

Garden Grove Drug Free Communities Task Force

Social Host Ordinance: A Strategy to Reduce and Prevent Underage Drinking

House parties are the most common location for underage drinking, as well as binge drinking and other drug use by youth. Local policies such as a Social Host Ordinance (SHO) are needed to hold adults accountable for underage and binge drinking in home settings.

This PolicyBrief summarizes key problems associated with social hosting (i.e., adults providing alcohol or allowing underage drinking to occur in private settings) and presents information on a SHO as a strategy to address underage drinking in the City of Garden Grove.



Refuting the Myth

“Kids are going to drink anyway, so I would rather have them do it at home where it is safe.” This myth is often cited by adults as the reason for hosting house parties. But underage drinking is preventable and unsafe. Parents who allow children to drink at home send a message that underage drinking is acceptable. On the contrary, underage drinking is a serious problem that results in real consequences that impact the health and safety of local communities.

Fatalities and Crime

Alcohol-related traffic crashes are a major cause of death among teens. Alcohol use is also linked with teen deaths by drowning, suicide and homicide. Youth who drink are more likely to be victims of violent crime, including rape, aggravated assault and robbery.¹ In fact, about half of all sexual assault victims and perpetrators were using alcohol at the time of the assault.²

Health

Alcohol use can impair growth and cause irreversible damage to the adolescent brain. Even short-term or

moderate drinking can harm learning and memory. Youth who drink alcohol before the age of 15 are four times more likely to become alcohol dependent as adults than those who wait until age 21 to begin drinking alcohol.

Risky Behaviors

Ninety percent of the alcohol consumed by those under 21 occurs in binge drinking episodes (i.e., drinking five or more alcoholic beverages in a row). Teen binge drinking is strongly associated with other risky behaviors such as unintended and unprotected sex, placing youth at greater risk for unplanned pregnancies and sexually transmitted infections including HIV.

Promising Findings

Research shows underage drinking can be reduced through policy changes at state and local levels, including regulations on social access to alcohol by youth. Promising findings from recent evaluations of the impacts of SHOs in nearby counties reveal that law enforcement believes that the SHO is an effective tool for reducing underage drinking parties.

“With the Social Host Ordinance, the underage parties appear more controlled and not as large.”

- Law Enforcement Interviewee



Underage Drinking in Garden Grove

To assess the scope of the underage drinking problem in Garden Grove, baseline data were collected from the Garden Grove Unified School District (GGUSD) California Healthy Kids Survey (CHKS), Garden Grove Police Department (GGPD), key informant interviews with local stakeholders and focus groups with parents and youth. Key findings are summarized below.

CHKS Findings

Underage drinking is a serious problem in Garden Grove. Based on the 2010 CHKS findings, alcohol is the most frequently used substance among GGUSD students. Of the GGUSD 11th grade students surveyed:

- 72% said that alcohol is “fairly easy” or “very easy” to obtain.
- 54% reported drinking alcohol at least once.
- 27% were current alcohol users.
- 25% drove after drinking or were driven by an impaired friend.
- 16% reported binge drinking at least once in the past month.

Key Informant Interview Findings

Key informant interviews with 10 community leaders, including four GGPD officers, identified large house parties as a main source of alcohol for minors and a primary venue for underage drinking.

- GGPD officers said alcohol, marijuana, ecstasy and nitrous oxide are commonly used in house party settings.
- Officers reported breaking up an average of 10 large home parties per week.

Youth Focus Group Findings

Local youth focus group participants agreed that alcohol is very easy for youth to obtain. Participants said that youth most often get alcohol at parties, and from friends of legal drinking age and older relatives. Underage drinking typically occurs at house parties, schools, parks and neighborhood areas.

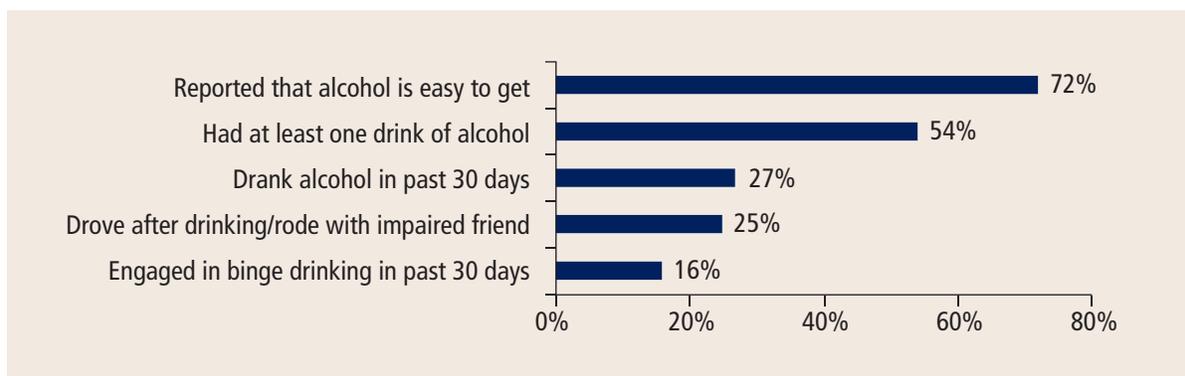
- Most of the 26 youth participants agreed that 2 to 10 beers plus 2 to 6 shots of hard liquor are usually consumed at a typical party, saying “youth drink until they pass out.”

Police Data Findings

There was a 23% increase in loud party calls for service to the GGPD over four years from 2005-2008. This increase needs to be dealt with as loud party addresses are associated with other calls for service such as drunkenness, alcohol law violations, DUI, drug specific offenses, assaults, fights and disorderly conduct, loitering, littering, vandalism, injuries and property damage.

