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N. Branford uses new tool on teen drinking

Michael Gannon , Register Staff

NORTH BRANFORD — Participants at an underage drinking party last weekend took precautions by setting a scanner on the Police Department's radio frequency.

But the police had a new tool of their own: a law that went into effect Oct. 1 that both makes it illegal for minors to be drinking on private property and allows officers to issue an infraction to the property owner.

Caroline Pethick, 54, of 172 Notch Hill Road, became one of the first people in the state cited under the new law, which holds home-owners accountable for failure to prevent possession of alcohol by minors on their properties.

She denied knowing that alcohol was being consumed at the party in the basement of her home.

Ten others were charged with possession of alcohol by a minor, infractions police could not have issued even three weeks ago.

"The law was a modification of existing state statutes regarding the possession of alcohol on private property, what we have termed as hosting an underage drinking party," said GERALYN LAUT, community coordinator for the Connecticut Coalition to Stop Underage Drinking.

Laut said that before Oct. 1, state laws only focused on home-owners who served or sold alcohol to minors. Minors were banned from possession of alcohol only in public places or roadways.

"It was a loophole in the law," Laut said. "Possession of alcohol by minors was not illegal on private property."

About 50 cities and towns have passed ordinances allowing police to go on private property when they suspect underage drinking, but in other towns teenagers could stand on the lawn of a private home and wave cups of beer at

police officers, who would have no standing to do anything unless it was on public property, Laut said.

State Reps. Michael Lawlor, D-East Haven, and Themis Klarides, R-Derby, said they and others had lobbied to close that loophole for at least five years.

"Connecticut never intended that underage kids (anyone under age 21) could drink legally on private property," said Lawlor, House chairman of the Judiciary Committee. "The interpretation by police and prosecutors was that they were powerless to do anything."

"We needed to make it clear that minors could not possess alcohol on private or public property. And we needed to make it clear that the law applied to adults who were basically hosting or organizing these parties."

Lawlor said law enforcement and the liquor industry were among the bill's biggest boosters.

"Opposition came from members of the legislature who would say, 'Wait a minute! Do you mean my kid would get arrested if I wanted to throw him a party?'" Lawlor said.

Klarides said she and her colleagues had been successful in getting many cities and towns to pass ordinances making private property accessible to law enforcement.

"The problem was, we were sending mixed messages," Klarides said. "For years and years we preached zero tolerance to kids, but then adults were saying it was OK to drink as long as you didn't drive. This law makes kids responsible, but also makes adults responsible too."

Laut said even private parties where no teens were driving did not address the problems of violence, alcohol poisoning and sexual assault that can arise from such parties.

Lawlor and Klarides said the scanner found in North Branford by Sgt. David Madoule and his officers Saturday was an example of how sophisticated the parties have become.

"Organizers will print up fliers and sell tickets," Lawlor said. Klarides said there were problems inherent in relying on local ordinances.

"The teens would town-shop," she said. "If Orange didn't allow those parties and Milford did, they'd just go to Milford. The state law gives police some uniformity."

North Branford Deputy Chief Michael Doody said law enforcement is far more interested in the law's potential deterrent effect than in charging teenagers and homeowners.

"This law is the reason we won't have to knock on a door to tell some parents, 'Your teenage child is dead because we didn't really have the authority to enter a house, even though we knew there probably was drinking going on inside,'" he said.

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