

# **DURHAM ALCOHOL ENFORCEMENT INITIATIVE**

## **Problem Oriented Community Policing In a University Community**

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# DURHAM ALCOHOL ENFORCEMENT INITIATIVE

## Problem Oriented Community Policing In a University Community

### 1. SUMMARY

The Durham Alcohol Enforcement Initiative was established as a result of fans reaction to the overtime loss of a NCAA Men's "Frozen Four" Hockey Game in 1999. Throngs of people streamed into the streets, alcohol (mostly beer) flowed freely, bonfires were set and general disorder broke out. Police contained the disturbance to a one-block area, which allowed for the "controlled venting" of the crowd. Within two hours the crowd was dispersed and damage to downtown property was kept at a minimum. However, citizens of Durham were outraged at the perceived "take-over" and loss of control of their community and demanded police take swift and decisive action should this situation recur.

This, however, was not necessarily the style of policing that would net a positive result and build a strong community and university relationship. Initiated by the Durham Police Department, a Community Dialogue was held to *"create a strategy that will support a livable community, and a nurturing education environment, comprised of thousands and of young people and permanent residents, coexisting as responsible citizens"*. Three subgroups were established: 1) **Legal Policy**, 2) **Landlord Tenant Relations**, and 3) **Community Issues**. Within each group seven issues were identified, of the 21 total issues, in a plenary session, six were selected as most pressing: Alcohol, District Court, Safety Inspection by Town, Landlord-Tenant Relationships, Police Response, Town-Gown Relationship.

Baseline data was collected on the community including information on the number of apartments, fraternities, sororities, and calls for police service. Discussions followed regarding

the substantial population turnover (25%) at the end of the school year and the seemingly organizational failings within the justice system.

The community partnership provided the impetus to move forward in addressing mutual concerns in a holistic fashion. The noise complaints, negative relationships with fraternities, business and community frustration with rowdy behavior, and the perception the police could or should be more effective, all pointed to the excesses of alcohol. This led to the development of several initiatives including:

- Physical arrest *of each* person charged with possession or open container
- Parental notification
- Adopt-a-Cop Program
- Seacoast Alcohol Task Force
- UNH Durham School District Alcohol Abuse Councils
- No cost false identification training for all vendors of alcohol beverages
- Joint patrol with UNH Police and Durham Police in areas off campus housing and Fraternity Row
- Reviewed and revised mutual Aid agreements with neighboring police agencies
- Development of policy and procedures for unusual occurrences
- Multi-jurisdictional crowd control training
- Safety Inspections by Town
- Landlord-Tenant Relationship

As a result of the Durham Alcohol Enforcement Initiative arrests have increased 47% while noise complaints have decreased 64% and total criminal offenses have decreased 16%. A survey implemented by the University Survey Center found 96% of respondents (44% response rate) rated the Durham Police as good or excellent. New data was collected on disorder associated with UNH students versus non-student visitors to campus. Comparison data pre-initiative 1999 and one year after implementation showed a decrease in UNH student arrests from 51% in 1999 to 39% in 2000 and an increase in non UNH Student arrests from 49% to 61%.

All indicators of the program assessment pointed to a successful initiative. The goal to create a balanced and viable strategy that had credibility, support and was largely understood began to yield positive results.

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In a University Community

## **2. Description**

### **A. Scanning**

Durham New Hampshire is in many ways the quintessential New England College town, with a year round population of 10,000. Located on the seacoast, it is home to the University of New Hampshire (UNH) and 14,000 students. The community is comprised of affluent, highly educated families who are either affiliated with the university or commute to Boston for employment. The combination of a small rural community and the demographics of a university student population present unique policing demands. It requires balancing the expectations of permanent Durham residents with the temporary influx of young people from September through May each year.

During this period 3,000 in-coming freshman realize independence from their parents andlor guardians. They socialize with classmates and challenge the boundaries of legal issues such as underage drinking. This experimentation with alcohol dominates the social scene. For the Durham Police Department, which is recognized by CALEA (Commission on Accreditation of Law Enforcement Agencies), and its 18 police officers the hours from 10 - 2PM are the most taxing. The community demands accountability and the students require flexibility. The social scene is enhanced, influenced and compounded by the avid support of sporting events; the fallout isn't always positive but can result in positive change.

