



Chemical submission: an in-depth analysis of its impact on crimes against sexual freedom

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Abstract

Chemical submission has become a matter of interest in crimes against sexual freedom in recent years. This work aims to reduce and prevent this type of crime. It will address the element of chemical submission within sexual freedom crimes, analyze the problem of sexual assaults, highlight the types of substances and psychoactive groups most commonly used, all while examining the most significant changes introduced by the new Organic Law 10/2022, of September 6, on comprehensive guarantee of sexual freedom and its current modification. A course of action will be established for the prevention of such crimes. A bibliographic review will be conducted using the PRISMA methodology for systematic reviews of the past year. The results obtained will highlight the most commonly used drug, the victim, the perpetrator, and the need for the development of action protocols. In the future, research should be based on real databases, expanding and updating information, in order to create more effective guidelines for action, thus informing and raising awareness in society about this type of crime.

Keywords: *chemical submission, sexual freedom, drug, psychoactive substance, prevention*

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I. Introduction

Within the framework of the protection of sexual freedom as a fundamental right, this study addresses the growing problem of chemical submission in crimes against sexual freedom. Sexual freedom is conceived as an inherent right of the human being, rooted in the dignity and equality of people, and is developed progressively according to the biological, intellectual and conscious maturity of the individual (Muñoz Conde, 2023).

When a crime of sexual violence is perpetrated, a direct violation of this fundamental right occurs, affecting the dignity, sexuality and freedom of people through acts such as harassment, abuse, sexual assault and, more recently, submission. chemistry. In Spain, these crimes are classified in Title VIII of Book II of the Penal Code, but the recent Organic Law 10/2022 introduces significant reforms in the comprehensive guarantee of sexual freedom.

The phenomenon of chemical submission has gained relevance when it is associated with crimes against sexual freedom, perpetrated under the effects of psychoactive substances such as alcohol, illicit drugs or psychotropic drugs (Sánchez-Moraleda Vilches, 2020). This type of act leaves the victim in a state of vulnerability, unable to resist sexual pretensions and subject to the control of the aggressor.

The use of psychoactive substances in sexual contexts, already rooted in history, facilitates disinhibition and sexual activity. In this work, all substances used in criminal practices will be consciously explored, highlighting their role in facilitating control over victims (Isorna Folgar and Rial Boubeta, 2015).

Chemical submission refers to the nullification of will and loss of control under the effects of psychoactive substances, without the knowledge or consent of the person, in order to sexually assault them (Imaz Zubiaur et al., 2023). This phenomenon has experienced a worrying increase in recent years, generating impact on both a social and health level.

In this context, it is imperative to address the problem, examining antecedents, the current situation in society and its close relationship with crimes against sexual freedom. Special attention will be paid to vulnerable groups and victims who, despite the increase in cases, often avoid reporting due to shame or memory loss induced by psychoactive substances.

This starting point will provide the necessary context to explore risk factors, characteristics and prevention strategies for this type of violence. In addition, a regulatory and jurisprudential analysis of crimes against sexual freedom will be carried out, focusing on the inclusion of chemical submission in said legal frameworks, both historical and current.

Throughout this work, these issues will be addressed through a bibliographic review in conjunction with criminal laws, doctrine and jurisprudence emanating from the

courts, with the aim of providing constructive answers and solutions from a criminological perspective.

II. Goals

The examination of chemical submission in crimes of sexual assault or others that involve intimidation, whether with or without consent, the annulment of the will and the performance of a sexual act, is presented as an essential analysis. Addressing this problem is crucial, since it implies the need to confront these acts and, above all, be informed at a social and health level, given that sexual crimes are probably the most impacted by the evolution of social thought, contributing to the reproduction of stereotypes and social roles rooted throughout the centuries.

This issue is constantly topical, affecting people of all ages, genders, origins and ethnicities. It is imperative to have the appropriate tools to develop effective defense mechanisms and action strategies. Therefore, it is essential to highlight this aspect, considering the various dimensions that we will explore throughout this work.

The importance of highlighting this phenomenon lies in the need to raise awareness and sensitize society about the urgency of confronting and preventing this type of violence. With this, the aim is to promote greater understanding and collaboration in the construction of collective defense mechanisms, thus promoting the security and well-being of individuals from all spheres of society.

This work aims to address the problem of chemical submission in crimes against sexual freedom, with the main objective of preventing and reducing this phenomenon. In this context, various specific objectives are outlined that will guide the research and proposals for action.

Firstly, it seeks to carry out an exhaustive analysis of the problem of sexual assaults, in order to identify effective actions. A specific proposal is the implementation of physical barriers in nightlife venues, such as the introduction of detection systems for psychoactive substances in common elements, such as glasses and straws.

Another specific objective is to establish an action procedure aimed at preventing this type of crime. This involves the formulation of guidelines and protocols that can be implemented at the institutional and community level.

In addition, it is intended to carry out a detailed analysis of the most relevant modifications introduced by Organic Law 10/2022, comprehensively guaranteeing sexual freedom, as well as its update. This aspect will be addressed from a critical perspective, evaluating the impact of these modifications on the prevention and prosecution of crimes related to chemical submission.

