



ALCOHOL/DRUG FACILITATED SEXUAL ASSAULT (DFSA) TOXICOLOGY INFORMATION SHEET

IN WEST VIRGINIA, A PERSON WHO IS DRUGGED OR DRUNK CANNOT GIVE CONSENT FOR SEX.

- It does not matter if the alcohol or drugs were taken voluntarily or were forced.
- Signs of a DFSA may include:

Drowsiness	Fatigue	Light Headedness
Dizziness	Intoxication	Impaired Motor Skills
Memory Loss		Physiologic Instability
Loss of Consciousness (not due to strangulation)		

BLOOD AND URINE CAN BE COLLECTED TO TEST FOR DRUGS AND ALCOHOL USED IN A DFSA.

- Timeliness of collection is important. The ability to detect and identify alcohol/drugs depends on the collection of samples during specific time periods after ingestion.
- The first available urine should be collected into a specimen cup as soon as possible after arrival at the medical facility.
- You may be asked how many times you've already urinated since the assault.
- Blood and Urine can be collected and tested up to 24 hours after ingestion of alcohol.
- Blood and Urine can be collected and tested up to 48 hours after ingestion of drugs.
- Urine can be collected and tested between 48-96 hours after ingestion of drugs.
- Drugs or alcohol used voluntarily after the DFSA should be disclosed.

TOXICOLOGY TESTING AT THE FORENSIC LABORATORY

- Testing can only identify alcohol/drugs found in the blood/urine.
 - o Positive results do not prove that drugs or alcohol were used to facilitate sexual assault.
 - o Negative results do not prove that drugs or alcohol were not used to facilitate sexual assault.
- Testing may reveal other drugs (prescription and/or illicit) used voluntarily prior to the assault and/or used after the assault but prior to the collection of blood/urine.
 - o Accurate history of voluntary alcohol, prescription and/or illicit drugs in the days prior to the assault is helpful to the Toxicologist in interpreting the results.
- Many factors impact the length of time drugs and alcohol will stay in a person's blood/urine:

Type of drug	Amount of drug	Body size
Rate of Metabolism	Prior Urination	Time since Ingestion
- For a current list of drugs tested at the forensic laboratory, go to <https://www.wvsp.gov/departments/laboratory/Pages/toxicology.aspx>

** Cases not reported to Law Enforcement are only stored for future use, not tested. There is a possibility Toxicology samples will deteriorate over time.