



Reno Judges Pilot Alternative Sentencing Options to Address College Drinking:

University of Nevada Reno (UNR) students report that involvement with the local judiciary system is often less of a concern in comparison to the university student conduct system, and is punitive as to behavioral changes and inconsistent in the penalties assigned each individual. To address this disparity, Reno Municipal Court Judges and Justice Court Judges met with UNR representatives to discuss court practices involving local college students and to establish informal agreements to pilot alternative sentencing options for first-time and repeat alcohol-related offenses committed by college students. The change in court practices was launched in fall 2009 and is being evaluated locally to determine effectiveness of the court-appointed programs and their impact on reducing alcohol-related crimes and recidivism rates of this young population.

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College Drinking: A Community Problem

Most college administrators deal with a variety of problems related to the availability of alcoholic beverages and consumption of alcoholic beverages by students younger than 21. UNR is no exception. Of the approximately 16,000 full-time students at UNR, an average of 42 percent is under the age of 21.

UNR lies within blocks from Reno's downtown business district, which includes the majority of casinos and other adult entertainment venues in the city. This proximity creates challenges in restricting student access to alcohol and in changing the social norm that encourages alcohol use within the community, as most vendors operate 24-hours a day with no cut-off time for alcohol service. The campus property borders two neighborhoods: the "Old Northwest" and the "Northeast." A significant proportion of university students reside in apartments, Greek (fraternity and sorority) housing, rental homes, and private residences located within these two neighborhoods. On-campus housing is limited to 1,700 students per school year.

One of the challenges for university administrators is enforcing alcohol laws and sanctions for students whose drinking behavior spills over into the surrounding communities where college authorities and university police have limited jurisdiction. Current university student conduct policies are written only for those behaviors occurring on-campus or at university-sponsored events.

According to the 2006 CORE Alcohol and Drug Survey, which is administered every other year at UNR:

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- 75.6 percent of UNR undergraduate students (18 to 24 years of age) reported 30-day use of alcohol;
- 69.9 percent of UNR underage students (through age 20) reported 30-day use of alcohol;
- 36.0 percent of UNR students reported driving under the influence (DUI) of alcohol (but only 1.7 percent were arrested);
- 12 percent of UNR students reported having been in trouble with police or other college authorities;
- 46.3 percent of UNR students reported binge drank (5+ drinks in a single sitting) within 2 weeks of the survey; and
- 70 percent of UNR students who identified themselves as fraternity/sorority members reported binge drinking in the last 2 weeks.

Law enforcement data collected from the Nevada Department of Transportation and the Washoe County Sheriff’s Office during this same reporting period indicated the following:

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| ▪ 70 alcohol-related crashes – ages 16-20 | ▪ 124 DUI arrests – ages 16 to 20 |
| ▪ 79 alcohol-related crashes – ages 21-24 | ▪ 212 DUI arrests – ages 21-24 |

Washoe County had the highest proportion of alcohol-related deaths compared to the State as a whole.

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In addition, judges and local public attorneys from Nevada over the past 8 years have expressed frustration in dealing with alcohol-related cases for the 18- to 20-year-old population statewide. This age group is responsible for a significant number of minor in possession/consumption cases, as well as providing alcohol for youth under the age of 18.

Reno Rolls the DICCCCE

In 2008, the “Developing Initiatives with Community Coalitions, Campuses, and Enforcement (DICCCCE)” coalition was established to build upon the successful partnership to address underage drinking that was already in existence among the three local law enforcement agencies—Washoe County Sheriff’s Office, Reno Police Department, and University Police Services; the UNR Student Conduct Office; and the Join Together Northern Nevada (JTNN) coalition. The three goals of DICCCCE are to (1) change the social norms that encourage or support underage student drinking behaviors; (2) reduce the availability of alcohol to underage students on and off campus through enforcement; and (3) enhance existing alcohol laws, policies, and practices addressing underage student drinking behaviors. These environmental management practices are supported with funds from the Nevada Department of Human Resources, Juvenile Justice Program Division, under a 2008 grant award from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Enforcing Underage Drinking Laws (EUDL) Discretionary Program: University/College Initiative. The goal of this 3-year effort is to reduce the

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availability of alcoholic beverages to and consumption of alcoholic beverages by university/college students younger than age 21.

In addition to underage drinking law enforcement practices, policy development, and education/awareness building to prevent underage drinking, DICCCE works closely with law enforcement, legal representatives, campus officials, students, community leaders, concerned citizens, and others to identify gaps in services/programs to effectively address alcohol-related offenses committed by underage students. A significant part of the campus adjudication process is to ask students “what happened in court.” Information gathered suggests that few students received the same cumulative penalties. For example, community service hours ranged from 10 to 110 hours and fines ranged from \$0 to \$200. Additionally, feedback from those students assigned to the court-facilitated behavior modification workshop was negative. It is surmised that the behavior modification education penalty (Victim Impact Class) may not be effective with this population, as they cannot connect the relevance of this impaired driving sanction to their minor in possession (MIP)/minor in consumption (MIC) offense. This anecdotal information supports the Join Together Northern Nevada’s (JTNN) 2007 Comprehensive Community Prevention Plan (CCPP) analyses that a “gap in services” exists in programs targeted for youth who are involved in the local criminal justice or probation systems or even those youth in lesser trouble.

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Reno Judges Pilot B.A.S.I.C.S. and OnTRAC Programs

In fall 2009, the city attorney opened the door for representatives of the UNR Student Conduct Office to engage Justice Court and Municipal Court Judges in discussions about the dangers of underage drinking, alcohol-related violations/incidence data of underage students on/off campus, and developmentally appropriate and coordinated community and campus-based adjudication practices for alcohol-related offenses by college students. As a result, the Reno judges agreed to immediately pilot uniform and consistent sentencing practices for first time and repeat student offenders to rectify disparities between adjudication of on-campus and off-campus violations of alcohol laws and policies.