Another focus of attention lies in delving into the element of chemical submission within crimes against sexual freedom. It seeks to bring together the basic

characteristics of this phenomenon and explore the implications of its presence or absence in criminal typology.

In addition, the type of substances of greatest importance in these crimes will be highlighted, as well as the most prevalent psychoactive groups. This analysis will allow us to better understand the nature of chemical submission and its relationship with specific substances.

Finally, an objective of awareness and information at a social level is proposed. The objective is to enable society to detect a greater number of possible cases of chemical submission, thus promoting active participation in the prevention of these crimes.

III. The phenomenon of chemical submission in crimes against sexual freedom

A) Definition and origin

Chemical submission (SQ) refers to the administration of psychoactive substances with criminal intentions to manipulate and alter the behavior of victims (Montero de Espinosa Rodríguez, 2018). This term, derived from the French "soumission chimique," implies the administration of psychoactive substances to a person without their consent, sexual crimes being the most common, although it is also used in cases of crimes against property (Barrutia Soliverdi, 2015).

In this context, we will focus on sexual assault crimes, which are the most prevalent. When talking about a chemical submission crime, especially of a sexual nature, the term of Anglo-Saxon origin "Drug-Facilitated Sexual Assault" (DFSA) is used, which refers to non-consensual sexual relations carried out while the victim is unconscious and under the influence of psychoactive substances (Shbair, 2010).

What distinguishes these crimes is the annulment of the victim's will through the effect of the ingested substances and the use by the aggressor. This process can be voluntary or involuntary, giving rise to two types of DFSA:

- Premeditated or proactive: The aggressor supplies the victim with an incapacitating substance without her consent to sexually subdue her.
- Opportunistic: The victim voluntarily consumes a substance, and the aggressor takes advantage of the situation.
- Mixed: Combines elements of the two previous types, where the victim voluntarily consumes a substance, and the aggressor provides another that causes a loss of will and consciousness in the victim.

This type of crime has gained relevance today due to the increase in cases, real or simulated, of attempts at chemical submission, facilitated by easy access to various

substances, whether natural or synthetic, in order to achieve the desired effects on those who consume them (Nuñez Castaño, 2023).

Similarly, the French Agency for Health Safety and Health Products (AFSSAPS) establishes three categories of SQ:

- Proven SQ: An assault or attempt is documented, a psychoactive substance is detected using a reliable chromatographic method, and the symptoms and chronology are compatible with the identified substance.
- Probable SQ: There is suspicion of assault, but the clinical information or analytical results are insufficient, definitive, or negative, or the analyzes are incomplete.
- VQ (Chemical Vulnerability): The victim recognizes the voluntary consumption of medications, psychoactive substances, or both simultaneously.

Regardless of the category, all forms of chemical submission share the common factor that substance use induces a loss of control or consciousness in the victim, creating a state of vulnerability that allows the commission of the sexual crime.

B) Legal framework for chemical submission in sexual assaults

Conduct that threatens sexual freedom and indemnity is classified in Title VIII of Book II of the Penal Code. The classification is made based on the degree of injury to the victim's freedom and the intensity of sexual contact, being aggravated in cases that involve "carnal access." In relation to chemical submission, the second section of article 181 addresses certain scenarios in which the absence of valid consent on the part of the victim is presumed.

One of these specific scenarios refers to the annulment of the will through the use of drugs, drugs or other substances, whether natural or chemical, that are suitable for this purpose. This article contemplates situations in which the victim lacks consciousness and also those in which, although conscious, he has lost the ability to decide and self-determine in the sexual sphere. In both cases, the sexual freedom of the passive subject is completely compromised, since the aggressor takes advantage of the victim's lack of acceptance or her inability to provide informed consent (Agustina and Panyella-Carbó, 2020).

The Penal Code distinguishes between cases in which there is no consent due to lack of consciousness (deprivation of meaning) and those in which, despite consciousness, the victim has lost her capacity for self-determination in the sexual sphere (annulment of willpower). According to the Supreme Court Ruling (STS) 833/2009, the deprivation of meaning does not imply a total absence of perception, but rather a loss or inhibition of volitional or intellectual faculties, to a sufficient degree to ignore the importance of their decisions, especially as it relates to sexual impulses.

Regarding the annulment of the victim's will, it implies that she has lost the ability to determine herself autonomously in the sexual sphere, thus being defenseless against the sexual desires of the aggressor. For these crimes to be constituted, it is necessary that drugs, drugs or other substances be used, and that their ingestion effectively causes the annulment of the victim's will (Brage Cendán, 2013).

C) Elements involved in sexual assault by chemical submission

Investigations into this phenomenon come mainly from the medical-forensic field, which have linked this type of case to nightlife, and the victim is usually a young woman who shows signs of having ingested substances.

Therefore, in sexual assaults through chemical submission we can find several elements involved, including the following:

- The victim

According to a study carried out by García- Caballero et al. Between 2010 and 2013, the profile of all victims under chemical submission corresponds to that of a woman. Between 18-23 years is the age range with the highest incidence, with 30 years being the maximum. There are also studies that indicate that the age of the victims begins before the age of 18. But all the studies agree on the nationality of the victims, which is mostly of Spanish origin.

