

Social Host Educational Initiative

MADD
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SOCIAL HOST

YOUR ROLE IN MAKING A DIFFERENCE...



...IN PREVENTING UNDERAGE DRINKING.



SAFETY AND HEALTH CONSEQUENCES

“Kids will be kids. What’s the harm in a few wild oats?”

Plenty. Every day, studies reveal alarming evidence and long-term consequences of underage drinking. This is why it’s important to address how and where youth get alcohol and what we, as parents and concerned citizens can do to avert tragedy.

This brochure approaches the role of adults in preventing underage drinking —especially parties—and addresses the responsibilities of the host, the homeowner, the landlord or other accountable individuals.

HOW THIS BROCHURE IS ORGANIZED

Because any meaningful discussion needs context, we’ll begin with a look at how underage drinking impacts youth safety. We’ll explore how young people gain access to alcohol—and why they drink.

The issue is so important, nearly half the states in the U.S. have seen fit to enact some form of Social Host law. We’ll look at the intent of such legislation, its benefits and limitations, and how to learn more about what’s happening in your community.

Finally, we’ll present some ideas and resources you can use to raise awareness of this critical issue, including a number of free tools available through Mothers Against Drunk Driving.

The mission of Mothers Against Drunk Driving is to stop drunk driving, support the victims of this violent crime and prevent underage drinking. Since traffic crashes are the number one killer of teens (15-20 years old) and 31% of teen traffic deaths are alcohol-related, MADD is committed to the third prong of our mission to prevent underage drinking and saving lives.

\$60.3 billion – the cost to Americans for underage drinking in 2005

2,035 – number of youth (aged 15-20) killed in alcohol-related traffic crashes in 2005, accounting for 33 percent of all traffic deaths for that age group.

“Healthy social life” or “invitation to disaster?”

What do you suppose is the most common setting for drinking among high school seniors? It’s a private home. All too often, home is also a teen’s source for alcohol. A 2005 study of teenagers between 13 and 18, conducted by the American Medical Association (AMA) showed that:

- 2 out of 3 teens said it was easy to get alcohol
- 1 in 3 said it was easy to get alcohol from their own consenting parents
- 2 out of 5 said it was easy to get alcohol from a friend’s parents
- 1 in 4 said they’d attended a party where under 21s were drinking in front of parents

Overall, nearly half the teens surveyed reported having somehow obtained alcohol.

THE FALLACY OF A CONTROLLED RITE OF PASSAGE

Well-meaning parents often host drinking parties on behalf of their children, either in the belief they can control the amount of alcohol a teen consumes or because they consider teen drinking inevitable and that their supervision can ensure the safety of the children involved. Truth is, once revelers start drinking and the party begins to grow in size, it can quickly spiral out of control and lead to devastating consequences.



BOTTOM LINE:

BIOLOGICAL CONSEQUENCES:

- alcohol poisonings
- brain damage
- chronic alcohol addiction

BEHAVIORAL CONSEQUENCES:

- traffic crashes
- property damage
- community disturbance
- risky sexual behavior and sexual assault
- fighting
- accidental injuries due to falls or poor judgment

To cite just one tragic example, a 19 year old broke his neck while wrestling at a California party where the homeowner was present—though claiming to be asleep—in 2006. The young man remains paralyzed from the neck down.

Hosting at home doesn't change the facts or lessen the dangers. Underage drinking is a major public health issue and cause for concern.



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It's the law for a reason.

The earlier drinking starts, the more danger it poses. People reporting first use of alcohol before age 15 were more than five times more likely to have past year alcohol dependence or abuse compared with people who first used alcohol at age 21 or older.

On the other hand, research shows that a child who gets through age 21 without smoking, abusing alcohol or using illegal drugs is virtually certain never to do so.

5,000 – 2007 estimate, from the U.S. Surgeon General, of persons under the age of 21 to die from alcohol-related injuries

40% – People will develop alcohol abuse or dependency at some point in their lives after starting to drink before the age of 13

“I keep the liquor locked up. I can’t help it if they get it somewhere else.”

HOLDING HOSTS RESPONSIBLE

Where a personal sense of responsibility fails, legal accountability can step in. Through social host liability laws, adults can be held responsible for underage drinking parties, regardless of who furnishes the alcohol.

