



Teenage Choices and Legal Consequences

35th District Court
07/08/2015



**A mistake is a misunderstanding or misconception.
Know the difference between bad choices and mistakes**

A choice is when you think about something, have options, and then choose to react in a certain way.

Ignorance of the law is not a defense.

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Disclaimer

1. All Fees are accurate as of 7/7/2015 and fees are subject to change without notice.
2. All cases are reviewed and tried on an individual basis and adjudicated accordingly.

What You Need to Know

As a youth, you can still be charged both criminally and civilly. Criminal charges refer to crimes committed where you could be facing potential jail or prison time plus, fines and costs. Civil charges refer to infractions where you could be punished with fines for your actions. If you are facing criminal charges and are 17 or older, you will be treated as an adult and the charge will appear on your record forever. If you are below the age of 17, you will be treated as a juvenile except in certain extreme cases. Depending on the crime, you could be charged with a felony or a misdemeanor and as a result could face one or more of the following:

- Jail time
- Offenses on your record
- Probation
- Community service
- Work detail
- Paying fees
- Tickets/ Arrest warrants

Being charged with an offense either criminally or civilly, will affect your entire life in one way or another depending on what you've been charged with. When an offense goes on your record it could affect your ability to get into college, get a job, and you could lose your driving privileges. Additionally, if you have a drug offense on your permanent record, you are ineligible for federal student financial aid. Also, the fines you face as a result of the offense could be high which could force you to look for work, use allowance money or school savings, and cause problems with your credit either now or later in life. The time spent in jail, dealing with probation, and community service will alter your daily routine affecting your time in school, with sports teams, dance teams, and any other recreational activities with friends and family. Dealing with your sentencing will have to come first. Being on probation will possibly affect your ability to leave the state of Michigan, which will influence not only your ability to go on vacation, but potentially your entire family's vacation plans as well.

When making decisions in your life, whether it's having some beer, getting angry and assaulting someone, receiving an important call while you're driving, stop and think about these consequences. Ask yourself, is this really worth it? Is this one beer, phone call, or hateful words worth the trouble of getting tickets and fines, going to jail, dealing with probation on a daily basis, and having a record affecting the rest of your life? The answer is simple: absolutely not. You have a choice in every situation in your life to make the right decision to better your future, not destroy it.

Bad choices limit one's future options in terms of education, careers, etc. It is always better to keep all options open. When you face a choice, think about the consequences and decide if this choice will affect your long term goals.

Online Activity

Everyone uses social media and electronic devices: your friends, your family, your teachers, and employers. People may pick and choose which social media they prefer whether it's Facebook, Twitter, Instagram, simple email or instant messaging. As you know, social media can be a lot of fun, but if used inappropriately, can carry a lot of risks. Remember that everything you've ever posted on social media will be there forever, even after you've deleted it is still traceable by law enforcement.

Using social media wisely can be a great tool to stay in touch with friends and family, network for employment, and develop a great online presence for yourself with a great reputation. If you use social media poorly, it may negatively affect your life. For example, if you post inappropriate comments, videos, or pictures and an employer looks at your online presence to see if you'd be a good fit for their company, they may be disinclined to hire you no matter how well you did on your interview. Also, school officials may impose suspensions as well, which would affect your ability to get into the college of your choice.

Things you should most definitely not do on any electronic device include criminal harassment, sexting, pornography, defamation and online bullying. Deleting sexual photographs or messages off your personal device does not stop the people you've sent them to from sharing or keeping those files. Even if someone else sends you something inappropriate, do NOT forward the comment or picture and speak to a teacher or parent immediately. Participating in any act of inappropriate online activity, even if you did not initiate it, may get you in trouble as well. You could get charged if you harass or bully someone online or through text, send naked pictures of yourself or others, speak poorly or spread rumors about others, etc.

There are other things that if posted online may not necessarily get you in trouble directly, but may affect your online reputation and cost you future employment or even college admission opportunities. An example of this would be photos of yourself partying and drinking would make a school or company question whether or not they should accept or hire you.

Remember, that even if you delete the comment or picture, law enforcement can still trace it. Additionally, someone may have captured or recorded your posting or pictures and use it for their own purposes. So, before clicking submit or send, stop and think if it could hurt someone's feelings or hurt your reputation; if it's personal, it shouldn't be online.

