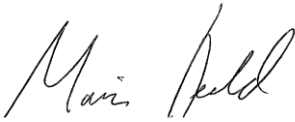


Department of Public Safety
Police Division
Policies and Procedures

<u>Title</u> Regulation of Alcohol on University Property and Managing Intoxicated Persons	<u>SOP Number</u> 9.2.120
Approval Signature 	
Chief Maris Herold	
Reviewed/Revised by	Pages 5
Last Revision Date January 24, 2019	Effective Date May 6, 2015

Regulation of Alcohol on University Property & Managing Intoxicated Persons

- I. **Purpose:** The purpose of this policy is to guide University of Cincinnati Police Division (UCPD) personnel when handling situations involving the possession, sale or consumption of alcoholic beverages on University property or providing assistance to an intoxicated person.
- II. **Policy:** University of Cincinnati Police Officers will take appropriate action on observed violations of the University alcohol policy as well as violations of the Ohio Revised Code related to alcohol and other intoxicants. The health, safety, and well-being of intoxicated persons who come to the attention of the UCPD is a priority, and appropriate steps consistent with this policy shall be taken to render necessary aid to persons in need of assistance due to intoxication.

III. Definitions:

Intoxicated or Impaired Person – A person whose mental or physical functioning is substantially impaired as a result of alcohol or other substance abuse.

Incapacitated Person – A person who, as a result of the use of alcohol or other substances, is unconscious or is conscious but unable to understand their surroundings, make rational decisions, or appropriately care for them self. Traits of an incapacitated person include being unable to stand without assistance, walk, or maintain balance, as well as an apparent inability to speak coherently, understand simple communication, or respond in a rational manner.

IV. Information:

The University of Cincinnati's Board of Trustees have implemented an alcohol policy (Policy 3361:10-17-07) that states:

It is the goal of the University of Cincinnati to maintain an on-campus environment that is conducive to intellectual, emotional, and social growth of all members of its community. The University of Cincinnati has established the following policy governing the possession, sale and consumption of alcohol on its campuses. It is the University's intention through these policies to be clear about University consequences attributed to irresponsible or illegal usage of alcohol on campus.

University Alcohol Policy

The University shall implement and enforce the laws of the State of Ohio as stated in the Ohio Revised Code. It is the responsibility of each student, staff and faculty member to be familiar with the requirements of the Ohio Revised Code and the provisions of this policy and to conduct themselves accordingly.

As permitted by law, individual students, faculty, and/or staff may purchase, possess and/or consume beer or intoxicating liquor on campus at certain campus events, in

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designated campus facilities and in campus facilities having permits issued by the Ohio Department of Liquor Control.

Restrictions in the Ohio Revised Code include the following:

- 1. It is unlawful for a person under 21 years of age to purchase, consume, possess, or transport beer or intoxicating liquor.*
- 2. It is unlawful to knowingly and falsely misrepresent one's age to obtain alcoholic beverages and/or to misrepresent that another is of legal age for such purpose.*
- 3. It is unlawful to have in one's possession in a public place without a permit an open container of beer or intoxicating liquor.*
- 4. It is unlawful to possess an open container and/or consume any beer or intoxicating liquor in a motor vehicle.*
- 5. It is unlawful to serve, distribute beer and/or intoxicating liquor to a minor.*

These laws are contained in Chapter 4301 of the Ohio Revised Code. The complete text of the state liquor laws and administrative regulations may be obtained from the Department of Campus Security, Campus Library or the Ohio Department of Liquor Control.

Student Organizations will be permitted to schedule and/or sponsor on-campus events at which alcohol would be available only at those locations having permits issued by the Ohio Department of Liquor Control. Student organizations that sponsor off-campus events are expected to adhere to state law. Organizations found to have violated state law may be subjected to the loss of registered status.

Administrative and academic units (colleges, departments) are permitted to schedule and/or sponsor on-campus student events at which beer or intoxicating liquor would be available only in designated areas within those units and only with the approval of the unit head. These events may not be all campus events and must adhere to regulations established for on-campus events.

University Policy for Campus Events

The following regulations MUST be followed at on-campus events at which beer OR intoxicating liquor are served and/or sold:

- 1. The events must be properly authorized by the administrative unit responsible for the facility(ies) to be used.*
- 2. Consumption and/or sales are permitted only within the approved area for the event.*
- 3. Non-alcoholic beverages must be available at the same place as alcoholic beverages and featured as prominently as the alcoholic beverages.*
- 4. The sponsors of the event will implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who are intoxicated.*

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5. *The sponsors of the event must require proof of legal age for those individuals in question as to legal age.*
6. *Marketing, advertising, and promotion of events with alcoholic beverages being served should not emphasize the serving of alcohol and/or have any drinking games there associated with the event.*
7. *Management of licensed facilities on campus reserves the right to limit consumption and/or sales at events in designated facilities.*
8. *Outdoor locations which may be considered are: Athletic Practice Field, Blegen Lawn, CCM Plaza, Lindner Plaza, Nautilus Plaza (includes Zimmer Lobby for rain backup), University Commons-Kingsgate.*
9. *Organizations must acquire an F-2 permit to sell alcoholic beverages. The application must be signed by the Director of Public Safety and the Office of General Counsel.*

University Policy Violations and Sanctions

Individuals and organizations found in violation of University regulations will be subject to disciplinary action and may be subject to action outlined in the Ohio Revised Code.

V. Procedure:

- A. Persons who are found in possession of/or consuming alcohol contrary to this policy are subject to citation and/or arrest, or an alternative to arrest, as identified in Policy 2.2.200(V)(A) Arrest, Processing, and Transportation of Detainees
 1. The alcoholic beverages should be confiscated and placed into property with a property receipt. If the items need to be tested, they should be sent to the Coroner's Lab by the Evidence and Property Specialist.
 2. Officers will complete all of the appropriate paperwork (i.e. citation or 527, information or offense report).
 - a. Ohio Revised Code Section 4301 contains all relevant provisions related to illegal sale, possession, and use of alcoholic beverages.
 3. Officers encountering intoxicated persons will be vigilant for signs that the person may require medical attention or other assistance. Observation of a possibly intoxicated person's behavior, condition, demeanor, and physical characteristics may include, but is not limited to:
 - a. The apparent age of the person. Underage persons may be particularly vulnerable to the ill effects of intoxicants. If an intoxicated person appears to be under the age of 21, efforts shall be made to ascertain age and take action as necessary
 - b. Bloodshot, watery eyes
 - c. Dilated pupils
 - d. Poor balance

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- e. Odor of alcoholic beverage
 - f. Red, flushed face
 - g. Poor dexterity
 - h. Apparently confused state
 - i. Difficulty understanding or following instructions
 - j. Difficulty concentrating
 - k. Belligerent or combative demeanor
4. If an officer observes a person who appears intoxicated and is unconscious or incapable of maintaining balance, speaking coherently and/or responding to simple communication is an incapacitated person, medical aid must be summoned to observe, treat, and clear an incapacitated person prior to them being released, arrested, transported, etc.
- a. It is always preferable to summon medical aid to where the incapacitated person is found. If an officer encounters an incapacitated person and no medical aid is available to respond, the officer should transport the person directly to a hospital.