THE “SOCIAL HOST” IN SOCIAL HOST LIABILITY LAWS

Specifically, “social host” refers to adults who knowingly or unknowingly host underage drinking parties on property that they own, lease or otherwise control. This includes:

- Parents away from home when their teens host a party
- Parents who are present but deny knowledge of drinking on their property
- Owners and/or tenants of rural property
- Owners of vacant property

46% - Parents of high school students don’t know what their liability would be if someone else’s child were found drinking in their home

80% - Support for increased penalties for adults who illegally provide alcohol to minors



In other words, if it's your property, it's your problem.

Social host ordinances give communities a practical tool for holding adults accountable.

When law enforcement officials arrive on the scene of an underage drinking party, it's often difficult to determine who provided the alcohol. Therefore, laws that prohibit furnishing alcohol to youth under 21 can be hard to enforce. With social host liability, the focus is on where the drinking takes place, rather than who provided the alcohol.

The prospect of being held liable for underage drinking parties can:

- Act as an effective deterrent
- Provide incentive for hosts to be vigilant
- Encourage parents to prevent parties while away
- Hold underage youth partially accountable
- Recover costs of law enforcement's need to repeatedly respond to the same party site
- Officially establish the city's zero-tolerance policy

Does your area have a social host law?
<http://www3.madd.org/socialhost/index.aspx>

CIVIL VS CRIMINAL PENALTIES

“What exactly do you mean by responsible?”

Social host ordinances give communities a practical tool for holding adults accountable for underage drinking. These laws allow law enforcement to cite the individual who hosted an underage drinking party on their property.

ENFORCING LIABILITY AT THE STATE LEVEL

Social host liability can be defined as a criminal act, or in terms of civil liability.

CRIMINAL ACTS:

- Enforced through criminal prosecution
- Punishable by fines, imprisonment or both

CIVIL LIABILITY:

- Injured parties seek monetary damages from host
- Settled through litigation brought against host by injured parties

Additionally, more than 150 cities or counties use social liability ordinances to address the specific needs and challenges faced in their communities.



*To download a sample
social host ordinance,
go to [www.
m a d d . o r g /
s o c i a l h o s t](http://www.madd.org/socialhost)*

LIABILITY ORDINANCES AT THE CITY OR COUNTY LEVEL

In many cities and counties, social host liability ordinances provide a combination of criminal and civil penalties, ranging from fines, jail time, administrative fees and response costs.

UNDER FEE RECOVERY PROVISIONS:

- An underage drinking party on private property is considered a civil public nuisance and threat to public welfare
- Whoever controls the property where the party was held is held civilly responsible for associated costs of:
 - * Police, fire or other emergency response services dispatched to party
 - * Police officer and court time necessary to settle the complaint

Q. My state has an active social host policy. Why does my community need one?

A. State statutes sometimes don't address the particular situation confronting a local community or provide a remedy that is tailored to the community needs. For example, a community could choose to enact an ordinance as a means of recovering local law enforcement expenses for repeatedly responding to calls to the same party site.

Q. Is there evidence showing the effectiveness of social host ordinances?

A. They're still fairly new, but the first national study of civil social host law found that social host liability laws reduced binge drinking and drinking and driving among drinkers generally. If we look at the impact of similar laws on servers and sellers in bars and restaurants, the likely effect of social host liability appears strong. For example, states with the strongest server liability laws are more likely than other states to see reductions in drunk driving and mortality rates.

Q. How do I find out whether there are active social host ordinances in my community?

A. The MADD.org site maintains a searchable list. You can also download a more comprehensive discussion of social host ordinances. Go to madd.org/socialhost.

Q. It's already illegal to sell or serve alcohol to minors. Why do we need social host laws?

A. In a party setting, it is often difficult or impossible to identify who provided the alcohol, and it makes more sense to assign responsibility to those who knew or should have known a drinking party was occurring on their property. Social host ordinances also have a deterrent effect, encouraging property owners to prevent such parties.

“I’ve got
a few
questions”

MADD offers a wealth of online resources, all free and made to be shared. For example:

- A sample social host ordinance
- Presentation materials
- PR kits
- Customizable ads
- More ideas for getting involved.

Go to madd.org/socialhost or send email to social.host@madd.org

And please, if you're a parent, talk to your children early and often. At MADD.org you'll find plenty of encouragement, including surprising insights into why teens drink, and tips for making your conversations both natural and effective. Your voice matters more than you know.

**“I’m ready for action.
What can I do?”**

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