

# Underage Drinking Enforcement Training Center

## Monthly Resource Alert

### July 2009



11720 Beltsville Drive ■ Suite 900 ■ Calverton, MD 20705 ■ Toll Free 877-335-1287

Please visit our enhanced website at [www.udetc.org](http://www.udetc.org) for the latest information on underage drinking.

#### **11<sup>th</sup> Annual National Leadership Conference Reminder**

This year's National Leadership Conference is being held in Dallas, Texas on August 13-14, which is just one month away!! For all information related to conference registration and hotel information, visit [www.udetc.org](http://www.udetc.org) and click on the 11<sup>th</sup> Annual National Leadership Conference icon. Early bird registration ends July 24<sup>th</sup>, so please don't miss out on tremendous savings - REGISTER NOW!

#### **Success Stories: Indiana**

#### **The Indiana Alcohol and Tobacco Commission (ATC) Implements a Six-Phase Process to Identify Problem Alcohol Sales Outlets**

In response to a 2006 study conducted by the Indiana Prevention Resource Center, Indiana's Alcohol and Tobacco Commission and the State Excise Police began developing new enforcement strategies to identify problem alcohol sales outlets and strategies that support retailers in reducing the sale of alcoholic beverages to minors. This brought the emergence of a process known as the Survey for Alcohol Compliance (SAC). The SAC is a six phase process which includes compliance checks, shoulder taps, education, collaboration and sensible penalties. This story shares the success achieved by using a consistent and well thought-out process. Indiana's success has opened the doors in developing additional partnerships in other environments resulting in a continuous effort in preventing underage drinking.

#### **Success Stories: Texas**

#### **TABC Introduces Effective Military Alcohol Awareness Program**

During 2007, incidents in San Angelo involving military personnel and alcohol were on the rise. With a significant underage population in the community, there was the concern of overall violations and the need to address underage drinking. In an attempt to find a solution to the on-going problem, the Texas Alcoholic Beverage Commission (TABC) met with the Goodfellow Air Force Base (AFB) sexual assault investigator, and the base commander to develop a program to combat alcohol violations, track progress and success. Through this partnership, in 2008 military incidents were almost eliminated. TABC agents continue to hold quarterly meetings with Goodfellow AFB personnel. The meetings have been so well received that they expanded to include the County Sheriff's Office, additional management from local alcohol establishments, and about 40 ranking military officials. This success story is an example of how getting the right partners and developing a strong program can be not only effective but also sustained and replicated.

*The views expressed in this publication do not necessarily represent the views of the Office of Juvenile Justice for Delinquency Prevention (OJJDP) or the Underage Drinking Enforcement Training Center (UDETC) and are solely of the author/source.*

#### **July 2009 Resource Alert Legal Case**

#### **Case Descriptor**

"The Alabama Court of Criminal Appeals Upholds Conviction of Parents Who Host Underage Drinking Party"

In March 2009 the Court of Criminal Appeals for the State of Alabama handed down their opinion in the case of Manuel Lee Owens and Sherri M. Owens v. State of Alabama 2009-AL-0324.003 from the Covington Circuit Court. Manuel and Sherri argued that the State did not present sufficient evidence to support their convictions for violation of Alabama's open house party statute. Their convictions resulted in Manuel's sentence of 60 days in the county jail, splitting the sentence and ordering him to serve one weekend in jail followed by 90 days on probation. Sherri was sentenced to serve a term of 60 days in the county jail, but the sentence was suspended and she was placed on probation. To read more about this case please click on the link below:

[www.udetc.org/documents/ResourceAlerts/July2009Case.pdf](http://www.udetc.org/documents/ResourceAlerts/July2009Case.pdf)

#### **July 2009 Audio Call**

#### **Using Volunteers for Underage Drinking Enforcement Operations and Other Events**

Date: Thursday, July 23, 2009

Time: 3:00-4:15 p.m. Eastern Daylight Savings Time

Speakers: Chief Mark Miranda, Newport Police Department; Lt. Dave Teem, Newport Police Department; and Barbara Dougherty, Director, Lincoln County Commission on Children & Families

With law enforcement budgets dwindling because of the downturn in economic growth, managers must look for new ways to stretch dollars. Underage alcohol enforcement and other law enforcement operations are one way citizen volunteers can assist the communities they live in. See how several law enforcement agencies are using volunteers in a meaningful way for special events and other enforcement operations that relate to reducing underage drinking and other alcohol-related community incidents.

