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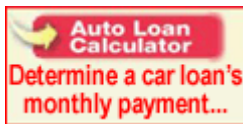
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## R.I. social-host law follows the lead of neighbor states

Under the measure adults are responsible for underage drinking at their homes, even if the adult doesn't purchase the alcohol.

01:00 AM EDT on Sunday, July 23, 2006

**BY MICHAEL P. MCKINNEY**  
Journal Staff Writer

A new Rhode Island law penalizing adults who allow underage drinking parties in their homes carries stiffer maximum fines than Connecticut law but appears more narrowly focused than a Massachusetts law that has led to many arrests.

Any adult in Rhode Island "who knowingly allows minors to consume alcohol in his or her home" faces escalating penalties with repeat offenses. The law states that a first-time conviction is a misdemeanor that carries a fine from \$350 to \$1,000 and/or imprisonment for up to six months. Conviction on a second offense is a misdemeanor and carries a fine of \$750 to \$1,000 and/or up to six months' imprisonment. A third conviction is a felony and carries a fine of up to \$2,500 and/or imprisonment for up to one year.

The law closes a loophole that officials said had made it virtually impossible to bring

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charges against adults who knowingly allowed underage drinking.

"Prior to this, they could only charge an adult if they knew they'd purchased the alcohol," said Denise Alves, assistant executive director of Mothers Against Drunk Driving in Rhode Island.

The General Assembly took three years to send legislation to Governor Carcieri, who last month signed the law, which was backed by Attorney General Patrick C. Lynch's office. The lead sponsors in the Assembly were Sen. Walter S. Felag Jr. D-Warren, and Rep. Jan Malik, D-Warren.

Supporters emphasize the law is a preventative tool.

"It may be a deterrent," said Barrington Police Chief John LaCross. "To tell their kids, 'Listen, I'm not going to take the risk of being arrested if one of your friends comes here and they end up going to the police or they get sick or get into a car crash.' "

LaCross sees the law applying to situations including an adult who allows a party during which young people bring alcohol, or an adult who comes across indications -- keg, bottles, cans and cups, loud noise, odor of alcohol, a large gathering -- that a reasonable person would suspect underage drinking but instead allows it to continue. But LaCross said an adult is not held responsible in situations where youths are drinking in a garage or elsewhere on a property and the adult has no indication that drinking is going on.

Gabrielle M. Abbate, executive director of MADD-RI, said the law may also affect parties at the state's colleges where an adult-age host draws underage drinkers, including high schoolers.

"We do know that laws act as a deterrent," Abbate said.

Rhode Island joins more than 20 states with social-host laws. Connecticut's law takes effect Oct. 1, with an adult's first offense an infraction, which is below a misdemeanor. A repeat offense is a misdemeanor and carries a

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\$500 fine and/or up to one year in prison. But the law also has wider scope, specifying penalties for an underage drinker's alcohol possession. In addition, about 50 of Connecticut's 169 communities already have social-host ordinances.

"What brought on the need for the law is the recognition that the majority of the underage drinking that was taking place in the state was taking place in private homes," said Craig S. Turner, vice chairman of the Connecticut Coalition to Stop Underage Drinking.

The Massachusetts law, which has been in effect for years, "is certainly a very effective law-enforcement tool for us to either take immediate action or, through an educational component in our individual communities, to educate the parents and make them aware of their responsibilities and liabilities," said Wayne A. Sampson, president of the Massachusetts Police Chiefs Association.

Sampson, the Shrewsbury police chief, said the Massachusetts law also lets authorities pursue cases against youths who host parties in their parents' homes. The police are not always successful in using the aspect of the law that focuses on underage party hosts. In one instance this year -- in a case that involved a youth or youths bringing alcohol and the deaths of two teenage girls -- the district attorney declined to press charges.

Whatever differences in states' statutory penalties, Sampson said, a judge can also hand down decisions specific to cases. One Massachusetts judge ordered parents to go on local cable-access television to discuss what they had done.

Incidents in West Warwick, Barrington, Burrillville and elsewhere in 2002 spurred Rhode Island's social-host effort, LaCross said.

Each spring for the past three years, LaCross drove to the State House where he, MADD-RI Executive Director Abbate and others testified in support of the bill. This year proved different.

"Many parents feel they are doing the right

thing by allowing their children's underage friends to come over and drink at their house. They think it's not as dangerous because they're supervising the drinking. But that's the wrong mentality," Felag said in a statement announcing the law's passage. "The legal drinking age is 21 for a reason."

[mmckinne@projo.com](mailto:mmckinne@projo.com) / (401) 277-7447

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