

**City of Watsonville  
Police Department**

**MEMORANDUM**



**DATE:** June 3, 2008

**TO:** Carlos J. Palacios, City Manager

**FROM:** Terry Medina, Chief of Police *TM*  
Manny Solano, Deputy Chief of Police *MS*

**SUBJECT:** Social Host Ordinance

**AGENDA ITEM:** June 10, 2008 City Council

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**RECOMMENDATION:**

It is recommended that the City Council adopt a social host ordinance to prohibit unruly parties, as defined, where underage drinking occurs.

**DISCUSSION:**

Police officers routinely are called to respond to unruly gatherings on private property. From January 1, 2005 to April 2, 2008 the police department responded to a total of 5,064 reported complaints of loud and unruly parties, noise and/or music. Often, young people are involved and alcohol is present which make them difficult for emergency service providers to control. While some result in a municipal citation with a minimal fine, a majority are met with no action being taken due to either unwillingness on the part of the reporting party to sign the citation, the inability to immediately identify the responsible person, or there lacks a legal means in which to take action.

Currently, the police department is restricted to some degree, when dealing with parties that involve alcohol and minors on private property. Current California state law prohibits furnishing of alcoholic beverages to underage persons, yet the law does not address when a youth possesses or consumes alcohol on private property, or with the consent of a parent, relative, or legal age spouse. Underage drinking parties often result in tragic consequences. A social host ordinance imposes accountability on parents, and other adults, who have a responsibility in the way they manage their homes, rentals, and other private property.

According to a 2006 study conducted by local research firm Applied Survey Research (ASR), youth in Santa Cruz County, as much as 70 % in Watsonville alone, reported a high level of binge drinking,

which is commonly defined as drinking five or more drinks in about two hours. To reduce youth binge drinking, Community United to Reduce Bingeing, locally called Project CURB, was developed. Project CURB is a joint initiative of Together for Youth / Unidos Para Nuestros Jovenes, an initiative led by the United Way of Santa Cruz, and County of Santa Cruz Drug and Alcohol Program.

Project CURB is comprised of a diverse sector of community groups including health, education, community based organizations, neighbors, law enforcement, business leaders, treatment and prevention providers, religious institutions, youth, and local legislators.

Binge drinking and unruly parties lead to an array of problems for law enforcement, including alcohol-related traffic accidents, gang activity, fights, loud noise, sexual assaults, property damage and other forms of crime. Further, providing alcohol to adolescents explicitly indicates approval of underage alcohol use, while disregarding the fact that underage drinking may lead to future substance use or abuse. A social host ordinance deters hosts from allowing dangerous and illegal situations involving minors and alcohol and will reduce negative consequences associated with such gatherings.

A social host ordinance holds accountable the host of a gathering where alcohol is being served to, consumed by, or in the possession of minors. Specifically, anyone 18 years of age or older who hosts such a gathering will be subject to the ordinance and a fine. If the host of such a gathering is 17 years old or younger, the parents of that minor will be held jointly responsible with their teen and subject to a fine, even if they were not present at the gathering.

The ordinance applies once a complaint of a potentially unruly gathering is received by law enforcement and officers determine that the following exists: 1) an underage person/s is consuming, possessing or being served alcohol, 2) someone is hosting the event, and 3) the party is loud or unruly. However, the ordinance will not result in a citation when a true emergency occurs at a gathering where the host or responsible person self-initiated a call for emergency services.

This social host ordinance:

1. Empowers parents, frustrated neighbors and concerned citizens to seek help from law enforcement when there are youth suspected of underage drinking, unruly or loud parties, or other potentially dangerous or illegal situations involving minors;
2. Provides law enforcement with a formal course of action to combat underage drinking; and
3. When appropriate, addresses the cost for emergency and/or public services in response to underage drinking gatherings.

## **ENFORCEMENT**

The ordinance may be enforced as a citable offense similarly to a traffic citation or, at the option of the responding officer, as an administrative citation under the City's existing Administrative Remedies Ordinance established by the Council in 1998 as Ordinance 1056-98 and codified in Article 1 of Chapter 2 of Title 1 of the Watsonville Municipal Code.

The police will have 30 days in which to issue an administrative citation to any and all persons identified by the enforcement officer as being a responsible party. The administrative citation will include a notice, in English and Spanish language, of the right to request an administrative hearing to challenge the validity of the administrative citation and the deadline to request such hearing. The hearing will be conducted by a designee of the Chief of Police.

**STRATEGIC PLAN:**

This request is consistent with and supports the current 2007-2009 City Strategic Plan goals of Public Safety and City Image, and will work toward bettering the quality of life for local youth and all City residents.

**FINANCIAL IMPACT:**

There are no direct financial costs required of the City for the approval of this Ordinance. The issuance of citations, management of cost recovery, and facilitation of administrative hearings, will be administered by the police department using existing practices, personnel and resources.

**ALTERNATIVES:**

The Council could choose not to adopt the Social Host Ordinance and continue to utilize existing Business & Professions, Penal and Municipal codes; however, these laws do not address the problem of consumption of alcohol by minors at private parties.

**ATTACHMENTS:**

None

cc: City Attorney