Everyday Choices

Driving: As a teen you are faced with decisions everyday that could change your life in a positive or negative way. Every citizen can obtain the privilege to drive when they turn 16, but this comes with a lot of responsibilities. The decisions you make on the road can significantly affect your life as well as the lives of the drivers around you. If you make the right choice to follow the rules of the road you will not only become an excellent driver going into adulthood, but you will in turn develop a good driving record meaning you'll save a lot of money on fines and tickets as well as on insurance fees. If you make the wrong choice and drive in an unsafe manner that endangers yourself and others around you, there could be an awful lot of negative consequences. For example, aside from paying tickets and fines, you'll pay more in insurance fees; you could end up in jail, have your license suspended, and be put on probation.

Leaving an Accident: If you are involved in an accident, you acquire new responsibilities. You must provide the police or the individual struck with your name, address and contact details. Additionally, you must also give them your driver's license number, license plate number of the vehicles involved, and auto insurance information for the motorists involved. Failure to do so could lead to a misdemeanor punishable by imprisonment, fines, suspension, and driver's responsibility fees.

Drinking and Drugs: Going to parties can and should be a lot of fun! However, with getting older and going to parties there come additional risks and responsibilities. Underage drinking is illegal no matter what. If you're at a party and feel pressured to drink, you can try changing the topic, saying you don't like the taste of alcohol, or that you're currently taking cold medication and can't mix the two. It can be hard to not be affected by peer pressure, but the consequences of drinking underage are even worse. Making the choice to drink underage and then getting caught could result in probation, a criminal record, community service, alcohol management classes, and fines. Poor choices will also affect your ability to be admitted to college or get a job. Next time you're at a party, think about these consequences and consider whether having a drink is worth all this trouble in your future.

Drugs are an even more serious offense. Controlled substances are illegal to everyone, not just minors. Unless you are specifically prescribed a drug by your doctor, you should never take it. Taking drugs whether they are drugs like Adderall or Xanax that are prescribed to your friends or non-prescription illegal drugs such as cocaine or

marijuana, is extremely harmful to your health. The legal consequences you face are serious. What you should be even more concerned about are the health effects these drugs will have on your mind and body. If you see someone you suspect is using or selling drugs, make sure to speak with a trusted adult immediately. You could save their life if you do!

Intoxicated/Impaired Driving: If you choose to drink and take drugs, don't compound this bad choice by driving and placing yourself and others at risk. You must make sure you do not drive when you're in this condition. Getting into an accident and injuring someone, or just driving impaired, has severe penalties such as jail, rehab, and probation.

Dating: Engaging in bad decisions when it comes to dating can also have a negative impact on your future. It is important to remember that someone under the age of 16 in Michigan does not have the ability to consent to any sexual relationships. It is important for upper class high school students to remember this law if they chose to be in relationships with younger students. Someone who engages in sexual conduct with a person under the age of 16 will face felony charges. If convicted, the felony charges will appear on your permanent record. The same consequences apply for date rape situations. "No" means no. You cannot force or induce someone to consent to sex. If you force someone to have sex, whether by physical force or drugs, you will face felony charges. Be smart about who you date and remember "no" means no.

Assault and Battery: Making the choice to fight or provoke a fight is a serious issue facing teens. You may think that provoking a fight or getting into a physical altercation at school or somewhere else might be impressive to your friends, but making the choice to fight comes with a lot of consequences. If you intend to cause a harmful or offensive act toward someone and make contact with that person, you could be liable for committing a battery. Even if you don't make physical contact with someone but the person fears for their safety you might still face assault charges. If you take part in this type of conduct you could be faced with charges, fines and be subject to disciplinary action from your school.

Warrants, Bail, and Bonds: If you have a court date for an offense and you fail to appear, the judge can issue a warrant for your arrest. It's important to remember that if you do post bail that does not mean that you no longer have to appear on a court date. Bail is a monetary amount that, after your arrest, you give to the court to ensure that you will appear for your court date. If you do not appear, the court may keep the bail and issue another warrant for your arrest.

