STUDENTS’ RIGHT TO ASSEMBLE
HOSTING OR ATTENDING AN OFF-CAMPUS GATHERING

HOSTS:
- Many leases limit or have certain requirements with regard to gatherings (e.g., giving advance notice to your landlord, or limiting the number of people you’re allowed to have in your rental at a time. Disregarding these lease provisions could put your tenancy at risk.
- Unless you are prepared to monitor your guests’ alcohol consumption, and take away the car keys of anyone who seems impaired, do not provide alcoholic beverages or make them available to your guests. If you serve or make alcoholic beverages available, and a guest causes injuries to someone else (e.g., in a car accident), you could be held legally responsible for the injuries.
- Turn down the volume if a neighbor complains to you about loud music or noise; they might decide to call the police to complain if you don’t take their complaint seriously.
- If the police show up at your party, turn the music down, have your guests keep quiet, and have a (preferably sober) tenant open the door partway to speak to the officers. You do not have to meet the officers outside, and the police should not enter your residence unless they have a search warrant, see criminal activity in plain view (e.g., underage drinking), have a good-faith belief that an emergency exists, or you let them in. Politely assure the officers that you will keep the noise down and end the party if necessary.
- If police do enter your residence, or if you or your guests disagree with the actions taken by the police, please remember that constitutional issues will be resolved in court, not by protesting them to the police at the moment of the encounter.
- If you are arrested by the police and/or charged under the Code of Student Conduct, please request services from SLSO by completing an intake form.
- Consider registering your party with the Good Neighbor Registration to better avoid fines, arrest, and other problems.

GUESTS:
- If you are over the age of twenty-one and are bringing alcohol to a party, keep the container sealed and out of sight until you arrive. Having an open container of alcohol on public property in Amherst or Hadley can result in an arrest, a $300 fine, or both.
- You only have the right to be on private property (e.g., lawns, parking lots, apartment complexes, houses) if you have been invited by the property owner or tenant.
- Use bathrooms, not bushes. Urinating in public is a crime (indecent exposure) which can result in a number of penalties, including the possibility of having to register as a sex offender.
- Know when to leave. The police are unlikely to interfere with a peaceable gathering that does not disrupt the comfort and safety of others. But, if members of a group violate the law (including creating excessive noise or disturbing the peace by crowding the streets or sidewalks, throwing things, damaging property, or acting in a menacing or threatening way), the police can intervene. Failing to leave an area when ordered to do so by the police can subject you to arrest.
- If you are arrested by the Police and/or charged under the Code of Student Conduct, please request services from SLSO by completing an intake form.

COLLATERAL CONSEQUENCES:
- If a student is arrested or receives a summons to attend court, local law enforcement will typically forward that information to the University, which could result in disciplinary measures under the Code of Student Conduct— even if the incident occurred off-campus.
- Sanctions for Code violations can have financial and academic consequences, including but not limited to: suspension, expulsion, loss of tuition and scholarships, loss of University housing, and lost opportunities for study abroad programs, internships, or jobs. Not even the most EPIC party is worth these potential costs.
- Remember that, the existence of cell phones with cameras and social media creates the potential—if not the likelihood—that there will exist a public and permanent online display of your presence and/or behavior at a celebratory event.

This information has been provided by SLSO for educational purposes only. It is not intended to constitute legal advice, either in general or for any specific person or circumstance. For further information, or to request assistance, please fill out an intake form (found at www.umass.edu/slso) and email it to slso@umass.edu.