

Allowing underage drinking creates huge liability for adults

By Lauren Folino
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Underage drinking is a big problem on the Vineyard, public safety officials say. And often adults contribute to the problem, by providing alcohol to minors or providing a venue for underage kids to drink.

That was the message attorney Mark J. Hoover delivered to a group that included parents and police officers Monday night at a program the Youth Task Force (YTF) hosted on the Social Host Law, which focuses on the civil liability for adults who furnish alcohol to minors.

And, adults who confiscate car keys and create so-called safe havens for minors to drink in the mistaken belief that they can somehow protect young people not only face criminal prosecution but also expose themselves to civil liability that can have significant financial consequences.

Mr. Hoover, a Martha's Vineyard Regional High School alumnus and member of the Boston law firm Campbell, Campbell, Edwards and Conroy, emphasized the lengthy and costly trials that result from violations of the Social Host Liability statute. He said that civil suits can take up to five years and may result in millions of dollars awarded in damages. A typical homeowners insurance policy only covers about \$500,000, he said.

Mr. Hoover gave an example of a civil case in which nearly \$8.7 million was awarded to the plaintiffs of a Social Host Liability lawsuit.

"District attorneys offices and police departments are taking a no-tolerance policy to underage drinking," he said. "I think district attorneys are more and more willing to bring the hammer down because of how often these things happen."

West Tisbury police chief Beth Toomey said she has had conversations with concerned parents about underage drinking on the Island, and that the focus of preventing teens from drinking must be just as great year-round as it is in the summertime. "Any time we can communicate about this is always better," she said. "There's been some more parties lately and I think we focus on prom and graduation, but it would be great if we concentrated more on year-round."

Offentimes kids throw parties at their parents' homes when parents are out of town or off Island. If an adult comes home to drunk teenagers, whether or not they knew the teens were drinking on their premises, they will still be held liable under the Social Host Law if the underage kids leave the home and get into an accident.

One parent asked Mr. Hoover if she is responsible for getting kids home safely if she returns home to her child hosting a party. "Yes," he answered. "Call the parents, or the police."

West Tisbury police sergeant Dan Rossi said the police should be the next phone call if

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kids' parents are not home. "If you come home and there's a party and drunk kids, do you want to deal with that liability?" he asked. "Call the police. Let us deal with it."



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Does the Social Host Law apply to adults who are entertaining other adults in their home? One doesn't always know if his or her guests were drinking before they arrived at a get-together, and many adults conceal their inebriation very well. As a homeowner, I just want to understand the liabilities.

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Posted by Curious on Thursday, 6/11/09 @ 12:48am

To respond to Curious, the Social Host Liability Law applies only to underage drinkers. For more information you can visit socialhostliability.org.

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The Safe Homes Pledge is a program designed to provide parents with the assurances that other parents are taking proper precautions to keep youth safe while in their home. This involves monitoring activities and preventing substance use by youth that are in their home.

Posted by Youth Task Force on Thursday, 6/11/09 @ 1:01pm

This is the stupidest thing I have ever read. HIGH SCHOOL KIDS are going to drink no matter what, and not allowing them to drink in a safe haven where there is adult supervision just means they will go somewhere else.

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Posted by cody on Friday, 6/12/09 @ 7:59am

It is confusing when a young adult can vote and join the armed forces at 18 and yet can not drink. If we expect them to act like adults then we must have adult legal expectations, or have a blanket age of 21 for voting, drinking and joining up!

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Posted by Lesli on Friday, 6/12/09 @ 11:59am

Unfortunately this is a complicated subject. I was lucky enough to grow up in a household where freedom and independence could be earned through responsibility. I also know how easy it is to acquire alcohol as an underage kid on the vineyard, especially during the summer time.

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Posted by John on Monday, 6/15/09 @ 11:27am

I am a prevention specialist and am currently writing my third book, "Secrets of Great Teens." My workshop, Adolescence 911: The Antidote is You! is offered to parents, teachers and members of the community who are committed to the wellness of teens.

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Posted by Dayle Lynn Pomerantz on Sunday, 7/19/09 @ 5:43pm

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