Table of Contents

Drug-Facilitated Sexual Assault........................................................................................................1

Summary..............................................................................................................................................1

Task 1..................................................................................................................................................1
  Subtask 1.1.................................................................................................................................1
  Subtask 1.2.................................................................................................................................1
  Subtask 1.3.................................................................................................................................2

Task 2..................................................................................................................................................2
  Option 1........................................................................................................................................2
  Option 2........................................................................................................................................3

Task 3..................................................................................................................................................3

Task 4..................................................................................................................................................3
  Option 1........................................................................................................................................3
  Option 2........................................................................................................................................3
  Subtask 4.1....................................................................................................................................4
  Subtask 4.2....................................................................................................................................4

Task 5..................................................................................................................................................4

Case #1.............................................................................................................................................5
Case #2.............................................................................................................................................6
Case #3.............................................................................................................................................7
Drug-Facilitated Sexual Assault

Summary
Instructor: Law Enforcement Officer
Time needed: 5 hours for full investigations module. This time includes one hour for lunch and two 20-minute breaks.

When delivering this module to patrol officers, the instructor has the option of cutting the tasks and subtasks indicated with an asterisk (*). The time needed should then be reduced to approximately 2 hours including two 20-minute breaks.

Resources needed: Overhead projector
Local Statistics Handout
Video/VCR
Flip charts/pens

*It is recommended that the instructor supplement lecture in this section with the video presentation, "The Prosecution of Rohypnol and GHB Related Sexual Assaults," by the American Prosecutors Research Institute. Information to order this video can be found in the module on "Drug-Facilitated Sexual Assault."

Task 1
Discuss the role of alcohol in facilitating sexual assault.

Subtask 1.1
Identify the drug most commonly used to facilitate sexual assault.

Presentation method: Brief listing exercise
Time: 10 minutes

To begin exploring the role of alcohol in facilitating sexual assault, ask participants to take a brief moment and write down what they believe is the drug most commonly used to facilitate sexual assault. Encourage the participants to guess.

Give the participants approximately 30 seconds to write down their answer. Inform the participants that they will not be asked to read their answer out loud. This technique encourages participants to answer the question because they can keep their answers confidential.

After the allotted time, give a brief lecture in which you present the correct answer (alcohol). Use the remaining time to answer any questions regarding the results of this exercise.

Subtask 1.2
Recognize that the effects of alcohol can be similar to the new drugs being used to facilitate sexual assault.

Presentation method: Brief lecture
Time: 10 minutes
Subtask 1.3
Identify challenges in investigating the use of alcohol to facilitate sexual assault.

Presentation method: Read transcript of interview with sex offender
Time: 45 minutes

In order to highlight the challenges in investigating the use of alcohol to facilitate a sexual assault conduct a staged reading of the transcript provided in the content manual between an interviewer and an admitted sex offender (Frank Transcript).

Before the activity begins recruit two participants during break to read the transcript out loud to the class. Allow the readers to review a copy of the transcript during the break period, and assign them one of the two roles (interviewer vs. Frank). Choose two participants who have actively participated throughout the training and who you feel can communicate well. Set-up two chairs for the readers in the front of the classroom, and allow 5 minutes for the reading.

When the readers have finished, have the participants break-up into groups of 4-6. Give a copy of the transcript to each group. Tell the groups that Frank's victim has reported the sexual assault described in the transcript to their police department. The case has been assigned to them as the investigators.

Ask each group to take 15 minutes to compose a list of three challenges they would likely face during this investigation process and ways to overcome these challenges. For example, participants may discuss that the victim participated in "risky behavior" by consuming alcohol and this may challenge her credibility. This challenge may be overcome by establishing the victim's vulnerability and lack of consent while under the influence of alcohol.

After the groups appear to have generated ideas, call on each group to share their examples. Continue calling on each group, asking them to add an idea only if it has not already been mentioned. Indicate to the participants that the challenges associated with alcohol are similar to the challenges faced in most drug-facilitated sexual assault cases. In addition, the strategies used to overcome theses challenges can be applied to the more recent cases involving more advanced drugs used to facilitate sexual assault.

Task 2
Discuss the most recent drugs being used to facilitate sexual assault and how to identify them.

Presentation method: Option 1. Lecture
Option 2. APRI Video Presentation (5:40--17:59) and a brief Lecture
Time: 30 minutes

Option 1
In addition to introducing the participants to the most recent drugs being used to facilitate sexual assault, the instructor will also want to tailor his or her lecture to address the specific drugs most commonly observed in the jurisdiction of the participants.

In order to have an accurate picture of the drugs used within the community you are conducting this training, contact the local emergency medical center for information on the incidence of
drug overdose. This information will provide participants with a vivid understanding of the drug problem in their community.

**Option 2**

The instructor may choose to supplement lecture with a brief video excerpt from, "The Prosecution of Rohypnol and GHB Related Sexual Assaults," by the American Prosecutors Research Institute. Show the video excerpt from APRI to the participants. Allow approximately 12 minutes for this presentation.

