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Office of Juvenile Justice and Delinquency Prevention

A PRACTICAL GUIDE TO

PREVENTING AND DISPERSING UNDERAGE DRINKING PARTIES

Prepared by

Pacific Institute

FOR RESEARCH AND EVALUATION

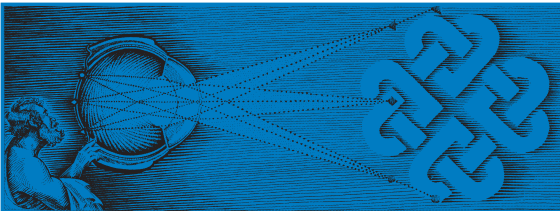
In support of the

OJJDP Enforcing

Underage Drinking Laws Program

A PRACTICAL GUIDE TO

PREVENTING AND DISPERSING UNDERAGE DRINKING PARTIES



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How To Use This Document

This guide describes the role of enforcement and community organizations or groups in preventing underage drinking parties and how to safely disperse them. It describes the problem of underage drinking, in general, and youth-drinking parties in particular. It provides step-by-step information on how to address underage drinking parties and how to use enforcement campaigns to bring about changes in community norms concerning underage drinking and parties.

State and local enforcement agencies, policymakers, and concerned citizens can use this guide to:

- gain an understanding of the issues related to underage drinking;
- motivate policymakers, communities, and law enforcement agencies to place greater emphasis on underage drinking and preventing and controlling parties;
- learn the operational steps that should be taken to prevent and disperse underage parties;
- identify barriers to addressing underage parties in their communities; and
- learn about strategies to overcome these barriers.

Introduction

Many people dismiss underage drinking as a normal “rite of passage” in adolescence. It is important to remember that although alcohol is legal for adults, it is illegal, unsafe, and unhealthy for youth younger than 21. More youth in the United States drink alcohol than smoke tobacco or marijuana, making it the most used drug by American young people (Bonnie & O’Connell, 2003). Alcohol use by youth is a causal factor in a host of serious health, social, and economic problems, including criminal behavior (Levy, Miller, & Cox, 2003; US Department of Health and Human Services, 1992). Underage alcohol use can have immediate and tragic consequences such as alcohol poisoning, injury, and death, as well as long-range harmful consequences, such as increased risk for physical and developmental damage and chronic alcohol addiction (Grant, 1998; Grant & Dawson, 1997; Hingson et al., 2003). Furthermore, underage alcohol use undoubtedly is an extremely serious problem for all communities.

Fortunately, solutions have been identified to aid communities in addressing these problems. Strategies to reduce underage drinking and related problems, such as limiting access to alcohol by youth, are powerful and well-documented. In addition, law enforcement activities are critical, not only to limiting underage alcohol access, but also to reducing the consequences of underage drinking.

We commonly think of enforcement being related to retail sales of alcohol, yet youth access alcohol in many ways, each of which should be addressed by law enforcement.¹ One common way that underage drinkers gain access to alcohol is at parties. Young people may gather in a home (often when the parents are away), in an outdoor area (a beach, a park, a rural isolated area), or in another venue

¹Related law enforcement guides are available on compliance investigations to reduce sales to minors, prevention of third-party sales to minors, enforcement of youth drinking-and-driving laws and enforcement of fake IDs. Visit the Underage Drinking Enforcement Training Center (UDETTC) website at www.udetc.org or call toll free at 877-335-1287 for more information.

(a warehouse or a hotel room). These parties can be particularly problematic because of the number of drinkers involved and the large quantity of alcohol consumed. Reports of alcohol poisoning, traffic crashes, property damage, community disturbance, violence, and sexual assault commonly result from these parties.

Consumption of alcohol by underage youth at high-school and college parties presents difficult law enforcement challenges. The laws related to these parties vary from community to community and State to State. Community norms often tolerate or even condone parties, and attitudes toward law enforcement involvement in such parties can be negative. The parties themselves are dangerous, unpredictable, and hard to control. A lack of or improper enforcement techniques can make things worse rather than better.

This guide presents proactive approaches to underage drinking parties that can help to prevent them before they start and minimize the potential for tragedy and exposure to liability while maximizing opportunities to educate the public on the dangers of underage drinking.

Traditional police responses to underage drinking parties usually involve the dispatch of one or two officers directly to the violator's house or party location. The mere presence of a law enforcement vehicle often causes partygoers to flee the scene, either by car or on foot. For those who stay, the officers often just ask them to lower the volume on the stereo and pour out the alcohol. Generally, no enforcement action is taken and rarely is this situation used as an opportunity to educate the youth, their parents, or the community as a whole. This inaction results in repeated calls for service, either later that night or the following weekend, and reinforces the impression that underage drinking parties will be tolerated, due to a lack of consistent and active enforcement.

Underage drinking parties create environments that foster dangerous, risk-taking behaviors such as binge drinking, vandalism, sexual assault, and unprotected and unplanned sex, to list just a few. Binge

drinking, defined as consuming five or more drinks in a row, is known to be associated with increased risk for a number of problems including driving under the influence (DUI), fighting, truancy, and involvement in criminal activities such as theft, burglary, and assault (e.g., Shaffer & Ruback, 2002; Wechsler, Molnar, Davenport, & Baer, 1999). Young people today have access to more money and vehicles than in the past. The price of beer and other alcohol; however, has not increased significantly, thus failing to keep up with the steady rise in inflation. Strong action to prevent and address underage drinking parties is needed. The stakes are far too high, because lives are at risk when youth drink alcohol.

Legal Framework

As law enforcement officers, the laws and ordinances in your jurisdictions are your primary tools for addressing issues that occur in your communities. These statutes clearly form the basis for law enforcement efforts to prevent and reduce underage drinking. Your tools may be a blend of statutes that directly and indirectly deal with the issues surrounding underage drinking parties. The following descriptions of some relevant laws may apply to your State or community.

