

Maui County SOCIAL HOST ORDINANCE

**A Community Solution to Reduce
Underage Drinking**

Underage drinking in Maui County is leading to serious health and safety consequences for everyone. Our youth consume more alcohol and binge drink at higher rates compared to other counties in the State.

Youth and adults report that house parties are the most common setting where underage drinking occurs. Sexual assaults, physical fights, drunk driving, and alcohol poisoning are some of the consequences experienced by our youth at these parties that are harming their lives and their futures. House parties are NOT safe havens for underage drinking.

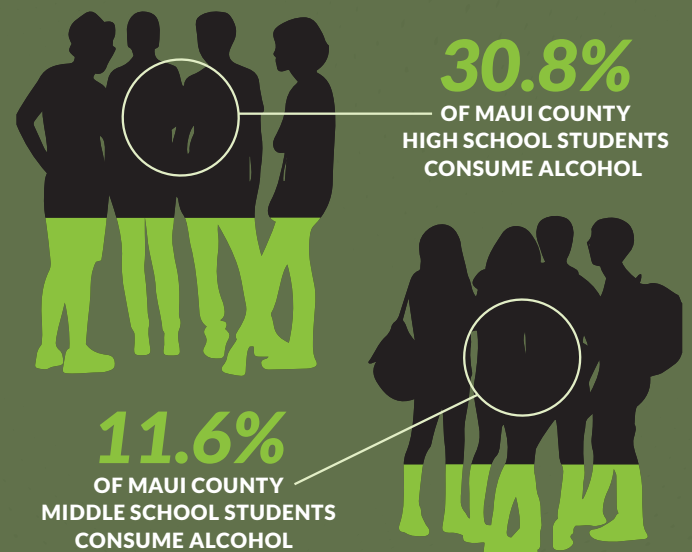


UNDERAGE DRINKING in Maui County

Alcohol is a commonly used substance among youth in Maui County. Our youth report drinking most often in private residences at house parties, where large numbers of youth consume large amounts of alcohol. While house parties are sometimes perceived as harmless, our youth report that these parties lead to a variety of negative consequences, including physical fights, sexual assaults, alcohol poisoning, and drunk driving.

Maui County youth consume more alcohol than state and national averages. Not only do youth in Maui County report consuming larger amounts of alcohol, but they also engage in more binge drinking behaviors, which is associated with more harmful consequences.

Binge drinking at house parties is causing serious injury, trauma, and harm to our youth. Drunk driving, car crashes, physical fights, and sexual assaults all result too often from underage drinking at house parties.



<https://www.cdc.gov/alcohol/fact-sheets/underage-drinking.html>

CONSEQUENCES OF HOUSE PARTIES

Many Maui County youth know a peer who suffered major consequences from underage drinking at house parties



above figures based on 449 youth surveys

What the Community is Saying

"As a nurse in the ER I have seen lives shattered by underage drinking. The consequences are felt not only by the individual, but it affects the whole family as well."

Maui Emergency Room Nurse Practitioner

"As someone who has had my family decimated by the impact of underage drinking at house parties, a social host ordinance could have prevented the death of my son, and it could save the lives of other kids."

Andrea Maniago, Mothers Against Drunk Driving

HOUSE PARTIES *are NOT Safe Havens*

There is a common misconception that house parties create a safer environment for underage drinking, but our youth and police tell us otherwise. Youth report that these parties are often large, with **15 or more youth in attendance**.

Large parties lead to more drinking and more alcohol-related consequences. Of the youth who attend house parties, **73.7 percent report that underage binge drinking occurs** (4-5 drinks within a 2-4 hour period).

PARENT PERSPECTIVE

Underage Drinking at House Parties is a BIG Problem

Adults Surveyed within the Community indicate they too believe underage drinking at house parties is a problem:

90.1% of adults surveyed DO NOT want their children drinking in other people's homes.

88.5% of adults would not allow underage drinking at their home.

75.9% of adults think binge or excessive drinking by underage youth at house parties is a concern or problem.

"A social host ordinance is an invaluable tool in our effort to combat underage drinking. The success of this ordinance lies in our ability to hold adults responsible for the actions of juveniles consuming alcohol on their property. Our hope is that by enforcing the ordinance, lives will be saved."

**Chief Tivoli Faaumu,
Maui Police Department**

A COMMUNITY SOLUTION

Fixing the Problem with a Local Social Host Ordinance

A growing body of research (1) suggests that social host ordinances reduce the number of large home parties where underage drinking occurs, reduce binge drinking among youth, and reduce the overall amount of alcohol that youth consume.

What is a Social Host Ordinance?

A local law that prevents underage drinking and related consequences by holding adults accountable (usually through fines) for underage drinking occurring at their homes or on their property.

Social host ordinances make it easier for law enforcement to intervene quickly before a large party gets out of hand, preventing our youth from getting hurt. More than 150 cities and counties across the U.S. have adopted social host ordinances. Prevention science best-practice recommends civil ordinances over criminal ordinances because they can be enforced swiftly and more easily.

