How do we talk about alcohol without victim blaming?

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How do we sensitively investigate the role of alcohol in cases of sexual misconduct?
- Factors that influence Blood Alcohol Concentration (BAC)
- Alcohol’s effects on the brains of emerging adults
- Factors that influence tolerance

Are there overlapping prevention strategies that can reduce substance use and victimization?

What are the barriers and solutions to implementing evidence-based practices?

What are the challenges of measuring change?
The Relationship Between Alcohol and Sexual Misconduct
90% of acquaintance rapes involve the use of alcohol by the assailant, victim or both.

Each year among college students between the ages of 18 & 24...

- 97,000 are victims of alcohol-related sexual assault or date rape (Hingson, et al., 2009).
- More than 100,000 report having been too intoxicated to know if they consented to having sex (Hingson, et al., 2002).
- 400,000 have unprotected sex due to alcohol use (Hingson, et al., 2002).
- 696,000 students are assaulted by another student who has been drinking (Hingson, et al., 2009).
The role of alcohol in campus sexual assault

- 1 in 5 women has been sexually assaulted while in college.  
- Many survivors are sexually abused while drunk, under the influence of drugs, passed out, or otherwise incapacitated.  
- Perpetrators often prey on incapacitated women.  
- Perpetrators who drink prior to an assault are more likely to:
  - believe that alcohol increases their sex drive  
  - think that a woman’s drinking signals that she’s interested in sex.  
- 58% of incapacitated rapes and 28% of forced rapes took place at a party.  
- Most college victims are assaulted by someone they know, especially in incapacitated assaults.  
- College survivors suffer high rates of PTSD, depression, & drug or alcohol abuse.
Alcohol and Survivors

- Over half of survivors who were forcibly raped while under the influence of alcohol or drugs developed lifetime PTSD.
  - almost 5x more likely to have lifetime major depressive episodes.\textsuperscript{32}

- Survivors are more likely to engage in risky behavior including substance and alcohol abuse.\textsuperscript{33}
  - These may be a means of coping with the trauma through self-medication.

- Controlling for previous substance abuse history, sexual assault survivors were more likely to abuse alcohol than women who were not assaulted.\textsuperscript{34}


40/44/45 The Campus Sexual Assault (CSA) Study (2007); The Campus Sexual Assault Study was conducted by RTI International and funded by the National Institute of Justice. Data were collected using a web-based survey from undergraduate students (5,466 women and 1,375 men) at two large, public universities.; Krebs, C. P., Lindquist, C. H., Warner, T. D., Fisher, B. S., & Martin, S. L (2009) College Women’s Experiences with Physically Forced, Alcohol- or Other Drug-Enabled, and Drug-Facilitated Sexual Assault Before and Since Entering College. *Journal of American College Health, 57*(6), 639-647.


Judgment, decision making and BAC
Judgment and reaction skills are impaired at Blood Alcohol Concentrations (BAC) of .05 and above.
Physical Signs of Intoxication (Coordination)

By the time any of these signs appears, many people already have a .08 BAC or higher.

• Slurred speech
• Inability to answer simple questions or keep a train of thought
• Clumsy actions
• Difficulty in fine motor skills
• Red, bloodshot or watery eyes
• Overly loud or friendly
• Overly quiet or subdued
• Delayed reaction time
On average, it takes nearly 3 hours for most people to eliminate the alcohol in 2 drinks.

### Estimating BAC

**Beer**
- 12 oz, 5% alcohol

**Wine**
- 5 oz, 12% alcohol

**Liquor**
- 1.5 oz, 80 proof alcohol

1 Standard Drink is 0.6 fluid oz. of 100% alcohol.

### Equivalency

- 12 oz Beer* = 4.5 drinks
- 8 oz Malt Liquor* = 1 oz 100 proof Liquor*
- 5 oz Wine* = 4.7 drinks

*Lines indicate approximate measurements on a 16 oz cup. Alcohol percentage and container volume will determine number of standard drinks.

### BAC for MEN after 1 HOUR

<table>
<thead>
<tr>
<th>Body Weight (lbs)</th>
<th>Number of Standard Drinks</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
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<tbody>
<tr>
<td>120</td>
<td>0.02</td>
<td>0.05</td>
<td>0.08</td>
<td>0.11</td>
<td>0.14</td>
<td>0.17</td>
<td>0.20</td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>0.01</td>
<td>0.04</td>
<td>0.06</td>
<td>0.09</td>
<td>0.12</td>
<td>0.14</td>
<td>0.17</td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>0.01</td>
<td>0.03</td>
<td>0.05</td>
<td>0.08</td>
<td>0.10</td>
<td>0.12</td>
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<tr>
<td>180</td>
<td>0.00</td>
<td>0.03</td>
<td>0.05</td>
<td>0.07</td>
<td>0.09</td>
<td>0.11</td>
<td>0.13</td>
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<tr>
<td>200</td>
<td>0.00</td>
<td>0.02</td>
<td>0.04</td>
<td>0.06</td>
<td>0.08</td>
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<td>0.03</td>
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<td>0.06</td>
<td>0.07</td>
<td>0.08</td>
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</tbody>
</table>

