



# Washington State Liquor and Cannabis Board

## Research Brief

## Alcohol Use, Nightlife, and Sexual Violence

September 2024

***Important Note: This brief contains sensitive content that may not be suitable for some audiences.***

### LCB Research Program

The Research Program at the Washington State Liquor and Cannabis Board (LCB) is a non-partisan, transparent resource focused on public health and safety outcomes related to the products, policy, and regulation of alcohol, cannabis, tobacco, and vapor products.

### Purpose

This brief provides a summary of the research literature on sexual violence associated with alcohol use and nightlife. The repeal of [WAC 314-11-050](#) or “prohibited conduct rule” (which prohibited liquor licenses for adult entertainment establishments) has raised several questions about the relationship between alcohol use, licensed nightlife venues (e.g., bars, clubs), and public health/safety considerations. The primary concern raised by stakeholders is whether prohibited conduct (e.g., nudity) in locations licensed to serve alcohol settings increases risk for sexual violence.

This brief is based on a review of existing evidence including scientific literature, government reports, policies, and other credible information sources. Please note, this brief is unable to adequately discuss the nuances of this topic.

This document does not represent an official position of LCB.

### Contact

For more information about the Research Program and its work, please visit: [lcb.wa.gov/research\\_program](http://lcb.wa.gov/research_program).

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### Acknowledgements

This research brief was written by members of the LCB Research Program. Subject matter experts from LCB, including the Public Health Education Liaison, provided review and feedback.

## Definitions

Sexual violence refers to any type of unwanted sexual contact. The [National Sexual Violence Resource Center](#) identifies several forms of sexual violence, such as unwanted sexual touching, assault, harassment, non-consensual exposure to nudity, rape, and public masturbation. In this brief, the term 'nightlife' is any licensed alcohol-service venue, such as bars and clubs, that primarily operates in evening hours.

## Alcohol Use and Sexual Violence

Alcohol use can increase risk for sexual violence. Some studies estimate that about 50% of sexual assaults involve alcohol use either by the individual who perpetrates, the survivor, or both.<sup>1-3</sup> There are several reasons underlying this association. For example, alcohol increases impaired judgement, loss of inhibition, difficulty communicating effectively, impulsivity, and aggression.<sup>2,4-6</sup> These effects can also impact bystanders, who may otherwise prevent sexual violence from occurring in certain settings.<sup>7</sup>

## Nightlife and Sexual Violence

Nightlife settings also have increased risk for sexual violence. For example, a review of 61 studies found that sexual violence in nightlife is widespread in the U.S. and around the world. Most studies show that more than 50% of people who attend clubs/bars experience sexual violence in these settings at some point in their life.<sup>10</sup> There are several reasons why nightlife may be linked to increased risk. For example, many people see sexual behavior as a common part of the nightlife

experience.<sup>9</sup> This belief can play a large role in normalizing and perpetuating sexual violence.<sup>9,11,12</sup> Environments that are highly social and sexualized can also increase expectations for sexual interactions, which can then increase risk for sexual violence.<sup>12,13</sup>

## Environmental Context

It is important to note that context plays a large role in the relationship between alcohol and subsequent behaviors. For example, people experience higher arousal effects of alcohol (e.g., high energy, aggression) when it is consumed in highly stimulating environments, such as nightclubs with loud music in crowded spaces.<sup>8,9</sup> These environmental effects on alcohol can promote heavy alcohol use and risky behaviors.<sup>8,9</sup>

Moreover, alcohol is often a part of nightlife. As such, it is difficult to separate the individual effects of alcohol use and the individual effects of nightlife on sexual violence given how often they co-occur and interact with one another.

## Nudity and Sexual Violence

The main area of discussion related to the repeal of [WAC 314-11-050](#) was specific to nudity. There is a lack of direct examination of whether nudity, especially in the context of alcohol use and nightlife, is or is not associated with sexual violence. However, there is literature on sexual objectification in the context of being unclothed or exposing more skin. This research focuses more on the historical socio-cultural practice of women's bodies being sexualized

and dehumanized, which then increases risk for sexual assault.<sup>14-20</sup>

Although outside the scope of this brief, it should be noted that over the course of time, people have created neural pathways that link lack of clothing with sexualized perceptions, particularly for women.<sup>14</sup> There are efforts to change policies and practices that may allow our society to unlearn (consciously and unconsciously) this association.<sup>14,15,19</sup>

There is a large body of current research showing that body-revealing clothes can be misperceived as ‘signs’ of sexual interest.<sup>20</sup> There are also long-standing pervasive myths related to women’s clothing, sexual violence, and blame.<sup>17</sup> This research suggests there may be an effect of nudity on the relationship between alcohol consumption, nightlife, and sexual violence. However, this association would be confounded with several other factors.