When the video clip is complete, allow the participants to ask questions. Then use the remaining time to present information on the drugs most commonly available in the jurisdiction that you are training.

**Task 3**

Recognize the indicators of a drug-facilitated sexual assault

Presentation method: Brief lecture
Time: 5 minutes

**Task 4**

Discuss the scope of the evidence collection process.

Presentation method: Option 1. Brief lecture
Option 2. APRI Video Presentation (21:10?29:20)
Time: 15 minutes

**Option 1**

In order to discuss the scope of the evidence collection process the instructor should focus his or her presentation on the types of evidence that is specific to drug-facilitated sexual assault. (Standard evidence collection procedures should not be presented in this lecture.)

The instructor should also present a brief outline on how to conduct a "controlled buy." This technique can be very effective when trying to identify the drug that was used to facilitate a sexual assault. The instructor should also tell the participants that a pretext phone call can be very effective when investigating these crimes, however a discussion of the pretext phone call will be addressed during the class on "Suspect Interviewing Techniques."

**Option 2**

The instructor may choose to subsidize lecture with a brief video excerpt from, "The Prosecution of Rohypnol and GHB Related Sexual Assaults," by the American Prosecutors Research Institute. Allow approximately 8 minutes for this video presentation.

When the video clip is complete, allow the participants to ask questions. Then use the remaining time to present any additional information on the scope of evidence collection in a drug-facilitated sexual assault crime.
Subtask 4.1

Explain the advantages and disadvantages of conducting a full drug screen on the victim.

Presentation method: Brief lecture
Time: 15 minutes

There are many different ways the instructor can present this material. One way is to have a law enforcement officer briefly discuss the advantages to conducting a full drug screen and then have a victim advocate convey the concerns of the sexual assault advocacy community.

For example, law enforcement will usually convey that one advantage to conducting a full-drug screen is to corroborate the victim's account of her own drug use. A second advantage to this testing is to help law enforcement identify a drug that may have been surreptitiously given to the victim to facilitate a sexual assault.

The victim advocate will then discuss the disadvantages associated with conducting a full-drug screen. For example, one concern of the sexual assault advocacy community is that any documentation of illegal drug use, whether voluntarily disclosed by the victim or not, could be used against the victim during the trial and possibly harm her chances of a successful prosecution. A second concern relates to the limited ability of many laboratories to test for low doses of specific drugs that are used to facilitate sexual assault, such as GHB and Rohypnol.

A second way to conduct this lecture is to have the law enforcement officer and the advocate switch roles. Thus, the officer will discuss the concerns of the sexual assault advocacy community, and the advocate will talk about the advantages to this testing. The advantage to this approach is that it increases the legitimacy of advocacy concerns in the eyes of law enforcement audiences and it models mutual respect between the two professions.

The purpose of this lecture is to create a cohesive environment to present all the important issues related to conducting a full-drug screen. It is also designed to generate practical suggestions about how to handle this issue, while taking into account the valid concerns of both law enforcement and advocates. This discussion should not turn into an adversarial debate between the officer and the advocate.

Subtask 4.2

Discuss how to request toxicology testing and how to choose the appropriate laboratory.

Presentation method: Open-ended discussion
Time: 10 minutes

To encourage participation, the instructor could ask participants to provide their own experience(s) with toxicology testing and the challenges they faced in regards to laboratory resources and victim credibility.

Task 5

Collect the appropriate evidence in a drug-facilitated sexual assault

Presentation method: Case examples
Time: 60 minutes
Material: Handouts (Case examples), flip chart and pens
Return the participants into their groups of 4-6. Explain to the groups that they will each receive different case examples of drug-facilitated sexual assault. These cases will include the following scenarios:

- Case #1: Alcohol intoxicated victim scenario
- Case #2: Covert drug facilitated rape scenario
- Case #3: Voluntarily use of an illegal drug scenario

Each group will then be given 30 minutes to compose a list of evidence including the interview statements that must be collected from the following:

- The victim
- The suspect
- The witness
- The crime scene

Each group should elect a spokesperson and recorder for this exercise. The instructor should rotate around the room to help address each individual group's questions and concerns.

After 30 minutes have the class reconvene. Call on a group who reviewed Case #1 to discuss the evidence they collected. Continue to call on the groups who reviewed this same case scenario to add any ideas that were not previously mentioned. Give the each of these groups feedback on their analysis. Conduct this same process with groups who review Case #2 and Case #3. Use a flip chart to record all the responses.

This process should be limited to 30 minutes.

**Case #1**

**Alcohol Intoxicated Victim Scenario**

Susan is a 26-year-old recently divorced woman.

