



# Drafting A Social Host Ordinance

A **How-To Guide** For  
Washington State Communities

Social Host ordinances focus on the setting where drinking occurs regardless of who provides the alcohol. These local ordinances provide law enforcement with additional tools that go beyond the Revised Code of Washington (RCW 66.44.270), which prohibits providing (also known as furnishing) alcohol to minors.



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## WA State Coalition to Reduce Underage Drinking

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# Introduction

## Why are we concerned about underage drinking?

There are many good reasons for our concerns about youth alcohol use.<sup>1</sup>

- Motor vehicle crashes are the leading cause of death among youth ages 15 to 20.
- Alcohol use is associated with many of the risky behaviors of youth, including drug use and delinquency, carrying a weapon, fighting, and perpetrating or being the victim of sexual assault.
- Alcohol use is also linked with youthful deaths by drowning, suicide and homicide.
- A person who begins drinking by the age of 15 is four times more likely to develop alcohol dependence than someone who waits until adulthood to use alcohol.
- During adolescence, new networks are being formed in the brain. Alcohol use during this time can affect brain development.

According to the Washington State Healthy Youth Survey (HYS)<sup>2</sup>, 14 percent of 8<sup>th</sup> graders and 28 percent of 10<sup>th</sup> graders reported using alcohol within the past 30 days. In addition:

- Binge drinking (i.e., five or more drinks on at least one occasion during the previous two weeks) ranged from a low of 4 percent among Grade 6 students to a high of 25 percent among Grade 12 students.
- 5 percent of Grade 8, 10 percent of Grade 10, and 16 percent of Grade 12 students reported heavy drinking.
- About 1 in 7 Grade 6 students think it is easy to get alcohol, and that perception of availability increases to 1 in 3 Grade 8 students, 1 in 2 Grade 10 students, and 2 out of 3 Grade 12 students.

## The cost of underage drinking

Underage drinking cost the citizens of Washington \$1.4 billion in 2007, according to the Centers for Disease Control. These costs include medical care, work loss, and pain and suffering associated with the multiple problems resulting from the use of alcohol by youth. Direct costs of medical care and loss of work alone equals \$515 million each year.

## What lies ahead

While we have seen significant declines in teen alcohol use (e.g. 8<sup>th</sup> grade use has been cut in half since 1998), far too many of our youth continue to drink alcohol at a risk to both themselves and others. There is still much work to be done. The concerted effort of parents, communities, law enforcement, schools, local jurisdictions, businesses, and individuals is needed.

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<sup>1</sup> National Institute on Alcohol Abuse and Alcoholism

<sup>2</sup> The Healthy Youth Survey is administered 6<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup>, and 12<sup>th</sup> graders in public schools in Washington State every two years.

# Why a Social Host Ordinance to Address Social Liability? What is it?

In Washington, 31% of 10<sup>th</sup> grade students who reported alcohol use in the previous 30 days said they obtained it from a party.<sup>3</sup>

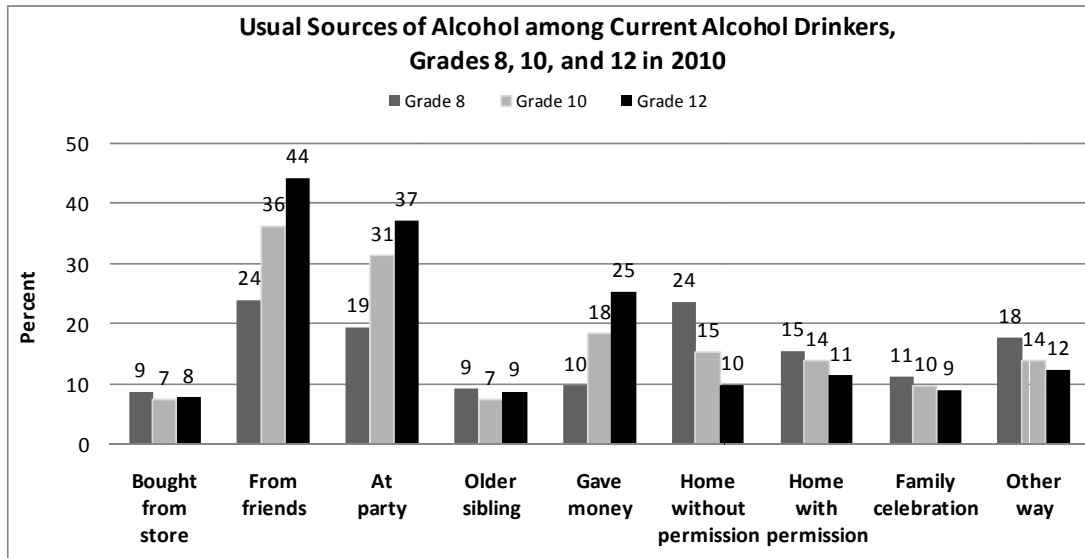
We know underage drinking parties take place in communities throughout our state. It might begin innocently with a few friends getting together for Friday night movies and someone brings alcohol. It might be young college students home on break meeting friends, and an older sibling buys alcohol for them. Or it might be a party hosted by parents who have decided that it is safer to take away the keys and let young people party in their home.



In any case, what is not being considered is the wide range of harmful and sometimes devastating consequences that result from underage drinking. One needs to look no further than news articles from our own state to find real-life examples. (See Appendix.)

Because we know that the large majority of underage drinkers get their alcohol from social sources (parents, siblings, friends, at parties, etc.), some states and local communities have taken steps to hold liable those persons who knowingly provide or serve alcohol to minors or allow drinking on their property.

## WA State Healthy Youth Survey



Survey Question: During the past 30 days, how did you usually get alcohol (beer, wine, or hard liquor)? Choose all that apply.

Notes:

- Students could check multiple responses.
- Students who reported “did not get alcohol in the past 30 days” were not included in the results.
- The sample sizes for the 2010 results in this figure are: 621 Grade 8; 898 Grade 10; and 1,121 Grade 12 students.

<sup>3</sup>Source: 2010 Washington Healthy Youth Survey. The results of the entire survey can be accessed at <http://www.doh.wa.gov/healthyyouth/default.htm>.

**Social Host ordinances seek to restrict youth access to alcohol in these settings.**

Social Host ordinances focus on the setting where drinking occurs regardless of who provides the alcohol. These local ordinances provide law enforcement with additional tools that go beyond the Revised Code of Washington (RCW 66.44.270), which prohibits providing (also known as furnishing) alcohol to minors. “Supply” or “permit” specifies overt action on the part of an individual.

RCW 66.44.270 (*partial text – See Appendix for entire RCW*)  
Furnishing liquor to minors

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, "premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

When law enforcement arrives on the scene of an underage drinking party, it can be difficult to determine who furnished the alcohol. Social Host ordinances enable law enforcement to cite the individual who hosted the party or who owns or controls the property where parties occur. Under Social Host ordinances, these responsible individuals may include older peers, parents, landowners and tenants.

Most responsible adults understand how important it is not to furnish alcohol to minors or model irresponsible drinking behavior. Social Host ordinances address those who dismiss the health-related warnings, insist on serving minors, host parties, and/or look the other way when others host on their property. The intent is not to seek out and punish adults who are regularly monitoring their children and who take reasonable precautions to prevent their children from hosting underage parties.

An additional concern is that underage drinkers often binge drink (meaning 5 or more standard alcoholic drinks for men and 4 or more for women in a short amount of time) which can lead to serious consequences for youth, including: violence (e.g. fighting, sexual assault), accidents, alcohol poisoning and even death. Social Host ordinances seek to prevent these negative consequences, while filling gaps in statutes and offering local communities an additional law enforcement tool.

**Does a Social Host ordinance make sense for your community?**

Before pursuing a Social Host ordinance, it is recommended that you understand the problems associated with underage drinking in your community and the organizations or programs that are currently in place to address such problems. These can vary greatly by community depending on factors such as demographics and culture, population density, whether a college is located in your community, and available social and recreational options for youth. Conducting a community assessment and collecting information on youth substance use (how, when, where and what) from youth, parents, law

enforcement, health care providers and other community members allows you to define the problem of underage drinking in your community. A simple assessment tool is included in the Appendix to provide guidelines on the kind of information you will want to collect.