Keg Registration Laws

Wagenaar and his colleagues (2000) reported that beer kegs are a popular source of alcohol for teens, especially at underage drinking parties. Youth usually obtain kegs through third-party transactions by older friends. Historically, police and other enforcement agencies have had difficulty tracing the original purchasers of kegs who provide the alcohol to underage drinkers. Keg registration laws require retailers to mark kegs with an identification number using plastic or metal tags, stickers, invisible ink, or engraving. When a keg is purchased, the retailer requires a refundable deposit (Pratt, Rothstein, Meath, & Toomey, 1997, recommend a \$50 minimum) and records the buyer's name, address, telephone number, and driver's license or other identi-

States with Keg Registration Laws

Alabama	Montana
Arkansas	Nebraska
California	New Hampshire
Connecticut	New Mexico
District of Columbia	New York
Georgia	North Dakota
Idaho	Ohio
Indiana	Oregon
Kansas	Rhode Island
Louisiana	*Utah
Maryland	Vermont
Massachusetts	Virginia
Minnesota	Washington
Missouri	

**Utah does not have a keg registration law, but rather bans kegs altogether.*

(MADD, 2005)

fication information. Keg purchasers also can be required to sign a statement promising not to serve alcohol to underage individuals. These easy steps encourage sellers to be responsible, discourage adults from purchasing for underage youth, and deter youth from attempting to purchase alcohol. If police or other enforcement officers confiscate a registered keg from underage drinkers, they can easily trace the purchaser who provided the keg to the youth, known as a source investigation, and impose appropriate sanctions. Keg parties are generally large in size and often encourage heavy consumption of alcohol. These large parties with more intoxicated subjects adversely affect law enforcement resources and need to be prevented whenever possible.

Twenty-six States, the District of Columbia, and many local jurisdictions now have keg registration laws or ban kegs altogether (MADD, 2005). These laws have improved the ability of many communities to address this type of third-party transactions that facilitate the exchange of alcohol between adults and under the age of 21 and are associated with significant decreases in traffic fatalities (Cohen, Mason, & Scribner, 2001).

Florida House Party Law

The State of Florida has a statute that addresses adult responsibility for house parties involving youth and the underage consumption of alcohol. This type of law can assist law enforcement to address youth parties. The Florida law follows:

“No person having control of any residence shall allow an open house party to take place at said residence if any alcoholic beverage or drug is possessed or consumed at said residence by any minor where the person knows that an alcoholic beverage or drug is in the possession of or being consumed by a minor at said residence and where the person fails to take reasonable steps to prevent the possession or consumption of the alcoholic beverage or drug.

Any person who violates any of the provisions . . . is guilty of a misdemeanor of the second degree.”

FL Law 856.015



Adult Responsibility Laws

Laws vary from State to State regarding the liability, if any, for parents providing alcohol to their own children. Social Host Laws,

Parents Who Host, Lose the Most: Don't Be a Party to Teenage Drinking

The "Parents Who Host, Lose The Most: Don't be a party to teenage drinking" public awareness campaign was developed by Ohio Parents for Drug Free Youth in 2000. The campaign objectives are to educate parents about the health and safety risks of serving alcohol at teen house parties and to increase awareness of and compliance with the Ohio underage drinking laws.

According to Ohio Parents for Drug Free Youth (2005), evaluation results of comparative data from 2001 to 2004 showed the following:

- A 23 percent increase among parent respondents between 2001 (49 percent) to 2004 (63 percent) who indicated that, if other parents knew this (campaign) information, it would keep them from hosting parties where alcohol is available or served.
- A 26 percent decrease among youth respondents between 2001 (39 percent) to 2004 (29 percent) who indicated that they had attended a party in the last two months where alcohol was served to youth.
- A 17 percent increase among youth respondents between 2001 (44 percent) to 2004 (53 percent) who indicated that the campaign information led to a discussion between themselves and their parent about underage drinking.
- A 20 percent decrease among parent respondents between 2001 (41 percent) to 2004 (33 percent) who indicated that they know of other parents who host parties where alcohol is available or served to teens.
- A 30 percent decrease among youth respondents between 2001 (50 percent) to 2004 (35 percent) who indicated that they know of parents who host parties where alcohol is available or served to teens.



(Ohio Parents for Drug Free Youth, 2005)

however, allow people to be held criminally and/or civilly liable for providing alcohol to underage youth who are not their own children. These laws generally allow people to bring civil suits against adults who provide alcohol to underage youth or who knowingly allow underage drinking in their homes. Some States make it a misdemeanor for adults to knowingly allow alcohol to be consumed by someone under the age of 21 in their residences (see box on page 2). Again, each state varies in the language and provisions of their laws. Informing parents of these laws and the potential civil and criminal consequences in your State may deter them from providing alcohol to underage drinkers and allowing parties in their homes. Ohio's statewide public awareness campaign, "Parents Who Host, Lose the Most: Don't be a party to teenage drinking", is an example of how States can be successful in raising awareness about Social Host Laws and consequences. Such slogans have been attributed for notable changes in attitudes and behaviors related to underage drinking.

Official Closing Hours and Alcohol Prohibition in Parks and Other Public Areas

Public facilities, such as parks and beaches, may be "hot spots" for underage drinking parties in some communities. Limiting access to these locations and enforcing prohibitions against alcohol consumption in public facilities can help prevent these parties. Useful ordinances are those that establish the hours of operation for public parks and beaches and prohibit alcohol use in these areas. Most community- or State-maintained areas have closing hours, after which the public is prohibited from being on the premises. Some of these areas also prohibit alcohol consumption. Unfortunately, these rules often are not actively enforced. A strengthened enforcement effort in these areas is a useful strategy for controlling underage drinking parties.

Nuisance Abatement

Nuisance abatement combines civil remedies and innovative problem solving with traditional policing and criminal prosecution to address chronic problems that are eroding an area's quality of life (State of Connecticut, 1998). Issues addressed by these laws may

include criminal activities, such as prostitution and drug dealing, and violations of health and fire codes. In many jurisdictions, nuisance abatement laws also address illegal sales of alcohol, excessive noise, property damage, and other activities associated with youth parties. Nuisance abatement laws often apply to private property as well as public and commercial property. These laws can help prevent further parties at a site that chronically has been found to create problems for the community because of various nuisances.