**To print a hard-copy of this month's Resource Alert visit:**

[www.udetc.org/documents/ResourceAlerts/ResourceAlert0709.pdf](http://www.udetc.org/documents/ResourceAlerts/ResourceAlert0709.pdf)

#### **Did you Know....?**

That it is not too late to be an exhibitor at this year's National Leadership Conference? The deadline is July 17<sup>th</sup>! Go to [www.udetc.org](http://www.udetc.org) and click on the NLC icon and exhibit options and registration forms are available for download. This is a wonderful opportunity to spotlight your goods and services that are powerful tools in the efforts to reduce underage drinking.



# Success Stories

Enforcing the Underage Drinking Laws Program

NEWS FROM THE FIELD

July 2009

[www.udetc.org](http://www.udetc.org)

## Indiana Alcohol and Tobacco Commission (ATC) responds to data and implements a Survey for Alcohol Compliance (SAC).

According to a 2006 study conducted by the Indiana Prevention Resource Center, more than 70 percent of Indiana’s High School Seniors admit to having consumed alcoholic beverages. The Indiana ATC and the State Excise Police began developing new enforcement strategies to identify problem alcohol sales outlets and strategies that would be effective for retailers in reducing sales to minors. This brought the emergence of a process known as the “Survey for Alcohol Compliance” (SAC). The SAC is an inclusive six-phase process.

During Phase 1, the ATC chairman drafted a letter that was sent to all permit holders identifying the process and informing them that the Excise Police would conduct training to assist them in identifying underage patrons, fraudulent documents, and how to sell responsibly. This training is offered free of charge through the regional offices. In addition, the ATC partnered with Indiana University-Purdue University Indianapolis (IUPUI), in generating a random list of Indianan alcoholic beverage permit holders. This initial list contained locations to be checked by the Excise Police, using the SAC protocol during Phase 2 of the process. The results of these checks provided statistical data related to the serving of alcoholic beverages to minors.

Phase 2, and SAC is conducted. During this phase, the only locations surveyed were those indicated on the list provided by IUPUI and the establishments where it is lawful for the youth to patronize. By the close of 2007, the Excise Police had conducted 1,803 SAC inspections in the 92 counties. From that number, 1,220 of the establishments passed the inspections and 603 failed the inspection. The rate of noncompliance for this phase was 32 percent. These checks included grocery stores, convenience stores, big box stores, and restaurants. Liquor stores and bars were not included in this noncompliance rate but were implemented during Phase 3 of the project.

In January of 2008, Phase 3 of the process was initiated. During this phase, compliance checks were initiated in liquor stores and other locations that minors are not permitted to patronize. Since January 2008, they have completed 3,116 compliance checks. Of those checks, 743 permit locations were willing to sell to minors. This comes to roughly a 24 percent noncompliance rate, a significant drop from the close of 2007, which indicated a 32 percent noncompliance rate.

During Phase 4, each of the regional Excise districts will begin conducting 150 to 200 compliance checks per month. Also, officers will begin issuing violations for noncompliance with the law.

During Phase 5, Excise officers will use minors to initiate “Shoulder Tap” enforcement, focusing on those willing to purchase alcoholic beverages for minors. Consistent with the other phases of the SAC process, during Phase 5 the initial response to a failure is to provide a warning and use the data for statistical purposes.

However, Phase 6 is the process in which all violations could result in administrative and/or criminal charges. The SAC illustrates the effectiveness of consistent and effective strategies. It includes education, collaboration and sensible penalties.

This story indicates the success achieved by using a consistent and well thought-out process. Indiana’s success has opened the doors in developing additional partnerships in other environments (i.e., school communities) resulting in a continuous efforts in preventing underage drinking.

