



ISSUE BRIEFING:

Social Sources of Alcohol to Minors

Tri-City Prevention Collaborative

July 2003

The Problems of Underage Drinking

Alcohol is the number one drug of choice for youth in San Diego County (HHSA Annual Report Card, 2001). Among the nation's 113 million drinkers, 10 million are underage (Drug Strategies, 1999). On average young people begin drinking at 13.1 years of age (Center for Science in the Public Interest, January 2001). Nearly one-third of high school students were found to be "excessive alcohol users" by the 2000 California Student Substance Use Survey. According to the Substance Abuse and Mental Health Services Administration (SAMSHA), the number of adolescents aged 12–17 entering addiction treatment programs increased 20% between 1994 and 1999, of which 47% were due to alcohol abuse. Alcohol-related deaths outnumber deaths related to all illicit drugs combined by four to one (Drug Strategies, 1999). Alcohol is a factor in 50–65% of suicides among youth (NIAAA).

The rate of young people in San Diego (16–20) who are injured or killed in alcohol or drug-related car crashes is 193 per 100,000. The state average is 148 per 100,000.
Mothers Against Drunk Driving.

In California, the total cost of alcohol use by youth—including traffic crashes, violent crime, burns, drowning, suicide attempts, fetal alcohol syndrome, alcohol poisoning and treatment—is more than \$6.5 billion per year (PIRE, in support of OJJDP Enforcing the Underage Drinking Laws Program, 1999).

Quick Facts:

- Alcohol is the most abused drug by youth, and is associated with the leading causes of death for teens and young adults: motor vehicle crashes, homicides, and suicides.
- Nearly half of 11th graders in North County high schools report drinking alcohol in the past month; and approximately half report having been drunk or sick from drinking at some point in their lives (CA Healthy Kids Survey).
- Teens who begin drinking before the age of 15 are 4 times more likely to develop alcoholism than those who begin drinking at the legal age of 21.
- Nationwide, the number of adolescents aged 12 to 17 entering addiction treatment programs increased 20% between 1994 and 1999, of which 47% were due to alcohol abuse.

What is "Social Availability"?

Although it is illegal for anyone under the age of 21 to purchase or possess in public any alcoholic beverages (Section 22 of Article XX California Constitution), young people report that alcohol is easy to obtain.

There are many ways minors attempt to get alcohol. They may try to purchase it themselves from businesses that don't check I.D., they may get a fake I.D., they may steal it from stores. They may take it

from their own home with or without their parents' consent.

The term social availability refers to obtaining alcohol from friends, family, strangers or other noncommercial means. Research shows that people over 21 years old are the most common source of alcohol for minors (Wagenaar, et. al. 1996). Underage drinking "occurs primarily outside commercial establishments and most often in residences and open areas like beaches and parks" (Mayer, et. al. 1998).

Reducing Youth Access to Alcohol

There has been progress in reducing youth access to alcohol in commercial settings. Local law enforcement agencies and the Department of Alcoholic Beverage Control collaborate on a number of enforcement operations to ensure those licensed to sell alcoholic beverages do so responsibly. Examples include:

Decoy operations to reduce illegal sales of alcohol to minors. Minors working with law enforcement attempt to purchase alcohol from licensed businesses. Those who sell alcohol to the minor face criminal and administrative penalties. Sales to minors rates have declined since these operations resumed in 1995.

Shoulder-tap operations to reduce adult strangers from purchasing alcohol for minors. Minors working with law

enforcement ask customers in front of licensed businesses to purchase alcohol for them. Adults who agree face fines of \$1,000.

Operation trap door to reduce the use of fake I.D. at bars and nightclubs. Law enforcement and ABC partner with bar and nightclub personnel to cite those in possession of fake I.D.s.



Local law enforcement and the ABC have been active in reducing alcohol sales to minors.

“Parents Who Host, Lose the Most”

After hearing comments such as “At least it’s just beer, and not hard drugs” or “Teens will drink anyway. If they’re at my house, at least I know they’re safe,” North Coastal Prevention Coalition members realized that many people did not understand the dangers of underage drinking.

Borrowing the slogan from *Ohio Parents for Drug-Free Youth*, TCPC launched the “Parents Who Host, Lose the Most” campaign in the high schools of Carlsbad, Oceanside, and Vista in 2001 with the assistance and support of school districts, parent organizations, and several members of the

North Coastal Prevention Coalition. The goal of the campaign is to create a community standard that neither accepts nor condones youth drinking.

