

Twenty-year history of underage drinking at UNH

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Full beer bottles whizzed by the heads of a packed crowd. Chunks of wood, debris, couches and chairs flew with reckless abandon. Fire danced alongside wooden telephone poles. And in the middle of it all, a bonfire raged on Main Street in Durham.

What sounds like a war scene borne from political unrest occurred in a normally idyllic New England town with a population just under 15,000 people. And it all began after an overtime hockey game played 3,000 miles away in Anaheim, CA. On that evening in 1999, the hometown University of New Hampshire (UNH) Wildcats lost 3-2 in overtime to arch rival University of Maine in the NCAA Division I Men's Ice Hockey National Championship.

"It was really a bad scene..." said Dave Kurz, the chief of police for the town of Durham for the last 24 years. "It was just deeply concerning. We had never seen anything like this, and we were just quite surprised at how it got out of our hands. What's interesting is, we had subsequent events after that, but never anything as violent."

According to Kurz, the mayhem caught the university and town's police forces completely off-guard. With dumpster fires, injuries and intoxicated college students running amuck, Kurz and Chief Paul Dean of the UNH Police Department were forced to call in back-up from a number of surrounding towns.

"We had state police, some on horseback, and just all kinds of people," said UNH Dean of Students and Senior Vice Provost for Student Life John "Ted" Kirkpatrick. "We tried to close in on the students, and—it was just chaos."

Afterward, town and university officials knew they needed a change to prevent any sort of destructive incident from spiraling out of control again. What followed were countless meetings, policy changes and a new agenda that would redefine how UNH policed underage drinking, altering the party culture of the university over the course of the following 20 years.

"That was the impetus for why all these things were put in place," Kurz said.

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Following the chaos of the 1999 Frozen Four loss, the town and university's police forces worked closely with UNH's administration to alter both the college's disciplinary system and police department procedure. Kirkpatrick, Kurz and Dean cited a handful of major administrative and policing modifications following 1999: a new policing philosophy to arrest intoxicated students under the age of 21 opposed to issuing court summons, the Weekend Walkers program, the advent of statute 179:10, the Red Coat program and the Three-Strike policy, among others.

According to Kurz, one of the biggest departmental changes rested not in the sheer number of officers he employed – although the Durham department did begin shifting more of their staff to patrol Durham on Friday and Saturday nights – but in the strategies the officers utilized when policing campus. Before 1999, intoxicated underage students would be issued a summons to appear in court at a later date and be left to continue their night. Following the departmental changes, Durham police would now arrest intoxicated underage students on the spot, bring them into the station and book them.

“(That was a) philosophy we created back in 1999,” Kurz said. “If we arrested someone in front of you, and you were an observer, that your behavior would be changed. You would not engage in that behavior that would cause you to be arrested.”

Along with putting his newfound philosophy to practical use, Kurz published an article in Police Chief Magazine with Donna M. Perkins, Ph.D. of the justice studies program in which they detailed the effectiveness of the new strategy.

“It was more costly because it takes time to bring someone down here and book them and photograph them,” Kurz said. “But, as the research showed... (the strategy's effectiveness) proved to be true.”

The article, titled “Research in Brief: Reducing Public Displays of Negative Alcohol-Related Behavior in a College Population,” conducted research with Perkins and a group of her graduate justice studies students. The article does not cite arrest numbers before and after the philosophy was put into place, nor do Kurz or Dean have these numbers readily available. According to Kurz, the Durham and UNH police departments began collecting such data in 2005.

The article cites that “the majority” of students that experienced an alcohol-related arrest reported a “positive behavior change due to their arrest” without citing statistical evidence. The article also cites that witnessing the arrests of other students had a “positive effect on their behavior when consuming alcohol” for the majority of respondents without reporting detailed data.

The UNH and Durham police departments also began sending letters to the home addresses of arrested students, hoping to spark a family conversation about the conduct of the student.

“We don't have the opportunity to talk to your parents and figure it out,” Kurz said, “so we send a letter to Mom and Dad. All we're saying is it's public information and just letting you know your child was arrested.”