In most cases, the victim will be in a situation of vulnerability, in a social context, who may or may not have consumed a toxic substance or alcoholic beverages and as a result, they will be unconscious and when they wake up, they will not remember what happened. They usually present episodes of amnesia, and in most cases they are reluctant to report the facts since, upon losing consciousness and self-control, they feel a certain attitude of consent and shame about the situation.

- The aggressor

In cases of sexual assault by chemical submission, the aggressor is usually a man. In a high percentage of cases, he is an acquaintance of the victim. A friend, an ex-partner, a neighbor or a recent acquaintance. Only in a small number of cases is the aggressor a complete stranger. There are also cases of sexual assaults by health personnel or patients. Depending on the situation in which the victim finds himself, whether it is a social or work situation, the type of aggressor is different. The point that all victims have in common is that in a short period of time they suffer loss of consciousness. They are not sure whether or not they have been sexually assaulted, and they do not remember what happened (CRUZ-LANDEIRA, et al. 2008).

Two types of sexual aggressors can be differentiated, depending on the purpose or motivations for which they use chemical submission to satisfy their desires:

- a) The profile of the sexual aggressor that uses instrumental chemical submission, that is, in this type of profile, chemical submission is merely a complementary instrument that helps the aggressor carry out the main action, to have control. The victim's state does not excite the aggressor since they can maintain pleasurable sexual relations without using this method.
- b) The profile of the sexual aggressor who uses chemical submission finalist, this type of aggressors use chemical submission as something essential in their sexual behaviors, since it becomes the essential component to be able to execute the action. These reach maximum excitement when they have their victim defenseless and with their consciousness completely nullified. They will only be able to have sexual relations in these types of circumstances, which is why they have true paraphilias and are very difficult to treat.

- The chemical substance

All substances used in chemical submission for sexual purposes have a series of characteristics that make them suitable for the aggressor to commit the crime. These characteristics according to (Cruz-Landeira, et al. 2008, p. 784) are:

- ✓ They are fast-acting substances, to achieve control of the victim and that there are no circumstances that could impede the objectives; and of short duration, so that it lasts long enough to carry out the action but does not raise suspicions.
- ✓ They are tasteless, odorless and colorless substances so that the victim does not recognize their presence.
- ✓ They produce non-specific symptoms, which can lead to confusion with clinical symptoms of alcohol poisoning or some organic disorder.
- ✓ They are easy to obtain since some of them are frequently used such as ethanol, certain medications and frequently used illegal substances.
- ✓ Administration is carried out discreetly, the most common way is orally, and it is added to alcoholic beverages to enhance their effects and mask the flavor and color.
- ✓ They are also active at low doses, thus not raising suspicions.
- ✓ And finally, they seek to produce the effects sought by the aggressor to have the victim's will nullified and have her under their control.
- ✓
- ✓ Some of these effects they produce are:
- ✓ Anterograde amnesia or inability to memorize new memories without affecting old ones. Amnesia is a favorable effect for the aggressor since it limits the victim's testimony, while making it difficult to take biological samples and of course often prevents the reporting of the criminal act.

- ✓ Sedation, to disturb the ability to watch, pay attention and respond to aggression.
- ✓ Hallucinogenic effects with temporal and spatial disorientation of the victim, being able to intervene by invalidating the victim's testimony.
- ✓ Disinhibition, which facilitates the sexual act, since the victim can accept situations that in full use of their mental faculties they would have rejected.

Psychoactive substances in general are those that present these characteristics, both depressants and stimulants of the central nervous system, and the most frequent according to several authors are (Cruz. Landeira et al., 2008; Isorna Folgar et al., 2015; Montero, 2018):

- Ethyl alcohol. The so-called ideal substance and the most used, both individually and in association with other types of drugs. The majority of victims who receive medical care have high levels of alcohol in their blood. The effects it produces on the victim: it alters the ability to judge, decreases levels of disinhibition, in high doses it can cause amnesia, and there is a loss of control and consciousness.

- Benzodiazepines. These types of sedative drugs are the most legally prescribed in developed societies, and therefore easy to obtain. There are studies that recognize benzodiazepines in 80% of cases of chemical submission. Their side effects are disinhibition, automatism and anterograde amnesia. Those used for this purpose are usually triazolam, oxazepam and flunitrazepam since they are rapidly distributed and eliminated. We must mention flunitrazepam, which is a type of drug that has an anxiolytic and muscle relaxing effect and works as a sedative and hypnotic. In the 90s it was called the “rape drug”, since there were a large number of victims who were sexually assaulted by ingesting this type of substance. This led the laboratories that produced this type of drug to reformulate the drug to minimize its misuse, changing some characteristics. In this way, they removed flunitrazepam from the spotlight, giving way to the others mentioned. They are detectable in urine up to 240 hours after administration of a single oral dose.

