

# EUDL

## Lincoln County

### Standard Operating Procedure for MIP Party Dispersal

### Law Enforcement

The Law Enforcement of Lincoln County recognizes that to support the overall goal of Underage Drinking Enforcement, a standardized approach must be used. The participating agencies have agreed to a zero tolerance policy of enforcement and this procedure is intended as an extension of that agreement to increase the overall effectiveness of the goal.

Any report of an underage drinking situation is expected to be investigated and determined to either be a founded complaint or unfounded complaint. When Law Enforcement becomes aware that underage persons are consuming alcohol in an individual or group setting enforcement action is taken. This procedure is intended to primarily apply to group settings. By taking a standardized approach to intervening and dispersing underage drinking parties Law Enforcement will be able to more effectively support each other and have a greater impact on the problem.

As part of the EUDL program all Law Enforcement officers within Lincoln County will have been offered initial as well as ongoing training in underage drinking enforcement and Party Dispersal. Additionally participating agencies will have available, officers of their appointment who have additional training and who will be used as a “strike team”, during anticipated times when underage drinking events would be a probability. This team can be requested by any of the participating agencies and the agencies will work together to deploy the team effectively. In addition to the strike team members, each agency agrees to have one or more officers who will be the contact officer for the Volunteer Coordinator for their area.

Officers discovering an underage drinking party in the course of other duties, or who are dispatched to a report of a party, should not immediately approach the home or party. They should instead survey of the situation to determine the extent of the party. Approximate age of participants, number of people present and potential intoxication levels should be noted. Noise levels, drug use and other violations should be taken into account as well as the location, size of home or area and other tactical considerations.

#### **Observation:**

A surveillance officer may stay on scene and relay information to other officers about persons and vehicles leaving a party. If it is obvious that a large drinking party is occurring the Volunteer coordinator or designee may be contacted to make notification of volunteers and stage them at a designated location. By making this notification early on, volunteers will be able to respond in a timelier manner so that assistance can be rendered and free up officers for officers for other duties sooner. Other officers may follow and stop vehicles, based on probable cause, to determine the identity and age of the occupants and to determine if they have consumed alcohol. Arrest of alcohol violators further reinforces the community norm that underage drinking will not be tolerated.

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**APPROACH**

After establishing probable cause of alcohol violations, contact should be made in a quiet “invisible” manner, similar to responding on an alarm or burglary. Police cars should be parked a distance away and approach should be made on foot. Close observation can be done at this time to reinforce earlier observation about age of participants, consumption and potential for conflict.

**PERIMETER:**

As with most situations that police respond to, consideration should be given to establishing a perimeter so that people are unable to leave the area without being contacted by officers. In the case of a home, officers should be posted on all sides of the residence as experiences shows us that frequently young people may run from the home when police come to the door of underage parties. If the attendees are kept inside, not only are they identified and can be dispersed in a controlled manner, but potential for injury is minimized by their not being able to run and become injured from falls, traffic, etc. All perimeter officers should stay on their post until advised by the contact officers that entry has been gained and the party scene stabilized.

**CONTACT:**

The officer designated to make contact at the home or scene should make every attempt to gain voluntary compliance of allowing officers to enter the location. Officers will knock and enter when permission, actual or implied, is given. By using persuasive verbalization entry is usually not a problem. Upon contact with the host or person in charge, officers should identify themselves and explain their reason for being at the premise. All persons present at the location should be brought to a central area. Those over 21 years of age directed to one area, those 18 to 20 directed to another area and youth of under 18 years directed to a third area. Any person who is uncooperative, either verbally or physically should be removed from the area of the main group and appropriate enforcement action taken.

Once the situation is brought under control the officer in charge should consider calling the volunteer coordinator, if not already done, to assist in the processing of the scene. The volunteer coordinator should be advised of where they need to go, how many volunteers are needed and who they should contact upon arrival. Contact may be made by the officer himself or through the dispatch center for the jurisdiction. If the officer initiates contact the dispatch center should be advised.