### **LGBTQ+ Venues**

Much of the literature available primarily covers heterosexual populations. Within LGBTQ+ populations, clubs and bars are often considered a sexual refuge and a safe space for LGBTQ+ individuals.<sup>21,22</sup> These venues allow exploration of sexuality, identity, and connections in a supportive, non-heteronormative space.<sup>21,22</sup> Going to venues that allow sexual expression for these historically marginalized groups increases feelings of belonging and connection, which are crucial for well-being and health outcomes.<sup>27</sup>

Nevertheless, LGBTQ+ venues still have sexual violence. Qualitative studies have found that LGBTQ+ individuals can experience unwanted sexual attention and behavior in LGBTQ+ spaces.<sup>9,24,25</sup> However, the extent to which sexual violence occurs at LGBTQ+ venues versus heteronormative venues has not been directly compared in the literature.

Studies indicate that people who identify as LGBTQ+ experience higher lifetime rates of sexual violence than people who identify as heterosexual.<sup>29,30</sup> One study found sexual minorities were more likely to experience sexual violence when drinking than non-sexual minorities.<sup>28</sup> Other research suggests that perception of sexual violence may be minimized in this community, given the broad historical context surrounding criminalization and stigmatization of these groups.<sup>9,24,25</sup>

### **Sexuality and Consent**

Sexual expression and behavior is an innately human experience. Nudity and engagement in sexual expression is neither inherently dangerous or violent.<sup>35</sup> Using labels such as “lewd” (as [WAC 314-11-050](#) had used prior to its appeal) can perpetuate stigma, especially in communities who have been historically criminalized for their sexual expression. In some cases (e.g., safe spaces for sexual minorities), freedom of sexual expression can have health benefits.<sup>21,22</sup> However, consent plays an important role in both the potential benefits and harms, and alcohol use reduces the ability to provide consent.

It is important for individuals to be aware of what they may encounter before entering any licensed establishment. Sexual violence involves a range of behaviors, including non-consensual exposure of genitals.<sup>36</sup> Therefore, it is best practice that any licensed venue with potential or probable nudity provide clearly defined expectations and conduct rules so customers can be well-informed and provide initial consent. Customers must also understand that consent may continuously evolve and change throughout the night; respect for boundaries is crucial.<sup>37</sup>

Education focused on giving and getting active consent are important, *especially* considering the learned association between nudity and sexualization in U.S. culture.<sup>1</sup>

### **Important Caveats**

The relationship between alcohol use, nightlife, and sexual violence is further complicated by a range of additional risk factors. For example, young people are at highest risk of experiencing sexual violence, and young people report heavier alcohol use and nightlife participation.<sup>31,32</sup>

Nightlife may also be subject to various neighborhood and license characteristics (e.g., hours of operation) that additionally increase risk for violence.<sup>33,34</sup> Moreover, there are gaps in the literature based on the typical sample examined (e.g., most study heterosexual college students) and the locations studied, reducing the overall ability to provide a comprehensive understanding of risk to liquor establishments in

Washington. In summary, the public health and safety risks of sexual violence related to conduct described by [WAC 314-11-050](#) are complex.

### **Washington Regulations**

On July 19, 2024, LCB adopted rule amendments that repealed [WAC 314-11-050](#). For a concise explanatory statement related to these new rules, see the [Notice of Permanent Rules Regarding Prohibited Conduct Rulemaking](#). LCB no longer creates or enforces rules that restrict exposure of body parts or sexually-oriented conduct by any licensee or patron.

### **Summary**

- Research shows alcohol use is linked to increased risk of sexual violence, and about half of sexual assaults involve alcohol.<sup>1-3</sup>
- Sexual violence is common in nightlife locations (e.g., bars, clubs). Research estimates about half of people who attend these locations will experience sexual violence at some point.<sup>10</sup>
- Alcohol use and nightlife are associated with sexual violence and they often occur at the same time, making it difficult to separate the individual effects.
- There is a lack of research on nudity and sexual violence. Evidence suggests environments with nudity heighten arousal and sexual expectation which could contribute to sexual violence.<sup>14-20</sup>
- Clubs and bars have historically provided safe spaces for the LGBTQ+ community. This population faces additional disparities including higher rates of sexual violence compared to

heterosexual individuals and minimization of the experience of sexual violence.

- Alcohol use inhibits the ability to provide active consent for sexual activities.
- A best practice for businesses that allow nudity is to ensure that all patrons are informed about potential exposure. This provides patrons the opportunity to give consent and be well-informed about what to expect prior to being in this environment.
- Another best practice is to ensure that all customers agree to clear and well-defined rules of conduct. Creating standards that promote respect for social boundaries is critical to mitigate risk for sexual violence.
- There are many other risk factors that complicate the relationship between alcohol use, nightlife, and sexual violence. It will be important to monitor safety risks that result from the repeal of [WAC 314-11-050](#).

## Suggested Citation

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<https://lcb.wa.gov/research/briefs>

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