

# Effective Enforcement Strategies to Reduce Underage Drinking:

## A Guide to Conducting Compliance Checks and Controlled Party Dispersal Operations in Connecticut



Connecticut Coalition  
to Stop Underage Drinking

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# *Connecticut Coalition to Stop Underage Drinking*

The Mission of the Connecticut Coalition to Stop Underage Drinking (CCSUD) is to organize, advocate, and build the capacity of communities, organizations, governments, and individuals to prevent underage drinking.

This guide was designed to assist public officials, law enforcement officers and alcohol regulation agents in the planning and implementation of compliance checks and controlled party dispersal operations. These recommendations are not intended to supersede departmental guidelines and regulations. If you have any questions, please contact the Connecticut Coalition to Stop Underage Drinking at 1-800-422-5422 for clarification and further information.

A special thanks to the Connecticut Coalition to Stop Underage Drinking (CCSUD) Enforcement Action Team for their contributions in the creation of this guide.

# Monitoring under **AGE** Alcohol Sales Through Compliance Checks

# Introduction

Reducing commercial access to alcohol by minors is an essential component of a comprehensive approach to reducing underage drinking. Simply put, “if they can't get it, they can't drink it”. Law enforcement officers are encouraged to first partner with community retailers and alcohol servers in an effort to collectively combat problems associated with underage drinking, often the result of illegal sales and third party transactions. Merchant education concerning alcohol laws and regulations, identification of false IDs, criminal and civil liability for violation of the law, and mechanics of a compliance check should be the first line of defense in stopping the sale of alcohol to minors. After providing this relevant information and support, retailers and other permit holders should be advised that compliance checks are likely to follow.

**Compliance checks are an accepted law enforcement practice designed to identify the liquor retailer in a community who would sell alcoholic liquor to a minor.**

Compliance investigations allow the police to measure and monitor the level of underage alcohol sales in the community and, at the same time, is a valuable tool in deterring illegal sales and attempted purchases. It is in no way an effort to trick or entice establishments to sell the alcoholic beverages to minors. Local retailers should be informed that compliance operations are anticipated, and ideally, they are to be a regular component of enforcement operations. This can be done through the local media or direct correspondence, reminding the permit holders and staff of the potential consequences for violating the law.

“Perception of risk” is known to be a key variable in influencing decisions to engage in dangerous or unlawful behavior. For the same reason, educational efforts should communicate the ramifications and legal consequences for minors who attempt to purchase alcohol with fraudulent identification or any other ploy to misrepresent his or her age for purposes of procuring alcohol.

# Planning Compliance Check Operations

Local police should collaborate with staff from the State Liquor Control Division and the Connecticut Coalition to Stop Underage Drinking (CCSUD) when planning and implementing a compliance check operation.

## Contact Information

**Connecticut Department of Consumer Protection**  
**Liquor Control Division Director**  
Tel. (860) 713-6210 • Fax (860) 713-7235

### Roles and Responsibilities:

- Issues operation order for compliance check
- Provides up-to-date listing of permit holders in target area
- Schedules liquor control agent for activity who serves as a witness and handles all administrative actions
  - Issues official press release
  - Issues outcome summary report

**The Connecticut Coalition to Stop Underage Drinking**  
Tel. (860) 523-8042 • (800) 422-5422 • Fax (860) 236-9412

### Roles and Responsibilities:

- Recruits and trains youth between the ages of 16 to 19 to participate as the “minor” in compliance operations
- Contacts and schedules minors for date of operation
- Provides adult staff person to serve as additional team participant for most activities

## The Role of Minors in Compliance Check Operations

- All minors who participate do so only after proper training and with the knowledge and signed consent from a parent or guardian.
- To ensure legitimacy of the investigation / enforcement operation, the youth who are selected are deemed to appear as a person under the age of 21 and are advised to dress consistent with the style of other youth in the target area.
- Minors should not wear any sweatshirts or other clothing that would suggest someone as being of legal age (i.e. college sweatshirt or military clothing).
- Minors are advised not to misrepresent their age either verbally or by document at any time during the operation.
- Minors should not argue with, entice, or induce the retail employee into selling alcohol.
- Minors are not assigned to an operation in their own town of residence to ensure confidentiality and to avoid recognition by the clerk or employee of a retail establishment, restaurant or bar.
- Youth are recruited from area high schools, police explorer posts, SADD Chapters, Connecticut MADD and youth members of the CCSUD. Children of law enforcement officers are also potential candidates.
- “Mature and responsible” students / youth between the ages of 16-19, who may be interested in volunteering their time to participate in compliance check training and subsequently participate in two or more operations, involving 4-6 hours on a weekend night, should be referred to staff at the CCSUD, (860) 523-8042 or (800) 542-5422.