The last year in Susan's life had been a very difficult one. She had been married for three years and while their marriage had always been filled with turmoil, Susan and her husband decided it was time to have a child. Two months after the baby was born and while Susan was still on maternity leave, her husband announced that he was leaving her because he was in love with someone else. Susan returned to work immediately and took a second job on the weekends to make ends meet. Susan's ex-husband has never made any alimony or child support payments to Susan and their child.

Susan has not had any kind of social life since her divorce a year earlier. Her friends finally talked her into a "night out with the girls" to celebrate her birthday. Susan and her friends went to a bar. They had some drinks and listened to music. Susan remembers that for the first time in a long time she started to relax and actually enjoy herself.

Susan's friends started buying her drinks and since she had not been out in such a long time, it didn't take a lot to make her feel "tipsy." A group of three guys had approached the women and began talking to them. One of them, Kyle, especially seemed to like Susan. She was thrilled with the attention. Because of the awful events surrounding the divorce, her self-esteem had
plummeted. Kyle bought her a shot. At first she said no, but he said it was very light. She took it. It was sweet and like he said, very light. She accepted a second. Then he asked her to dance.

After they returned from the dance floor, Kyle said he would like to get to know her better. He said he knew the bar owner and that they could go to the owner's office in the back and have a quiet place to talk and get to know each other. Susan really liked this guy and he seemed really nice. He had been a complete gentleman up to this point, not like some other guys who are all over you from the beginning. Susan trusted him and went with him to the back office. Susan had had about five drinks and two shots by this point.

Once they got to the back office, Kyle's demeanor changed, he immediately began to kiss her. Susan was surprised at the change, but she had not kissed anyone besides her ex-husband in such a long time and she enjoyed the kissing. After a few minutes, Kyle began to try to undress her. At this point Susan became really uncomfortable and started to gently guide his hands away from her clothes. He persisted. She tried to push him away. At this point, he pushed her to the floor removed her underwear, and raped her. Susan was in shock. She couldn't believe what was happening to her. She panicked and didn't know what to do. It was happening so fast. Then he stopped, got up and helped her up. He told her to get dressed and he walked her back to her friends. Susan was horrified. She couldn't believe what had just happened. She was starting to sober up and her head was spinning. When they got back to her friends, he leaned over and whispered "thank you" in her ear and kissed her good bye.

As soon as he left, her friends began to ask her if she liked Kyle and where they had gone. She told them what happened. Her friends went to find a bouncer and asked him to call the police. They tried to look for Kyle, but by this point, he was gone. The police arrived and made a report in which they noted that Susan "had a strong odor of alcohol on her breath." Susan was taken to a hospital ER for a rape exam, but the SANE nurse did not document any signs of "force."

**Case #2**

**Covert Drug Facilitated Rape Scenario**

Anna is a sophomore student at a large university.

She returned to campus after her summer vacation. As she unpacked her bags, her friends came to her room and invited her to go to a fraternity party. Anna thought that this was an opportunity to see friends that she had not seen all summer and it seemed like a great way to begin the school year. She knew that drinking was part of the campus party scene. However, she felt safe at the party because she was with people she knew. She had a few drinks with her friends. The last thing she remembers is being given a drink by a young man. She got halfway through this drink and then lost consciousness.

The next thing she remembers is awakening the next morning on a couch in the living room of the fraternity house. Her pants were unzipped. Her head was bruised in several places. And, someone had urinated all over her. She felt sore in her vaginal area and there were stains on her pants. She was horrified. She returned to her apartment and her friends told her that she had vomited in the bathroom that night. She immediately went to the university's Student Health Center. Campus security officers were called. The doctor at the Student Health Center did a pelvic examination prior to the decision to send Anna to a hospital ER for a rape exam. She was eventually transported to an ER and a police report was made. A urine sample was collected.
Case # 3

The Victim Voluntarily Used an Illegal Drug

Roxanne is a prostitute.

Roxanne left drug rehab to score some heroin. After she bought some heroin from a dealer, she began walking trying to figure out how she was going to get home. A man drove up beside her and asked if she needed a ride. Roxanna accepted the ride. His name was Bobby.

During the ride, Bobby offered Roxanna some cocaine that he had at home and she agreed to go to his house. After arriving at his house and both of them using cocaine, Bobby reached out and grabbed Roxanna’s breasts. She told him that she was ready to leave. Bobby flashed a wad of money at her, but Roxanna did not understand why he was doing this. He went to the front door, locked it and stated, "We didn’t come down here for nothing." Bobby then proceeded to rape Roxanna. After the act, Roxanna left, went home, washed her clothes, showered, used heroin, and then called her drug counselor. Her counselor convinced Roxanna to report the incident. A rape exam was conducted and revealed minor abrasions to the vaginal area.

When questioned by the police, Bobby said that Roxanna agreed to engage in intercourse with him for $25.00. He then agreed to pay more because he didn't have a condom. After the consensual act, he not only refused to pay more, but he also took back the original $25.00. Bobby claimed that Roxanna was just mad about the nonpayment.