

- 1 Alcohol Issues in Your Community: Strategies for Local Leaders
- 3 Preventing Underage Drinking in Home Parties in Ojai
- 5 Social Host Liability in Fillmore
- 7 Q & A with Dan Hicks

The Ventura County edition of *Prevention File* is published in cooperation with the Ventura County Behavioral Health Department, Training, Applied Research and Alcohol and Drug Prevention Division.

Please address all comments to Kathy Staples, Training, Applied Research and Alcohol and Drug Prevention Division Manager at 300 N. Hillmont Ave., Ventura, CA 93003 or call 805/652-6096.

Email: Kathleen.Staples@ventura.org

ALCOHOL ISSUES IN YOUR COMMUNITY: STRATEGIES FOR LOCAL LEADERS

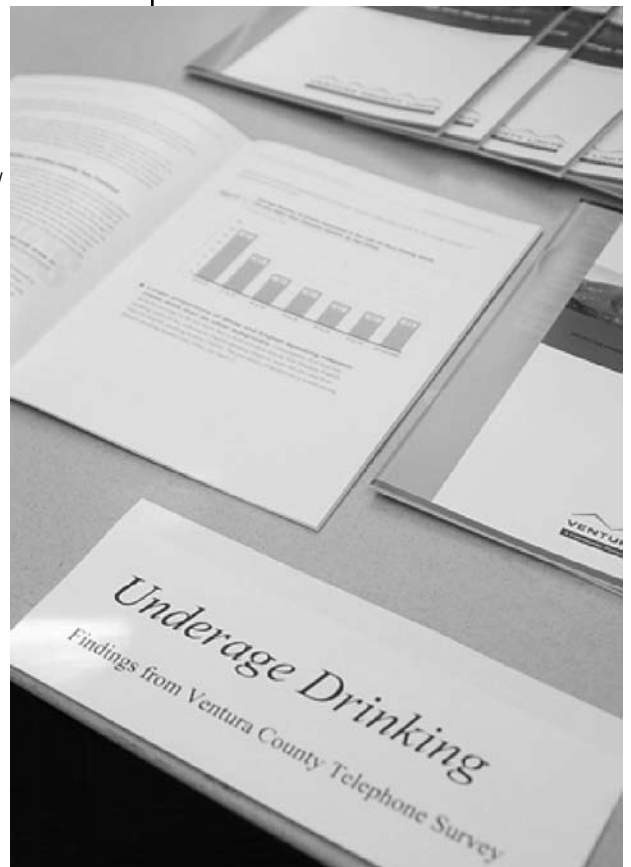
VENTURA COUNTY LIMITS—A Community Partnership for Responsible Alcohol Policies & Practices convened the first Municipal Strategies Conference on March 2, 2005. The conference, which was co-hosted by the City of Ojai and the City of Ventura, drew nearly 60 high-level officials from local cities and their law enforcement agencies, as well as the State Department of Alcoholic Beverage Control, Ventura County Board of Supervisors, Ventura County Health Care Agency, Ventura County Counsel, the Ventura County Grand Jury, District Attorneys Office, Naval Base Ventura County and Ventura County Behavioral Health Department/Ventura County Limits to consider "Alcohol Issues in Your Community: Strategies for Local Leaders," the conference theme.

Conference participants heard from elected officials, city managers, law enforcement officials, and researchers on why change is needed to prevent binge drinking among young adults and adolescents. Surveys conducted by the Ventura County Behavioral Health Department, which sponsored the conference, have found that nearly half on Ventura county residents age 25 or younger admit to binge drinking in someone else's home and that the county's statistics on youth impaired driving are significantly higher than statewide rates.

Kathy Long, Ventura County

Supervisor, said in the conference invitation: "I want to encourage local officials to take the issue of underage drinking seriously, and to consider the many negative impacts they have on the community."

Specifically, topics covered in the conference were identifying and addressing high-risk settings, funding retail enforcement, and the legal and practical challenges presented by social host liability ordinances. Such ordinances have been adopted by the Cities of Fillmore and Ojai



Publications highlighting local problems were available at the conference to community leaders from across the County. These and other publications and resources are available at www.venturacountylimits.org

SCENES from the Municipalities Conference

Jeff Fassett, Photographer



Chief Deputy Geoff Dean, of the Ventura County Sheriff's Department, discusses high-risk drinking settings for youths.