The Durham Alcohol Enforcement Initiative was established as a result of fans reaction to the overtime loss of a NCAA Men's "Frozen Four" Hockey Game at the University of New Hampshire in 1999. Throngs of people streamed into the streets, alcohol (mostly beer) flowed

freely, bonfires were set and general disorder broke out. Police contained the disturbance to a one-block area, which allowed for the "controlled venting" of the crowd. Within two hours the crowd was dispersed and damage to downtown property was kept at a minimum. However, citizens of Durham were outraged at the perceived "take-over" and loss of control of their community and demanded police take swift and decisive action should this situation recur. This, however, was not necessarily the style of policing that would net a practical result and build a strong community and university relationship. It was readily apparent a creative approach was necessary that would unite the community and address the underlying issue through thoughtful discourse.

Initiated by the Durham Police Department, a diverse representative group (including town councilors, university officials, local business owners, district attorney, court judge, UNH

student senators, educators and interested citizens) participated in a Community Dialogue. This event served to acknowledge the post hockey event and underscore the need to establish long-term solutions that could be woven into the fabric of the community. Participants agreed on an overarching goal to "create a strategy, that will support a livable community, a nurturing educational environment comprised of thousands of young people and permanent residents coexisting as responsible citizens."

Three subgroups were established: 1) **Legal Policy**, 2) **Landlord Tenant Relations**, and 3) **Community Issues**. Within each group seven issues were identified, of the 21 total issues, six were selected as most pressing: **Alcohol, District Court, Safety Inspection by Town, Landlord-Tenant Relationships, Police Response, and Town-Gown Relationship**. It is worthy to note, when the groups assembled to share their outcomes,

many similar issues had been identified thus making it easier to prioritize the most important ones.

## **B. ANALYSIS**

In an effort to understand current reality, representatives from Durham and the University served as resources to each group providing responses to initial questions, which included:

- Number of apartments in Durham,
  - Number of Fraternities and Sororities recognized by the University,
- and
- Number of calls for police service.

In addition, there was a desire to explore the perceptions around:

- Case backlog and inconsistent fines from the local court
- and
- Police tolerance of illegal behavior

What followed was a variety of presentations from Durham Department Heads, the County Attorney, District Court Judge, Vice President for Student Affairs, Fraternity Presidents and members of the Durham Business Association. The presentations provided additional insight into the Durham and university community.

During this analysis phase many indigenous aspects of the community came to light including the preexisting tension between the town and university. To many, this was considered natural. However, in order to address the issues, the group made a commitment to establish a partnership with a common mission, which would allow for the creation of sustainable solutions. Clearly, Durham is not unlike other small rural towns in its phenotypic characteristics. What makes it unique is the sizable population turnover on an annual basis. Twenty-five percent of the student population graduate annually and are replaced by newly arriving freshmen. The vast

majority of the community, at least during the academic year, is under 21 years of age and alcohol seems to be the common denominator for ancillary problems facing the community.

The discourse surrounding law enforcement delivery of services provoked an internal departmental assessment. Although the department was supported and respected by the community and the officers felt satisfied that they were doing a good job, it was clear many of the problems identified in the court system were due to organizational failings on several levels. The delays in the prosecution of cases were due in part to the wrong officer being assigned prosecution duties. There was a need to heighten organizational qualities while diminishing argumentative traits of the officer assigned. The identification of persons summonsed for alcohol violations was problematic when officers were issuing five or six per shift and trials were scheduled three months later. The attorney retained by the UNH Student Senate to represent arrested students quickly realized the officers simply could not positively ID the defendant. Additionally, a quirk in New Hampshire law states that for a liquid to be identified as beer, a minimum alcohol content was the determining factor. For a community where the dominating alcoholic beverage was beer routinely consumed in a plastic cup, this posed significant prosecution problems when the UNH student's lawyer began to request chemical analysis for each alcohol possession case. Cases were being continued, dismissed or a finding of not guilty was becoming all too common. Often when cases were continued for trial, UNH would be out of session and witness/s would be unavailable. Many defendants began viewing the Durham court as lax, ill prepared and relatively ineffective. However, much of this responsibility rested squarely with the Durham Police.

