

Minor infraction, major sentence

More and more states are holding adults criminally accountable for serving liquor in their homes to underage drinkers, and with good reason. Most teens get their alcohol from adults — including parents at parties for graduations, proms and birthdays — and too many then drive away drunk, killing or maiming themselves or others. Parents who enable underage drinking, especially by young teenagers, deserve to be prosecuted and punished within reason.

What constitutes “within reason”? Surely it depends partly on circumstances. In Virginia’s Albemarle County, Elisa Kelly and her former husband, George Robinson, have begun serving 27-month jail terms for having provided beer and wine at a backyard birthday party five years ago for Ms. Kelly’s son Ryan, who was 16 at the time. This despite the fact that the prosecutor originally sought a three-month sentence and Ms. Kelly and Mr. Robinson collected car keys from their underage guests so that none would leave the party at the wheel of a car; the idea was that most would spend the night.

Here is an example of a sentence so harsh that it goes far beyond reasonable deterrence. We do not for a moment suppose that Ms. Kelly and Mr. Robinson are blameless in this affair. At or before the party, they apparently misled or lied to parents who asked whether alcohol would be served; they also advised the youths who were drinking on techniques for covering the liquor on their breath. But the juvenile court judge, who originally imposed eight-year sentences, and the appeals court, which cut those to 27 months, seem to have lost any sense of proportion. After all, there are instances of far more serious crimes, even killings, whose perpetrators face less time behind bars than do Ms. Kelly and Mr. Robinson.

In this case, Ms. Kelly has publicly expressed remorse. The trial, appeals process and resulting media coverage have exposed her and Mr. Robinson to embarrassing publicity. The Virginia Legislature has toughened its laws to crack down on adults who serve liquor to youths in their homes. What possible further purpose is served by a prison term nine times longer than the one originally sought by prosecutors?