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April 5, 2018

DAVID M. HOOVLER
District Attorney

Mr. Brian Monahan
Superintendent
Minisink Valley Central School District
PO Box 217, Rte. 6
Slate Hill, NY 10973

RE: Spring Events

Dear Mr. Monahan:

BRIAN

As I have done each spring for several years, I write to remind you, your students, and their families about some valuable information that might safeguard the health, or save the lives, of some of our children.

As we all know, this time of year many of our children will be involved in events that will begin to build the bridge between childhood and adulthood. Proms, formals, and graduation should be cause for celebration for our children and their loved ones. Unfortunately, too often those events turn tragic. Too frequently during those events, and outside them, some young people abuse substances, often leading to alcohol or drug abuse or addiction, to fights, and to injuries and deaths from vehicle collisions. That sad fact is especially pertinent this year, as we all continue to battle an epidemic of opiate and heroin abuse and addiction, an epidemic that does not seem to be waning.

My staff and I have made it a priority to fight alcohol and drug use by children, and I encourage you to make parents aware of the content of this letter, so that they may understand some of the legal consequences of drug and alcohol use and abuse by their children, and may take advantage of some useful strategies to limit that use and abuse. If parents are armed with that information, hopefully we can ensure the safety of our children this spring.

New York State Penal Law Section 260.20 makes it a crime for anyone 16 years of age or older to give or sell alcohol to children under the age of 21. (That lower age limit will go up to 18 as the recently-enacted "Raise the Age" legislation is phased in over the next year and a half.) Furthermore, Orange County's Social Host Law imposes criminal penalties on anyone 18 years old or older who knowingly allows underage drinking on premises under their control, or who fails to take steps to stop underage drinking once it is discovered on those premises. The Social Host Law's penalties apply to parties that are held on private property and on public property that is under the host's control, such as a municipal park or local firehouse where a party is held. The Social Host Law also applies to anyone 18 or older, so an 18-year-old hosting underage drinking could be charged under the law. The Penal Law section and the Social Host Law are both meant to protect children from alcohol consumption and its effects, and my office takes those laws very seriously.

Anyone hosting a party is responsible for refraining from serving alcohol to minors, and for ensuring that minors are not drinking alcohol on the premises, whether or not the host served it to them. To fulfill those responsibilities, every host must be sure that underage partygoers are adequately supervised by adults. Responsible parents will also make sure to ask parents who are hosting parties at other locations whether enough supervision is available there as well.

Finally, we should all remind our children to immediately seek medical attention for anyone experiencing a life-threatening medical emergency resulting from alcohol or drug consumption. New York's "Good Samaritan" Law prevents prosecution of drug- and alcohol-possession offenses committed by people whose possession of those substances is discovered as a result of their reporting such a medical emergency. Students who have saved someone's life by seeking medical attention should therefore not be afraid of being arrested for their own possession of illegal substances.

This year, we will be providing each of your districts with some posters, designed to impress on parents and students that they should not permit underage drinking. I urge you to display those posters in your schools, and to share the other information in this letter throughout your district. In addition, if you would like to arrange for someone from my staff to speak in your schools on this subject, or any other, I will gladly arrange that.

I hope that this spring we can work together to ensure the safety and happiness of our children during this important period in their lives.

Sincerely,



David M. Hoovler
District Attorney