

# On the Mean Streets of Montgomery, Drink Alcohol Enforcement Police Often Target You

By Leigh Glenn  
WANADA Staff Writer

In the police lingo of Cpl. Michael Diggs, impaired drivers are "freebies." That is, the eight-member Montgomery County Police Alcohol Enforcement Unit can spot them while scouting out underage drinkers and repeat offenders. Given all the underage drinking parties, establishments that don't card customers for alcohol purchases, and bars that continue serving already intoxicated patrons, Diggs describes the unit as "busier than we can handle.

"We can only get to so much," he says, even on this, what he considers, a slow night.

**8:32 p.m.** Diggs leaves in the unit's only surveillance vehicle, a wobegone '88 Caprice that stays unwashed. He heads to a meeting spot to set up other officers on surveillance of a beer and wine store for underage buying. Typically, teens caught with alcohol tell police where they buy it.

**8:38 p.m.** At the meeting place, Officer Spiro Tatakis, who's on loan from his usual Wheaton patrol area, says, "Do we have any structured plan for tonight?"

Diggs chuckles. "Take whatever comes up," he says.

Tatakis says he finds this work more rewarding than the usual mixed bag of situations he handles.

"When you take a drunk off the road, you feel you've done something," he says. "I got two last night and I felt, 'Wow.'"

**9:02 p.m.** The first stop is off Frederick Road in Gaithersburg at a busy beer and wine store in a strip center. With three other patrols in position, Diggs grabs his binoculars and starts watching. Two young men are loitering. They could be so-called recruiters - people who can't legally buy alcohol, but wait near a store to try to bribe legal buyers to purchase it for them. They take off after a few minutes and Diggs alerts the patrols to watch them.

**9:43 p.m.** After directing the patrols to follow what appear to be underage buyers, Diggs himself trails a couple of guys in a white Honda with blue and yellow center stripes. Tatakis shows up a few minutes later to back him. Diggs administers various tests to the driver, who, in baggy blue jeans and a Tommy Hilfiger sweat shirt, could be 19 or 20. First, there's the pen-in-front-of-the-eyes-test; then the heel-to-toe walk; and the hold-the-foot-six-inches-above-ground-and-count test. Both driver and passenger are of age and the driver, while he has been drinking, is not impaired enough to be brought in for a real breathalyzer. Did the driver seem shocked, I wonder, and question Diggs. "Did he seem shocked to you?" he asks. "No, not to me." "Not to me, either," he says.

**10:09-11:03 p.m.** Two underage drinking parties are

called in, one in south Montgomery County, one near Wheaton. We take the closer one, meeting up with Sgt. David Falcinelli, the head of the unit, who then takes over his Caprice, explaining that he couldn't meet me earlier because of a family matter.

The first party is in celebration of a girl's 14th birthday. The mother is there to make sure the kids don't get into

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trouble. The Wheaton party also turns out to be nothing.

Sgt. Falcinelli, who started supervising the two-year-old unit in April, says they've racked up about 1,300 alcohol citations so far this year and explains how the unit came to be.

The spark was the alcohol-related deaths of two Walt Whitman High School students several years ago. Having an unmarked, non-police car is vital to the unit's underage drinking parties approach: controlled dispersal. If kids are drinking and get word the cops are coming, they can leave and kill somebody with their cars. It happened in Virginia, Falcinelli says. So, they try to stake out a party first, then call for backup. That way, they have a better chance of catching kids before they drive.

**12:19 a.m.** After responding to a domestic problem in Derwood (in which alcohol was involved), Falcinelli drives through the parking lot of a bar and trails a man leaving in a maroon Nissan. The man is driving at least 10 miles over the speed limit along Shady Grove Road. Falcinelli might not ordinarily care except that he just saw him leave a bar. After putting him through the same series of tests Diggs used earlier - during which the man falters - a backup patrol administers an on-the-spot breath test which is not admissible in Maryland courts. It registers .06 which is borderline DUI (.07) and Falcinelli decides to take the guy in for a real breath test (which registered a .08).

The sergeant asks how much the man drank. First he responds two or three beers, then three or four. While on the way to the station, it's four or five and maybe a shot.

