EUGENE POLICE NEWS RELEASE
October 28, 2014
For further information, contact:
Melinda McLaughlin, APR, Public Information Director, at 541.682.5124
John Hankemeier, Public Information Coordinator, 541.682.5197

Eugene Police Remind Halloween Partiers to Observe Laws and Be Aware of Enforcement Efforts

SUMMARY: Eugene Police will be taking action on alcohol-generated problems and behavioral crimes in the West and South University Areas as well as the rest of the City during this Halloween weekend.

To prevent and respond proactively to potential alcohol and behavior problems related to Halloween partying, Eugene Police will be proactively working in the West and South University area as well as downtown this weekend. As in the past several years, EPD will be working with its partner agencies to enhance police presence to focus on the alcohol and behavioral issues.

Those celebrating Halloween are urged to Party Safe, Party Responsibly. The presence of intoxicated individuals, darkened conditions, pedestrians and vehicles on the roadways can be a dangerous mix and police would like to remind everyone to exercise caution.

In the past, around the Halloween weekend, the area has had issues associated with alcohol, including riots. In the past five years, there has been a notable trend of alcohol use by minors in the West and South University neighborhoods during September and October. This is concerning because intoxication can lead to increased victimization (sexual assault, robbery, assault, ID theft and other crimes), and alcohol use has also been linked to past riot behavior near the end of September in 2008, and 2010, as well as out of control parties and rampant alcohol consumption in 2009. In past years, many parties hosted in and around the campus area have resulted in complaints from neighbors and required police response. Some significant problems have included street parties involving intoxicated individuals, assaults resulting in injuries to partiers and police officers, damage to public and private property, and noise disturbances involving yelling and/or loud music.

Partnerships have been formed between many agencies and organizations to provide a safe, positive living environment for students residing in Eugene, especially in the University of Oregon campus area. EPD has been working diligently with UO's efforts to provide advance education to people about how to enjoy themselves within the law. This upcoming weekend,
EPD will have enhanced resources and response capabilities due to advance planning and coordination with other agencies.

Eugene Police patrols will also continue to provide regular response to calls for service throughout the city. Individuals violating ordinances or state law are subject to citation, physical arrest, and/or civil fines. Alcohol and noise violations are chronic issues and are specifically targeted. To augment jail capacity problems associated with a higher volume of arrests that frequently have occurred on heavy party weekends and that in the past have prevented offenders from being lodged and held for arraignment, Springfield Police have offered the use of their municipal jail, which will be used in combination with the Lane County Jail.

Eugene Police is interested in ensuring that partiers are informed, feel welcome to Eugene and will enjoy their friends and celebrations in a safe manner that is also respectful of others who live and travel in the area.

Eugene Police has been working diligently with the UO, neighbors and other partners to provide advance education to people about how to enjoy themselves within the law. Unruly drinking behavior and crowd density conditions have continued and because of this, police have maintained party patrols to address these problems, as well as conducting proactive education and enforcement.

The City's Unruly Gathering ordinance went into effect on March 2, 2013. This ordinance holds individuals and property owners accountable for unruly events or social gatherings. The ordinance does not target a particular group of people and applies equally to all, regardless of where one lives in the City. The law applies when alcohol is served or consumed, and where any two or more of the following behaviors occur on the property where the gathering took place or on adjacent property:

- violations that involve laws relating to sale, service, possession or consumption of alcohol; assault, menacing, harassment, intimidation, disorderly conduct, noise disturbance, criminal mischief, public urination or defecation, littering

The ordinance will apply only when multiple violations of existing laws are taking place. It applies equally to all, regardless of where one lives in the City. A tenant or host would have to be breaking the law in more ways than one to be liable for penalties. The law does not prevent hosting parties or social gatherings. It just expects that the hosting will be done responsibly with respect to other neighbors. FACT PAGES

**Party Management Tips**

Respect your neighbors. Find ways to celebrate that do not infringe upon your neighbors and that are alcohol-free.

Control the guest list. “Come one, come all” parties usually result in police contact. Have a door monitor to screen guests. Don’t let random people who walk around looking for parties, into your house.
Adults only. If you choose to serve alcohol, ensure that you only serve to persons 21 years of age or older.

Plan ahead. Notify neighbors well in advance of the date, times and location of the party. Give them a telephone number and the name of the person to contact if there is a problem (and be responsive to their calls!).

Monitor noise levels. Keep doors and windows closed to reduce outside noise levels.

Discourage drinking games. Have a non-drinking person serving alcohol and don’t let people carry alcoholic beverages outside of your party.

Clean it up. Your neighbors may be more tolerant of your next party if you clean up promptly after this one. Clean up debris from your yard or the street.

Safety first. If you are concerned for a friend’s medical safety—such as suspected alcohol poisoning—call 9-1-1 immediately.

Prevent drunk driving. Arrange for transportation by a designated driver before anyone drinks. Make sure arrangements are understood by everyone. Ensure people don’t drive under the influence (a person riding a bicycle under the influence may also be arrested for DUII). As the party host, you are also liable.

