Do you know the laws about underage or binge drinking and parties on and off campus? How are they enforced? What are student rights and responsibilities? What are police rights and responsibilities?

PartySafe@Cal encourages students to know the alcohol laws and penalties as well as their rights and responsibilities. People who are aware of legal risks and consequences modify their behavior to lower their risk.

**Campus Accountability**
- Have you read the Berkeley Campus Code of Student Conduct? You signed it shortly after submitting your SIR. It serves as a set of expectations that all students need to live by in order to ensure that the academic climate is conducive to all students’ success.
- Among other areas, the Code deals with inappropriate as well as illegal alcohol-related behavior both on and off campus.
- Be aware that city and campus police regularly share information about student violations with the Center for Student Conduct.

**Enforcement**
Campus, city and state agencies work together to enforce alcohol policies and laws in the campus area. Despite lower student drinking rates at Cal compared to national averages, close to the same percent of our students get in trouble with city or campus police or other school authorities.

**Home Football Games**
- UCPD enforces the Student Conduct Code and monitor underage drinking or excessive alcohol use. Underage drinking is an automatic citation, and entry to the game is denied.
- Officers may also cite/arrest for city and state violations if the situation warrants it. For example, public drunkenness, regardless of age, can lead to arrest and jail.
- UCPD officers monitor for observable signs and will breathalyze for the purpose of awareness. Students can refuse regardless of age.
- Football Game citations are shared with Center for Student Conduct. The case will be reviewed and sanctions, which typically include a $100 fine, will be determined.

**Laws and Policies**

### Campus Policies
- Chancellor’s Principles of Community
- Berkeley Campus Student Code of Conduct
- Residential Code of Conduct
- University of California Policy on Substance Abuse
- Berkeley Campus Study Policy and Procedures Regarding Sexual Assault and Rape
- Berkeley Campus Policy Governing the Promotion of Alcoholic Beverages and Tobacco Products on the Campus and at Campus Sponsored Events
- Berkeley Campus Policy Governing Student Dances
- UC Berkeley Official Campus-wide Policies and Procedures

### City Laws
- City of Berkeley Municipal Code and Ordinances
- Social Host Ordinance (BMC 13.49)
- Community Noise Ordinance (BMC 13.40.030)
- Indoor Entertainment Events Ordinance (BMC 13.46.01)
- Civil Penalties for Public Nuisance - multiple responses to loud or unruly parties, gatherings or other similar events (BMC 13.48 and 13.48.050)

### State Laws
- California Alcoholic Beverage Control Act
- California Business & Professions Code, including fake ID, minor in possession (BPC 25658 and 25662), driving under the influence, furnishing/serving alcohol to a minor (BPC 25658), open container (BPC 25620A), disorderly conduct (CA Penal code 647f), social host liability (BPC 25602 and 25658), and immunity from prosecution for minors who consume alcohol.

### Federal Laws
- US Department of Education – The Drug and Alcohol Abuse Prevention Regulations
Safety Patrols
- UCPD and BPD conduct joint Safety Patrols on Thursday, Friday and Saturday nights, and respond quickly to concerns about parties/noise.
- If police observe things that make them suspect that any criminal activity is taking place, including underage drinking, they can enter the house, apartment, etc. to investigate.
- If police arrive at your party:
  - Be respectful and courteous
  - Remain calm
  - Restrain from threatening behavior
  - Be honest and compliant

If you're at a party that starts to get out of control, call the police before someone else does. Breaking up your own party can save a lot of money and problems later on.

Shoulder Tap
- ABC and local police detect and deter alcohol availability to minors who stand outside of liquor stores or markets and ask adults to buy them alcohol. Any person seen furnishing alcohol to the minor decoy is cited and/or booked; penalty can include a fine, community service, and county jail time (BPC 25658)

Trapdoor
- ABC and local police work with alcohol retailers in Trapdoor to prevent minors from purchasing alcohol with fake IDs. Roving teams arrest, interview, and cite the minor, and, in some cases, take the minor into custody; penalty can include a fine, community service, county jail time, and a one year suspension of your driver’s license.

Sobriety Checkpoints and Saturation Patrols
- Officers evaluate drivers for signs of alcohol or drug impairment at certain points on the roadway. A DUI can cost anywhere between $5,200 to $10,000, including vehicle towing and storage, increases in auto insurance premiums, fines, court assessments, DUI classes, attorney fees and more.
- If you see someone trying to drive impaired, notify local law enforcement in the Berkeley area at 510-981-5911. Elsewhere, call 911 from your cell phone and give the location, description, and, if possible, the license plate number of the vehicle. Don't try to stop, follow or detain the vehicle - leave that to the officers in the field.

Key Agencies
- UC Berkeley Center for Student Conduct resolves complaints of possible student violations, both academic and non-academic. Once a complaint is filed through the Center, a specific set of conduct procedures is initiated.
- UC Berkeley Resident Life Judicial Affairs ensures that residential community members are held accountable for adhering to Residential Conduct Policies. If you are alleged to be responsible for violating Residential Conduct Policies or the Berkeley Campus Regulations, you are guaranteed certain procedural rights.
- University of California Police Department (UCPD) provides traditional law enforcement and emergency services as well as educational, outreach and crime prevention programs for the UCB campus community. It enforces the Campus Student Conduct Code (including the alcohol policies), as well as city and state laws.
- City of Berkeley Police Department (BPD) focuses on public safety and law enforcement. It has received grant funding from ABC annually since 2004 to implement specific operations designed to reduce underage drinking. It handles safety and traffic control on football game days.
- The California Department of Alcohol Beverage Control (ABC) enforces the laws of the State of California regarding the manufacture, sale, and consumption of alcohol. ABC officers can respond to any alcohol law violation anywhere in the state of California. Investigators are often undercover and may lie about their identity to protect their cover for the success of the operation and/or their own safety.

For more information, contact partysafe@berkeley.edu or (510) 643-9073.