## *Police Point Person Responsibilities*

Each compliance check operation should have a designated police point person who will initiate contact with the Director of the Liquor Control Division, who will then initiate contact with staff from the CCSUD.

- Scheduling- Initial dates should be proposed at least three weeks in advance to ensure availability of all team members.
- Planning target locations- Create master list of store locations, determine the route to be traveled, and arrange for transportation for the minor.
- Assign officers and coordinate logistics for specific compliance operation. Roles that need to be assigned include: undercover officer (who is also usually the driver) and a uniformed officer available as backup to the minor and undercover liquor control agent. Prior to the operation, the decision whether to make an arrest and/or a referral to the Division of Liquor Control should be determined.
- Confirm that the minor is carrying valid Connecticut identification.
- Verify that the minor is not carrying any false identification.
- Decide if a photograph of the minor will be taken and maintained on police file for reporting purposes.
- Money for purchasing alcohol and a “late night snack” should be provided to the minor. Since minors are volunteering their time, police departments are also encouraged to present the youth with a gift certificate to a restaurant or store, acknowledging their commitment and donation of personal time.

# Implementing Compliance Check Operations

## **Off-premise locations** (e.g. package stores, grocery / convenience stores)

- If a designated undercover member of the team will be entering the premises, they should enter before the minor.
- The minor should enter shortly thereafter.
- Minors should attempt to purchase the same type of alcohol at each location.
- There should be no contact between the two while inside the store, but the undercover team member should remain close enough to maintain visual contact to ensure the minor's safety and attempt to overhear conversations between the minor and store employee. This will assist the undercover member in documenting the sale.
- The undercover team member and the minor should not leave the permit premises together.
- The minor should leave the store first.

## **On-premise locations** (e.g. cafes, restaurants, hotels)

- Ideally, two minors should be used together in on-premises operations.
- The designated undercover member of the team should enter the premise prior to the minors.
- There should be no contact between the minors and the undercover member prior to the sale/delivery being made to the minors.
- Minors should attempt to purchase the same type of alcohol at each location.
- Minors should not taste nor consume the alcoholic beverage.
- If it is a bar, the minors should walk away from the bar area carrying the alcoholic beverage to where the member of the undercover team is located.
- If it is a full service restaurant without a bar, the undercover team member should go to the table and confirm the alcoholic beverage.
- The minors and other team member should exit the premises, either together or with the minors leaving first.

## **Documenting the attempted purchase**

The designated team member should maintain a log recording each location visited, any relevant details concerning the attempted purchase (i.e. whether or not an ID was requested and subsequently scrutinized, any dialogue between the youth and the vender / clerk and whether or not a purchase of alcohol was made). The log should list the date, time, trade name, address, permit number, beverage purchased, and description of employee. If a purchase is not made, the location and time of the attempt should be recorded. A police report must be completed and submitted to the Division of Liquor Control for each permit premises that sold to the minor, regardless of whether an arrest or referral will be pursued.

## **Body microphone / filming the operation**

A body microphone may be provided to the minor for safety considerations and/or recording of a conversation that may later be used as evidence. If video monitoring is used during the operation, the permit premises and trade name should be filmed. The minor may be filmed walking into the permit premises empty handed, and leaving with the alcoholic beverage in hand. The film may later be used as evidence.

## **Follow-up to purchase**

Please note that if an arrest is made, the disposition of the case must result in a guilty plea in order for the liquor control commission to proceed with administrative action. It is for this reason that local enforcement is generally discouraged from making an immediate arrest thus allowing the liquor control division to process the case and issue administrative sanctions, which may include a fine, temporary suspension of permit or possible revocation, or a combination thereof.

After exiting the permit premises, the team proceeds to the next permit premises after carefully documenting the sale and description of the employee that made the sale at the permit premises. At the end of the operation, a team member will return to all the permit premises where a sale occurred in order to complete the investigation at those locations.