Ojai City Councilwoman Rae Hanstad discusses Host Liability with national legal expert James Mosher, from the Pacific Institute for Research and Evaluation. Mosher co-authored *Model Social Host Ordinance, with Legal Commentary and Resources*, a Ventura County Limits report.



Sharing a lighter moment at the Municipalities Conference are Senior Officer Cliff Waer of the Oxnard Police Department, Officer Patrick Lindsay of the Ventura Police Department, with Gerry Ackley and Chris Albrecht of the State Department of Alcoholic Beverage Control.



Martin Hernandez of Supervisor Kathy Long's Office, discusses alcohol issues with Santa Paula City Councilmember John Procter.



Senior Officer Cliff Waer, of the Oxnard Police Department, presenting information on Oxnard's approach to reducing problems at special events.

THE CITY OF OJAI HAS ADOPTED A NEW SOCIAL HOST LIABILITY ORDINANCE aimed at preventing underage drinking parties held at private homes. Now, adults who host such parties, or who allow them to be held at their homes, may face fines up to \$1,000.

The ordinance was approved by the Ojai City Council in response to ongoing concerns expressed by police and community members regarding home parties, which, when promoted by email and text messaging, may draw hundreds of young people from miles around. These parties can lead to such problems as drunk driving, alcohol and drug overdoses, sexual assaults and violence among young people.

"You get more than 100 kids together drinking at these parties, and there have been fights, stabbings, and sexual assaults," said Bruce Norris, Ojai's Chief of Police. "That's not to mention the problems they cause for a neighborhood, such as loud music and vandalism. There are those who say kids will always want to drink, and that may be so, but we want to make it as hard for them as possible. They will no longer have the sanctuary of these home parties."

Under the new ordinance, an underage home party is considered to be a gathering of five or more people under the age of 21, with any of them drinking alcohol. Adults may be cited if they are at home hosting the party and even if they are not at home, but have approved of the party or neglected to take appropriate precautions to prevent such a party. A parent of teens who travels often, but doesn't set behavior guidelines for his children or arrange for intermittent adult supervision (such as drop-ins by neighbors or adult friends) could be considered liable if a party takes place on his or her property.

A first offense will result in a citation and a fine. Those who repeat the offense within one year will not only receive a citation and a fine, but also will be required to pay for police time spent dealing with the party.

Ruth Cooper, coordinator of the Ojai Valley S.A.F.E. Coalition, said she hopes that the new

PREVENTING UNDERAGE DRINKING IN HOME PARTIES IN OJAI

ordinance will be a financial deterrent, helping to create an important shift in norms regarding underage drinking.

S.A.F.E. is a community-based substance abuse prevention coalition, the letters standing for "Substance Abuse-Free Environments."

Cooper said that too many parents of teens either approve of underage drinking or feel helpless to prevent it. Some believe that hosting home parties keeps their children safe from driving drunk, without taking into consideration the alcohol poisoning, drug overdoses, fights or sexual assaults that might take place at such parties.

Some parents think of teen drinking as a rite of passage. However, studies show that alcohol is involved in four times as many teen deaths than all illegal drugs combined.

Cooper said that many in the Ojai community have been concerned about underage drinking for some time, and their concern grew with reports of alcohol and drug overdoses and violence at large teen drinking parties. Studies about local drinking habits added to their worry.

According to a 2005 telephone survey of Ventura County residents, nearly three in ten (28.6 percent) of those 25 and younger that binge drink reported last doing so in their own homes, and 45.2 percent reported last binge drinking at someone else's home.

Gary Pentis, former chief of the Ojai Police Department, said that when his officers responded to a home party call, about 25 percent of the time there was an adult at home. That adult may have thought he or she were keeping teens safe by allowing such a party, but statistics prove otherwise.