Effective use of nuisance abatement laws involves cooperation among prosecutors, States' attorneys, police departments, municipal agencies, and neighborhood groups. Together, these community members can create strategies to clean up nuisance properties. Working with these members of your community will help you to best understand where problems are happening, the details of your area's nuisance abatement laws, and how these statutes may be most effective in reducing the occurrence of underage drinking parties.

San Diego, California, uses an innovative cost recovery program called Community Assisted Party Program (CAPP), that shifts the cost of additional enforcement services required to respond to community disturbances from enforcement to the violator. Implementation of the program has resulted in significant reductions in calls for nuisance problems, as well as reductions in associated costs to the police department. The following are key components of the CAPP program:

- A community disturbance complaint is received.
- Enforcement responds and provides notifications to landlords or tenants about the complaint.
- First-time violators are issued written warnings (first response) for “disturbance of the peace” violations that outline consequences for repeated calls for nuisance violations.
- Nuisance locations that pose future risks for calls to enforcement are placed on a CAPP list, which eliminates the location from

CAPP First Response Notice (*Sample citation*)

KE
 3/3/19

SAN DIEGO POLICE DEPARTMENT
Public Service Fee
 First Response Notice

Date: _____ Time: _____ Incident Number: _____

Responsible Party: _____

Address: Street _____ City/State _____ Zip _____

Home Phone: Street _____ City/State _____ Zip _____

Business: _____

D.O.B.: _____ ID Type: _____ Number: _____

JUVENILES:

Parents Name: _____

Address: _____

Home Phone: _____ Work Phone: _____

I HAVE READ AND UNDERSTAND THIS NOTICE

Signature: _____

Officer: _____ ID: _____ Div: _____

The San Diego Police Department receives numerous calls involving loud and disturbing parties. Police Officers are frequently required to respond a second or third time to disperse unruly and/or disruptive participants of these parties. Repeated returns to the same disturbance leaves officers unavailable to perform more important duties that have greater priority. Second response calls are a serious ~~disturbance to the public and to the protection of the community.~~ Therefore, to shift the cost of additional service required by return calls to disturbances, a "POLICE SERVICE FEE" will be charged to persons responsible for the disturbance. The above named person has been given a Police Service Fee First Response Notice in accordance with Municipal Code Section 51.1004. This action is a result of a loud party in violation of Section 415 (Disturbing the Peace) of the California Penal Code. A second response by the police to this location will result in an assessment of a "POLICE SERVICE FEE." This fee will include the actual costs of required police personnel and equipment up to \$500.00. THIS NOTICE DOES NOT PRECLUDE ANY CONCURRENT OR SUBSEQUENT CRIMINAL PROSECUTION THAT MAY BE INITIATED IF A RETURN VISIT IS NEEDED.

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receiving future first-response notices. The following is a list of criteria for placing a house on the CAPP list:

- First and second responses within 24 hours.
- First response and at least one minor arrested or cited for minor in possession or for minor consumption of alcohol.
- Two first-response notices within 30 days.
- Citizen's request (five or more) with supervisor's confirmation.
- Violators at chronic nuisance locations are issued monetary fines (cost recovery) for repeated offenses.

CAPP Second Response Notice (*Sample citation*)

SAN DIEGO POLICE DEPARTMENT Public Service Fee Second Response Notice		KF 93309
Date: _____	Time: _____	Incident Number: _____
Responsible Party: _____		
Address: Street _____	City/State _____	Zip _____
Business: Street _____	City/State _____	Zip _____
Home Phone: _____		Business: _____
D.O.B. _____	ID Type: _____	Number: _____
JUVENILES:		
Parent Name: _____		
Address: _____		
Home Phone: _____		Work Phone: _____
First Response Signature		
Signature: _____		
Officer: _____	ID: _____	Div: _____
Date: _____	Time: _____	Incident Number: _____
Total Officers: _____	Supervisors: _____	Incident Number: _____
Misc: _____	Minutes at Scene: _____	
Supervisor at Scene: _____	ID: _____	
Reporting Officer: _____	ID: _____	
I Have Received a Copy of This Notice		
Signature: _____		
<small>This Notice does not constitute a criminal arrest. You were previously given notice that any additional response to your location would result in a "POLICE SERVICE FEE" being assessed to recover actual costs incurred by the City concerning police personnel and equipment up to \$500.00. This notice is a result of a second response to your party which was in violation of section 415 of the California Penal Code. In accordance with Municipal Code Section 51.1004, you are responsible for all costs described therein. You will be billed by the City Treasurer.</small>		

This Notice does not constitute a criminal arrest. You were previously given notice that any additional response to your location would result in a "POLICE SERVICE FEE" being assessed to recover actual costs incurred by the City concerning police personnel and equipment up to \$500.00. This notice is a result of a second response to your party which was in violation of section 415 of the California Penal Code. In accordance with Municipal Code Section 51.1004, you are responsible for all costs described therein. You will be billed by the City Treasurer.

Party Prevention

One consistent complaint heard nationally from youth is that there are not enough things to do. Like adults, teens enjoy attending parties. The goal of law enforcement is not to eliminate parties; rather their goal is to discourage underage drinking and encourage safe and responsible behavior. Law enforcement agencies, therefore, need to assist communities in providing more positive activities for youth. In order to assist communities in preventing and reducing underage drinking parties, law enforcement should cooperate with communities to facilitate alcohol-free events for youth.

