

»» *What you don't know CAN hurt you!*

Think before you drink

Before you choose to drink underage, provide beer to underage friends, or provide a place for underage drinking, consider the risks you face, namely, possible fine, imprisonment, criminal record, etc.

If you have any questions regarding the consequences of alcohol-related criminal offenses or if you find yourself facing a criminal charge, you should contact Student Legal Services, Inc. for assistance. If you've paid the participation fee, our attorneys will offer advice and representation for charges that occurred in the Bowling Green area. If the offense occurred outside of the Bowling Green area, our office can provide general advice and referrals. Student Legal Services, Inc. is here to assist you; please take advantage of our service.

Some of these statements may sound familiar, although not true:

- »» "Everyone gets in trouble for underage drinking while at college, it's no big deal."
- »» "You got a ticket? Don't worry, they'll just make you do community service."
- »» "You can't get a criminal record from underage drinking."

Student Legal Services assists with an average of approximately 850 criminal cases annually.

Student Legal Services averages 1,125 court appearances each year.

»» *Can you afford the cost of drinking?*

Being charged with an alcohol related crime might cost you more than the criminal penalties outlined in this brochure. Consider the other consequences:

- »» A criminal record, which can affect future employment.
- »» Loss of driving privileges.
- »» Social stigma of driving with restricted license plates (bright yellow w/ red letters).
- »» Loss of the trust of your parents, friends, and the University.
- »» Criminal charges are a violation of the student code of conduct.
- »» Alcohol abuse can lead to depression and low self-esteem.
- »» Alcohol abuse can lead to violence and unwanted sexual contact.
- »» Alcohol abuse can lead to poor academic performance.



This pamphlet does not constitute legal advice, nor is it intended as a substitute for legal advice. Bowling Green State University students who have questions concerning the law should contact Student Legal Services, Inc. to arrange an appointment.



STUDENT LEGAL SERVICES

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CRIMES, CONSEQUENCES, AND THE LAW



STUDENT LEGAL SERVICES

Alcohol

Underage Possession

Furnishing

OVI (DUI)

Open Container

Disorderly Conduct

BGSU

As a student, you may be in a social setting where you feel pressure to drink alcohol in violation of the law. This pamphlet discusses frequently asked questions regarding alcohol related offenses and describes the potential criminal consequences of committing an alcohol related offense.

As a student at BGSU, a criminal charge, whether it occurs on campus or off campus, may also subject you to review through the student discipline process as outlined in the student handbook. For certain offenses it could put you in danger of being suspended or expelled. For more information on this topic, please contact the Office of the Dean of Students at 419-372-2843. Student Legal Services, Inc. may not represent you in a matter against the University, but we can provide a referral to a private attorney if one is needed.

Alcohol and the Law

Question & Answer

Q: I recently received a ticket for Underage Possession, but the officer didn't ask if I had been drinking. How does that affect my charge?

A: The charges of Underage Possession, Underage Under the Influence, and Underage Consumption, are all charges under the same state statute (ORC §4301.69(E) (1)) and city ordinance (BG Ord. §96.02). In order to prove underage possession, the officer only needs to show that he saw you in possession of an alcoholic beverage, you are under 21, and you were in Bowling Green, Ohio. Whether or not you were drinking the alcoholic beverage is irrelevant.

Q: If I am convicted or plead guilty to Underage Possession, what kind of sentence could I receive?

A: Anyone purchasing, possessing, or consuming alcohol prior to his or her 21st birthday may be found guilty of a first-degree misdemeanor.

The maximum penalties for a first-degree misdemeanor are 6 months imprisonment, \$1,000.00 fine, or both.

Q: Is this really the sentence that I will receive?

A: Probably not. A judge has discretion in determining your sentence. Typically, a first offense will include a sentence of a \$400.00 fine and a suspended jail sentence; however, every case is different and must be evaluated on its own circumstances. A second alcohol related charge would have a sentence including jail time imposed.

Q: I recently threw a party and the police ticketed someone there for underage drinking, I also received a ticket for "furnishing." What is "furnishing?"

A: Furnishing alcohol to an underage person means that you provided alcohol to a person under the age of 21. A similar offense known as "providing a place" means that you have provided a place for someone under the age of 21 to drink alcohol.

Q: If I am convicted or plead guilty to furnishing, what sentence could I receive?

A: Anyone who furnishes alcohol to a person under the age of 21 or who provides a place for someone under the age of 21 to drink alcohol may be found guilty of a first-degree misdemeanor. The maximum penalties for a first-degree misdemeanor are 6 months imprisonment, \$1,000.00 fine, or both. Although most defendants will not receive the maximum sentence, in Bowling Green a conviction will involve a heavy fine and probation.

Q: Can I get into trouble for simply possessing a friend's identification?

A: No, it is not illegal to possess another's valid identification card. Where students usually get in trouble is when they present another's ID as themselves.

Q: What are the penalties for operating a vehicle under the influence? (OVI, formerly DUI)

A: If you have been drinking and you drive, you put yourself and others at risk. If you are charged with "operating a vehicle under the influence" (OVI), you face a mandatory sentence of 3 days in jail, up to 6 months in jail, a \$1,075.00 fine, or both. In addition, if you are found guilty, your driving privileges will be suspended for 6 months up to 3 years. Also, if you are granted limited driving privileges, the judge may order that any vehicle you drive be registered with restricted license plates or have an ignition interlock system installed.

Q: I received a ticket for "open container." What does that mean?

A: In Ohio, it is illegal to possess an open container of alcohol in a public place. This offense is a minor misdemeanor and if convicted, the maximum penalty is \$150.00. Consumption of alcohol in a motor vehicle is a 4th degree misdemeanor with a maximum penalty of 30 days in jail, \$250.00 fine, or both.

Q: What type of conduct is considered disorderly conduct?

A: Disorderly conduct occurs when one recklessly causes inconvenience, annoyance, or alarm to another due to offensive conduct. This includes fighting, loud and offensive language, urination in public, and public indecency. Disorderly conduct while intoxicated is a minor misdemeanor and carries a maximum penalty of a \$150.00 fine.