

ALCOHOL LAWS AND PUNISHMENTS

In Kansas it is unlawful for anyone under the age of 21 to possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic liquor or cereal malt beverages.

- Minor in Consumption or Minor in Possession is a class C misdemeanor for persons between the age of 18 and 21, with a minimum fine of \$200.
- Anyone less than 18 years of age who violates this law is a Juvenile Offender and will be ordered to pay a fine between \$200 and \$500.
- The court may order an offender to perform 40 hours of community service or attend and complete an educational program dealing with the effects of alcohol and other chemical substances.
- A first conviction results in the suspension of driving privileges for 30 days and a second results in 90 days suspended driving privileges.
- A third conviction or subsequent conviction results in the suspension of driving privileges for one year.

It is also unlawful for anyone over the age of 21 to purchase or otherwise distribute liquor to anyone under the age of 21 and for anyone to host a party where minors are consuming alcohol.

- Purchasing alcohol for a minor is a class B person misdemeanor and has a minimum fine of \$200.
- Hosting minors consuming alcohol is a class A person misdemeanor and has a minimum fine of \$1,000.

- Furnishing alcoholic beverages for “illicit purposes” is a felony.

“Illicit purposes” is defined by law as directly or indirectly buying for, or distributing, alcoholic liquor or cereal malt beverages to a child under 18 years of age, with the intent to commit against such child, or to encourage or induce such child to commit or participate in any crime as defined in K.S.A. 21-5501 through 21-5513. These crimes are sexual in nature and include rape, criminal sodomy, sexual battery, indecent liberties with a child, and electronic solicitation to name a few.

TRUANCY AND CURFEW

Students are not to miss more than three consecutive days of school, or five non-consecutive days in a semester, or seven non-consecutive days in a school year or they could be considered truant. A Child in Need of Care case can result in a truancy report, requiring the student and their parents to make Court appearances and pay Court costs.

Each city and county has a curfew policy that limits how late persons under the age of 18 can be out without a parent or guardian. See your city or county officials for specific times.

BULLYING

Bullying is never acceptable. Bullying takes many forms and can include several mediums such as texting and social media. Depending on the type of bullying, several charges could be filed. Potential charges include disorderly conduct, battery, assault, telephone harassment or criminal threat, some of which could result in a felony. The consequences of bullying can include jail sanctions, probation, or a sentence at the Youth Correctional Facility.

TODD THOMPSON LEAVENWORTH COUNTY ATTORNEY



The mission of the Leavenworth County Attorney's Office is to enhance public safety and welfare, and to create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient, and ethical manner.

Contact Us

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SEX OFFENSES AND PUNISHMENTS

Having sex with an individual under the age of 14 is rape. There are no exceptions. A person under the age of 18 having sex with an individual under the age of 14 will face a level 1 person felony. The following repercussions will arise upon a conviction:

- The presumption will be that the juvenile defendant will go to the Youth Correctional Facility for a period of between 24 months to when the juvenile offender turns 22½ years of age.
- The juvenile offender will have to register as a sex offender.
- Significant restrictions will be placed on the juvenile offender upon release from the Youth Correctional Facility.

In Kansas it is unlawful to engage in sexual activity with anyone under the age of 16, regardless of gender classifications. A person under the age of 16 **cannot** give consent to engage in sexual activities. Sexual activity includes any kind of sexual contact, not just the act of sex.

Ex: If Jack is 16 and Jill is 15 and the two engage in consensual sex or other sexual contact, Jack has committed an unlawful sex act. He could be prosecuted for engaging in sexual activity with an individual under the age of 16. Likewise, Jill could be prosecuted if Jill was 16 and Jack was 15 when the two engaged in consensual sexual activity. If both Jack and Jill are under the age of 16, BOTH of them could be prosecuted.

- If either Jack or Jill were prosecuted, they charged with between a level 5 person felony and a level 10 person felony. The

exact charge would depend on their sexual contact.

- For a first time juvenile offender with no prior criminal history, the juvenile offender could be imprisoned for up to 22½ years of age. The individual would likely have to register as a sex offender.
- Note that if the defendant is 18 years of age or more, the consequences are much more severe. They would face greater imprisonment, even with no prior criminal history and they would also have to register as a sex offender.

SEXTING LAWS AND PUNISHMENTS

Enticing a minor to engage in sexual activities through the telephone, internet or other social media is unlawful. Examples of other social media include email, chat-rooms, and text messaging.

- Electronic solicitation is a person felony if the offender believes the person to be a child under 16 years of age. An offender convicted of this crime with no prior criminal history is subject to imprisonment and sex offender registration.

Possessing nude images of a person under the age of 18 is also illegal under any circumstance. This commonly occurs when two individuals under the age of 18 are dating. A minor dating another minor cannot possess nude images of their boyfriend or girlfriend. This act is a felony, as it constitutes possession of child pornography.

- If a juvenile takes a nude picture of himself or herself and sends that nude photo to others, they have committed a felony.

- Any person who receives such an image and fails to delete it immediately has also committed a felony.
- If caught, this felony could result in imprisonment and registration as a sex offender.

SMOKING AND TOBACCO PRODUCTS

The possession and use of tobacco products (this includes electronic cigarettes) is illegal for anyone under the age of 18. Purchasing tobacco products for a minor is also illegal.

DRUG LAWS AND PUNISHMENTS

It is against the law to possess any illegal drugs. There is a large range of consequences for possessing illegal substances that includes probation and jail or prison time. Typically, fines are assessed and treatment is ordered.

Sharing prescription medication is considered distribution. If it is done at school, it is considered distribution within 1,000 feet of a school and is a higher level felony. Again, there is a large range of consequences. Distributing drugs will always carry an underlying sentence at the Youth Correctional Facility.

It's important to note that convictions for any of these crimes can have lasting effects on your future. It can land you in jail, cost you and your family a large sum of money, hurt your potential for college acceptance, hinder your possibilities of receiving financial aid and prevent you from being considered for employment.