

Don't pass go; don't pay \$2,000

By Alex Seise

The recently implemented Ewing Township ordinance that makes a \$2,000 fine possible to punish underage drinking has not yet been pursued against College students in municipal court.

According to Sgt. Gregory Smith of the Ewing Township Police Department, busted underage drinkers have yet to be prosecuted under the penalties of the new ordinance. However, as Smith previously noted, the police are actively going after underage drinkers.

"(The cases) have not yet come to fruition," Smith said in reference to the court proceedings that follow the issue of a summons.

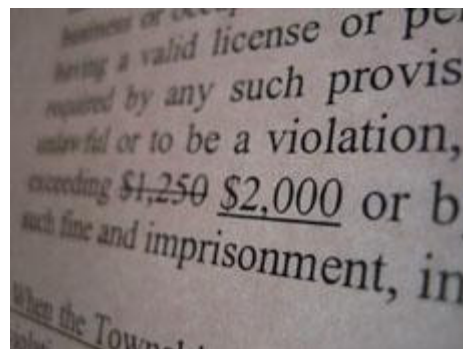
Smith said the \$2,000 penalty, which is a maximum fine, does not always fit the case. "It is a general penalty," Smith said. He said that unless a penalty is specifically outlined in the ordinance regarding the particular offense committed, other penalties and ordinances will apply. He gave the example of a minor parking violation as a situation where the maximum fine might not apply.

The Township of Ewing ordinance says, "Unless a specific penalty is provided elsewhere in this Code or in another ordinance of the Township for a particular violation, any person who shall violate any provision of this Code or any other code adopted by reference herein by doing any act prohibited or declared to be unlawful or a violation thereof shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 90 days, or both such fine and imprisonment, in the discretion of the Municipal Judge."

The ordinance was officially adopted with a unanimous vote at the Feb. 14, 2006 meeting of the Ewing Township Municipal Council.

The revised ordinance, which raised the maximum fine from the previous \$1,250, punishes all violations of Ewing Township ordinances. Anyone underage who is caught intoxicated at the College is as susceptible to these penalties as all other Ewing Township residents.

The recent crackdown on underage drinking has prompted strong reactions from some students.



[Media Credit: Alex Seise]

*A revised Ewing Township ordinance
set the maximum fine of \$2,000 for
minors.*

A Facebook group entitled, "Stand Up for Student Rights!" opposes the crackdown and provides a forum for aggravated students to express their concerns. Members of the group organized a protest on Tuesday, Oct. 10. The group also has a link to an online petition to the administration containing grievances about Campus Police.

Other students feel that the recent crackdown is connected to the John Fiocco Jr. case.

"I don't know if this campus has had issues in the past, but they haven't cracked down (as severely) as far as I know until this year. I mean, things were definitely not like this last year," Ivette Franco, sophomore international studies major, said. "They have to crack down so they can say that this is what we are doing in response to the incident, and ultimately the lawsuit, in hopes of preventing another (tragedy)."

The Fiocco family has filed a legal notice against the College which states its possible intent to sue. The family has not filed a lawsuit, however.

For Franco, the entire issue is a balance between township penalties and civil liberties.

"In all fairness, underage drinking is illegal," Franco said. "But so are searches without probable cause and unless you, as the student, can prove that the officer didn't see a probable cause, then unfortunately, the student will lose the case."