### **C. Response**

Initially, there was skepticism that the SARA method would be effective in dealing with the nuances of a small university community. Most successful monographs came from large

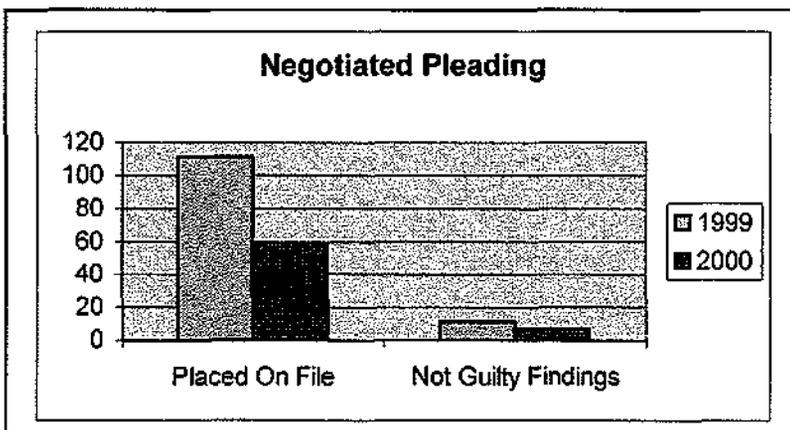
metropolitan cities where the police chief's personal staff is larger than the entire Durham Police Department. As the exercise commenced, it became clear that the size of the department or community was irrelevant. It was the resulting partnership of community and police that was effectively identifying mutual concerns. There was a new awareness of the limitations of ordinances and laws, financial ramifications, and the ability of the police to react to the issues identified. The dialog was proving successful on many levels and support for unconventional solutions was emerging.

At the root of almost all of the issues, alcohol was identified as the common denominator. The noise complaints from the community, the relationship of police with the Greek system, business and community frustration with rowdy behavior, and the perception the police could or should be more effective, all pointed to the excesses of alcohol. Additionally, the police ability to form personal relationships with parents and students was hampered by the continuous transition of graduating classes and in-coming freshmen. The Durham Police required a multi-pronged response that would effectively deal with enforcement, prosecution, and the development of personal relationships between students and the police.

The working group felt tackling the issue of illegal alcohol possession and consumption would have multiple and wide-ranging benefits.

**PHYSICAL ARREST OF EACH PERSON CHARGED WITH POSSESSION OR OPEN CONTAINER**

This newly formed strategy eliminated identification problems as photographs and



fingerprints were taken of each person arrested. Additionally, several thousand 2-ounce bottles were purchased to hold