Content Source and contact info:  
Alex D. Huskey, Superintendent  
Indiana State Excise Police

(317) 232-2452 email: [ahuskey@atc.IN.gov](mailto:ahuskey@atc.IN.gov)

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Phone: 877-335-1287. Fax: 301-755-2808



# Success Stories

Enforcing the Underage Drinking Laws Program

NEWS FROM THE FIELD

[www.udetc.org](http://www.udetc.org)

July 2009

## TABC Introduces Effective Military Alcohol Awareness Program

Underage drinking has long been a focus of the Texas Alcoholic Beverage Commission (TABC), and cooperation from the public has always been an important source of information for TABC agents tasked with enforcing underage drinking and laws. The TABC has sponsored a toll-free phone number for reporting alcohol violations since 1994 and also has numerous statewide programs, such as compliance checks, shoulder tap operations, cops in shops, and seller trainings. On a local level, however, TABC identified the need to address specific populations. During 2007, incidents in San Angelo involving military personnel and alcohol were on the rise. With a significant underage population in the community, overall violations and underage drinking needed to be addressed.

In an attempt to find a solution to the ongoing problem, the TABC met with the Goodfellow Air Force Base (AFB) sexual assault investigator and base commander to develop a program to combat alcohol violations and to track progress and success. The two groups met with a local bar/club manager to develop a plan. Together Goodfellow AFB, TABC, and the local establishment partnered and came up with an inclusive system to help the base increase control of their personnel, identify violators, and reduce alcohol violations. The plan was multifaceted and included the following:

- Providing the local establishment a telephone number to call in situations involving minors and intoxicated military personnel who were nonviolent and cooperative.
- On-call sergeants taking personnel back to the base and delivering them to their appropriate supervisor.
- The base collecting data so that each person picked up would be dealt with by base command.
- The base implementing an alcohol awareness class for all incoming Airmen and personnel being promoted to Sergeant.

In 2008, after 6 months, military incidents were almost eliminated. Bar/club management has reported having one to two incidents per weekend, if any at all, involving military personnel compared to 10 to 15 before implementation of the plan. A TABC agent trained a Goodfellow AFB officer on how to teach an alcohol awareness class. Since the base implemented the program, more than a thousand young men and women have been educated on alcohol awareness.

The relationship is still sustained. TABC agents continue to hold quarterly meetings with Goodfellow AFB personnel. The meetings have been so well received that they expanded them to include the County Sheriff's Office, additional management from local alcohol establishments, and about 40 ranking military officials.

The cooperation and strong partnership between TABC, retailers, and Goodfellow AFB helped scale back the problem of military underage drinking in San Angelo. Due to the program's success, Goodfellow AFB officers are going to promote the program to other Air Force bases at their command conference. Changing norms and behaviors can be an arduous task. This success story is an example of how getting the right partners and developing a strong program is not only effective, but also can be sustained and replicated.

For further information on this story contact:

Ashleigh N. Jons, Research Specialist  
Texas Alcoholic Beverage Commission  
Education and Prevention  
Phone: (512)206-3294  
Email: [ashleigh.jons@tabc.state.tx.us](mailto:ashleigh.jons@tabc.state.tx.us)

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## **The Alabama Court of Criminal Appeals Upholds Conviction of Parents Who Host Underage Drinking Party**

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In December 2008 the Maine Supreme Court handed down their opinion in the case of *State v. Blackburn*; 2008 ME 178, 2008-ME-1208.392. Pursuant to a conditional plea agreement, Tyler P. Blackburn pleaded guilty to a charge of allowing a minor to possess or consume liquor in a place under his control. Blackburn appealed from the District Court's denial of his motion to suppress evidence obtained by police when they entered his family's home to investigate underage drinking. Blackburn contended the search was not supported by probable cause or any of the exigent circumstances justifying a warrantless search of a residence.

### Analysis of the Case

The appellants, Manuel Lee Owens and Sherri M. Owens, were convicted of allowing minors to participate in an open house party, a violation of § 13A-11-10.1(b), Ala. Code 1975. The trial court sentenced Manuel to serve a term of 60 days in the county jail, but split the sentence and ordered him to serve one weekend in jail followed by 90 days on probation. It sentenced Sherri to serve a term of 60 days in the county jail, but suspended the sentence and placed her on probation. Manuel and Sherri did not file any post-judgment motions. This appeal followed.

