

## **MAYOR'S COLUMN**

The Westchester County Legislature recently passed a new law dealing with underage drinking, the so named "Social Host Law". In essence, it states that any adult who knowingly allows a party or gathering where minors are present and drinking alcohol - or becoming aware that minors are drinking on their premises – and fails to take action can be punished by fine and/or imprisonment. First time offenders are fined \$250 with the amount increasing per incident to a \$1,000 fine and/or up to one year imprisonment on a third offense. In addition, if someone who drank on your property should subsequently injure someone while driving, civil liabilities attach as well as criminal charges if it is determined that you should have known of their behavior. Ignorance is not a defense.

In trying to educate myself about this new law, I realized as Mayor and more importantly as a parent of a minor, my knowledge was limited on the entire topic and I was operating under misconceptions as to current law.

For example, we know that a merchant selling alcohol to a minor can be arrested. The charge is a Class A misdemeanor punishable by a wide range of fines and up to one year in jail. However, under the same law a "seller" or "giver" of an alcoholic beverage to a minor can be a sixteen year old handing a beer to a nineteen year old at a party and the same penalties apply.

Bronxville, like many other communities, has an Open Container Law, with violators subject to fines from \$25 to \$250, thirty hours of community service and mandatory attendance at a MADD meeting with stricter penalties for repeat offenders. However concurrently, under an applicable Alcoholic State Beverage Control Law, the punishment is the same but there is no requirement that the container be open or even physically in one's hand. Everyone under the age of 21 at a party or in a car where alcohol is present can be deemed violating the law. This is a classic case of guilt by association. It is also important to note that the State has a zero tolerance policy for drivers under 21 impaired by alcohol. Any level of impairment subjects the driver to a DMV hearing and possible license revocation.

These laws are punitive to be sure, but the underlying premise is the safety and well being of minors. Just this summer, three of our young people were hospitalized with alcohol poisoning. Just one drink in one hour by a 90 to 100 pound person causes impairment; three drinks in an hour has that person intoxicated and six drinks can result in a loss of consciousness. It

takes a 100 pound individual one full hour to process one drink. Also, the sweet flavored pre-mixed beverages often mask the taste of alcohol but not the potency. Countless studies also demonstrate the long term detrimental effects of starting to drink at a young age as well as the accompanying poor behavioral choices one often makes while under the influence.

Both the Trustees and the Police Department are often asked to increase patrols on weekends near the School to help curb drinking. However, just like your own yard, the School is private property and Village Police patrol the area around the school and enter the property only based upon observed violations or to conduct routine security checks.

The Police Department maintains a great deal of confidentiality in handling investigations and first time offenders are afforded the greatest degree of discretion. While our Police Department is charged with the enforcement of laws and the arrest of violators, a great deal of their efforts are directed toward education and rehabilitation, not punishment. The last resort is arrest/referral to the criminal justice and/or Family Court system. The Police Department can also be a valuable resource for any parent. Officers constantly conduct round table discussion with young adults and their families when any kind of substance abuse is suspected. Our youth officers have been trained and are extremely qualified to assist families and refer to appropriate outside assistance.

Our current goal is to train more officers with a specialization in youth services and direct even more Village efforts toward educating our children about the many consequences of alcohol. To that end, Chief Satriale joined the Board of the Maxwell Institute and the department is working with the School to collaborate more closely on programs. We hope to resurrect some of the very positive programs that the Police Department conducted in past years at the School such as Babysitting Safety, Bicycle Safety, Stranger Safety and the Juvenile Law Education Project so our children can know our officers before meeting them only in difficult times.

I grew up in a small community, with all the attendant pluses and minuses, but a true benefit was knowing our police officers, seeing them at school or in town and interacting in a positive way.

The trend we see in our Village, as in many towns, is an earlier onset of drinking so the sooner we can connect with and educate our young people the better.

As friends and devoted parents, we can form an alliance with our police department and work to eliminate barriers for the ultimate health and safety of our greatest Village resource, our youth.