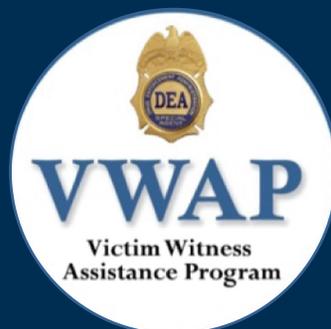




Drug-Facilitated Sexual Assault



DEA Victim Witness Assistance Program

Drug-Facilitated Sexual Assault

Drug-facilitated sexual assault occurs when alcohol or drugs are used to compromise an individual's ability to consent to sexual activity. These substances make it easier for a perpetrator to commit sexual assault because they inhibit a person's ability to resist and can prevent them from remembering the assault.

Drug-facilitated sexual assault can happen to anyone, by anyone, whether the perpetrator is a date, a stranger, an acquaintance, or someone you have known a long time.

Alcohol remains the most commonly used drug in crimes of sexual assault. Drugs being used by perpetrators in crimes of sexual assault include, but are not limited to, Rohypnol, GHB (Gamma Hydroxybutyric Acid), GBL (Gamma-Butyrolactone), and ketamine. In certain amounts, any drug can leave you helpless.

Note: Although the term "date rape" is often used, that is misleading because the circumstances in which these drugs are used often do NOT involve a dating situation.¹

Drugs Used in Sexual Assaults

Rohypnol, GHB, GBL, Ketamine. These drugs are sometimes used by a perpetrator as a tactic to facilitate sexual assault because they have sedative effects as well as the ability to impair memory. Alcohol increases the effects of these drugs.

Rohypnol is a trade name for flunitrazepam, a Schedule IV central nervous system depressant that belongs to a class of drugs known as benzodiazepines. Flunitrazepam is also marketed as generic preparations and other trade name products outside of the United States.



Rohypnol



*Blister pack
Rohypnol*

Like other benzodiazepines, Rohypnol produces sedative-hypnotic, anti-anxiety, and muscle relaxant effects. This drug has never been approved for medical use in the United States by the Food and Drug Administration. Outside the United States, Rohypnol is commonly prescribed to treat insomnia.

¹ Drug Facilitated Sexual Assault, www.janedoe.org/learn_more/what_is_sexual_violence/drug_facilitated_sexual_assault

Rohypnol is also misused to physically and psychologically incapacitate a person targeted for sexual assault. The drug is usually placed in the alcoholic drink of an unsuspecting victim to incapacitate them and prevent resistance to sexual assault. The drug leaves the victim unaware of what has happened to them.²



Gamma-Butyrolactone, or **GBL**, is a list I chemical that is used as a precursor in the illicit manufacture of the Schedule I controlled substance gamma-hydroxybutyric acid, or GHB.

GBL is a necessary and important chemical precursor in the illegal production of GHB because, to date, no other chemical has been identified as a substitute for GBL in the illegal manufacturing process.

GBL is a unique chemical precursor. It can be converted to GHB by a simple chemical reaction or it can be ingested directly, without running a chemical reaction. That is, the body efficiently converts GBL to GHB when ingested. Because GBL is converted to GHB by the body's own action, GBL is routinely substituted for GHB to obtain the same type of intoxication.

GBL and GHB induce a sense of euphoria and intoxication and are abused for their central nervous system depressant effect. An overdose from GBL or GHB may result in respiratory depression, coma, and even death. Both substances have been associated with drug-facilitated sexual assaults.³

Ketamine, a Schedule III short acting anesthetic for use in humans and animals, is another predatory drug used by perpetrators of sexual assault.

It is a general anesthetic that causes individuals to feel detached from their bodies and surroundings. During an assault, a victim may be aware of what is happening, but unable to move or fight back. Ketamine may also cause amnesia so that the victim does not remember the events that occurred.



²Drug Enforcement Administration, *Drugs of Abuse*, https://www.dea.gov/pr/multimedilibrary/publications/drug_of_abuse.pdf#page=58 (2015).

³Exempt Chemical Mixtures Containing Gamma-Butyrolactone, 75 Fed. Reg. 37301-37307 (June 29, 2010) (codified at 21 C.F.R. Part 1310), http://www.DEAdiversion.usdoj.gov/fed_regs/rules/2010/fr06293.htm

How These Drugs Work

These drugs are typically odorless, colorless, and tasteless when placed in a drink. One exception is GBL, which has a bitter taste that can be masked by strong-tasting drinks.