If you are interested in completing a larger, overall community assessment as part of a Substance Abuse Prevention Strategic Plan, the Substance Abuse and Mental Health Services Administration website is a good resource for doing so. It is recommended you use the Strategic Prevention Framework as your guide. It can be accessed at: <http://www.samhsa.gov/prevention/spfcomponents.aspx>

Once you have completed an assessment and are able to provide information on underage drinking and the associated problems for your community, you will be better able to know if a Social Host ordinance may be appropriate for your community. Social Host ordinances often make sense for communities when assessment findings indicate:

- That youth often obtain alcohol at parties on private property, such as in open lots, rental properties, residences, motels, wooded areas, etc.;
- There is a significant population of college students living off campus;
- There is a high instance of youth obtaining alcohol from family and friends; and
- There is a high incidence of binge drinking and the problems associated with such.

After assessing the community, it is recommended that a plan be developed outlining the specific strategies that will target the identified problems and issues. A sample plan is included in the Appendix.

### **Answering the question of “Why Now?”**

As you discuss the issue of a Social Host ordinance, you may be asked why this is important. After all, some may say, I partied when I was young, and I turned out okay. It is important to help others understand that changes have occurred over time that increase the risk for young people. For instance, inexpensive, sweet, high alcohol content beverages in super-size containers are marketed in a manner that appeals to youth. Popular social networking sites, such as Facebook and Twitter, encourage binge drinking and glamorize heavy alcohol use.

A specific example that underscores this occurred in October, 2010. Nine students from Central Washington University were hospitalized for alcohol poisoning after consuming dangerous quantities of alcoholic energy drinks at a party. They didn't know that the combination of high alcohol content (12 percent alcohol by volume), stimulants, and quantity (23.5 oz. in one can) was the equivalent of about 5 standard beers plus at least 3 cups of coffee. When students became ill and began passing out, they thought they had been drugged.

Newspaper articles with additional examples can be found in the Appendix.

Violence, an increased risk of alcohol dependence later in life, negative impacts on memory and learning, school drop-out, unwanted sex, sexually transmitted diseases, and alcohol poisoning are some of the unintended consequences of underage drinking.

***The answer to “Why Now?” is that our youth are our priority.***

# What Are the Key Concepts of a Social Host Law or Ordinance?

**Social Host ordinances focus on the location where drinking occurs.**

Social Host ordinances hold **non-commercial individuals**, (e.g. older peers, parents, landowners, and tenants), responsible for underage drinking gatherings on property they own, lease, or otherwise control. Whereas furnishing laws target the act of **providing alcoholic beverages** to underage persons, Social Host ordinances target the **location** where underage drinking takes place.

Social Hosts are individuals who hosted the party, or who own or control the property where the party occurred. There are two main types of liability a Social Host faces when underage drinking occurs on the property they own or control:

## Criminal Liability

A Social Host may be held criminally liable by law enforcement for committing a misdemeanor. Misdemeanor crimes may be punishable with fines and jail time.

## Civil Liability

A Social Host may be found liable in a private lawsuit brought by someone injured by a guest allowed to drink on the host's private property. Civil liability on the local level may include monetary fines or other penalties, such as completing a prevention education program.

## **Options Available Through Washington State Law**

### Social Host Criminal Liability

Washington law currently makes it "unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control." (RCW 66.44.270(1)). The violation of this subsection is a gross misdemeanor.

Law enforcement officers have found that the current state law is difficult to enforce because a person must have evidence that an adult knows that minors are drinking on their property and permitted it. Local Social Host ordinances create underage drinking laws that can be enforced without requiring proof of knowledge that underage drinking is occurring. Local Social Host ordinances can be written to target adults that fail to use reasonable precaution to keep alcohol out of the hands of minors.

For example, parents are planning an out-of-town trip. They have conversations with their teen about their expectations regarding behavior while they are gone, making it clear that parties are not allowed. They alert the neighbors to the fact they will be gone, and the neighbors are given the parents' phone number, and someone in the vicinity is identified as a responsible party who can make decisions in the parents' absence. The parents ask to be called if there are more than two cars at the home and/or if there are any indications of a party taking place. This may be considered reasonable precaution, especially if there is no history of questionable behavior on the part of the teen.



If parents are in the home but are in another location and not monitoring a get-together of teens, it may be determined that they reasonably should have known that underage drinking was occurring.

The benefit of having a local ordinance is that it can be made specific to local conditions. Examples of local conditions include: towns with underage drinking problems near universities or Greek system housing; and houses or communities where law enforcement officers are repeatedly asked to respond to problem party sites, such as hotels, apartments, or secluded rural locations.

### Social Host Civil Liability

Civil liability can be developed through state statute or state court decisions. In Washington, there is no state civil statute that imposes liability for providing a location for an underage drinking event. Similarly, court decisions have established that social hosts are not liable to third persons for injuries arising from the host's furnishing of alcohol to minors or to obviously intoxicated adults.

*"I have a really powerful picture, and it's of my 15-year-old, Ryan's younger brother, who was scattering Ryan's ashes, and he's just in a cloud of ashes. So I think, again you're going to parent the way you're going to parent. But for the majority of parents out there that allow their kids to drink, what are you teaching them? What are you teaching them?"*

~Mother of Ryan, age 19, who died in an alcohol-related crash

### **Options Available Through Local Laws**

Local options include a combination of criminal and civil penalties such as fines, emergency response costs, administrative fines and jail time. Communities may choose to enact one or more of the following options:

Social Host Criminal Liability, punishable by either criminal infractions (monetary fines) or criminal misdemeanors (jail time)

- Holds adults responsible for underage drinking on property they own, lease or otherwise control. Adults can be charged even if they did not provide alcohol and even if they are not on the premises. The language of the ordinance often refers to the fact that adults "knew or reasonably should have known" that underage drinking was occurring.

Social Host Civil Liability—through civil or administrative citations:

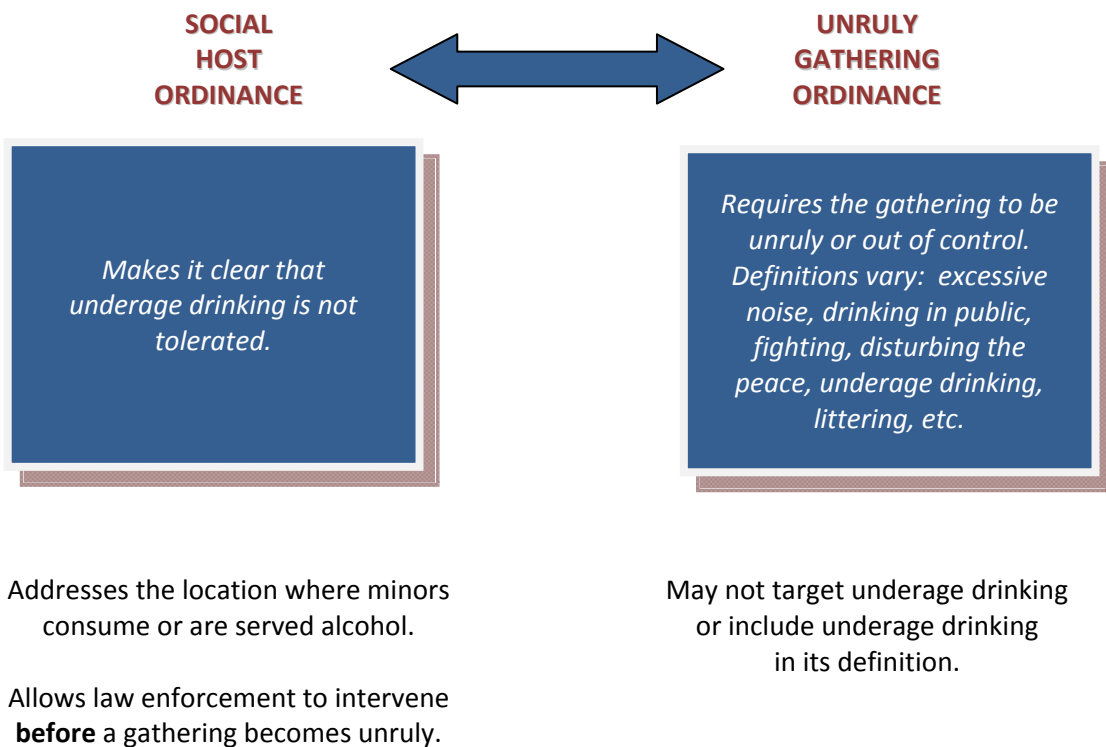
- **Response Cost Recovery**—Declares underage drinking parties on private property a public nuisance and holds Social Hosts civilly responsible for the costs of emergency response services provided in response to unruly gatherings (police, fire, and other emergency responders dispatched to parties, and court time necessary to settle a complaint).