This year, nearly 3,000 parents pledged that “all events for youth in my home will be chaperoned and free of alcohol, tobacco, and other drugs.” Parents making this pledge with their teens need the broader community to support and reinforce the message that underage drinking is not a “rite of passage.”

Filling the Gap: Holding Adults Responsible

Alcohol related laws already exist at various levels of control and efficacy. States who fail to adopt a minimum drinking age of 21 risk losing federal highway funds. As a result, the California Business and Professions Code states that anyone under the age of 21 may not purchase, consume, or possess an alcoholic beverage in public (Sections Sections 25658 and 25662). Other relevant codes include:

- Misdemeanor penalty for a person who sells or furnishes alcohol to a minor (Section 25658).
- Any minor who attempts to purchase alcohol from a licensee is guilty of an infraction (Section 25658.5).

State law does not address adult liability for allowing alcohol consumption or drug possession by persons who are 18–20 years of age. Furthermore, State law prohibits the furnishing of alcohol to persons under age 21 but does not address adult liability for allowing the use of premises under the control of the adult for such parties. State law does not preempt local governments from imposing criminal or civil liability upon adults who allow premises under their control to be used for underage drinking parties.

Public Support for Policy Change

A poll conducted by the Institute for Public Strategies (March 2003), found that more than 83% of San Diego County residents are concerned about underage drinking in San Diego County, and over half (53%) of residents polled think underage drinking has increased in the past two years.

Over 90% of San Diego County residents agree that it is wrong for an adult to provide alcohol to a minor, according to a June 2003 survey of over 700 San Diego County residents conducted by the Institute for Public Strategies. Over half of the survey respondents feel the issue of adults providing alcohol to minors is at least a moderately serious problem.

When asked about imposing penalties for adults who permit underage drinking in their homes, 65% of respondents think the costs to law enforcement should be recovered from those responsible for the party. A minority (15.7%) felt a fine of \$1,000 for providing alcohol to a minor was too severe; while over half (54%) felt it was severe enough and 30% felt the fine was not severe enough.

When asked if parents are responsible for ensuring underage youth do not hold parties in their home, even when the parents are out of town, over half strongly agreed for youth aged 18–20, and over 60% strongly agreed for youth aged 15–17.

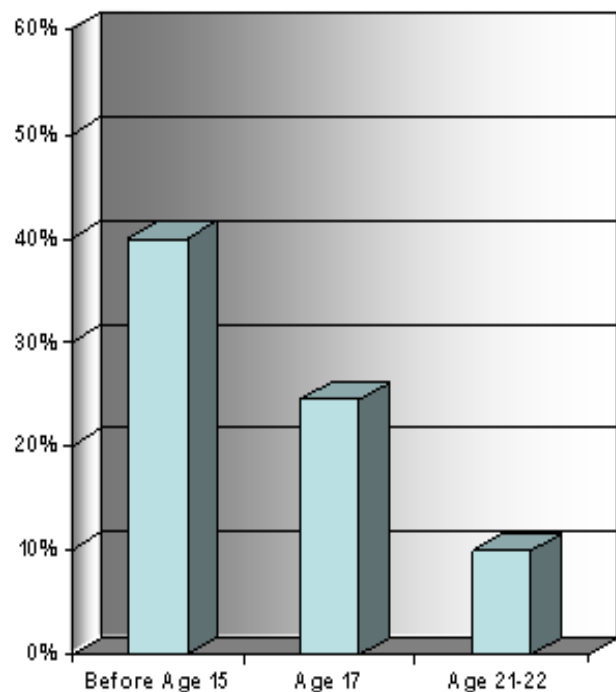
Local Policy: a Tool for Prevention

Decades of research in substance abuse prevention have identified categories of risk and protective factors that affect a young person's chance of developing substance abuse problems, as well as other problems such as delinquency, school dropout, violence, and teen pregnancy. Research has also identified characteristics of the least effective prevention programs—those that are knowledge only (teaching youth about substances) or affective only (emphasizing self-esteem or values clarification) [in *Prevention Tactics 6:3*, by Evaluation, Management and Training].

“Community norms—the attitudes and policies a community holds about drug use and crime—are communicated in a variety of ways: through laws and written policies, through informal social practices and through the expectations parents and other members of the community have of young people...When laws, tax rates and community standards are favorable toward substance use or crime, or even if they are just unclear, children are at higher risk” (Western CAPT, University of Nevada, Reno).