If entry is denied officers may not demand entry unless an exigent circumstance is apparent. As in other venues, officers may not create their own exigencies, but may act on an apparent or obvious situation, which would constitute a danger to a person attending the party. In a case

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where entry can not be made officers have several avenues they may take. The officer in charge may elect to try to contact the responsible person for the property to gain permission to enter. If no responsible person is available, consideration should be given to checking vehicle registration of vehicles parked at or near the location, and contacting the owners or parents of owners to advise them of the situation. The party should remain under observation and containment while a plan of action is developed. If no realistic manner of gaining entry and contacting the party is identified, consideration should be given to requesting volunteers respond to the area to set a perimeter and report to law enforcement when persons leave the premise. By doing so officers may be freed up for other tasks, and yet be able to respond to deal with and identify persons who have attended the party. Persons arriving at or leaving the party should be contacted and under no circumstance should obviously intoxicated persons be allowed to leave in vehicles.

**DISPERSAL:**

All persons who are present should be identified, preferably with “hard ID”. Officers should, as soon as possible, identify the host or responsible person for the location as well as who furnished the location and or the alcohol. All persons present at the party are separated into three age categories; over 21 years of age (adult), 18 to 21 years of age (minor), and under 18 years of age (juvenile). These three groups should be separated into different areas of the premise if at all possible. After being identified, persons who are over 21 years of age, who do not reside or have other lawful reason to be at the location, should be removed. Consideration should be given so that persons do not drive after having consumed alcohol. Other duties at the scene will include monitoring the behavior of the participants and taking overall scene photographs of any alcohol or drugs present, as well as the condition of the home or location. The scene should be photographed either by still photography or video. Evidence should be collected where appropriate, per department policy. Officers should be alert for other illegal activity such as drug use, paraphernalia, furnishing, sexual abuse, vandalism, etc. Appropriate action and documentation should be taken, as determined on a case by case basis.

The three phase Dispersal Model is recommended for use. Each officer should work with one or more volunteers dividing the work load into “stations”. The officer and volunteer(s) will process one juvenile at a time, following the steps dictated by the three phases.

**Phase One:** All persons present at the party who are identified as being under the age of 21 should be subjected to a PASSIVE BREATH TEST. An officer should administer the PBT and the results documented. Information should be collected as to the name, date of birth, and address of all persons present. Additionally, for those under 18 years of age their parent or guardian should be learned. Information should be recorded, either by the officers or a volunteer on the EUDL “On Scene Checklist” form.

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**Phase Two:** The “On Scene Checklist” form is completed by an officer or volunteer. The subjects name and date of birth will be written on a white board (or sheet of paper if no white board is available) and then two photographs are taken with the subject holding the board. The name included in the photograph will assist officers in identifying the person at a later time if necessary. A citation will be written for the appropriate charge and the “On Scene Checklist” and citation should be correlated.

**Phase Three:** The officer will issue citations and make sure the person has their identification returned to them. Appropriate enforcement action should be taken for each person present. Persons over 18 years of age may be released at this point. For any person under 18 years, parents or guardians should be contacted by an officer or volunteer and asked to respond to the scene to take custody of their child. In cases where a parent can not be readily contacted, a volunteer may be detailed to sit with the child, at the police department, until the parent can be contacted. If no parent or guardian can be contacted, the juvenile shelter may be contacted and asked if the child can be temporarily housed until contact can be made.

It is up to the officer in charge to make sure that all participants have been accounted for and proper enforcement action taken. The dispersal is not considered complete until all participants have been identified, action taken where appropriate, and safe transportation has been found for anyone who has consumed alcohol or appears to be under the influence of a drug. Safety for all persons is a priority. If a person appears to have consumed alcohol or other drugs to such a degree that their health is jeopardized, an ambulance should be dispatched to provide emergency treatment. The same is true for any person who may be, or have become, injured during the initial phase of the investigation.

Volunteers may be utilized to watch the police cars parked outside, to patrol the area for other minors who may have left, or be entering the location, as well as to collect data, take photographs or write citations. They may also be asked to make notification phone calls and assist in release of juveniles to their parents. A volunteer may perform one or more of the assignments. If they are not sure of what is expected or do not feel comfortable in performing an assigned task, they should advise the officer in charge and may be re-assigned a position they are more comfortable with.

**Volunteers are not expected to, nor should they become involved with verbal or physical confrontations. If a subject becomes uncooperative, unruly, or in any way abusive, the volunteer should discontinue contact with the person and advise the nearest officer so that an officer may deal with the person.** Officers realize that volunteers are on scene to assist and that they should not be required to engage in any activity that would constitute a high degree of risk.