"Would you normally drive after what you drank tonight?"

"Yes," the man says. "It's not excessive. I don't think. It's not crazy."

The man never had a DUI before, just several speeding tickets. But he was going to Poolesville which requires driving on a two-lane, at times twisting, road.

"I saw him leaving a bar," Falcinelli says, after processing the man and taking him to call a cab. "Some people

# ing, Driving More Common than Expected ing People for Underage Drinking

don't agree with that. But that's a drunk driver off the road. Some guys would just let him go."

1:35 a.m. We arrive at Montgomery General Hospital where a 17-year-old girl was rushed for possible alcohol poisoning after a school dance. Falcinelli's guys go to a house where there was a parentally supervised, after-dance, non-alcohol party.

Somewhere between the school and the house, the girl consumed a lot of vodka. Her blood-alcohol content was estimated at .30. Falcinelli tells her parents that .34 -- or three times Maryland's DWI threshold -- is approaching death. (It later turns out to be .14, but because the girl had never drunk alcohol before, "it's still poison," Falcinelli says.)

The girl, a svelte, 5' 10" blonde with sky blue eyes, already has thrown up. This is important because giving the alcohol time to seep into the stomach lining could have made her condition much worse, Falcinelli says. We chat while the ER doctor and nurses try to further stabilize her condition and get an exact blood-alcohol reading.

Falcinelli, who graduated high school in 1981, says things were a lot different then. Teens and others drank and drove and no one really cared. Even a good friend of his died on prom night, the result of an alcohol-related collision.

What changed in more than a decade?

"It's politics, it's awareness, and it's society getting fed up with the tragedies every year," he says.

Whereas then kids had no fear of police, now they are

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"running scared, especially with this thing in Damascus," he says, referring to last week's sting of an afternoon beer party kids had thrown during an in-service day. "They think we're everywhere. (But) it's hard to tell kids not to drink when the parents drink."

That's not the case with this girl's parents to whose house people flocked for a New Year's party because they knew there would be no alcohol. In fact, the mother, holding the girl's silver-tinted, thick-heeled sandals, tells Falcinelli her daughter is staunchly opposed to drinking and that if he had asked her a week ago, she would have said her daughter would be the last teen in the world to drink. She rattled off a litany of organizations her daughter

serves: Students Against Drunk Driving, National Honor Society, the student council, not to mention her volunteer work at this hospital.

The ER doctor knew he had seen her somewhere, then realized she volunteered there. He says parents shouldn't be so surprised: they've all done stupid things, especially as teenagers.

The girl's parents try to question her about where she got the vodka. Whose was it? Who bought it? She rolls her head back and forth on the pillow. I don't know, she says. It was nobody's. It was just there. Her left arm flails, she opens her eyes, closes them again, shakes her head. "Never, never, never again," she says.

Falcinelli tries questioning her. She mentions an "of age" sister of a friend. Falcinelli doesn't know yet, given her state, whether to believe the girl. But if the information can be confirmed, the woman will be charged.

3:37 a.m. Heading back to the unit's substation, Falcinelli sees a Mazda leaving a middle school. He turns the Caprice around and stops the car. He collects the driver's and passenger's licenses and registration. On his way back to the Caprice, the passenger leans out the door and vomits in the street.

A backup patrol comes to watch the two. It takes Falcinelli maybe eight minutes to write two citations: illegal possession of alcohol. Both men are 20 years old. In addition to taking Polaroids of both, Falcinelli takes an unopened bottle, positions it on the roof of the Mazda and photographs it.

The driver is not in any way impaired. They drive away and Falcinelli pours all of the purplish "Mad Dog 20/20" into the grass by the side of the road.

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*As WANADA's representative, Leigh Glenn accepted an invitation to observe the work of the Montgomery County Police Alcohol Enforcement Unit from 8 p.m. to 4 a.m. last Friday night, December 12.*

Have a late model, non-police-looking car to donate? The Montgomery County Alcohol Enforcement Unit needs a car for surveillance of underage drinkers and repeat offenders. Anyone interested in donating a vehicle is asked to call Sgt. David Falcinelli at (301) 840-2663