- Gamma-hydroxybutyrate (GHB). Also known as “liquid ecstasy”, it is an endogenous metabolite of GABA, Gamma Aminobutyric Acid, which acts mainly in the central nervous system. The use of this substance produces incoherence, dizziness and disorientation, and at lower doses, a feeling of euphoria. Due to its involvement in numerous SQ cases, it became known as the “rape drug.” It has a very rapid effect and short duration, disappearing very quickly from biological media, so that its physiological concentrations are reached in 6 to 8 hours in blood and 12 hours in urine.

- Cannabis. It is estimated that it is the second most frequently found substance in cases of sexual assault through chemical submission. Tetrahydrocannabinol is obtained from the solid resin extract of the Cannabis sativa plant. It gains prominence as a recreational drug, which if taken voluntarily generates an alteration in the perception of time and reality. It is frequently consumed voluntarily, it is an illegal drug. Enhanced with alcohol, it has a sedative and disinhibition effect.

- Scopolamine. It is known as “burundanga”. It is a trophic alkaloid found in various plants of the Solanaceae family that are hallucinogenic. It was used for the first time on the American continent, where shamans and witches used it in rituals of offering, healing and ceremonial acts. It was used in the clinic at therapeutic doses to treat dizziness, but more intake causes delirium, psychosis, paralysis and even death. It makes you lose your will, which is why it is used in the area of sexual assault. It can be administered orally, inhaled or topically. The effects it produces are submissive behavior, tachycardia, blurred vision, dry mouth and skin, urinary retention and, among others, it has an automatic effect on the victim that causes them to receive and execute orders without or with no opposition. It has a half-life of two and a half hours, and its maximum effect is reached after 1-2 hours of absorption.
- Other chemicals: cocaine, MDMA, ketamine, jimson jim, poppers, tetrahydrozoline, clonidine, and even organic solvents.

D) Criminological theories related to chemical submission in sexual assaults

To understand the dynamics of sexual crimes perpetrated through the use of psychoactive substances, it is essential to consider the fundamental premises of various criminological theories. Among them, Cornish and Clarke's (2003) rational choice theory focuses on the perpetrator, his or her motivations, and a cost-benefit analysis. This perspective focuses on the rational choice of crime. Furthermore, the theories of everyday activities by Cohen and Felson (1979) and crime patterns by Brantingham and Brantingham (1995) belong to the field of environmental criminology, highlighting aspects related to the crime scene, the offender and the victim.

These theories, grouped under the name of opportunity theories, share the premise that the rationality of the offender must be understood in a specific context, a specific spatio-temporal scenario (Cohen and Felson, 2003). In this framework, crime is conceived as the result of a rational choice based on the costs and benefits that criminal behavior can offer the aggressor. In other words, an individual decides to commit a crime when he perceives that the benefits exceed the costs involved (Panyella-Carbó, et al., 2019).

These theories offer a detailed explanation of crimes by understanding that they do not occur randomly, but rather follow identifiable patterns. The combination of rational choice theories, daily activities and environmental factors, together with crime pattern theory, helps explain the conflict areas where most crimes occur and how patterns are configured in urban space.

In the case of crimes of sexual assault through chemical submission, factors can be identified within the space-time. This includes the type of nightlife of both the victim and the aggressors, easy access to psychoactive substances, the victim's situation of disinhibition and vulnerability, and other facilitating circumstances provided by the

environment. These elements interact to create a context conducive to the commission of these crimes.

IV. Methodology

In developing the methodology of this work, an exhaustive bibliographic review has been carried out, aimed at achieving the previously outlined objectives. These objectives focus on:

1. Know the phenomenon of chemical submission in the context of crimes against sexual freedom.
2. Analyze the most relevant modifications introduced by Organic Law 10/2022, of September 6, on the comprehensive guarantee of sexual freedom, as well as its most recent version.
3. Carry out a careful analysis of sexual assaults and propose effective actions to prevent them.
4. Highlight the substances most frequently used in this type of crimes and the most prevalent psychoactive groups.
5. Establish an action protocol to prevent this type of crime.
6. Raise awareness and inform society as a whole.

Since this work is framed as a reflective analysis of reality and adopts a qualitative approach, the literature review has been carried out following the PRISMA protocol for systematic reviews, as proposed by Sánchez-Serrano et al. (2022). Below, a comprehensive detail of the search strategy, inclusion and exclusion criteria, as well as the selection process and analysis of the collected documents is provided.

A) Search strategy

To carry out the search for pertinent information, various recognized databases were selected, including Google Scholar, Dialnet, Proquest and the UNIR Library. The bibliographic review focused on recent studies, given the nature of the topic addressed. It is relevant to highlight that, due to the limited research on this topic, the availability of research and statistical data is scarce.

The keywords used for the search were "Sexual crime AND chemical submission." This combination of terms fits the specific focus of the research. The search was carried out in Spanish, using the Boolean operator "AND" to establish the connection between key concepts and thus refine the results.

