

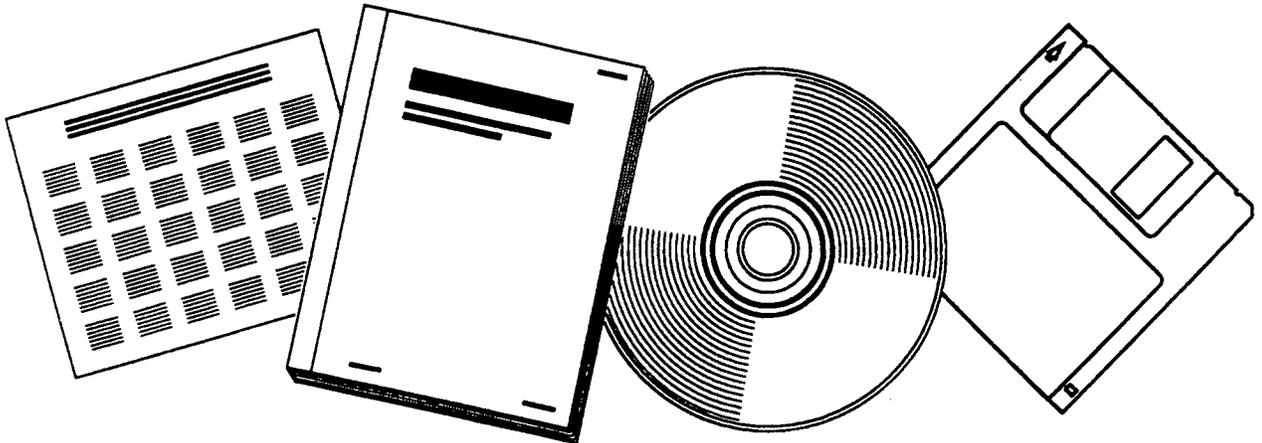


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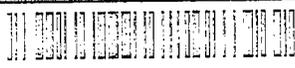
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YOUTH DWI AND UNDERAGE ENFORCEMENT

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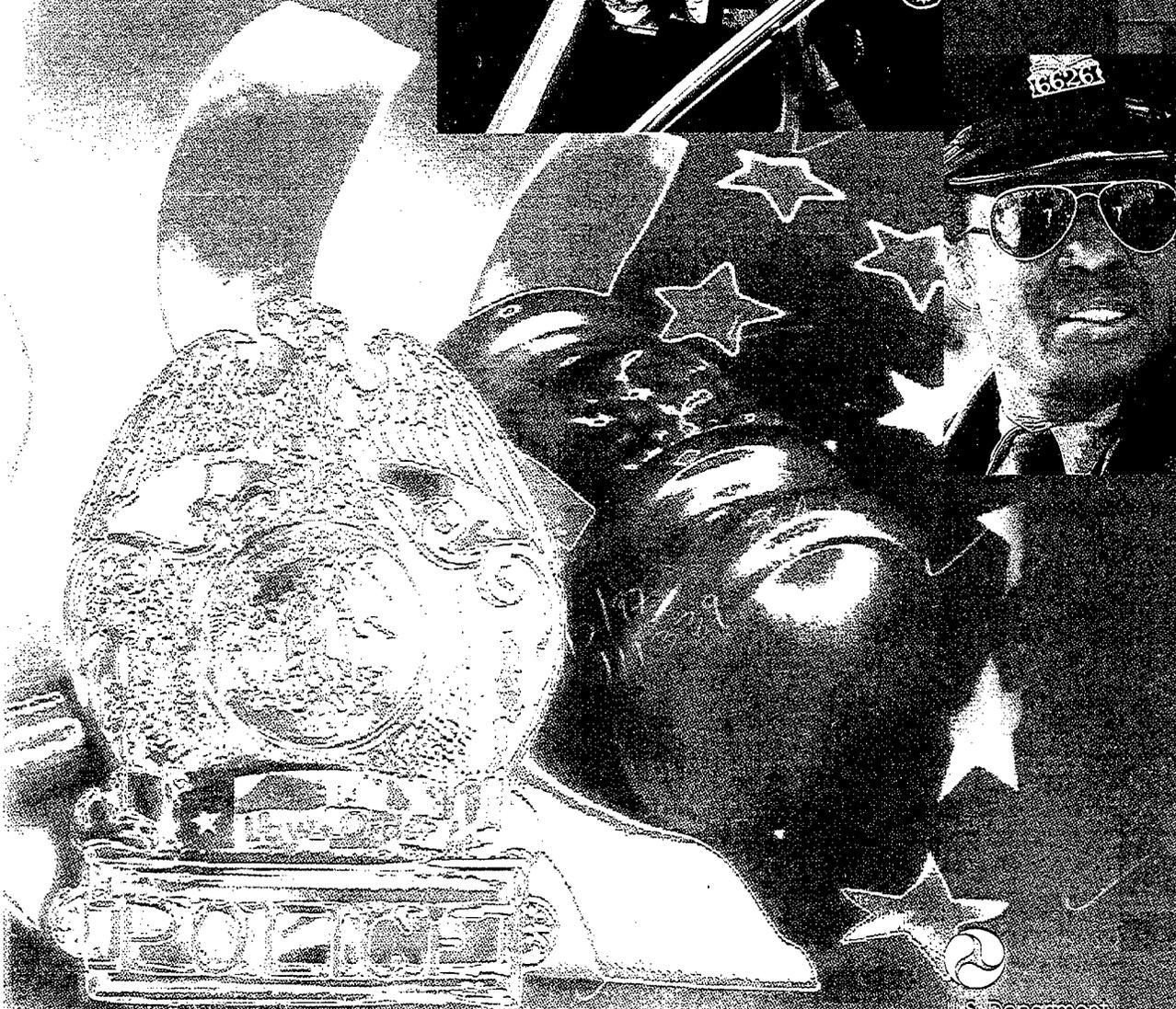
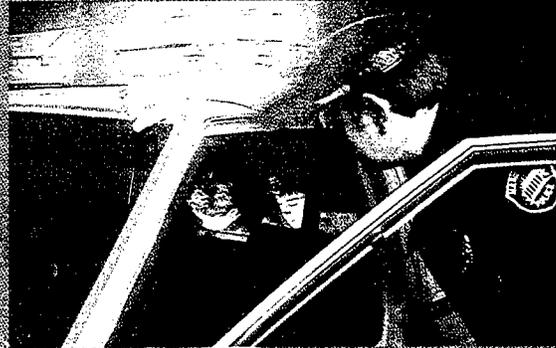
U.S. DEPARTMENT OF COMMERCE
National Technical Information Service



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YOUTH DWI AND UNDERAGE ENFORCEMENT



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U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

UNDERAGE DWI ENFORCEMENT

This resource manual, "Underage DWI Enforcement," was written by officers for officers, as an easy-to-use guide for combating a growing problem facing us all. Working sessions were held in which law enforcement agencies from across the country sent representatives to brainstorm and address these most important issues of underage drinking and youth DWI enforcement. This manual is the result of those sessions.

THE MANUAL INCLUDES:

- Introduction:** background information on the widespread seriousness of the problem and discussion regarding why it's important to your community
- Partnerships:** tips on how to get started, gain cooperation, and build momentum, as well as relevant considerations and challenges
- Enforcement:** the most crucial element in combating the problem, consisting of stings, point-of-purchase operations, saturation patrols, and other effective enforcement operations
- Enhancers:** peripheral activities that supplement existing operations, including parental notification, hotlines, and other support initiatives
- Appendix:** suggested complementary action such as education, legislation, and treatment round out the weapons against underage DWI

It is our sincere hope that you find this manual to be an effective aid in complementing your existing efforts in this area, or motivation to start a youth alcohol enforcement effort in your community.



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**



UNDERAGE DRINKING

It's a complex, widespread, and serious problem. It affects the health and safety of not only our young people, but the entire community. Those under 21 have different drinking and driving patterns than adults, and therefore require special attention. And it's more than a "social problem." Underage alcohol purchase and consumption are not simply illegal; they often lead to far more major offenses. For instance, almost half of the teens in custody for assault, rape, murder, theft, and drug charges said they were under the influence of drugs or alcohol at the time they committed their offenses. At the same time, the number of youths 18 and under who were arrested for murder and aggravated assault has increased by about 50 percent (FBI statistics, 1988-1995).

Motor vehicle crashes are the leading cause of death for those ages 15 to 20. In fact, youths between 15 and 20 are killed in traffic crashes at twice the rate of the general population. Alcohol is involved in over 35 percent of these crashes.

SOBERING STATISTICS

But, working together, we can substantially reduce these fatalities. In fact, it's imperative. Because, unfortunately, every day one of these theoretical "statistics" becomes a tragic reality. Being proactive also helps us in the long run; it gives us an opportunity to stop a problem from becoming larger and puts parents and other community members on notice that this is a shared responsibility — not strictly the province of law enforcement.

Still — it's a great challenge. One that may seem easier said than done in an age of shrinking staff and budgets, limited time, increasing expectations, and tougher standards.

HOW CAN WE DO IT?

