

# KNOW YOUR RIGHTS!

## Alcohol and Noise Issues

- An Amherst bylaw **REQUIRES** that anyone possessing a keg of beer must have a license issued by the police department; possession of a **keg without a license can result in a substantial fines**. Keg licenses **MUST** be applied for at the Amherst police department, and take 3-5 days to process. Amherst Police 256-4011.
- State criminal laws provide for fines and possible imprisonment for disturbing the peace. In addition, an **Amherst bylaw provides for criminal penalties for excessive and unlawful noise**. Under the bylaw, a **FINE** of \$100 will be imposed for a first violation; \$200 for a second violation within 12 months; and \$300 for a third or subsequent violation within 12 months. If the person responsible for the violation continues to violate the bylaw after a **written warning**, that person can be **ARRESTED**. If the person responsible cannot be determined, those in control of the premises (i.e., the tenants) can be held responsible.
- **The Student Code of Conduct MAY** be applied off campus.

## Search and Seizure

- **Police do not have the right to enter your home or apartment** without your consent unless they see something **ILLEGAL** in **PLAIN VIEW**, have a **SEARCH WARRANT**, or are in "hot pursuit" of a suspect.
- If you speak to a police officer, you should exit your home or apartment and **close the door behind you**. After you do so, speak politely to the officer, and stay calm. Wait until s/he has left the area, and then go back inside.
- If you do not consent to a search, you should politely say: "**I do not consent to a search of my person, belongings, home or vehicle. I retain my 4th Amendment rights and all other rights under the United States Constitution. I will say nothing until I can consult with an attorney.**"
- If you do not consent to a search, the officer **MUST release you, detain you, or attempt to obtain a search warrant** in order to perform a search. The mere fact that you do not consent to a search does not give the officer grounds to detain you or obtain a warrant.
- If you do consent, the officer **CAN** and **WILL** conduct the search without a warrant. **The officer has the right to seize anything in plain view**; otherwise, in general, the officer must have a warrant to seize any potential contraband or other evidence.
- A search must be limited to areas that could possibly contain the evidence or contraband that the warrant specifies. If contraband is found, you and perhaps others will probably be arrested.

# DO NOT DISTURB! SEARCH WARRANT REQUIRED

**KNOW YOUR RIGHTS!**  
Campaign brought to you by:

## **The Student Center for Educational Research and Advocacy**

Contact SCERA to get involved. Give students a voice.

432 Student Union → Phone: 545-0355

E-mail: [scera@stuaf.umass.edu](mailto:scera@stuaf.umass.edu) → On the web at [www.sceraumass.org](http://www.sceraumass.org)

## **Commuter Services and Housing Resource Center**

Advocating with you and for you as a community member.

428 Student Union → Phone: 545-0865

E-mail: [cshrc@stuaf.umass.edu](mailto:cshrc@stuaf.umass.edu) → On the web at [www.cshrc.org](http://www.cshrc.org)

## **Commuter Area Government**

Commuters Working for Commuters

430 Student Union → Phone: 545-2145

## **The Student Government Association**

Students Working for Students

422 Student Union → Phone: 545-0341

E-mail: [sga@stuaf.umass.edu](mailto:sga@stuaf.umass.edu)

On the web at [www.umass.edu/sga](http://www.umass.edu/sga)

## **The Student Legal Services Office**

Free legal advice for students

922 Campus Center → Phone: 545-1995

E-mail: [slso@stuaf.umass.edu](mailto:slso@stuaf.umass.edu)



# UMass