

Navigating Consent While Using Alcohol & Other Substances

Determining whether consent is present or even possible while engaging in sexual activity can be complex when you or your potential partner(s) have been drinking and/or using substances.

START HERE

Use the PartySafe@Cal resources for Party Throwers and Goers to make your game plan in advance.

You pregamed with your roommates before going to a party. When you arrive you see someone you know, start vibing with them, and take shots together. You both go into another room to be alone and sit together on a bed. Do you want to have sex with them?

No

We all have a right to boundaries. Here are things you can say:

- “No.” “I’m not feeling it. Let’s go back to the party.”
- “Thanks but I don’t want to.”
- “I’m too messed up. I want to sober up for this.”
- “Maybe we can _____ instead?”

Remember:

Pressuring someone to have sex after they’ve said no is sexual harassment & against [UC Berkeley policy](#).

If they are pressuring you, leave and tell a friend and/or the party host. If anyone needs urgent 24/7 support, call the CARE Line at (510) 643-2005.

Seeing someone else’s boundaries being crossed? Use the [CARE model](#) to be an active bystander.

Are they showing any of these signs of incapacitation?

- Unsteady, Stumbling
- Confused, Incoherent
- Vomiting, Dozing, Sleeping
- Unresponsive, Unconscious

Learn more about signs of intoxication and steps to take. Not all who are incapacitated will show signs. If unsure, choose caution.

Yes / Unsure

STOP An incapacitated person cannot consent. No one has a right to touch or have sex with another without consent.

If you are unsure and continue, it may be sexual assault.

Yes

Great! Now, you need to figure out if they want to have sex too.

First, is your potential partner using alcohol or substances?

Yes

No

Ask:

- Do you want to _____?
- Is it cool if we _____?
- Can we _____?
- What would you like to happen next?

How did they respond?

If they answered:

- Yes!
- Okay!
- Yeah, I’m down if we _____.
- I’m open to trying!
- Or nod their head yes

No

Great, sounds like you both have established consent!

However, this does not give anyone unlimited access. Remember to keep checking in with your partner, to ensure you are both comfortable with what is happening.

Unsure

Take a breather. You don’t need to make a decision right now. Pause. Re-assess.

Some things to consider:
Is this matching your expectations?
Would you rather be doing something else?

If they answered:

- “No”
- “I don’t know”
- “Maybe later”
- “I thought we were just gonna _____”
- Or shake head no / don’t react

STOP You do not have consent. If you are unsure and continue, it may be sexual assault.

Asking more than once can be coercive, and their indecision is not an invitation to convince them to say yes.

Pillars of Consent

Enthusiastic Voluntary Revocable Informed Unambiguous