Through cooperation, careful planning, and extensive coordination. The National Highway Traffic Safety Administration, law enforcement agencies, and a host of community organizations are joining together to fight this battle. Together, it's one we can win.

We'll make the most of the key weapon in our arsenal: enhanced enforcement efforts complemented by an extensive public education and information campaign.

Executing the program will bring together a wide range of social, legal, political, educational, and civic organizations. Lots of different personalities, many different — and sometimes divergent — approaches and ideas.

So the key to smooth implementation is farsighted planning, thorough coordination of all parties and all elements, and qualified management. Law enforcement is the right agency for the leadership role. Law enforcement has the data and the experts. And, along with parents, law enforcement generally bears the responsibility when there is a violation.

This manual is designed to be an easy-to-use resource with suggestions on how to set up successful enforcement operations and support programs. It includes examples — and samples — that have worked in other places and will guide you to additional information sources as needed.

The cooperative nature of the program — and our "bare bones," practical, commonsense approach to implementation — means that your department can design and execute an effective public safety campaign — one that can positively affect underage alcohol abuse — that's only minimally taxing on your personnel and your budget.

And that's good news, especially in these times when both are at a premium.

What follows is more good news — and exciting ideas that will make a difference to public health and safety in your community.

Underage drinking is a problem that originates from many sources. Peers, media, home, school, and community all influence how young people make such decisions. It makes sense, then, that the most effective way to tackle the problem is through forming relevant partnerships that will reach our target audience on several fronts.

Consider that when

- civic and business leaders,
- local media,
- advocacy groups,
- the court system,
- parents,
- school officials,
- social services and health care organizations,
- liquor commissions or liquor license authorities, and
- advertising and public relations concerns

all support enforcement efforts — and when police agencies and sheriff's offices support one another — we are a powerhouse. Our strength is exponential, our costs are dramatically reduced, and our chances for receiving program funding are far greater. We also build relationships that can be leveraged on subsequent projects and programs.

Partnerships allow us far greater results with a more efficient use of time and energy. We don't have to continually "reinvent the wheel"; each partner can learn from the trial and error of others, and the very best programs to spring from our collective brainstorming will become our models. We won't be replicating — or undercutting — other community efforts, since all participants will have a stake in the program.

Still — it can be a little confusing to begin forming partnerships outside of the law enforcement community. The possibilities are endless. Where, how, and with whom should we begin?

GETTING STARTED

To form a partnership, start with the following roster of groups concerned about the impact of underage alcohol use:

- Elected and appointed community leaders (e.g. City Council members)
- Self-appointed civic activists and opinion influencers (for instance, those who regularly appear before the City Council to present a neighborhood or community issue)
- Government leaders at the state and regional levels
- Educators
- Media representatives (editors and program directors as well as local radio, TV, and print “personalities”)
- Health care providers
- Clergy
- Civic and community organizations (such as civic leagues)

- Business leaders (Chamber of Commerce members and officials)
- Members of the judicial system (lawyers, prosecutors, judges, parole officers, etc.)
- Parent organizations, including the local PTA
- Alcohol licensing councils, bureaus, and agencies
- Area law enforcement administrators
- Criminalists and crime lab technicians
- Public information officers

And don't forget to contact the leadership in the local chapters of special interest groups such as

- MADD (Mothers Against Drunk Driving)
- SADD (Students Against Driving Drunk)
- RID (Reduce Intoxicated Drivers)

These organizations are extremely relevant to our cause and can probably refer you to other committed individuals and groups.

MOTIVATING AND GAINING COOPERATION

Successfully bringing together many different groups — even those with common goals and values — requires diplomacy, creativity, and often a lot of luck! Here are some tips on how to make participation more appealing, and how to address or avoid many of the above-stated challenges:

- Be specific about the potential benefits to a particular organization and to the community as a whole. These include improved public health and safety, decreased crime (including decreased violence and vandalism), and a higher level of community education about underage alcohol use.
 - Remind potential partners that this program furthers their cause; it isn't simply a favor to law enforcement. Also remind them that participation gives them an important "good citizen" credential.
 - Form a joint task force to address the problem regionally, and closely coordinate law enforcement efforts. Important roles of this task force are to provide a platform for frequent and clear communications and to act as a clearinghouse for questions and problems.
 - Public organizations will appreciate the fact that the structure of the program — which demonstrates community cooperation, pooling and conservation of resources, and a greater chance for success — will make the project an appealing candidate for local, state, and federal grant funding.
- Let partners know that, working together, we will probably experience greater, longer-lasting success in far less time. Participation requires few out-of-pocket resources, and the team approach can leverage time investment as well.
 - Periodically keep partners apprised of the program's success. Make available to them information on increased arrests, decreases in underage drinking and driving, exciting examples of innovative and creative programs, regional or local recognition of various projects, media coverage, and any other "milestones."
 - Mention that the benefits to participants will outlive the program. The participants will have opened up new communications channels and formed powerful new alliances and working relationships with complementary organizations.
 - Make sure your enforcement program is developed in cooperation with the criminal justice community. Involve local judges and prosecutors in the establishment of policies and procedures. Encourage them to accompany the enforcement team during the Covert Underage Buyer (CUB) sting operation to give them a chance to see the program in action and offer insight into the scope of the problem in your area. Establish guidelines that are agreed upon by all members of the legal system, including detention facility authorities and juvenile officers. Consider drawing up an agreement with the local prosecutor on how the enforcement program will be implemented.

BUILDING MOMENTUM

There are many ways to get your partnership's message out and begin building your coalition of support:

- Hold a news conference "kickoff" explaining the nature, scope, and purposes of the operation. Emphasize the importance of community support and participation.
- Hold Q&A or discussions in "concerned citizen" forums at the local high school, civic league meeting, Boys' and Girls' Clubs, YMCA, YWCA, and other like-minded institutions.
- Use the local media! This is a newsworthy event, not just at the program kickoff but throughout the execution of the program. Send out press releases regarding program progress and positive results. Contact a news reporter to attend a sting operation, or pitch a columnist on the "human interest" side of the story, suggesting a feature on victims of underage drinking and driving accidents. Make sure that your story ideas reflect the values and goals of the community.
- Encourage TV participation. Police re-enactment programs have made remote video of "real life" police operations quite popular. Tell local station program directors about the CUB program, and suggest visual opportunities.
- Make the most of your partners' resources! Submit regular stories, press releases, reports, etc. to the electronic (e-mail, CD-ROM) and hard copy versions of their newsletters. Most welcome both story ideas and pre-prepared articles. (Don't forget student newspapers at local schools as well as PTA publications.)
- Remember that a comprehensive education campaign is critical to solving the problem. Encourage educators to begin anti-drug and -alcohol messages in the elementary grades; it is easier to keep children from starting than to get them to stop. Develop a classroom or assembly presentation to offer to the schools. Provide informational materials to principals and PTA officials geared to both students and parents.
- Encourage TV, radio, and print interviews. Appoint and brief a spokesperson.

CONSIDERATIONS AND CHALLENGES

There are factors that will shape your particular program that you will need to consider. Review the following:

1) Assess youth drinking patterns in your community, and examine how they differ from those of other groups.

Tracing these patterns involves addressing:

- Locations that underage violators frequent
- Particularly problematic times and dates (weekends and holidays, for example)
- Specific problems that businesses experience in deterring underage patrons

Do a comprehensive analysis of your agency’s records on youth-related arrests, crash reports, and intelligence information on youth activities in your area that may have a relationship to alcohol and drug use. Is the problem a lack of emphasis on or interest in youth and alcohol problems? Is there a lack of enforcement action (arrests)? Lack of prosecution? Lack of punishment? Are minors stealing alcohol? Using fake ID’s? Do minors attempt to purchase the alcohol themselves, or do they have someone else do it for them?

Much of this information is available through:

- a) Researching local media (including establishing a working relationship with those reporters assigned to police, community, and education “beats”).
- b) Interviewing students, asking why their peers do not fear being caught, for example.
- c) Investigating the research and data available through partners such as MADD and SADD.
- d) Talking to school officials and parents — these sources often know when and where parties are being planned and held, and they may also know where students can obtain alcohol.
- e) Asking businesses for information on trends in alcohol sales that they believe are attributable to minors.
- f) Communicating with other departments. One of the key strengths of this program is that it

provides a pipeline through which law enforcement agencies can communicate and work together. Use it! For example, agencies in neighboring counties and cities may have compiled a great deal of relevant data that could be helpful to your team.

2) Another major concern — and one that occurs all too frequently — is that beginning a program in one

GIVING NEW MEANING TO THE TERM “BACKUP”

“The most significant piece of equipment in the Nassau County Police Department’s war against the illegal sale of alcohol is ... a backpack! Most young people carry one; but ours often carry a successful conviction as well. The Electronics Squad of our department constructed a special backpack for our young agents that contains a video recorder with a fiber optic lens and microphone routed to the shoulder strap. The camera records the transaction from the perspective of the underage agent — walking to the cooler or shelf, exchanging the money. It’s all right there!

“We continually try to improve the technology and techniques we use to provide our prosecutor with the best case possible. Since 1993, we have conducted 667 investigations, resulting in 261 prosecutions, all of which have resulted in convictions.