Among young DUI offenders in Ventura County, private homes are the settings most frequently identified as the "place of last drink." The younger the offender, the more likely it is their place of last drink was a private home. 78.3 percent of 18-year-olds and 72.9 percent



Mayor David Bury & Mayor Pro Tem Carol Smith (standing), Council Members Rae Hanstad, Joe DeVito and Sue Horgan (seated)

of 19-year-olds who were arrested and convicted of DUI were drinking at a private residence or home party.

In addition, Pentis said that two thirds of sexual assaults involving young people involved alcohol, and that the alcohol was often consumed in a home party setting.

Further, his officers were responding to 4 to 5 calls per month that involved non-lethal alcohol and/or drug overdoses among young teenagers. Those teenagers were often attending home parties.

"We were seeing alcohol overdoses in 13- and 14-year-olds," he said.

Indeed, statistics show that binge drinking among Ventura County youths starts early. In one study, high school students reported binge drinking at rates higher than the state average. 14 percent of 9th graders and 27 percent of

The coalition identified a problematic situation, and this new law is a big step toward addressing it.

11th graders in Ventura County reported heavy drinking episodes.

Cooper and the S.A.F.E. Coalition were further distressed to hear from the police that there wasn't much they could do to stop these home parties.

Even when the police broke up the party, party-goers often reassembled at another location. When the city tried to prosecute adults responsible for such parties, they ran into a legal brick wall. It is against the law for adults to provide alcohol to minors, but in court, it can be difficult to hold adults responsible unless officers have actually seen them purchasing the alcohol and giving it to minors.

Cooper's group received a grant from the Ventura County Behavioral Health Department to conduct an environmental assessment of their community and began looking for solutions to the home party problem.

"We heard about the social host ordinance in San Diego, and we were inspired to do something similar here," Cooper said.

San Diego passed a Social Host Ordinance in May 2003, making it a misdemeanor to hold underage drinking parties. The offense was punishable by a \$1,000 fine and up to six months in jail. However, the law was challenged in one case, and an appellate court judge ruled the law unconstitutional because the city could not prove that the party giver knew there would be underage drinkers at the gathering.

"There was a lot of local support for this type of ordinance, but we were told that the city of Ojai could not afford a similar court challenge," Cooper said. "We went to Ventura County Behavioral Health and said we needed legal advice."

VCBH responded with a model social host liability ordinance that was created by VCBH, in collaboration with the Center for the Study of Law Enforcement and Policy (CSLEP) of the Pacific Institute for Research and Evaluation (PIRE). This ordinance was different from the San Diego ordinance in that it focused on civil liability rather than criminal liability.

At the same time that PIRE was developing a model ordinance, Ojai's City Attorney Monte Widders was drafting a similar ordinance. The final ordinance was a combination of the two.

"I recommended an administrative remedy in two parts," Widders said.

In part one, a single-occasion home party would be subject to an administrative citation, and the citation recipient would have the right to a hearing. In part two, if the police had to return to a home party location within one year of the first occurrence, the host would receive a fine and be expected to pay for police costs.

Widders said that if the fine is not paid, it could eventually become a lien on property that could result in foreclosure.

Rae Hanstad, a City Council member and former Mayor of Ojai, said that the city followed the advice of the VCBH in making the ordinance more of a preventative measure than a punishment.

"The coalition identified a problematic situation, and this new law is a big step toward addressing it," Hanstad said.

Another Ventura County city, Fillmore, has adopted a similar Social Host Liability ordinance, and the Ventura County Board of Supervisors has adopted the same approach for all County unincorporated areas.

"When it comes to this issue, we have a tremendous need for continuity," said Hanstad, who noted that the city of Ojai is just four square miles, bordered by unincorporated areas. "If we have that continuity, this will work."

Barbara Kennedy Beaver, an Ojai Valley of two teens who supported development of the ordinance, said she believes it is "A very important thing for Ojai Valley. When it comes to teens and drinking, it's scary out there. It's time for parents to take responsibility." □

City of Ojai

FILLMORE PARENTS AND OTHER ADULTS who host or condone underage drinking parties on their property now face fines of up to \$1,000, thanks to an ordinance recently passed by the Fillmore City Council.