Benefits of a County Social Host Ordinance

For Maui County, a local social host ordinance would not only improve the public health and safety of the entire community, but would especially improve the lives of our youth.

There would be fewer underage drinking house parties, which would equate to fewer incidents of teen sexual assaults, fights, drunk driving, alcohol-related ER visits and arrests. Fewer underage drinking house parties would also lower first-responder costs and promote adult responsibility in protecting our youth. It would ultimately save the futures, and lives, of our youth.

¹ Paschall, M. J., Lippman-Kreda, S., Grube, J. W., & Thomas, S. (2014).

PARTNERS

Supporting Your Local Social Host Ordinance



SUPPORT

Your Local Social Host Ordinance

To obtain more information regarding the social host ordinance and to learn how you can support the initiative, find the Maui Coalition for Drug-Free Youth on Facebook:

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Maui County Social Host Ordinance - Foundational Supporting Statements
Maui Coalition for Drug-Free Youth

Purpose of the Maui County Social Host Ordinance

(a) The County Council finds that parties on private property where minors consume alcohol, or use marijuana or controlled substances, are not only unlawful but often cause disturbances in the vicinity of the party.

(b) According to the 2017 Hawaii Youth Risk Behavior Survey, 30.8% of Maui County high school youth and 11.6% of Maui County middle school youth are current drinkers, and 50% of youth surveyed state house parties are the most common place to drink alcohol.

(c) Alcohol use is normalized in our communities, yet young people are criminalized for engaging in underage drinking. Adults should also be held accountable for underage drinking occurring in their homes or on their properties.

(d) Those who attend house parties where minors consume alcohol or use marijuana or controlled substances are at greater risk for sexual assault, violence, driving under the influence, legal ramifications, and death.

(e) While the majority of young people report underage drinking occurring at house parties, 90.3% of Maui County parents do not want their children drinking alcohol in someone else's home, according to the 2019 Maui Coalition for Drug-Free Youth Adult Survey. The safety of all children should be ensured, whether they are in their own homes or those of others.

(f) Law enforcement reports that the current State Social Host law requires a high burden of proof that makes it extremely difficult to enforce. The civil Social Host Ordinance allows law enforcement to observe underage drinking and swiftly cite homeowners/renters responsible for the property for allowing underage drinking to occur, thereby creating stronger deterrence of underage drinking house parties in the County.

(g) Holding adults responsible for knowingly and unknowingly hosting underage drinking parties will make adults more likely to prohibit such events on their properties, and reduce the harms associated with such parties.

(h) Control of large parties, gatherings, or events on public or private property is necessary when such activity is determined to be a threat to the peace, health, safety or general welfare of the public.

(i) Law enforcement is frequently required to make return calls to the location of a party, gathering, or event in order to disperse uncooperative participants, causing a drain of manpower and resources and, in some cases, leaving other areas of the County with inadequate police protection.

(j) Giving law enforcement the ability to disperse gatherings where minors are consuming alcohol or using marijuana or controlled substances on private property will result in a decrease in abuse of intoxicants by minors, physical altercations, and injuries, thereby improving public safety.

(k) According to research done by Wake Forest University on the effectiveness of local social host ordinances across the U.S., communities that adopt local social host ordinances have lower rates of underage drinking house parties.

(l) Communities that have adopted such ordinances have seen reductions in the size of gatherings, reductions in youth perception of ease of access to alcohol, and reductions in repeat calls for service for loud and unruly gatherings.

(m) Accordingly, the Council of the County of Maui finds and declares that the purposes of this chapter are to:

(1) Protect public health, safety and general welfare.

(2) Hold liable property owners and other responsible persons for the problems created by parties where minors consume alcohol or use marijuana or controlled substances, and deter and prevent such gatherings.

(3) Recover costs of providing public safety services to parties, gatherings, or events requiring a second response.

To: Committee on Governance, Ethics, and Transparency
Council Member Michael J. Molina, Chair
Council Member Keani N.W. Rawlins-Fernandez, Vice-Chair

From: Maui Coalition for Drug-Free Youth

Date: October 5th, 2020

Subject: Support for Maui County Social Host Liability Regulations; GET-60

The Maui Coalition for Drug-Free Youth (MCDFY) is a community group of individuals and organizations who are dedicated to the prevention and reduction of underage drinking and youth substance use in Maui County. The mission and vision of MCDFY is for the people of Maui County, especially the youth, to live healthy, resilient and drug-free lives. Coalition membership includes over two dozen amazing organizations including Maui Police Department, Maui Youth & Family Services, Boys & Girls Clubs of Maui, Big Brothers Big Sisters of Maui, Kiwanis Club of the Valley Isle, Maui Family Support Services, Mothers Against Drunk Driving, Department of Health, Department of Housing and Human Services, St. John's Episcopal Church, youth, parents, and volunteer community members. All of our members are passionate about protecting the youth of Maui County and express support for the Maui County Social Host Liability Regulation Ordinance being introduced as GET-60.