- **Unruly Gathering Ordinance or “Red Tag” Ordinance**—Declares unruly gatherings unlawful and holds hosts civilly responsible by charging a fine that increases upon subsequent unruly gatherings. Note: Unruly gatherings are defined many ways, such as loud, with occurrences of fighting, underage drinking, etc. However, some communities don’t include underage drinking in their definition of “unruly.”

### Comparing Social Host and Other Related Ordinances

The key question is: At what point as a community do we want law enforcement to intervene? In other words, how out of control does a party need to be before we want law enforcement to be involved? Social Host ordinances allow law enforcement to intervene when even a few underage drinkers are present and before the gathering becomes unruly.

While the advantage of an unruly gathering ordinance is that it gives law enforcement another tool to address loud and/or disruptive gatherings that do not necessarily include minors, the gathering may need to be out of control for law enforcement to be called. Also, noise ordinances, oftentimes the only option they have, can be very difficult to enforce, especially in communities with a small number of law enforcement officers.



### Criminal Liability versus Civil Liability

Prosecuting parents, older siblings and friends as criminals may not be an effective deterrent to underage drinking, and may be a hard sell in a community. Instead, communities may decide to focus on

Civil Liability alone, such as Response Cost Recovery or Red Tag ordinances. Arguments for civil liability include:

- There is a lower **Standard of Proof** in civil cases than in criminal cases.
- May not require **Proof of Knowledge** that Social Host knew of underage drinking. (This can be worded to indicate liability if they knew or reasonably should have known.)
- Many municipalities have existing civil nuisance laws that can be modified to address underage drinking if they don't already. There is precedent for using nuisance laws in tobacco prevention work, as second hand smoke has been restricted by categorizing it as a public nuisance.

*A woman accused of providing alcohol to a 17-year-old Tumwater boy has been charged with manslaughter in his death.*

*The autopsy showed he had a blood alcohol level of .36 percent and died of acute intoxication.*

*She told investigators she was trying to help homeless kids and preferred to have them drinking where she could keep an eye on them.*

- From *The Olympian*, June 2010

# Checklist for Drafting a Social Host Ordinance

## Identify the Problem(s) in Your Community

First, understand the local substance abuse problems by completing a community assessment. Next, employ a strategic planning process to logically connect the substance abuse problems with possible solutions. After completing this process, you may find that Social Host ordinances are an appropriate strategy to address circumstances such as:

- Teen drinking parties in private residences
- Parties on rural or forested land
- University or college drinking parties held in privately owned homes or apartment units
- Greek House parties
- Loud or unruly gatherings including underage and legal age persons in resort area settings (e.g., river resort areas, ski vacation rentals)
- Underage drinking parties held in warehouses or garages rented for that purpose, or in foreclosed homes
- Parties occurring in hotels or motels

***To be most effective, the Social Host ordinance should be tailored to a local community's day to day underage drinking problems.***

## Locate Relevant Existing State and Local Laws

Are there any existing local (city/county) laws on underage drinking, especially with regard to providing alcohol to minors, underage possession, underage consumption, and underage purchase, in your community? What are the existing local ordinances on public nuisances? What laws should be in place but are missing? The Social Host ordinance should be drafted in light of existing state and local (city or county) laws on underage drinking and local laws on public nuisance. In drafting a Social Host ordinance, one needs to know how other laws may affect the validity and enforcement of the Social Host ordinance.

Examine existing local public nuisance laws. The city or county's existing public nuisance laws may be modified to address underage drinking parties if this is the direction your community wants to go. This may be easier to achieve than passing a new stand alone Social Host ordinance.

## Draft the Key Components of a Community's Social Host Ordinance

The following questions are provided as a guide as you consider which types of Social Host liability are most relevant in your individual community. You may want to consider using case studies such as those available in the Appendix.

### 1. **What is a "loud or unruly" gathering?**

"Loud or unruly gathering" is defined many ways; in some cases, it's a gathering of just "two or more persons." With definitions like this, are residents subject to liability any time they decide to have a party of any kind? Does it include Thanksgiving Dinner with family and friends? (Current Washington State law does allow parents to furnish alcohol to a their minor child when

consumed in the presence of their parent or guardian but not on a licensed premises.) Compare other cities' ordinances. Some cities define unruly as five or more persons.

RCW 66.44.270 (*partial text – See Appendix for entire RCW*)  
Furnishing liquor to minors

(3) Subsections (1) and (2)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of twenty-one years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter [66.24](#) RCW.

## 2. What kinds of conduct constitute a “loud or unruly” gathering?

With certain exceptions, Washington state statute prohibits alcohol consumption in public. “Loud or unruly” conduct addresses the activity of drinking in public itself and the consequences of drinking in public, such as: excessive noise, fighting, disturbing the peace, etc.

“Loud or unruly” conduct may or may not include the conduct of underage drinkers, but some ordinances include the service of alcohol to minors or consumption of alcohol by minors as a definition of an unruly gathering.

“Loud or unruly” conduct language can be expanded to include the use of controlled and illicit substances. Another example of a definition is:

"...excessive noise or traffic, obstruction of public streets by crowds or vehicles, drinking in public, the service of alcohol to minors or consumption of alcohol by minors, fighting, disturbing the peace, and littering."

## 3. Who is a “responsible person”?

Communities should define whether Social Hosts under 18 or 21 years will be deemed “responsible persons” under the ordinance. Your city or county attorney can help with this distinction.

As an example, a "responsible person" can mean a person who is present and in charge of the premises or who organized the large party, gathering or event. If the Social Host is a minor, the minor's parent(s) or legal guardian(s) are also deemed responsible.

Communities should define whether absentee landlords and management agents are to be held liable under the ordinance. Will they be held responsible upon the first occurrence or will they be given a warning?

Some locations include in their definitions of responsible persons “any sponsor of the event.” This may be helpful in holding “party crews” liable.

Communities should identify any exclusion to the ordinance. For example, a city ordinance may not impose liability when the individual in possession of the property “could not reasonably foresee” or “reasonably control” the unruly gathering, as long as they have “taken all steps reasonably necessary to exclude the uninvited persons from the premises.”

#### **4. What kinds of private property should be included?**

Think about the types of problem properties in your areas. Examples include open forested land, motels, parks, empty lots, etc.

#### **5. If you choose to include “response costs,” what is the time frame for imposing response costs? How frequently do first responders have to return to a party site for the fine to apply?**

In some cases, fines can be applied when emergency responders are called to return within a twelve-month period of an initial warning.

Some cities have a much smaller time period for a return visit. Some cities dictate that subsequent calls during a 12 hour period following the initial written notice may incur recovery costs. Others may use a 120 day or 180 day period for subsequent violations. Smaller periods make it harder for law enforcement to invoke response costs when parties may be infrequent, but the parties held there are loud or unruly.

#### **6. How are response costs calculated and billed?**

Some municipalities calculate according to a pre-determined schedule of costs. Other municipalities calculate according to a schedule of penalties set forth in the ordinance itself

What should the costs be?

- Costs may be graduated, with increasing levels of penalties, depending on the frequency of responses.
- Costs may be tied to actual costs. For example, costs may include: “number of officers required (if “increased response” is required), overhead, related medical treatment, other loss or damages incurred to police department.”

What procedures exist now that could be used? (E.g., public nuisance enforcement.)

- Some localities’ public nuisance procedures have an administrative fine or abatement costs recovery procedure.
- Some localities’ public nuisance procedures are judicial, taking place entirely in court.

Setting out a billing procedure, with a right to appeal procedure, in the ordinance is important so that the community is placed on notice as to how costs will be billed and then collected.

Describing procedure in law makes enforcement easier for law enforcement and fair to violators.

**7. Exceptions or defenses to limit liability for response costs**

We want to be careful about what behavior we encourage or discourage in a Social Host ordinance. For example, if there is a real emergency at an underage drinking gathering, we want youth to call for help. Communities may choose to include exceptions for an emergency, as in the Gilroy, CA ordinance. Sec. 19C.5.(b)(3) states that "...administrative cost recovery fees will not be imposed in those situations where those present at the gathering call for emergency services for an actual emergency at the premises."

