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A warning to parents

BY DAVID LINTON/SUN CHRONICLE STAFF

WRENTHAM - A house party that landed a local homeowner in court Wednesday and resulted in the suspensions of several high school students, should serve as a warning to parents when alcohol is used on their property, lawyers say.

The law is clear when it comes to anyone who knowingly supplies or allows those under 21 to drink alcohol on property they own or control, according to Cheryl Bailey of Campbell Campbell Edwards and Conroy in Boston.

Bailey, a former lawyer, now speaks to students and parents as part of a pro-bono project by her law firm to educate students, parents and teachers about the legal consequences of the social host law.

The facts in the Wrentham case, against Naim G. Yousif, 69, are in dispute.

He pleaded innocent Wednesday and his lawyer says he was upstairs at his Cherry Street home with his wife and other family members on Oct. 14 and had no knowledge minors were using alcohol in the basement of his house.

"They would never ever condone underage drinking," said Yousif's lawyer, Sallie K. Valley of Cambridge, who added that the allegations against her client have been misconstrued in the community and the media

"He is being used as a scapegoat for a problem that is prevalent in the community," Valley said.

In court, Valley said his client was upstairs with his wife and other adults while their son was downstairs with five friends he invited to a party his wife monitored. There was no alcohol served at this party, Valley said in court, adding that Yousif's wife last checked them at 10 p.m.

"Around 11 o'clock all of a sudden there were about 30 people downstairs who were uninvited," Valley said.

Police were dispatched to Yousif's home around 11:30 p.m. that night in response to calls about what was reported to be gunshots. They encountered several cars leaving the property and then saw fireworks exploding in the backyard, according to a police report.

Police brought Yousif downstairs and showed him how many youths were in his house drinking and pointed out alleged marijuana paraphernalia.



Wrentham resident Naim Yousif appears in Wrentham District Court Wednesday morning for a pre-trial hearing regarding the consumption of alcohol at his home with 32 King Philip Regional High School students in attendance. His attorney, at left, is Sallie Valley. The prosecutor, in foreground in black, is Em Nesson.

Yousif allegedly responded, "At least I know where they all are," the report says.

Police took the names of 32 minors and contacted their parents. An 18-year-old Wrentham man who was argumentative with police was taken into protective custody for alleged intoxication.

Yousif, who appeared in court on a summons, is free without bail. He is due back in court for a pretrial conference Jan. 22.

In convicted of the alcohol-related charge, Yousif, who turns 70 next month and has no prior criminal record, faces up to a year in jail, a maximum fine of \$2,000 or both.

The party in Wrentham and its aftermath is only one example of recent drinking incidents involving student in the Attleboro area.

Last Friday, several students at a dance in North Attleboro fell ill from drinking and six were arrested for unlawful alcohol possession.

Faced with the reality that many high school students drink alcohol, Bailey says parents are mistaken if they believe they will have better control if they allow drinking at their homes.

There have been cases where parents allow their children to have graduation or prom parties where alcohol is consumed and take the car keys of guests who are allowed to stay overnight.

"You may have the best of intentions but the law is the law," Bailey said. "In so many cases it has been shown that they really can't control it."

The same law applies even if a hotel room is rented by a parent or even children have parties when their parents are not home "if they have reason to believe that minors will be consuming alcohol."

Unlike the Wrentham case, minors leaving house parties where they drank alcohol have caused accidents where people have been killed or injured, Bailey said.

Under Massachusetts law, a party host may be held civilly liable in addition to criminal penalties for the injuries suffered by others if the host knew or should have known that a guest was drunk and caused injury to others.

Changes in the law have reflected changes in societal attitudes about alcohol use over the past two decades according to North Attleboro lawyer Eliot Brais, who has defended parents charged with the social host law.

"The pendulum has swung the other way," Brais said, who emphasized he was not speaking in general and was not familiar with the allegations in the Wrentham case.

"There was a time when parents thought it would be better to monitor the situation in their home and confiscate car keys. I don't condone it but there was a rationale to it. Parents thought they were doing the right thing," Brais said.