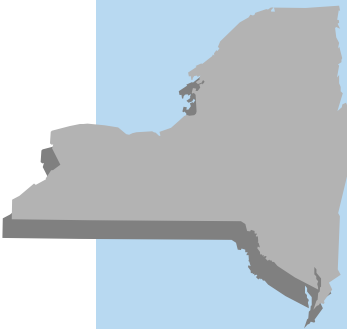
Safe party campaigns are community policing-based initiatives. Trained law enforcement officers and agency volunteers provide site visits and prevention tips to parents or sponsors in an effort to

SafeHomes: Parents Protecting Teens

The Erie County New York Council for the Prevention of Alcohol and Substance Abuse developed a SafeHomes network to help parents ensure that their children can socialize with their peers without alcohol and drugs. The Council developed a community action plan to address underage drinking and to promote the SafeHomes theme, "Underage Drinking: Not a Minor Problem." The Council tries to make parents more aware of the problem of underage drinking, urges them to sign a pledge to provide adult supervision to any children visiting their home, and recommends that alcohol or other drugs not be given to children in their home. They also publish a handbook for parents that provides tips for having safe parties, information about substance use, a directory of

SafeHomes participants so that parents can know which families have signed the SafeHomes pledge.

SafeHomes parents agree to cooperate with schools, law enforcement agencies, and young people to create a safer normative environment.



reduce the likelihood that these events will become underage drinking parties. Youth are included in the planning of these parties and have a stake in their success. At the conclusion of the party planning meeting, parents or sponsors are left with a residential-style survey checklist and an action plan. Some agencies also notify patrol shifts about such parties so they can stop by if time permits or provide additional information if problems

arise. Safe party campaigns are not foolproof, so all law enforcement agencies should consult legal advisors before implementing this type of program.

In some communities, it may be preferable for parent groups, youth leaders, or other groups, instead of law enforcement officers, to meet with parents about planning safe parties. These groups can work in cooperation with and receive training from law enforcement agencies.

Tips to Offer Parents Who are Planning a Party

- Discuss the guest list and any concerns your child may have.
- Establish firm ground rules and expectations before the party and ask your child to communicate them with his/her guests before the event.
- Limit the number of invitees (by invitation only) and the number who actually attend. Do not allow uninvited guests to attend.
- Know the ages of partygoers and how they know your child.
- Make it clear to guests that alcohol, tobacco, and other drugs are not allowed and be sure to provide plenty of snacks and non-alcoholic beverages.
- Have sufficient chaperones to monitor the area and partygoers.
- Define an area for the party; do not allow partygoers in other areas (e.g., bedrooms, garage).
- Monitor the party area frequently, as well as areas that are off-limits to guests.
- Restrict entry and exit areas to deter guests from bringing in contraband. When a guest leaves, do not allow him or her to return. This will discourage guests from leaving to drink or take other drugs and later return under the influence.
- Establish a signal that your child may use if he or she needs help.
- Set a beginning and ending time for the party.
- Determine whether the guests will include both underage people and adults. If both adults and underage youth will be present, decide whether the party areas should be separate.
- Place valuables such as weapons, alcohol, and breakable objects in a secure area.
- Establish an area for coats and bags that can be closely monitored.
- Be prepared to call a guest's parents if the child appears to be under the influence or brings alcohol or other drugs to the party.

In addition, enforcement may collaborate with community members to work with area businesses (alcohol retailers, hotels, motels, limousine companies, etc.) to gain commitment for compliance with youth-related alcohol laws and support of enforcement of those laws.

The best time to break up an underage drinking party is before it starts. Well-publicized enforcement of the laws described above may deter some young people from having parties at all. Similarly, vigorous enforcement of laws against sales to persons under 21 and laws prohibiting older people from providing alcohol to minors can make parties less likely.

Law enforcement agencies should maintain open relationships with schools, youth groups, residents of the community, or Neighborhood Watch groups so they can be informed when and where underage drinking parties are planned. In this way, these events are more likely to be prevented. Following are some ways in which enforcement agencies can learn about parties.

Community Calls

School resource officers, school security and faculty, parents, and students often receive information about upcoming activities. Open channels of communication must be established so information can be shared from the community to the police department.

Hotline

A “party buster” hotline can be established to allow callers to report underage drinking parties—either planned or in progress—and establishments known to sell alcohol to underage



Town Passes Law to Stop Teen Drinking on Private Property

By Michael Diabiaso

EAST HAVEN, CT—Teens who thought that they could get away drinking in their homes could be getting a wake up call thanks to a new law passed in town. Passed unanimously by the Town Council, the new law gives police the authority to arrest underage youths caught drinking on private property and adults who provide alcohol to the underage on private property.

According to Youth Officer Mike D'Amato, the law does not give the police the authority to enter a home without a search warrant and makes concessions for youths drinking at home with their parent's supervision, such as for a family party. "Let's say that some kids were having a party in their yard and the police drive by and saw kids drinking. Before the passage of this law, all that the police could really do was make the kids pour out the alcohol. Now they can issue a ticket or make an arrest," said Council Chairman Ken McKay.



Police could fine youths up to \$100 for an offense. East Haven is now one of 44 towns around the State, including North Haven, Guilford, and Branford, to pass such a law.

There is also a similar bill working its way through the General Assembly that could make the law a State statute.

*Copyright 2005, The Day
(Diabiaso, 2005)*

purchasers. This should be a separate line from normal police telephone lines. Callers may be more inclined to make reports if the hotline is monitored by an agency other than the police department. Other options for hosting the line include Alcohol Beverage Control agencies, sheriff's departments or other enforcement agencies, prevention organizations, local coalitions, or concerned parent groups. The hotline telephone number should be well-publicized and emphasize that callers can remain anonymous. This number can be publicized through community coalition efforts or printed on flyers, pencils, magnets and other promotional items.

Internet

Officers can monitor Web sites and chat rooms for underage drinking information. For example, one alcohol enforcement officer discovered a local Web site called “Students for Underage Drinking.” This site advertised weekend party houses for several high schools that had previously been unknown to police.

Controlled Party Dispersal Plan

Despite prevention efforts, underage drinking parties do occur. When they occur, law enforcement agencies can use Controlled Party Dispersal, which is a systematic operational plan using the concepts of Zero Tolerance and education to close an underage drinking party safely and efficiently. A successful Controlled Party Dispersal results in effective Zero Tolerance enforcement by placing appropriate charges against the violator. It also minimizes the potential for disaster by ensuring that party attendees are provided safe rides home. Proper implementation of the Controlled Party Dispersal plan will benefit your community and its youth by reducing the negative consequences associated with underage drinking.