B) Inclusion and exclusion criteria

When selecting articles, rigorous criteria are applied to ensure the relevance and quality of the information collected. The parameters considered are the following:

- Temporal recency: We've exclusively included articles published within the last few years to guarantee the relevance of the information and capture the latest developments in the field. This selection specifically focuses on advancements made between 2018 and 2023.
- Thematic focus: Articles whose main theme is chemical submission are selected. This focus ensures the direct relevance of the content with the objectives of the study, providing specific and detailed information on the problem addressed.
- Treatment of crimes under the influence of drugs: Included are those articles that comprehensively address crimes against sexual freedom in the context of the influence of psychoactive substances. This criterion broadens the perspective of the study, considering the various interactions between chemical submission and criminal acts of a sexual nature under the influence of drugs.

These criteria guarantee a careful selection of the relevant literature, allowing a precise and up-to-date approach to the issue of chemical submission in the framework of crimes against sexual freedom.

Table 1.

Inclusion and exclusion criteria

Inclusion criteria	Exclusion criteria
<ul style="list-style-type: none"> ✓ Articles in Spanish. ✓ Articles available in full text. ✓ Articles dealing with chemical submission and sexual crimes. ✓ Scientific articles. ✓ Recently published articles. (2018-2023). 	<ul style="list-style-type: none"> ✓ The text was not available or was paid for. ✓ The text was in a language other than Spanish. ✓ There was no reference to chemical submission or sexual crimes. ✓ Articles in non-scientific journals.

Source: self made

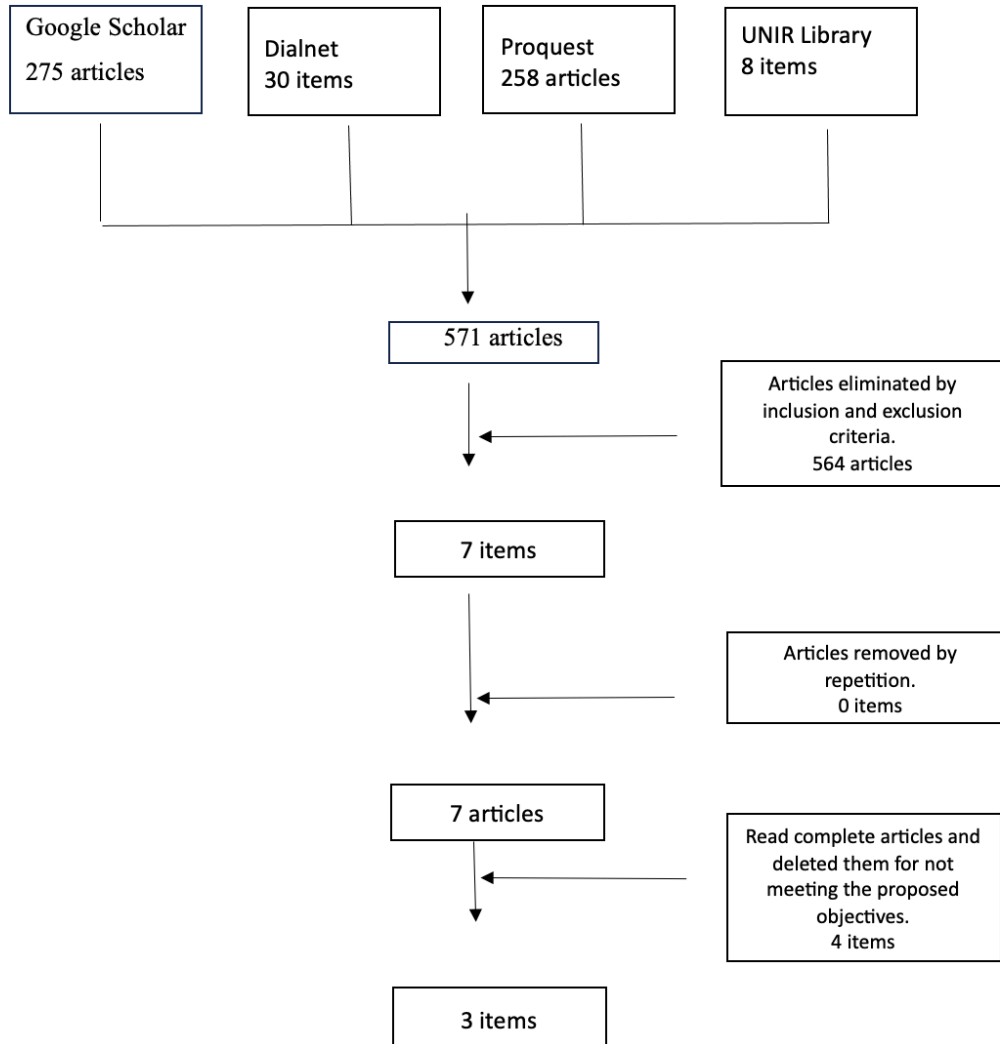
C) Selection and analysis process

The selection of studies was carried out through a comprehensive evaluation of their content, quality and specific characteristics. Structured searches were implemented that combined keywords, Boolean operators and filters relevant to the topic of study. This approach made it possible to optimize search strategies, facilitating the identification of relevant documents.

