

AN EXAMPLE FOR OTHERS TO LEARN FROM



The issue of teen drinking came to the forefront during last week's trial of _____ and _____, who were found guilty Saturday of ignoring underage drinking in their home.

**SOCIAL HOST LAWS WORK
IF THEY ARE ENFORCED**

**Community Social Host Legislation
(Underage Drinking Party Ordinance)**

**ORDINANCE TO ADMEND THE CODE OF ORDINANCES OF THE _____
RE: OFFENSES-
MISCELLANEOUS**

**BE IT ENACTED, by the (Town Board, Village Board, or City of) _____,
New York, as follows:**

**Sec__ Chapter __ of the Code of Ordinances of the _____, shall be and the
same is hereby amended by adding thereto Section ____ To read as follows, with the
rest of the Chapter remaining in full force and effect:**

**“Sec. ____ Prohibition against consumption of alcoholic beverages by minors on private property.
Legislative Intent.**

**It is the purpose of this section to protect the public interest, welfare, health and safety within the _____ by
prohibiting the services to and consumption of alcoholic beverages and drugs by persons under the age of twenty-one (21)
at private premises located in the Town . The (Town Board, Village, or City of ____) finds that the occurrence of social
gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of
twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The (Town Board,
Village or City of ____) finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages or
drugs at such gatherings and that persons who are in control of such premises know or have reason to know of such
service and/or consumption and will be more likely to ensure that alcoholic beverages and drugs are neither served to nor
consumed by persons under the age of twenty-one (21) at these gatherings.**

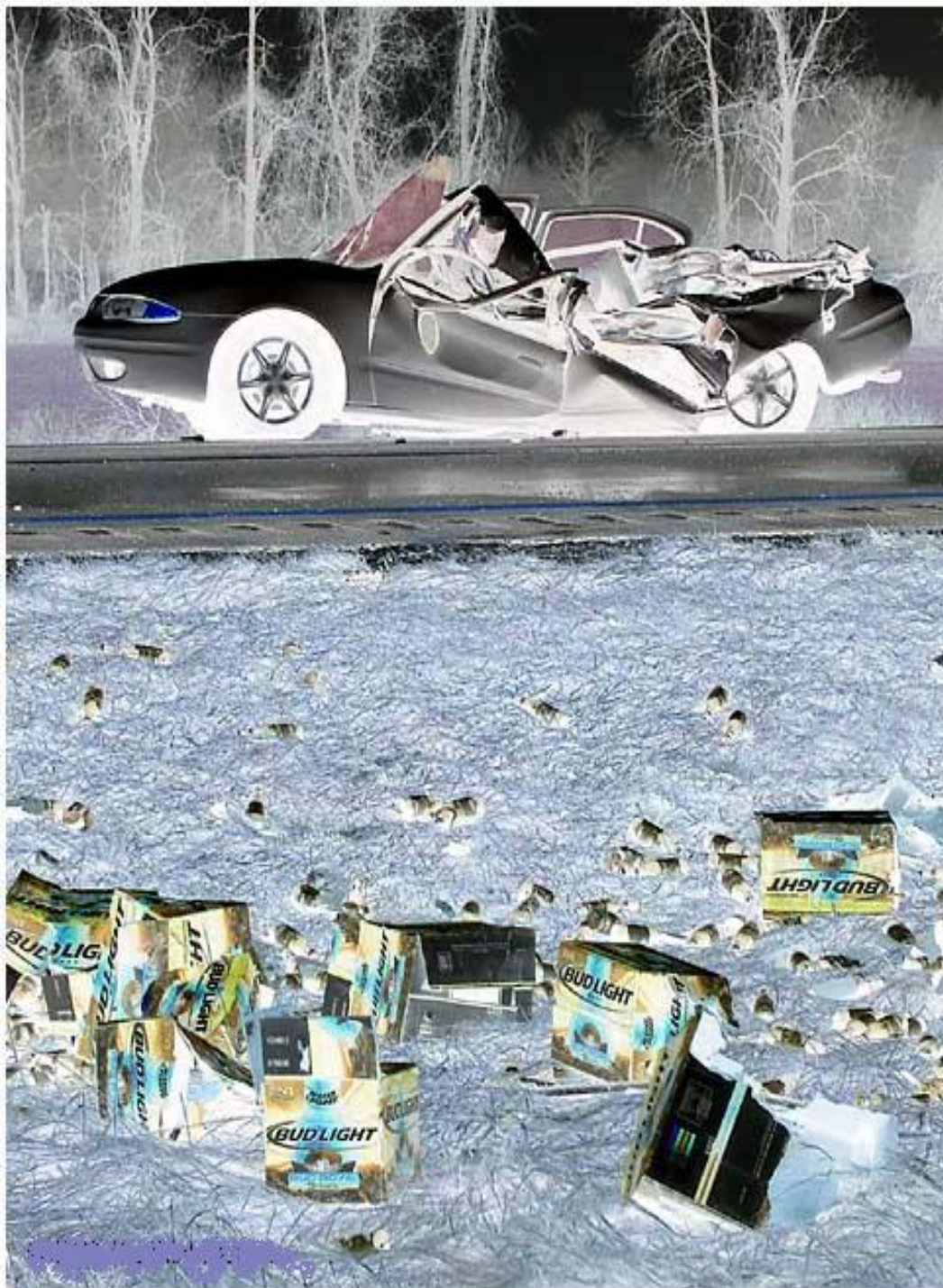


Community Social Host Legislation Frequently Asked Questions

Why is this law needed?