Manuel and Sherri argue that the State did not present sufficient evidence to support their convictions. With regard to open house parties, § 13A-11-10.1(b), Ala. Code 1975, provides:

"No adult having control of any residence, who has authorized an open house party at the residence and is in attendance at the party, shall allow the open house party to continue if all of the following occur:

"(1) Alcoholic beverages or controlled substances are illegally possessed or illegally consumed at the residence by a person under the age of 21.

"(2) The adult knows that an alcoholic beverage or controlled substance is in the illegal possession of or is being illegally consumed by a person under the age of 21 at the residence.

"(3) The adult fails to take reasonable action to prevent illegal possession or illegal consumption of the alcoholic beverage or controlled substance." § 13A-11-10.1(b), Ala. Code 1975.

For purposes of § 13A-11-10.1, Ala. Code 1975, an "adult" is defined as "[a] person who, pursuant to state law, may possess alcoholic beverages." § 13A-11-10.1(a)(1), Ala. Code 1975. An "adult having control of a residence" is defined as "[a]n adult who has sanctioned an open house party and who is in attendance." § 13A-11-10.1(a)(2), Ala. Code 1975. A "residence" is defined as "[a] home, apartment, condominium, country club, motel, hotel, or any other unit designed for dwelling." § 13A-11-10.1(a)(7), Ala. Code 1975. Finally, an "open house party" is defined as "[a] social gathering at a residence." § 13A-11-10.1(a)(5), Ala. Code 1975.

### Legal Standards and Precedents

"In deciding whether there is sufficient evidence to support the verdict of the jury and the judgment of the trial court, the evidence must be reviewed in the light most favorable to the prosecution. *Cumbo v. State*, 368 So. 2d 871 (Ala. Cr. App. 1978), cert. denied, 368 So. 2d 877 (Ala. 1979). Conflicting evidence presents a jury question not subject to review on appeal, provided the state's evidence establishes a prima facie case. *Gunn v. State*, 387 So. 2d 280 (Ala. Cr. App.), cert. denied, 387 So. 2d 283 (Ala. 1980). The trial court's denial of a motion for a judgment of acquittal must be reviewed by determining whether there existed legal evidence before the jury, at the time the motion was made, from which the jury by fair inference could have found the appellant guilty. *Thomas v. State*, 363 So. 2d 1020 (Ala. Cr. App. 1978). In applying this standard, the appellate court will

determine only if legal evidence was presented from which the jury could have found the defendant guilty beyond a reasonable doubt. *Willis v. State*, 447 So. 2d 199 (Ala. Cr. App. 1983); *Thomas v. State*. When the evidence raises questions of fact for the jury and such evidence, if believed, is sufficient to sustain a conviction, the denial of a motion for a judgment of acquittal by the trial court does not constitute error. *Young v. State*, 283 Ala. 676, 220 So. 2d 843 (1969); *Willis v. State*.  
*Breckenridge v. State*, 628 So. 2d 1012, 1018 (Ala. Crim. App. 1993).

"In determining the sufficiency of the evidence to sustain the conviction, this Court must accept as true the evidence introduced by the State, accord the State all legitimate inferences there from, and consider the evidence in the light most favorable to the prosecution.' *Faircloth v. State*, 471 So. 2d 485, 489 (Ala. Cr. App. 1984), affirmed, *Ex parte Faircloth*, [471] So. 2d 493 (Ala. 1985)."

"The role of appellate courts is not to say what the facts are. Our role . . . is to judge whether the evidence is legally sufficient to allow submission of an issue for decision to the jury." *Ex parte Bankston*, 358 So. 2d 1040, 1042 (Ala. 1978). An appellate court may interfere with the jury's verdict only where it reaches "a clear conclusion that the finding and judgment are wrong." *Kelly v. State*, 273 Ala. 240, 244, 139 So. 2d 326 (1962). . . A verdict on conflicting evidence is conclusive on appeal. *Roberson v. State*, 162 Ala. 30, 50 So. 345 (1909). "[W]here there is ample evidence offered by the state to support a verdict, it should not be overturned even though the evidence offered by the defendant is in sharp conflict therewith and presents a substantial defense." *Fuller v. State*, 269 Ala. 312, 333, 113 So. 2d 153 (1959), cert. denied, *Fuller v. Alabama*, 361 U.S. 936, 80 S. Ct. 380, 4 L. Ed. 2d 358 (1960).  
*Granger [v. State]*, 473 So. 2d [1137,] 1139 [(Ala. Crim. App. 1985)].