# Controlled Party Dispersal Guide for Connecticut

*T*his guide focuses on the role of enforcement and community agencies in preventing underage drinking parties and safely dispersing them when they do occur. It describes the problem of underage drinking in general and youth drinking parties in particular. It provides step-by-step information on how to address underage parties and how to use enforcement campaigns to bring about changes in community norms concerning underage drinking and parties.

State and local enforcement agencies, policymakers, and concerned citizens should use this guide to:

- Gain an understanding of the issues related to underage drinking and underage parties
- Motivate policymakers, communities, and law enforcement to place greater emphasis on underage drinking and parties
- Learn the operational steps that should be taken to prevent and disperse underage parties
- Identify barriers to addressing underage parties in their communities
- Learn about strategies to overcome these barriers
- Help educate parents

# Introduction

There is no doubt that underage alcohol use is an extremely serious problem for all communities. Fortunately, solutions have been identified to aid communities in addressing this problem. Strategies that limit youth access to alcohol are some of the most powerful and well-documented approaches to reducing underage drinking and related problems. Enforcement activities are key to limiting underage alcohol access. While we commonly think of enforcement related to retail sales of alcohol, youth gain access to alcohol through a variety of means, each of which should be addressed by law enforcement.

One common way that underage drinkers gain access to alcohol is at parties. These parties are commonly large gatherings of young people in a home (often when the parents are away), in an outdoor area (like a beach or a park), or in some other venue (like a warehouse rented for the purpose). These parties can be particularly problematic because of the number of drinkers involved and the large quantities of alcohol consumed. Reports of alcohol poisonings, traffic crashes, property damage, community disturbance, violence, and sexual assault are all too common as a result of these parties.

The consumption of alcohol by underage youth at high school and college parties presents difficult law enforcement challenges. The laws related to these parties vary from community to community and state to state. Community norms often tolerate or even condone parties; attitudes towards law enforcement involvement in the parties can sometimes be negative. The parties themselves are dangerous, unpredictable, and hard to control. A lack of or improper enforcement techniques can make things worse rather than better.

This guide presents proactive approaches to underage drinking parties that can help to prevent them before they start and minimize the potential for tragedy and exposure to liability while maximizing opportunities to educate the public on the dangers of youth and alcohol.

Traditional police responses to underage drinking parties usually involve the dispatch of one or two officers directly to the violator's house. The mere presence of a police car often causes partygoers to scatter to their vehicles and flee the scene. For those who decide to stay, the officers often just ask them to lower the volume on the stereo and pour

out the alcohol. Generally, no enforcement action is taken and rarely is this situation used as an opportunity to educate youth, their parents, or the community as a whole.

The result is a repetition of calls for service either later that night or the following weekend. The impression that underage drinking parties will be tolerated is therefore reinforced.

We know that these parties can lead to dangerous, risk-taking behaviors such as binge drinking, vandalism, thefts, sexual assault, unprotected consensual sex and DUI / DWI.

## *The Controlled Dispersal Program*

Despite prevention efforts, underage-drinking parties do occur. When they do, law enforcement agencies can utilize the controlled dispersal plan as a method for closing underage alcohol parties. Controlled dispersal is a systematic operational plan using the concepts of zero-tolerance and education to safely and efficiently close the underage-drinking party. A successful controlled dispersal results in effective zero-tolerance enforcement by placing appropriate charges against the violator. It also minimizes the potential for disaster by ensuring that the party attendees are provided a safe ride home. The proper implementation of the controlled dispersal plan will benefit your community and its youth by reducing the negative consequences associated with underage drinking.

### **Party Prevention**

The best time to break up an underage drinking party is before it ever starts. Well-publicized enforcement of the laws may deter some young people from having parties at all. Similarly, vigorous enforcement of laws against sales to minors and laws prohibiting older people from providing alcohol to minors can make parties less likely.

### **Community Calls**

School security and faculty, parents, and students often receive information about upcoming activities. Open channels of communication must be established so information can be shared from these sources to the police department. Many communities have established official tip lines encouraging individuals to report underage parties or illegal sales. For more information on local social host ordinances contact the Connecticut Coalition To Stop Underage Drinking (CCSUD).