Under existing law, minors (persons under the age of 21) are prohibited from possessing alcohol. The adult who serves them alcohol is liable; however, if the minors will not give the name of the adult who has supplied them with alcohol the police can do nothing. By making “allowing alcohol to be consumed on the premises” this law will close this loophole.





If my child is arrested and found guilty, will this go on his/her permanent record?

The offense is an infraction - a citation similar to a parking ticket. This is not a misdemeanor or a felony that would stay with them throughout their lives.

Its purpose is to hold the person in control of the premises responsible for allowing alcohol to be consumed on the property.

Why does this bill target house parties or parties that occur on premises?



These parties on private property have repeatedly been identified as the primary source by which youth obtain alcohol. Kids obtain alcohol at parties through friends, older siblings or adults. Because alcohol is often freely available and drinking games are common, binge drinking - consuming five or more drinks on one occasion within a short period of time - frequently occurs. Binge drinking and other heavy drinking is strongly associated with injury, motor vehicle crashes, violence, fetal alcohol syndrome, chronic liver disease, unintended pregnancies and sexually transmitted diseases.

Why has premises been re-defined?



premises has been re-defined to include homes, apartments, back yards, outbuildings, fields, wooded areas, fields, etc. This closes the loophole to allow police anywhere on private property when a complaint is filed by a neighbor or concerned community member.

Don't most of the large underage drinking parties happen when parents are out of town?



Two friends cry Monday at a memorial for Anthony Jacobson, 16, along High Road near Lockport. Jacobson, Diana Panczyk, 16, and David Opel II, 14, were killed in a crash Friday night. Jacobson's name was inadvertently misspelled on the memorial. Tribune photo by John Smirciak

Students, families mourn 3 teens

Friends killed as car hits tree

By Jon Yates
Tribune staff reporter

Students in two suburban high schools mourned three classmates Monday with flowers, tributes and tears after a fiery fatal crash over the weekend.

"Anytime we lose students it hits the school hard," said

CHICAGO TRIBUNE SECTION 2 W

Kathy Birkett, principal at Nequa Valley High School in Naperville, where 16-year-olds Diana Panczyk and Anthony Jacobson were sophomores.

"It's the saddest thing, it's the toughest thing we have to deal with. My heart goes out to their families."

Police said Panczyk lost control of her 1985 Pontiac Firebird while driving north over the crest of a hill on High Road in unincorporated Lockport Friday. The car veered off the road and hit a tree, then burst

into flames. Passersby were able to save one passenger, Daniel Wasilewski, 15, of Lockport, but David Opel II of Lockport, 14, and Panczyk and Jacobson died.

Wasilewski was airlifted to Loyola University Medical Center in Maywood, where officials said they could not release his condition Monday.

"I died Friday," said Panczyk's father, Daniel, choking back tears. "I don't know what else to say."

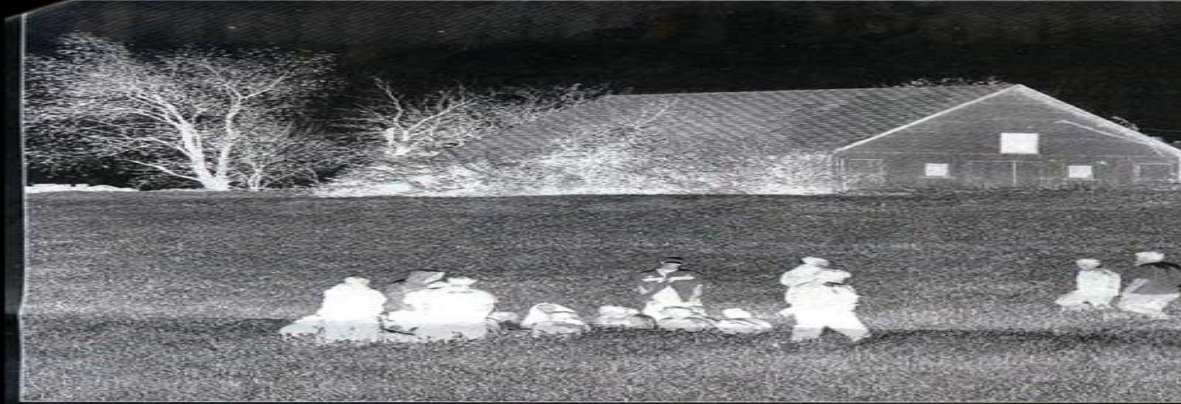
Family members said the

METRO

teens were driving to a movie theater when the accident occurred shortly after 6 p.m.