After applying the search filters according to the inclusion and exclusion criteria, and eliminating duplicate references, a hierarchical selection was carried out. This process considered the predefined criteria and was carried out with an in-depth reading of the full texts. The final selection of the articles was based on their alignment with the objectives established for the work, ensuring relevance and significant contribution to the research.

Figure 1.

Search and article identification diagram



A total of 571 relevant articles were initially identified for the review. After applying the inclusion and exclusion criteria, as well as eliminating duplicates, the number was reduced to 564. Subsequently, after a full-text review, only 7 articles were selected for further analysis. Finally, after an exhaustive reading and the elimination of those that did not meet the established objectives, a final set of 4 articles was reached. Of these, a total of 3 studies that optimally aligned with the objectives of the work were included in the review. The visual representation of this search and selection process is illustrated in Figure 1.

V. Results

Finally, 3 articles were included (García-Sánchez 2023; Caruso Fontán 2023; Janosch et al. 2023). The rest did not meet the inclusion and exclusion criteria, as well as the proposed objectives.

Next, the results of the selected studies will be analyzed with the proposed objectives.

As detailed in Table 2, a comprehensive evaluation was carried out to determine whether the selected articles met the proposed objectives. In the first study, carried out by García-Sánchez (2023, p. 113), the reform of Law 10/2022 is addressed, exploring the new conception of sexual crimes, the focus on consent and the updated criminal frameworks. The attention focused on the absence of consent is highlighted as a fundamental element to characterize and delimit sexual crimes, complying with most of the established objectives.

In the second study, carried out by Caruso Fontan (2023, p. 13), the antecedents and evolution of sexual criminal law are examined. The author exposes the foundations of gender theory and questions the implications of this new perspective on the protection of sexuality in the Spanish Penal Code. This study also contributes significantly to the stated objectives.

Finally, a database developed by Janosch and collaborators (2023, p. 395) is presented, which focuses on sexual assaults committed by strangers based on judicial sentences publicly provided by the Judicial Documentation Center of the General Council of the Judiciary. (CENDOJ). This study provides the first descriptive analyzes and a preliminary typology developed through a Multidimensional Scaling (MDS) analysis.

Table 2. Characteristics of the included studies. Own elaboration.

	1. Know chemical submission within the crimes of sexual freedom.	2. Changes to the new Organic Law 10/2022, of September 6, on the comprehensive guarantee of sexual freedom and its modification.	3. Analysis of sexual assaults.	4. Highlight the type of substances most used and the group of most prevalent psychoactives.	5. Prevention and information of this type of crimes.
1. Study. GARCIA-SANCHEZ, 2023. "The new conception of sexual freedom in the law of Only if it is yes and its problematic retroactive application."	- The consent. Art. 178.1 and 178.2 Lack of consent, as a protected legal right of sexual freedom, to delimit the seriousness and typicality of the conduct.	-Regulation of sexual crimes according to New Law 10/2022. -The consent. -New criminal frameworks for the new criminal figure. -New conception of sexual crimes.	New conception of sexual crimes. • Sexual assaults on minors under 16 (or 16). -Basic and aggravated types -Aggravated circumstances.	N/A	1.Prevention: N/A 2. Information: The case of "the Pack".
2. Study. CARUSO FONTAN, 2023. "The new paradigm of vindictive sexual law: Why is it necessary to "deconstruct" the gender perspective?"	- Creation of a type qualified for the use of psychotics and narcotics. Art. 180. 1. 7th. CP	1. Background. The revolution of sexual criminal law. 2. Distortions in the classification of punishable conduct.	- The consent. - Equation of sexual assaults and abuses. - Reversal of the burden of proof. - Creation of a qualified type for the use of psychotics and narcotics.	N/A	New paradigm of sexual criminal law.
3. Study. JANOSCH et al. 2023. "Sexual assailants unknown to the victim in Spain: an analysis using multidimensional scaling (MDS) based on an analysis of sentences."	In this study, among many other variables, whether the aggressor used chemical submission as a method to sexually assault the victim was taken into account.	N/A	Database created for sexual assaults committed by strangers to the victims based on judicial sentences provided by the Judicial Documentation Center of the General Council of the Judiciary. (CENDOJ).	N/A	Database of sexual assailants unknown to the victim in Spain.

Together, these three selected studies have proven to be relevant and aligned with the proposed objectives of the research.

A) Know the element of chemical submission within the crimes of sexual freedom

Throughout the literature review, the concept of chemical submission and its connection to sexual freedom has been broken down in detail. The relationship between both terms has been explored, as well as their classification in the Spanish Penal Code. It is essential to understand the alteration of the will of victims through psychoactive substances, as well as the consideration of consent during an act of sexual assault, in accordance with article 178 of the Penal Code.

In Spain, numerous crimes against sexual freedom have been registered, and those committed under the effects of psychoactive substances present a significant lack of knowledge and a significant black figure. The relationship between chemical submission and sexual freedom has undergone specific regulations with the reform of Organic Law 10/2022. This reform has introduced a qualified type for cases that involve the use of psychotics and narcotics, as detailed by Caruso Fontan (2023). Understanding the element of chemical submission becomes essential to analyze the facts related to sexual assaults.

