

ALCOHOL PREVENTION ENHANCEMENT SITE

www.kyprevention.com

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A Social Host Ordinance holds adults (social hosts) responsible for underage drinking events on property they own, lease or otherwise control.

Alcohol is the No. 1 Drug of Choice for Youth.

It is involved in the deaths of more teenagers than all other illicit drugs combined, by a four-to-one ratio.

Many parents believe it is safer for their teenager and friends to drink at home as long as they take the keys away; however, this is a myth. Adults need to send a consistent message underage drinking is illegal and dangerous.

Social Host Ordinances may have civil and/or criminal penalties. The officer does not need to witness the adult handing alcohol to a minor to issue a citation. **Social Host gives law enforcement a tool to control parties where underage drinking occurs and serves as a significant deterrent to hosting the parties in the first place.**

RECOMMENDATIONS



Looking Toward Change

Local communities can pass a Social Host Ordinance to hold adults responsible for underage drinking occurring in their home or on their property.

28 States have a criminal liability Social Host Law

Source: Alcohol Policy Information System, a project of the National Institute on Alcohol Abuse and Alcoholism, alcoholpolicy.niaaa.nih.gov/



KY Social Host Ordinances, updated Aug. 2016 (28)

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|---|-----------------------|
| 1. Boone County | 15. McCreary County |
| 2. Boyle County | 16. McLean County |
| 3. Breckenridge County | 17. Meade County |
| 4. Campbell County | 18. Mercer County |
| 5. Clark County | 19. Monroe County |
| 6. Clinton County | 20. Nelson County |
| 7. Daviess County | 21. Newport |
| 8. Fayette County | 22. Ohio County |
| 9. Hancock County | 23. Oldham County |
| 10. Harrodsburg | 24. Scott County |
| 11. Jessamine County/City of Nicholasville* | 25. Shelby County |
| 12. Junction City | 26. Trimble County |
| 13. Knott County | 27. Washington County |
| 14. Marion County | 28. Wayne County |

* Joint, doesn't include City of Wilmore

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Are Social Host Ordinances REDUNDANT?



Social Host Ordinances hold property owners civilly and/or criminally liable for underage drinking that occurs on their property if they knew or should have known about it.

Not in My House

65% of Kids Who
Drink Alcohol
Say They Get it from
Their Own Home



Your kid's next drink might be right next to the milk.

Don't let your house be the place of temptation.
Lock it, dump it, track it, or give it away

If an adult does not take reasonable steps to know what occurs and prevent it, then a Social Host Ordinance holds them responsible. Legal penalties can be civil, such as having to pay the response costs of law enforcement/ first responders; and/or criminal, making hosting an underage drinking party a Violation or Misdemeanor.

Unlawful Transaction with a Minor in the Third Degree (KRS 530.070) — a person who “knowingly sells, gives, purchases, or procures any alcoholic or malt beverage in any form to or for a minor” can be charged under this statute, which is a Class A Misdemeanor.



Parents/ guardians of that minor are exempted from this statute, but someone can be charged with unlawful transaction if they give alcohol to someone else's child.

WEAKNESS – you have to prove that a “transaction” took place.

If someone buys alcohol, puts it in the fridge & walks away, it is difficult to charge them with unlawful transaction so long as they can deny knowledge minors would consume it.

Minors Not to Possess or Purchase Liquor (KRS 244.085) — Minors Not to Possess or Purchase Liquor (KRS 244.085)—this statute holds minors responsible for possessing or purchasing alcohol. It states: “No person shall aid or assist any person under 21 years of age in purchasing or having delivered or served to him or her any alcoholic beverages”—for adults, failure to abide by this statute is a Violation, only punishable by a fine with no exception for the parents of the minor.

WEAKNESS — it is necessary to prove someone “aided or assisted” the minor in purchasing alcohol or having it delivered or served to him. The issue is not just someone can deny knowing that a minor was drinking. Even if they knew it was happening and did nothing, you must also establish their failure to act meaning they “aided/ assisted” the minor in having alcohol served to them.

Endangering the Welfare of a Minor (KRS 530.060)—KY's law states only a “parent, guardian or other person legally charged with the care of custody of a minor” can be charged.