_Pleasure Zone_ (Minor Impairment) _Impaired Judgment & Reactions_ _Legally Intoxicated_

### BAC for WOMEN after 1 HOUR

<table>
<thead>
<tr>
<th>Body Weight (lbs)</th>
<th>Number of Standard Drinks</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
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<td>0.21</td>
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<tr>
<td>110</td>
<td>0.02</td>
<td>0.07</td>
<td>0.11</td>
<td>0.15</td>
<td>0.19</td>
<td>0.23</td>
<td>0.27</td>
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<tr>
<td>120</td>
<td>0.02</td>
<td>0.06</td>
<td>0.10</td>
<td>0.13</td>
<td>0.17</td>
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<td>130</td>
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<td>0.05</td>
<td>0.09</td>
<td>0.12</td>
<td>0.16</td>
<td>0.19</td>
<td>0.23</td>
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</tr>
<tr>
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<td>0.13</td>
<td>0.16</td>
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<td>0.06</td>
<td>0.09</td>
<td>0.12</td>
<td>0.14</td>
<td>0.17</td>
<td></td>
</tr>
<tr>
<td>190</td>
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<td>0.10</td>
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<td></td>
</tr>
</tbody>
</table>

_Pleasure Zone_ (Minor Impairment) _Impaired Judgment & Reactions_ _Legally Intoxicated_

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Factors that can impact BAC

- Body size
- Illness/fatigue
- Rate of drinking
- Other drugs
- Food in stomach
- Birth Sex
Empty stomach

No food in stomach

1,000 calories high protein

Chart source: http://www.b4udrink.org/virtual-bar
Birth Sex

Women’s BAC increases at a faster rate than men’s.

• generally smaller body size,
• greater percent of body fat,
• smaller quantities of an enzyme that metabolizes alcohol (ADH)
• premenstrual hormonal changes.

<table>
<thead>
<tr>
<th>Average Total Body Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>women</td>
</tr>
<tr>
<td>52%</td>
</tr>
</tbody>
</table>

Source: Facts on Tap
Alcohol leaves the body at a fixed rate of .016 BAC per hour.
Alcohol’s effects on the brains of emerging adults
Two 20-year-old women take a memory test. One of them abused alcohol. The MRI scan on the left is her brain; the lack of color indicates a sluggish mind. In contrast, the scan on the right is of the woman who doesn’t have a drinking problem. The colors show less brain activity. Not surprisingly, she does better on the test.

**Teen drinking, thinking don’t mix**

Alcohol appears to damage young brains, early research finds

By Kathleen Tracewski

Teenagers who drink heavily face a slew of hazards, ranging from accidents to death by alcohol poisoning. If early research is verified, scientists may find another danger to the developing brain: Damage.

Preclinical studies indicate that heavy drinking can damage the developing brains of teens and young adults and perhaps destroy crucial neural connections. "This is exciting," says one scientist. But experts say that through the work is in its early stages, the implications are clear: A link between alcohol and damage to young brains.

**Cover story**
Young adults (< age 25) respond differently to alcohol

Prefrontal cortex controls reasoning & impulses

Source: H Scott Swartzwelder, Clinical Professor of Psychiatry and Psychology and Neuroscience, Duke University. Research supported by NIAAA and the U.S. Department of Veterans Affairs.
Poor impulse control + emotional drive in high gear =

STOP

GO!
More sensitive to memory impairment
Easier to drink to impairment without realizing it.
Tolerance develops faster
Less sensitive to sedative effects
What factors impact tolerance?
Myth of the bigger, better buzz

More is better
Cultural Myth

Blood Alcohol Level (BAL)

.01 .03 .05 .06 .07 .08 .09 .10 .15 .20 .30 .40
Reality of Bi-phasic Response

http://adcaps.wsu.edu/alcohol101/the-bi-phasic-response/
Mental vs. Physical Tolerance

Physical (slurred speech)

- .20 BAC
- .15 BAC
- .10 BAC

Mental (drunk dial)

- .07 BAC
- .06 BAC
- .05 BAC

Source: Prevention Research Institute, Lexington KY
Person with high tolerance
Tolerance develops (in part) when heavy drinking/drug use occurs repeatedly with the same environmental cues.

http://cdn.lingualift.com/blog/wp-content/files/2012/03/pavlovs_dog2-560x447.png
The “Four Loko” Effect

If alcohol is presented “in a manner divorced from the usual alcohol-associated stimuli, the effects of the alcohol are enhanced” (Siegel, 2011, p. 358).