“We are much indebted to our underage agents. To maintain effective recruitment, and to strengthen our ties to the community, we form active and mutually beneficial partnerships with PTA’s, youth groups, and other organizations by offering speakers, guidance, and assistance as needed.

“Our goal, of course, is to eliminate the need for such operations by encouraging voluntary compliance among all merchants. Since alcohol is the most abused of all drugs, we feel this is an important mission.”

**Nassau County Police Department
Bureau of Special Operations
Nassau County, New York**

locale (without coordination throughout the region) simply moves the problem from one place to another — generally to a neighboring community. And make no mistake — underage violators are well aware of where to go to purchase alcohol illegally, and word travels fast regarding which communities have tight, consistent enforcement procedures and which do not.

3) Liquor establishments are in a competitive business and may resent enforcement efforts that don't include all of them equally. Letters to these establishments will help them understand the purpose and the process of the operation and can help reassure them that they are not being singled out.

4) Many of the organizations you approach — and often this is the case with local liquor authorities —

have limited resources and manpower and may feel this program will require more than they can afford to offer. Remember to “sell” the program as a high priority for the entire community, and remind them that all associated tasks and responsibilities will be shared among many parties — the more cooperation solicited, the lighter the load will be for all concerned.

5) Starting a program without sufficient buy-in from the other components of the criminal justice system is self-defeating. If prosecutors and judges are not supportive, officers will be less interested, and offenders will not be deterred. Make sure that all in the system are fully briefed — through meetings and/or memorandums — before you begin.

Enforcement is the most crucial element in combating underage drinking. It includes a number of sting operations, as well as subtler enforcement efforts such as parental notification and party patrols. In the following section, you'll learn step-by-step procedures for each — information that can help

you decide which approach is the best for addressing the problems in your area.

The goals of all enforcement operations are simple: to enable law enforcement to accurately assess the nature and degree of a community's problem, and to deter violators through direct enforcement.

STINGS

Stings are one of the most direct and immediate methods of responding to the problem of underage alcohol purchase and use. The goal of these more aggressive enforcement efforts is to put alcohol vendors on notice that the underage statutes will be enforced, and to ultimately gain their voluntary compliance in all transactions.

Sting CUB (Covert Underage Buyer) will send a signal of “zero tolerance” to the community, alcohol sales establishments, and prospective violators. To determine whether this approach is appropriate and necessary, explore these questions:

- Has your community experienced loss of life, serious injury, or property damage as a result of underage DWI?
- Are alcohol-related juvenile crimes affecting your community? Are they increasing?
- Have you found traditional methods of apprehending underage alcohol purchasers and retailers costly and ineffective?

Potential CUB locations and times should be determined by factors such as

- A complaint pattern that indicates a propensity for sale to minors at a specific location
- A premise that is a popular place for minors to congregate (one that carries the potential for violation)

In addition, if resources permit and the situation dictates, you can target all locations in your area that serve or sell alcohol.

Sting CUB uses an underage person — either a training cadet or a specially trained civilian — to attempt to purchase alcohol (similar to “buy busts” in drug investigations).

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

Personnel:

Using a police cadet is obviously the best choice. As

an alternative, departments can temporarily recruit under-21 “agents,” young people who are 18 or 19. (Those recruited should be solicited with the full understanding that they are volunteers.) You may also want to consider these as viable candidates:

- SADD member
- Child of a police officer
- Local college student — ideally someone in the criminal justice program

Criteria for recruits:

- No past or pending criminal record
- Verifiably underage
- Youthful appearance (to avoid suspicion of entrapment)
- Capable of undertaking the assignment — including any subsequent court appearance — maturely and intelligently

Equipment:

The following equipment and resources are suggested for running a thorough CUB operation:

- Unmarked car
- Marked police vehicle
- Polaroid camera with film (for photographs of the volunteer immediately prior to and following the sting)
- Criminal summonses
- Evidence containers for alcohol analysis (as necessary)
- Evidence containers (such as large paper bags) for collecting bottle/can evidence (as necessary)
- Money to purchase alcohol
- Log sheet
- Audio-video equipment for documenting the transaction (this presents the best evidence in court and provides further safety for the underage person)
- Portable Breath Test (PBT) kit for breath testing before and after the operation (this protects law enforcement from the charge that a minor was allowed to consume alcohol).

Laws:

Laws regarding alcohol violations may vary from region to region. Below are some suggestions for helping you define and recognize which laws are applicable to your jurisdiction:

- Schedule a meeting with the prosecutor and/or judge in your area to review local and state alcohol laws. Specifically ask about any recent changes.
- Review arrest procedures for both adults and juveniles.
- Be aware of all potential statute violations. Any of these may apply in your area:
 - Selling, serving or delivering alcohol to a person under 21
 - Possession of alcohol by a person under 21
 - Illegal sale of alcohol by an unauthorized vendor
 - Illegal sale of alcohol by a juvenile under 18 to an underage purchaser

Training:

Different levels of training are recommended for different participants.

Plainclothes and uniformed police officers:

- Review operations plan.
- Specifically outline the roles of each individual involved.
- Review all rules of evidence with underage agent; supervise and monitor him/her throughout sting to ensure his/her safety.
- Review post-violation procedures:
 - Officer identifies him/herself.
 - Officer informs defendant and management of what has happened and gives specific information about what will happen.
 - Officer follows all established arrest and evidence collection procedures.

HARDLY A “DRY” IDEA

“Operation Dry Run, sponsored by the Wilson, North Carolina, Police Department, is a four-pronged campaign that fuses community involvement, enforcement activity, and the media. It was inspired by the alarming statistic that alcohol is a major factor in the three leading causes of death for United States teenagers: motor vehicle crashes, suicide, and homicide.

“The operation includes 1) patrolling and setting up sobriety checkpoints in those areas where teenagers tend to drink and drive; 2) organizing special patrols to be alert for underage drinking parties; 3) using computerized alcohol sensors to help officers quickly identify drivers who have been drinking; 4) working closely with the district attorney to see that cases are prosecuted. It has been designed to run for three to five months, with the objective of ultimately implementing the project into regular patrol activities.

“Operation Dry Run is a good vehicle for strengthening awareness of enforcement activity in the community, and for forming strong partnerships with teens, parents, businesses, government, and other agencies. These partnerships not only help ensure success of the program, but can become a source of funding once monies for the “start-up phase” (which, in our case, was subsidized by a \$10,000 grant from the Governor’s Highway Safety Program) have been used.

“We were able to foster community involvement in a number of ways. Some suggestions from our experience include: form a teen panel to develop ways to market the project to the target group (for instance, have them create and approve all advertising and promotion efforts); have your project coordinator attend the municipal council meeting in which the grant was approved, to strengthen local legislative support; maintain regular media interaction (press releases, conferences, etc.); and, of course, use your speaker’s bureau or other tools to involve family organizations, local alcohol and drug council, key merchants, etc.”

**Wilson Police Department
Wilson, North Carolina**

Cadets/underage agents:

- Verify age and lack of criminal record of underage agent.
- Thoroughly explain agent's role in sting.
- Define a dress code appropriate to age, not one calculated to make agent look older (females should be specifically instructed to avoid heavy makeup).
- Discuss ID requirements (it is recommended that underage agent not carry an ID, but if your department requires it, agent must carry his/her own legitimate form of identification).
- Inform agent that he/she will truthfully answer any questions posed during sting.
- Inform agent that he/she will not consume any alcoholic beverages.
- Thoroughly explain safety practices to agent.
- Review note-taking procedures (cadet/agent will take notes at each establishment for professional case preparation).
- Review courtroom procedures, including hypothetical scenarios, with agent.

IMPLEMENTATION

CUB operations can take place in a number of locations. The following information provides recommended procedures for both off- and on-premise locations.

Off-premise locations:

- Develop and send letter to establishment informing them of pending operation.
- Take photograph, verify age, and conduct Preliminary Alcohol Screening (PAS) or PBT of underage agent before conducting operation. Make sure this information is properly noted and filed.
- Set up audio/video taping equipment. Begin recording.
- Plainclothes officer enters establishment to observe transaction and provide security for underage agent.

- Underage agent attempts to purchase alcohol (same brand on each CUB operation is recommended).
- Underage agent gives money to cashier. Money can be marked for evidence.
- Underage agent takes purchase outside to uniformed officer to establish chain-of-custody evidence.
- Uniformed officer enters establishment and takes appropriate enforcement action per department procedures.
- Remind underage agent that clothing worn during operation must be worn to court procedure, to prove that the agent did not dress to look older and therefore entrap.
- Follow-up letter to store must be prepared and sent.

On-premise locations:

- Develop and send letter to establishment informing them of pending operation.
- Take photograph, verify age, and conduct PAS or PBT test of underage agent before conducting operation. Make sure this information is properly noted and filed.
- Plainclothes officer enters establishment to monitor underage agent at all times.
- Underage agent sits at bar or table and orders alcoholic beverage.
- Once service or sale takes place, agent says agreed-upon password, which is picked up by audio transmitter or overheard by sting officer(s).
- Uniformed officer comes inside establishment to make arrest, or plainclothes officer goes outside to advise uniformed officer that purchase was made.
- Officer takes appropriate enforcement action per department procedures.
- Agent remains in place until officers remove alcohol.
- Agent confirms identity of seller.
- Agent leaves.

