

JUVENILE AND MINOR OFFENSES INVOLVING ALCOHOL AND TOBACCO

State laws in effect regarding alcohol and tobacco related offenses affect the manner in which minors are sanctioned for these types of offenses. In addition to other sanctions imposed, the law requires minors charged with alcohol or tobacco related crimes to attend an Awareness Program on the first conviction. The term "minor" as used herein refers to a person younger than 21 years of age. The term "juvenile" as used herein refers to a person under the age of 17.

The following tables contain a summary of the changes which became effective on September 1, 1997, for alcohol related offenses and on January 1, 1998. The table contains applicable fines, awareness programs, community service eligibility, and driver license suspension and/or denial:

ALCOHOL RELATED OFFENSES:

<u>ALCOHOL OFFENSES</u> →	<u>PURCHASE OF ALCOHOL</u>	<u>ATTEMPT TO PURCHASE ALCOHOL</u>	<u>POSSESSES ALCOHOL</u>	<u>MISREPRESENTS AGE TO ACQUIRE ALCOHOL</u>	<u>CONSUMES ALCOHOL</u>	<u>PUBLIC INTOXICATION</u>	<u>MINOR DRIVING UNDER THE INFLUENCE OF ALCOHOL</u>
CONVICTION	Class C for first and second conviction. If between the ages of 17 and 20, the third offense is a higher charge	Class C for first and second conviction. If between the ages of 17 and 20, the third offense is a higher charge	Class C for first and second conviction. If between the ages of 17 and 20, the third offense is a higher charge	Class C for first and second conviction. If between the ages of 17 and 20, the third offense is a higher charge	Class C for first and second conviction. If between the ages of 17 and 20, the third offense is a higher charge	Class C for first and second conviction. If between the ages of 17 and 20, the third offense is a higher charge	Class C Misdemeanor. Municipal Courts have no jurisdiction on minors with three or more offenses.
FINE AND/OR CONFINEMENT	A fine of not less than \$250 or more than \$2,000; Confinement in jail for a term not to exceed 180 days; or both the fine and confinement	A fine of not less than \$250 or more than \$2,000; Confinement in jail for a term not to exceed 180 days; or both the fine and confinement	A fine of not less than \$250 or more than \$2,000; Confinement in jail for a term not to exceed 180 days; or both the fine and confinement	A fine of not less than \$250 or more than \$2,000; Confinement in jail for a term not to exceed 180 days; or both the fine and confinement	A fine of not less than \$250 or more than \$2,000; Confinement in jail for a term not to exceed 180 days; or both the fine and confinement	A fine of not less than \$250 or more than \$2,000; Confinement in jail for a term not to exceed 180 days; or both the fine and confinement	Class C Misdemeanor with a maximum fine of \$500 for first and second offenses. Municipal Courts have no jurisdiction on minors with three or more offenses.
AWARENESS PROGRAM	Minor must attend alcohol awareness program on first conviction. Otherwise, attendance of awareness course is discretionary with the court.	Minor must attend alcohol awareness program on first conviction. Otherwise, attendance of awareness course is discretionary with the court.	Minor must attend alcohol awareness program on first conviction. Otherwise, attendance of awareness course is discretionary with the court.	Minor must attend alcohol awareness program on first conviction. Otherwise, attendance of awareness course is discretionary with the court.	Minor must attend alcohol awareness program on first conviction. Otherwise, attendance of awareness course is discretionary with the court.	Minor must attend alcohol awareness program on first conviction. Otherwise, attendance of awareness course is discretionary with the court.	Minor must attend alcohol awareness program on first conviction. Afterwards, attendance of awareness course is discretionary with the court.

<u>ALCOHOL OFFENSES</u> →	PURCHASE OF ALCOHOL	ATTEMPT TO PURCHASE ALCOHOL	POSSESSES ALCOHOL	MISREPRESENTS AGE TO ACQUIRE ALCOHOL	CONSUMES ALCOHOL	PUBLIC INTOXICATION	MINOR DRIVING UNDER THE INFLUENCE OF ALCOHOL
COMMUNITY SERVICE	1 st Conviction: 8-12 hours. Subsequent conviction: 20-40 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.	1 st Conviction: 8-12 hours. Subsequent conviction: 20-40 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.	1 st Conviction: 8-12 hours. Subsequent conviction: 20-40 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.	1 st Conviction: 8-12 hours. Subsequent conviction: 20-40 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.	1 st Conviction: 8-12 hours. Subsequent conviction: 20-40 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.	1 st Conviction: 8-12 hours. Subsequent conviction: 20-40 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.	1 st Conviction: 20-40 hours; Subsequent conviction: 40-60 hours. Community service must be related to education about alcohol or prevention of misuse of alcohol. If the minor is younger than 18 years of age, the court may require the parent or guardian of the minor to attend the course with the minor.
DRIVERS LICENSE SUSPENSION OR DENIAL	1 st Conviction - 30 days 2 nd Conviction - 60 days 3 rd Conviction - 180 days Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.	1 st Conviction - 30 days 2 nd Conviction - 60 days 3 rd Conviction - 180 days Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.	1 st Conviction - 30 days 2 nd Conviction - 60 days 3 rd Conviction - 180 days Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.	1 st Conviction - 30 days 2 nd Conviction - 60 days 3 rd Conviction - 180 days Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.	1 st Conviction - 30 days 2 nd Conviction - 60 days 3 rd Conviction - 180 days Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.	1 st Conviction - 30 days 2 nd Conviction - 60 days 3 rd Conviction - 180 days Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.	Administrative suspension of driver's license. Failure to complete requirements will result in suspension of driver's license for a period not to exceed 6 months; or if no driver's license, denial of driver's license for a period not to exceed 6 months.

TOBACCO RELATED OFFENSES:

<p><u>TOBACCO OFFENSES (MINORS)</u> →</p>	<p>POSSESSES, PURCHASES, CONSUMES OR ACCEPTS CIGARETTES OR TOBACCO PRODUCTS</p>	<p>DISPLAYS FALSE PROOF OF AGE TO ACQUIRE CIGARETTE OR TOBACCO PRODUCTS</p>
<p>FINE AND/OR CONFINEMENT</p>	<p>A fine not to exceed \$250, but execution of sentence shall be suspended to allow for completion of mandatory tobacco awareness program.</p>	<p>A fine not to exceed \$250, but execution of sentence shall be suspended to allow for completion of mandatory tobacco awareness program.</p>
<p>AWARENESS PROGRAM</p>	<p>Minor must: Attend an approved tobacco awareness program or perform 8-12 hours of tobacco-related community service if awareness program is not available. Case will be dismissed if defendant completes course and defendant has no previous convictions of "tobacco" offenses.</p>	<p>Minor must: Attend an approved tobacco awareness program or perform 8-12 hours of tobacco-related community service if awareness program is not available. Case will be dismissed if defendant completes course and defendant has no previous convictions of "tobacco" offenses.</p>
<p>COMMUNITY SERVICE</p>	<p>No community service required unless tobacco awareness program is not available.</p>	<p>No community service required unless tobacco awareness program is not available.</p>
<p>DRIVERS LICENSE SUSPENSION OR DENIAL</p>	<p>Failure to complete tobacco awareness program or community service will result in the court ordering the Department of Public Safety to deny or suspend minor's driver's license for a period not to exceed 180 days.</p>	<p>Failure to complete tobacco awareness program or community service will result in the court ordering the Department of Public Safety to deny or suspend minor's driver's license for a period not to exceed 180 days.</p>