The coalition has worked over the past three years to understand underage drinking in Maui County and discovered we have major problems that result in extremely severe consequences for our youth and families. Through community-based participatory research done throughout Maui County, the coalition has unearthed not only the problem of underage drinking, but also a solution we believe will greatly improve the health, wellness and safety of our community. The coalition conducted an alcohol use survey of 449 high school and middle school students from each island of Maui County in 2017-2018. The survey indicated that alcohol is the most accessible substance available to our youth. In addition, youth reported that house parties were the most common place youth consumed alcohol and noted that binge drinking occurred at these parties frequently. Youth listening sessions revealed that parties happen at a high frequency, peaking during holidays, summer break, and especially at graduation. Discussing underage drinking with community members revealed that many do not understand how harmful alcohol is to the developing adolescent brain, and underestimate the destruction that alcohol has on our youth and families. Youth surveys showed that what is most important to understand is that house parties result in severe consequences:

- 45.5% of youth report experiencing or knowing a peer who has gotten into a physical fight as a result of underage drinking at a house party.
- 33.3% of youth report experiencing or knowing a peer who has been arrested because of underage drinking at a house party.
- 29% of youth report experiencing or knowing a peer who has been in a car accident as a result of underage drinking at a house party.
- 18% of youth report experiencing or knowing a peer who has experienced a sex assault as a result of underage drinking at a house party.

Youth, parents and community members want a solution to this problem. The coalition surveyed 230 adults throughout Maui County and found that parents worry most when their child is away from the home environment they have the ability to protect. A vast majority of these concerned citizens, 88.5% would not allow underage drinking at their home, and 76%, indicated they believe underage drinking at house parties is a problem (MCDFY Adult Alcohol Use Survey, 2018). Further, 90.1% of adults surveyed stated they do not want their children drinking alcohol at someone else's home (MCDFY Adult Alcohol Use Survey, 2018). Community members recognize the dangers of allowing underage drinking at house parties, and we ask for an enforceable solution to this serious problem. This ordinance will increase the awareness of our responsibility as community members and caregivers. It is our responsibility to ensure the safety of any child that may be in our care and this ordinance is a way to ensure we hold those accountable who disregard that responsibility where underage drinking is concerned.

The Maui County Social Host Liability Regulation is a county-wide, civil fine, for adults where property they are responsible for is utilized for underage drinking. The goal is to reduce the amount of house parties that encourage and allow underage drinking and thus, thus reducing the extreme and life altering consequences Maui families currently experience every year. The ordinance is designed to act as an effective tool our law enforcement will utilize to deter these parties from happening. Different from existing state criminal statutes, our local civil ordinance is simple to implement and track. Coupled with an extensive community education plan, this ordinance seeks to act as a targeted prevention policy that has shown positive outcomes in other communities who have enacted similar legislation. Ventura County, California, has shown compelling evidence for social host ordinances, as seen in the findings of Mark Wolfson, Ph.D. (Department of Social Sciences and Health Policy, Division of Public Health Sciences) and his study called "Evaluating Community-Driven Strategies to Prevent Underage Drinking Parties". The results from Ventura County provide evidence on the effectiveness of Social Host Ordinances (SHO). Key findings:

1. *When done right, these laws are enforceable and effective.*
 - a. Over 350 social host citations were issued in Ventura County between 2006-2010, an average of 70 per year.
 - b. After implementation, in 2007 the number of citations was 41. By 2009 the number of citations decreased to 16. This indicates a reduced police response, and may be attributed to a reduction in the number of large drinking parties.
2. *Enforcement officers report that these laws are useful.*
 - a. 3 out of 4 officers reported that their social host ordinances are effective in addressing underage drinking parties.
3. *Vast majority of citations for SHO violations are issued for first offenses.*
 - a. Only 3-5% were to repeat offenders, suggesting receiving a citation does deter future hosting of underage drinking parties.
4. *SHO results in fewer calls for service for law enforcement, over time.*
 - a. Petulma (city in Ventura County) had 9.3% reduction in calls for service relating to disturbance, 1 year after passing their SHO.
 - b. San Diego had 8% fewer disturbance calls after passing SHO compared to the previous year.
5. *Communities with SHO have fewer large, underage drinking parties.*
 - a. Looking at 64 communities across 5 states (FL, NY, CA, MO, CT) youth 14-20 years old were less likely to attend a large underage drinking party.

With such indicators the coalition is confident this ordinance will be an effective intervention to address the problem. The Maui Coalition for Drug-Free Youth and community ask you, members of the GET Committee, to seriously consider the health, wellness and safety of the youth of Maui. We ask that you support GET-60 and see the policy through the process to become a ground-breaking piece of legislation for not only Maui County, but the state of Hawaii. The Maui County Social Host Liability Regulation will be the first of its kind in the state and in many ways could act as a model.

In addition, MCDFY has prepared a comprehensive issue brief that summarizes local county data and stories of underage drinking at house parties and offers the Social Host Ordinance as the solution. As further support of this ordinance the coalition submits our foundational statements in support of a local civil Social Host Ordinance.

Thank you,

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