



TOWNSHIP OF WEST ORANGE

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West Orange Police Department Warns Risks of Hosting Underage House Parties

July 15, 2014: Parents who allow their teens to have friends over to drink, thinking it's a safe way to keep them off the roads, may be surprised to find they are subject to liability laws that make them vulnerable to lawsuits, fines and jail time. Under **social host liability** laws, parents are responsible for underage drinking in their home. A parent that serves or supplies alcohol to underage drinkers can be liable if that person is injured or injures someone else.

- **Tips to Protect Yourself:** Talk seriously with your teen about alcohol, parties and family liability long before it's an issue. Avoid leaving teens home alone overnight - wild parties can mushroom into existence without any intention on your child's part. Let neighbors know when you leave town. And finally, consult your homeowner's insurance policy to make sure you have adequate personal liability insurance.
- **Criminal Charges:** Parents who are caught supplying alcohol, even inadvertently, to minors face serious liabilities. In some states, parents are subject to severe financial consequences, including fines and restitution to victims in the event of an accident. In addition, they may be charged in the criminal courts for, among other things, contributing to the delinquency of a minor. In one instance, a mother bought a keg for her son's 21st birthday party, which would have been fine except that the party guests included minors who began drinking too. After a brawl broke out and police arrived, she was arrested, convicted and ended up doing considerable community service, in lieu of jail time.
- **Financial Liability:** In addition to civil suits, parents may be subject to police fees. Increasingly, communities are enacting special party laws that punish parents for allowing or contributing to underage drinking. In some Northern California communities, for example, parents are billed for police costs – up to \$1,000 – for time spent breaking up a party. In some counties, parents are financially and criminally liable when alcohol is consumed by minors at a party – which in some cases is defined as a gathering of three or more people – whether or not the parents knew about the event beforehand. "I would not want," says California attorney Mary Carey, "to be the test case."



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- **DUI and License Suspension:** DUI laws differ for underage drinkers, because alcohol affects young bodies differently. Where a blood alcohol level of .08 might put an adult behind bars, in some states a .05 may be sufficient to put an underage drinker in jail. In addition, underage drinkers may have their drivers licenses suspended for up to a year, even if the reason they were breathalyzed had nothing to do with driving. In other words, when police nab teens at college keggers, they tip off the department of motor vehicles too.
- **Felony Burglary:** Everyone's heard nightmare stories about neighbors who left for the weekend and found their home had become party central in their absence. Teens contemplating "borrowing" an unattended home this way are courting significantly more than a mere trespassing charge. It's considered burglary – a felony - if they take anything, including that bottle of vodka from the liquor cabinet. It's a serious charge for minors, but an 18-year-old high school senior or college student will be tried in adult court and could be sentenced to state prison. If he lives in a state with a three-strikes law, it's considered a first strike.

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