- Location
- Beverage color/taste
- Ambient temperatures
- Small dose always followed by a larger dose

http://sarahappleman.files.wordpress.com/2012/10/four-loko-price.jpeg
Tolerance and Overdose

CNS Stimulation (CNS speeds up)

Baseline (normal activity)

Desired feeling (Buzz/high)

CNS Depression (CNS slows down)

Environment with drinking cues produces physiological anticipatory response

Drinking episodes

Drinking in new environment = no anticipatory response

Time

More alcohol needed for the same buzz (AKA tolerance)

Overdose more likely

Doesn't feel buzzed with usual amount, so...

Drinks same amount as before

Quantity of alcohol
Amnesia, often fragmentary/spotty

“One does not lose knowledge of right and wrong, but might not fully recognize, or care, about the potential consequences of actions.”

outside observers often unaware of the person’s true level of intoxication.

“Blackouts are much more common among social drinkers—including college drinkers—than was previously assumed.” ---Aaron White

- Not uncommon at BACs of 0.18
- “Can encompass events ranging from conversations to intercourse.”
  --White et al., 2002

Source: White et al., 2002, American Journal of College Health

Risk of memory loss increases when:

- A plastic cup
- A stop watch
- A marijuana leaf
- A glass of alcohol
How do we sensitively investigate the role of alcohol in cases of sexual misconduct?
Policy Sensitive to Presence of Alcohol in Sexual Misconduct

- Explicit definition of *Incapacitation*
  - *Impact of alcohol on one’s decision-making capacity, awareness of consequences, and ability to make informed judgments.* (Sokolow, et. al. 2010)

- Potential for additional charge – Sexual Exploitation
  - Taking sexual advantage of another without Effective Consent
  - Causing or attempting to cause the Incapacitation of another

- Explicit statement re: substance use and the Complainant/witnesses
Purpose of asking questions

- To draw out information regarding the factual circumstances of the incident
- Always clarify this purpose with the parties and in judicial board training
  - Evaluating circumstances – NOT victim-blaming
## Investigation & Board Hearing – Evaluating Incapacity

<table>
<thead>
<tr>
<th>Category</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Amount, pace and type of consumption</strong></td>
<td>Could you start from the beginning, when you first went out, and tell us what you remember of your consumption that night?”</td>
</tr>
<tr>
<td><strong>Food intake prior to consumption</strong></td>
<td>“Did you have anything to eat before you went out?”</td>
</tr>
<tr>
<td><strong>Tolerance</strong></td>
<td>Typically, how many drinks did you have before you noticed physical effects (dizzy, slurred speech, stumbling)?</td>
</tr>
</tbody>
</table>
| **Voluntariness of consumption**   | “Did you get your own drinks or did others provide them for you?”  
<pre><code>                               | “Were any drinks mixed/provided by the accused?”                                                                                       |
</code></pre>
<p>| <strong>Vomiting</strong>                       | “Did you become ill while drinking?”                                                                                                     |
| <strong>Black out history</strong>              | “You described your memory as ‘hazy’, at what point in the night did you start to feel ‘hazy’? Can you describe what you mean by ‘hazy’?”  |</p>
<table>
<thead>
<tr>
<th>Questioning Witnesses – Looking for Clues</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Direct knowledge of alcohol intake</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Context Clues of Incapacity</strong></td>
</tr>
<tr>
<td>• Smell of alcohol on the breath</td>
</tr>
<tr>
<td>• Slurred speech</td>
</tr>
<tr>
<td>• Bloodshot eyes</td>
</tr>
<tr>
<td>• Unsteady</td>
</tr>
<tr>
<td>• Unusual/outrageous behavior</td>
</tr>
<tr>
<td>• Vomiting</td>
</tr>
<tr>
<td>• Loss of consciousness</td>
</tr>
<tr>
<td><strong>Tolerance</strong></td>
</tr>
</tbody>
</table>
## Follow-up Questions

<table>
<thead>
<tr>
<th>Unclear statement</th>
<th>Suggested follow up</th>
</tr>
</thead>
<tbody>
<tr>
<td>Well, I drink as much as anyone else.</td>
<td>Could you be more specific? How many drinks do you have on a typical night out?</td>
</tr>
<tr>
<td>She seemed fine to me.</td>
<td>Describe what you mean by ‘fine?’ How do you think a ‘reasonable person’ would assess her level of intoxication?</td>
</tr>
<tr>
<td>She looked like she might have been drinking but she didn’t look drunk.</td>
<td>What indicated to you that she had been drinking?</td>
</tr>
<tr>
<td></td>
<td>What factors lead you to believe she was not ‘drunk?’</td>
</tr>
<tr>
<td></td>
<td>What does ‘drunk’ look like to you?</td>
</tr>
</tbody>
</table>
How can we bring alcohol educators into the campus judicial process?

- Board member
- Training the board
- Expert witness
- Consultant
- Include sexual misconduct information into alcohol education programs
THANK YOU!