### **Responding to Parties**

The key element to success is coordination and communication among officers on the scene. Law enforcement managers must be flexible in allocating staff to provide sufficient officers to safely close parties. The initial investment of officers will result in fewer alcohol-related calls for service overall, including incidents such as fatal and injury collisions, sexual

assault, and alcohol poisoning. It also will reduce nuisance crimes such as theft, vandalism, and disorderly conduct.

## Surveillance

Rather than responding directly to the alleged party house or location, surveillance should be initiated. Officers should park their patrol vehicles on an adjacent road or a short distance from the party site and walk up. The officer should monitor for alcohol, drugs, noise, and other violations, as well as, noting party size, general layout of the house or other party site and other tactical considerations. Ideally, this officer should be from the alcohol-enforcement unit or a specialist. Plain-clothes officers and/or unmarked vehicles are ideal for this surveillance, but uniform officers are effective if they remain covert.

Fourth Amendment issues such as curtilage and search-and-seizure procedures must be considered when dealing with a private residence. Agencies are encouraged to review their policies with their prosecutor's office prior to implementing the controlled dispersal plan.

## Monitoring traffic

Officers can relay information about persons and/or vehicles leaving the party area. Other officers may be asked to follow a vehicle and, based on probable cause, stop the vehicle, identify the age of the occupants and determine if they have consumed alcohol. The officers conducting the traffic stop should not reveal their knowledge of the party; this may tip off the party host and cause the attendees to scatter. Appropriate enforcement of alcohol violations for individuals leaving the party is encouraged to maintain the controlled dispersal plan's integrity and to reinforce the norm that underage drinking will not be tolerated.

# Implementing Controlled Dispersal

After establishing probable cause of alcohol violations, officers should notify a supervisor and estimate the staffing requirements for a proper controlled dispersal. The supervisor will determine officer availability and make a decision to implement the controlled dispersal plan or to close the party by alternative means. Officers from adjacent areas or shifts may be considered for additional help as needed. Commanding officers should be notified of confirmed underage-alcohol parties so that they are apprised of the situation and can activate mutual-aid agreements if necessary.

In cases where insufficient staffing precludes the agency from conducting a controlled dispersal, it is imperative that officers take some action to minimize the risk associated with underage alcohol use (primarily driving by impaired youth). It is usually possible to station officers at each end of the street where most of the cars are parked and establish a mini-checkpoint or a safety inspection. Only sober operators should be allowed to pass,

and impaired-driving enforcement should be conducted whenever possible. Additionally, officers or trained interns/explorers can record the license plate numbers of vehicles parked in the vicinity. The owners can be contacted - usually parents - and informed where their cars are located. This normally invokes a swift response from parents who arrive on the scene to retrieve their vehicles and children. Illegally parked vehicles can be towed in accordance with agency policy. While the controlled dispersal is clearly the most effective method of closing a party, these alternative means are available as options.

## Briefing

The supervisor will select a staging area away from the party site and officers detailed to the controlled dispersal will report to this location. A briefing, usually lasting only a few minutes - will be held to review agency policy and development of a tactical plan. Officers will organize the equipment needed to effect the controlled dispersal (Polaroid cameras, preliminary breath tester, citations, etc.). Selection of a covert staging area is critical. Attendees at underage-drinking parties are often cognizant of police presence and may even have scanners or lookouts. A briefing can consist of two officers meeting at a location away from the party to discuss the roles, safety issues, and responsibilities.

## Deployment

Teams should be established to provide outer and inner perimeters. The outer perimeter will block the roadway to prevent vehicles operated by impaired drivers from leaving the area. The inner perimeter is responsible for attempting to prevent partygoers from leaving the house

or immediate party area until control of the area is gained, and for ensuring officer safety. Once the perimeters are established, a contact officer (usually the primary alcohol officer and a supervisor) should go to the front door of the residence (in the case of a house party) and attempt to speak to the homeowner or host of the party. This should be the first time that partygoers have knowledge of a police presence.

When the party is on private property, the contact officer should attempt to gain entry to the residence through consent, a warrant, exigency, or any other legal means. Consent is the best and easiest approach to gain entry. The contact officer may be able to gain consent by explaining to the homeowner the legal consequences of hosting an underage-drinking party.