- Follow-up letter to establishment must be prepared and sent.

Be certain to report all purchases to the local Alcohol Board or licensing agency and followup to ensure that appropriate action was taken.

CHALLENGES

Expect that some sectors of the public — especially the business community involved in alcohol sales — will be apprehensive. What you may not anticipate, however, is resistance from within the judicial system. Why?

- Even members of the court and enforcement system may perceive stings as entrapment operations — unfair and detrimental to local business.
- Officers and underage agents may perceive the sting as creating extra work, since CUB operations may require that they go to both criminal court and Alcohol Beverage Control (ABC) hearings.

Possible responses to these concerns include the following:

- CUB stings have been designed to avoid entrapment at all costs; they represent a fair and level playing field. The true purpose of the sting is not to arrest violators, but to deter establishments from breaking the law in the first place. (This is why all pending stings are generally communicated to local establishments via letter prior to the operation.) Those that violate are responsible and must be held legally accountable.
- Timing is particularly critical in all public information activities related to stings.
- The cooperative nature of this program — including enhanced interaction between police departments in neighboring counties and cities — allows us to distribute the work more evenly without overburdening any one department or precinct.
- Consistent public relations efforts explaining the benefits of the operation to the health and safety of the community (see suggestions outlined under

“Partnerships” on pages 4-5) will go a long way toward eliminating community concerns. In addition, you may want to develop an education and training program specifically for alcohol licensees to prevent violations and misunderstandings.

OPTIONS

As an alternative to stings, or as an optional strategy, consider using surveillance techniques to make youth alcohol-related arrests. Some positive considerations for using surveillance as a tool include the following:

- Limited resources are required. A single uniformed officer (or a specifically assigned plainclothes officer) can use his/her downtime to observe suspected establishments that are believed to be selling alcohol to minors.
- The officer can use distance, cover, time (night), and binoculars to observe the storefront for obvious sales to minors and then use normal procedures for stopping a suspected violator.
- Surveillance can be implemented with an officer who is assigned to patrol operations and is available for response to calls for service.
- Surveillance affects other criminal activities (robbery, theft, etc.) that are part of normal uniform patrol duties when not answering calls for service.
- Surveillance is useful for developing intelligence information on groups, vehicles, and associations that can be used to discover field and house parties and other illegal activity.

EVALUATION

There are several methods for tracking, evaluating, and substantiating the success of your program. One or any combination of these may help the public understand and appreciate its value:

- Track juvenile crime.
- Track juvenile arrests.
- Track juvenile alcohol-related crashes.
- Track juvenile complaints.
- Track compliance of store employees.

- Note and record changes in store and business training/education programs.
- Track ratio of “buys” per sting.
- Track underage parties.
- Track criminal, administrative, or civil courtroom proceedings.
- Track penalties.
- Conduct youth surveys to determine deterrence effect.

HOTEL STINGS

An often overlooked but growing problem is violations involving alcohol delivered to hotels and motels. In one sting an underage agent can call various restaurants/stores for alcohol delivery. Another sting can be conducted by calling room service for alcohol delivery. (Implementation procedures are the same for both.)

The goals of this program are to deter retail establishments from making alcohol deliveries to underage violators at hotels and motels and to encourage hotels and motels to implement strict ID check policies for all room service alcohol deliveries.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

Personnel:

Using a police cadet is obviously the best choice. As an alternative, departments can temporarily recruit under-21 “agents,” young people who are 18 or 19. (Those recruited should be solicited with the full understanding that they are volunteers.) You may also want to consider these as viable candidates:

- SADD member
- Child of a police officer
- Local college student — ideally someone in the criminal justice program

Criteria for recruits:

- No criminal record
- Verifiably underage
- Youthful appearance (to avoid suspicion of entrapment)
- Capable of undertaking the assignment — including any subsequent court appearance — maturely and intelligently

Equipment:

The following equipment and resources are suggested for running a thorough hotel sting operation:

- Polaroid camera with film (for photographs of the volunteer immediately prior to and following the sting)

- Criminal summonses
- Evidence containers for alcohol analysis (as necessary)
- Evidence containers (such as large paper bags) for collecting bottle/can evidence (as necessary)
- Money to purchase alcohol
- Log sheet
- Audio-video equipment for documenting the transaction (this presents the best evidence in court and provides further safety for the underage person)

Laws:

Laws regarding alcohol violations may vary from region to region. Below are some suggestions for helping you define and recognize which laws are applicable to your jurisdiction:

- Schedule a conference with the prosecutor and/or judge in your area to review local and state alcohol laws. Specifically ask about any recent changes.
- Review arrest procedures for both adults and juveniles.
- Be aware of all potential statute violations. Any of these may apply in your area:
 - Selling, serving or delivering alcohol to a person under 21
 - Possession of alcohol by a person under 21
 - Illegal sale of alcohol by an unauthorized vendor
 - Illegal sale of alcohol by a juvenile under 18 to an underage purchaser

Training:

Different levels of training are recommended for different participants.

Plainclothes and uniformed police officers:

- Review operations plan.
- Specifically outline the roles of each individual involved.
- Review all rules of evidence with underage agent;

supervise and monitor him/her throughout sting to ensure his/her safety.

- Review post-violation procedures:
 - Officer identifies him/herself.
 - Officer informs defendant and management of what has happened and gives specific information about what will happen.
 - Officer follows all established arrest and evidence collection procedures.

Cadets/underage agents:

- Verify age and lack of criminal record of underage agent.
- Thoroughly explain agent's role in sting.
- Define a dress code appropriate to age, not one calculated to make agent look older (females should be specifically instructed to avoid heavy makeup).
- Discuss ID requirements (it is recommended that underage agent not carry an ID, but if your department requires it, agent must carry his/her own legitimate form of identification).
- Inform agent that he/she will truthfully answer any questions posed during sting.
- Inform agent that he/she will not consume any alcoholic beverages.
- Review note-taking procedures (cadet/agent will take notes at each establishment for professional case preparation).
- Review courtroom procedures, including hypothetical scenarios with agent.

IMPLEMENTATION

Hotel stings involve six basic steps:

- 1) Officer or ABC inspector rents room (front money from department required) without advising desk clerk or manager of his/her purposes.
- 2) Officer or inspector remains in vehicle. Other joins one or more underage agents in room.
- 3) Underage operative calls to order alcoholic beverages from nearby business or hotel room service.
- 4) Officer or inspector watches arrival of delivery person and sales transaction from a discreet location.
- 5) If transaction is completed, delivery person is detained and officer or inspector is notified.
- 6) Appropriate enforcement action is taken against delivery person and/or business establishment.

As always, report all violations to the local Alcohol Board and follow up on what action is taken.

CHALLENGES

The challenges mirror those of standard stings. Expect some negative feedback from the business community involved in the sale of alcohol, as well as members of the court and enforcement systems, who may perceive the stings as entrapment and creating extra work.

EVALUATION

The success of this program is determined by a substantive decrease in the number of retail establishments, hotels, and motels making alcohol sales and deliveries to youths.

POINT-OF-PURCHASE OPERATIONS

Point-of-purchase (POP) operations involve plainclothes officers working with store or restaurant/bar management (off- and on-premise operations, respectively) to identify — and take appropriate enforcement action against — underage patrons who attempt to purchase alcohol with no ID, a false ID, or an altered ID. They have an advantage over some other sting operations because they are targeted at the purchaser rather than the seller and therefore are viewed by business owners as a positive, non-punitive approach to the problem.

Our goals are twofold: to deter violations by sellers and purchasers of alcohol and to discourage the manufacture, sale, and use of fake ID's.

SPECIFIC REQUIREMENTS/SPECIAL CONSIDERATIONS

Community involvement is most helpful in developing a successful POP program. Consider these guidelines:

- Involve interested community members and opinion leaders from the outset. (Refer to the “Partnerships” section of this manual.)
- Invite participants to a planning session. The meeting agenda should:
 - Outline the scope and consequences of the problem in your area, and provide statistics on the fiscal and human costs of youth DWI and crime.
 - Allow an opportunity for participants to discuss their perceptions of how prevalent the problem is.
 - Petition the group about their knowledge and observations of local violation patterns, and record their responses.
 - Explain and evaluate any traditional/past efforts.
 - Provide a full explanation of proposed education and enforcement activities.
 - Solicit participation, and allow attendees

plenty of time to express concerns, offer comments, and ask questions.

Formally establish community and department goals. These should include

- Developing a proactive program that will deter potential violators
- Establishing a pattern of appropriate and consistent enforcement and arrests

Other specific requirements and special considerations include

- Assessing locations frequented by underage purchasers
- Evaluating days and times of greatest purchasing activity

Personnel:

Experience indicates that POP operations generally require as few as one or two officers, except where you anticipate excessive violations or other extraordinary conditions. (Additional officers may be stationed outside or in a remote location in the vicinity.)