Criminal Law Offenses

<u>Serious Driving Offenses</u>		
Offense	Fines	Sentence
Causing Fatal Accident	6 points on your driving record	Manslaughter
Leaving Scene of Accident:		
If vehicle damage:	Up to \$100	Up to 90 days in jail
If caused injury:	Up to \$1000, license suspended	Up to 1 year in jail
If fatal accident:	Up to \$5000	Up to 5 years in jail
If fatal accident and cause of accident:	Up to \$10,000	Up to 15 years in jail
Drinking and driving, including use of marijuana and other illegal drugs (Zero tolerance and guilty if blood level shows .08)		
If first offense:	Up to \$500 + costs 6 points on your driving record	Up to 93 days in jail License suspended for 6 months
If refuse to be tested:		
If second offense:	Up to \$1000/year for 2 years	5 days to 1 year in jail and/or 30 to 90 days of community service
Open Alcohol Container in Vehicle	2 points on your driving record + Costs for sentencing	Community service, substance abuse screening and assessment
Reckless Driving (i.e. speeding more than 15mph over, improper lane change, following too close, drag racing)	Up to \$500 + 6 points on your driving record + \$500/year for 2 years	Up to 93 days in jail

If caused injury:	\$1000-\$5000	Up to 5 years in jail + vehicle forfeiture
If caused death:	\$2500-\$10000	Up to 15 years in jail + vehicle forfeiture
Fleeing/Eluding an Officer	6 points on your driving record	
First Degree:	Up to \$10000	Up to 15 years in jail
Second Degree:	Up to \$5000	Up to 10 years in jail
Third Degree:	Up to \$1000	Up to 5 years in jail
Fourth Degree:	Up to \$500	Up to 2 years in jail
Driving w/ Suspended License		
First Offense:	Up to \$500 + \$500/year for 2 years	Up to 93 days in jail
Second Offense:	Up to \$1000	Up to 1 year in jail + car immobilized + further driving suspension
Driving w/o a License	Up to \$100 + additional fees	2-90 days in jail

Substance Offenses

Offenses	Fines	Sentence
Purchase, Use, or Possession of Cigarettes		
First Violation:	Up to \$50 + sentencing costs	Up to 16 hours community service + health education program
Second Violation:	None	Up to 32 hours community service + health education program
Third Violation:	None	Up to 48 hours community service + health education program

Purchase, Use, or Possession of Alcohol		
First Violation:	Up to \$100 + sentencing costs	Substance abuse treatment, prevention, screening etc. + community service + suspension of drivers license
Second Violation:	Up to \$200 + sentencing costs	Substance abuse treatment, prevention, screening etc. + community service + suspension of drivers license + up to 30 days in jail if fail probation or payment
Third Violation:	Up to \$500 + sentencing costs	Substance abuse treatment, prevention, screening etc. + community service + suspension of drivers license + up to 60 days in jail if fail probation or payment
Use of Fake ID:	Up to \$100	Up to 93 days in jail
Possession of Illegal Drugs		
First time offender MCL 333.7411	Costs of sentencing	
Second Violation:	\$100 +costs of sentencing	Probation + Jail time + driver's license suspension + treatment and education program + loss of eligibility for student loans
Possession of Marijuana	Up to \$2000	Up to 1 year in jail
Sale of Marijuana	Up to \$20000	Up to 4 years in jail
Use of Marijuana	Up to \$100	Up to 93 days in jail

<u>Assault and Sexual Offenses</u>		
Offenses	Fines	Sentence
Assault	Up to \$500	Up to 93 days in jail + probation charges
Battery	Up to \$500	Up to 93 days in jail + probation charges
Sexual Conduct Under 16 years old		From 15 years in prison w/o parole to life imprisonment
Sexual Conduct if you are 17 and victim is under 13		Minimum 15 years in prison + lifetime electronic monitoring
Sexual Contact if Under 16 years old	Up to \$500	Up to 2 years in jail
Indecent Exposure	Up to \$1000	Up to 1 year in jail
Prostitution: If over 16 years and prior offense:	Up to \$1000	Up to 1 year in jail

<u>Theft Offenses</u>		
Offenses	Fines	Sentence
Value of Property is \$200 or less	\$500 OR 3X value of property	Up to 93 days in jail
Value of Property is \$200-\$1000	\$2000 OR 3X value of property	Up to 1 year in jail
Value of Property is \$1000+	\$10000 OR 3X value of property	Up to 5 years in jail

<u>Violent/ Hate Crimes and Possession of Weapons</u>		
Offenses	Fines	Sentence
Violent Crimes	Depends on prior criminal record and severity	Depends on prior criminal record and severity
Hate Crimes	Up to \$5000	Up to 2 years in jail
Possession of Weapon	Up to \$2000	Up to 100 hours community service + probation