## Scene Security

Once entry is made, the attendees should be gathered into a secure area. The party host and the contact officer or supervisor should conduct a thorough search of the residence or party area to ensure that no one is hiding, sick, or unconscious. Youth have been found hiding in crawl spaces, closets, and clothes dryers. Disorderly or impaired partygoers should be removed as soon as practical and processed accordingly. This is a protective sweep for persons only. It is not a search for contraband unless consent is expressly given for that purpose.

Once the scene is secure, the inner-perimeter officers can process the attendees. The outer-perimeter officers should maintain security until all partygoers are safely dismissed from the area and are to prevent other invitees from entering the house or party area. As previously

mentioned, the officers should prevent impaired drivers from leaving the scene and should also provide security for the patrol vehicles.

## Processing Steps

Processing should be established using officers and/or civilian aids, if available. Partygoers of legal drinking age will be released provided they have not committed an offense and have safe transportation from the party.

- Observe whether or not the subject is intoxicated.
- A photograph of the subject can be taken along with name, and date of birth should also be recorded on the photograph.
- Processes any citations issued.
- Attendees under the age of 18 will have their parent or guardian contacted prior to their release. Anyone 18 and over should be released if the same circumstance exists. In some departments the age may be 16, but it should be referred to their department's policy regarding when to release an individual under these circumstances. Eighteen to 20-year-old partygoers should be ordered not to drive and may be released after safe transportation has been arranged.
- Parents could be given an opportunity to view the results of the party (if practical), including condition of attendees, alcohol containers, drug paraphernalia, and vandalism. This promotes parental awareness of the severity and extent of the problem.

## Thinking Outside the Box

### Options to Investigate

- Controlled dispersals can also be implemented in jurisdictions where a physical arrest is required in lieu of a citation, but creative solutions like busses and alternative processing locations will have to be made.
- If You Tow It They Will Come! - Another effective means to force teenagers to cooperate with law enforcement.
- Noise Disturbance - Law enforcement proactively seek complaints from residents in the neighborhood.
- Traffic Hazard - Cars inappropriately parked on the street.

# Connecticut Liquor Laws

## Keg Registration Laws

In Connecticut, when a keg is purchased, the retailer requires a refundable deposit and records the buyer's name, address, telephone number, and driver's license or other identification information. If police or other enforcement officers confiscate a keg from underage drinkers, they can easily trace the purchaser who provided the keg to the youth and impose appropriate sanctions. Keg parties are generally larger in size and often encourage heavy consumption of alcohol. These larger parties with more intoxicated subjects adversely affect law enforcement resources and need to be prevented whenever possible. Keg Registration laws have improved the ability of many communities to address this type of third-party exchange of alcohol between adults and youth under the age of 21.

## House Party/Social Host Laws

Many Connecticut municipalities have passed a local ordinance prohibiting possession of alcohol by minors on BOTH public and private property, closing the obvious loophole in Connecticut Statute Sec. 30-89. In addition, town ordinances may also address the issue of social hosts, allowing legal action to be taken against the host of a gathering where alcohol is consumed or dispensed to minors (not accompanied by a parent, guardian or spouse over the age of 21). In such situations, enforcement officials may hold the host liable, despite the fact that they may not have actually provided the alcohol. For an up to date listing of towns and cities that have passed a local "house party ordinance, visit the Governor's Prevention Partnership website at [www.preventionworksct.org](http://www.preventionworksct.org).

