

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 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.

PROMS, GRADUATION & ALCOHOL



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Responsibility and Liability



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A MESSAGE FROM
THE DISTRICT ATTORNEY



Proms and Graduations are upon us once again. With these celebrations comes the reality that teenage children mixing alcohol and driving tragically die every year.

In addition to setting good examples and providing our children with positive role models, it is our responsibility as parents and guardians to address the consequences of drinking alcohol, particularly drinking and driving.

Your commitment and guidance could save a child'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 defendants vehicle for 12 hours following a refusal, plus the cost of towing, storage and 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)