Volunteers

- Consult legal council for guidance on volunteer usage with party dispersal operations.
- Consider liability issues and plan accordingly (loss prevention, mutual aid agreements, memorandums of understanding, liability waivers, background checks, confidentiality agreements, and so on). For example, it is recommended that all legal council and departments, agencies, or organizations involved in developing the dispersal plan sign a memorandum of understanding and liability waiver before program implementation.

Volunteers (Continued)

- Ensure that all volunteers have been trained (initial and ongoing) by enforcement before onsite dispersal operations and that onsite protocols and procedures have been clearly established.
- Designate the first volunteer that arrives on the scene as the Volunteer in Charge (VIC) who then will coordinate all other arriving volunteers.
- Issue volunteers identifying gear (vests or specialized shirts or jackets) and equipment.
- Assign volunteers to officers who then will provide direction for assistance as needed in either a direct assignment role or a shadow role.

Potential Volunteer Assistance

- Media support such as public service announcements, press conferences, newspaper articles, editorials, op eds, radio and television announcements/reporting, and so on.
- Elicit sponsor support from businesses for enforcement efforts.
- Record license plate numbers of vehicles in the immediate vicinity and provide information to a designated officer who will contact dispatch for assistance.
- Photograph the party scene as directed by officers.
- Assist officers with the identification of partygoers at the scene or who may have left the scene upon enforcement arrival.
- Assist officers with processing paperwork as directed.
- Assist officers with arranging safe rides home for party attendees.

Use of volunteers can increase processing efficiency and enable officers to return to an “in-service, available for call” status within a shorter timeframe. (Example protocols, policies and procedures, and training materials for working with volunteers during Controlled Party Dispersal operations are available upon request by contacting the Underage Drinking Enforcement Training Center). Acknowledgement and appreciation are extended to Newport, Oregon, for sharing information and examples from their Party Prevention and Controlled Party Dispersal Manual for inclusion of volunteer information in this section.

Controlled Party Dispersal Philosophy

The basic premise of Controlled Party Dispersal is to dedicate appropriate available resources to contain party participants, identify adult providers, and effectively control the release of party attendees. Because officers who are responding to underage drinking parties are often few in number, the process for containing the party and its attendees needs to be controlled in order to provide for the safety of youth, adult volunteers and officers. Due to the potential size of an underage drinking party and the few officers that are available to respond, the approach must be tactical, safe and planned in order for execution of the dispersal to be successful. Enforcement is used as an educational tool for proper management of the incident, as it involves parents and discourages future participation. Law enforcement agencies may implement this plan in many ways, as long as they apply the basic principles of containment and release.

Establishing an Alcohol Enforcement Unit or Alcohol Enforcement Specialists

For the Controlled Party Dispersal plan to be effective, law enforcement agencies must adopt the Controlled Party Dispersal philosophy and establish policies that encourage or mandate its use. Supervisors and officers must receive proper training and guidance so they can effectively implement the plan. Oversight of the plan can be conducted by a centralized Alcohol Enforcement Unit or by patrol officers with specialized training. The officers selected for alcohol enforcement training and specialized training should have demonstrated a strong interest or background in underage alcohol enforcement.

For smaller agencies, the luxury of a organized Alcohol Enforcement Unit may not be feasible. In this situation, the Controlled Party Dispersal plan can be implemented by patrol officers who have received specialized alcohol enforcement training. For smaller police departments where this type of enforcement is more challenging, the use of multi-jurisdictional agreements and mutual aid agreements between neighboring departments is highly encouraged. Officers who primarily work evening or midnight shifts are more likely to encounter underage drinking parties and should receive

Success Stories: News from the Field Enforcing the Underage Drinking Laws Program

START—Taking Underage Drinking Seriously in Vermont

Vermont's START program targets underage drinking parties across the State, and cooperation among law enforcement agencies has made all the difference.

As in many States, parties are a major venue for underage drinking in Vermont. In this largely rural State, parties are often held in remote locations, making enforcement difficult; consequently, Vermont has had its share of alcohol-related deaths among youth.

On many occasions, a lack of available officers prevented an effective response to large parties of underage drinkers. That has changed, thanks to the Stop Teen Alcohol Risk Teams (START) in every county in Vermont. START coalitions are comprised of traditional law enforcement (Sheriff's Department, Police, Liquor Control), non-traditional enforcement (game wardens, motor vehicle inspectors), State's attorneys, prevention organizations, youth, and others. The strength of the program is the shared ownership of the problem and the community-based decision making. Each START is responsible for allocating resources to enforcement, prevention, education, and intervention/treatment programs, with a focus on environmental change



(UDETC, 2002)

more extensive underage alcohol enforcement training, including instructions in the use of the Controlled Party Dispersal plan.

In larger agencies, deployment may be both centralized and decentralized. This is clearly the ideal scenario as it provides a core group of officers dedicated to underage alcohol enforcement, education, and training. The Specialist officer should be trained by the Alcohol Enforcement Unit and given continuous updates on legal and alcohol-related training issues.

All law enforcement agencies should establish a policy that all potential underage drinking party complaints are assigned, whenever possible, to the Alcohol Enforcement Unit or Specialist. Agency policy also should dictate that all party complaints be considered as underage drinking parties unless information is provided to the contrary and that the officer assigned as the Alcohol Enforcement Specialist be responsible for coordination of the scene.

Responding to Parties

The key element to success is coordination and communication among officers prior to and on the scene of an underage drinking party. Law enforcement supervisors must be flexible in allocating staff to provide sufficient officers to end parties safely. Although these operations often are time-and-effort intensive, the initial investment of officers will result in fewer alcohol-related calls overall, including incidents such as fatal and injury collisions, sexual assault, and alcohol poisoning. It also will reduce nuisance crimes such as theft, vandalism, and disorderly conduct. For example, party complaints within one mile of the University of Nebraska in Lincoln decreased by more than 19 percent during the 2000-2001 academic year as a direct result of dedicated party patrols conducted by local enforcement and enforcement/community collaborations with NU Directions, a campus coalition dedicated to the prevention of high-risk drinking (Lincoln Police Department, 2002).

