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|  | MEDFIELD POLICE DEPARTMENT | POLICY NO. 1.21 |
| <h2>UNDERAGE DRINKING</h2> | | |
| MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: NONE | | DATE OF ISSUE: 05/28/2023 |
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I. GENERAL CONSIDERATIONS AND GUIDELINES

The purpose of this policy is to ensure a consistent response to underage drinking and to define the response roles for the department relative to patrol activities, enforcement options and cooperative efforts with community resources, school district and the courts.

No aspect of policy is to be used as a means of providing preferential treatment to any individual, and the exercise of discretion by officers is to be consistent with the goals of this department.

II. POLICY

- A. It is the policy of this department that officers investigating underage drinking incidents:
 - 1. Identify any suspect present and determine whether the suspect has been drinking;
 - 2. Seize all unlawfully possessed alcohol;

3. Investigate to determine the source of the unlawfully possessed alcohol;
4. Maintain the safety of the youth(s) involved by ensuring that those underage youths that have been drinking are transported to either the police station or transferred to the custody of a parent or guardian;
5. Notify the parents as soon as possible;
6. Apply all applicable statutes and relevant case law with respect to entry into dwellings and seizure and preservation of evidence;
7. Properly document the incident for enforcement action

III. DEFINITIONS

A. **UNDERAGE:** Anyone under the age of twenty one (21) who is not accompanied by a parent or legal guardian, and anyone who is employed by and working at a licensed establishment as a server of alcohol [MGL c138s34].

IV. PROCEDURE

A. Officers shall investigate all reported cases of underage drinking. The investigating officer shall document in the incident report all relevant information regarding the nature of the incident, the involvement of any adult in the procurement or delivery of the alcohol, or of the hosting of any gathering in which alcohol has been provided or in which the use of alcohol by underage youth has been permitted. Officers shall provide for medical care for anyone under the influence of alcohol up to and including transporting of incapacitated individuals to a medical facility for appropriate medical care. All unconscious individuals shall be transported for immediate medical care.

The Investigating officer should as soon as possible make a determination as to which available enforcement option is most appropriate for the incident. The primary goal of this encounter should be to ensure the safety of the underage person and encourage behavior changes. There may be circumstances where the circumstances require statutory enforcement and shall be at the discretion of the officer with guidance from his supervisor.

V. Enforcement Options

A. Parental Notification and transfer

Officers choosing parental notification shall include in the incident report the circumstances of the incident to include the specific reasons for electing this option. Officers are to demonstrate consistency in the

election of this option and of the circumstances of the incident. There are, however, limitations on the exercise of these options, and officers must enforce these options firmly, fairly, and impartially.

B. School Sanctions

In determining if the youth may be sanctioned by the school district under the schools conduct guidelines, the officer must document the specific involvement of the youth. This includes properly identifying the youth(s) [photographs and video may be helpful in cases of large groups] and the nexus of each youth to their involvement on the alcohol related incident, such as possession of alcohol, transporting alcohol, consuming alcohol, providing alcohol for another and the odor of alcohol. Officers should be aware that the school district considers the results of a PBT devise and of the refusal of a student to take the PBT in making its determination of sanctions.

C. Court Diversion

Youth and Family Services diversion program serves non-violent first time offenders and is not age driven. The Juvenile Court program is restricted to juveniles who have not been previously adjudicated delinquent.

D. Summons

E. Arrest