



K9 Gummy Bear Candies Containing Designer Drugs in a Drug Facilitated Sexual Assault (DFSA) Case

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After attending this presentation, attendees will gain insight into the use of designer drugs in the commission of a Drug Facilitated Sexual Assault (DFSA) and the manufacture of candies as the means of delivery.

This presentation will impact the forensic community by highlighting a unique drug dosage form and the complexity of a DFSA investigation.

A 21-year-old female residing in Lake County, Ohio, reported a sexual assault by three males (22, 24, and 26-years-old) whom she had just met. The males, from the New York City area attending welding school in Cleveland, Ohio, arranged to meet the female at her residence. One male offered the female a "gummy bear" candy from a large bag containing numerous gummy bear-shaped candies, stating it was an "upper" bear. The female admitted to willfully ingesting the gummy bear and shortly thereafter feeling numb and unable to move her arms.

Another male then lifted the female's head and repeatedly forced her to inhale an unknown white powder. The female conveyed she felt "paralyzed" prior to the sexual assault by the males. The female filed a police report 23 days later and provided one gummy bear and one glass vial containing residue that had been left at her residence after the assault. The female contacted a local rape crisis center, but a rape kit was not collected due to the delay in reporting. No toxicology samples were collected.

Analysis of the gummy bear revealed the presence of 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB), an entactogen analog of 3,4-methylenedioxyamphetamine (MDA). Analysis of the vial residue revealed the presence of methoxetamine (MXE), a dissociative anesthetic derivative of ketamine.

Approximately 12 hours after the assault, the three males were traveling in a vehicle that was stopped for speeding and a lane violation. The driver failed field sobriety tests and was arrested for operating a vehicle under the influence of alcohol or drugs (OVI). The front and rear passenger were observed to be lethargic with glassy eyes and slow speech. Both passengers subsequently passed out during an inventory of the vehicle.

Driver toxicology was negative for ethanol in whole blood and urine and screened positive for cannabinoids in whole blood. The driver admitted to drinking two beers and smoking marijuana earlier. The rear passenger stated he snorted MXE prior to the traffic stop. The front passenger stated he uses clonidine and naltrexone to "take the edge off" heavy withdrawal.

A backpack discovered during the vehicle inventory contained numerous purported drugs and drug paraphernalia including strainers, a liquid eye dropper, a syringe, spoons, scissors, tweezers, empty gelatin boxes, "bear" candy molds, a "tree" candy mold, a round shape candy mold, rolled paper, digital scales, a grinder, smoking pipes, plant material, plastic bags containing powders (white/yellow/brown), tablets (white/tan/green), and numerous gummy bear candies (red/yellow/orange-green).

Analysis of the backpack items revealed the presence of the following drugs: MXE; 6-APDB; 5-(2-aminopropyl)benzofuran (5-APB); 6-(2-aminopropyl)benzofuran (6-APB); 4-fluoroamphetamine (4-FA); fluoromethamphetamine (FMA); 4-chloro-2,5-dimethoxyamphetamine (DOC); 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT); 2,5-dimethoxy-4-ethylphenethylamine (2C-E); 3,4-methylenedioxypyrovalerone (MDPV); 3,4-methylenedioxymethamphetamine (MDMA); phenazepam; methamphetamine; JWH-250; marijuana; naltrexone; and clonidine. The red gummy bear candies contained 6-APDB, the yellow gummy bear candies contained 4-FA, and the orange-green gummy bear candies contained phenazepam.

The female advised she was uncertain whether she would follow through with the DFSA investigation and ceased contact with the detective. The three males were sentenced to limited jail time, driver's license suspension, and community control. Additionally, the driver was required to pay a fine, complete a relapse prevention program, and report to adult probation.

Designer Drugs, DFSA, Analog