" . . . Circumstantial evidence alone is enough to support a guilty verdict of the most heinous crime, provided the jury believes beyond a reasonable doubt that the accused is guilty.' *White v. State*, 294 Ala. 265, 272, 314 So. 2d 857, cert. denied, 423 U.S. 951, 96 S. Ct. 373, 46 L. Ed. 2d 288 (1975). `Circumstantial evidence is in nowise considered inferior evidence and is entitled to the same weight as direct evidence provided it points to the guilt of the accused.' *Cochran v. State*, 500 So. 2d 1161, 1177 (Ala. Cr. App. 1984), affirmed in pertinent part, reversed in part on other grounds, *Ex parte Cochran*, 500 So. 2d 1179 (Ala. 1985)."  
*White v. State*, 546 So. 2d 1014, 1017 (Ala. Crim. App. 1989). Also, "[c]ircumstantial evidence is not inferior evidence, and it will be given the same weight as direct evidence, if it, along with the other evidence, is susceptible of a reasonable inference pointing unequivocally to the defendant's guilt. *Ward v. State*, 557 So. 2d 848 (Ala. Cr. App. 1990). In reviewing a conviction based in whole or in part on circumstantial evidence, the test to be applied is whether the jury might reasonably find that the evidence excluded every reasonable hypothesis except that of guilt; not whether such evidence excludes every reasonable hypothesis but guilt, but whether a jury might reasonably so conclude. *Cumbo v. State*, 368 So. 2d 871 (Ala. Cr. App. 1978), cert. denied, 368 So. 2d 877 (Ala. 1979).'  
*Ward*, 610 So. 2d at 1191-92." *Lockhart v. State*, 715 So. 2d 895, 899 (Ala. Crim. App. 1997).

### Facts of the Case

Deputy Kevin Wise of the Covington County Sheriff's Department testified that, around 12:30 a.m. on January 21 or 22, 2006, he responded to a complaint by one of Manuel and Sherri's neighbors about noise and vehicles on his property. As he went down the dirt road toward their house, he saw a truck in a ditch. He also saw approximately ten vehicles parked on the edge of Manuel and Sherri's yard and an adjacent field, which was approximately thirty or forty yards from their house. Wise testified that he saw approximately twenty people, including minors, in Manuel and Sherri's yard and near their house, but did not see any in the field, which was dark. Finally, he testified that he did not see any evidence of alcohol or of a bonfire.

Wise testified that he contacted Agent Scotty Ballard of the Alabama Alcoholic Beverage Control Board ("ABC Board") about the situation and left. As he passed the truck that was in a ditch, the driver and his brother, who were 17 and 18 years old, appeared. He investigated and learned that the driver had been at the party and had been drinking.

Ballard testified that he arrived around 1:00 a.m. and saw eighteen to twenty people in the yard and on the back deck of Manuel and Sherri's house. Manuel was standing against a deck rail and had a beer can in his left hand. Four people were sitting at a table on the deck, and three of the four were under the age of 21. There were several open containers of beer on the table and deck and nine unopened cans of beer in a container on the deck. Ballard testified that several of the minors he talked to had a strong odor of alcohol on their person and that they arrested several minors for being in possession of or consuming alcohol. He also testified that he did not see any alcohol containers in the yard and that there was not a fire there. Finally, he testified that, after they learned that Manuel and Sherri's daughter Leandria had had the party, they located her and determined that she had been drinking.

Sergeant Kenneth Davis of the ABC Board testified that he also responded to the scene. When he went to the back deck, he saw Manuel leaning against a deck railing consuming a beer, Sherri standing near a door to the house, and two or three other adults there. He also saw open and unopened cans of beer on the deck and confiscated some of the unopened cans. Davis testified that Manuel and Sherri admitted that they knew that minors, including their daughter, had been drinking. However, they told him they did not know what to do. Davis testified that, when he first asked Manuel and Sherri if anyone was in the house, they indicated only that their younger child was in there. After they investigated, however, they learned that Manuel and Sherri's daughter Leandria was also in the house and had been consuming alcohol.