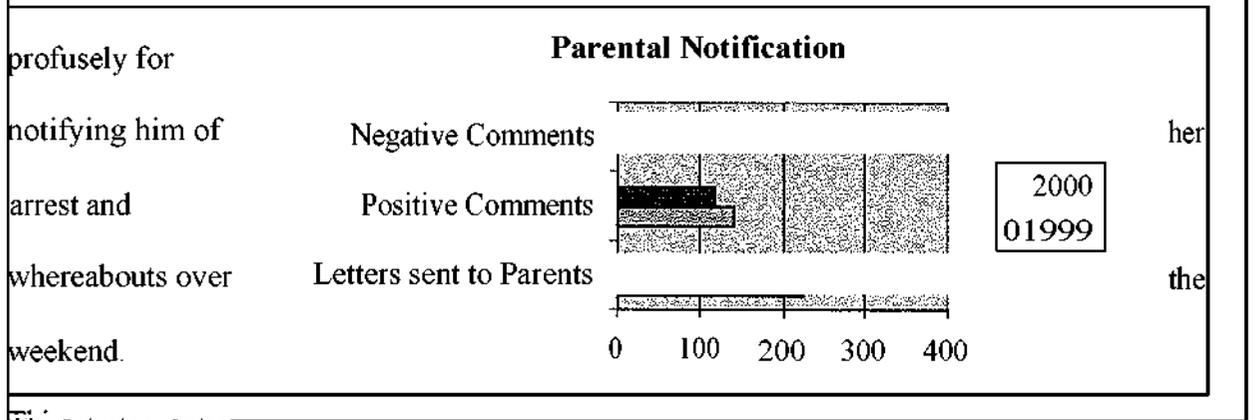
samples of the alleged alcohol seized at the time of arrest. During the analysis phase of the SARA exercise, the District Court judge recognized the incredible financial burden that would be placed upon the community if each sample were analyzed to determine alcohol content. Although the judge refused to waive the State's obligation to provide test results if demanded, he did agree to allow the State to seek reimbursement from those convicted of possession of alcohol. This ruling effectively eliminated the prosecution issue since if tested, there would be a finding of guilt and a testing bill added to the State of New Hampshire mandated fine of \$250.00 for possession of alcohol by a minor. The police would retain the sample from the arrest, test if requested by defense counsel, and seek restitution for the \$95.00 analysis fee upon conviction.

The community reaction to this segment of the initiative was overwhelmingly positive. There was consensus that police reaction to alcohol related crime was appropriate and professionally delivered. The UNH student's attorney who commented that placing of handcuffs on the students, transportation to a holding facility, and overall booking process was having a significant impact upon her clients. As a result of a revision of court prosecution duties, the adjudication process began to operate more efficiently totally eliminating the court backlog from six months to one month and reducing the need to negotiate findings due to evidentiary problems by almost 50%.

#### PARENTAL NOTIFICATION

Notification of parents when a young person is arrested for alcohol consumption presents a special challenge to law enforcement that work in a university environment. The Durham Police are at a distinct disadvantage because many parents of students live miles away, out-of-state and/or out of the country. They are limited in terms of discussing the situation, determining appropriate course of action or working in concert with parents. The Parental notification strategy was implemented whereby a letter is sent to the parents of each person under the age of

21 who is arrested by the Durham Police. The letter is addressed "To the parents of...", states, simply that "so and so" was arrested and charged with a criminal offense. Interestingly, many of the young people arrested were in fact not UNH students, but visiting friends who attended UNH. One parent remarked that it could not have been his daughter as she was at the University of Massachusetts, 100 miles away. After a booking photograph was sent to his office, he thanked the Durham



This strategy was

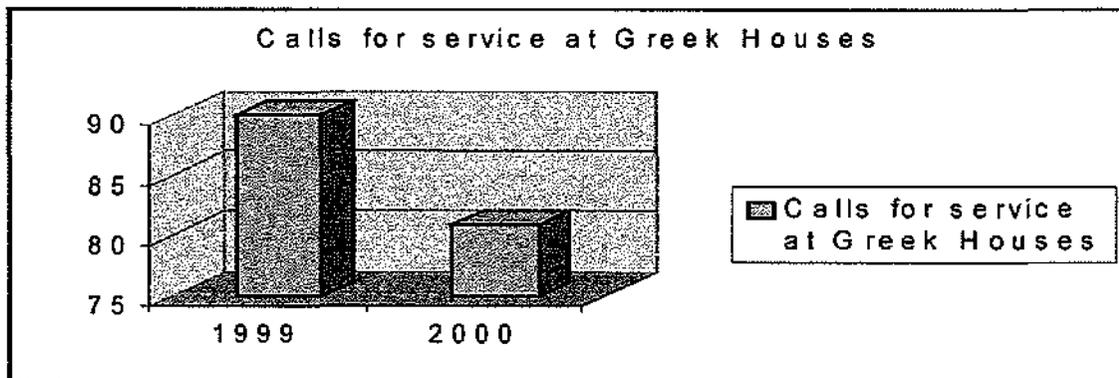
widely published in community and student newspapers, which may have an impact on high-risk alcohol consumption by minors. This premise is supported by statistical analysis of all arrests. During the first year of the initiative, UNH student's arrests versus non-student arrests were virtually balanced at 51% to 49%. After aggressive marketing of the program, these numbers shifted dramatically to 39% and 61%, respectively.

