

# Some drinking guidelines for the under-21 sect

■ Although drinking alcohol under the age of 21 is a punishable crime, if you must, here are some basic rules when the cops come knocking on the door

By Tony Chiotti  
for the Emerald

If you are underage, and you choose to drink in Eugene, the operating phrase is Caveat Potor: let the drinker beware.

"We have quite a reputation for issuing a lot of alcohol-related citations," Sgt. Rick Gilliam of the Eugene Police Department's Campus Team said.

## Reporter's NOTEBOOK

"Our marching orders are zero tolerance."

For those students new to the University, or to Eugene, it is important to understand the house rules involving alcohol. Expect no nods, winks or warnings from the EPD.

"I think it's a foregone conclusion that there's going to be underage drinking at universities," said Gilliam. "There's going to be tons of people out there drinking alcohol, not knowing what the consequences are if they get caught."

Some students have already experienced those consequences.

"It's a calculated risk every time you go out drinking on the town," said recently-turned 21-year-old senior Bill Beutler, whose most recent citation, for misrepresentation of age, resulted in 6 months of legal woes, 80 hours of community service and a \$400 fine.

"If you're at a party and you can escape, by all means, escape," he said. "Save your own skin. People will understand, even if you can still see the scar two years later."

Beutler rolled back his sleeve to display the jagged result of a drunken leap over a chain-link fence.

"I've been at parties where I've given up backpacks. The backpack costs \$25. The beer in it costs \$10. The smokes cost five. You've got to look at the larger picture."

A minor in possession citation

currently brings a \$250 fine.

According to Gilliam, having alcohol in your system is enough to constitute possession.

"We don't give breathalyzer tests in that situation," he said. "It's based on observations such as the smell of alcohol, horizontal gaze eye tests, balance or if the person admits to drinking."

Because it is a non-criminal violation, the burden of proof is very low, said Ilona Koleszar, an attorney with ASUO Legal Services.

"They don't need a lot besides these so-called 'objective' standards," she said.

Koleszar advises students to give the police as little ammunition as possible.

"There is no penalty for refusing a sobriety test. If he asks you to blow on his face or onto his flashlight, decline," she said.

No matter how agitated the officer becomes, or what they claim to be the law, you have a constitutional right to remain silent. Exercise it.

"It's really hard to say nothing," Koleszar said. "The temptation is to try to talk your way out of it, schmooze the guy a little, make an explanation. You're trying to please the officer, hoping he'll just let you go."

"But they won't let you go. They ticket everybody they can possibly ticket. If they don't give you the ticket, they don't get the money."

Later, in court, you can attack the officer's observations one by one: someone spilled beer on you at a party; you'd been drinking O'Doul's; you'd been up all night studying, hence the bad balance and diction, etc.

But the less you give them in the first place, the less you have to explain away. Do not, under any circumstances, admit that you have been drinking.

You are not required to identify yourself, either verbally or with

## Police vs. Students

A sobering look at the issue



physical identification.

"If you refuse to tell them who you are, you should expect to be detained," warned Koleszar. "If you have truthfully told them who you are, you have no obligation to prove it to them. You've told them your name and they can do with that as they will. But if you're going to give them your name, it darn well better be the right name."

Once you tell the officer your

name, Gilliam said, the police will verify your identity and age through either their own database or through university records. If you are underage and have been drinking, take the MIP. Do not dig yourself in deeper by trying to pass yourself off as someone else, no matter how well you think you know their information.

Do not give the officer a false ID. If you have a false ID in your wal-

let, refuse to present physical identification. You have nothing to gain by complying, and the odds are good that you might hand them the wrong one.

"They seem to have X-ray vision," Koleszar said. "You're flipping through your wallet and they'll say 'Oh, what's that?' and they've got you."

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