**8. Does it make sense to include a criminal fine, in addition to the penalty of response costs recovery?**

In some Social Host ordinances, a provision is included to fine wrongdoers in addition to the costs associated with emergency responders. For example, the wrongdoer is fined \$250 for the first time the emergency responders come out to a party, \$500 for second visit, and \$1000 for a third or subsequent visit.

A fine for an infraction can be imposed when the terms of the Social Host ordinance are violated. An infraction is not punishable by imprisonment, however. Unlike the situation with misdemeanors and felonies, a person charged with an infraction is not entitled to a jury trial or to counsel appointed at public expense.

In criminal cases, the prosecution usually has the burden of proving that an individual intended to break the law. However, when strict liability is specified, it does not matter what was intended. It does not require proof that the responsible person knew or should have known that s/he allowed a loud or unruly gathering.

# Working to Pass a Social Host Ordinance in Your Community

## Stakeholder Involvement and Support

There are several key stakeholders that must be involved in order to gain support and develop a Social Host ordinance in your community. It is ideal to build these relationships in advance of pursuing a Social Host ordinance.

- Law enforcement- what is their assessment regarding enforcing underage drinking laws? Do they need an additional tool in order to intervene on underage drinking parties? Are they able to take action when called to underage drinking parties?
- Local government- whether the city, county, or other municipality, it is critical to include the decision-makers that would ultimately vote to enact such ordinances.
- Judicial System- the City or County Attorney and judges are key stakeholders as they are tasked with interpreting local ordinances.
- Parents- as these ordinances are primarily focused on parents and other adult enablers, they are key individuals to mobilize.
- Youth- should be a part of the process. In communities where youth have been part of the effort and spoken about the need to enforce laws, they have had a positive impact on social ordinances being enacted.

## Know the Community and the Nature of the Problem

Community coalitions can help mobilize residents and decision-makers by understanding the needs of the community and providing local statistics. Access to local data can help elected officials understand the problems with underage drinking and to justify taking a stand against underage drinking. Examples of persuasive local data include the Washington Healthy Youth Survey results, focus groups with youth and parents, and key informant interviews. It may also help to reframe the underage drinking issue as a health risk to our youth, such as by sharing research data about:

- The danger of underage drinking and its effect on adolescent brain development,
- Youth mortality rates, and,
- Increased risk of sexual assault and other violent crimes, etc.

Samples of data and research information are included in the Appendix.

## Assess the Barriers to Implementation

It is important to consider the barriers to implementation of a Social Host ordinance and plan strategies to address them. Possible barriers include:

- Prevalent community norms that condone or turn a blind eye to underage drinking.
- Teens will move to unsupervised settings to drink, thereby increasing the risk to them and others.



- The perception that the ordinance is unfair to homeowners who may be held liable even if they didn't know the incident was taking place.
- Creates the risk of abuse by law enforcement officers; is an invasion of privacy.
- The belief that law enforcement resources are inadequate to enforce the ordinance.
- Parties will be pushed from one jurisdiction to another that does not have an ordinance.

### **Basic Steps to Planning and Implementing Your Campaign**

- 1) Identify the key decision-makers, such as city council members, the mayor, etc.
- 2) Determine the key allies who have influence with the decision-makers. Think about who in your group has contacts and can recruit these allies. Develop strategies for doing so.
- 3) Develop a written statement that defines the problem and presents the case for an ordinance. Include facts to support your cause.
- 4) Draft the ordinance. There are sample ordinances that can be found through an internet search. (See Appendix for more information.) Include your local City Attorney or Prosecuting Attorney's office in drafting and reviewing the ordinance if possible.
- 5) Plan and implement a media campaign to get community support for the ordinance. Include local youth in advocating for the ordinance.
- 6) Prepare the presentation to the local governing body. Involve community members. Tips for presenting to your city council are included in the Appendix.

## Putting It into Practice: Good IDEAS

If your community has enacted a Social Host ordinance- **congratulations!** You have made a significant accomplishment in protecting the health and safety of youth by using an environmental strategy that is durable and likely to be sustained because it has been enacted into law. Take time to celebrate your accomplishment and prepare for the work ahead.

The next steps involve putting these good “IDEAS” into practice:

- **I**nforming the public of the new ordinance
- **D**isseminating materials to all essential stakeholders
- **E**nforcing the law by working with law enforcement
- **A**djudicating offenders and working with the judicial system
- **S**urveying stakeholders and evaluating the effects of the ordinance on the prevalence and consequences of underage drinking in the community

### Educational Strategies

Enacting a Social Host ordinance is just the beginning. For the ordinance to do its work and be a truly effective mechanism for reducing the incidence of and consequences associated with underage drinking, it is critical the community and local law enforcement understand what a Social Host ordinance does and who Social Hosts are. Educational efforts must take place at all levels from educating individuals to educating community systems. Examples of educational efforts include media advocacy and dissemination of educational materials.

#### Informing Through Media Advocacy

The purpose of media advocacy is to utilize the media outlets in your community to educate community members on who social hosts are, what the ordinance covers, and how the ordinance will be enforced. Media advocacy can include public service announcements, billboard advertisements, letters to the editor and editorial columns in addition to press conferences. Please see the Appendix for samples.

#### Dissemination of Educational Materials

You’ll need to get the word out to the community overall and while media advocacy can be a great place to start, community members will want and need more detailed, focused information, etc. can be created to share the details of the new ordinance. Educational materials should be targeted to the people who need the education. It will be important to create educational materials specifically for law enforcement, parents, older siblings/friends, landlords and motel/hotel owners depending on the audience. Remember, educational materials at this point are focused on the specific ordinance your community passed and how it will affect community members. There may be a need for additional materials detailing the prevalence and consequences of underage drinking. Examples are included in the Appendix.

## Enforcement Strategies

Law Enforcement members are skilled and highly trained individuals in the area of enforcement of existing laws. However, law enforcement members may not be aware of what Social Host ordinances mean, how they can be enforced, and what to do when they are issuing citations for violation of the ordinance. It is critical to work with your local law enforcement agency to provide any needed support when it comes to the enforcement of Social Host ordinances.

Examples of how to work with local law enforcement include:

- Train law enforcement officers on the meaning and application of the new ordinance.
- Develop or expand a pre-existing tip line so community members can report underage drinking parties. Tip lines provide police with the information to prevent underage drinking parties or intervene sooner.
- Educate the local neighborhood watch group to help identify underage parties and train them to correctly notify law enforcement.
- Collect data to understand the application of the law and determine if any gaps exist.

## Adjudication Strategies

Much like local law enforcement professionals, the legal system in your community is comprised of a highly trained and skilled workforce. However, the judicial professionals may not be aware of or prepared to deal with violators of the Social Host ordinance. It is critical to work with the judiciary in your community and provide any support you can when it comes to adjudicating individuals found in violation of the Social Host ordinance. Examples of how you can work with the judiciary include:

- Train judges and prosecutors regarding the meaning and application of the new ordinance.
- Examine the policies of the judicial system to ensure that cases are handled consistently.
- Collect data to understand the application of the law and determine if any gaps exist.

## Evaluation Strategies

It is critical to evaluate how the passage of a Social Host ordinance impacts the prevalence and consequences of underage drinking. You will need to determine what data sources in your community will indicate how underage drinking has changed as a result of the passage of a Social Host ordinance. Establish community level indicators prior to the passage of a Social Host ordinance to accurately demonstrate how the ordinance has impacted underage drinking. These indicators should be a part of community assessment information. Community-level indicators may include:

- Healthy Youth Survey data indicating the average age of initiation for first use of alcohol.
- Healthy Youth Survey data indicating the percent of youth engaging in underage drinking in the last 30 days.
- Healthy Youth Survey data indicating the percentage of youth engaging in binge drinking.
- Local Law Enforcement data detailing the number of citations issued to minors in possession or minors caught drinking.

- Emergency Department (ED) data indicating the number of admissions to the ED where alcohol is the primary or secondary reason for admittance.
- The amount of resources spent by the ED and law enforcement in addressing underage drinking. (It is expected that eventually there will be a need for fewer resources and services as behaviors change.)
- A shift in community norms.

It is also important to monitor and evaluate the implementation itself. Some questions to ask include:

- Is the community aware of the ordinance, including stakeholders and youth?
- Is law enforcement implementing the ordinance?
- Are the penalties associated with the ordinance being imposed?
- Have there been any additional barriers that need to be addressed?