Davis testified that he did not see any evidence of a party or a bonfire in the field, but admitted that he did not go into the field. He also testified that the vehicles were parked in Manuel and Sherri's yard where the grass had been mowed about twenty to twenty-five yards from the house, that he did not see any cans or litter near the vehicles, and that he did not see any minors consuming alcohol at the house.

Davis testified that they arrested eight minors for consumption of alcohol. He also testified that he arrested Manuel and Sherri because they were there, admitted that they knew their underage daughter and other minors had been consuming alcohol, and that they did not do anything to prevent or stop the consumption of alcohol. Davis stated that he was not aware of allegations that Manuel and Sherri accumulated the minors' keys so they could not drive away. Nevertheless, he stated that would have kept the minors from driving, but would not have kept them from drinking.

Leandria Owens testified for the defense that Manuel and Sherri are her parents and that she was 19 years old at the time of the incident; that she decided to have an impromptu party in a neighbor's field approximately sixty to seventy yards behind her parents' house; that they used a bonfire for light; that her parents were not at home when the party started; and that she would not have had the party if her parents had been home. She testified that there were between fifteen and thirty people at the party who ranged in age from 17 to 21 years and that some of the people who were under the age of 21 consumed alcohol. However, she testified that none of the underage drinkers consumed alcohol at her parents' house.

Leandria testified that, during the party, a friend telephoned her and told her that law enforcement officers were on their way to the party. An officer arrived and had to leave, but he told them to stay in the field until he returned. At that point, she went to her parents' house, got them out of bed, and told them that they had been drinking, that some people had left, and that law enforcement officers would be back. Finally, she testified that Manuel and Sherri then took the car keys from the remaining guests who had been drinking in an attempt to prevent them from driving.

Manuel testified that he got home around 10:00 p.m. or 10:30 p.m. on January 21, 2006; that there were some people in the field that was adjacent to his house; that the field belonged to his neighbor; and that Leandria had had get-togethers there before, but had not previously mentioned having one that night. Later, Leandria came to the house and told him and Sherri that they had been drinking and that law enforcement

officers were coming. At that point, they took the car keys from those people who had been drinking.

Manuel testified that he was not drinking beer when law enforcement officers arrived at his house. He also testified that the beer officers confiscated from the deck was not his, that it belonged to Brandon Nall, and that there were some adults there drinking, but that he did not observe anyone who was underage drinking. Finally, he stated that, to his knowledge, he had never seen Davis.

Sherri testified that she did not know anything about the party until she got home from work at approximately 11:30 p.m. on January 21, 2006, when she noticed the gathering of young people in the field. Later, Leandria came to the house, admitted that they had been drinking, and told her and Manuel that law enforcement officers were on their way. Sherri told Leandria to go to bed and then stepped outside. Finally, she testified that the party guests were 19, 20, and 21 years old; that she confiscated car keys from the ones who had been drinking; and that she did not see any of them drinking alcohol in her presence.

Samantha Lumpkin, Leandria's best friend, testified that Leandria was intoxicated that evening and that she had seen Leandria intoxicated before that evening. She also testified that she was certain that Manuel and Sherri did not know about the party. Finally, she stated that she did not see anyone who was underage drinking alcohol at Manuel and Sherri's house and that the vehicles were parked at the edge of the field.

In rebuttal, Ballard testified that he observed Manuel drinking a beer when he arrived at the scene, that Manuel smelled of alcohol, and that Manuel did not say anything when he asked what he was doing. He also testified that no one ever said anything to him about taking up car keys.

Davis also testified as a rebuttal witness and reiterated that he saw Manuel drinking a beer and that he spoke to Manuel about the incident. He testified that Manuel and Sherri did not mention anything about confiscating any car keys or say that there had not been a party at the house. Finally, he added that no one told him the party occurred in the field and that he saw debris only immediately around the house.

### Conclusions

The State presented evidence that Manuel and Sherri were on the deck and that Manuel was drinking a beer when officers arrived. It also presented evidence that there were minors and several open and unopened cans of beer on the deck and that several of the minors smelled of alcohol. The State further presented evidence that there was not any evidence of beer cans, debris, or a bonfire in the field. Rather, all of the people and beer cans were near Manuel and Sherri's house. Finally, Manuel and Sherri admitted that they knew their underage daughter and other minors had been consuming alcohol and that they did not do anything to prevent or stop the consumption of alcohol.