What if your party gets out of control?
If your party gets out of hand, call the police. EPD will come out and help you regain control. Respond positively if a police officer comes to your house. The officer most likely is responding to a complaint. Make sure the person interacting with police officers at the front door is sober and able to be responsive to officers’ requests. Citing the Unruly Gathering Ordinance: it is an affirmative defense to a citation issued for a violation that the person who organized or hosted an unruly gathering contacted the police as soon as any of the violations or offenses listed in the definition of "unruly gathering" occurred.

Interfering with police officers makes a bad situation worse. Use common sense and be cooperative. When a police officer asks you to clear an area, leave right away. If you stick around to see what’s happening, you may be in a situation where you are interfering with a police officer. If police warn that they are going to use tear gas, you need to quickly get as far away as you can.

It is important to know the law! Frequently Violated Ordinances and Laws

Minor in Possession (MIP):
No person under the age of 21 shall attempt to purchase, acquire or have in their possession any alcoholic liquor (Eugene City Code 4.115 or Oregon Revised Statute 471.430), nor have in their system any alcoholic liquor (ECC 4.115).
**Offense:** Violation  **Fine:** Up to $360

Minor Falsely Representing Age:
A person less than a certain age who knowingly purports to be older with the intent of securing a
right, benefit or privilege which by law is denied under that certain age (ECC 4.145).

**Offense:** Crime  **Fine:** Up to $500 (jailable)

### Giving False Information to a Police Officer:
Knowingly uses or gives a false name, address, or birthdate to an officer issuing a citation (ECC 4.906).

**Offense:** Crime  **Fine:** Up to $2,500 (jailable)

### Possession of a Forged Instrument (Fake ID):
A person commits the crime of possession of a forged instrument in the first degree if, knowing it to be forged and with intent to utter same, the person possesses a forged instrument issued by a government (ORS 165.022).

**Offense:** Class C Felony  **Fine:** Up to $125,000 (jailable)

### Furnishing Alcohol to a Minor:
No one shall sell, give, or otherwise make available any alcoholic liquor to a person under the age of 21 years (ECC 4.110 or ORS 471.410).

**Offense:** Class A Misd.  **Fine:** Up to $6,250 (jailable)

### Allowing Alcohol Consumption by Minors:
No person who exercises control of private real property shall knowingly allow a minor to drink alcohol on the property or remain on the property after consuming (ECC 4.110(3) or ORS 471.410-3).

**Offense:** Violation  **Fine:** Up to $1,000

### Open Container/Consumption in Public:
Consumption of alcoholic liquor or possession of an open alcoholic beverage container is prohibited in all public places and all private property extended to the public for use (ECC 4.190).

**Offense:** Crime  **Fine:** Up to $500 (jailable)

### Prohibited Noise:
Intentionally or recklessly creating or continuing any noise disturbance (meaning any sound which injures or endangers the safety or health of a human, or which annoys or disturbs a reasonable person of normal sensitivities). Operating or permitting the use or operation of any device designed for sound production between the hours of 10 p.m. and 7 a.m. that is plainly audible within another dwelling; the same applies on public property or right-of-ways if it is plainly audible at a distance of 50 feet or more (ECC 4.080 and 4.083).

**Offense:** Crime  **Fine:** Up to $500 (jailable); up to $1,500 (jailable) for failure to cease within 30 minutes after notice or citation or for a similar noise disturbance within 6 months of receiving a citation.

### Interfering with a Police Officer:
Intentionally acts in a manner that prevents or attempts to prevent a police officer from performing the lawful duties of the police officer with regards to another person; or refuses to obey a lawful order by the police officer (ORS 162.247 and ECC 4.907).
Offense: *Class A Misd.*  **Fine:** Up to $6,250 (jailable)

**Disorderly Conduct:**
With intent to cause public inconvenience or annoyance or recklessly creating a risk thereof: a) Engages in fighting or violent behavior; b) Makes unreasonable noise; c) Disturbs any lawful assembly; d) Obstructs any vehicular or pedestrian traffic; e) Refuses to disperse when ordered to do so; f) Initiates or circulates a report known to be false regarding fire, crime or other emergency; g) Creates a hazardous or physically offensive condition. Note: "Public" means three or more people disturbed or inconvenienced (ECC 4.725).

Offense: *Crime*  **Fine:** Up to $1,000 (jailable)

**Rioting:**
A person commits the crime of riot if while participating with five or more persons the person engages in tumultuous and violent conduct and thereby intentionally and recklessly creates a grave risk of causing public alarm (ORS 166.015).

Offense: *Class C Felony*  **Fine:** Up to $125,000 (jailable)

**Unruly Gathering (Social Host)**
Holds individuals criminally responsible for hosting, organizing and allowing an unruly event or social gathering. Property owners where the event is hosted will also be penalized if there are multiple violations of this ordinance at the same property. The ordinance applies throughout the city of Eugene.

The Eugene Municipal Court has assigned a base fine of $375.00 for criminal violations of this ordinance. Both hosts and property owners could be civilly liable for police, fire and public works response to repeated illegal gatherings that fall under this ordinance. Eugene Municipal Code 4.670 / 4.672(1)

Offense: *Violation*  **Fine:** Base fine: $375

###