## Final Notes

Most people do not condone underage drinking but they get caught in believing the prevailing myths that lead them to allow parties in their home. They may think they are keeping kids safer with in-home parties, or they think they are taking away the mystery and allure of drinking by allowing it prior to their children turning 21. As you proceed, it is important to understand the reasons people have for social hosting, and address those with facts. Giving adults the tools to say no to social hosting will help to change the norms of your community.

## Celebrate!

Once the ordinance is in place and being enforced, don't forget to CELEBRATE this accomplishment! Congratulations!

### For Further Reading:

Preventing Underage Drinking Using Getting To Outcomes™ with the SAMHSA Strategic Prevention Framework to Achieve Results, pages 245-258:

[http://www.rand.org/pubs/technical\\_reports/2007/RAND\\_TR403.pdf](http://www.rand.org/pubs/technical_reports/2007/RAND_TR403.pdf)

# Appendix

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# News Stories

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## **The News Tribune**

### **Teen shot in legs at underage party in South Tacoma**

Posted by Stacey Mulick on September 7, 2011 at 6:20 am

Catching up from the holiday weekend ...

A 16-year-old boy was shot twice early Saturday after a fight broke out at an underage drinking party.

The teen was among the attendees at the party in the 5400 block of South Wapato Street, Tacoma police reported.

A fight erupted at the party, then was broken up.

A gunman fired a number of rounds into the air and at the victim, police reported. The victim was hit in both legs.

Friends dropped the boy off at St. Joseph Medical Center in Tacoma for treatment. His injured (sic) were not considered life threatening, police reported.

Tacoma police were investigating.

Read more: <http://blog.thenewtribune.com/crime/2011/09/07/teen-shot-in-legs-at-underage-party-in-south-tacoma/#ixzz1XO3r74B1>

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## **The Spokesman-Review**

### **Drinks, not drugs, sickened CWU students – Spokesman.com – Oct. 25, 2010**

Shannon Dininny  
Associated Press

ELLENSBURG – Sugary, high-alcohol energy drinks that are popular with college students who want to get drunk quickly and cheaply came under renewed scrutiny today as investigators announced that nine freshmen had been hospitalized after drinking them at an off-campus party.

Several states are considering outlawing the drinks and at least two universities have banned them from campus while the Food and Drug Administration reviews their safety.

The issue received new attention after the Oct. 8 party in Roslyn, a picturesque mountain town known as the place where part of the 1990s television series “Northern Exposure” was filmed.

Police first responded to a report of an unconscious female in a grocery store parking lot and learned about the party from her friends. At the home, officers found a chaotic scene, with students from nearby Central Washington University passed out and so intoxicated that investigators thought they had overdosed on drugs.

Nine students who drank a caffeinated malt liquor called Four Loko were hospitalized with blood-alcohol levels ranging from 0.12 percent to 0.35 percent, and a female student nearly died, CWU President James L. Gaudino said. A blood-alcohol concentration of .30 percent is considered potentially lethal.

All the hospitalized students were inexperienced drinkers – freshmen ranging in age from 17 to 19. Toxicology results showed no drugs in their bloodstreams, though a small amount of marijuana was reported at the party, university police Chief Steve Rittereiser said.

Some students admitted drinking vodka, rum and beer with Four Loko, which is made by Phusion Projects Inc., of Chicago.

Phusion said in a statement that people have consumed caffeine and alcohol together safely for years. The company said it markets its products responsibly to those of legal drinking age and shares with college administrators the goal of making campuses safe and healthy environments.

“The unacceptable incident at Central Washington University, which appears to have involved hard liquor, such as vodka and rum, beer, our products, and possibly illicit substances, is precisely why we go to great lengths to ensure our products are not sold to underage consumers and are not abused,” the statement said.

The FDA sent a warning letter to Phusion Products in November 2009 asking the company for information that shows adding caffeine to alcoholic beverages is safe, and the case remains open, the agency said in a statement Monday.

Four Loko comes in several varieties, including fruit punch and blue raspberry. A 23.5-ounce can sells for about \$2.50 and has an alcohol content of 12 percent, comparable to four beers, according to the company’s website.

Health advocates say the caffeine in the drink can also suspend the effects of alcohol consumption, allowing a person to consume more than usual.

It gets you really drunk really fast and it gives you a lot of energy so you’re not going to be laying down and sleeping,” said 18-year-old CWU freshman Hyatt Van Cotthem of Everett, who said he’s tried the beverage but doesn’t drink it because the taste is “nasty.” He didn’t attend the party.

Regulating such drinks would be a good idea, Cotthem said, because he’s seen so many students do dumb things when drinking it. But he and a friend also questioned that the drink alone could have wreaked so much havoc.

There’s no way that Four Loko caused all these people to just pass out,” he said.

The nine sickened students have recovered and returned to their classes. No criminal charges have been filed, but Rittereiser said the investigation in the source of the alcohol continues.

Gaudino banned alcoholic energy drinks from CWU’s campus today, following the president of New Jersey’s Ramapo College, who banned the drinks last month after attributing several students’ hospitalizations to Four Loko.

“It’s not that we’d seen a lot of consumption, but we’d seen enough that it worried us, because it was in situations of extreme intoxication,” Ramapo President Peter Mercer said Monday. “Having seen no redeeming social use for it, and seeing the damage and danger it could pose, I ordered a ban.”

Mercer said he eagerly awaits the results of the FDA review and supports a measure to ban the drinks in New Jersey.

Utah and Montana have restricted the sale of the caffeinated malt liquors to just state liquor stores. A bill to ban the drinks in Washington state failed in the Legislature earlier this year, but McKenna and Gov. Chris Gregoire said they would support another effort.

McKenna also said his office would review the marketing of such drinks, particularly to minors, to determine if consumer protection laws have been violated. The state previously raised concerns with the nation’s two largest brewers, MillerCoors LLC and Anheuser-Busch InBev NV, about similar drinks.

“We never brought a lawsuit against them because they acted like good corporate citizens and removed the products,” McKenna said.

Steven Schmidt, a spokesman for the National Alcohol Beverage Control Association, said many states feel they need to act quickly on the issue because the drinks are increasing in popularity.

“There’s really a sense that people consuming these drinks don’t understand how much alcohol they are drinking,” he said. “These products pack a punch, and they are relatively inexpensive.”

<http://www.spokesman.com/stories/2010/oct/25/drinks-not-drugs-sickened-cwu-students/?p...> 9/8/2011

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## **The Olympian**

Published June04, 2010

### **Woman, 67, charged in teen’s death**

JEREMY PAWLOSKI; Staff writer

Thurston County prosecutors have charged a 67-year-old woman with first-degree manslaughter for allegedly providing liquor to a 17-year-old boy from Tumwater last year, contributing to his death from complications due to acute intoxication, court papers state.

An arrest warrant for Roxanne Johnson, also of Tumwater, was issued Tuesday, the same day she was charged. A person is guilty of manslaughter when he or she recklessly causes the death of another.

On the morning of Aug. 21, 2009, Cherokee Lincoln, 17, was found dead at Johnson’s Israel Road apartment. Johnson told Tumwater detectives that the night before, Lincoln had appeared to be in a “drunken stupor” while he and a group of teens were at the apartment “drinking and playing cards,” court papers state. Johnson admitted providing the group with alcohol, stating “the kids are all homeless



and needed someone to watch out for them,” court papers state. Johnson also said that she “knew they would get alcohol from somewhere and she would rather have them drinking where she could keep an eye on them,” according to court papers.

But Tumwater Police Detective Jen Kolb said Thursday that she would not characterize Lincoln or the other teens who were in Johnson’s home that evening as homeless. Kolb described the teens as “wayward youth” and said Johnson’s apartment was a “flophouse for juveniles.”

Kolb said Thursday that Johnson had provided liquor to the group that was drinking in the home. In addition to Lincoln, a 15-year-old, an 18-year-old and a 23-year-old were drinking at the apartment that night, court papers state. Johnson told police that at some point during the night, someone escorted Lincoln to a bedroom while the group continued to play cards.

“According to the defendant, she checked on Lincoln at 3 a.m. where (she) found him on the floor,” court papers state. “She covered him with a blanket and went to bed.”

When medics arrived at the apartment, Lincoln was face-down on the carpet. It appeared to the medics that Lincoln “had suffocated from the position he was in or from aspirating vomit. . . alcohol was possibly a factor,” court papers state.