If the Alcohol Enforcement Unit is on duty conducting Party Patrols or other operations related to underage drinking enforcement, dispatch should be made aware at the beginning of the shift so that any potential calls for service related to underage drinking can be answered by the Alcohol Enforcement Unit. Dispatchers and other personnel who receive calls from citizens should be trained to distinguish the difference between adult and underage drinking party complaints. As previously mentioned, any complaint of a possible underage drinking party should first be referred to the Alcohol Enforcement Unit or Specialist. Upon verification of an underage drinking party, shift commanders or supervisors will be made aware that a Controlled Party Dispersal is pending.

Officers discovering an underage drinking party while on duty should be encouraged not to approach the residence or party, unless imminent danger is of concern; instead, officers should request assistance from the Alcohol Enforcement Unit or Specialist so that a Controlled Party Dispersal plan can be implemented and executed successfully.

Additionally, officers who monitor alcohol establishments and who observe large quantities of alcohol being purchased by young people should convey the information to the Alcohol Enforcement Unit or Specialists for investigation. In States with Keg Registration requirements, officers may routinely browse records of retail keg purchases to alert the Alcohol Enforcement Unit or Specialists of possible underage drinking parties.

Initial Response

Surveillance

Rather than responding directly to the alleged party house or location, surveillance should be initiated. Officers should park their patrol or other marked/unmarked vehicles on an adjacent road or a short distance from the party site and quietly approach by foot. The surveillance officer should monitor for alcohol, drugs, noise, and other violations, as well as noting the party size, the general layout of the house or other party site, and other tactical considerations. Ideally, this officer should be from the Alcohol Enforcement Unit or Specialist. Plain clothes officers and/or unmarked vehicles are ideal for this surveillance, but uniformed officers are effective if they remain covert.

When dealing with a private residence, Fourth Amendment issues, such as curtilage and search-and-seizure procedures must be considered. Agencies are encouraged to review their policies with their prosecutor's office before implementing the Controlled Party Dispersal plan.

Monitoring Traffic

Surveillance officers can relay information about persons and/or vehicles entering and/or leaving the party area. Other officers may be asked to follow a vehicle and, based on probable cause, stop the

vehicle, identify the age of the occupants, and determine if the occupants have consumed or are otherwise in possession of alcohol. The officers conducting the traffic stop should not reveal their knowledge of the party; as this may tip off the party host and cause attendees to scatter. Appropriate enforcement of alcohol violations for individuals leaving the party is encouraged to maintain the Controlled Party Dispersal plan's integrity and to reinforce the norm that underage drinking will not be tolerated.

Implementing Controlled Party Dispersal

After establishing probable cause of alcohol violations, surveillance officers should notify a supervisor and estimate the staffing requirements for a proper Controlled Party Dispersal. The supervisor will determine officer availability and make a decision to implement the Controlled Party Dispersal plan or to close the party by alternative means. Officers from other areas or shifts may be considered for additional help as needed. Commanding officers should be notified of confirmed underage alcohol parties so that they are apprised of the situation and can activate mutual aid and multi-jurisdictional agreements if necessary.

Summary of Steps in Controlled Party Dispersal of Underage Drinking Parties Responding to Party Reports

Any complaint of possible underage drinking parties should be referred to the Alcohol Enforcement Unit or Specialists.

Initial Response

Careful and cautious planning before action is taken is essential for safety and effectiveness:

- *Surveillance.* Rather than responding directly to the alleged party house, surveillance should be initiated.

Summary of Steps (*Continued*)

- *Monitoring traffic.* Appropriate enforcement of alcohol violations for individuals leaving the party is encouraged to maintain the program's integrity.

Implementing Controlled Party Dispersal

Officer safety is the primary consideration in any Controlled Party Dispersal situation.

- *Briefing.* A briefing will be held to review current department policy and develop a tactical plan.
- *Deployment.* Teams should be established to provide an outer- and an inner-perimeter.
- *Scene Security.* Once entry is made, attendees should be gathered into a secure area.
- *Processing.* Processing should occur in three stages: (1) the administration of a preliminary breath test and photograph of the subject, (2) processing of citations, if issued, and (3) arranging safe transportation from the party.

(UDET, 2005)

Closing a Party by Alternative Means

In cases where insufficient staffing precludes the agency from conducting a Controlled Party Dispersal, it is imperative that officers take action to minimize the risks associated with underage alcohol use (primarily driving by impaired youth). It is usually possible to station officers at each end of the street where most of the cars are parked and establish a mini-checkpoint or a safety inspection. Only sober operators should be allowed to pass, and impaired-driving enforcement should be conducted whenever possible. Additionally, officers or trained interns/explorers/community volunteers can record the license plate numbers of vehicles parked in the vicinity.

The owners can be contacted—usually parents—and informed where their cars are located. This normally invokes a swift response from parents who arrive on the scene to retrieve their vehicles and their children. Illegally parked vehicles can be towed in accordance with agency policy. Although the Controlled Party Dispersal is clearly the most effective method of closing a party, the alternative means described above are available as options.

When reviewing options and determining how to take action, remember to keep in mind that officer and volunteer safety is the primary consideration in any Controlled Party Dispersal situation. Drugs and weapons often are recovered at parties, and officers almost always are outnumbered.

Briefing

The supervisor will select a staging area away from the party site, and officers detailed to the Controlled Party Dispersal will report to this location. A briefing, usually lasting only a few minutes, will be held to review agency policy and development of a tactical plan. Officers also will organize equipment needed to complete the Controlled Party Dispersal (Polaroid cameras, preliminary breath tester, citation forms, night vision equipment, etc.). Selection of a covert staging area is critical. Attendees at underage drinking parties are cognizant of police presence and may even have scanners or

Controlled Party Dispersal Kit

- Duffel bag
- Binoculars
- Bull horn (in the squad car)
- Digital camera, camcorder, and/or Polaroid camera (extra diskettes, film, and batteries)
- Preliminary Breath Test Devices (PBTs or alcohol sensors)

Controlled Party Dispersal Kit (Continued)

- Drug detection kits
- Flex cuffs (handcuffs)
- Latex gloves
- Flashlights (extra batteries)
- Miranda warning cards and/or juvenile rights cards
- Processing forms for both juveniles and young adults (aged 18 and older), citations, evidence forms, clipboards, transparency covers (to use in the rain to protect papers)
- Tape recorder (extra tapes and batteries)
- Pencils, highlighters, black pens, sharpie markers
- Canteen of water and energy bars

Tip: Explore potential community sponsors for kit items.

