



Underage Drinking Parties and Social Host Policy

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Overview

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Underage Drinking in Context

“Despite years of underage drinking prevention programs and laws in all 50 states restricting alcohol use by those under 21,

- Alcohol is the most heavily abused substance by adolescents in the United States (Johnston, O’Malley, Bachman, & Schulenberg, 2009).
- It is the nation’s number one drug problem among youth; and
- Is associated with the three leading causes of death among teens: unintentional injuries, homicides, and suicides (Centers for Disease Control and Prevention [CDC], 2006).
- The Surgeon General estimates that approximately 5,000 underage deaths are due to injuries experienced as the result of underage drinking each year.”



What Makes Good Policy?

The 4 Ps of Marketing

- Price
- Product
- Place
- Promotion



Place

As a field:

- We have been traditionally focused on retail: Why?
- But where are most of the problems?



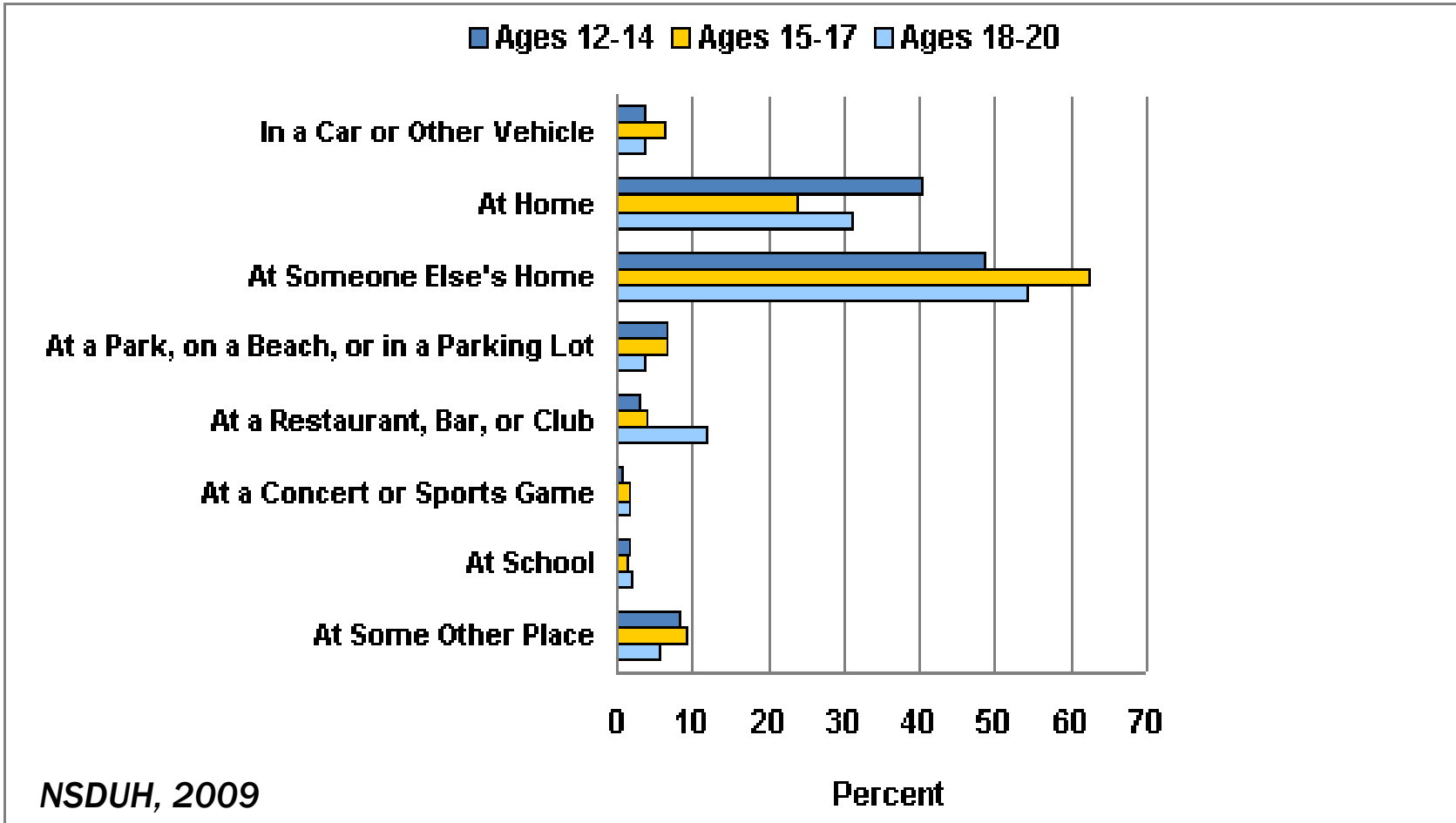
Source of Alcohol

Study after study consistently show that the primary place where teens access alcohol is through social sources.

