**The Indiana Lifeline Law**

Every 44 hours a college-aged person dies from alcohol poisoning, because he or she drank too much, too fast *(Indiana Youth Services Association)*. Don’t let this happen to a friend!

Indiana’s Lifeline Law provides immunity for the crimes of public intoxication, minor possession, minor consumption and minor transport to people who seek medical assistance for a person suffering from an alcohol-related health emergency. (The law also provides those immunities to people reporting sexual assaults.) The person making the call must provide his/her full name and other information requested by law-enforcement officers, remain on the scene until assistance arrives and cooperate with authorities at the scene.

Know the signs. If someone shows even one of these symptoms, or a combination of any of them, call 911 immediately! Make the call and save a life!

* Acting unusually confused
* Repeatedly throwing up
* Breathing differently than normal
* Having pale or bluish skin
* Losing bodily functions
* Snoring unusually or loudly
* Passing out (you can’t wake the person up to an alert state)

**The Indiana Social Host Law**

Under Indiana’s alcohol code, it is a Class A misdemeanor to provide alcohol to a minor (see list below). But you should know that it is also your responsibility to ensure that underage students do not drink in a place you provide – a dorm room, an apartment, a house or any other property that you own, rent or control, including a hotel room.

The penalty for being a social host in Indiana is a Class B misdemeanor, which is punishable by up to 180 days in jail and up to a $1,000 fine. The offense increases to a Class A misdemeanor, punishable by up to one year in jail and fines reaching $5000, for a repeat conviction.

Note that the Indiana Lifeline Law will not interfere with law enforcement procedures or limit the ability to prosecute for providing alcohol to minors. It is your responsibility to make sure underage drinking does not take place.

**Indiana Alcohol Laws and Penalties**

(IC refers to Indiana Code. These are just brief summaries of each law. The entire Indiana Code can be found at http://www.in.gov/legislative/ic/code/)

**PUBLIC INTOXICATION, FAKE IDS**

**CRIME: PUBLIC INTOXICATION IC 7-1-5-1-3**

It is a Class B misdemeanor to be intoxicated from alcohol or a controlled substance in a public place.

PENALTY: Jail up to 180 days; fine up to $1,000

**CRIME: USING A FAKE ID IC 7-1-5-7-1**

It is a Class C misdemeanor for a minor to lie about his/her age or present a fake ID to order, purchase or otherwise obtain an alcoholic beverage.

PENALTY: Suspension of driver’s license up to one year; jail up to 60 days; fine up to $500.

**CRIME: FURNISHING A FAKE ID IC 7-1-5-7-2**

It is a Class C misdemeanor for a person to sell, give or furnish a minor with a fake ID so that young person can order, purchase or otherwise attempt to receive an alcoholic beverage. PENALTY: Jail up to 60 days; fine up to $500

**CRIME: POSSESSING A FAKE ID IC 7-1-5-7-3**

It is a Class C infraction for a minor to have in his/her possession a fake ID with the intent to violate existing alcohol laws.

PENALTY: Fine up to $500

**MINORS AND ALCOHOL**

**CRIME: MINOR POSSESSION, CONSUMPTION OR TRANSPORTATION OF ALCOHOL** **IC 7-1-5-7-7**

It is a Class C misdemeanor for a minor to possess or consume alcohol or to transport alcohol on a public road when not accompanied by at least one parent or guardian.

PENALTY: Suspension of driver’s license for up to one year (at least 60 days if under age 18); jail up to 60 days; fine up to $500

**CRIME: FURNISHING ALCOHOL TO A MINOR IC 7-1-5-7-8**

It is a Class B misdemeanor for a person to sell or otherwise provide alcohol to a minor or to arrange for or provide a place where minors can drink alcohol.

PENALTY: Jail up to 180 days; fine up to $1,000

**CRIME: MINORS IN TAVERNS IC 7-1-5-7-10**

It is a Class C infraction for a minor to be in a tavern or bar.

PENALTY: Fine up to $500

**CRIME: AIDING UNLAWFUL POSSESSION OF ALCOHOL BY MINOR IC 7-1-5-7-15**

It is a Class C infraction for a person 21 or older to encourage, aid or induce a minor to possess alcohol.

PENALTY: Fine up to $500

**NUISANCE**

**NUISANCE DEFINED: IC 7-1-2-6-1**

A Public Nuisance is a room, house, building, boat, structure, automobile, other vehicle or place of any kind where alcohol is sold or otherwise provided in violation of existing laws and/or a place a person is permitted to be for the purpose of drinking alcohol in violation of the law. You do not have to be using alcohol yourself to be charged with visiting or maintaining a common nuisance. (Nuisance can also apply if illegal drugs are present.)

