



Community Action for  
Substance Free Youth

substance free is where it's at

### Connecticut Alcohol Law Penalties for Convictions

Laws	Penalties
Hosting an Underage Drinking Party	<b>Crime: Misdemeanor.</b> Go to court.** First offense: up to 1 year in jail or up to \$2,000 fine or both. <i>Teens can be charged.</i>
Providing Alcohol to Minor (under 21)	<b>Crime: Felony.</b> Go to court. Up to 18 mo. in jail or up to \$3,500 fine or both. <i>Teens can be charged.</i>
Risk of Injury to a Minor (under 16)	<b>Crime: Felony.</b> Go to court. Up to 10 years in jail or up to \$10,000 fine or both. <i>Teens can be charged.</i>
Minor in Possession	<b>Infraction**.</b> First offense: a fine (\$136) and subject to driver's license suspension. \$175 to reinstate license. Possession on a public street or highway: 60-day suspension. Possession on any other public or private property: 30-day suspension.
Youth DUI (Blood Alcohol Content-BAC .02 or higher)	<b>Crime: Misdemeanor.</b> Go to court. First offense: a fine between \$500 and \$1000 and up to 6 months in jail (minimum 48 hours), with probation and 100 hours community service. Under 21: DMV 45 day license suspension and ignition interlock device to operate any motor vehicle for one year. The penalties increase for subsequent convictions. <i>(Age 16 and up go to Adult Court.)</i>
Making False Statement to Procure Alcohol	<b>Crime: Misdemeanor.**</b> Go to court. Fine \$200-\$500, or 30 days in jail or both. 150 day license suspension.
Possessing a Fake ID with attempt to Procure Alcohol	<b>Crime: Felony.</b> Go to court. Up to 5 years in jail, or up to \$5000 court fine or both plus probation. 150 day license suspension. Could be charged with "Making False Statement", police have discretion.

**Department of Motor Vehicles (DMV):** Some offenses are reported to the DMV. In addition to suspension of one's driving license and fines, another consequence could be that a) your family's car insurance rates will significantly increase or b) the insurance company may cancel your family's car insurance. **Lawyers:** Any court appearance usually requires a lawyer.

**\*\*Youth 17 and under:** When charged with infractions or certain misdemeanors, youth may be referred to either Juvenile Court or the local Juvenile Review Board. The maximum penalty in Juvenile Court for an offense that is not a "serious juvenile offense" is a commitment to DCF for up to 18 months with a possible 18 month extension. Youth in Juvenile Court do not pay court imposed fines. Youth charged with felonies may not be referred to Juvenile Review Boards.

## SCENARIOS

**Scenario 1:** Mr. and Mrs. Smith's teen, Tyler, is having a post-prom party, and they are happy to host to ensure everyone is safe and off the road. When the Smiths go down to check on the party guests before bed, they notice the teens are drinking alcohol that they did not supply. Stunned, they call Tyler over to explain how the teens got the alcohol. Tyler pleads with his parents to go to bed and tells them it's better than being out in the woods. The Smiths agree and head up to bed. An hour later the teens are spilling out onto the lawn screaming obscenities. A neighbor calls a patrol cop to come over to check out the situation. What possible charges could people face?

**Scenario 2:** Mr. Jones is away on vacation and leaves his 18-year-old daughter Amaya at home, since she is bright and responsible. Amaya calls a few friends to come over for a movie night and before she knows what's happening, word spreads that she is having a party without adult supervision. Soon the house is full of 45 kids, some of whom bring beer. Several party guests decide to raid the liquor cabinet to "get the party going." A patrol officer notices cars parked on both sides of the road, creating a hazard. He knocks on the door, and asks to come inside. While there, he notices a young teen (age 15) unconscious in the corner and calls for medical assistance. What possible charges could people face?

**Scenario 3:** The Bakers are having a graduation party for their 17-year-old son Ethan. Mr. Baker gets a few kegs at the local package store. Given that he's collected the kids' car keys, he doesn't see a problem with letting the recent grads celebrate with a few "cold ones." After a few hours, the music gets loud and the neighbors call to complain. When the police come to tell the homeowner to turn down the music, they see teens consuming beer on the front porch. Since the Bakers were not monitoring the party, they didn't know that Ethan's friend Joe used an extra set of car keys, left the party and drove to pick up another teen. On his way, Joe, who had consumed 4 beers, got into an accident. What are the possible charges people face?