**ADOPT-A COP PROGRAM**

This award application has attempted to convey the difficulty of policing in a community where the population is so dynamic, replacing itself by 25% each academic year. By the time officers have forged personal relationships with students they graduate. One of the challenges therefore was to create initiatives that would offer opportunities for the Durham officers to interact with students in a non-enforcement atmosphere. As all of the fraternal organizations are located off-campus the policing responsibility falls to the Durham Police. According to the U.S.

Department of Health and Human services, 86 percent of those who live in fraternity houses and 80 percent of those who live in sororities report binge drinking (consuming five or more drinks in a row). Therefore to make inroads the creation of the "Adopt-a Cop" program was seen as the lynch pin of the initiative. Each fraternity and sorority was offered the opportunity to adopt a police officer in the role of mentor and advisor. The officer would attend, at minimum, monthly meetings and serve as a community liaison developing projects that the fraternity could perform. From this program came a benefit softball tournament involving all the fraternities and sororities. The police department hosted the event with a cookout and non-alcoholic refreshments. Significant media attention provided accolades for both the Greek organizations and the police.

Initial tracking data on calls for service to fraternities and sororities was surprising and somewhat disappointing, because they did not show a reduction, as hoped. However, upon closer examination of the data, the calls were actually from members asking for police assistance to deal with unwanted guests and other disruptive events. In the past, these calls would have originated, as "fights in progress" as the house members would have attempted to deal physically with these incidents rather than request police intervention. The success of the program is not merely measured by statistics but by a newly formed atmosphere of police and Greek relations



where officers are now greeted with handshakes and hellos rather than scorn and distrust.

#### **SEACOAST ALCOHOL TASK FORCE**

Adopting a model that has been an effective tool in combating illicit sales of narcotics, the police departments of the seacoast region of New Hampshire formed an alliance. The goal was to focus upon initiatives such as "follow the keg", compliance checks of businesses that sold alcohol, high visibility patrols during community festivals, and plain clothes surveillance of businesses suspected of selling to under age persons. A "Control Group", comprised of one official from each department, met weekly assigning officers to a variety of tasks in member communities. The Control Group also governed the budget and expenditures for the operation of this multi jurisdictional alcohol enforcement task force. This model enables the smallest agency of the alliance to accomplish initiatives that would otherwise be too daunting and too expensive to accomplish alone.

These four responses formed the centerpiece of the initiative from a police perspective. However, their implementation had a domino effect on other ancillary police management plans. The University and the Town of Durham also and was recognized throughout the community as a way to improve the quality of life.

- + The UNH and Durham School District Alcohol Abuse Councils comprised of interested community members that meet, discuss and support programs associated with high-risk alcohol consumption by under aged persons.
- + No cost false identification training for all vendors of alcohol beverages
- Joint patrols with UNH Police and Durham Police in areas of off campus housing and Fraternity Row.
- Renewed and revised Mutual Aid Agreements with neighboring police agencies
- Development of policy and procedures for "Unusual Occurrences"

- Multi-jurisdictional Crowd Control training

#### SAFETY INSPECTIONS BY TOWN

- Stepped up code enforcement
- Life Safety Code inspections by Fire Department personnel