A toxicology exam later revealed that Lincoln had a blood alcohol level of 0.36 percent – more than four times the legal limit for driving while intoxicated.

Lincoln died of “positional asphyxia secondary of acute ethanol intoxication,” according to Thurston County Coroner Gary Warnock.

A Tumwater police officer at the scene of Lincoln’s death noticed “two nearly empty half-gallon bottles of alcohol” in the apartment.

The card players told police that they checked on Lincoln at 3:30 a.m., “and he was reportedly fine, sleeping and breathing, although he had slid off the mattress and was on the floor,” court papers state.

Kolb added that Johnson has cooperated with investigators and has said that she believes she was just trying to help the kids who drank in her home.

A phone number for Johnson could not be located Thursday.

Jeremy Pawloski: 360-754-5465 [jpawloski@theolympian.com](mailto:jpawloski@theolympian.com)

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KOMO News

**Family: ‘A stupid game cost a young man’s life’**

Originally printed at <http://www.komonews.com/local/66246057.html>

By Elisa Jaffe October 26, 2009

ONALASKA, Wash. – A night of drinking games proved deadly for a 15-year-old high school student, and now his family wants to use their grief as a warning to others.

Nick Barnes, a popular 10<sup>th</sup>-grader at Onalaska High School, died Sept. 21 after attending a birthday party at a friend’s house.

In his last text message to his mom, Nick promised no drinking at the birthday party. But after a chugging game, he was found passed out in the yard, with writing covering his nearly bare body.

“This was a stupid game that cost a young man’s life,” says his grandmother, Sue Patterson. “If you’re the first (one) passed out, they decorate you and make you the party favor.”

The 28-year-old owner of the party house dropped the Onalaska teen off at the hospital. But Nick never woke up.

His mother, Rachel Smith, says, “I’m still numb. I’m used to him coming home from school telling me how his day was and crawling in bed, and I don’t have that anymore.”

Nick’s family wants their pain to make a point about the dangers of underage drinking.

“These kids are playing with a loaded gun and don’t even know it,” says his grandmother. “And the people allowing it need to understand the responsibility. A child is gone.”

“He could have done things different, a lot different,” says Nick’s mother.

In Nick’s memory, his family encourages contributions to this new community center for kids – a safe, sober alternative to drinking parties.

“I don’t want this to ever happen to another family,” says Rachel Smith.

Nick died before knowing his fellow sophomores had voted him prince of his homecoming court. They had to do a re-vote after his death, and crowned Nick’s best friend.

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# Assessing Your Community

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The first step in planning for a Social Host Ordinance is to assess your community needs, resources, gaps, and readiness to address the problem with an ordinance. As you begin planning you will want to look at:

- Method:** What process will be used for reviewing data, resources, gaps and readiness? What groups or coalitions will you involve? How will you involve the target population?
- Data Assessment:** What underage drinking data is needed? What anecdotal data is desired?
- Resource Assessment:** What resources are available in working on this issue? Who has shown readiness to be involved? What significant partnerships are present or needed?
- Analysis and Readiness:** Given all of this information, what steps will be taken and when? Is there adequate staff and/or volunteers to accomplish the tasks? Will sufficient time be committed?

## More on Data Assessment

Adequate data to support your case for a Social Host Ordinance will be very important in framing your rationale. Listed below are areas to consider and sources of data.

1. What is the extent of underage drinking in your community? To what extent are youth binge drinking?

Data Sources:

- WA Healthy Youth Survey (For your county's Alcohol Fact Sheet, go to [www.StartTalkingNow.org/GetInvolved](http://www.StartTalkingNow.org/GetInvolved).)
- Arrest data – Law Enforcement
- Treatment data – Local Health Jurisdictions
- School discipline data related to alcohol use – School districts and colleges and universities
- Local surveys

2. Where do youth get their alcohol?

Data Source:

- WA Healthy Youth Survey
- Campus data, if available
- Communities with a DFC grant may want to do a “But, Why Here?” problem analysis to help answer the question “Where do youth get their alcohol?”

3. What is the extent of other problems commonly associated with alcohol use? (E.g. Fights, vandalism, sexual assaults, etc.)

Data Sources:

- Crime and arrest data – Law Enforcement
- Chambers of Commerce and Neighborhood Associations
- College and university crime reports
- Hospitals and clinics

4. What laws, ordinances, and policies are in place and to what extent are they enforced?

Data Sources:

- State laws – RCW 66.44.270
- Local ordinances – Local law enforcement, including prosecuting attorney
- School policies – School district office, Student Affairs or Student Services offices at colleges and universities
- Law enforcement – are there policies in place that support multi-jurisdictional task forces or projects?

5. Additional questions to ask in your community:

- Is there additional anecdotal evidence concerning underage drinking parties?
- To what extent are underage drinking parties sanctioned by adults, either explicitly or implicitly?
- Communities with a DFC grant may want to do a “But, Why Here?” problem analysis to help answer these questions.

### **More on Resource Assessment**

1. What groups and programs in your community directly deal with alcohol prevention? Enlist them for support.

- Schools
- Community mobilization

- Drug Free Communities or STOP Act grantees
  - County prevention programs
  - Community Networks
  - College or University coalitions, health centers, and Student Affairs/Dean of Students offices
  - Others
2. What groups or programs deal indirectly with alcohol prevention?
- Church youth groups
  - Scouts
  - After school programs (YMCA, Boys & Girls Clubs, Campfire, etc.)
  - Recreational and competitive sports programs
  - Campus clubs and sports programs
  - Volunteer programs that link community members with local police depts., such as Explorer or Senior programs and community policing efforts
3. What county or state programs can support your efforts?
- County Health Departments
  - City or County Parks and Recreation Departments
  - College and University prevention programs and coalitions
  - WA Coalition to Reduce Underage Drinking
4. What laws or policies are already in effect to support your efforts?
- Understand what the current state law does and doesn't do.
  - See if your community has an "unruly gathering ordinance".
  - See if your community has a "noise ordinance".
  - How well are current laws and policies enforced, and are there any enforcement barriers?

When you have gathered all the pertinent information and involved your local community, you have built a strong framework for implementing a Social Host Ordinance.

# Sample Plan

After completing an assessment (see pages 6-7 of the Handbook), a plan may be developed.

<b>Goal: Reduce underage drinking in our community by 5 percent over 2 years.</b>						
<b>Objective: Decrease youth access to alcohol in social settings.</b>						
<b>Strategy #1: Enact and implement a Social Host Ordinance</b>						
<b>Activities</b>	<b>Timeline</b>		<b>Who Is Responsible</b>	<b>Process Indicators</b>	<b>Outputs</b>	<b>Short Term Outcomes</b>
	<b>Start</b>	<b>End</b>				
Determine the key components of the Social Host Ordinance (See checklist, page 12)					List of key components for inclusion in draft of ordinance.	Implementation of a Social Host Ordinance with widespread community support.
Build stakeholder support; use data (as identified & collected during the assessment process)					Compilation of data; list of stakeholders supporting ordinance	
Detail and address barriers					List of barriers with actions	
If required, work with governmental sub-committee to propose ordinance					Proposal to the local governing body	
Draft the Social Host Ordinance			Work with an Attorney – typically your ‘City Attorney’		Social Host Ordinance draft	
Present the ordinance to the governing body (ie: city or town council)					Meeting minutes	
Educate the community, including law enforcement and judicial system members					Media materials; training materials	
Evaluate					Evaluation data	

# Case Studies

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The following are some potential situations that can be used to consider the elements of a Social Host Ordinance. Questions to consider as you read these case studies may include:

- Whom will the law hold responsible?
- Did the adults (parents or others) explicitly or implicitly agree with the party?
- Did the adults (parents or others) take sufficient precautionary measures?
- Should the alcohol in the home have been locked up?
- Does it make a difference if this is the first party or if there have been others?
- Should someone who is underage be expected to police their older, yet still underage, friends?
- What responsibility or liability does a neighbor have when asked to intervene by the homeowner? Are they now the responsible party, and, if so, what happens if they don't respond appropriately?
- Should anything be included to hold someone harmless if they call for help when an overdose occurs, i.e. a Good Samaritan clause?

## **A. Out of Town**

Paula and Tom are the parents of Joel and Lisa. Joel is 17 and a high school senior, and Lisa is 16 and a sophomore. Paula and Tom occasionally let Joel and Lisa have a glass of wine with them at dinner on Sundays but they have told Joel and Lisa that they don't want them drinking at parties. They have also made it clear that they can always call for a ride home no matter what, no questions asked.

