



FREQUENTLY ASKED QUESTIONS REGARDING THE SOCIAL HOST ORDINANCE PROPOSED FOR FORT BRAGG

What is a Social Host Ordinance?

A Social Host Ordinance is designed to prevent underage drinking by holding individuals responsible for providing a location where underage drinking takes place. Social Host Ordinances focus on where the drinking takes place rather than who provided the alcohol. Such ordinances encourage hosts to be vigilant and proactive in preventing underage drinking on private property, encourage parents to prevent underage drinking parties while away, and reinforce a clear and consistent community-wide message that underage drinking is unhealthy, unsafe and unacceptable.

When law enforcement officials arrive on the scene of an underage drinking party, youth typically don't "rat" anyone out, so it is often difficult to determine who actually provided the alcohol. In addition, adults rarely accept responsibility for providing alcohol to minors. A Social Host Ordinance allows law enforcement to cite individuals who host or provide a *setting* for underage drinking to take place. The Social Host Ordinance closes the loophole that required law enforcement to witness an adult furnishing alcohol to a minor in order to hold the adult accountable.

What are the penalties for violating the Social Host Ordinance?

- Violation of the Social Host Ordinance results in a citation similar to a speeding ticket.
- First violation of the ordinance will result in a fine of \$300.00, second violation \$500.00, and third violation \$750.00.
- The ordinance has an additional deterrent in which the Fort Bragg Police Department and other emergency services recover the actual costs of having to respond to the party site.

Can I contest the citation, and if so, how do I do that?

Individuals cited for a violation of the Social Host Ordinance will receive a notice in the mail. The notice will provide them with two options: pay the fine or request an administrative hearing within 10 days to contest the citation.

I thought providing alcohol to a minor was already illegal. How is a Social Host Ordinance different than what already exists?

The California Constitution states that it is illegal for adults to furnish alcohol to individuals under the age of 21, including one's own children. While laws prohibiting furnishing alcoholic beverages to underage persons target the act of providing alcohol, social host liability laws target the location in which underage drinking takes place. A Social Host does not have to serve or provide the alcohol in order to be held responsible. The proposed Fort Bragg Social Host Ordinance holds the party host, either adults or minors, responsible for allowing underage drinking to take place on property that they own, lease or otherwise control, at the time of the event.

California has a very narrow statute that allows persons to sue a host if an underage individual drinks and causes death. Because this scope is so limited, cities and counties in California and across the nation have enacted social host ordinances. Mendocino County has an ordinance (Chapter 8.85 Service of Alcohol to Minors at Events on Private Property) to address serving alcohol to minors, but the City of Fort Bragg does not.

What do you mean when you say that adults are allowing underage drinking?

Adults commonly state that underage drinking is an inevitable rite of passage and that it is better for youth to drink at home than elsewhere, thereby condoning underage drinking. In some cases, adults are home and have knowledge that underage drinking is occurring in their home or on their premises. In other cases, underage drinking parties occur in the homes of youth whose parents are away and the youth are left unsupervised. In yet other cases, the social host of an underage drinking party is a young adult who is legally able to purchase alcohol.

Why do we need this ordinance? What's the problem?

Local, state and national research indicates that youth use alcohol more than all other illegal drugs combined, making underage drinking a priority issue for communities to address. Underage drinking parties often involve binge drinking (consuming 5 or more drinks in a single setting or occasion) which greatly increases the risk of alcohol poisoning, accidents and injury, motor vehicle crashes, mixing alcohol with other drugs, violence, sexual assault, rape, and the practice of unsafe and unprotected sex. Alcohol is a contributing factor in the 3 leading causes of teen death.

Underage drinking does not occur in a vacuum and cannot be successfully addressed by focusing on youth alone. Youth obtain alcohol – either directly or indirectly – from adults. Therefore, efforts to reduce underage drinking need to focus on adults and engage the society at large. Preventing underage drinking requires changing the context in which alcohol abuse occurs. Effectively addressing these conditions requires managing high *risk settings* where youth access and consume alcohol. Managing high risk settings requires implementing local policies that specifically address these settings.

High school and middle school youth primarily access alcohol from social sources (friends, older siblings, parents, other family members, parties and sometimes strangers). Teen parties are one of the highest risk settings for underage drinking and have been identified as a primary source where youth obtain alcohol. Young people report their heaviest (binge) drinking at youth parties as well as significant negative and harmful consequences.

If all kids are going to drink anyway, isn't it safer for them to drink at home than drink and drive?

No. Driving drunk is not the only negative outcome of underage drinking that we are trying to prevent.

- Research shows that underage drinking affects a youth's brain and body development and increases the youth's risk of developing alcohol problems as an adult 4-5 times more than youth who begin drinking alcohol at the legal age of 21.
- It is incorrect to assume that "all kids are going to drink anyway." Teens face a great deal of peer pressure to drink, however, many teens choose not to drink and are often looking for a "way out." Adults need to support teens in making healthy decisions – not encourage unhealthy decisions. Underage drinking is not inevitable and we are not powerless to prevent it.

If I go on vacation or I'm not at home and my child hosts an underage drinking party, am I responsible?

Parents may be held responsible when they know that underage drinking is taking place at their residence or on their property while they are away from home, and fail to take appropriate action to stop underage drinking from continuing.

If the parents are not at home, a teen or other person in control of the residence or premises would be cited for hosting the party in addition to possessing alcohol. The new law does not change existing civil liability – adults can still be held liable for injuries or other consequences that occur regardless of whether they are present or not.

What if I am upstairs sleeping and my child sneaks booze into the house, am I responsible?

The proposed Social Host Ordinance gives police officers some discretion when they are called to a party with underage drinkers. If an adult is not aware that an underage person brought alcohol onto the property, then police officers will make the determination about who will be held responsible.

Do the same laws apply when youth access alcohol at events held on public property?

Yes. The Social Host Ordinance holds individuals responsible when they know or should have known that underage drinking is taking place at events they host on public property, or property they are in control of at the time of the event or gathering. The city/county/state/federal agency responsible for the property is not cited.

Does this ordinance prevent parents from providing alcohol to their own children?

According to the California Constitution, it is illegal to furnish alcohol to minors, even to one's own children. No exemptions to the law are noted. The Social Host Ordinance does not target parents whose underage children consume alcohol during religious ceremonies. Underage drinking parties that come to the attention of the Fort Bragg Police do so because the party has caused a public disturbance or there are health and safety issues.

How can I host a party/celebration/gathering and avoid violating this ordinance?

As the host, there are reasonable steps you can take to prevent consumption of alcoholic beverages by underage persons. Such steps include: controlling the quantity of alcoholic beverages present at the gathering, never leaving the alcoholic beverages unattended, verifying the age of persons attending the gathering by inspecting drivers' licenses or other government-issued identification cards, and supervising the activities of underage persons at the gathering.

PARTIES ARE FUN. KEEP THEM SAFE.