



The Center for Student Legal Services Presents:



SURVIVAL TIPS FOR COURT STREET: **Problems with Underage Drinking and How to Deal with the Police in Athens**

THE CENTER FOR STUDENT LEGAL SERVICES DOES NOT ENCOURAGE UNDERAGE DRINKING OR VIOLATING THE LAW IN ANY MANNER. WE BELIEVE STUDENTS SHOULD BE TREATED AS ADULTS WITH THE SAME RIGHTS AS OTHER U.S. CITIZENS, INCLUDING THE RIGHT AGAINST SELF INCRIMINATION AND TO BE FREE FROM UNDUE POLICE HARASSMENT.

IF YOU ARE APPROACHED BY THE POLICE OR UNDERCOVER AGENTS, REMEMBER THE FOLLOWING TIPS:

- (1) IF ASKED FOR I.D., GIVE THEM YOUR NAME, ADDRESS AND A LIBRARY CARD (OR ANYTHING THAT IDENTIFIES YOU WITHOUT SOCIAL SECURITY NO. OR AGE). YOU ARE NOT REQUIRED TO GIVE THEM YOUR DRIVER'S LICENSE OR SOCIAL SECURITY NO. UNLESS YOU ARE ALREADY UNDER ARREST. ASK IF YOU ARE UNDER ARREST OR IN CUSTODY. IF NOT, ASK IF YOU HAVE THE RIGHT TO LEAVE. (IF THEY GRAB YOUR WALLET IT'S AN INVALID SEARCH). ASK YOUR FRIENDS TO WITNESS YOUR CONVERSATION WITH THE OFFICER. IF YOU OR YOUR FRIENDS ARE ASKED ANOTHER PERSON'S AGE ADVISE THE OFFICER THAT YOU WANT TO TALK TO AN ATTORNEY BEFORE ANSWERING ANY QUESTIONS.
- (2) THEY CAN AND PROBABLY WILL ARREST YOU ANYWAY. REMEMBER: THE POLICE CAN ARREST ANYONE FOR ANYTHING, BUT UNLESS YOU'VE DONE SOMETHING ELSE, THEY MUST KNOW THAT YOU ARE UNDER 21 BEFORE CONVICTING YOU FOR UNDERAGE POSSESSION/CONSUMPTION OF ALCOHOL. MERE YOUTHFUL APPEARANCE IS NOT SUFFICIENT PROBABLE CAUSE TO CONVICT!
- (3) BE POLITE, BUT FIRM. YOU HAVE THE RIGHT TO REMAIN SILENT, SO USE IT. DO NOT INCRIMINATE YOURSELF. DO NOT TRY TO RUN AWAY.
- (4) THE POLICE OFFICER MAY BE ANGRY OR THREATENING. DO NOT WORRY, HE CANNOT HURT YOU. BUT UNLESS YOU GIVE HIM THE EVIDENCE, HE CANNOT CONVICT YOU. NEVER LIE . NEVER ADMIT ANYTHING. REMAIN SILENT.
- (5) DO NOT BE STUPID. TREAT THE OFFICER WITH RESPECT, BUT DO NOT ANSWER QUESTIONS WHICH ARE DESIGNED TO CONVICT YOU. ASK HIM IF YOU CAN LEAVE. IF YES, THEN GO. IF NOT, THEN REMAIN SILENT AFTER GIVING YOUR NAME AND ADDRESS.

(6) DO NOT STAND ON SIDEWALKS OR STREETS WITH AN OPEN CONTAINER OF ALCOHOL. IF YOU ARE STOPPED FOR THIS, OR DISORDERLY CONDUCT, HE CAN SEIZE YOUR ID AND KNOW YOUR AGE. KNOW THE PHONE # FOR SOMEONE SOBER.

(7) STAY WITH YOUR FRIENDS AND WITNESSES. TRAVEL IN GROUPS. AVOID LOOKING SUSPICIOUS—DON'T HIDE THE BEER.

★ BEING ARRESTED DOES NOT MEAN YOU WILL BE CONVICTED. FOLLOW THESE RULES AND YOU MAY BE ABLE TO BEAT THE CHARGE IF THE ARREST WAS UNLAWFUL. DO NOT PLEAD GUILTY. CALL YOUR LAWYER FIRST TO DISCUSS YOUR CASE.

★ REMEMBER: THE FIRST UNDERAGE CONVICTION MAY RESULT IN DIVERSION WHICH WILL COST YOU OVER \$250 IN FEES AND CHARGES. A SECOND UNDERAGE CONVICTION CAN REQUIRE JAIL TIME.

★ REMEMBER: FURNISHING ALCOHOL TO A MINOR CAN RESULT IN A MANDATORY FINE OF \$500, OR A MAXIMUM PENALTY OF SIX MONTHS IN JAIL AND/OR A \$1,000 FINE

★ IF THE POLICE ARRIVE AT A PARTY BECAUSE OF A NOISE COMPLAINT THEY WILL TRY TO ARREST PEOPLE FOR UNDERAGE CONSUMPTION OF ALCOHOL. REMEMBER THE ABOVE ADVICE ABOUT YOUR RIGHT TO REMAIN SILENT. IDENTIFY YOURSELF BUT DO NOT ADMIT TO AGE OR THAT YOU'VE BEEN DRINKING.

★ OHIO LAW MAKES IT ILLEGAL FOR A MINOR TO "BE UNDER THE INFLUENCE OF ALCOHOL," IN A PUBLIC PLACE. IF YOU ARE AT A PRIVATE PARTY AND YOU ARE NOT HOLDING ALCOHOL, YOU MAY HAVE A DEFENSE. DO NOT ADMIT TO ANYTHING.

REMEMBER: YOUR ACTIONS REFLECT ON THE IMAGE OF YOUR UNIVERSITY!

The Center for Student Legal Services is a law office for students. The \$8.00 fee is listed as an option on your tuition bill. – 50 South Court St. Suite D (above college book store) – 594-8093

www.studentlegalrights.org