The Social Host Liability ordinance is designed to prevent the large, alcohol-infused teen parties that have become a regular occurrence in Fillmore. These parties often lead to drunk driving, violence, sexual assaults and alcohol and drug overdoses, according to local law enforcement.

“Parents need to be responsible for what goes

Conway said that with a population of just 15,000, Fillmore is like a small town, and word about the shooting spread fast. Most residents knew either Arroyo or his family. Conway said his own teen-age son wasn't at the party but played football with Arroyo, and the incident hit close to home.

Conway and other city officials were distressed to learn that teen parties were a growing problem in Fillmore and that law enforcement could do little to stop them.

While it is against the law in California to furnish alcohol to underage persons and for youth to possess alcohol when on public property, state law does not prohibit youth possession on private property, and it does not prohibit youth



SOCIAL HOST LIABILITY IN FILLMORE

on in their homes,” said Fillmore City Council member Steve Conway. “This ordinance is designed to help people make good decisions.”

Fillmore is one of two cities in Ventura County to pass such an ordinance in recent months. The city of Ojai, which has had similar problems with underage drinking parties, has passed a similar ordinance (see page 3). The Ventura County Board of Supervisors also voted to adopt a Social Host Liability ordinance for unincorporated areas of the county in April of this year.

Conway said that the problem of underage drinking has always been a matter of concern in Fillmore, but came to the forefront three years ago when a 16-year-old Fillmore High School football player was shot and blinded in one eye during a teen party.

Shooting victim Jacob Arroyo was at a home party for football players and cheerleaders at which beer was served. When some uninvited guests—suspected gang members—showed up, they were turned away. They returned a short while later and began shooting.

consumption anywhere.

Before the adoption of this ordinance, law enforcement officers who came upon an underage party generally didn't have legal grounds to enter the premises, to confiscate alcohol, or to hold the adult homeowner or landlord responsible for allowing the party.

Even if they did have grounds to arrest the responsible adult, they had a hard time proving their case. In court, it can be difficult to hold adults responsible unless officers have actually seen them purchasing the alcohol and giving it to minors.

Based on these concerns, the Fillmore Family Coalition chose to become involved in the issue. Coalition head Jim Higgins, who was running leadership programs for young Fillmore teens, said he had been hearing about teen parties and other problems with alcohol from his young



Council Member Steve Conaway, Council Member Raymond Dressler, Mayor Ernie Villegas, Mayor Pro-tem Ken Smedley, and Council Member M. Cecilia Cuevas.

participants for some time. He hoped his group could do something about those problems.

The Coalition received a grant from the Ventura County Behavioral Health Department to help the group organize local efforts. First, the coalition planned to have local youths conduct a survey of Fillmore's middle and high school students. The youths received assistance in developing a survey and training in survey taking from the Institute for Public Strategies.

They surveyed 271 middle and high school students in both English and Spanish. The survey results were sent to California State University at Fullerton for analysis.

Among the survey findings: 24 percent of 11th graders said they had binge drank in the last 30 days, and 48 percent of seventh graders said they had ridden in a car with a drunk driver.

The survey showed that the young people had concerns about alcohol abuse among their peers and among their parents and other adults. To address those concerns, the Fillmore Family Coalition encouraged teen participants to create a DVD that could be presented to the Fillmore City Council. Sixteen-year-old Matt Ortiz, a junior at Fillmore High School, was one of those chosen to work on the DVD.

Ortiz hadn't been at the party where the teen football player was shot, but he knew many of the young people who had been there.

"When that (the shooting) happened, it made us think about all the alcohol-related problems in town," Ortiz said. "We wanted to find a way to cut down on the dangers."

Ortiz said that many teens had been blasé about underage drinking parties until the shooting. After that, "they wanted to be sure no one else got hurt."

Patty Walker, a former Fillmore City Council member, said that the survey and the video conveyed a message to Fillmore adults from Fillmore's teens.

"There were young people in junior and senior high school who were telling us, 'we need you to step forward and guide us,'" Walker said. "It's important for adults to guide youth. There had been a shooting of one of our teens. Were we going to wait for something like that to happen again or were we going to do something to prevent it?"

