

GHB Use Increasing in DUIs

True story. In November 2000, a Florida woman was stopped for poor driving, but when the officer asked for her license and registration, he did not smell any alcohol or see any alcohol in the car. She was issued a ticket for careless driving and allowed to leave.

Two weeks later, this same woman crashed head-on into another car, killing the on-coming car's passenger. A breathalyzer test two hours later was negative for alcohol, but the woman admitted taking the highly addictive drug—GHB.

No wonder she was not arrested earlier. GHB is a colorless and odorless liquid that's often difficult for law enforcement officers to detect. Without appropriate training, many officers do not even know to request a specific blood test for GHB.

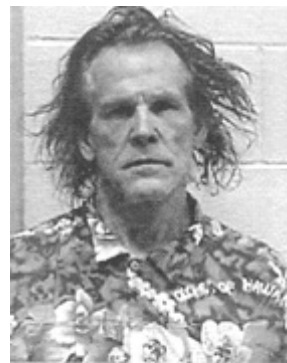
That wasn't the case recently in Malibu, California. After Oscar-winner Nick Nolte's DUI arrest last September, his blood was tested for GHB, and a month later, prosecutors charged Nolte with driving under the influence of GHB and use of a controlled substance. Nolte's arrest illustrates the increased use of GHB behind the wheel, and that GHB is no longer a drug that can strictly be considered part of the rave party scene or as a date-rape assistance tool. According to Drug Enforcement Administration's testimony before Congress, GHB is repeatedly detected in DUI cases, proving that there are public health and safety hazards associated with its use.

In August, police officials in Fort Worth, Texas seized more than 32,000 grams of GHB in the raid of a motel room and subsequent search of a warehouse. In September, federal authorities conducted a two-day, 84-city sweep to break up four internet drug-trafficking rings. Over 100 arrests were made and enough chemicals were seized to produce 25 million doses of GHB. The internet drug dealers disguised their sites and products as ink jet printing supplies or toner cleaner.

Originally, GHB was studied as a surgical anesthesia and tested clinically in the treatment of narcolepsy, but GHB has never been approved to sell in the US. The first reports of GHB poisoning began appearing in 1990, when it was marketed by many as an organic health food supplement. Similar to alcohol, the drug also heightens sexual feelings. GHB is also widely used by body builders and is a favorite in the gay male party scene. Often mixed with water, GHB gives the water a salty, brine-like taste; GHB can also be ingested in pill form or mixed with ecstasy or cocaine.

What to Look For. Sleepy drivers. Unconscious Drivers. Car crashes. Severe impairment without the signs of alcohol, or impairment that is not consistent with the alcohol reading on the breath test. Water bottles. Cleaning fluid bottles. Ink jet cartridges. Toner cartridges. Purse-size hairspray. Liquid candy. Pump hand-lotion bottles.

Some drivers may have "G-Seizures" and start twitching and vomiting. GHB impairment can end in an instant. Suspects out-of-their minds one second and sober the next. Also, don't forget to ask if the driver used GHB. Some drivers may be messed-up enough to admit it.



Nick Nolte's booking photo. September 2002. The actor was charged with driving under the influence of GHB.

[UPDATE ON NICK NOLTE](#)

Actor Nick Nolte faced the California Court in December and plead no contest to a charge of driving under the influence.

Timing is everything. Like alcohol, GHB is a central nervous system depressant, but GHB is more rapidly broken down in the body than alcohol. According to Chip Walls, Technical Director of the Forensic Toxicology Laboratory at the University of Miami School of Medicine, you need to move fast to get the blood or urine test. Any specimen taken 12 hours after the arrest will not do anyone much good in detecting GHB. And in most cases, there is not even that much time to secure a sample before the evidence is gone.

Request Specific Test. Most forensic labs do not regularly check for GHB in drug screens. Law enforcement officers and prosecutors must specifically request that the sample be screened for GHB.

New Study: Hot Blood Samples Do Not Affect BAC Results

Nothing is worse than opening the trunk of a police cruiser and finding key evidence to a case that has been accidentally left there for months. No one likes to discover a vial of the defendant's blood from a DUI or vehicular homicide that has not been processed promptly. After all, blood alcohol concentrations (BACs) are the most important evidence in the case.

How does exposure to heat affect the integrity of the blood test? What happens to blood exposed to the harshest temperatures?

Defense attorneys will be the first to tell you that the heat causes the BAC to rise, giving a higher reading than if the blood is refrigerated or promptly delivered to the lab. But, a new study says that's not true.



Paul Glover presented his pilot study, *The Effect of Heat on Blood Samples Containing Alcohol*, at the 2002 Conference of the International Association for Chemical Testing in Austin, Texas. Blood was drawn from donors and exposed to temperatures ranging from 62.6 degrees Fahrenheit to 116.24 degrees over 78 days. Temperatures were recorded every five minutes for the first 30 days. The samples ranged from .062 to .123 g/100 ml; other samples did not have alcohol.

Here are the key findings:

- Blood samples exposed to high temperatures will not increase the blood alcohol concentrations.
- A decrease in BAC occurs during the initial 72 hours, followed by a continuous, but slight, decrease over the next 75 days.
- Refrigeration is recommended to prevent the blood sample from decreasing in its BAC.

So, another popular defense myth crumbles under scientific scrutiny. In fact, the opposite of their argument is true. BAC decreases in the heat. If anything, every defendant whose blood sample was exposed to harsh conditions has received a heat benefit of a lower BAC result.

Of course, refrigeration is the preferred and prudent method to maintain the evidence, but what about blood tests sent in by mail to the lab? In the future, the study will examine samples exposed to those conditions as well.

For further information, contact: Paul Glover, whose studies in this area continue at the Forensic Tests for Alcohol Branch, North Carolina Department of Health and Human Services, 1922 Mail Service Center, Raleigh, North Carolina, 27699-1922, or by phone at 919-733-3225.

On Our Website: Seizing Legal Aliens' Foreign Driver's Licenses

One of the most effective penalties against impaired drivers is the seizure of the driver's license. Whether through administrative law revocations or upon a finding of conviction, seizure of the license eats at defendants more than almost any penalty. Sit in a courtroom and watch the contorted facial

expressions of defendants turning in their licenses. Their faces make that “Hey Vern” guy’s facial antics look like a Star Trek Vulcan.

But, what about resident aliens? No, not Vulcans, but foreign nationals legally residing in the United States? Can the judge take their foreign license or International Driving Permit upon conviction? Can he require them to obtain a state driver’s license?

The short answer is yes, but it depends on how the judge does it. For a full explanation, log onto www.ndaa-apri.org and click on the [NTLC’s home page](#) for the full story.

Calender of Events

Nov. 25–Dec. 1 NHTSA’s *Operation ABC Mobilization*

Dec. 16 *The Robert F. Borkenstein Course on Alcohol, Drugs and Highway Safety: Testing, Research and Litigation*
Bloomington, Indiana
Contact Number: 812-855-1783

December National Drunk & Drugged Driving Prevention Month

Dec. 20–Jan. 5 NHTSA’s *You Drink & Drive. You Lose.* Mobilization.