussion**

227 The positive findings in this study correspond to the detection of DNA where the strength of the
 228 evidence supported the prosecution proposition that it could be attributed to the POI. The results
 229 reflect real case data, rather than controlled experiments, therefore there is always some uncertainty
 230 about whether case circumstances etc. are correct. Nevertheless, such data provide a new
 231 perspective on transfer and persistence of DNA that cannot be achieved with controlled
 232 experiments. Hence this study differs from other retrospective studies where only the presence of
 233 semen in samples was studied [3, 4]. Positive results were detected in samples collected up to 72
 234 hours after deposition. For two samples spermatozoa were detected after this point (80 and 96h),
 235 but no DNA profiles were obtained. The data supports the findings by Casey et al. [3] which
 236 concluded that the chance of detecting sperm in vaginal swabs are highly reduced beyond a time
 237 since intercourse (TSI) of 72 hours. Several papers present detection of sperm cells up to 5 to 7 days
 238 after deposition [1, 3, 4, 12], some of the difference observed may be due to difference in
 239 preparation of samples for microscopy (e.g. sampling the entire swab vs. one third) [4]. However, our
 240 data does not contain positive DNA-results from sperm when the TSI exceeded 3 days.

241 We observed 38 samples from 28 cases where spermatozoa were detected, but the subsequent DNA
 242 analyses showed that it had an origin from an individual unrelated to the crime (e.g. boyfriend). As
 243 these cells were most likely deposited at a time different from the alleged assault, such samples
 244 could bias persistence data and they were excluded. In 94 samples spermatozoa were detected but
 245 no DNA profiles were obtained. The reason why no DNA profile was achieved could be because of
 246 too few sperm cells present in samples and loss of cells during the differential extraction, which is a
 247 common event in samples where donor cells are in excess [13]. As we do not have any DNA profiling

248 results in these cases, we cannot be certain that these cells are case related. Hence, the inclusion of
249 these samples in the data set could potentially bias persistence rates.

250 Most of the samples included in our dataset are collected within 24 hours after the alleged offence.
251 There is an expectation to detect sperm cells from these samples if an ejaculation with normal sperm
252 quality has occurred [1, 2]. Still, in 70% of the samples collected within 24 hours, no sperm from the
253 assaulter/suspect was detected. In many of the sexual assault cases the victim is under influence of
254 alcohol or drugs, or sleeping, and not able to recall or notice details of the assumed sexual activity. In
255 these cases it is possible that the high degree of negative findings can be explained by no sexual
256 activity, no ejaculation or use of a condom. This illustrates the importance of including additional
257 samplings such as skin, hands or penile swabs, if the time since the alleged assault is within the
258 detection limit.

259 In rectal swabs, sperm that provided a DNA profile, providing evidence to support the prosecution
260 proposition that it came from the suspect, was detected up to a TSI of 35 hours, however there was
261 only one positive observation beyond 24 hours. Casey et al. [3] also reported the majority of sperm
262 positive swabs in samples collected within 48 hours. The oral swabs were usually negative, and the
263 data collected over the 3 years (73 samples) confirmed just 8 incidents of positive findings. In all
264 these cases the TSI was within 12 hours, which is in line with the findings of Willot and Crosse [14]
265 who detected sperm cells in oral swabs up to a TSI of 8 and in saliva samples for up to 13 hours. It
266 also correspond with findings by Casey et al. [3] who observed a low expectation of detecting sperm
267 cells up to 15 hours. Detection of spermatozoa on the skin surface within 24 hours (no samples were
268 collected after 24 h) has the highest success rate (62%). The probable explanation of this high rate is
269 that these samples are collected and analysed if the victim explains ejaculation on this area
270 specifically and has not showered before examination.

271 If no spermatozoa were detected in the vaginal swabs, the external vaginal/anal swabs were usually
272 analysed for the presence of epithelial cells from the perpetrator. However, the data showed that
273 there is a small chance of detecting case relevant (POI) epithelial cells in these samples, especially
274 when the time since contact increases. Only 34 of the 346 samples in the dataset provided a DNA
275 profile where the strength of the evidence supported the prosecution proposition that it came from
276 the suspect. All positive samples were collected within 12 hours after the alleged assault, suggesting
277 that external genital samples collected beyond a TSI of 24 hours, should not be examined for
278 epithelial cells routinely. Similar findings were observed in a controlled experiment on persistence of
279 skin cells deposited on skin [10], where there was a significant decrease in detection when three
280 hours had past and only one incidence of detection of DNA from the depositor after 24 hours.