Training:

- Pre-detail briefing should be provided for all officers directly involved in the operation. More general information about the POP operation and its purpose and time frame should be available to all officers.
- POP officers should receive specific training on procedural guidelines and ABC laws. To complement this training, consider producing a guidelines manual (and an in-house training video, if conditions and budget permit) for all participating officers. Collateral training should be brief and simple and should cover the project's purpose, its operational procedures, and the relevant law on the purchase, attempted purchase, and possession of alcohol.
- Officers should thoroughly understand relevant departmental policies, including
 - Targeted locations
 - Arrest procedures for adults and juveniles

- Conferences and discussions with prosecution
- Officers should have the ability to detect and confirm false identification, which includes asking questions of youth about their ID and being familiar with all locally accepted forms of ID (driver's license, state ID card, military ID, passport, etc.)
- Store and restaurant/bar personnel should be educated about alcohol laws, relevant police department operations procedures, and false ID detection.

Equipment:

The following is a list of suggested equipment for the successful completion of this operation:

- Unmarked police vehicle
- Polaroid camera and film
- Summonses
- Evidence bags

Laws:

Laws regarding alcohol violations can vary significantly. We suggest that you review the alcohol laws governing your state and community and know which of the following violations apply to your jurisdiction:

- Purchase or attempted purchase of alcohol by underage persons, including use of false ID
- Possession of alcohol by underage persons
- Juvenile laws (contributing to delinquency of minors, etc.)

Timing:

Proper timing for POP operations should be based on an analysis of local patterns, identifying peak hours and days. (Generally evenings and weekends are prime times, but the schedule may need to change if officers detect new buying patterns in response to sting publicity/awareness.)

Locations:

POP locations should obviously include establishments popular with young people. All establishments should be contacted prior to the POP

operation to determine their willingness to participate. At this time, they should be provided with information such as the date and time of the proposed operation and the name of the officer(s) involved.

IMPLEMENTATION

Implementation procedures for POP operations are divided according to on-premise locations (restaurants, bars) and off-premise locations (retail establishments).

On-premise locations

- Plainclothes officer is placed inside predetermined licensed establishment with consent and cooperation of management.
- Salesclerk will request ID from patron in accord with store policy.
- Clerk will ask officer for verification if patron appears to be underage or using a fake or altered ID.
- Officer establishes whether patron is underage and/or whether ID is forged or changed. If so, arrest of patron will be made in accord with proper procedure. (Protocol should include guidelines for evidence processing and preservation.)

Off-premise locations

- Plainclothes officer poses as store employee. (NOTE: For reasons of liability, it is suggested that officer act as clerk's assistant to allow him/her to remain behind the counter, while avoiding initial contact with purchaser and any contact with money.)
- Underage patron enters establishment. Officer observes selection of alcohol and attempt to purchase.
- Patron attempts to purchase alcohol. Patron displays fake/altered ID or claims to have no ID.
- Clerk advises officer.
- Appropriate enforcement action is taken.

Be certain to address the issue of officer safety, including procedures during robberies, etc.

CHALLENGES

POP operations can experience significant downtime without violation activity requiring law enforcement services. This could cause a law enforcement administrator or chief to perceive these operations as wasteful and assign them low priority. It has been the experience of many POP patrols that staking out a location for longer than two to three hours is generally unnecessary and unproductive.

Consider joining forces with established self-policing community groups to share manpower and save time. Be sure to explain the crime prevention benefits of the program to the local businesses and community groups you recruit.

EVALUATION

There are a number of ways to track and measure the success of on- and off-premise POP operations

- Track juvenile crime.
- Track juvenile arrests.
- Track juvenile alcohol-related crashes.
- Track juvenile complaints.
- Track compliance of store employees and policy signposting.
- Note and record changes in store and business training/education programs.
- Track ratio of “buys” per POP operation.
- Track underage parties.

THIRD-PARTY SALES

This variation on the POP operation sting is often quite effective. Underage youths approach the undercover officer and ask him/her to purchase alcohol. The goals are straightforward: to decrease the number of underage alcohol violations, to deter potential violators, and to encourage retail establishments to enact and enforce strict ID policies.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

Community involvement is most helpful in developing a successful third-party sales program. Consider these guidelines:

- Involve interested community members and opinion leaders from the outset. (Refer to the “Partnerships” section of this manual.)
- Invite participants to a planning session. The meeting agenda should
 - Outline the scope and consequences of the problem in your area and provide statistics on the fiscal and human costs of youth DWI and crime.
 - Allow an opportunity for participants to discuss their perceptions of how prevalent the problem is.
 - Petition the group about their knowledge and observations of local violation patterns, and record their responses.
 - Explain and evaluate any traditional/past efforts.
 - Provide a full explanation of proposed education and enforcement activities.
 - Solicit participation, and allow attendees plenty of time to express concerns, offer comments, and ask questions.

Formally establish community and department goals. These should include

- Developing a proactive program that will deter potential violators
- Establishing a pattern of appropriate and

consistent enforcement and arrests

Other specific requirements and special considerations include

- Assessing locations frequented by underage purchasers
- Evaluating days and times of greatest purchasing activity

Personnel:

Experience indicates that third-party sales operations generally require as few as one or two officers, except where you anticipate excessive violations or other extraordinary conditions. (Additional officers may be stationed outside or in a remote location in the vicinity.)

Training:

- Pre-detail briefing should be provided for all officers directly involved in the operation. More general information about the operation and its purpose and time frame should be available to all officers.
- Officers should receive specific training on procedural guidelines and ABC laws. To complement this training, consider producing a guidelines manual (and an in-house training video, if conditions and budget permit) for all participating officers. Collateral training should be brief and simple, and should cover the project’s purpose, its operational procedures, and the relevant law on the purchase, attempted purchase, and possession of alcohol.
- Officers should thoroughly understand relevant departmental policies, including
 - Targeted locations
 - Arrest procedures for adults and juveniles
 - Conferences and discussions with prosecution

Equipment:

The following is a list of suggested equipment for the successful completion of this operation:

- Unmarked police vehicle
- Polaroid camera and film

- Summonses
- Evidence bags

Laws:

Laws regarding alcohol violations can vary significantly. We suggest that you review the alcohol laws governing your state and community and know which of the following violations apply to your jurisdiction:

- Purchase or attempted purchase of alcohol by underage persons
- Possession of alcohol by underage persons
- Juvenile laws

Timing:

Proper timing for third-party sales operations should be based on an analysis of local patterns, identifying peak hours and days. (Generally evenings and weekends are prime times, but the schedule may need to change if officers detect new buying patterns in response to sting publicity/awareness.)

Locations:

Third-party sales locations should obviously include establishments popular with young people. All establishments should be contacted prior to the operation to determine their willingness to participate. At this time, they should be provided with information such as the date and time of the proposed operation and the name of the officer(s) involved.

IMPLEMENTATION

The following are recommended procedures for third-party sales operations. In addition, experienced officers offer the following tips: The officer should

“dress down” — almost as a street person — to look more credible, and if the location of your operation seems unsafe, be sure to have a uniformed officer stationed nearby.

Suggested implementation is as follows:

- 1) Plainclothes officer sits or stands outside retail establishment.
- 2) Officer is approached by youth and asked to purchase alcohol.
- 3) Officer accepts money and purchases alcohol.
- 4) Officer exits and gives youth alcohol and any change.
- 5) Officer identifies him/herself and takes appropriate enforcement action.

CHALLENGES

Legal issues concerning third-party sales are slightly different from those governing other stings, so consult your local prosecuting attorney for proper procedural instruction before conducting this activity.

EVALUATION

There are a number of ways to track and measure the success of third-party sales operations:

- Track juvenile crime.
- Track juvenile arrests.
- Track juvenile alcohol-related crashes.
- Track juvenile complaints.
- Track compliance of store employees.
- Note and record changes in store and business training/education programs.
- Track ratio of “buys” per sting.
- Track underage parties.

SATURATION PATROLS

Saturation Patrols are concentrated enforcement activities in high-volume areas that attempt to reduce the frequency of crashes by combining public information and education efforts with well-planned enforcement strategies. They are designed to address as many aspects of underage alcohol-related activity (traffic, purchase, and consumption violations) as possible, using concentrated and well-coordinated enforcement efforts frequently utilizing multiple agencies. Saturation Patrols were developed in response to nationwide youth alcohol statistics, which revealed very distinct driving and behavior patterns and cues among underage alcohol users. These figures, the supporting research, and less-than-adequate arrest records seem to indicate a need for a comprehensive, collaborative way to combat the problem. The violations that Saturation Patrols attempt to deter are broad-based, including

- DWI violations
- Blood alcohol concentrations (BAC's) of more than 0.02 for those under 21 (i.e., violation of the "zero tolerance" law)
- Illegal possession or consumption of alcohol/drugs
- Illegal purchase, sale, or delivery of alcohol

Saturation Patrols also address a number of logistical problems, such as an agency's limited resources or equipment for dealing with alcohol-related enforcement. Often, these violations are overlooked due to what are considered higher law enforcement priorities.