The database developed by Janosch (2023, p. 395) reflects the importance of considering chemical submission as a method used by aggressors in cases of sexual assault. In these incidents, even when the offender is unknown, it is observed that both victims and aggressors often resort to chemical substances, although they are not always the most common.

These findings underscore the critical need to understand the dynamics between chemical submission and sexual freedom, providing a solid foundation for addressing the complexity of sexual crimes committed under the influence of psychoactive substances.

B) Analyze the most important changes introduced by the new Organic Law 10/2022, of September 6, on the comprehensive guarantee of sexual freedom and its current modification

The recent implementation of Organic Law 10/2022, dated September 6, marks a significant milestone by adopting a comprehensive approach against gender violence. As we have analyzed throughout this work, this law arises in response to the media exposure of the "La Manada" case, evidencing the deficiencies in the regulation of sexual crimes. Among the most notable changes, the new law abolished the distinction between abuse and sexual assault, consolidating them into a single type: sexual assault. There was also a comprehensive review of consent regulation.

Law 10/2022 aims to provide comprehensive protection to victims of sexual crimes, addressing not only the criminal sphere but also other aspects. A notable aspect is the creation of an aggravated type for sexual assaults perpetrated under chemical submission, as established in article 180.7 of the Penal Code. This modification is an integral part of the reform carried out by Organic Law 10/2022, which seeks to comprehensively guarantee sexual freedom.

In the words of García Sánchez (2023, p. 159), the new Law 10/2022 implies a necessary conceptual change to transmit a clear message to society about sexual freedom and its free exercise. The importance of obtaining unequivocal consent to have sexual relations is highlighted, demystifying the presumption of consent and reaffirming the need for an explicit agreement between all parties involved.

C) *Analysis of sexual assaults*

When we carry out a detailed analysis of sexual assaults, we delve into the regulation established in the 1995 Penal Code, specifically in articles 178 to 194. This legal framework has undergone a substantial transformation under the influence of new conceptions of sexual crimes, which have been outlined by Organic Law 10/2022, promulgated on September 6. This regulatory change, as has been explained throughout the research (Caruso Fontan, 2023), has introduced significant reforms that cover various areas, such as:

1. Sexual assaults on persons over 16 years of age (or 16): The law has established new provisions and specific considerations to address sexual assaults committed against persons over 16 years of age, recognizing the importance of protecting the sexual freedom of this demographic group.
2. Sexual assaults on minors under 16 years of age: Legal protection for victims under 16 years of age has been strengthened, recognizing the need to safeguard the integrity and well-being of this vulnerable sector of the population.
3. Consent: The reform has influenced the regulation of consent in contexts of sexual assault, establishing clearer and more rigorous guidelines to guarantee that any sexual act is the result of a free and explicit agreement between the parties involved.
4. Equation of sexual assaults and abuses: The new regulations have sought to more precisely equate sexual assaults and abuses, eliminating ambiguous distinctions that could affect the correct prosecution and punishment of these crimes.

These legislative transformations not only reflect a necessary update in the regulation of sexual crimes, but also respond to the evolution of society and the need to address the various forms of sexual violence in a more effective and comprehensive manner.

D) Highlight the type of substance most used in this type of crime and the most prevalent psychoactive groups

The substances used in these cases exhibit specific characteristics that are conducive to the aggressor committing the crime of chemical submission, as stated above. These substances share attributes that make them especially attractive to perpetrate this type of criminal acts. These key characteristics include its rapid action, its ease of obtaining and, especially, its short life within the body. It is relevant to note that many of these substances do not leave traces in the blood and urine after approximately 6 hours, which contributes to their attractiveness in the commission of these crimes.

Ethyl alcohol stands as the most used substance in these contexts, due to its legal status and widespread availability. Its ease of obtaining, especially in nighttime environments, makes it a common choice among attackers. It is important to note that many perpetrators turn to alcohol as a vehicle to administer other substances, thus seeking to more quickly and effectively enhance the desired effects, such as the annulment of the will or the induction of lack of consent in the victims. This pattern of use underscores the need to address not only the presence of psychoactive substances in these cases, but also the complex interaction between different compounds that can aggravate the consequences of chemical submission.

E) Prevention and information of this type of crimes

The establishment of an effective action procedure for the prevention of chemical submission crimes requires comprehensive collaboration between various sectors, as highlighted in previous sections. The implementation of protocols and action guidelines is revealed as an essential component for adequate prevention of chemical submission. These documents provide clear guidelines and standardized procedures that guide professionals in different areas on how to address and prevent these crimes.

The availability of public research and databases plays a crucial role in fostering collaboration between different sectors. The creation of action guidelines benefits greatly from the information collected and shared, allowing for a more informed and coordinated approach to the prevention of chemical submission. This intersectoral collaboration not only strengthens the effectiveness of procedures, but also facilitates the early identification of patterns and trends, thus contributing to a more effective and agile response.

It is essential to highlight that information and constant awareness are fundamental pillars in this process. Society as a whole must be informed about the existence of these procedures, as well as how to act in situations related to chemical submission.