(UDET, 2005)

lookouts. In some jurisdictions, “Controlled Party Dispersal Kits” are used and have saved officers valuable time in the field.

Deployment

Officers or teams of officers should be established to provide outer and inner perimeters. The outer perimeter will block the roadway to prevent vehicles operated by impaired drivers from leaving the area. The inner perimeter is responsible for attempting to prevent party-goers from leaving the house or immediate party area until control of the area is gained and for ensuring officer (and volunteer) safety. When the perimeters have been established, a contact officer (usually the primary alcohol officer and/or a supervisor) should go to the front door of the residence (in the case of a house party) and

attempt to speak to the homeowner or host of the party. *This should be the first time that partygoers have knowledge of a police presence.*

When the party is on private property, the contact officer should attempt to gain entry to the residence through consent (actual or implied), a warrant, exigent circumstances, or other legal means. Consent is the best and easiest approach to gain entry. The contact officer may be able to gain consent by explaining to the homeowner the legal consequences of hosting an underage drinking party.

It is imperative that the officers involved communicate with each other because, as with other tactical operations, the safety of all involved is the most critical concern. If normal radio traffic is heavy, officers on the party scene may want to use a tactical channel, if available. This precaution should be used to promote safety, much like house or building entries made for other suspected offenses.

Scene Security

Once entry is made, party attendees should be gathered into a secure area. The party host and the contact officer or supervisor should conduct a thorough search of the residence or party area to ensure that no one is hiding, sick, or unconscious. Youth have been found hiding in crawl spaces, attics, closets, clothes dryers, and in cabinets. Disorderly or impaired partygoers should be removed as soon as practical and processed accordingly. This is a protective sweep for *persons* only. It is not a search for contraband unless consent is expressly given for that purpose.

The host(s) of the party should then be separated from attendees for processing. In the event that the alcohol provider(s) is/are not present at the scene, a Source Investigation should be conducted to determine the source of the alcohol and steps taken to properly cite the provider(s).

Processing

Processing stations should be established using officers, volunteers, or civilian aides if available. Partygoers of legal drinking age will be released provided they have not committed an offense and have safe transportation from the party. Other partygoers should be grouped according to age classifications: adults (aged 21 and older) who are being cited for an offense (e.g., adult provider[s] and/or party host[s]); those under 21; and juveniles.

- The first station should be set up to administer a preliminary breath test (if allowed by statute or policy) and to photograph the subject. The subject's name, date of birth, and test results should be recorded on the photograph or on a tracking/coordination form.
- A second station processes citations that are issued (adult and youth).
- The third station arranges safe transportation from the party for attendees that have been cleared for release. Attendees younger than 18 will contact a parent, guardian, or relative. The adult should come to the party site to witness the environment and sign for release of the youth. Partygoers aged 18 to 20 should be ordered not to drive and may be released after arrangement of safe transportation.

Note: Controlled Party Dispersals also can be implemented in jurisdictions where a physical arrest is required in lieu of a citation, but creative solutions (e.g., using buses to move suspects to alternative processing locations) must be made in advance.

Interns, police explorers, volunteers, or civilian aides can be an asset in performing non-enforcement-related tasks during processing. Issues, such as handling of juveniles or charging constructive possession of an alcoholic beverage should be discussed with a legal advisor before implementation of a Controlled Party Dispersal plan. Constructive possession makes it illegal for a person under 21 to be at an underage drinking party if they have knowledge of and access

to alcohol and the alcohol is contraband, even if they have not consumed any alcoholic beverages.

When the scene is secure, inner perimeter officers can process party attendees, party hosts, and adult providers. Be prepared for crime scene investigations as well (rape, aggravated assault and battery, homicide, illicit drug use, etc.). Outer perimeter officers should maintain security until all partygoers are dismissed safely from the area and should prevent other invitees from entering the house or party area. As previously mentioned, outer perimeter officers should prevent impaired drivers from leaving the scene and provide security for the patrol vehicles.

Parents who arrive on the scene should be given an opportunity to view the results of the party (except in areas where crime scene investigations are underway), including alcohol containers, drug paraphernalia, vandalism, and intoxication levels of underage partygoers. This promotes parental awareness of the severity and extent of the problem.


Developing Community Support and Working with the Media

Party Prevention and Controlled Party Dispersal are new concepts in many communities. Thus, it is important to gather support for these initiatives so that they can be effectively implemented. After the Alcohol Enforcement Unit or Specialist program is established and officers are trained in the methods of Controlled Party Dispersal, a press release should be issued. The release should contain information on underage alcohol use including crash statistics, notable binge drinking incidents, hospital reports, and related laws. It is important to stress the accountability and responsibility of both youth and adults. If your State has an adult responsibility law (i.e. Social Host Law) imposing sanctions on adults who allow underage drinking in their homes, this is an excellent time to bring it to the community's attention. The press release can come from the department or from a community coalition concerned with underage drinking.

A coalition with concerns about underage drinking probably already exists in your community. Coalition members may include businesses, schools, hospitals, faith communities, insurers, social services agencies, concerned youth, concerned parents, highway officials, and of course, law enforcement, including alcohol control agencies. By having a coalition sponsor press releases and press conferences, community partners can show support for enforcement's efforts in solving community problems by highlighting pro-active and active enforcement of underage drinking laws. It reduces the "us versus them" perception that often plagues enforcement operations.