Saturation Patrols essentially "do more with less." They increase the perceived threat of enforcement (an effective deterrent) while contributing significantly to public education. They encourage the pooling and channeling of resources from several different law enforcement agencies.

The goals for this program are in keeping with those of other underage alcohol programs, but are slightly

more broad and ambitious. For instance, most Saturation Patrols aspire to

- Reduce alcohol-related crashes and fatalities involving those under 21.
- Arrest those under 21 in possession of alcohol or other drugs.
- Target areas frequented by those under 21 when possessing or consuming alcohol.
- Rectify the perception that there is a lack of enforcement on these issues.
- Inform the public (focusing on those under 21) and the media of "zero tolerance" for violations.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

Because Saturation Patrols involve a number of different agencies, they often require several months of planning. During this time, key questions involving which agencies will participate and what the collective goals and objectives are will be answered. The uniquely cooperative nature of Saturation Patrols makes it critical that certain considerations be discussed — and certain resources be in place — before proceeding. These include

- Having an available pool of well-trained, motivated officers who specialize in DWI and alcohol-related violations.
- Agreeing upon specific dates and times that the Saturation Patrol will be active.
- Inventorying manpower and resource allocations as well as the degree of involvement of each participating agency.
- Concentrating on particular areas of concern (i.e., youth alcohol incidents, youth alcohol crashes, youth alcohol parties/establishments etc.).
- Being in philosophical agreement with "zero tolerance."
- Encouraging the spirit of democratic debate and "checks and balances" — all participants should be ever-vigilant that agreed-upon goals and objectives are being met.

Participants:

The number and nature of participants are virtually unlimited; the common factor is simply that they are agencies and individuals who are concerned about the problems of underage drinking. (See “Partnerships” for ideas.)

IMPLEMENTATION

Because Saturation Patrols are collaborative efforts, their implementation will vary according to the priorities, resources, and capabilities of those involved. Suggested procedures, however, include the following:

- 1) Organize a press conference (complete with press kits) to inform the public of the Saturation Patrol’s philosophy and goals. This conference should establish the “perception of risk” among drivers under 21 who use alcohol. Indicate specific enforcement actions, and invite the media for “ride-alongs.”
- 2) Offer routine updates, in the form of press releases or media contacts, throughout the process. Public service announcements should complement the effort.
- 3) Practice consistent enforcement from standard anti-DWI efforts to “zero tolerance” (covering all forms of possession, consumption, purchase, sale, and delivery).
- 4) Establish a “command post” in the form of a central booking facility. This will include
 - Staff
 - Breath-testing equipment and certified operators
 - All necessary office equipment and support, including computers, chairs, and paperwork/forms
- 5) Conduct regular “roll call” briefings to review
 - Standard Field Sobriety Testing procedures
 - Jurisdictional issues
 - Processing/communication procedures
 - Intelligence information and officer safety
 - Media participation/updates

CHALLENGES

There are certain challenges particular to Saturation Patrols. These include

- Reluctance of some agencies to share manpower and resources
- Reluctance of some parents and community members to support the effort
- Difficulty in ensuring prosecutorial and judicial support
- Difficulty in obtaining media assistance and support
- Having insufficient procedures and facilities for youth detention

There is no simple solution to these potential obstacles. Freely and frequently communicating your purposes and goals to the community, developing a large pool of partners, and soliciting public relations assistance from your support network will help considerably. Also, because “nothing succeeds like success,” you may find less resistance and/or apprehension once your program begins to take shape and create positive change.

EVALUATION

There are a number of ways to measure the success of Saturation Patrol operations, including tracking the following:

- Number of DWI arrests for under 21 vs. over 21
- Number of “zero tolerance” arrests involving alcohol/drug violations
- Average BAC’s of DWI offenders
- Number of arrests for illegal possession of alcohol/drugs
- Number of youth-related crimes involving drugs/alcohol
- Number of calls for service related to youth alcohol problems

A formal debriefing should be conducted to further evaluate the Saturation Patrol experiment and to

examine opportunities for improvement. This analysis should cover such questions as

- Did the “perception of risk” quotient really deter?
- How much voluntary compliance (from drivers under 21) did the program stimulate?
- What was the overall community perception of the program?
- Were media cooperation and coverage adequate?

A report and summary of the Saturation Patrol operation should be compiled and distributed to law enforcement participants and given to the media.

For a complete guide on establishing Saturation Patrols, write or call for the following:

“Saturation Patrols Targeting Impaired Driving: Guidelines for Community-Based Alcohol Enforcement Programs”

National Highway Traffic Safety Administration
Traffic Law Enforcement Division, NTS-13
400 Seventh Street, S.W.
Washington, DC 20590
(202)366-4295

PARTY PATROLS

Much underage drinking takes place at privately organized parties, where teens tend to “binge drink,” consuming five or more drinks in a row in order to get drunk.

Law enforcement learns of these parties from a number of sources, including

- Calls from citizens.
- Party Hotline information. A 24-hour anonymous hotline to be used by school administrators, parents, and other teens regarding planned activities enables officers to stop a problem before it starts.
- Patrol officer observation.
- Information gleaned during an unrelated criminal arrest.
- Information stemming from a school network. Teachers can be invaluable allies, telling officers about parties they hear of, passing along flyers advertising parties, etc. The key is to establish viable mutual relationships with teachers and administrators so that they know whom to contact, when, and how.
- Prior knowledge of teen party plans, locations, and dates.

Detection and enforcement of party drinking are more challenging and require a unique, selective approach. In this case, enforcement policy cannot take the form of a heavy-handed sting because kids will disperse quickly, generally in cars, further endangering themselves and others.

On the other hand, teens are aware that there is no tradition of enforcement for teen parties, so they have little or no “perception of risk.” To reverse this impression, liquor laws, curfews, and other drinking-related ordinances must be consistently and effectively enforced.

The goal of this program is to reduce the number of teen parties and/or ensure that all teen parties are alcohol-free. In reviewing this goal, it is important to remember that strict enforcement is labor-intensive.

Once teens become accustomed to stricter guidelines, however, the number of incidents should decrease.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

Most special considerations for this program involve reviewing local laws and ordinances related to youth, alcohol, and/or parties (for instance, some laws hold “those in charge of the premises” legally responsible for accidents and events that occur as a result of a party). Other specific suggestions include the following:

- Record and track the incidence of teen parties, locations, and patterns.
- Maintain contact with information sources, including established networks and hotlines.
- Notify parents at the host location of a pending party.
- Inventory and make available proper equipment, including PBT’s, video cameras, and Polaroid cameras.
- Offer sufficient manpower in the form of plainclothes officers, cadets, and even non-uniform departmental employees who can infiltrate a party and expose violators.
- Write and disseminate a uniform policy and procedures statement to ensure consistent enforcement. This should include “zero tolerance” and should be composed after guidelines have been established with local judges and prosecutors.

IMPLEMENTATION

As with all programs, Party Patrols require following appropriate enforcement procedures according to department guidelines.

In addition, conducting a successful Party Patrol involves the ability to

- 1) Conduct a staff briefing on the nature, goals, and objectives of the program.
- 2) Make Party Patrol assignments. (The number of staff and hours required will vary according to the

BECOME A CONTROL FREAK

"In March, 1993, Mary Kate Kelly, a high school student in Virginia, was killed in a fatal accident. While this, sadly, is an all-too-common scenario, what made this case receive significant attention was that she had attended a keg party at a friend's house that was interrupted by parents returning home. While party participants were dispersed at that time, many, including the driver of the car Mary Kelly was riding in, were already intoxicated, with tragic consequences.

"Obviously, simply breaking up a party isn't enough, even though this is the traditional police response to this kind of activity. It does not make good use of resources and it's ineffective; in a high number of cases, the party continues after the police leave, requiring us to return again and again.

"In Montgomery County, we decided to try to right this situation by developing The Controlled Dispersing Plan. (It is essentially a modified version of our old Wheaton Shift 8 plan, which closed parties and monitored exit avenues for alcohol violations.) Here's how it works:

- *The officer responding to the party complaint screens for signs of underage drinking activity before approaching the house.*
- *If sufficient cause warrants, the supervisor is notified and apprised of the situation.*
- *Several officers (normally 6 to 8) are dispatched to a staging area to meet the supervisor.*
- *Officers deploy their cars at either end of the roadway, trapping the vehicles in the vicinity of the party house. This generally requires three cars and one officer to remain with the vehicle.*
- *The other officers approach the home.*
- *The Contact Officer (raid coordinator) and a Backup Officer (recorder) make up the approach team and knock on the front door, while the remaining officers respond around the house and form the interior perimeter.*
- *The host of the party is asked to come outside.*
- *If the host does not cooperate, we arrest and transport him/her to the station, secure the scene, and obtain a search warrant. If the host cooperates, we access the house, close the party, and make sure that anyone who has been drinking does not drive. (In the case of the latter response, the host is given two citations, possession of alcohol and furnishing alcohol to minors, but is allowed to stay home.)*
- *Remaining guests are encouraged to contact friends and family for rides. Those legitimately unable to make such arrangements are transported home via the department's SoberRide account with a local taxicab company.*
- *Officers then return to their vehicles and open the roadway. All drivers are checked for possession of alcohol or any other infraction; those in violation are subsequently arrested.*

"As you can see, this program resolves two key problems: it eliminates the possibility of drinking and driving, and it resolves the party situation without requiring return deployment to the scene. In August 1993, we first implemented this program at a 250-person keg party in Rockville. Eight officers were able to successfully close the party, seize two kegs, and clear participants in just over 30 minutes."

