

State follows town's lead

By: Nancy Barnes
11/24/2006

Nearly two years after New Milford made underage drinking on private property a violation, the state of Connecticut has caught up. "An Act Concerning Underage Drinking" took effect this fall.

The legislation, known informally as the House Party Law, was signed into law by Gov. M. Jodi Rell July 28. Prior to that law, Connecticut law banned minors from possessing alcohol in public places, but did not prohibit them from having alcohol in private property-despite the fact that, according to the Connecticut Coalition to Stop Underage Drinking (CCSUD), underage drinking in Connecticut is 28 percent higher than the national average.

In surveys, 61 percent of Connecticut youth reported that they drink at so-called house parties, with 77 percent of high school students saying that they obtained alcohol at home, with or without their parents' permission, according to information released by CCSUD.

The new law makes it illegal for anyone to allow underage drinking to take place on premises they own or control, or fail to make reasonable efforts to stop a minor from possessing alcohol.

At the special session Jan. 3, 2005 where the New Milford Town Council voted to revise the town's alcoholic beverages consumption ordinance, the councilmen's sole regret seemed to be the maximum \$100 fine they had the power to impose on persons who violated the revised ordinance.

Councilman Robert J. Guendelsberger, summing up the majority opinion on the

seriousness of the underage drinking issue before the 2005 vote, had said, "I wish the fine could be \$1,000, but we can't do that."

The first offense for those who control property and who break the House Party Law now in effect statewide is an infraction. Subsequent offenses carry up to a year in prison, a fine of \$500 or both. Underaged drinkers on private property receive an infraction for a first offense, with penalties ranging from \$200 to \$500 for subsequent offenses.

Before the vote in New Milford, Attorney General Richard Blumenthal said, "This kind of ordinance has a measurable effect The reinforcement that [this kind of ordinance] provides for parents and children who want to do the right thing is invaluable."

"A lot of good ideas begin at the local level. Sometimes an idea takes a while to build," Mr. Blumenthal said also. "We're almost at the point of developing a critical mass [in support of statewide legislation on underage drinking on private property.]"

Early in the public discussion in New Milford, Mr. Blumenthal emphasized that the revisions to the underage drinking ordinance gave the police "no new rights" that would violate the Fourth Amendment rights of property owners to be secure from unreasonable searches and seizures.

"I can't think of a single instance where the police have abused the authority of the statute," Mr. Blumenthal said.

The vote in the Senate for the statewide law was 35 to 0, with one abstention. The House vote was 123 to 23.