



PHOTO ILLUSTRATION BY ATHENA DELENE

BUSTED

What to do if the cops show up uninvited

College parties — they're a rite of passage, and very, very few students make it through years of university without attending a wild house party or two. Sometimes that means the cops show up. But even if you're partying, you still have rights.

Attorney Lauren Regan of the Civil Liberties Defense Center says that before a party even starts, students can take preventative measures to protect their rights and avoid trouble. One of the top scenarios she sees when college parties are busted is when young-looking students gather in front lawns with those ubiquitous red cups. "When a cop pulls up, he now has probable cause to potentially enter the house because he's seeing alleged underage drinking in those flowing

back into the house," Regan says.

To prevent situations like that, Regan recommends asking one housemate to stay on door duty. That person, she says, is ideally completely sober and in charge of preventing people with cups from going outside, drunk people from driving home and finding rides for people too drunk to walk straight. The door person should also be in charge of talking to the cops if they arrive for a noise complaint or other problem.

Another bad scenario, Regan says, is when a sober person at the door speaking with the police is interrupted by "some really drunk guy stepping up and telling the cops how it is." For that reason, she recommends that the door person step outside when the police arrive to prevent some fool from agitating them and, worst-case scenario, getting Tased.

"If the cops are being called on a noise violation, they have the authority not to leave until they speak with someone at the residence and get their identification," Regan says. This isn't true of quiet gatherings, in which you could just technically ignore the knock.

Legally, people in Oregon aren't required to carry I.D., but they do have to disclose their name, date of birth and address.

If you lie, she says, "you've now taken what would have been a ticket and moved it up to an arrestable misdemeanor offense that could land you in jail for the night."

Regan says that minors should keep in mind that they don't have to be carrying a bottle of alcohol to get a minor in possession charge; even the smell of alcohol on a minor's breath is a legally justifiable cause for citation.

Likewise, furnishing alcohol to minors doesn't necessarily mean you bought booze for freshmen. "The furnishing alcohol to a minor charge also involves allowing a minor to consume alcohol within your dominion," Regan says, and not knowing a partygoer's age isn't a legal defense.

Regan has one final note of caution: "Cops are legally allowed to lie to investigate a crime or an infraction. The general rule is to not provide information and not to incriminate yourself when talking to the police." After all, you're probably being audio-recorded.

We asked the Eugene Police Department for the top three mistakes college students make when their parties get busted. They declined to comment, instead pointing us to EPD's "Party Management Tips" brochure. — Shannon Finnell

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