Within 30 minutes of ingestion, the individual may struggle to talk or move and may pass out. At this point, the person is vulnerable to assault. Because of the effects of the drug, the victim may have little or no recollection of the events and many victims do not report the crime.⁴

Not everyone is affected the same way. It is difficult to predict the exact effects of any drug on a particular individual. The effects may vary depending upon the drug, the dose ingested, and whether the drug is mixed with alcohol or other drugs. Other factors that influence how a particular drug will affect someone are weight, gender, metabolism, and other issues, such as how soon medical assistance is received.

Diminished Capacity

Drugs and alcohol can cause diminished capacity, a legal term that varies in definition from state to state. Diminished capacity exists when an individual does not have the capacity to consent. Reasons for this inability to consent include, but are not limited to, sleeping, passed out, unconsciousness, and mental incapacitation.

It is important to understand diminished capacity because oftentimes victims of sexual assault blame themselves because they drank or used drugs. It is important to emphasize that it is NOT the victim's fault; the attacker is the one who took advantage of the victim's diminished capacity.

Against the Law

Drugging another person without their knowledge or consent is a crime. The definitions of rape and sexual assault include having sex with someone who is unable to consent because he or she is intoxicated, drugged, or unconscious.

⁴Drug-Facilitated Sexual Assault: A Forensic Handbook 66 (Marc A. LeBeau & Ashraf Mozayani eds., 2001). 5

In 1996, Congress passed the Drug-Induced Rape Prevention and Punishment Act, as an amendment to the Controlled Substances Act.⁵ This amendment established federal penalties of up to 20 years imprisonment and fines for anyone convicted of committing a crime of violence, including rape, by administering a controlled substance without the victim's knowledge or consent. There are also state laws that may be used to prosecute these crimes.

On February 18, 2000, the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 2000 was enacted by Congress (Pub. L. 106-172, 114 Stat. 7).⁶ Public Law 106-172 declared GHB an imminent hazard to public safety that required immediate regulatory action under the Controlled Substances Act.⁷

The Act was named after Hillory J. Farias, age 17, from Texas, who died in 1996, and Samantha Reid, age 15, from Michigan, who died in 1999, after GHB was slipped into their soft drinks.

Signs You May Have Been Drugged

Depending on the substance, the initial effects of a drug can go unnoticed or become apparent very quickly. Being familiar with the warning signs can help alert you to the possibility of drugs in your system.

- Nausea
- Loss of bowel or bladder control
- Difficulty breathing
- Feeling drunk when you haven't consumed any alcohol or consumed very limited amounts
- Sudden increase in dizziness, disorientation, or blurred vision
- Sudden body temperature change that could be signaled by sweating or chattering teeth
- Waking up with no memory or missing large portions of memories.⁸

If you notice any of these warning signs in yourself or someone you know, immediately reach out to someone you trust. If you notice these symptoms in another person, you should take steps to keep that person safe.

⁵ 21 U.S.C. § 841(b)(7) (1996)

⁶ 21 U.S.C. §§ 801, 802, 812, 827, 841, 960

⁷ Schedules of Controlled Substances: Addition of Gamma-Hydroxybutyric Acid to Schedule I (65 Fed. Reg. 13235(March 13, 2000))(corrected at 65 Fed. Reg. 17440(April 3, 2000)) and Placement of Gamma-Butyrolactone in List I of the Controlled Substances Act (21 U.S.C. § 802 (34)) (65 Fed. Reg. 21645(April 24, 2000)). http://www.DEAdiversion.usdoj.gov/fed_regs/rules/2010/fr06293.htm.

⁸ Drug-Facilitated Sexual Assault, www.rainn.org/articles/drug-facilitated-sexual-assault

What To Do

If you think you or a friend may have been drugged, it is important to:



Your immediate safety is a priority:

Call 911 if you are not safe.



Call the National Sexual Assault Hotline at: 800-656-HOPE (4673).

You will be connected to a trained staff member from a local sexual assault service provider in your area. They will direct you to the appropriate local health facility that can care for survivors of sexual assault and provide you with a sexual assault forensic exam and test your blood and urine for substances. Some service providers may be able to send a trained advocate to accompany you.