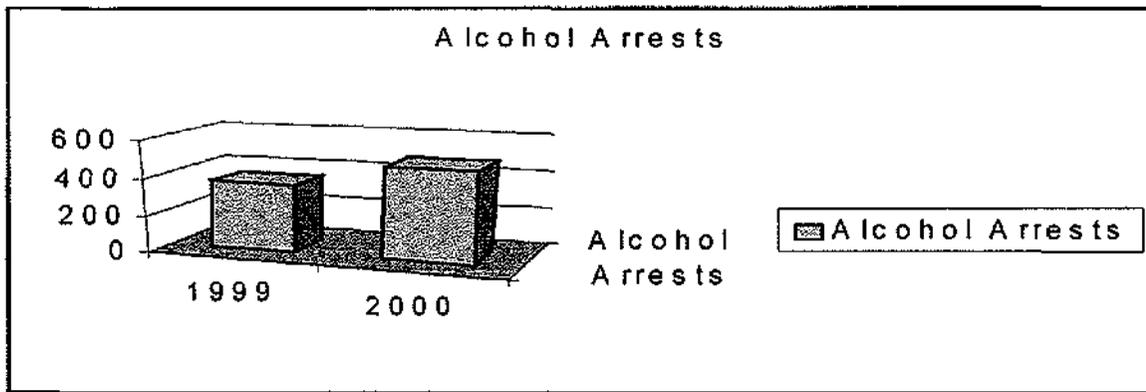
#### LANDLORD-TENANT RELATIONSHIP

- UNH developed and distributes a brochure that outlines what students should look for when renting off campus housing. The newly formed Landlord Association developed guidelines and enhanced leases that prevent rowdy behavior. Additionally, if a landlord meets the criteria established by UNH, theft rental units are placed in the UNH brochure as approved housing.
- Durham Police became members of the Landlord Association that meets monthly.
- Created mechanism to inform landlords' of police response to their property

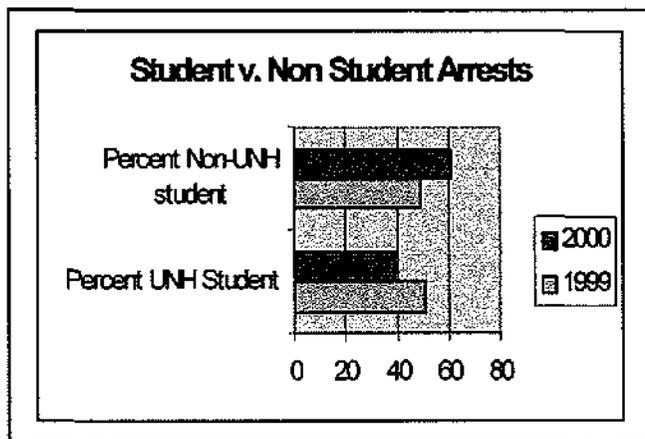
## **D. Assessment**

As a result of the Durham Alcohol Enforcement Initiative arrests have increased 47% while noise complaints have decreased 64% and total criminal offenses have decreased 16%. A survey implemented by the University Survey Center found 96% of respondents (44% response rate) rated the Durham Police as good or excellent. Working in cooperation with the Vice-President of Student Affairs, Durham Police provided arrest logs to allow for a determination of status.

New data was collected on disorder associated with UNH students versus non-student visitors to campus. Comparison data pre-initiative 1999 and one year after implementation showed a decrease of UNH student arrests from 51% in 1999 to 39% in 2000 and an increase in non-UNH student arrests from 49% to 61%.



During 1999 the data indicated an almost even split with 51% of those arrested being UNH students. Prior to the start of the 2000 academic year, the Durham Police aggressively marketed the newly adopted policing initiative with the incoming Freshman through newspaper articles, a "Welcome to Durham" letter distributed to each incoming student and flyers that were



prominently posted around the UNH campus. Although only one full year of comparison data exists, the reversal is remarkable. Sixty-one (61) percent of those arrested in 2000 were not UNH students. UNH Students accounted for 39%, a dramatic 24% reduction.

## Conclusion

All indicators of the program assessment pointed to a successful implementation. The goal to create a balanced and viable strategy that had credibility, support and was largely understood began to yield positive results. Just as important, the members of the agency had a new respect for the benefits of approaching problems from a community partnership model. The skepticism of staff that a small police agency could successfully employ the strategy of the SARA method of problem solving disappeared as the accomplishments of the initiative grew.