The new sentencing options to be piloted for 1 year are intended to enhance current court mandates. They include mandated individual interventions, such as the *Brief Alcohol Screening Intervention for College Students (B.A.S.I.C.S.) program* as a diversion option for first-time student alcohol-related offenses and/or the *OnTRAC (Treatment, Responsibility, and Accountability on Campus) Program* as a mandated sanction for repeat student alcohol-related offenses. Although these intervention programs have been used on college campuses to address alcohol-related violations committed in on-campus settings, this may be the first time they have been used and evaluated in community court settings. The following is an overview of the two programs.

B.A.S.I.C.S. is a preventive intervention program for college students 18 to 24 years old who drink alcohol heavily and have experienced alcohol-related problems. *B.A.S.I.C.S.* is comprised of a Nevada Department of Human Resources, Juvenile Justice Programs (2008). *EUDL Discretionary Narrative Application for Nevada*. Carson City, NV.

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two-session alcohol assessment and education program that prompts students to change their drinking patterns and reduce alcohol-related harm to themselves and others. The first session assesses the student's alcohol-consumption patterns, history and related issues, and assigns homework relevant to the session's topic. The second session provides personalized feedback based on assessments and the homework assignment and focuses on ways the student might reduce future health, social, and legal risks. According to research conducted by the University of Washington, it appears that brief individual preventive interventions for high-risk college drinkers can achieve long-term benefits, even in the context of maturational trends. Those who received *B.A.S.I.C.S.* reported fewer consequences and more rapid change. Following is a summary of national results:

- Students had significantly greater reductions in negative consequences that persisted over a 4-year period than their control group counterparts.
- Individual change analyses suggest that for those receiving the brief intervention, dependence symptoms are more likely to decrease and less likely to increase.
- Control group participants reported slight increases in drinking frequency over time, particularly at the 3-year follow-up when many students had reached 21 years of age, while drinking frequency declined minimally over the 4-year period among *B.A.S.I.C.S.* students.

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- Post-intervention students often commented that they responded differently to friends because of participation (Dimeff, 1999).

UNR piloted the *B.A.S.I.C.S.* intervention in 2008 and has since instituted the program into sanctioning practices for on campus alcohol violations. The results from UNR's pilot follow:

- 260 students were referred to the campus program between fall 2008 and spring 2009.
- 250 students completed the program.
- UNR retained 78.8 percent of the students who participated in the program.
- Recidivism was 5.7 percent.

OnTRAC applies the principles and components of the drug court model to the college environment. It holds substance-abusing students (i.e., those at a dependency level) to a high level of accountability while providing individualized treatment and compliance monitoring. It operates within the confines of existing resources without interrupting a student's educational process, and unites campus leaders, judicial affairs personnel, treatment providers, and health professionals with their governmental, judicial, and treatment counterparts in the surrounding community. This program has not been formally evaluated, was piloted at UNR in 2005, and is now a standard sanctioning option for repeat alcohol-related offenses on campus. For more information about the intervention program in general, visit

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<http://www.judges.org/backontrac/> or copy and paste the link to your Internet browser. The following are UNR program results between 2005 and 2009:

- 35 students were referred to the program.
- 51 percent of students completed the program.
- Recidivism was 11.4 percent.

Judge Kenneth R. Howard's response to the pilot sentencing practice is positive. He states, "I am very appreciative of the fact that there is now an additional sentencing alternative available for University of Nevada students who have been adjudicated for alcohol-related offenses. It is unfortunate that there is ready availability of alcohol for young and underage drinkers in our community. Reno is an active city, which is open 24/7. Many of the university students that run afoul of the criminal justice system are binge drinkers and/or those with surprisingly high blood alcohol levels. I believe that this youth population can benefit greatly from the services provided by the UNR Office of Student Conduct. I have referred several students to this office for sentence completion of either the *B.A.S.I.C.S.*, *ACT*, or *OnTRAC* Program. It is my hope and belief that these individuals will be provided substance abuse education, intervention and treatment, which will afford them life-long guidance."

Adjudication Practices Mirrored for On-Campus and Off-Campus Alcohol Offenses

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At UNR, the current student code of conduct only allows for interventions of alcohol-related incidents that occur on campus property. The new sentencing pilot with local judges helps create a unified approach to adjudication of on-campus and off-campus alcohol-related violations and is managed by the court’s Alternative Sentencing Unit. According to Judge James Van Winkle, “The problem of underage drinking is a huge one, especially within the University community. Prior to the inception of the *B.A.S.I.C.S.* and *OnTRAC* programs, we did not have the appropriate tools to deal with the underage, university student abuser of alcohol. These programs now give us the appropriate tools.”

Through evaluation, UNR will determine whether reduced recidivism rates are achieved, and whether these sentencing options affect alcohol-related offenses committed by students in off-campus environments.

For more information

For more information, contact Carol Millie, EUDL Discretionary Local Site Coordinator/UNR Code of Conduct Officer, at 775-784-4388 or cmillie@unr.edu, or Matthew Fisk, Court Administrator, at 775-334-2290.

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JUDICIAL PROJECT

Underage Drinking-Related Issues
and Court Practices

The Judicial Probation Outreach Project is a program of the Pacific Institute for Research and Evaluation and is supported by Grant No. 2007-AH-FX-K003 awarded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). OJJDP is a component of the Office of Justice Programs. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.

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