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NEWS RELEASE

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Gov. Whitman Outlaws "Special K" Drug and Steps Up Penalties for Use of Rape Drugs

Gov. Whitman launched another strike in the war against drugs today when she signed into law a bill that designates a hallucinogenic drug known as "Special K" as a controlled dangerous substance and a bill that enhances the penalties against those who use rape drugs in sexual assault.

S-1772 / A-2712, sponsored by Senators Joseph M. Kyrillos Jr., (R-Middlesex/Monmouth) and Jack Sinagra (R-Middlesex) and Assembly Members Christopher "Kip" Bateman (R-Morris/Somerset) and David C. Russo (R-Bergen/Passaic), puts ketamine hydrochloride, a drug that has long been used as a veterinary anesthetic, on the state's list of controlled dangerous substances.

"Ketamine is commonly known in the drug world as 'Special K,'" Gov. Whitman said. "It is highly addictive and dangerous. Designating it as a controlled dangerous substance is an important step toward protecting children who are often the targets of the illicit drug trade."

Because ketamine hydrochloride was not on the list of controlled dangerous substances, prior to enactment of this legislation, those found in possession of or using the drug were charged with a disorderly persons offense which carries a maximum penalty of six months in jail and a \$1,000 fine. Now, possession or use of the drug is a third-degree crime which carries a maximum penalty of five years in prison and a \$7,500 fine.

A-2725 / S1851, sponsored by Assembly Members Paul DiGaetano (R-Bergen / Essex / Passaic) and Steve Corodemus (R-Monmouth) and Senators Louis F. Kosco (R-Bergen) and Joseph M. Kyrillos Jr. (R-Middlesex/Monmouth), upgrades the use of rape drugs to facilitate a sexual assault a crime of the first degree when the defendant knew or should have known that the victim was physically or mentally incapacitated.

"Last week I signed a bill to significantly increase prison time and fines for drug traffickers caught with large quantities of drugs," Gov. Whitman said. "I also made it a crime to rig drug dens with 'booby traps' meant to harm law enforcement officers. New Jersey has zero tolerance for drugs. The legislation that I am signing today pushes the front line in the war against drugs even farther forward."

Prior to enactment of the legislation, sexual assault facilitated by the use of a rape drug was a crime of the first degree only if the person committing a sexual assault was aided by someone else during the attack. Crimes of the first degree carry a maximum penalty of 20 years in prison.

The bill also creates first, second and third degree charges that can be filed against anyone who distributes and / or possess either gamma hydrobutyrate (GHB) or flunitrazepan which is marketed overseas under the brand name Rohypnol.

The use of GHB and Rohypnol have been suspected or alleged in several sexual assault cases.

GHB is a central nervous system depressant that has not been approved for sale as a medical product. It has only been clinically tested for use as an anesthetic and for the treatment of narcolepsy and alcohol. It can reduce the heart rate and cause a coma or partial amnesia.

Rohypnol, which has not received FDA approval, is legally sold in about 80 other countries. It is illegally smuggled into the U.S. and is commonly known as "roofies." It is 10 times stronger than some prescription sedatives sold in pharmacies in the U.S. and can also lead to a coma or amnesia.

The bill requires that the New Jersey Department of Law & Public Safety maintain a training program for law enforcement officers who will or have encountered offenders who use rape drugs to facilitate a sexual assault and their victims.

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