Tom has been out of town all week on business, and Paula is going to join him for the weekend. Neither Joel nor Lisa has ever "gotten in trouble," so Paula leaves town without any real concerns about behavior, although as she goes out the door, she says, "Remember, no parties here."

Joel and his friends go out to a movie on Saturday night but quickly become bored afterwards, looking for something to do. Joel mentions that his parents are out of town, and his friends quickly put pressure on him to go hang out at his house. On the way they stop at a friend's house, and he grabs some bottles of beer from the well-stocked refrigerator in the garage. Another friend texts his older brother and asks him to buy them some alcohol and bring it to the house. The older brother comes with six of his friends, and soon the party is going. Lisa comes home and is persuaded to call some of her friends to join them. The loud music that ensues prompts a neighbor to call the police.

## **D. The Homecoming Bash**

It's Homecoming weekend, and the text messages have been flying from teen to teen, telling everyone about the party out in the country on the Carleton's property. Older siblings home from college for the big crosstown football rivalry have bought the alcohol, and now about 100 people have descended on the property known to be easily accessible for parties. Students and recent graduates from the rival school show up, and a big fight breaks out. Someone calls the police, and they arrive.

## **B. Party at the Lake**

It's been a hot summer, and the Powell family has spent a number of weekends at their lakefront cabin in the mountains. On Labor Day weekend, Melanie, an incoming college freshman, asks her parents if she can have one last get-together with her high school friends at the cabin before she goes off to college. After a long discussion about their expectations that there will be no alcohol at the cabin, the parents agree to the get-together. Melanie invites nine of her friends to the cabin for the long weekend.

The parents have also had conversations in the past with their neighbors at the lake, and they have asked the neighbors to let them know if they ever see their kids with alcohol. They have an understanding that they will all help to watch over each other's kids.

Everything goes fine until Sunday afternoon when one of the friends brings out a fifth of vodka. She challenges another friend to a drinking game. Although Melanie at first asks her friend to put the alcohol away, she relents when the friend says, "Hey, we're going to college next week. We need to learn to drink." The neighbor is called when one of the friends passes out and won't wake up.

## **C. I Didn't Know**

David is home, and his son Kevin has a few friends playing video games. David knows that some of the friends have previously been in trouble for drinking, but everything seems to be going fine. He has checked on the teens a couple of times, bringing them the pizza that was ordered and some ice cream. At 11:00 David says goodnight and goes up to his room to watch some TV and go then go to sleep. After he leaves, Derek, a friend, goes out to his car and brings in the whiskey and rum he has stashed out there, and they begin drinking heavily. When Derek gets ready to leave, they try to take his keys away but he takes off running, gets in his car, and goes speeding down the street. He crashes into the chain link fence at the school three blocks away.

## **E. Keep Them Safe**

Abby is turning 18 in two weeks and wants to have a party with beer and wine coolers available. She says her friends won't come if there isn't alcohol. After all, it wouldn't be a "real party."

Her mom, Kathryn, knows that if she tells them they can't have alcohol, they will take the party elsewhere, and she is concerned about them drinking and driving. She agrees to let Abby have the party in their home so she can keep an eye on them and keep them safe.

When the teens arrive, Kathryn tells them to put their car keys in a basket on the table. She then takes the keys and puts them away.

Dee, one of Abby's friends, has had 4 wine coolers. As Dee turns a corner in the house, she loses her footing and falls, gashing her head. She is bleeding profusely and an ambulance is called.



# Facts about Underage Alcohol Use

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## A.

From “Too Smart to Start,” at [www.toosmarttostart.samhsa.gov/teens/facts/consequences.aspx](http://www.toosmarttostart.samhsa.gov/teens/facts/consequences.aspx)

Adolescence can be a wonderful time filled with physical and emotional growth. For some, however, adolescence takes a dark turn especially when underage alcohol use is involved.

- Underage drinking is a leading contributor to death from injuries, which are the main cause of death for people under age 21. Annually, about 5,000 people under age 21 die from alcohol-related injuries involving underage drinking. About 1,900 (38 percent) of the 5,000 deaths involve motor vehicle crashes, about 1,600 (32 percent) result from homicides, and about 300 (6 percent) are caused by suicides.<sup>1</sup>
- Persons reporting first use of alcohol before age 15 are more than five times as likely to report past-year alcohol dependence or abuse than persons who first used alcohol at age 21 or older (16 percent compared with 3 percent).<sup>2</sup>
- Underage alcohol use increases the risk of academic failure, illicit drug use, and tobacco use. It can cause a range of physical consequences, from hangovers to death from alcohol poisoning. It can cause alterations in the structure and function of the developing brain, which continues to mature into the mid to late 20s and may have consequences reaching far beyond adolescence.<sup>3</sup>
- About 45 percent of fatalities in crashes involving a drinking driver under the age of 21 are people other than the driver.<sup>4</sup>

## Sources

<sup>1</sup> Office of the Surgeon General. (2007). [The Surgeon General's Call to Action To Prevent and Reduce Underage Drinking](#) (PDF 1.41MB) Rockville, MD: U.S. Department of Health and Human Services, p. 10.

<sup>2</sup> Office of Applied Studies. (2004). [Alcohol dependence or abuse and age at first use](#).

<sup>3,4</sup> *The NSDUH Report*. Office of the Surgeon General. (2007). [The Surgeon General's Call to Action To Prevent and Reduce Underage Drinking](#) (PDF 1.41MB) Rockville, MD: U.S. Department of Health and Human Services, p. 11.

## B.

According to the SAMHSA 2010 National Survey on Drug Use and Health:

- During the past month (30 days), 26.4% of underage persons (ages 12-20) used alcohol, and binge drinking among the same age group was 17.4%.

- Past-month alcohol use rates declined between 2002 and 2008 for those ages 12-13 (4.3% to 3.4%), 14 or 15 (16.6% to 13.1%), 16 or 17 (32.6% to 26.2%), and 18-20 (51.0% to 48.7%).
- Among race demographics, whites had the highest percentage of underage (ages 12-20) past-month alcohol use (30.4%). Asians had the lowest rate at 16.1%.
- In 2008, 56.2% of current underage drinkers (ages 12-20) reported that their last use of alcohol occurred in someone else's home; 29.6% reported that it occurred in their own home.
- Among underage drinkers (ages 12-20), 30.8% paid for the alcohol the last time they drank – including 8.3% who purchased the alcohol themselves and 22.3% who gave money to someone else to purchase it. Among those who did not pay for the alcohol they drank, 37.4% got it from an unrelated person of legal drinking age; 21.1% received it from a parent, guardian, or other adult family member.

## C.

From [www.mentorfoundation.org](http://www.mentorfoundation.org):

There is significant new research concerning adolescent brain development and the effects of alcohol and other drug use on the developing brain. This emerging science is providing new insights about how teenagers make critical and life influencing decisions, including their decisions about drug use. Brain imaging studies suggest that the brain continues to develop through adolescence and into young adulthood (age 25 years). During adolescence, the parts of the brain that are responsible for expressing emotions and for seeking gratification tend to mature sooner than the regions of the brain that control impulses and that oversees careful decision making. As one expert puts it the teenage brain "has a **well-developed accelerator** but only a **partly developed brake**."

The maturing brain of the adolescent may also pose a particular risk toward drug abuse. There is some evidence that the developing brain is prone to the deleterious effects of alcohol. One study showed that memory ability may be negatively affected by about 10% as a result of alcohol abuse.

Mentor has prepared a more detailed summary of this emerging science about brain development and the vulnerability of adolescents to drug abuse. The pack includes a [booklet](#) and a [slideshow](#) (complete with [speaker's notes](#), see below for preview). If you find these resources useful please consider making a donation using the form on the right of this page. Your donation will help support Mentor's work all over the world.

- [Download the brochure \(PDF\)...](#)
- [Download the slides \(PowerPoint, 10MB\)...](#)
- [Download the slides \(PDF\)...](#)
- [Download the slides with notes \(PDF\)...](#)

Please email [info@mentorfoundation.org](mailto:info@mentorfoundation.org) if you require help viewing these downloads or have any feedback for us.