<i>Summary</i>	<i>Public Act/Statute</i>	<i>Penalty</i>
<b>Possession of Alcohol by Minors</b>		
Prohibits possession by minor on any street, highway or place open to the public. Exemptions: any person over age 18 who is an example of a permit holder and who possess alcohol in the course of that employment; a minor who possess alcohol on the order of a practicing physician; a minor who possess alcohol when accompanied by a parent, guardian or spouse who has attained the age of 21 years.	Sec. 30-89 Sec. 14-111a Sec. 14-111e	<ul style="list-style-type: none"> <li>• Not less than \$200 and not more than a \$500 fine and mandatory license suspension.</li> <li>• Subject to additional 150 day suspension of motor Vehicle license by Commissioner of Motor Vehicles.</li> <li>• If not licensed, must wait additional 150 days after eligible for license.</li> </ul>
Prohibits possession by minor of liquor in a motor Vehicle.	Sec. 14-11a	<ul style="list-style-type: none"> <li>• Subject to 150 day suspension of motor Vehicle license by Commissioner of Motor Vehicles.</li> <li>• If not licensed, must wait additional 150 days after eligible for license.</li> </ul>
Prohibits possession of alcohol on private property.	For CT towns with a local ordinance visit <a href="http://www.preventionworksct.org">www.preventionworksct.org</a>	<ul style="list-style-type: none"> <li>• \$75 - \$100</li> </ul>
Prohibits hosting or allowing underage drinking.		
<b>Provision of Alcohol to Minors</b>		
Prohibits anyone giving or delivering liquor to a minor. Exemptions: deliveries to a minor by her/his parent, guardian, or spouse who is at least 21 years old, if minor is accompanied by her/his parent, guardian, or spouse.	Sec. 30-86 Sec. 53a-25	<ul style="list-style-type: none"> <li>• Unclassified felony - up to 18 months in prison, and/or fine up to \$1,500</li> </ul>
Dram Shop Act: Creates liability for liquor sellers for damage by intoxicated persons.	Sec. 30-102	<ul style="list-style-type: none"> <li>• For property damage: requires seller to pay damage up to \$20,000</li> <li>• For bodily injury: requires seller to pay damages up to \$50,000</li> <li>• Requires aggrieved person to notify to seller within 60 days of occurrence.</li> </ul>
<b>Fake/False Identification</b>		
Misrepresents age or commits deception to obtain identity card, or uses another's card.	Sec. 30-88a Sec. 14-11f	<ul style="list-style-type: none"> <li>• Not less than \$200 and not more than a \$500 fine or imprisoned not more than 30 days or both.</li> <li>• Suspension of operator's license for conviction of possessing fake or altered license; also for misusing a license to obtain liquor. If not licensed, must wait 150 days after eligible for license if convicted for above.</li> <li>• Unclassified felony - up to 18 months in prison, and/or fine up to \$1,500.</li> </ul>
Possession of Fake ID.	Sec. 14-147 (a) (b) (c)	
Loaning your ID to another person or possessing another persons ID.	Sec. 30-86a	
False representation of identity to a Police Officer.		
<b>Youth DUI (Zero Tolerance)</b>		
Administrative suspension of operator's license if blood-alcohol-content (BAC) is from .02 but less than .10.	Title 14 (Motor Vehicle Statutes) section, check under 14-227a	<ul style="list-style-type: none"> <li>• 90 day administrative suspension</li> </ul>

# Developing Community Support

Party prevention and controlled party dispersal are new concepts in many communities and it's important to gather support for them. A coalition with concerns about underage drinking probably already exists in your community. Coalition members include businesses, schools, hospitals, insurers, social service agencies, concerned youth, concerned parents, highway officials, and, of course, the police department and alcohol control agencies.

In reaching out to the community, alcohol enforcement units, police officers, and school resource officers (SRO's) can provide education concerning underage drinking laws and their consequences, as well as information about the impact that alcohol and drugs can have on the lives of youth. High school and college students are appropriate audiences since these groups are most likely to be involved with underage drinking and to have concerns about their own behavior and the behavior of peers. Officers may also speak to faculty, PTAs, and civic and community groups detailing party prevention and controlled party dispersal and its benefits to the community.

If permitted by your department's policy, "ride alongs" by coalition leaders and the media with the alcohol enforcement unit or specialists can show the benefits of party prevention and controlled party dispersal. Judges, prosecutors, coalition members, and citizens can be educated through this first-hand experience. When people see parties in full force and the controlled party dispersal in action, they are more likely to recognize the importance of enforcement efforts and provide the support needed.

## Conclusions

Enforcement activities to prevent and safely disperse underage drinking parties are critical to reducing underage alcohol use and related problems. However, these efforts cannot occur in isolation. Enforcement of laws and statutes related to underage drinking must be accompanied by continuing efforts to reduce the commercial availability and the possession of alcohol by underage youth. Using comprehensive, community-wide approaches to reduce underage drinking can shift norms and expectations. This is a worthy goal that builds community collaboration and provides participants with a sense of lasting accomplishment, both in the process and the outcomes. The stakes are enormous: the health and safety of our young people.