**Scenario 4:** High-school sophomores Chris and Dawan are driving home from their football game. Chris runs a stop sign and is immediately pulled over by a police officer who is running radar. When the officer walks over to the car he sees a 30-pack of beer in the back seat. The box and bottles are sealed. What are the possible charges Chris and Dawan face?

**Scenario 5:** 17-year-old Janelle is at a house party and after one beer decides to drive her intoxicated friends back to their houses. Janelle is stopped for speeding. The police officer smells alcohol on her breath and performs the field sobriety test. She passes most of the test but is sent to the station with the officer to provide a breath sample. Her blood alcohol concentration (BAC) is .02 (less than .08). Can she still be charged with a DUI?

**Scenario 6:** Brody, age 18, was asked to obtain alcohol for his friend's after-graduation party. Knowing he wasn't old enough to legally purchase alcohol, he decided to use his older (22) brother's ID. The store clerk immediately detected that the photo did not match the young customer and called 911. What charge could Brody face?

**Scenario 7:** Carla, age 18, wanted to party with her friends and decided to buy a fake ID. She used the fake ID to buy alcohol at a package store and police were waiting for her as she exited the store. What charge could Carla face?

## ANSWERS

**Scenario 1:** The police will investigate to trace the alcohol back to the source. Since Mr. and Mrs. Smith didn't provide the alcohol, they won't be charged with delivering alcohol to minors. They can be charged with hosting an underage drinking party because they knowingly allowed minors to possess alcohol and didn't make a reasonable attempt to stop the minors from possessing. Tyler can also be charged with hosting, and he, like other party guests, can be charged as minors in possession. People (regardless of age) who provided the alcohol can be charged with providing alcohol to minors. A criminal defense lawyer's fee is \$5,000-\$10,000 to defend a social host charge. If convicted the Smiths will have **background check** problems in the future. Their life insurance and home insurance rates will likely skyrocket.

**Scenario 2:** Mr. Jones is out of town and claimed he had no idea the party was happening. Amaya and her father can be charged with hosting a party (he knew that Amaya possessed alcohol in the home and failed to make reasonable efforts to halt such a possession). She can also be charged (and any others who brought alcohol to the party) with delivery of alcohol to minors (under 21). She can also be charged with risk of injury to a minor (under 16) because of the young teen who needed medical intervention. The young teen's parents can also take civil legal action against Amaya and her father. A civil law defense lawyer's fee will be \$5,000-10,000. If Amaya and her father lose the case and depending on the amount of the settlement and their assets, wages can be garnished and they might lose their house.

**Scenario 3:** Mr. and Mrs. Baker can be charged with providing alcohol to a minor and hosting an underage alcohol party. Ethan and his fellow grads can be charged with possession of alcohol by minors. Joe will be charged with Youth DUI and lose his license. In addition, Joe's parents (who did not know that alcohol would be served at the party) can take civil legal action against the Bakers. (See consequences of facing a civil legal action in #2.)

**Scenario 4:** It is illegal for underage drivers to have any alcohol in their cars. The penalty can result in a driver's license suspension for up to 60 days. The driver would also face a stop sign violation. The passenger would not be charged.

**Scenario 5:** Connecticut has a zero-tolerance policy for anyone under age 21. This is a very serious offense with stiff penalties (see penalty chart).

**Scenario 6:** Brody could be charged with making a false statement to procure alcohol and face a \$200-\$500 fine plus DMV sanctions of a 150 day license suspension and administrative costs.

**Scenario 7:** Carla, age 18, could be charged with possessing a fake ID. This is a very serious offense. She would also be charged with possession of alcohol and would face DMV sanctions.

(A Parent's Guide to Underage Drinking, The Governor's Prevention Partnership. 2010, revised to reflect laws in 2015.)

### **CASFY: Community Action for Substance Free Youth**

*The mission of CASFY is to prevent and reduce alcohol and other drug use among Lyme-Old Lyme youth by collaborating to raise awareness, modify social norms, educate youth and adults, initiate policy change and promote healthy activities. The grant to support CASFY is from CT's DHMAS through Child & Family Agency of SE CT in partnership with Lymes' Youth Service Bureau, 59 Lyme Street, Old Lyme, CT 06371, 860-434-7208 [www.lysb.org](http://www.lysb.org)*