

# Anti-Epileptic Facilitated Sexual Assault: A Case of Incest

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## ÖZET:

Anti epileptikle kolaylaştırılmış cinsel saldırı: Bir ensest olgusu

Adli Tıp Kurumu Ağrı Şube Müdürlüğü'nde, babası tarafından cinsel saldırıya maruz kalan hafif derecede mental retardasyonu bulunan bir kız çocuk değerlendirildi. Yapılan muayene, olay yeri incelemesi ve toksikolojik analiz sonucunda babanın, cinsel saldırıyı gerçekleştirirken ilaçla kolaylaştırılmış cinsel saldırılarda pek sık kullanılmayan topiramate, fenitoin sodyum, okskarbazepine ve acetazolamide gibi antiepileptik ilaçlardan faydalandığı ortaya çıkarıldı. Özellikle nöroloji uzmanları tarafından, antiepileptik kullanan hastalara, yakınlarına ve ebeveynlerine bu konuda bilgi verilmeli ve bilgilendirilmiş onam alınırken hastaların dış saldırılara karşı savunmasız hale gelebilecekleri özellikle vurgulanmalıdır. Muhtemel ensest olaylarını önlemek gayesiyle birbirlerini kontrol etmeleri açısından en az iki ebeveynin bilgilendirilmiş onamı alınmalıdır. En az iki ebeveynden bilgilendirilmiş onam alınmayan olgular, "ihmalî davranış" olarak nitelendirilmeli ve bu konuda değerlendirme yapılmalıdır.

**Anahtar sözcükler:** Antiepileptik, cinsel saldırı, ensest, bilgilendirilmiş olur

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## ABSTRACT:

Anti-epileptic facilitated sexual assault: a case of incest

This case involved a mildly mentally retarded female child assaulted by her father and examined in the Council of Forensic Medicine, Ağrı (City) Branch Directorship. According to the examination, crime scene observations and toxicological analysis, it was revealed that father had used, in the course of his sexual assaults, topiramate, phenytoin sodium, oxcarbazepine and acetazolamide-like antiepileptics, which are not usually used in drug-facilitated sexual assault. In particular, neurologists have to give information to patients and to their families or relatives on usage of antiepileptics. It should be emphasized to patients while getting informed consent that they can be vulnerable to exogenous assaults. To prevent possible incidents of incest, informed consent from both parents must be taken. Cases without informed consent from each parent should be treated as a negligent behavior and evaluation should be made accordingly.

**Key words:** Antiepileptic, sexual assault, incest, informed consent

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## INTRODUCTION

Sexual assault may be defined as sexual abuse of a person in different manners varying from body touching to penetration against their will by another person or persons. Sexual assault may occur by conceiving, frightening, applying physical force and threatening or by facilitating the act by using drugs (1). In a prospective study, 20.9% of the victims of sexual assault, revealed that they had been subjected to drug facilitated sexual assaults.

Drug or alcohol intake within 72 hours before the assault and occurrence in big city centers differentiates these victims from others (2). Drugs such as ketamine hydrochloride, flunitrazepam and zolpidem may be given mixed into beverages such as soft drinks, water and alcohol (3). The use of antiepileptics to facilitate sexual assault is an extraordinary situation in the literature. In this article the facilitation of incest by giving antiepileptics to a mildly mentally retarded girl is discussed.