Preserve as much physical evidence as possible. Do not urinate, shower, bathe, douche, or throw away clothing you were wearing during the incident. If reported to the police, go to the hospital emergency room as soon as possible for an examination and evidence collection. Unless you are a minor, the hospital staff will not report sexual assault to the police without your consent.

Request the hospital to take a urine sample for drug toxicology testing to be completed by a law enforcement crime lab.

If you cannot get to a hospital immediately, save your urine in a clean, sealable container as soon as possible, and place it in the refrigerator or freezer.

In addition to receiving medical attention, you may wish to have a sexual assault forensic exam, sometimes called a “rape kit.”

During this exam, someone specially trained to perform this exam, such as a Sexual Assault Nurse Examiner, will collect DNA evidence that can help identify the perpetrator.

You do not have to agree to a forensic exam to receive treatment, but doing so may give you a stronger case against the perpetrator if you decide to report the crime now or later.

Many of these drugs leave the body quickly, within 12 to 72 hours.⁹

Rohypnol®

Leaves the body within 36-72 hours.

GHB

Leaves the body within 10-12 hours.

GBL

**Leaves the urinary system within 6 hours
and the bloodstream within 24 hours.**



Be in Control. Reduce Your Risk. Protect Yourself.

- Do not take drinks from people you do not know.
- Drink from tamper-proof bottles and cans. Do not drink beverages that you did not open yourself.
- Do not share or exchange drinks with anyone.
- Do not take a drink from a punch bowl or a container that is being passed around.
- Insist on pouring or watching while any drink is mixed or prepared.
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call.
- If you realize your drink has been left unattended, discard it.
- Do not drink anything that has an unusual taste or appearance (e.g., salty taste, excessive foam, unexplained residue, odd color or texture).

Watch Out For Your Friends

- Always leave a party or bar together.
- If a friend seems to have had more alcohol than actually consumed or is acting out of character, get him/her to a safe place immediately.
- If you think you or a friend has been drugged, get help immediately.
- Get medical help. Be specific with doctors so they'll give the right tests.
- Sexual violence can have psychological, emotional, and physical effects on a survivor. These effects are not always easy to deal with, but can be managed with the right help and support. Learning more can help you find the best form of care to begin the healing process.



DO NOT MIX DRUGS AND ALCOHOL

DEA Websites

For teens



For parents, caregivers, and educators.



For more information, please contact the
DEA Victim Witness Assistance Program by e-mailing:

VWAP.DEA@usdoj.gov

This booklet was created by the Drug Enforcement Administration, Office of Congressional & Public Affairs, Community Outreach and Prevention Support Section, Victim Witness Assistance Program, for the purpose of providing awareness of Drug-Facilitated Sexual Assault and available resources.

This booklet is available for download:
www.dea.gov, Resource Center, For Victims of Crimes.

Resources

Clery Center for Security on Campus: <http://clerycenter.org/summary-jeanne-clery-act>

Crime Victim Compensation: www.nacvcb.org

Drug Enforcement Administration (DEA): www.dea.gov

DEA Diversion, Drug and Chemical Information:
http://www.DEAdiversion.usdoj.gov/drug_chem_info/index.html.
See Benzodiazepines, GHB, ketamine.

Jane Doe No More: www.janedoenomore.org

National Center for Victims of Crime: www.victimsofcrime.org

National Domestic Violence Hotline: www.thehotline.org
1-800-799-SAFE (1-800-799-7233) or 1-800-787-3224 (TDD)

National Human Trafficking Hotline: 888-373-7888

National Sexual Violence Resource Center:
<http://www.nsvrc.org/saam/preventing-sexual-violence-campus>

National Teen Dating Abuse Helpline: www.loveisrespect.org
856-331-9474

Office for Victims of Crime: www.ovc.gov

Rape, Abuse & Incest National Network (RAINN):
www.rainn.org Help 24/7: 800-656-HOPE (4673)

The Rape Foundation: www.therapefoundation.org

Sexual Assault Support for the DoD Community: www.safehelpline.org

Sexual Assault and the LGBTQ Community:
<http://www.hrc.org/resources/sexual-assault-and-the-lgbt-community>

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