**Montgomery County Police Department
Montgomery County, Maryland**

type and size of the problem in your area. Personnel should include officers currently assigned to routine patrol; you may not need to designate a specific party squad.)

- 3) Reduce potential youth DWI by stopping drivers before they leave a party, or checking them before they enter their vehicles.
- 4) Develop a “controlled dispersion plan” for teens leaving a party. This trains officers to respond to party-related complaints and to safely end parties. This plan emphasizes surveillance, information gathering, closure of exit avenues, and safe crowd dispersal.
- 5) Record vehicle tag numbers of cars parked at a party location. This information aids in incident investigation and can also be used to mail a form letter to the registered owners, informing them that their vehicle was identified at a gathering that involved minors and alcoholic beverages.
- 6) Collect ID’s of the party host and all observed alcohol violators.
- 7) Gather evidence, including money collected for admission/beer.
- 8) Contain a party to ensure the sobriety of all underage participants prior to dispersal.
- 9) Contact broadcast and print media prior to enforcement actions and before holidays (including prom and graduation activities) in an effort to discourage potential violations.
- 10) Encourage media personnel and representatives of the judicial system to accompany the enforcement team during an active event.
- 11) Provide the local Alcohol Board or licensing agency with any information regarding establishments that were responsible for providing the alcohol, and followup to ensure that appropriate action was taken.

CHALLENGES

One of the biggest challenges of this program is that the nature and degree of the “party problem” varies widely. It often involves widespread and remote areas and private property issues. It also requires sufficient resources during a time of “belt tightening” and shrinking budgets.

In addition, Party Patrols involve the efforts of several different agencies. And even though all are focused on the same solution, each will need to develop its own individual Party Patrol enforcement policies and procedures. In other words, this is not a “one size fits all” program — which, on the bright side, allows room for greater creativity and problem solving. Of concern, however, is that this structure carries the potential for diffusiveness, lack of coordination, and confusion. Central coordination of all efforts is critical for a cohesive, seamless approach to enforcement.

EVALUATION

Party Patrol evaluation requires tracking the following:

- Changes in the nature and number of teen-related crashes
- Changes in community awareness of the problem; altered perception of community quality of life (as indicated by focus group research)
- Changes in the nature and number of alcohol violation arrests
- Changes in the nature and number of curfew violation arrests
- Changes in the nature and number of teen parties.
- Changes in the number of parental contacts

Underage drinking is not only a pressing problem, it's a growing one. And the way young people are drinking is changing. In 1995, 29.8 percent of high school seniors acknowledged binge drinking during the previous two weeks. This, combined with the budget, resource, and manpower shortages that plague many departments, means that we must work both harder and smarter.

Law enforcement must use every tool at its disposal and create new support systems. Program enhancers are essentially any peripheral activity that works toward the betterment of existing operations. They are among the most cost-effective ways to gather a wealth of valuable information.

COOPERATING INDIVIDUALS

One age-old staple of law enforcement is the use of reliable intelligence, also known as the cooperating individual. This informant, acting as the eyes and ears of the law enforcement agency, can provide the information needed for intelligent planning and effective enforcement.

In fact, cooperating individuals may be especially effective in dealing with youth alcohol violations, because they offer support for a problem that many citizens are reluctant to address or do not perceive as troubling. Also, remember that it doesn't take young people long to "get hip" to law enforcement efforts related to alcohol violations. Once they become aware of the procedures and patterns, detection and enforcement become much more difficult. Cooperating individuals can make the difference.

The goals of the program are to create a continuous, reliable pipeline of information stemming from area businesses, organizations, and citizens, and to offer the public a positive way to get involved and contribute to this effort.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

This program obviously requires reliable cooperating individuals to make it work. These can include

- Telephone hotline (including Crime Line/Crime Stopper) callers
- Hotel, motel, grocery, and liquor store clerks
- Cadet personnel currently within the school system
- Teachers, school officials, and parents
- Paid informants

IMPLEMENTATION

Procedures for implementation of the cooperating individuals program require mainly common sense and good interpersonal skills. Successful execution of the program also includes the following suggestions:

- 1) Officers should look for cooperating individual prospects and should recruit all candidates individually.
- 2) Officers should establish a confidential relationship with cooperating individuals and should communicate consistently.
- 3) Officers should compile a complete dossier on paid informants, including personal history, photograph, and fingerprints.
- 4) Payments made to informants must be agreed upon in advance, with documentation to include receipts and records. (Suggested sources of funding: Crime Stoppers, seized narcotic monies, fines.)

CHALLENGES

This program bears several unique challenges:

- Maintaining the confidentiality of the cooperating individual
- Conducting a 90-day review of the cooperating individual's performance
- Protecting the security of the cooperating individual in the event that his/her identity is revealed

EVALUATION

Cooperating individuals program evaluation requires tracking

- The accuracy of information received by comparing it with successful operations/arrests.
- The decrease (if any) in underage alcohol violations/ incidents.

PARENTAL NOTIFICATION

Many parents are completely unaware of their children's alcohol or other drug use. Others feign ignorance. Either way, lack of parental involvement compounds the problem. It can cause parents to blame police for "wrongly accusing" their sons or daughters, and lack of parental support for police efforts can result in inconsistent enforcement. Children who go unpunished after wrongdoing are being "enabled" to repeat the behavior. It also gives them a greater sense of invulnerability (which most young people possess to begin with, and which is particularly dangerous in instances of drinking and driving).

A parental notification policy, as its name implies, requires that officers inform any parent whose child has been cited (when no arrests have been made and no other police action taken) for an alcohol-related violation. The program makes both parents and children accountable and gives parents the opportunity to institute appropriate punishment. (Not surprisingly, many of the more common forms of discipline — being grounded, early curfews, frequent check-ins, removal of car privileges — also severely limit the ability to purchase alcohol or attend parties, allowing us to address the problem in the home, rather than in the courts.)

The goals of this program are to give parents a realistic view of their children's activities and to establish important communication between law enforcement and citizens.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

Prior to implementation, review policies regarding how, when, and in what fashion information should be released to parents. Make a note of "gray areas" — i.e., dealing with those ages 18 to 20. Notification is not required for young people no longer living at home. Also, consult with juvenile officers regarding privacy rights and other relevant issues. It is possible to raise awareness by sponsoring forums, focus groups, or surveys that assess the true scope and nature of the problem. (This may be done in

conjunction with community organizations that have similar goals.)

IMPLEMENTATION

The following steps will help you conduct a successful parental notification program. (Note that those steps specifically involving how officers may wish to notify or communicate with parents are left to the preference and discretion of the officer involved.)

- Identify those involved in an alcohol-related incident (i.e., consuming alcohol or in the company of those who are consuming alcohol) by collecting ID's and recording names.
- Notify parents. This can be done in a number of ways, depending on the style with which you are most comfortable:
 - Write a follow-up letter, based on the police report, and send it to the child's parents in a plain envelope (to avoid its interception by the minor). Letters will vary according to the nature of the offense. Every letter should include referral information regarding alcohol use and abuse. Every letter should also include the name of an officer, detective, or clerk whom parents can contact for further information about the incident. This method is simple and can be delegated to non-sworn personnel if necessary. It is not as communicative as other methods, however.
 - Placing a telephone call to parents — either from the scene of a party or shortly after your return — can be an immediate "wake-up call" to parents. It also allows you to provide information in response to questions, is a more reliable method of contact than a letter (which may or may not arrive), and is not greatly time-consuming. (This task can also be delegated to non-sworn personnel such as Health Department counselors or parental support volunteers.)
 - In-person notification carries the greatest impact and allows an officer to personally assess a child's home environment. It is time-consuming, however, and could be a safety risk in certain circumstances.

- Other options include delegating notification responsibilities to other qualified agencies and individuals such as schools, concerned businesspeople, and citizens.

CHALLENGES

Enforcement issues involving familial relationships are often emotionally charged and therefore especially challenging. Parental resentment is always a possibility and could result in anything from a lack of interest and cooperation to outright rebellion and

violence. You must also account for the ambiguous and often confusing legal issues governing dealing with underage persons who are not minors (over age 18, under age 21).

EVALUATION

This program is difficult to evaluate precisely because the program's effectiveness depends upon what happens in the home. Statistics regarding telephone inquiries, frequency of parties, and number of underage arrests can offer an estimate.

ALCOHOL AND DRUG HOTLINE

This is a telephone service designed to gather information about alcohol and drug violations, while offering caller anonymity. The hotline is available and accessible to all citizens. Goals of the program are to increase the information base (and therefore the number of arrests) and to keep youth alcohol issues top-of-mind (through continuous publicizing of the line and number).

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

To determine whether such a service would benefit your area, compare data from neighboring jurisdictions regarding drug- and alcohol-related incidents (including crimes and crashes).

