



Connecticut toughens an underage drinking law

AUGUST 27, 2012 By: HM Epstein

As parents send their children back to school, Connecticut parents of teens have something new and scary to study: a significant revision of an underage drinking law that may have thousands of residents paying big fines and facing jail time.

In the last few minutes of Connecticut's state legislative session in May, several high-profile bills were passed which received a great deal of media attention, including those affecting education, the death penalty, access to palliative marijuana and voter registration. However, one bill, expected to affect every family in the state, slipped in under the radar and that bill becomes law on October 1, 2012.

Passage of Public Act 12-199 officially revised the state's existing Social Host Law, impacting Connecticut residents who willfully or accidentally permit anyone under 21 to drink alcohol on their residential or business property. While that may sound like a great idea, the broadened scope of the amended law – Section 30-89a of the general statutes commonly known as the "Social Host Law" – makes it difficult for innocent residents to avoid triggering.

Expecting thousands to be charged

The Office of Fiscal Analysis reported that 719 Connecticut residents were charged under the relatively mild current Social Host Law in 2011. However, local police forces had complained that the law had a loophole that permitted too many complicit homeowners and older teens to avoid being charged. Additionally, law enforcement and community groups focused on underage drinking policy in the state believed the law wasn't being taken seriously, because the penalty for first offenders was merely an infraction, raising only \$20 thousand in revenues from the accompanying fines in 2011.

Motivated by the deaths of two Ridgefield minors in separate car accidents, Ridgefield Police Chief John Roche said he and a coalition of town officials were determined to change that mindset. Each teen had been seen drinking alcohol at house parties where parents were thought to be present but there wasn't sufficient evidence that either of the homeowners knew that underage drinking was occurring. According to Representative John Frey (R-Ridgefield), the amendment's official sponsor, the group approached him for help adding "more teeth" to the law, last November. They were successful. The amended Social Host Law has very big teeth and requires very little evidence.

Effective October 1, 2012 anyone of any age in "control over any dwelling unit or private property" can be liable if teens are caught drinking on the property. Because the law has expanded liability from those who "knowingly permit" underage drinking to those who "recklessly or with criminal negligence permit" the drinking, the person in control doesn't have to be present, doesn't have to be aware of the drinking nor do they have to be an adult.

Questioning the meaning of "reckless" and "gross negligence" in the new law, Bruce Koffsky, a Stamford Connecticut-based criminal defense attorney says, "Does it mean that anytime you get more than a handful of kids together and they're not part of the 4-H Club, you have to presume alcohol is being imbibed?"

What if the parent isn't present? Under the revised law, if one teen has friends over while the parents are out to dinner and those friends bring alcohol to drink, both the teen host and the absent parents are liable. The teen is liable, because she is in control over the property in the absence of her parents. The parents are liable because they "recklessly" left their teen home alone and should have known she would break their house rules while they were eating.

The hosts have one opportunity to avoid triggering the law. If they make "reasonable efforts to halt" the drinking once they discover it, especially before police arrive or the inebriated teens leave and have an accident. However, the law doesn't define what is considered a reasonable effort. That will be left up to the courts to determine.

The range of penalties have also been greatly stiffened, from an infraction and potential fines in the hundreds, to a class A misdemeanor which is punishable by up to one year in prison, up to a \$2,000 fine, or both.

Given the broadened definitions of who is liable and the increased penalties, expect that the seven hundred plus violations recorded last year will swell to thousands of shocked adults and teens next year. That may give Connecticut's Office of Fiscal Analysis millions of dollars to count in 2013 and satisfaction to several Ridgefield officials.



Yale study: Marijuana may really be gateway drug

By Amanda Cuda

Anti-drug advocates who have admonished for years that marijuana is a "gateway drug" may be on to something, according to a study by Yale University School of Medicine researchers. But the executive director of the state chapter of the National Organization for the Reform of Marijuana Laws dismissed the findings as "just another propaganda study."

The Yale study, which appears online in the Journal of Adolescent Health, showed that alcohol, cigarettes and marijuana were associated with an increased likelihood of prescription drug abuse in men 18 to 25. In women of that age, only marijuana use was linked with a higher likelihood of prescription drug abuse.

For years, researchers have looked at a connection between marijuana and hard drugs, such as cocaine and heroin, said Lynn Fiellin, the study's lead author and an associate professor of medicine at the Yale University School of Medicine. But given the large number of people who abuse prescription drugs -- particularly opioids (or painkillers) such as OxyContin and Percocet -- Fiellin said it seemed worthwhile to examine whether there was a link between marijuana and use of these drugs.

"I don't think the general population has a good idea of how serious the problem is with prescription opioids," Fiellin said. "When they're abused or mis-used, these are hard drugs." According to the 2010 National Survey on Drug Use and Health, which is done by the national Substance Abuse and Mental Health Services Administration, about 5 million people were current users of prescription painkillers.

In their research, Fiellin and her team looked at data from the 2006, 2007 and 2008 versions of the National Survey on Drug Use and Health, as those were the most recent surveys available at the time of their study. The Yale researchers focused on a sample of 55,215 18- to 25-year-olds. Of those, 6,496, about 12 percent, reported that they were abusing prescription opioids. Of the group abusing these drugs, about 57 percent had used alcohol, 56 percent had smoked cigarettes and 34 percent had used marijuana.

The study found that, among both men and women, those who had used marijuana were 2.5 times more likely than those their age who abstained to later dabble in prescription drugs. Also, young men who drank alcohol or smoked cigarettes were 25 percent more likely to abuse prescription opioids. However, the study didn't show an association between alcohol or cigarette use in young women and later use of prescription drugs.

Erik Williams, executive director of the Connecticut chapter of the National Organization for the Reform of Marijuana Laws, said the study fails to make a strong link between marijuana and the use of harder drugs. NORML is a nonprofit, public-interest lobby that supports the removal of criminal penalties for possession and use of marijuana by adults.

"This is just another propaganda study that tries to turn a casual relationship into a causal relationship," Williams said. "There's no real conclusive evidence here." Fiellin conceded that more research is needed to prove a concrete connection between opioid abuse and marijuana, alcohol and cigarettes. However, Fiellin said, this study is a start. "It's a red flag," she said. "It sort of highlights that there's a potential association that's important here."

At least one area mental health professional said the Yale findings don't come as a surprise. Susannah Tung, a staff psychiatrist at St. Vincent's Behavioral Health in Westport, said she works with people battling addiction and frequently sees how early use of alcohol, cigarettes and marijuana can open the door to harder substances.

"If you start using something, it easily and quickly worsens," Tung said.

NLCCC Mission:

"To engage the City of New London to combat risky behaviors by promoting healthy, vibrant, and productive lifestyles for our teen community."



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