



El Segundo Police Department

Training Section

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TRAINING BULLETIN

Training Subject: **Social Host Ordinance**

Date Distributed: **March 2019**

Social Host Ordinance 7-13-3 ESMC

On September 18, 2018, City Council passed a Social Host Ordinance that is designed to hold individuals responsible for hosting or knowingly allowing a gathering to occur where underage drinking or recreational marijuana use takes place. Please see the attached copy of the municipal code for detailed information.

If we encounter a situation in violation of the ordinance, the following procedures can be enacted:

- Request an on-duty supervisor
- If lawful entry can be made into the location, check on the welfare of individuals if it appears anyone may be in need of medical attention
- Document the facts on an Incident Report and take photographs to document the scene/evidence
- Cite the responsible party at the scene if practical. If not practical, include the responsible party's information so a follow up citation notice can be completed
- Forward a completed copy of all documentation to Special Operations Division for processing

Please note the violator is only subject to an administrative fine and this ordinance is non-criminal.

ORDINANCE NO. 1576

AN ORDINANCE ADDING CHAPTER 13 TO TITLE 7 OF THE EL SEGUNDO MUNICIPAL CODE PROHIBITING THE HOSTING, PERMITTING OR ALLOWING OF GATHERINGS AT WHICH PERSONS UNDER 21 YEARS OF AGE ARE CONSUMING ALCOHOLIC BEVERAGES OR USING MARIJUANA ILLEGALLY

The City Council of the City of El Segundo does ordain as follows:

SECTION 1: *Findings.*

- A. Minors often obtain or possess marijuana or consume alcoholic beverages at parties held on private property and under the control of a person who knows or should know of this conduct but fails to prevent it.
- B. Underage use of marijuana or consumption of alcoholic beverages poses an immediate threat to the public health, safety and welfare in that it increases alcohol abuse by minors, physical altercations, violent crimes (including rape and other sexual offenses), accidental injury, neighborhood vandalism and excessive noise disturbance, all of which may require intervention by the Police or Fire Departments.
- C. The City's municipal code prohibits the consumption or possession of alcohol in certain public places, including public streets, parking lots, City parks and the beach, but does not have any rules to address underage drinking on private property (ESMC §§ 7-6-8, 10-1-4, 10-3-11).
- D. State law prohibits the possession of marijuana by a minor under certain circumstances. (Health & Safety Code §§ 11357, et seq.) State law also prohibits persons 21 years or older from possessing, processing, transporting, purchasing, obtaining, or giving away recreational marijuana to persons 21 years or older under certain circumstances. (Health & Safety Code §§ 11357, et seq.) There are no rules in state law or the ESMC which address underage marijuana use on private property (ESMC Chapters 13B and 4-14).
- E. The prohibitions proposed by this ordinance are reasonable and intended to deter use of marijuana or consumption of alcoholic beverages by minors by holding responsible those persons who encourage, are aware of or should be aware of this illegal conduct by minors but fail to take reasonable steps to prevent it.

SECTION 2: Chapter 13 (Social Host Regulations) is added to Title 7 (Nuisances and Offenses) of the El Segundo Municipal Code to read, in its entirety, as follows:

**"CHAPTER 13
SOCIAL HOST REGULATIONS**

7-13-1: PURPOSE:

7-13-2: DEFINITIONS:

7-13-3: GATHERING AT WHICH MINORS USE MARIJUANA OR CONSUME ALCOHOLIC BEVERAGES PROHIBITED:

7-13-4: EXEMPTIONS:

7-13-5: VIOLATION; PENALTY:

7-13-1: PURPOSE:

- A. The purpose and intent of this chapter is:
 - 1. To facilitate the enforcement of laws prohibiting the use of marijuana by minors and the service and consumption of alcoholic beverages by minors, in an effort to deter, and to promote the reduction of, underage drinking and drug use;
 - 2. To protect public health, safety and welfare and quiet enjoyment of property and properties neighboring the location of gatherings at which minors use marijuana or are served and consume alcoholic beverages; and
 - 3. To establish a duty of persons 21 years of age or older having control over any premises, who knowingly host, permit or allow a gathering at the premises to take reasonable steps to prevent the service and consumption of alcoholic beverages or use of marijuana by minors. Reasonable steps include, but are not limited to, controlling the access to and provision of marijuana and alcoholic beverages to minors, and monitoring the responsible, safe and lawful conduct of minors on the premises.
- B. This chapter should not be construed as adding any additional authority for any law enforcement officer or government official to either enter private property or subject any property or person to search or seizure that does not otherwise exist independent of the provisions of this chapter.
- C. It is not the intent of this chapter to impose strict liability against a parent or legal guardian whose best intentions and reasonable efforts to prevent the service and consumption of alcoholic beverages or use of marijuana by minors at a gathering are circumvented by the actions of any person to obtain alcoholic beverages or marijuana at the premises or to bring concealed alcoholic beverages or marijuana to the premises.

