

## SOCIAL HOST LIABILITY

*“The kids are going to drink anyway, so why don’t we provide a place in our home for them where they can be supervised?”*

Good intentions aside, this approach may subject both parent and child to criminal penalties and civil liability.

If teenage alcohol consumption has taken place at a supervised party, and the teenagers have left the home, the “social host’s” responsibility does not end.

*Providing alcohol to a minor is a CRIME, and it comes with the penalty of IMPRISONMENT for 1 year and a FINE of \$2,000.*

While parents who adopt this approach think that they will be able to supervise a teenage party with alcohol, they cannot predict situations that may develop if a minor has been drinking in their home.

## SOCIAL HOST LIABILITY



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## SOCIAL HOST LIABILITY

Teenagers  
and  
Alcohol



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## A Message from the District Attorney



Teenage children who mix alcohol and driving, die tragically every year.

As parents and guardians, we must take a proactive approach, and set a good example for our children.

It is our responsibility to educate our children about the dangers of underage drinking.

We must also address the consequences of making a poor decision, such as, drinking and driving.

I urge you to take a moment, with your child, and review this brochure, it could save theirs or someone else's life.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim J Cruz".

Timothy J. Cruz  
District Attorney  
Plymouth County

## IT'S THE LAW

**\*Person under 21 years of age purchases/attempts to purchase/makes arrangements for another to purchase/uses fake I.D. to purchase alcoholic beverages for self or another.**

**Penalty:** License suspended for 180 days, \$300.00 fine. MGL ch. 138 § 34A

**\*Minor in possession/transport/carries alcoholic beverages.**

**Penalty:** Maximum \$50 fine, first offense, maximum \$150 fine second and subsequent offense; license suspended for 90 days. MGL ch. 138 § 34C

**\*Contributing to the delinquency of minor.**

**Penalty:** Maximum 1 year prison; \$500 fine; or both. MGL ch. 119 § 63

**\*Sale, delivery, furnishing alcohol to person under 21 years old.**

**Penalty:** Maximum prison term 1 year, maximum \$2,000 fine; or both. MGL ch. 138 § 34

**\*Operating Under the Influence of Alcohol. (OUI)**

**Penalty:** Penalties range from first offense/alcohol program and license suspension to subsequent offenses/imprisonment and license suspension. MGL ch. 90 § 24P

-Under 21 years of age, refusal of breathalyzer or reading of .02 or greater, results in immediate 180 day suspension, up to 3 years suspension upon conviction.

-Impoundment of defendant's vehicle for 12 hours following a refusal, plus the costs of towing, storage & maintenance of the vehicle. MGL ch. 90 § 24 (f)(iii)

-Age 17-21 first offense with BAC .20 or greater, 14 day inpatient Driver Alcohol Education Program required. MGL ch. 90 § 24D

**\*OUI motor vehicle homicide.**

**Penalty:** Maximum prison term **15 years**, maximum \$5,000 fine; license suspension **15 years** first offense, coupled with a prior OUI conviction or a subsequent offense MV homicide. MGL ch. 90 § 94G

**\*OUI serious bodily injury.**

**Penalty:** Maximum prison term, 10 years, maximum \$5,000 fine. MGL ch. 90 § 24L

**\*Manslaughter by motor vehicle.**

**Penalty:** Maximum prison term 20 years, 5 years minimum mandatory jail sentence; maximum \$25,000 fine; license loss 15 years to life. MGL ch. 265 § 13½

## STATISTICS

- Motor vehicle crashes are the leading cause of death for teens in the U.S. 31% of teen traffic deaths are alcohol related. (NHTSA, 2006)
- Each year, more than 5,000 teens (ages 16-20) are killed in passenger vehicle crashes. (NHTSA, 2006)
- During a typical weekend, an average of one teenager dies each hour in a car crash. (NHTSA, 2006)
- Nationally, 25% of young drivers who were killed in crashes had BAC levels of .08 or higher at the time of the crash. (NHTSA, 2006)
- Research continues to show that young drivers (ages 15-20) are more often involved in alcohol related crashes than any other comparable age group. (NHTSA, 2001)