Lack of knowledge and lack of information contribute to these crimes persisting, even without clear visibility in databases. Therefore, collaboration and joint action of professionals from various fields are essential to effectively identify, prevent and address chemical submission in contemporary society (Janosch et al., 2023).

VI. Discussion

This study aimed to carry out a systematic review of research aimed at preventing and reducing crimes of chemical submission in the field of sexual freedom. Studies that met specific criteria related to this criminal modality and prevention measures were included.

As a result of this review, the evident connection between chemical submission and crimes against sexual freedom stands out, a relationship that has been the subject of analysis throughout this work. Over the years, the use of substances, whether natural or synthetic, to enhance sexual pleasure has established a direct relationship between sexuality and drug use (Isorna Folgar and Rial Roubeta, 2015). However, this connection has experienced distortions as substance use has been linked to sexual assault and, more specifically, to the criminal category.

In the Spanish context, the evolution of society and the recognition of fundamental rights have driven continuous reforms in crimes against sexual freedom since the promulgation of the 1978 Constitution. This evolution led to the approval of the Organic Law of Comprehensive Guarantee of sexual freedom, which not only modified the Penal Code, but also established measures for the protection of the victims of these crimes (García Sánchez, 2023).

Organic Law 10/2022, known as "Only if it is yes", emerged in response to the media case of "La Manada" and came into force with the aim of reinforcing the weight of consent in sexual assaults. In addition, it incorporated the crime of chemical submission in article 180.7, as part of the aggravated types of sexual assaults (Rubido de la Torre, 2022).

The increase in the incidence of these crimes in recent years has driven the need for investigation and prevention. Studies on chemical submission provide valuable information about victims, toxicological results, time elapsed since the commission of the crime and other relevant aspects (Becerra-García, 2015). Reporting by victims is presented as a crucial factor, since the black figure, which exceeds the official database, underlines the importance of victims reporting these incidents. The time elapsed until the report is crucial to identify the substance used, given the rapid action and lack of trace of many substances used in chemical submission.

Regarding the profile of the victims, the female sex prevails in most cases, but the information related to other relevant factors is limited (Isorna & Rial, 2015). Regarding the profile of the aggressor, it is observed that the majority are men of

Spanish nationality, with no criminal record, and in many cases there is some type of prior link between the victim and the aggressor (Xifro et al., 2015).

Health and police intervention in these cases is essential for the victim and to identify the aggressor. The development of preventive campaigns aimed at the most vulnerable groups, as well as educational personnel, is considered essential. The creation of a preliminary criminological profile of the aggressors, victims and modus operandi allows preventive measures to be established. The need for detection protocols and health care for chemical submission in all autonomous communities is highlighted, as well as coordination between the sectors involved, such as health, socio-health, police and education. The implementation of specific registries and databases on chemical submission is crucial to evaluate the situation and prevent these crimes. The collaboration of the media is vital to disseminate information and raise awareness in society about chemical submission, protecting the dignity and freedom of the victims. The need for a general consensus in society and the means to reduce and eradicate this type of crime is highlighted.

VII. Conclusion

After the exhaustive bibliographic review carried out on chemical submission in crimes against sexual freedom in Spain, both strengths and limitations have been identified in the current approach to this phenomenon. The need for future actions and possible lines of research to improve the prevention and management of these cases is evident. In this sense, action guidelines are proposed that could contribute to addressing this problem more effectively:

1. Prevention and awareness programs:

- ✓ Develop prevention programs aimed at the young population, addressing both access to chemical substances and awareness of the associated risks.
- ✓ Implement measures that progressively restrict access to these substances and provide information that raises victims' awareness of the dangers involved.
- ✓ Integrate training courses in educational centers, aimed at raising awareness among adolescents about chemical submission, with the aim of preventing not only victimization, but also crime.

2. Measures in nightlife venues:

- ✓ Establish security filters similar to those at airports in places of mass agglomeration to detect illicit substances and prohibited elements.
- ✓ Incorporate detection systems for psychoactive substances in glasses and straws used in nightlife venues and establishments that serve alcoholic beverages.

- ✓ Provide training to hospitality staff to identify and act immediately in chemical submission situations.
- ✓ Encourage victims to adopt safety measures in environments with crowds of people and to have effective means of warning.

3. *Epidemiological research and awareness:*

- ✓ Conduct additional epidemiological studies to obtain a deeper understanding of the incidence of chemical submission in crimes against sexual freedom.
- ✓ Promote awareness among victims to encourage reporting and reduce the black figure of these crimes.

4. *Training for Professionals and Action Protocols:*

- ✓ Provide specific training courses for health personnel and security forces and bodies, detailing the action protocols in cases of chemical submission.
- ✓ Prevention and dissemination campaigns:
- ✓ Develop specific prevention campaigns for crimes of chemical submission in sexual freedom, disseminating them through the media and, notably, on digital platforms.

These proposals seek to comprehensively address the problem of chemical submission, from prevention to care and awareness, in order to promote a safer environment and prevent these crimes in society.

VIII. References

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