Ray Horwath, director of the traffic section for the Will County Sheriff's Department, said initial indications were that Panczyk was speeding, although it will take several days before measurements taken at the scene are translated into the speed of the car. Neighbors say the speed limit is 45 m.p.h.

PLEASE SEE CRASH, PAGE 4



Friends of the three teenagers killed in a crash Friday gather in a field near the crash site.

CRASH: Another teen died at same site

CONTINUED FROM PAGE 1

The hill was the scene of a fatal accident in 2001. David Castlemon, 19, of Bolingbrook died Sept. 15 of that year in a drag-racing accident. His car hit a tree just a few feet from the tree Panczyk's car struck Friday, Horwath said. A wreath and charred bark still mark the spot where Castlemon died.

Friends erected a memorial to the victims of Friday's crash with flowers, ribbons and three

whitewashed wooden crosses. A group of about two dozen students gathered Monday afternoon near the memorial, some writing short messages to convey their grief.

"He was an incredible kid," said David Opel Sr. "David touched so many lives. It's amazing."

Opel said the family moved from Bolingbrook to Lockport last year so that his son could play baseball at Lockport Township High School. A pitcher and outfielder, the teen had pitched his first complete game victory last week for the freshman team, and had pitched in another victory day later.

Teammates signed his uniform and had it encased in glass, his father said.

"He loved baseball," Opel said. "The last games I watched, I was never so proud."

Family member and Jacobson had 12, two lived in Bolingbrook, two remained friends.

Opel had moved to Lockport to play baseball.

"Everybody [Jacobson] met, they looked at him but as a fan said his mother, LI."

"He was there for everybody—anybody—who needed him."

Rausch said her son doted on his 6-year-old sister, Michaela, showing her off to his friends and baby-sitting her when his parents were out. "She was the light of his life," Rausch said.

A skateboarder who loved rock music, Jacobson often worked at his grandparents' yard work, and always checked in with his parents when he was out.

"The last time I spoke with him, his last words to me were 'I love you, Mom,'" Rausch said.

Wednesday in St. Raphael Church, 1245 Modaff Rd., Naperville.

Visitation for Panczyk will be from 3 until 9 p.m. Tuesday in Friedrich Jones Funeral Home, 44 S. Mill St., Naperville. A mass is scheduled at 12:30 p.m. Wednesday in St. Raphael Church.

Visitation for Opel is scheduled for 1 until 8 p.m. Tuesday in New Song Church, 151 E. Briarcliff Rd., Bolingbrook. A service will begin at 7 p.m. in the church.

House parties are happening across our state both when parents are present, and when only teens are home. Under the proposed law, minors can also be cited for hosting underage drinking parties.

If I go away on vacation and my child hosts an underage drinking party, am I responsible?



Under the proposed law, adults are not responsible for hosting the party if they are away from home and youth hold a drinking party without their knowledge. A teen or other person in control of the house could be cited for hosting the party in addition to possessing alcohol. Under other state statutes and case law, the owner of a home may be held liable for injuries or other consequences that occur regardless of whether or not the homeowner is present. This new law doesn't change existing civil liability. However, with this new bill, law enforcement officials may be able to intervene to address the issue of underage drinking before tragedy strikes and minimize damage to a homeowner's property.



Some parents and other adults concerned about drinking and driving mistakenly believe if youth are going to drink, its better they drink in a home than somewhere else. The truth is that teen drinking parties are the source of many problems- driving drunk is just one. Young adults, often college students over 21 years, also frequently host parties and allow minors to drink alcohol. Drinking parties almost always involve binge drinking (consuming five or more drinks in one occasion), and lead to violence, sexual assault, rape, and even alcohol poisoning. These parties can easily spiral out of control. This proposed law encourages parents and adults to do the right thing - avoid providing unsafe environments that foster high risk destructive behavior. The bill provides parents with peace of mind by knowing that their children should not be encouraged by other adults to drink alcohol when their child goes to someone else's home.

Why does this bill target “social hosts”?



Why is this bill good legislation?

It addresses the problem of underage drinking where it most frequently occurs by closing the loophole that allows it to take place at house parties. It would further reduce easy access to alcohol by youth, would reduce binge drinking, and hold teens and adults accountable for their behavior. Equally important, it provides law enforcement officials an important tool in their communities to prevent tragedy rather than react to it. It assists both the adult and the child to make wise decisions. And finally, the bill reinforces a consistent message that underage drinking is unhealthy, unsafe and unacceptable.

Would this proposed law prevent parents from providing alcohol to their own children?



The decision to provide alcohol to one's own child is a personal choice. Under current law, illegal possession of alcohol by minors does not apply to a minor who possesses alcohol while accompanied by their parent, guardian or spouse over the age of 21. This same exception applies in the proposed law. This bill prevents the adults from knowingly allowing children other than their own to possess alcohol on private property without that child's parent being present. The right to allow a child to drink is reserved for only a child's parent or guardian - not someone else.