# Social Host Ordinance Models

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*The following information is provided to you as a resource. The Washington Coalition to Reduce Underage Drinking (RUaD) does not endorse any particular ordinance concepts or wording. Each community must decide what is most appropriate for their own community.*

1. Ventura County, California has produced a 26-page document that includes legal commentary and resources. It can be accessed at:

[http://www.ca-cpi.org/SIG\\_subsite/SIG\\_Documents/Resources/VCL\\_MSHLO\\_web2.pdf](http://www.ca-cpi.org/SIG_subsite/SIG_Documents/Resources/VCL_MSHLO_web2.pdf).

2. Mothers Against Drunk Driving (madd) has posted a 4-page template on their website. It can be found at:

[http://www.madd.org/get-involved/advocacy/our-issues/social-host/Model\\_Social\\_Host\\_Ordinance\\_Cities.pdf](http://www.madd.org/get-involved/advocacy/our-issues/social-host/Model_Social_Host_Ordinance_Cities.pdf)

3. A document from Lake County, Illinois provides a list of concepts that were included in their ordinance.

[http://www.zbths.org/165310918985860/lib/165310918985860/social\\_host\\_ordinance.pdf](http://www.zbths.org/165310918985860/lib/165310918985860/social_host_ordinance.pdf)

4. From the state of Minnesota comes a 2-page template of a social host ordinance.

<http://docs.sumn.org/SampleSocialHostOrdinance.pdf>

# Media Samples

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1. Ventura County, California – Billboard campaign launched in May, 2011, to educate the public about social host ordinances. The billboards included a phone number to report a loud party involving underage drinking.



**FOR IMMEDIATE RELEASE ON APRIL 23, 2010**

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### **Supervisors to consider revised Minor Alcohol Offenses Ordinance**

**(Napa, Calif.--)** At its regular meeting on Tuesday, April 27, the Napa County Board of Supervisors will consider revising the County's Minor Alcohol Offenses Ordinance, which was originally adopted in 1996. The Minor Alcohol Offenses Ordinance (Chapter 9.12 of Title 9 of the Napa County Code) prohibits gatherings on private property where underage drinking is allowed to occur. These types of ordinances close unsafe loopholes in existing State law related to "social hosting" and the possession or consumption of alcohol by underage persons.

The proposed revised ordinance would repeal the existing ordinance and replace it with new language that aligns the provisions of the ordinance with the latest research regarding effective approaches for reducing youth access to alcohol and other alcohol related problems.

The new ordinance would also address loud and unruly gatherings that create a public nuisance, regardless of whether or not underage drinking is allowed to occur.

Key features of the proposed ordinance include:

- Civil fines for individuals who host gatherings where underage drinking is allowed to occur;
- Fees to recover public safety services costs for repeated response to the same property within a six-month period for gatherings that are loud and unruly, regardless of whether or not underage drinking is allowed to occur;
- Consistent with State Law, parents maybe held financially liable for the actions of their children regardless of whether or not the parent knew about the gathering where underage drinking was allowed to occur.

The proposed ordinance is one tool in a Countywide effort to reduce underage drinking.

- Underage drinking is the #1 contributor to death of people under 21 in the U.S, with 5,000 alcohol-related deaths among young people every year. Underage drinking also leads to injury, sexual assault, increased risk for alcoholism and harm to the developing teen brain. This ordinance addresses a serious **local** problem as demonstrated by data including:

- 30% of Napa County 9<sup>th</sup> and 11<sup>th</sup> graders report *obtaining alcohol at parties or events outside school*. This response was one of a dozen options and was far greater than fake ID's (1%), stealing from stores (2%) or shoulder tapping<sup>[1]</sup> (1%).
- 50% of Napa County 11th graders say it is "*very easy*" and 26% say "*fairly easy*" for students in their grade to get access to alcohol.
- 29% of Napa's 11<sup>th</sup> graders report "binge drinking" within the past month. Almost half of all Napa County 11<sup>th</sup> graders (48%) have "binged" (been drunk or sick after drinking), a higher rate than California students (46%)<sup>[2]</sup>.

Members of the public are invited to comment on the ordinance at a Public Hearing scheduled for Tuesday, April 27, 2010 at 11 a.m. in the Board of Supervisors Chambers, 1195 Third St. in Napa. This will be the public's only opportunity to comment on the new features of the ordinance.

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<sup>[1]</sup>2009 Napa County Report, California Healthy Kids Survey, 2009.

<sup>[2]</sup>2009 Napa County Report and 2007 State CSS comparisons, California Healthy Kids Survey, 2009.

The Board of Supervisors and staff of Napa County are dedicated to preserving and sustaining Napa County for present and future generations as a community with generous open space, a thriving agricultural industry and a quality human and natural environment.

# Current State Law

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## **RCW 66.44.270**

### **Furnishing liquor to minors — Possession, use — Penalties — Exhibition of effects — Exceptions.**

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, "premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter [9A.20](#) RCW.

(2)(a) It is unlawful for any person under the age of twenty-one years to possess, consume, or otherwise acquire any liquor. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter [9A.20](#) RCW.

(b) It is unlawful for a person under the age of twenty-one years to be in a public place, or to be in a motor vehicle in a public place, while exhibiting the effects of having consumed liquor. For purposes of this subsection, exhibiting the effects of having consumed liquor means that a person has the odor of liquor on his or her breath and either: (i) Is in possession of or close proximity to a container that has or recently had liquor in it; or (ii) by speech, manner, appearance, behavior, lack of coordination, or otherwise, exhibits that he or she is under the influence of liquor. This subsection (2)(b) does not apply if the person is in the presence of a parent or guardian or has consumed or is consuming liquor under circumstances described in subsection (4) or (5) of this section.

(3) Subsections (1) and (2)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of twenty-one years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter [66.24](#) RCW.

(4) This section does not apply to liquor given for medicinal purposes to a person under the age of twenty-one years by a parent, guardian, physician, or dentist.

(5) This section does not apply to liquor given to a person under the age of twenty-one years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

(6) Conviction or forfeiture of bail for a violation of this section by a person under the age of twenty-one years at the time of such conviction or forfeiture shall not be a disqualification of that person to acquire a license to sell or dispense any liquor after that person has attained the age of twenty-one years.

[1998 c 4 § 1; 1993 c 513 § 1; 1987 c 458 § 3; 1955 c 70 § 2. Prior: 1935 c 174 § 6(1); 1933 ex.s. c 62 § 37(1); RRS § 7306-37(1); prior: Code 1881 § 939; 1877 p 205 § 5.]

#### Notes:

**Severability -- 1987 c 458:** See note following RCW [48.21.160](#).

Minors, access to tobacco, role of liquor control board: Chapter [70.155](#) RCW.

# Tips from a Former City Council Member

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*Elected officials are very cautious about adopting new laws. They want to know how it benefits their residents, if it is enforceable, and if the public really supports it. Here are a few tips from my experience serving on the Lacey City Council. Earlyse Swift*

## **Building your advocates:**

- Identify the members of your city council and try to find out what each councilmember is particularly interested in. Often one person on the council is known for promoting youth and human services and would be particularly interested in this issue. Once you have found that possible advocate, invite him/her to coffee and ask what he/she thinks about the idea of a social host ordinance.
- The police chief must be supportive of a social host ordinance before the council will take action. It is useful to meet with the police chief to explore what problems he/she faces when dealing with this issue. If you know someone on the police force, talk with him/her first to learn more about the best approach to the chief.
- Contact any community groups (i.e. service clubs, churches) that would be supportive of a social host ordinance. Your city council needs to know that citizens want the ordinance.

## **Preparing your request:**

- Observe a city council meeting in action to determine the best approach to use
- If you have an advocate within city hall, follow their advice about how to proceed. They will tell you how to request a place on the agenda, if the proposed ordinance will go to a committee first, and who else you should meet with prior to the Council presentation.

## **Presenting to the City Council:**

- Provide packets of information to each councilmember, the city manager, city attorney, police chief, city clerk.
- If possible, have youth make the presentation. They need to be well-prepared so that they are clear about what they are requesting and why.
- Include in the presentation:
  - Why your community needs this ordinance
  - Which other communities have already adopted a social host ordinance
  - What the benefit will be to the city

## **Following the presentation:**

- Send a thank you note to each councilmember and city manager
- Ask what the next steps will be and when they will occur.
- If they decide not to adopt a social host ordinance, do not be discouraged. Listen carefully to learn why they were reluctant so you can address their concerns and try again. It's a common belief that it takes three tries for a governing body to adopt a new idea.