Even taking as true their allegation that they confiscated keys from the minors who had been consuming alcohol that still would not have prevented the minors from possessing and consuming alcohol. At most, they simply prevented them from driving. Thus, the State presented circumstantial evidence from which the jury could have reasonably concluded that Manuel and Sherri authorized a party at their residence, were in attendance at the party, and allowed the party to continue after learning that alcohol was in the possession of or being consumed by people who were under the age of 21, in violation of §13A-11-10.1(b), Ala. Code 1975. "In general, the jury is in the best position to decide the credibility of witnesses." *Congo v. State*, 477 So. 2d 511, 516 (Ala. Crim. App. 1985). Also, "[t]he weight and probative value to be given to the evidence, the credibility of the witnesses, the resolution of conflicting testimony, and inferences to be drawn from the evidence are for the jury." *Smith v. State*, 698 So. 2d 189, 214 (Ala. Crim. App. 1996), *aff'd*, 698 So. 2d 219 (Ala. 1997).

Accordingly, we affirm the trial court's judgment.



# National Electronic Seminars Enforcing Underage Drinking Laws Program

The OJJDP Audio-TELECONFERENCE Series

## 2009 National Electronic Seminars Calendar

July 23, 2009 3:00 – 4:15 p.m. Eastern Time

### ***Using Volunteers for Underage Drinking Enforcement Operations and other Events***

With law enforcement budgets dwindling because of the downturn in economic growth, managers must look for new ways to stretch dollars. Underage alcohol enforcement and other law enforcement operations are one way citizen volunteers can assist the communities they live in. See how several law enforcement agencies are using volunteers in a meaningful way for special events and other enforcement operations that relate to reducing underage drinking and other alcohol-related community incidents.

August 2009

***There will not be an August Audio Call because of the National Leadership Conference held in Dallas, Texas on August 13 – 14<sup>th</sup>***

**\*\*\*Please visit our website for the next audio call in the series\*\*\*  
[www.udetc.org](http://www.udetc.org)**



## **We want to hear from you!**

Do you have an Underage Drinking Topic that would make a great National Electronic Seminar? Send us your suggestions at [udetc@udetc.org](mailto:udetc@udetc.org) and put 'NES Topic Suggestion' in the subject line!

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All programs provide opportunities for presentation, discussion, and sharing information. Telephone dial-in instructions and accompanying materials will be mailed to registrants two weeks before the audio conference.

To register for any of these free electronic seminars by phone, call toll-free 1-877-335-1267 extension 230





# Enforcing Underage Drinking Laws Program

## AUDIO CONFERENCE

### TOPIC

#### Using Volunteers for Underage Drinking Enforcement Operations and Other Events

With law enforcement budgets dwindling because of the downturn in economic growth, managers must look for new ways to stretch dollars. Underage alcohol enforcement and other law enforcement operations are one way citizen volunteers can assist the communities they live in. See how several law enforcement agencies are using volunteers in a meaningful way for special events and other enforcement operations that relate to reducing underage drinking and other alcohol-related community incidents.



### DATE

July 23, 2009

### TIME

3:00-4:15 p.m. EDT

### PRESENTERS

**Presenter 1:**  
**Chief Mark Miranda**, Newport Police Department, Newport, OR  
[M.Miranda@newportpolice.net](mailto:M.Miranda@newportpolice.net)

**Presenter 2:**  
**Lt. Dave Teem** Newport Police Department, Newport, OR  
[D.Teem@newportpolice.net](mailto:D.Teem@newportpolice.net)

**Presenter 3:**  
**Barbara Dougherty**, Director Commission on Children and Families  
Newport, OR 97365  
[bdougherty@co.lincoln.or.us](mailto:bdougherty@co.lincoln.or.us)

### WEB ENHANCED

*Internet users will be able to log on to our conference web page to view presentation slides and interact with other participants.*

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Please register by using one of our automated options:

- **To register on our website**, please visit [www.udetc.org](http://www.udetc.org) and complete the online registration form, or
- **To register by phone**, please call our toll-free number, 1-877-335-1287, extension 230, and follow the prompts.

**Telephone dial-in instructions and accompanying materials for the audio conference will be mailed one (1) week before the call.**