7-13-2: DEFINITIONS:

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of words and phrases used in this chapter:

ALCOHOL: Means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

ALCOHOLIC BEVERAGE: Includes alcohol, spirits, liquor, wine, beer, and every other liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit or beverage purposes either alone or when diluted, mixed, or combined with other substances.

GATHERING: Means a party, gathering, or event where three or more persons have assembled or are assembling for a social occasion or social activity.

MARIJUANA: Means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

MINOR: Means any person under 21 years of age.

PREMISES: Means a home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, or any commercial, business or industrial site, hall or meeting room, whether occupied on a temporary or permanent basis, and whether owned, leased, rented or used with or without compensation.

RESPONSIBLE ADULT: Means a person 21 years of age or older who owns, rents, leases or otherwise has control of the premises where the gathering occurs.

RESPONSIBLE PERSON: Means:

- A. The person in charge of the premises when the gathering occurs; or
- B. The person who organized the gathering.

7-13-3: GATHERING AT WHICH MINORS USE MARIJUANA OR CONSUME ALCOHOLIC BEVERAGES PROHIBITED:

It is unlawful and a public nuisance for either a responsible person or responsible adult to cause or allow a gathering to take place at the premises whenever the responsible person or responsible adult knows or reasonably should have known alcoholic beverages or marijuana are being unlawfully consumed or used by minors. Liability for a violation of this section will be imputed to either a responsible person or responsible adult, but not both.

- A. Prima facie evidence that a responsible person had the knowledge, or should have had the knowledge, necessary to establish a violation of this chapter include those situations where:
 1. Minors are consuming alcoholic beverages or using marijuana and there is a minor present on the premises who is obviously under the influence of alcohol or marijuana; or
 2. A warning has been issued to the location within the last 12 months regarding alcohol or marijuana use by minors at the premises.

- B. Prima facie evidence that a responsible adult had the knowledge, or should have had the knowledge, necessary to establish a violation of this chapter include those situations where:
 - 1. A responsible adult is present at the premises during a gathering where minors are consuming alcoholic beverages or using marijuana; or
 - 2. A warning has been issued to the location within the last 12 months regarding alcohol or marijuana use by minors at the premises.
- C. A warning for a violation of this section will only be issued where the responsible adult was not present at the premises during a gathering where minors are consuming alcohol or using marijuana and there is no evidence that a minor is present on the premises who is obviously under the influence of alcohol or marijuana.

7-13-4: EXEMPTIONS:

This chapter does not apply to:

- A. Any California Department of Alcoholic Beverage Control licensee at any premises licensed and regulated by the Department of Alcoholic Beverage Control.
- B. Conduct involving the use of alcoholic beverages which occurs exclusively between a minor child and his or her parent or legal guardian, including the possession or consumption of an alcoholic beverage in connection with a cultural or religious activity. This exemption does not include any conduct that would contribute to the delinquency of a minor (a violation of Penal Code section 272).
- C. Conduct which the city is expressly preempted from prohibiting under state law, specifically, the Medicinal and Adult use Cannabis Regulation and Safety Act.
- D. A responsible person or responsible adult who called 911 and reported that a minor was in need of medical attention due to alcohol consumption or marijuana use, was the first person to make the 911 call, and when reporting that a minor was in need of medical assistance, remained on the scene with the minor until that medical assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.
- E. A responsible person or responsible adult who requests immediate assistance from the police department to remove any person who refuses to abide by the requesting person's performance of duties imposed by this chapter, or to terminate the gathering because of the requesting person's ability to prevent minors from consuming alcoholic beverages or using marijuana despite having taken reasonable steps to do so, as long as such request is made before any other person makes a complaint about the gathering.