<u>Bullying and Harassment</u>		
Offense	Fine	Sentence
Bullying and Harassment	Up to \$1000	Up to 1 year in jail + probation

<u>Property Crimes</u>		
Offense	Fine	Sentence
Trespassing	Up to \$250	Up to 30 days in jail
Home Invasion		
First Degree:	Up to \$5000	Up to 20 years in jail
Second Degree:	Up to \$3000	Up to 15 years in jail
Third Degree:	Up to \$2000	Up to 5 years in jail
Vandalism		
Felony	Up to \$15000 or 3X value of property	Up to 10 years in jail
Misdemeanor	Up to \$2000 or 3X value of property	Up to 1 year in jail

<u>Stalking</u>		
Offense	Fine	Sentence
Stalking		
Felony	Up to \$10000	Up to 5 years in jail
Misdemeanor	Up to \$1000	Up to 1 year in jail

<u>Other/Less Serious Driving Offenses</u>		
Offense	Fine	Sentence
Texting While Driving		
If First Offense:	\$100	
If Second Offense:	\$200	
Speeding:		
1-5 mph over limit	\$125, 2 points	
6-10 mph over limit	\$135, 2 points	
11-15 mph over limit	\$145, 3 points	
16-25 mph over limit	\$160, 4 points	
26+ mph over limit	\$175 + \$5 per mile, 4 points	

Moving Violations:		
Cutting Traffic	\$125, 2 points	
Driving Unsafe	\$125, 2 points	
Fail to Signal	\$125, 2 points	
Fail to Stop for School Bus	\$225, 3 points	
Improper Pass	\$125, 3 points	
Red Light	\$125, 3 points	
Right Turn on Red	\$125, 3 points	
Stop Sign	\$125, 3 points	
Obstructed Vision	\$125, 2 points	
Squeal Tires/ Improper Start	\$125	
Disobey Traffic Control Devices:		
Drove Around Railroad Gates	\$150, 3 points	
Ignore Left or Right Turn Only Signs	\$125, 2 points	
Ignore Yield Sign	\$125, 2 points	
Turns:		
No Turn on Red	\$125, 2 points	
Right or left turn from wrong lane	\$125, 2 points	
U-Turn	\$125, 2 points	
Failure to Yield:		
To Emergency Vehicle	\$135, 2 points	
To Oncoming Traffic	\$125, 2 points	
To Pedestrian	\$125, 2 points	
Driving w/o Insurance	\$200 for 2 years	License suspension
No Registration	Up to \$100	Up to 93 days in jail + vehicle impounded

Plate Violations: Expired Plate Fail to Transfer Plate Improper Display of Plate Improper Use of Plate No License Plate	\$130 \$130 \$125 \$130 \$130	
Not Wearing Seatbelt: If Adult in Front Seat If less than 4 years old	\$65 \$125	
Parking Violations: Handicapped Leaving Vehicle in Idle All Other Violations	\$160 \$75 \$75	

What You Can Do

Make Better Choices: Assume that everything you do can be proven in a court of law. Realize that any civil or criminal infraction will have fines and other punishment associated with it.

Consider the Long-term Consequences: Think about your life in the long run and remember that you are not invincible and can always get caught. Protect your reputation by avoiding a criminal record.

Prevent Others from Committing Offenses: Try to convince others that subjects outlined in this booklet are wrong and against the law. Make sure they know they could be in a lot of trouble if they commit an infraction outlined here. Be a good bystander.

Create a Youth Crime Watch at your School: Help make others aware of these offenses and the consequences of them through Crime Watch. Spread the information you know.

Do the Right Thing: Some choices may not be illegal, but are still poor decisions. Even if it is legal, think about the possible consequences. For example, is it really necessary to have a medical marijuana card? Think if it is going to affect your ability to get your dream job as employers may refuse to hire individuals who use marijuana.

Online Tips:

- Don't lie about your age to get on a site.
- Don't post personal information such as your phone number, school, or home address.
- Make your social media accounts private.
- Only "friend" people you know.
- If you see something that makes you uncomfortable or you think may be wrong, tell an adult you trust.
- Report indecent posts to the site manager.
- Don't post things you wouldn't want everyone to know about you.
- Don't post your specific whereabouts during the day.
- Think about your privacy and security when posting comments and pictures.
- Look out for and protect others who are in a vulnerable position.
- Create an online presence that would reflect the ideals you believe in and would mirror how you conduct yourself in person.