281 The longest persistence of epithelial cells was detected on skin and penile swabs. Almost 50% of the
282 penile swabs provided DNA profiles where the strength of the evidence supported the prosecution
283 proposition that it came from the victim, the majority of these were sampled within 24 hours, but
284 also up to a TSI of 39 hours. The success rates differ from the observations by Kaarstad et al. [8] who
285 observed a detection of a female DNA profile in 27% of cases; however, they did not divide success
286 rates into classes by time between assault and sampling, although they highlighted that the majority
287 of positive samples were collected between 1-15 hours. In addition, some of the differences in
288 success rate could be explained by more sensitive analysis methods used in the present study. In a
289 controlled experiment on presence of female DNA on post coital penile swabs collected between 1

290 and 24 hours after intercourse, China et al. [6] observed that female DNA could be detected in all
291 samples but that the amount of female DNA decreased with time. Corresponding observations were
292 also observed in a similar study by Farmen et al. [7]. To our knowledge there are no published
293 controlled studies that measures persistence of female cells on the penis beyond 24 hours. It is
294 however expected that if the cells dry and are undisturbed, these cells can persist for several days, as
295 previously demonstrated for saliva on skin [9] which agrees with the persistence of up to 36 hours
296 detected in this study. It is likely that mechanical removal e.g. contact with clothing, bathroom visits
297 and showering will occur over time, knowledge about this type of activity is often not available in
298 casework. The data show the importance of collecting penile swabs in cases where no spermatozoa
299 are detected in intimate samples from the victim. Consequently, police should prioritize collecting
300 these samples to a higher degree than is current practice (penile swabs were analysed in less than
301 30% of all cases included in this study).

302 Only few samples have been collected from the internal vagina, rectum and mouth for epithelial
303 analysis. There is a low expectancy of detecting epithelial cells from the POI in these locations as the
304 samples are likely to be dominated by mucosa cells from the donor itself. There are however five
305 positive samples in this class, all from internal vaginal swabs and all based on Y chromosome analysis.
306 The majority of these samples were collected only few hours post the accused assault, while one
307 sample was collected 72 hours post. McDonald et al. [15] observed occasions of persistence of Y-STR
308 profile with 10 or more alleles in cases with no detected spermatozoa up to 48 hours, no samples
309 beyond this time was included in their study.

310 If the victim and the suspect have had undisputed recent social contact prior to the alleged offence,
311 samples that cannot provide useful additional information, e.g. fingernail scraping, are not examined.
312 Nevertheless, positive results were obtained from skin swabs up to 43 hours after the incident,
313 though not many samples beyond 24 hours were examined. It is possible that the positive results
314 beyond 24 hours can be explained by the presence of mucosal epithelial cells. In contrast to the
315 shorter persistence demonstrated for skin cells deposited on skin [10], persistence of saliva on skin
316 has been demonstrated up to 96 hours [9]. Two of the four positive samples collected from skin
317 beyond 37 hours after contact were α -amylase positive; this is however only a presumptive test. The
318 α -amylase activity can also be reduced over time; hence a positive test may not be achieved although
319 saliva is present. Hand swabs, collected from both victim and suspect, provided persistence data up
320 to 36 hours post contact, though only a few samples were examined beyond 1 day. Again we
321 hypothesised that the source of the cells persisting more than 12 hours could be mucosa cells as skin
322 cells have previously been shown to diminish quite rapidly from hands[16, 17] or from fingernails
323 [18] , compared to vaginal mucosal cells [19]. Nevertheless, the casework data indicate that there is a
324 very small chance of epithelial persistence and recovery of a profile on hands, skin and penis after a
325 TSI of 48 hours.

326 **Conclusion**

327 This study presents transfer and persistence data of sperm and epithelial cells in samples collected
328 from the victim or suspect's body in sexual assault cases. The positive findings refer to evidence to
329 support the proposition that the DNA profile was contributed by the POI, thus the positive findings
330 are case relevant. Sperm cells had the highest persistence rate in internal vaginal swabs, and were
331 detected up to 72 hours post assault, but the majority of the positive samples were collected within

332 48 hours. Skin and penile swabs demonstrated persistence of epithelial cells up to 48 hours, the
333 majority of the positive samples were within 24 hours. In external genital swabs persistence of
334 epithelial cells were not detected if collection of the sampling occurred beyond 12 hours post assault.
335 The data set provided in this study may serve as a guide in what samples to prioritize for analysis
336 dependent on time between assault and medical examination of the victim or suspect, and
337 furthermore displays the expectancy of findings when questions in regards to positive or negative
338 results are addressed in court.