7-13-5: VIOLATION; PENALTY:

- A. The City Council may adopt a resolution establishing a schedule of administrative fines and community service hours for a violation of this chapter.
- B. In addition to the administrative fines described in this chapter, the responding law enforcement officer may issue an order requiring the gathering to be disbanded and may cite and arrest any violators under any other applicable ordinances and statutes.
- C. For any responsible person who is a juvenile, each parent or legal guardian of the juvenile will be considered a responsible person liable for any fines, penalties and fees imposed pursuant to this chapter. The parents or guardians of a juvenile found to have violated this chapter may request to have that juvenile serve community service as described in subsection (E), below, and pay City administrative fees, if any, as an alternative penalty to paying the applicable civil penalty.
- D. Nothing in this chapter is deemed to prevent the city from commencing a civil or criminal proceeding to abate a public nuisance or from pursuing any other means available under any other statute, ordinance or law (civil or criminal), to correct conduct regulated by this chapter in addition to or as alternatives to the procedures set forth herein. This chapter in no way limits the authority of the police department to make arrests for any criminal offense arising out of conduct regulated by this chapter.
- E. The responsible person or responsible adult may perform community service and pay City administrative fees, if any, as an alternative to paying the civil penalty with the prior written consent and approval of the Police Chief or designee. The Police Chief or designee retains the discretion to approve the community service requested by the responsible person/adult. Upon approval of the Police Chief or designee to perform community service, the responsible person/adult must complete the required hours within one year of approval and must submit proof of completion to the Police Chief or designee. Failure to receive approval to perform community service or failure to complete the required hours of service will result in the imposition of the applicable civil penalty, which is immediately payable. No reduction in the penalty is authorized for completion of less than the required hours of community service unless approved by the City Manager or designee. Community service will only be approved for the first citation issued within a one-year period.
- F. Violations of this chapter are not subject to the response cost reimbursement provisions outlined in Sections 1-2A-28, *et seq.* of this Code.”

SECTION 3: *Environmental Analysis.* Because of the facts set forth in Section 1, this Ordinance is categorically exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§15000, et seq.), because it consists only of minor revisions and clarifications to existing regulations and procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The Ordinance is an action that does not have the potential to cause significant effects on the environment. Accordingly, this ordinance is exempt from further environmental review pursuant to 14 Cal. Code Regs. §15168(c)(2).

SECTION 4: CONSTRUCTION. This ordinance must be broadly construed in order to achieve the purposes stated in this ordinance. It is the City Council's intent that the provisions of this ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this ordinance.

SECTION 5: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this ordinance.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this ordinance will be rendered void and cause such previous ESMC provision or other ordinance to remain in full force and effect for all purposes.

SECTION 7: SEVERABILITY. If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

SECTION 8: The City Clerk is directed to certify the passage and adoption of this ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this ordinance, cause it to be published or posted in accordance with California law.

SECTION 9: This Ordinance will become effective on the thirty-first day following its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2018.

Drew Boyles, Mayor

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL SEGUNDO)

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ____ was duly introduced by said City Council at a regular meeting held on the ____ day of _____, 2018, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ____ day of _____, 2018, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney

RESOLUTION NO. _____ -

**A RESOLUTION OF THE CITY OF EL SEGUNDO ESTABLISHING
THE ADMINISTRATIVE FINES FOR VIOLATIONS OF CHAPTER
7-13 OF THE EL SEGUNDO MUNICIPAL CODE.**

The City Council of the city of El Segundo does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

- A. On July 1, 2003, the City Council introduced Ordinance No. 1364 ("Citation Ordinance") which adds Chapter 2A, entitled "Administrative Citations" (consisting of §§ 1-2A-10 to 1-2A-270), to Title 1 of the El Segundo Municipal Code ("ESMC") and allows the City enforcement officers to issue administrative citations for ESMC violations. The Administrative Citation Ordinance allows fine amounts to be adopted by City Council resolution, pursuant to Government Code § 53069.4(a)(1).
- B. On July 1, 2003, the City Council adopted the fine amounts attached as Exhibit "A" to Resolution No. 4313 as the City's fine schedule for purposes of imposing fines pursuant to Chapter 2A of Title 1 of the ESMC.
- C. On August 21, 2018, the City Council introduced Ordinance No. 1567, which adds Chapter 7-13, entitled "Social Host Regulations" to Title 7 of the ESMC and allows City enforcement officers to issue administrative citations for a violation of Chapter 7-13.
- D. The City Council finds that such fines are necessary to preserve the health, safety and welfare of the City by deterring the conduct proscribed in Chapter 7-13.