## CASE

The victim was referred to Ağrı Forensic Medicine Institute accompanied by a police officer as she asked for help and her examination was carried out after obtaining her informed consent. Her history revealed that she was a 14 year old girl living with her biological mother, father and sister on a low income. She stated that her father called her while playing outside with her friends and touched her legs and breast and kissed her lips and he repeated the same acts later on. She said that this situation made her shocked and frightened. She also said that this situation made her sick and uncomfortable and she spoke about it to the people around her and to the police and social service specialists to get their help. She was placed in a nursery by the social service specialist, however his father was not fined due to the lack of evidence and he forcibly brought his daughter back home. Afterwards her sick mother was hospitalized and her bigger sister stayed in the hospital as attendant, leaving the victim alone at home with her father. Her father took advantage of this opportunity and threatened her with death. She was extremely frightened and wanted to scream however she could not raise her voice because she was exhausted. She was helpless and she had no one to aid her and in addition she was complaining of continuous headache and constipation. Her father gave her various medicines to relieve her complaints and following the use of these medications, she experienced slowness of the body, fatigue and drowsiness. She stated that her father had oral sex and anal intercourse with her after she had been given the medicines. As a result of her history, observations and tests, mild mental retardation (Stanford-Binet intelligence scale score: 65) and post traumatic stress disorder were diagnosed. Her systemic examination was found to be normal. Neurological and internal disease consultations did not reveal any pathological findings that could explain epilepsy, headache and constipation. Blood and urine samples were obtained for toxicological analysis. Acetazolamide was found in the blood samples of the victim at an amount of 12 µg/ml. The crime scene investigation

unit found completely or partially empty blisters of topiramate, phenytoin sodium, oxcarbazepine and acetazolamide in the house of the victim. The aforementioned drugs had not been prescribed for the patient. The reported side effects of those antiepileptic medications i, were in consistent with the complaints of the patient and the absence of an epileptic patient among the household contributed to the resolution of the case since any biological material such as sperm belonging to the father was not detected in the samples collected from the victim.

## DISCUSSION

In Turkey, antiepileptic drugs are available without a physician's prescription. In this case, the father succeeded in not attracting the attention of pharmacists by pretending that he bought the drugs for an epileptic relative. Anti-epileptic drugs are not included in the group of drugs and substances used routinely in drug facilitated sexual assaults. Drugs such as ketamine hydrochloride, flunitrazepam and zolpidem are the most frequently used drugs in association with alcohol (3). In a study conducted in Australia, alcohol was detected in 77% of victims and young women were identified as the risk group (1). A study conducted by Du Mont et al. demonstrated that victims of drug facilitated sexual assault used drugs or alcohol within the 72 hours before the assault (2).

The systematic use of multiple antiepileptic drugs in a sexual assault as in our case has not been reported in the literature. Topiramate is an anticonvulsant drug mainly used in the treatment of epilepsy. Its side effects include numbness, memory disorders, psychomotor slowness, fatigue and somnolence (4,5). Our case also identified that she had experienced psychomotor slowness and fatigue..

Another drug found in the house was phenytoin sodium. This medication is used in the treatment of epilepsy and trigeminal neuralgia. Among the central nervous system side effects of phenytoin, sedation is prominent (6,7). In our victim, the sedative effect of phenytoin sodium was noted.

Another drug found in the house was oxcarbazine which is also used in the treatment of epilepsy. The side effects of oxcarbazine include fatigue, exhaustion, headache and constipation (8,9). In our case, oxcarbazine given by the assaulter induced headache and constipation in the victim. The mildly retarded patient believed that this medication was given to her to relieve headache. However the medication given to her for headache relief was the reason of the headache. Her history revealed the relief of headache and constipation when the effect of this medication subsided. The last medicine found in the house was acetazolamide. This medicine is mainly used in the treatment of epilepsy, glaucoma and benign intracranial hypertension. The side effects of acetazolamide include drowsiness, headache and exhaustion (10,11). The assaulter used acetazolamide for the same purpose as oxcarbazepine. The

mentioned antiepileptics are available without a physician's prescription in Turkey. Neurologists, in particular, should keep in mind that these medications may make their patients defenseless against external trauma including sexual assaults. Patient's relatives and parents should be informed about this issue and, while obtaining their informed consent, it should be particularly emphasized that the patients will be defenseless against external assaults. In order to ensure that the parents check each other for the prevention of potential incest, informed consent should be obtained from both parents. Physicians should not ignore this possibility. According to the Turkish Penal Code, negligent behavior is a particular behavior that is not executed by a responsible person. Cases without the informed consent of both parents should be defined and assessed as "negligent behavior".

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