

KEEPING THE PEACE - Calling in an "unruly gathering"

Following is the process for reporting an unruly gathering and helping law enforcement officials do their job.

1

KNOW THE LAW – What constitutes an "unruly gathering"? The ordinance defines it as "a gathering of five (5) or more persons on any private property (including property used to conduct business) in a manner which causes a disturbance of the quiet enjoyment of private or public property by any person or persons." This can be any time of day. Disturbances include, but are not limited to:

- ◆ Excessive noise or traffic ◆ Obstruction of public streets by crowds or vehicles ◆
- Drinking in public ◆ Service of alcohol to minors or consumption of alcohol by minors ◆
- Fighting ◆ Disturbing the peace ◆ Littering ◆

2

CALL THE POLICE – Call 911 and say "I want to report an unruly gathering". You will be transferred to TPD. Be ready to:

- Give the exact address. Tell how many cars/taxis etc. What you hear and what you see.
- Make TPD accountable - Ask to be contacted after the policeman makes contact. This can be by phone or in person. This means you have to give your name and address and contact information. You do not need to do this, but know your complaint may stop there.
- Inform your Neighbors – Others in the area may think they do not need to call. If it is disturbance, TPD needs to know how disturbing it is. Have an agreement with neighbors that they will keep each other informed (even in the wee hours of the night).

3

OFFICERS ARRIVE

- 1) response to calls are made on a priority basis. Disturbing the peace is a low priority and may be placed at the bottom of the list until the officers are free from other more pressing calls.
- 2) When officers arrive they witness the party
- 3) The officer makes a decision to red tag or not depending upon what he sees.
- 4) Officer follows up with the requested visit to complainant and shares the results. (if you specifically requested at the time of the initial call)

OFFICERS DO NOT ARRIVE IN TIME TO WITNESS THE DISTURBANCE

NO EVIDENCE

- 1) If there is no evidence no red tag can be issued.
- 2) Officer will follow up with the requested report to the complainant (if you requested at the time of the initial call)
 - * at that time the complainant may have further evidence.

EVIDENCE

- 1) Bottles, cups, litter etc. An officer may give a tag based on that evidence.
- *2) Your video tape/photos of the incident. An officer may be given that as evidence and issue the tag based on the video and the testimony of the complainant(s)
- 3) Red tagged individual may protest the red tag and the complainant will need to testify.

OFFICERS NEVER ARRIVE – NEVER CONTACT COMPLAINANT (YOU)

Call (usually the next day) Captain Fabian E. Pacheco, 837-7206 or Kara Curtis 837-7241. Ask for follow-up information. If you have video tape and/or photos, ask to be able to present them.

Red Tags - It's never as easy as 1,2,3

FINES: A minimum mandatory fine of \$500 for the first violation, of \$1,000 for the second subsequent violation, of \$1,500 for the third (or more) subsequent violation(s).

A Few Things to Consider:

It may go smoothly Yes, many times the call is made, the police arrive, and the loud party is shut down. And often a red tag is issued. But as many times you must be ready for the long haul.

Are you willing to have your sleep disturbed several times in the evening? The police may call you back to say they can not get there immediately...you doze back off...and the police call to say they will be there in an hour... you doze off...in another hour the doorbell rings and the policeman is there.

Do you fear recrimination? Sometimes the folks wake up remorseful the next day and come over and apologize, but sometimes you must endure nasty looks and screeching tires or worse. If you video tape or photograph, you may be observed by the party-goers. It is never a good idea to confront anyone under the influence of alcohol or drugs.

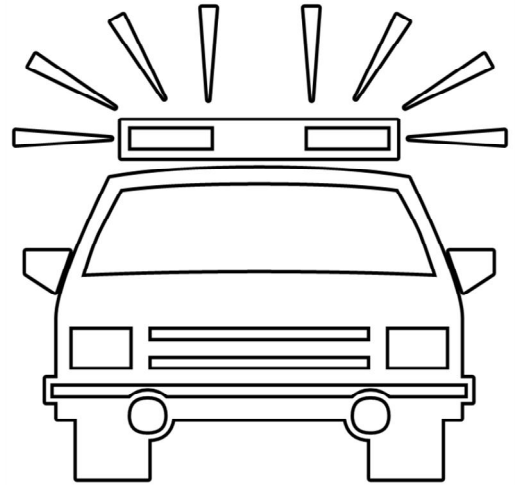
Are you alone? If you go outside, or go to ask the party goers to bring down the noise, make sure someone is at your home (and awake) in case you encounter an unsafe situation.

Are you in contact with your neighbors? Certainly, if you are disturbed, your other neighbors are also. Have early conversations with your neighbors about handling such situations. Perhaps agree on a strategy. Can you call them at midnight? Will they come out to talk to the police when they arrive if need be?

Can you stay firm but calm? When dealing with the police can you stick to the facts and calmly talk about the offending situation. You may be tired and angry about having to take on the situation, but you want the officers to focus on the problem...not you.

Finally, are you willing to go the distance? Can you accept that the police have other more serious calls and are you willing to keep your issue on their radar until it is resolved. Sometimes this may mean enduring the ruckus, have no police arrive, and then having to personally follow up the next day, or the next. It may mean having to go to court if the red tag is protested.

Are you willing to go to court? The offender has 10 days to protest the red tag. At the date of this publication it is unclear how one finds out, in advance, about a protested red tag. It is clear you will need the name of the person ticketed with the red tag. That information should be available in the police follow up visit with you. It would occur in city court. You may track the "unruly gathering" court dates by going to the Neighborhood Support Network, **neighsupport.net** and see the "Quick Links" on the left column. Select "City Court Events" and you can watch for your case to come to court.



This fact sheet is a product of the Jefferson Park Neighborhood Association. It was compiled from many neighborhood experiences. While it has been reviewed and approved by TPD chief Pacheco, it can not be construed to be a publication of the Police Department.

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