Also consider conducting interviews with alcohol and/or drug violators.

IMPLEMENTATION

This is one of the simpler programs to implement. Steps are as follows:

- 1) Establish a phone line with an answering system to record calls regarding complaints/violations.
- 2) Design a system to record, maintain, and track the calls received. Have an accurate system for passing information along.
- 3) Design a media plan to actively promote the existence, purpose, and phone number of the hotline.

CHALLENGES

This is a convenient, quick, and reasonably reliable method of information gathering. It is sometimes difficult to maintain the anonymity of callers, however, and the process for delivering feedback is not foolproof. Also, some departments may not have sufficient funds for another phone line and/or for the media coverage necessary to publicize the line.

EVALUATION

This program can be evaluated by

- Conducting community surveys about the hotline
- Tracking messages related to the line
- Comparing arrest statistics with information received via phone

TEEN COURT

This program is a cooperative venture among schools, the court system, and law enforcement. Students act as prosecution, defense attorneys, and jurors for their peers who have been charged with alcohol-related offenses. The primary goal of the program is to change the attitudes of young people (primarily regarding drinking and driving) by involving them in the judicial process.

Teen Court also helps ease the burdensome caseload within the juvenile justice system by adjudicating relatively minor cases that would otherwise be continued indefinitely or result in light or no punishment.

SPECIFIC REQUIREMENTS/ SPECIAL CONSIDERATIONS

This program is quite distinct from previously discussed enforcement operations. Once established, it can become self-sustaining, but implementation may require some promotion. To determine whether there is interest in such a program in your community, talk with officers of the court — attorneys, judges, prosecutors, etc. — and local school officials. A successful Teen Court program will definitely need their enthusiasm, as it will beg extra time and resources from the system, at least during the start-up phase. In selling the idea, be explicit about both the enforcement and prevention benefits.

IMPLEMENTATION

Implementation of a Teen Court program primarily involves up-front organization and clear demarcation of responsibilities. Basic steps are as follows:

- 1) Law enforcement coordinates the overall program.
- 2) Courts coordinate space, time, and dates for trials and possibly the availability of the presiding Juvenile Court Judge.

- 3) Schools develop lists of students, teachers, and school officials who will participate, and they assign roles, determining prosecuting and defense attorneys and jurors.

- 4) The District Attorney's office provides legal opinions, interpretations, procedures, etc.

- 5) Cases involve relatively minor alcohol-related offenses, including underage purchase, underage consumption, false ID, and low-level DWI violations by first-time offenders.

CHALLENGES

The challenges involved in running a successful Teen Court program include convincing law enforcement officers to take these proceedings as seriously as any others; convincing all cooperating partners to devote the necessary time and energy to the program; and ensuring that punishments, due to peer pressure, are neither too lenient nor too harsh.

EVALUATION

There are both quantitative and qualitative ways to evaluate the Teen Court program:

- Track the decrease in the number of alcohol-related crimes, arrests, and crashes.
- Petition participating students about whether the experience has changed their perceptions (i.e., do they still consider drinking and driving "cool"?).
- Assess the value of the partnership established among law enforcement, the judicial system, and the schools.

To receive a manual and information on the Teen Court program, contact the American Probation and Parole Association, P.O. Box 11910, Lexington, KY 40578, phone (606) 244-8215.

SUGGESTED COMPLEMENTARY ACTION

We hope you have found this manual helpful and informative; it was compiled with the latest information at our disposal and greatly enhanced by creative, real-life, field-tested suggestions based on the experience of officers across the country.

Enforcement, however, is only one part of any comprehensive and effective program. Other necessary components include

- Education, including prevention
- Legislation
- Treatment (in lieu of — or in addition to — incarceration)

Let's take a closer look at some examples of these efforts, and the ways in which they complement enforcement actions.

EDUCATION/PREVENTION

We all know that “an ounce of prevention is worth a pound of cure.” And communities in various sections of the country are beginning to experience hopeful success with their education and prevention efforts. Use the following as models to create something similar in your area, or call your state and local highway departments to determine what education/prevention initiatives are under way and lend your support.

Project HELP

The Highway Emergency Lifesaving Program (HELP) was sponsored by the state of Indiana to arm the teen target group with sufficient emergency care skills to enable them to stop and render aid at accident sites when necessary. The Emergency Management Agency cooperated with a local hospital to pilot the program, preparing training materials to fit a variety of formats and orienting them toward specific age groups. The curriculum focused on influencing attitudes toward stopping and helping in addition to teaching emergency response skills. The program is now being taught by more than 450 4-H

youth coordinators in Indianapolis, and emergency medical services providers in that area have also begun teaching the course to prospective trainers.

Safe and Sober Road Trip '95

This Texas initiative was undertaken in response to data that showed an increase in crashes during March, primarily due to spring break. Eighteen of the 25 Texas Department of Transportation districts conducted spring break activities through their traffic safety specialists (TSS's). These TSS districts were used as distribution points for printed materials and complimentary T-shirts, sunglasses, banners, and Frisbees. Local businesses augmented these “vacation packages” with refreshments, gifts, and free samples. TSS's worked with high schools, colleges, and universities on direct distribution to young people, and volunteers and law enforcement officers covered beaches, car ferries, and rest stops. Two hard-hitting public service announcements were developed and aired in targeted sections of the state, and the campaign attracted significant media attention. This effort directly reached a minimum of 17,000 spring break participants, and thousands more indirectly. DWI-related crashes involving drivers aged 13 to 25 decreased 18 percent between March/April 1994 and the same period in 1995.

LEGISLATION

Currently, there are two key pieces of legislation considered progressive and significant. One is the “zero tolerance” law, which has been on the books in some states since 1990. The other, still in its developmental stage, is called “graduated licensing,” and compliance with “zero tolerance” is one aspect of it.

If your area does not currently have such legislation, write to your state legislative representative and explain why you find it worthy of their consideration to sponsor similar bills. If such laws do exist, get the word out to community, school, and special-interest groups (such as SADD and MADD) to be certain they are informed and to further disseminate the

particulars to the public. Also, don't assume that the media know about these laws, especially if they have been proposed but not passed. Ask the media relations department in your office to send out a press release with the information, including suggestions on how the public can support these measures.

“Zero Tolerance”

“Zero tolerance” laws set the BAC standard for drivers under 21 at between 0.00 and 0.02. In other words, it is illegal for anyone under 21 to drive after having any alcohol to drink. More than 35 states already have such laws in place, and most also involve immediate suspension of the driver's license, a penalty that has been proven to get the attention of young people. These laws have already had a positive effect. In comparing states with and without such legislation, “zero tolerance” states showed a 16 percent decline in fatal crashes likely to involve alcohol. Those without such laws showed a 1 percent increase over a period of several years.

“Graduated Licensing”

“Graduated licensing” is a multi-phase, tiered program to help promote and ingrain better, safer driving skills. The phases are as follows:

- Stage One. A 16-year-old is granted a six-month learner's permit on passing a knowledge test. During this phase a licensed driver 21 or older must supervise all driving; and the licensee must comply with the “zero tolerance” law, must conform (along with all other vehicle occupants) to the mandatory seat belt law, and must have a conviction-free record.
- Stage Two. The driver must have at least 20 hours of documented driving experience, must satisfactorily complete a road test, must have adult

supervision when driving in the evening, must comply with the “zero tolerance” law and the mandatory seat belt law for all occupants, and must have a conviction-free record for 12 months.

- Stage Three. The driver receives a full license.

(NOTE: Recommendations that drivers not receive a full license until age 19 or 20 are currently under discussion among many traffic safety consultants.)

TREATMENT

Alcohol and/or drug abuse are obviously problems whose negative effects are not limited to the highway. Fortunately, there exists a range of treatment options, including school counseling, therapy, life management training, 12 step recovery programs, and in-patient clinical care. The proper treatment depends upon the individual circumstances — including how advanced the problem is.

Your family physician or community health center might be good resources for learning more about the options in your area. The goal of all good programs is to promote long-term abstinence and emotional stability while helping the young patient adapt socially and meet all age-appropriate developmental challenges.

IN CONCLUSION

This manual — including these auxiliary efforts — will not “cure” the problem of underage offenders, but we are hopeful that they offer a solid advantage. And while there is a great deal of creativity, energy, enthusiasm, and sincerity behind the ideas you've read here, they are not, by any means, the sole solutions. We welcome your thoughts and suggestions about programs that are working well in your area. Together, we can make a difference.

The following law enforcement agencies were instrumental in the research and preparation of this resource manual. All participants are greatly appreciated for their efforts.

Elmhurst (IL) Police Department

Fairfax County (VA) Police Department

Frederick County (MD) Sheriff's Department

Illinois State Police

Knoxville (TN) Police Department

Mesa (AZ) Police Department

Montgomery County (MD) Police Department

Nassau County (NY) Police Department

Orange County (CA) Sheriff's Department

Phoenix (AZ) Police Department

Texas Department of Public Safety

Town of Colonie (NY) Police Department

Tulsa (OK) Police Department

Washtenaw County (MI) Sheriff's Department

Wilson (NC) Police Department



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