The Family Coalition survey was not the only survey to show that drinking—and home parties—are problems among Ventura County youth.

According to a 2005 telephone survey of Ventura County residents, nearly three in ten (28.6 percent) of those 25 and younger that binge drink reported last doing so in their own homes, and 45.2 percent reported last binge drinking at someone else's home.

Another survey showed that among young DUI offenders in Ventura County, private homes are the settings most frequently identified as the "place of last drink." And the younger the offender, the more likely it is their place of last drink was a private home, with 78.3 percent of 18-year-olds and 72.9 percent of 19-year-olds who were arrested and convicted of DUI drinking at a private residence or home party.

Local law enforcement said that heavy drinking at teen parties had led to violence, sexual assault and alcohol and drug overdoses.

Further, email and text messages sent out about these parties often attracted hundreds of young people to what had started out as small teen gatherings. Local law enforcement didn't have the manpower to deal with the loud raucous crowds that developed.

The City Council chose to address the issue and formed an ad hoc committee to study the topic. Matt Ortiz was chosen to be the teen representative for the group.

Patty Walker, the mother of two young adult children, said it seemed obvious that Fillmore parents needed to be called upon to act responsibly.

"Even when you think you have a responsible child at home you need to recognize that there is peer pressure," Walker said. "Parents do need to be responsible for what goes on in their homes."

The mother of shooting victim Jacob Arroyo agreed. Julie Arroyo spoke before the Fillmore City Council in support of a Social Host Liability ordinance.

"These are our children and we, as parents, are supposed to set an example," she told the Council "You're not setting an example by buying alcohol for your kids."

The Fillmore Family Coalition collected 200 letters of support and also won the support of more than 50 local businesses. As a result of these efforts, and the active participation of youth in advocating for change, the Fillmore Social Host Liability ordinance was passed in February.

Jim Higgins of the Fillmore Family Coalition said that flyers explaining the new ordinance are being created, and members of two youth groups will go door to door in Fillmore to deliver them.

Fillmore Mayor Ernie Villegas says: "I hope that our social host ordinance will, over time, change the norms in Fillmore regarding underage drinking and house parties. And I plan to bring our ordinance to the Channel Counties Division of the League of California Cities so that other Ventura County Cities will take similar measures so that we have a consistent message countywide when it comes to house parties and related problems." □

Q&A WITH DAN HICKS



Dan Hicks of the Ventura County Behavioral Health Department recently was appointed coordinator of the Ventura County Limits project, an initiative aimed at reducing underage and binge drinking throughout the county. In this interview he describes the project and how he hopes to see it develop as a new prevention strategy.

What is Ventura County Limits?

A: In a nutshell, it is a grant-funded collaboration to build responsible alcohol policies and practices across the entire Ventura County area. To be more specific, it is a partnership among many agencies to make sure they are all creating conditions that lead to safe alcohol sales and service in all kind of settings.

What agencies are involved?

A: It includes every city in the county, plus the county's elected leadership and the Sheriff's Department. In addition, all of the institutions of higher learning in the county are participating. It is very inclusive—all the law enforcement and policy-making bodies in the county and their staffs. And of course, I work for the County Behavioral Health Department.

What's the issue that brings all these people together? What motivates them to be part of the Ventura County Limits project?

A: Their motivations may vary, but the primary one is that underage and binge drinking is the cause of so many of their problems. Pick a topic: sexual assault, truancy, poor school performance, excessive calls to retail establishments because of disturbances or fights. These are nagging and costly problems for local government, and if you look behind them, you see underage and binge drinking as a major cause. We are investing in various steps to build local capacity to manage the settings where this kind of drinking occurs—mainly underage parties in private homes and problem retail settings. On the retail side, it's bars, clubs and restaurants—especially restaurants where people under 21 hang around—that morph into bars at night. By far, though, most problems stem from house parties.

Your grant from the state Department of Alcohol and Drug Prevention is providing about a million dollars over three years. What is your project doing with these funds?