The initial press release should, when possible, coincide with a time of heightened awareness about the dangers of youth and alcohol. This could be during homecoming, prom, graduation, or holiday seasons. After using Controlled Party Dispersal at large parties or other underage alcohol incidents, follow-up press releases

Officer Liaison Program



In an on-going effort to address alcohol-related issues off campus with fraternities and sororities at Oregon State University in Corvallis, the local police department established an Officer Liaison Program to help create an environment in which fraternity and sorority members could develop a better understanding of their responsibilities as citizens and of available services and resources. The program builds strong student-enforcement relationships by assigning officers as liaisons to Greek fraternities and sororities. The officers provide information on alcohol laws and consequences, crime prevention, problem solving, and educational programs. They also attend events such as house functions, educational programs, dinners, and celebrations, and establish themselves as the point of contact for questions and answers by house members.

Enforcement statistics show that Greek houses who have worked with the police while planning special events typically experienced fewer problems. In fact, the number of incident reports within the community decreased by just over half of what it had been previously after implementation of the program, and the community has been riot free (UDET, 2005).

The Officer Liaison Program has since been replicated by campus enforcement and applied to on-campus housing environments.

highlighting the effectiveness of the program should be made to bolster support.

It also can be helpful to recognize private or public establishments and community partners who act responsibly in restricting underage access to alcohol as part of the media coverage.

In reaching out to the community, Alcohol Enforcement Units and Specialists can provide education and information about underage drinking laws and their consequences and about the effect that alcohol and drugs can have on the lives of youth. High-school and college students are appropriate audiences as these groups are most

likely to be involved with underage drinking and many times do have concerns about their own behavior and the behavior of their peers. Officers also may speak to faculty, Parent Teacher Student Associations, and civic and community groups detailing Party Prevention and Controlled Party Dispersal efforts and their benefits to the community as a whole.

A baseline of statistics about underage alcohol use should be established as the program begins. If the first year's results are positive, media coverage should be solicited to commend the department for its efforts and draw attention to the problem and the successful strategies. If the results are not positive, this information can be a tool to gather additional funding and resources.

If permitted by your department's policy, "ride alongs" by coalition leaders and the media with the Alcohol Enforcement Unit or Specialists can show the benefits of Party Prevention and Controlled Party Dispersal. Judges, prosecutors, coalition members, citizens, and the media can be better informed through this first-hand experience. When these people see parties in full force and Controlled Party Dispersal in action, they are more likely to recognize the importance of enforcement efforts and provide the support needed.

A consistent message must be carried with each community and media contact to reinforce the seriousness of underage drinking.

Project Extra Mile, 2002

Snowboarding trip with friends?
\$1,000.00

Buying beer for your little brother?
Pricey...Very Pricey

Providing alcohol to minors is a serious offense - punishable by up to a year in jail and a \$1,000 fine. **Never buy alcohol for minors.**

Project Extra Mile

Conclusions

Enforcement activities to prevent and safely disperse underage drinking parties are critical to reducing underage alcohol use and problems. However, these efforts cannot occur in isolation. Enforcement of laws and statutes related to underage drinking must be accompanied by continuing efforts to reduce the commercial availability of alcohol, third-party sales, social and public availability, and the possession of alcohol by underage youth. Using comprehensive, communitywide approaches to reduce underage drinking can shift norms and expectations. This is a worthy goal that builds community collaboration and provides participants with a sense of lasting accomplishment, both in the processes and the outcomes. The stakes are enormous: the health and safety of our young people.

For Further Information:

The Underage Drinking Enforcement Training Center (UDETC) can be contacted by calling their toll free number at 877.335.1287 or by emailing the Center at udetc@udetc.org for any technical assistance or training information that you may need in your community. The UDETC provides training to law enforcement and coalition and community members in all 50 States and the District of Columbia. The UDETC also houses many documents that help law enforcement and communities apply research to practice when implementing environmental strategies that prevent and reduce underage drinking.

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Other Resources

Community Assisted Party Program, a program of the City of San Diego, San Diego Police Department, 1401 Broadway, San Diego, California 92101-5729, 619-531-2777.

Officer Liaison Program, a program of the Corvallis Police Department, in partnership with Oregon State University Department of Public Safety and area law enforcement, 180 NW 5th Street, Corvallis, Oregon 97330, 541-766-6924.

“Parents Who Host Lose the Most: Don’t be a party to teen drinking,” a public awareness media campaign administered by Ohio Parents for Drug Free Youth, 6185 Huntley Road, Suite P, Columbus, Ohio 43229-1094, 614-540-9985. (Available online at <http://www.ohioparents.org/Programs/UnderAgeDrinking.htm>).

Party Prevention and Controlled Party Dispersal Manual, an enforcement and community operational guide for Party Prevention and Controlled Party Dispersal operations conducted by enforcement and community volunteers in Newport, Oregon, and administered by the Newport Police Department, 169 SW Coast Highway, Newport, Oregon 97365, 541-574-3348.

SafeHomes, a program of the Erie County Council for the Prevention of Alcohol and Substance Abuse, 4255 Harlem Road, Amherst, New York 14226, 719-839-1175. (Available online at <http://www.eccpasa.info/safehomes.htm>).

The Underage Drinking Enforcement Training Center at the Pacific Institute for Research and Evaluation, a national technical assistance and training resource funded by the Office of Juvenile Justice and Delinquency Prevention for the Enforcing Underage Drinking Laws Program, 11710 Beltsville Drive, Suite 300, Beltsville, Maryland 20705, 877-335-1287, or via email at udetc@udetc.org. (Available online at www.udetc.org).

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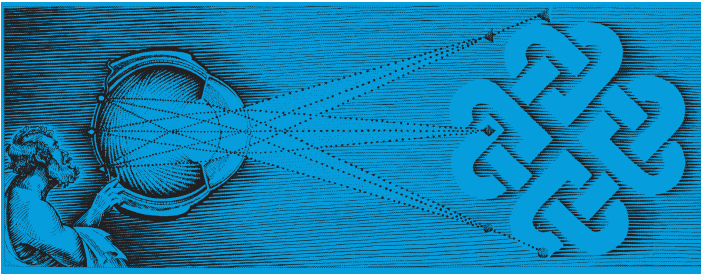
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