- Over 90% of the loud party calls involved alcohol, with some including violations for underage drinking and furnishing to minors.

Underage Drinking by Garden Grove 11th Graders: 2010 CHKS Findings





What is a Social Host Ordinance?

Social Host Laws in California

In California, there are no state-level criminal laws on social host liability. But there are laws against furnishing alcohol to a minor and contributing to the delinquency of a minor. According to Section 25658(a) of the California Civil Code: "Every person who sells, furnishes, gives or causes to be sold, furnished or given away any alcoholic beverage to any person under 21, is guilty of a misdemeanor." However, enforcement of these laws is limited as they require a witness to see an adult provide alcohol to an underage drinker.

As of January 1, 2011, Assembly Bill 2486 became a law, allowing social hosts 21 years of age or older to be sued if they serve alcohol to people under the age of 21 who are subsequently injured or killed as a result of the intoxication. The victim's family needs to prove in court that an adult knowingly provided alcohol to minors. Although this law allows recourse after an injury or death occurs due to underage drinking, it does not give law enforcement the ability to give citations to hosts who allow underage drinking. Therefore, a local level ordinance is needed.

Local Ordinances

Several cities and municipalities across California have enacted SHOs to address underage drinking in home settings, including the Cities of Orange, Mission Viejo and Laguna Hills in Orange County. Further, all cities in Ventura County and San Diego County have passed SHOs. According to initial evaluation findings of the SHO impact in three jurisdictions in Ventura County:

- 3 of 4 law enforcement officers surveyed agreed that the SHO helps reduce underage drinking parties.
- Almost all of the people receiving SHO violations did so only once (i.e., few were repeat offenders).⁴

Social Host Liability

State and local social host liability laws aim to hold people of any age accountable for underage drinking parties which take place on property they own, lease or otherwise control. In general, the three types of social host laws include:

1. **Civil liability laws** that allow private parties to sue a social host for damages/injuries caused by an underage person who consumes alcohol on the host's property.
2. **Criminal statutes** that make it a misdemeanor to host an underage drinking party, imposing criminal sanctions (fines or imprisonment).
3. **Civil/cost recovery liability** that impose civil fines including possible reimbursement to local government for cost of law enforcement and emergency services.

In recent years, social host laws are increasingly more common at the state and local level. As of 2008, 23 states had adopted criminal statutes and more than 160 local social host ordinances were passed.³

Benefits of a Local SHO

A SHO provides local law enforcement a powerful tool to address underage drinking. Often, law enforcement can only disperse loud parties, not holding hosts accountable for providing alcohol to minors. A SHO can hold a person of any age liable for allowing underage drinking. Fines collected from cost recovery can help to offset law enforcement and prosecution expenses, reducing the strain on police resources.

There are also social benefits of a local SHO. This type of law provides social support to parents to refrain from allowing house parties and to youth to abstain from drinking alcohol due to the greater consequences. By decreasing the acceptance of underage drinking at house parties, community norms on underage drinking can be changed.

Parental Support for SHO in Garden Grove

Between November 2009 and May 2010, Over 1,000 parents of students from 10 middle schools and 9 high schools in the GGUSD attended Drug Awareness Parent Meetings about the consequences of youth alcohol and other drug (AOD) use.

Of the 454 parents responding to Parent Surveys administered at the workshops, almost all indicated that they “strongly support” or “somewhat support” strategies to prevent underage AOD use. In fact, 97% of the respondents support policies that penalize adults who serve alcohol to youth at house parties. Overwhelmingly, Garden Grove parents support SHO laws and other similar strategies, recognizing the need for prevention at the local policy level.

97% of the GGUSD parents surveyed support policies that penalize adults who serve alcohol to youth at house parties.

Working To Prevent Underage Drinking in Garden Grove

The Garden Grove Drug Free Communities (DFC) Task Force and their partners are engaged in numerous prevention activities to address underage drinking. Below are some examples.

Strategy	Description
AOD Education	AOD prevention workshops are presented to youth and parents in the GGUSD and local community centers.
Youth-Led Activities	Youth are engaged in environmental prevention activities designed to educate alcohol merchants and reduce alcohol sales to minors.
Policy Promotion	The Garden Grove DFC Task Force is partnering with community leaders to promote local ordinances to reduce youth access to alcohol in home and commercial settings.
RBS Trainings	GGPD and ABC are collaborating to provide Responsible Beverage Service Trainings to Garden Grove alcohol establishments.
Media Campaign	A local media campaign is underway to increase awareness of underage drinking and how to prevent it.

This research was compiled by EVALCORP and the Garden Grove DFC Task Force, funded by the DFC Support Program. For further information, please contact the Garden Grove DFC Task Force Project Coordinator, Lourdes Gutierrez, at lgutierrez@cspinc.org or (949) 757-1096 ext. 288.

¹ U.S. Department of Health and Human Services, National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism, (2009). NIH Publication No. 06-4314.

² Abbey, A.; Zawacki, T; Buck, P.; Clinton, A.M.; McAuslan, P. (2001). "Alcohol and Sexual Assault," Alcohol Research & Health, Vol. 25, No. 1.

³ Saetta, S. J.D., (2008). "Current Trends in California Social Host Liability Ordinances," Center for the Study of Law and Enforcement Policy, Pacific Institute for Research and Evaluation.

⁴ Ventura County Behavioral Health, Alcohol and Drug Programs, Prevention Services, (2009). "Ventura County Social Host Ordinance Impact Evaluation: Phase I Findings," Issue Briefing: December 2009. http://www.evalcorp.com/publications/VC_SHO_IssueBrief_fnl_REV2.pdf