**CRIME: VISITING A COMMON NUISANCE: IC7-1-5-10-21**

It is a Class B misdemeanor to knowingly or intentionally visit a Common Nuisance.

PENALTY: Jail up to 180 days; fine up to $1,000

**CRIME: MAINTAINING A COMMON NUISANCE: IC7-1-5-10-21**

It is a Level 6 Felony to knowingly or intentionally maintain a Common Nuisance.

PENALTY: Jail up to 2½ years; fine up to $10,000

**DRINKING AND DRIVING**

**CRIME: OPEN ALCOHOL CONTAINER IN THE PASSENGER COMPARTMENT: IC 9-30-15-3**

It is a Class C infraction for a person in the passenger compartment of a motor vehicle that is moving or located on the right-of-way of a public road to possess an alcoholic beverage container that has been opened, that has a broken seal or from which some of the contents have been removed.

(Exceptions: Those in living quarters of a house coach or trailer, a container located in a fixed center console or similar fixed compartment that is locked or a container located behind the last upright seat or in an area not normally occupied by a person in a vehicle that is not equipped with a trunk.)

PENALTY: Jail up to 60 days; fine up to $500

**CRIME: OPERATING A VEHICLE WHILE INTOXICATED (OVWI): IC 9-30-5-1**

It is a Class C misdemeanor for a person to operate a motor vehicle with an alcoholic concentration of .08 but less than 0.15 (or to drive after consuming certain controlled substances). It is a Class A misdemeanor if it endangers someone. It is a Class A misdemeanor if operating with an alcohol concentration of at least 0.15 grams.

PENALTY FIRST CONVICTION: Class C misdemeanor: Jail up to 60 days; fine up to $500; Class A misdemeanor: Jail up to one year; fine up to $5,000

PENALTY SECOND CONVICTION OR WHEN OVWI INVOLVES INJURY: May be a felony with increased jail time and fines.

**CRIME: OVWI WITH PREVIOUS CONVICTION OR MINOR IN VEHICLE: IC 9-30-5-3**

It is a Level 6 felony if a person had another OVWI within the last five years or if the person is at least 21 and operated a vehicle in which at least one passenger was younger than 18. It is a Level 5 felony if the person has a previous OVWI causing death or resulting in serious bodily injury.

PENALTY: Jail up to 2 ½ years (Level 6) or up to six years (Level 5); fine up to $10,000

**CRIME: OVWI + SERIOUS BODILY INJURY: IC 9-30-5-4**

A Level 6 felony. It’s a Level 5 felony if the person had a prior OVWI within the last five years.

PENALTY: Jail up to 2 ½ years (Level 6) or up to six years (Level 5); fine up to $10,000

**CRIME: OVWI + DEATH: IC 9-30-5-5**

A Level 5 felony. It’s a level 4 if the person had a prior OVWI conviction within the past five years or if the driver’s license was suspended at the time due to a previous OVWI conviction.

PENALTY: Jail up to six years (Level 5) or up to 12 years (Level 4); fine up to $10,000

**PENALTY SUMMARY**

|  |  |  |
| --- | --- | --- |
| **Category** | **Jail Time** | **Fines** |
| Murder | 45-65 years | Up to $10,000 |
| Level 1 Felony | 20-40 years | Up to $10,000 |
| Level 2 Felony | 10-30 years | Up to $10,000 |
| Level 3 Felony | 3-16 years | Up to $10,000 |
| Level 4 Felony | 2-12 years | Up to $10,000 |
| Level 5 Felony | 1-6 years | Up to $10,000 |
| Level 6 Felony | 6 months-2 ½ years | Up to $10,000 |
| Class A Misdemeanor | Up to one year | Up to $5,000 |
| Class B Misdemeanor | Up to 180 days | Up to $1,000 |
| Class C Misdemeanor | Up to 60 days | Up to $500 |

**INDIANAPOLIS NOISE ORDINANCE**

The City of Indianapolis has an ordinance against “loud, unnecessary or unusual noises” within the city limits that have increased to the level of being a public nuisance by annoying, disturbing, injuring and endangering “the comfort, repose, health and peace or safety of others.”

The first violation in any calendar year results in a $50 fine. The second offense results in at least a $250 fine, and a third offense involves a fee of at least $500.

*The material in this guide is for informational purposes only, and it is not intended to convey or constitute legal advice.*