Sources: (Wagoner et al., 2012; Dent, Grube, & Biglan, 2005; Harrison, Fulkerson, & Park, 2000; Hearst, Fulkerson, Maldonado-Molina, Perry, & Komro, 2007; Smart, Adlaf, & Walsh, 1996; Wagenaar, Toomey, Murray, Short, Wolfson, & Jones-Webb, 1996).

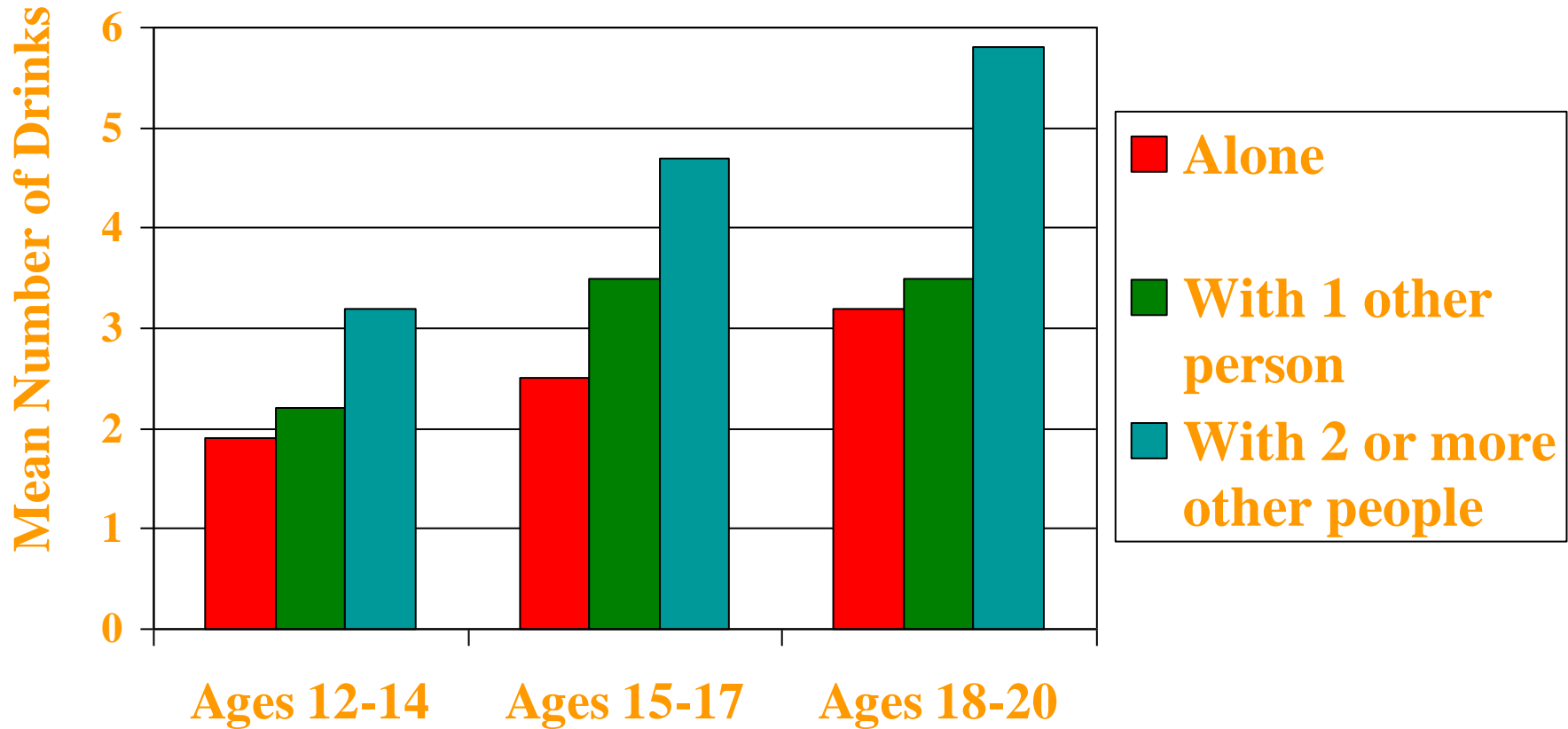


Drinking Locations by Age Group 12-20





Number of Drinks Consumed by Social Context





Problem Setting: Home Parties

Police break up house party full of teens; girl found unresponsive, two suffer dog bites

Peoria, AZ: 9/8/2015





A Setting for High-Risk Drinking





Why do we care about the setting?