Additionally, in 2003, both police departments started a grant to fund a program known as “Weekend Walkers” that had university faculty walking throughout campus on weekend nights as means of encouraging safe behavior. According to Cliff Brown, an associate professor of sociology at UNH, the program sat poorly with university faculty.

“A lot of faculty members were like, ‘That's not really my job to be enforcing student behavior rules, outside of classes and at night and stuff,’” Brown said. “But I do think there was this kind of push to have a greater faculty presence during some of these flashpoint events.”

Memorial Union and Student Activities began funding the Weekend Walkers after their grant money became completely expended. A few years later, UNH's Sexual Harassment and Rape Prevention Program (SHARPP), in tandem with the Student Senate, started running the program. According to the Weekend Walker's current coordinator, Zachary Ahmad-Kahloon, the program focused on reporting alcohol use among students during its years under the police grant, but after being taken over by SHARPP, aimed to have “another set of eyes on the street.”

“Our goal is to be more of an observer and to get help when help is needed,” Ahmad-Kahloon said.

From talking down an intoxicated student from lighting off an armful of fireworks, to dissuading two students from participating in a plastic salt-shovel fight, the Weekend Walkers identify risk situations and persuade students to disengage, according to Ahmad-Kahloon. If students do not take their advice and a situation gets out of hand, the Weekend Walkers notify authorities.

Ahmad-Kahloon said the Weekend Walkers mainly deal with alcohol-related incidents, although they no longer record data on the number of open containers they witness as they once did under the police grant. Yet with the induction of statute “179:10 Unlawful Possession and Intoxication” by the New Hampshire state legislature in 2002, underage people could now be arrested for consuming a single alcoholic drink.

Chief Paul Dean of the UNH Police Department described the specifics of statute 179:10, which states anyone under the age of 21 who is found to be intoxicated by the consumption of an alcoholic beverage “shall be guilty of a violation and shall be fined a minimum of \$300” for a first offense, and a minimum of \$600 for every subsequent offense. The blood-alcohol limit for a violation is 0.02.

“The statute allowed for the same penalty for consumption and intoxication as possession,” Dean said. “Intoxication for someone under 21 is much lower than an adult.”

With the 2002 statute, and the departments’ philosophy to arrest students rather than ticket them, Kurz insisted that their goal wasn’t to “arrest our way out of any of these incidents.”

“We’re a small town, and we simply cannot afford the resources that it would take to do that,” Kurz said. “We have to be more creative.”

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With the numerous policing changes following UNH’s Frozen Four loss in 1999, the university also made strides in changing how it dealt with alcohol violations among its students—and even had its administration on the front line with its Red Coat program.

The ongoing Red Coat program – separate from the aforementioned Weekend Walkers program – places 12 to 15 academic deans donning signature red coats in downtown Durham. The members, consisting of the associate deans of UNH’s eight colleges and senior-level university administrators, aim to provide an authoritative, adult presence to the campus atmosphere and to “keep students out of harm’s way,” said Kirkpatrick, who is a member of the Red Coats.

“For example, the town is very concerned that students will break lamp posts by climbing them, or those little trees by Main Street that students will climb,” he said. “So, often Red Coats are basically saying, ‘Look, that whole street is on video, so you do something bad in this... moment of celebration, it has a life beyond the moment.’”

While the Red Coat program hopes to curb bad decisions before they begin, the Three Strike policy attempts to help arrested students understand the potential consequences of further mistakes.

If a student gets arrested, they receive their first strike and have a meeting with the associate dean, according to Kirkpatrick. Their ability to study abroad and eligibility for merit-based scholarships are also affected. After their second arrest, another strike and meeting. And following the third offense, the academic deans file a complaint in the conduct system to seek the removal of the student from the university. Kirkpatrick said that the goal isn’t to discipline the student, but rather show them the potential lasting effects college mistakes can have on their adult life.

“Look, I’m no better or no worse than you as a human being,” Kirkpatrick said. “I know that I’ve made my own mistakes. But our job now is try to help young people not do permanent damage to their record while they’re here at UNH, or create safety risks for themselves. If you’re still doing that, after all of the interventions, I don’t think you’ve got the game right.”

Kirkpatrick said the upside of arresting students and putting them through the “brutal” adult legal system for underage drinking is that the re-arrest rate is inordinately low.

