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.

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?

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.

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.

Great! Now, you need to figure out if they want to have sex too.
First, is your potential partner using alcohol or substances?

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

If they answered:
- Yes!
- Okay!
- Yeah, I’m down if we ____.
- I’m open to trying!
- Or nod their head yes

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.

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.

Pillars of Consent
- Enthusiastic
- Voluntary
- Revocable
- Informed
- Unambiguous

Learn more: uhs.berkeley.edu/sexuality

Adapted & Inspired by UC Davis Safe Party