A: Ventura County Limits is really about putting the right local tools in place. We are investing in local expertise. For example, we are sponsoring high-level representatives from each law enforcement agency in the County to attend the National Leadership Conference on Underage Drinking Enforcement in Baltimore in August. This is an event sponsored by the U.S. Office of Juvenile Justice and Delinquency Prevention. Our representatives will be able to immerse themselves in discussions of prevention strategies based on successful experience. We are also investing in expertise in other ways. We are working with colleges and universities to help them implement evidence-based strategies, and sponsoring their attendance at conferences about successful efforts to prevent binge drinking through local policies.

Does the project reach down to the high school level?

A: Yes. A project called Straight Up uses what we call Reality Improv—a combination of theater techniques and group process to get young people of high school and college age to talk about what they experience, what they have to deal with, where alcohol is concerned, and channel these discussions into community as well as personal solutions. For instance, they do role-playing to understand things that can happen at house parties and what kind of strategies people use to intercede or draw limits. They can try to keep these parties from spiraling out of control. Our focus is on underage and binge drinking, but the target group goes up to age 25 because

there are a lot of young adults engaging in binge drinking. One of our interesting research findings is that there's an inverse relationship between age and the level of alcohol consumption between the ages of about 17 and 24. The younger you drink, the more likely you are going to binge drink on a given occasion. High school students on average are drinking more on an occasion than young adults.

How large is the Ventura County Limits staff?

A: Myself and a support person are the only full-time staff, under the direction of Kathy Staples, who is the Project Director. Everything else goes back to what I would call investments in local capacity—people who are not on our staff, but who can help carry things forward at their own level. We are also spending some money on technology. For the benefit of large-scale special events across the County, the project is purchasing electronic age verification systems and training people to use them so we can have confidence that only people of legal age will be wrist-banded at these events. And we are pretty finicky about those wrist-bands, by spending some money to make sure they are non-transferable wrist-bands.

How far along are you in your three-year grant period?

A: The whole first year—fiscal year 2004-2005—we were doing community needs assessments across the county and documenting the most problematic settings for underage and binge drinking. Now, in year two, we are well into implementing our primary strategy, which is to gain adoption of social host ordinances, city by every city and for the entire county. The ordinances would provide for up to a \$1,000 fine if you host a party that leads to a disturbance

call and police find there are underage persons consuming alcohol. If police need to come back again, either the same night or at any time in the next 12 months, you'll be billed for their costs. Our goal is to have identical or nearly identical ordinances across the board, throughout the county. This will make it clear that it is a community problem in terms of law enforcement and emergency response when there are home parties where problems like fights, sexual assaults or alcohol overdose result from underage and binge drinking.

Our focus is on underage and binge drinking, but the target group goes up to age 25 because there are a lot of young adults engaging in binge drinking.

Is your effort being evaluated at some level?

A: Yes, at two levels. A statewide evaluation by San Diego State University is looking at the efforts of all 13 counties that received grants from the State to work on prevention of underage drinking. Then we have a local evaluation group looking at the extent to which local agencies are actually using the new enforcement tools and strategies being put in place through Ventura County Limits. Our County has been helping

organize community coalitions to do grass-roots prevention for many years, but you can't effectively change drinking patterns across the County by working on one neighborhood or one corner-store at a time. We are trying to create tools that cut across the entire region. People in Community A might be doing wonderful things and gaining a lot of expertise in prevention while over in Community B people might not know anything about it. There hasn't been a forum for peer learning. Through Ventura County Limits we are getting city managers to talk to other city managers, chiefs of police talking to other chiefs of police, and so forth. We can get a lot of cross-learning which is extremely valuable.

What kind of experience do you bring to this effort?

A: For the past 15 years I have been involved with policy issues that relate to public health and safety, working for city governments, other county governments, non-profit agencies, and in the private sector, including the hospitality industry. In Ventura County Limits we are not talking about individual responsibility as much as we are talking about community values. I can see things from the point of view of a bar or restaurant operator, as well as from the point of view of a city manager or city council member. I bring experience that recognizes that alcohol is a legal drug but one with very serious consequences for lots of folks and for lots of community systems. My experience with these systems makes me valuable to Ventura County Limits.