339 References

340

- 341 1. Davies, A. and E. Wilson, *The persistence of seminal constituents in the human vagina*.
342 Forensic science, 1974. **3**: p. 45-55.
- 343 2. Astrup, B.S., et al., *Detection of spermatozoa following consensual sexual intercourse*.
344 Forensic science international, 2012. **221**(1-3): p. 137-141.
- 345 3. Casey, D.G., et al., *The persistence of sperm and the development of time since intercourse*
346 *(TSI) guidelines in sexual assault cases at forensic science Ireland, Dublin, Ireland*. Journal of
347 forensic sciences, 2017. **62**(3): p. 585-592.
- 348 4. Willott, G. and J. Allard, *Spermatozoa—their persistence after sexual intercourse*. Forensic
349 science international, 1982. **19**(2): p. 135-154.
- 350 5. Hellerud, B.B., et al., *Semen detection: A retrospective overview from 2010*. Forensic Science
351 International: Genetics Supplement Series, 2011. **3**(1): p. e391-e392.
- 352 6. Cina, S.J., et al., *Isolation and identification of female DNA on postcoital penile swabs*. The
353 American journal of forensic medicine and pathology, 2000. **21**(2): p. 97-100.
- 354 7. Farmen, R.K.B., et al., *Assessing the presence of female DNA on post-coital penile swabs:*
355 *Relevance to the investigation of sexual assault*. Journal of forensic and legal medicine, 2012.
356 **19**(7): p. 386-389.
- 357 8. Kaarstad, K., et al., *The detection of female DNA from the penis in sexual assault cases*.
358 Journal of forensic and legal medicine, 2007. **14**(3): p. 159-160.
- 359 9. Kenna, J., et al., *The recovery and persistence of salivary DNA on human skin*. Journal of
360 Forensic Sciences, 2011. **56**(1): p. 170-175.
- 361 10. Bowman, Z.E., et al., *Detection of offender DNA following skin-to-skin contact with a victim*.
362 Forensic science international: genetics, 2018. **37**: p. 252-259.
- 363 11. Gill, P., et al., *DNA commission of the International Society of Forensic Genetics:*
364 *Recommendations on the interpretation of mixtures*. Forensic Science International, 2006.
365 **160**(2–3): p. 90-101.
- 366 12. Allard, J., *The collection of data from findings in cases of sexual assault and the significance of*
367 *spermatozoa on vaginal, anal and oral swabs*. Science and Justice, 1997. **37**(2): p. 99-108.
- 368 13. Vuichard, S., et al., *Differential DNA extraction of challenging simulated sexual-assault*
369 *samples: a Swiss collaborative study*. 2011. **2**(1): p. 11.
- 370 14. Willott, G. and M. Crosse, *The detection of spermatozoa in the mouth*. Journal of the Forensic
371 Science Society, 1986. **26**(2): p. 125-128.
- 372 15. McDonald, A., et al., *Y-STR analysis of digital and/or penile penetration cases with no*
373 *detected spermatozoa*. Forensic Science International: Genetics, 2015. **15**: p. 84-89.
- 374 16. Szkuta, B., K.N. Ballantyne, and R.A. van Oorschot, *Transfer and persistence of DNA on the*
375 *hands and the influence of activities performed*. Forensic Science International: Genetics,
376 2017. **28**: p. 10-20.
- 377 17. Szkuta, B., et al., *Transfer and persistence of non-self DNA on hands over time: Using*
378 *empirical data to evaluate DNA evidence given activity level propositions*. Forensic Science
379 International: Genetics, 2018. **33**: p. 84-97.

- 380 18. Iuvaro, A., et al., *Male DNA under female fingernails after scratching: transfer and*
381 *persistence evaluation by RT-PCR analysis and Y-STR typing*. International journal of legal
382 medicine, 2018. **132**(6): p. 1603-1609.
- 383 19. Flanagan, N. and C. McAlister, *The transfer and persistence of DNA under the fingernails*
384 *following digital penetration of the vagina*. Forensic Science International: Genetics, 2011.
385 **5**(5): p. 479-483.

386