


<b>NORTHAMPTON POLICE DEPARTMENT</b> <b>Administration &amp; Operations Manual</b>		
<b>Policy: Alcohol Compliance Checks</b>		<b>AOM:O-221</b>
Massachusetts Police Accreditation Standards Referenced:		Issuing Authority <hr/> John D. Cartledge Chief of Police
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## I. Introductory Discussion

The Northampton Police Department, in a collaborative effort with the *Northampton Prevention Coalition* and/or the *Alcoholic Beverages Control Commission (A.B.C.C.)* to reduce the availability of alcohol to minors and to prevent underage drinking, participates in minimum age purchase law compliance checks at all licensed alcohol outlets within the City. This policy is intended to provide the basic framework and guidelines to be used when conducting this type of compliance checks. The absence of these written guidelines creates a rebuttable presumption of entrapment.

## II. Policy, Procedures, & Guidelines

- A. A notice of intent to conduct an underage compliance check shall be announced in the local media prior to the start date.
- B. No person under the age of eighteen (18) shall participate in compliance checks, unless approved by the Chief of Police or their designee. The underage person(s) taking part in the compliance check should reasonably look their age, and any efforts to make them appear older shall be avoided.
- C. The underage person(s) shall have no criminal involvement with any police department, shall not be a relative or close friend of any departmental member, and shall have no affiliation with the Northampton Police Department.
- D. The underage person(s) shall sign and date a release form prior to participation in this program. A Northampton Police Department officer or other law enforcement officer shall also sign and date this form.

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- E. A photo of the underage person(s) shall be taken and attached to the release form.
- F. The underage person(s) shall carry no identification when taking part in the compliance check, nor wear or exhibit clothing that exhibits any affiliation with any law enforcement agency. Under no circumstances whatsoever will any type of weapon be carried by an underage person(s).
- G. The underage person(s) shall not carry any money with them other than that given by the A.B.C.C. Investigator or law enforcement officer supervising them.
- H. The underage person(s) shall be provided training on the guidelines for conducting compliance checks prior to their involvement.
- I. Unless circumstances warrant, the underage person(s) shall be given a B.A.C. test at the beginning and at the conclusion of the investigation and they should be informed of this prior to their participation.
- J. The underage person(s) shall enter the licensed premise under observation by an A.B.C.C. Investigator and/or a law enforcement officer.
- K. The underage person(s) shall attempt to purchase an alcoholic beverage.
- L. At no time shall the underage person(s) attempt to misrepresent their age or provide any identification. If asked for identification, the underage person(s) shall leave the establishment.
- M. If served at any on-premise establishment (restaurant/bar), the underage person(s) shall remain on the licensed premise for a period of time as instructed by the law enforcement officer. They should then exit the licensed on-premise, leaving the alcoholic beverage. If served at an off-premise establishment (liquor/package store), the underage person(s) shall carry said beverage directly out to the law enforcement officer.
- N. At no time, under any circumstances, shall the underage person(s) consume any alcoholic beverage.
- O. The safety and welfare of all underage person(s) will be of the utmost importance to all law enforcement agencies, and they shall not be exposed to any unusual, unnecessary, or unreasonable risks.
- P. Law enforcement personnel should only enter the premises to observe on an as needed basis when circumstances warrant.
- Q. Notice to licensees of alleged violations will be given upon conclusion of the compliance checks. Official notice of the date, time, and place of hearing will be sent to the licensee via US mail.

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- R. A separate file for each underage person(s) involved in the compliance check will be created and maintained by the departmental supervisor in charge of the compliance check.
- S. An administrative memo to the Chief of Police, reporting the results of said checks, will be completed by the supervisor in charge of the detail. In addition, an After Action Event Report shall also be completed and submitted. If applicable, appropriate charges will be brought forward to the Northampton License Commission.