“The likelihood that you will be rearrested is very, very low because it’s such a hassle,” he said. “You’ve got to go to court, you’ve got to hear what the outcome is, you’ve got to pay a fine and it’s public record. So, all of those strategies have actually produced a welcome dividend: a very low re-arrest rate.”

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Despite the various shifts in administrative discipline and police ideology over the last 20 years, “celebratory disturbances” still occur, according to Police Chief Dean. These instances often take place following big games by New England professional sports teams, when university students flood the downtown area, win or lose. Following the New England Patriots Super Bowl LIII win against the Los Angeles Rams last February, and the Boston Red Sox World Series win against the Los Angeles Dodgers in October of 2018, UNH students filled Main Street in downtown Durham. These celebrations can sometimes culminate with rioting, which, according to Professor Brown, is the combination of several factors within the maturing mind of a young adult.

Brown said that when people gather in large groups, whether to celebrate a victory or anguish over a loss, anonymity and a redefinition of social norms play a big role. A large crowd makes individuals feel as if their identity is masked and their own actions won't receive the same scrutiny if they were alone.

“If you're part of a group of 500 people, and you throw a brick or a bottle, the person who's taking that action, they think, ‘Well, no one's going to see that it's me,’” he said.

If people witness an ordinarily abnormal act, this lowers their barrier for what's considered acceptable, Brown said. In turn, this can convince others that violent actions are allowed and encouraged in that particular context. Combined with lower inhibitions from inebriation, the “perfect” storm of angry, and sometimes violent, college students can culminate after a big sporting event.

Kirkpatrick explained that following 1999's chaos, administration and police completely altered their crowd control techniques. He said that police and university staff circled around and closed in on the mass of students during the 1999 incident, only furthering the violence and destruction that had already occurred.

“They've gotten very, very good at containment,” Kirkpatrick said. “When I've been on the mean streets of Durham in the last three years with the Super Bowl, it's a ghost town—we've removed everything from downtown. There's no parking. And then instead of closing in on people, it's just like, look, let this celebration occur as long as there's no damage done. And then, you know, after it goes about an hour, everybody just leaves. It's just knowing how to do that so that everybody comes out okay.”

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In the 2019 academic year up to Oct. 21, UNH and Durham police made a combined 243 arrests. According to Kurz, this is a 32 percent decrease in arrests among both departments for the academic year up to this point. And this isn't without reason. Kirkpatrick explained that starting again in 2019 for the first time since before the Frozen Four riot of 1999, UNH and Durham police began issuing court summons to intoxicated minors as opposed to immediately arresting them. While this will likely result in both a similar number of court appearances in Durham and disciplinary measures within the university, it's expected to continue to drop the arrest numbers. Students under 21 will no longer will be taken to the station and booked, but instead handed a court summons and left to continue their night.

“It's still a police contact. It still counts as a strike within the Three Strike policy,” Kirkpatrick said. “But it's a little less invasive.”

Fewer students in incoming classes also contribute to the lower arrest numbers. Two classes of UNH students of around 3,200 students graduated, while the most recent first-year class was around 2,750 students.

In the 2018 calendar year, both the UNH and Durham police departments made a combined 830 arrests, with 74 percent of those arrests being people under the age of 21. Of those under-21 arrests, 91 percent accounted for alcohol-related charges, which equals approximately 559 arrests.

For comparison, the University of Vermont (UVM) Police Department made 86 total arrests in 2018 (compared to the UNH Police Department's 576 arrests in 2018) but had a total of 375 disciplinary referrals for liquor law violations. In the state of Vermont, underage possession of alcohol is a civil violation—not a criminal violation as it is in New Hampshire. A civil ticket may be issued for underage possession, but an individual would not be arrested for this violation. Thus, there were 184 more alcohol-related violations at UNH's Durham campus compared to UVM's Burlington campus. UVM also had 2,249 fewer students enrolled in the 2018 fall academic semester than UNH.

Kirkpatrick said that regardless of arrest rates and fluctuating statistics, the topics that deans of students across the nation worry about most often are mental health, sexual violence, and diversity and inclusion. Alcohol, Kirkpatrick said, is the other big concern.

“It’s the drug of choice on this campus,” said Kirkpatrick.