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62-309

2000

CONTROLLED AND UNCONTROLLED SUBSTANCES USED TO COMMIT DATE RAPE

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME

OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

ON
H.R. 1530

JULY 30, 1998

Serial No. 151

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C O N T E N T S

HEARING DATE
July 30, 1998

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TEXT OF BILL

H.R. 1530

OPENING STATEMENT

McCollon, Bill, a Representative in Congress from the State of Florida, chairman Subcommittee on Crime

WITNESSES

Carter, Joye M., M.D., Chief Medical Examiner, Joseph A. Jachimczyk Forensic Center, Houston, TX

Doering, Paul, Professor, Department of Pharmacy Practice, University of Florida

Farias, Raul, LaPorte, TX

King, John H., III, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice

Stevens, Michael, Detective, Undercover Drug Investigations, Orlando Police Department, Orlando, FL

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LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

Carter, Joye M., M.D., Chief Medical Examiner, Joseph A. Jachimczyk Forensic Center, Houston, TX: Prepared statement

King, John H., III, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice: Prepared statement

Porrata, Trinka: Article entitled "Gamma Hydroxy Butyrate, Old Drug—New Tricks"

Ronald, Ken, Chief, Congressional Affairs, Drug Enforcement Administration, U.S. Dept. of Justice: Letter to Dan Bryant, Counsel, Subcommittee on Crime, House Judiciary Committee, dated August 31, 1998

Stevens, Michael, Detective, Undercover Drug Investigations, Orlando Police Department, Orlando, FL: Prepared statement

APPENDIX

Material submitted for the record

CONTROLLED AND UNCONTROLLED SUBSTANCES USED TO COMMIT DATE RAPE

THURSDAY, JULY 30, 1998

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House of Representatives,
Subcommittee on Crime,
Committee on the Judiciary,
Washington, DC.

The subcommittee met, pursuant to call, at 2:08 p.m., in Room 2237, Rayburn House Office Building, Hon. Bill McCollum [chairman of the subcommittee] presiding.

Present: Representatives Bill McCollum, Steve Chabot, Bob Barr, Asa Hutchinson, Howard Coble, and Sheila Jackson Lee.

Staff Present: Paul J. McNulty, Chief Counsel; Daniel J. Bryant, Counsel; Nicole R. Nason, Counsel; Veronica Eligan, Clerk; and Melanie Sloan, Minority Counsel.

OPENING STATEMENT OF CHAIRMAN MCCOLLUM

Mr. **MCCOLLUM**. The Subcommittee on Crime will come to order.

In the 104th Congress we addressed the devastating and cowardly crime of drug-induced rape when we passed the Drug-Induced Rape Prevention and Punishment Act. By increasing the penalties for the abuse and use of flunitrazepam, I hoped we had given some measure of protection to young women, particularly college students, who were unaware of the dangers of drug-induced rape. Despite our best efforts, however, new drugs which have similar properties as the old flunitrazepam formula are popping up at nightclubs and college campuses nationwide. Unfortunately, they are beginning to gain real popularity.

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The Associated Press reported yesterday that two Penn State students were rushed to a local hospital after intentionally ingesting gamma hydroxybutyrate, popularly known as GHB. The director of the University's Office of Student Health Services was particularly upset, since Penn State's students are warned about potential date rape drugs at orientation. GHB is one of the drugs discussed at that

orientation, and yet the message clearly did not get through.

In its liquid form, GHB is sold by the capful for about \$10. It can also be ingested in powder form. Either way, it dissolves quickly in alcohol and can take effect within 15 minutes. GHB can cause vomiting, dizziness, tremors and seizures, and victims frequently lapse into unconsciousness and require hospitalization. Although it was banned in the United States by the FDA in 1990, the Drug Enforcement Administration has received reports of GHB being used to incapacitate victims before the commission of a sexual assault.

How then are young students getting their hands on a drug which is banned in the United States? The answer is the Internet. Once again, the Internet is being manipulated by those who would take advantage of its wide accessibility and protections of anonymity.

The instructions for concocting GHB abound on the web, which is extremely dangerous since the drug can be manufactured at home with a few simple products available from hardware stores and specialty foods stores. Some sites even offer the visitors an opportunity to purchase any items which they may not be able to obtain locally. Unfortunately, this information is usually inaccurate and misleading. One particularly sinister web site even noted that GHB was very effective as a precursor for sex since it lowered a woman's inhibitions. To me this sounds like a direct invitation for date rape.

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Like flunitrazepam, I am certain that GHB does have some valuable medical uses. I am aware that the FDA allows certain physician-supervised GHB studies to continue in the United States, and we certainly do not want to overreact to the issue.

The same is true of other drugs which we may be discussing here today, such as the drug ketamine hydrochloride, known on the street as "Special K". The abuse of ketamine is clearly on the rise. It has been coupled in the media with the crime of drug-induced date rape, but little evidence exists thus far to associate it with that hideous act. There may be persons who could benefit greatly from the use of GHB or ketamine, and, as I always hope, this hearing will provide us with some opportunity to learn more about these drugs.

We all know rape is a crime of power in which the aggressor tries to exert control over the victim through the sexual assault. It is one of the worst crimes which can be committed, and yet, astonishingly, the criminal element in our society has found a way to make it even worse. Rape becomes even more cowardly when the victim is incapacitated through the surreptitious use of drugs.

Today we will hear some tragic stories about the misuse of GHB and ketamine. We will also discuss the abuse of flunitrazepam in the United States since the passage of our legislation in the last Congress. I certainly hope that the DEA has some good news to offer regarding what effects the passage of that act had on the incidents of drug-induced rape.

I want to particularly thank the gentlewoman from Texas, Ms. Jackson Lee, for her unyielding commitment to this important issue. She is a dedicated member of this subcommittee, and I know this hearing is very significant for her.

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