Local governments can take a leadership role in reducing problems associated with alcohol, tobacco, and other drugs. The field of tobacco prevention provides many examples. Clean indoor air policies, vending machine bans, self-service tobacco display bans, and restrictions on smoking around public playgrounds were all adopted by various cities before becoming State law.

Age of drinking onset predicts future alcohol abuse and dependence



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*Serving the cities of Carlsbad,
Oceanside and Vista.*

The Tri–City Prevention Collaborative (TCPC) is a project of the North Coastal Prevention Coalition, with Vista Community Clinic serving as the fiscal agent. Funds are provided by the County of San Diego, Health and Human Services Agency, Alcohol and Drug Services. The goal of TCPC is to reduce the harm of alcohol, tobacco, and other drugs in the cities of Carlsbad, Oceanside, and Vista.

TCPC extends sincere appreciation to the North Inland Community Prevention Program and the Social Availability Committee of the San Diego County Policy Panel on Youth Access to Alcohol for compiling much of the information contained in this Issue Brief.



The following organizations have indicated support for the concept of a Social Host Ordinance

- *Able–Disabled Advocacy*
- *Department of Emergency Medical Services*
- *Institute for Public Strategies*
- *Mothers Against Drunk Driving*
- *North Coastal Prevention Coalition*
- *North County Health Services*
- *North Inland Communities Prevention Program*
- *North Rural Prevention Program*
- *Oceanside Police Department*
- *Poway City Council*
- *San Diego County College Presidents’ Forum*
- *San Diego County Council on Alcohol Policy (SanDCCAP)*
- *San Diego County Policy Panel on Youth Access to Alcohol*
- *San Diego Police Department*
- *San Dieguito Alliance for Drug Free Youth*
- *Vista Community Clinic*
- *9th District PTA*

Other communities in San Diego County that have adopted adult accountability ordinances:

- *City of El Cajon*
- *City of Encinitas*
- *City of Escondido*
- *City of La Mesa*
- *City of Oceanside*
- *City of Poway*
- *City of San Diego*
- *City of Santee*
- *County of San Diego (affecting unincorporated areas)*



Cities With Social Host Ordinances in San Diego County

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Purpose of 'social host' ordinances is to fill the gap between existing State laws, and serve as a deterrent to hosting underage drinking parties

Local officials throughout San Diego County are recognizing the limitations of existing laws in enforcing the minimum drinking age of 21. They are turning to "social host" or "home party" ordinances to help fill the gap.

As the San Diego City Attorney's Office reported to the city council before the council passed a social host law: "Currently there is no law which makes it a crime for a minor to consume alcoholic beverages [or to] possess alcoholic beverages...in places not open to the public.

The proposed ordinance would fix the gap in the law by prohibiting consumption in both public places and places not open to the public."¹

State law addressing contributing to the delinquency of a minor does not address adult liability for allowing alcohol consumption or drug possession by persons 18–20 years old. State law also does not address adult liability for allowing the use of their property for underage drinking parties.

¹ Adult Accountability for Underage Drinking: The Case for Social Host Laws, Institute for Public Strategies 5/03

Social host ordinances adopted by cities in San Diego County have some variations. The following are elements that have been included by one or more local cities:

- *Misdemeanor citation to adult who permits underage drinking in his or her home (up to \$1,000 and/or 6 months county jail).*
- *Cost recovery for police services (civil penalty billed by local government).*
- *Inclusion of alcohol and other controlled substances being consumed by minors (under age 21).*
- *Penalties possible whether or not the property owner is present.*
- *Penalties imposed on first call for police service.*
- *Provisions for civil litigation by injured third parties.*
- *Cost recovery of attorney fees in the event of litigation.*
- *Ordinances adopted on emergency basis so as to take effect immediately.*

Highlights of Local Ordinances

- **County of San Diego:** directs fines collected to go to prevention services.
- **El Cajon:** addresses 'prima facie' evidence; recovery of reasonable attorney fees in the event of litigation.
- **Encinitas:** adopted on immediate action by 4–5 vote; includes cost recovery for police services.
- **Escondido:** includes alcohol and controlled substances; cost recovery not to exceed \$1,000; appeal process to the City Council.
- **La Mesa:** adopted on immediate action by 4–5 vote; includes cost recovery for police services.
- **Oceanside:** includes alcohol and controlled substances; includes cost recovery for police services; citations may be issued by code enforcement officers.
- **Poway:** residences include hotels and meeting rooms; includes alcohol and controlled substances
- **San Diego:** enforced on first call.

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View these ordinances at: www.alcoholpolicypanel.org (click on 'What's New' at bottom)