Drinking Context is Important!

- Parties are high risk settings for binge drinking and consequences
- Alcohol free or cheap
- Unsupervised OR with “parental” permission
- Increased risk for DUI, riding with drunk driver, sexual assault, rape, violence, and injuries





Home Parties

- **Large underage drinking parties provide a social context where young drinkers may be introduced to heavy drinking by older, more experienced drinkers.**
(Wagenaar et al., 1996)
- **Larger parties appear to be especially risky among high school students, those consuming 5 or more drinks on the last drinking occasion were more likely to report being in a group of 11 or more.**
(Mayer et al, 1998)



What Tools do Communities Use to Address This Issue?

- **Law Enforcement: Party Patrols, Dispersal protocols**
- **Education of parents and community to secure and monitor alcohol and home**
- **Landlord Lease Agreements**
- **Social Host ordinances**



What is Social Host Liability?

Social host liability refers to laws that hold non-commercial individuals responsible for underage drinking events on property they own, lease or otherwise control.



What is Social Host Liability?

- **Hosts are prohibited from providing a location for underage drinking events.**
- **Furnishing the alcohol is not a required element of the offense.**



Types of Social Host Liability

- **Civil/tort liability**
- **Criminal**
- **Nuisance-style recovery**



Civil/Tort Liability



Laws and court opinions that allow third parties to sue social hosts for damage caused by minors who consumed alcohol on the host's property.



Criminal Statutes

- **State social host laws that impose criminal sanctions (fines or imprisonment)**
- **Criminal prosecution requires strong evidence of wrongdoing.**
- **20 states have enacted criminal social host laws.**





Nuisance-style SHOs

- Treats underage drinking parties as a public nuisance and threat to public safety.
- Imposes an affirmative duty on home owners to prevent parties from occurring.





Nuisance-style SHOs

- Imposes civil fines, including possible reimbursement to local government for cost of law enforcement and emergency services.
- May include landowners, landlords, tenants, and hotel and motel operators.





Advantages of Nuisance-style SHO

- **Strict liability – no knowledge or intent requirement.**
- **Fines imposed administratively, not through criminal justice system.**
 - **Quicker, more certain process**
 - **Greater likelihood that punishment will be imposed.**
- **Promotes shift in community/social norms.**



Additional Advantages of Nuisance-style SHOs

- **Civil SHOs require a lower burden of proof than criminal ordinances.**
- **Civil SHOs can make enforcement more flexible and efficient.**
- **Focus on deterrence not criminalization is often an effective community tool.**
- **Nuisance-style ordinances can complement criminal law**



Evidence of Civil Social Host Effectiveness

- **Where SHO's have been passed, law enforcement agencies are using them.** *(Evalcorp, 2013).*
- **Law enforcement officers report that social host laws are a useful tool in addressing underage drinking parties.** *(Evalcorp, 2009a and 2009b).*
- **The vast majority of citations for violations of social host ordinances are issued for first offenses.** *(Evalcorp, 2009a and 2013).*



Evidence of Civil Social Host Effectiveness

- **Over time, passage of a social host ordinance results in fewer calls for service for law enforcement.** (Petaluma, CA. Unpublished data.; Source: San Diego, CA. ARCHS Institute, 2009).
- **Communities with social host ordinances have fewer large underage drinking parties.** (*Wagoner, Sparks, Francisco, Wyrick, Nichols, & Wolfson, 2013*).
- **Underage drinkers in communities with strict social host ordinances were less likely to drink at parties compared to underage drinkers from communities without SHOs.** (*Paschall, Lipperman-Kreda, Grube, and Thomas, 2014.*)



Recap: Key Elements of Effective Local Social Host Law?

- **Civil not Criminal**
- **Strict liability: No knowledge standard**
- **Type of property: inclusive based on local issues**
- **Guests: Actions and Number**
 - 2 or more a party make!
 - Consumption
 - Possession
 - Intent to consume
- **Penalties: fines base on local community**



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