

# UW Whitewater Police



## Alcohol Diversion Program

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Special Instructions:			
Approved By: Chief Kiederlen	Effective Date: 11/1/2011	Revised Date: 1/19/2023	Revision number: 3

### I. Purpose

The purpose of this policy is to provide officers with an additional discretionary tool when making a first contact with a cooperative subject that has consumed or is in possession of alcohol illegally. Rather than issuing a citation, an officer can issue a referral to the alcohol diversion program.

### II. Definitions

**Illegal Possessing or Consuming Alcohol (State Statute 125.07(4)(b))**: Any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age who knowingly possesses or consumes alcoholic beverages is guilty of a violation.

**Arresting Officer**: The contacting officer who would otherwise be issuing a citation or conducting an arrest.

**Participant**: An individual who has no previous alcohol or drug related contacts with any of the following departments: Housing, the Dean of Students Office, or the UW-Whitewater Police Department, and who has been referred to this program by the arresting officer and has no contacts with law enforcement for like infractions within the past calendar year.

### III. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) to respond and/or act to all incidents where alcohol is being consumed, possessed, or manufactured illegally. Officers responding to an incident where alcohol is suspected of being involved shall utilize their investigative skills to determine if a crime has been committed and how to conclude the incident. This may include arrest, issuance of citation, referral to Dean of Students Office, referral to Housing, and/or referral to this program.

If an individual meets the eligibility requirements, is recommended to the program by the arresting officer and successfully completes the program requirements, no citation will be issued and there will be no state record for the underage alcohol violation. However, there will be a local record at UW-Whitewater Police Department of the individual's participation in the Diversion Program.

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## IV. Procedure

### A. General Requirements for ADP Eligibility

1. The contact with UW-Whitewater Police Officer must be the first documented alcohol related contact by any of the following: Housing, Dean of Students Office or UW-Whitewater Police Department.
2. A participant must be at least 18 years of age.
3. A participant must be referred to this program by a UW-Whitewater Police Officer.
4. A participant must make contact with the Alcohol Diversion Program (ADP) Liaison Officer within two business days of police contact to discuss eligibility.
5. A participant must be willing to accept responsibility for personal actions and be willing to learn from their potentially at-risk behavior.

### B. UWWPD Officer Responsibilities

1. The arresting police officer must confirm with the participant that they have not had any prior documented alcohol contacts with, but not limited to: Housing, Dean of Students Office, or UW-Whitewater Police Department.
2. The arresting police officer must feel that the participant is a candidate to successfully complete the Alcohol Diversion Program and give them the referral card to the program.
3. The arresting police officer will label the call type as an alcohol violation and document the appropriate offense in a detailed call summary.- They will include all elements of the crime in the event they need to write a citation at a later date and in the narrative, list that the participant was referred to this program.
4. The arresting police officer will complete an Alcohol Diversion Form to be completed with their Incident Status Log (purple sheet). This form should be completed no later than two days after referral to ensure there is time for the appropriate checks to be done to ensure eligibility. Department administrative staff will confirm with University Housing, Dean of Students and UW-Police records to ensure that this is the first alcohol related contact for the participant.
5. If the referred person fails the program, it is the referring officer's responsibility to issue any needed citations for the original violation.

### C. UWWPD ADP Liaison Officer Responsibilities

1. If the participant makes contact within the two-business day requirement a meeting time will be given to the participant to attend the program meeting. At or before the program meeting the ADP Liaison Officer or Administrative Services Staff shall collect the confirmation of payment receipt for the Administration Fee and outline the deadlines.
2. The \$150 Administration Fee must be paid prior to attending the program meeting.
3. Meeting times will be scheduled as needed.

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4. If after two business days, contact was not made by the participant, or they were determined to be ineligible for the program, the ADP Liaison Officer will update the Incident Status Log sheet and send an email to the arresting police officer who will then issue citation(s) and complete any necessary report(s). The email to the officer being updated should include administrative staff to ensure the updated case status is put on the Daily Incident Log.
  5. The ADP Liaison Officer will keep a log of all the referrals, if a person enters into the program or not and if the program was completed successfully.
- D. Completion of the ADP
1. A participant must pay a \$150 Administration Fee.
    - a. The payment can be paid in person and in cash or with Purple Points at UW-Whitewater Police Department, Goodhue Hall. The \$150 administration fee is non-refundable.
    - b. The payment can also be paid online using the link provided to the participant via email.
  2. If the participant has any additional alcohol related contacts while participating in this program, or if they fail to complete the requirements of the Alcohol Diversion Program within the deadline dates, or have a contact with law enforcement or campus authority for a like offense within 90 days of the completion date, they will receive their original citation and will not be refunded the \$150 Administration Fee.