

COMMONWEALTH OF KENTUCKY
Campbell County Attorney
JAMES A. DALEY

February 27, 2009

Dear Principal Seither:

I am writing to ask for your help in getting a message out to your students and their parents concerning the issues of underage drinking and the potential responsibility and LIABILITY of the parents.

Over the years, I have had the opportunity to talk with parents that were upset that their children had gotten drunk at a friend's house. Just recently I had to pick my daughter up early from a party because some girls from her class arrived at the party intoxicated from alcohol obtained, without knowledge of the parents, from a parent's home. In these cases no criminal charges were sought or pursued but some of the parents asked if there was something the County Attorney's Office could do to alert minors, parents and school officials about the alcohol problem.

First, pursuant to Kentucky law, individuals must be twenty-one (21) years of age to purchase or consume alcohol. This office is aware of underage individuals consuming alcohol at friends' homes or other locations and the serious problem facing parents or other adults having knowledge of and/or facilitating that drinking. This office has prosecuted and gotten jail time for parents and coaches of sports teams who have held parties for kids and allowed the consumption of alcohol.

Most parents know it is illegal to give alcohol to a minor at a party at their home. Some parents do not realize that under Kentucky law and/or ordinances that have been enacted throughout Campbell County, it is a criminal offense to have any underage drinking occur on their property if the parent either knew, or **should have known** about the drinking.

The penalties for the above type of violations include fines up to \$250.00 and jail time up to ninety (90) days for a first offense and fines up to \$500.00 and jail time up to one (1) year for any subsequent violation.

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In the event of a personal injury or property damage occurring from a violation of minors consuming alcohol on their property, parents are subject to severe penalties in addition to the criminal sanctions. If you read the paper or watch the news, damages awards by juries now days routinely run into the millions of dollars. This type of award by a jury could ruin a family's financial future.

I do recognize that it is tempting and maybe even a tradition in some families to have a party for a child graduating from high school and to allow the consumption of alcohol. The risks of injury or death to the students or other citizens are not worth it. Keep in mind that it may be your child or family member who is hurt or killed. Additionally, this office will aggressively prosecute any violations of Kentucky law or local ordinance concerning this issue that are brought to our attention.

It is my sincere hope that young people and parents will take this message seriously. If one family is spared the heart break of the injury or death from an alcohol related crash or other incident, we will have served part of our purpose. It is also important that young people and we, as parents, recognize the need to avoid civil and criminal penalties and the severe effect these can have on the remainder of one's life. My staff and I encourage you to get this message out to your students and their parents by including this letter in your news letters or other documents or by addressing the subject at your parent and/or student group meeting, i.e. Boosters, parent's Clubs, PTA, etc. If you think it would be helpful, please feel free to include a copy of this letter with any of your correspondence to students and/or parents.

Thank you for your time and concern in this very serious matter. If I can be of assistance in addressing this issue, please do not hesitate to contact me. I would be happy to meet or speak with groups to discuss these issues.

Sincerely,

JAMES A. DALEY
Campbell County Attorney

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