SECTION 2: The fine amounts attached as Exhibit A for a violation of Chapter 7-13 of the El Segundo Municipal Code are hereby adopted and will take effect on the effective date of Ordinance No. 1567.

SECTION 3: This Resolution is effective immediately upon adoption.

SECTION 4: The City Clerk shall certify to the passage and adoption of this Resolution.

PASSED AND ADOPTED this ____ day of _____, 2018.

Drew Boyles,
Mayor

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF EL SEGUNDO) SS

I, Tracy Weaver, City Clerk of the City of El Segundo, California, hereby certify that the whole number of members of the City Council of the City is five; that the foregoing Resolution No. _____ was duly passed and adopted by said City Council, approved and signed by the Mayor of said City, and attested to by the City Clerk of said City, all at a regular meeting of said Council held on the _____ day of _____, 2018, and the same was so passed and adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Tracy Weaver,
City Clerk

APPROVED AS TO FORM:

Mark D. Hensley,
City Attorney

EXHIBIT A

FINE SCHEDULE FOR ADMINISTRATIVE CITATIONS

A. Except as otherwise provided, violations of the ESMC for which administrative citations are issued will have fines imposed as follows:

1. A fine not exceeding one hundred dollars (\$100.00) for the first violation;
2. A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same provision within one year;
3. A fine not exceeding five hundred (\$500.00) for each additional violation of the same provision within one year of the first violation.

B. Notwithstanding Section A, violations of Chapter 7-12 of the El Segundo Municipal Code are subject to an administrative fine in the following amounts:

1. A fine not exceeding two thousand five hundred (\$2,500) for the first violation;
2. A fine not exceeding five thousand (\$5,000) for a second violation of the same provision within 12 months;
3. A fine not exceeding seven thousand five hundred (\$7,500) for each additional violation of the same provision within 12 months of the first violation.



C. Notwithstanding Section A, violations of Chapter 7-13 of the El Segundo Municipal Code are subject to an administrative fine in the following amounts:

1. A fine not exceeding one thousand (\$1,000) for the first violation or a total of 75 hours of community service (pursuant to Section 7-13-5 of the El Segundo Municipal Code);
2. A fine not exceeding two thousand (\$2,000) for a second violation of the same provision within one year;
3. A fine not exceeding five thousand (\$5,000) for each additional violation of the same provision within one year of the first violation.

SAMPLE
CITE

VIOLATOR
SIGNATURE

CHECK THIS
BOX

CITY OF EL SEGUNDO POLICE DEPARTMENT											
NOTICE TO APPEAR					CITATION No. 586151						
<input type="checkbox"/> TRAFFIC		<input checked="" type="checkbox"/> NONTRAFFIC		<input type="checkbox"/> PARKING		<input type="checkbox"/> ARREST		<input type="checkbox"/> MISDEMEANOR		<input type="checkbox"/> RELEASE	
Date of Violation: 11/1/18			Time: 0100			AM <input type="checkbox"/> PM <input type="checkbox"/>		Day of Week: THU		Case No: 18-	
Name: (First, Middle, Last) JOHN BOB SMITH <input type="checkbox"/> Owner's Responsibility (Vehicle Code § 40001)											
Address: 123 MAIN ST											
City: EL SEGUNDO				State: CA		Zip Code: 90245		<input type="checkbox"/> Juvenile (Phone #)			
Driver Lic. No.: ABC123		State: CA		Class: C		Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No		Age:		Birth Date: 1/1/1-	
Sex: M		Hair: BRO		Eyes: BPO		Height: 5-11		Weight: 170		Race: W Other Description:	
Veh. Lic. No. or VIN:				State:		Reg. Mo/Yr:		<input type="checkbox"/> Commercial Vehicle (Veh. Code § 15210(b)) <input type="checkbox"/> Hazardous Material (Veh. Code § 353)			
Veh. Yr:		Make:		Model:		Body Style:		Color:			
Evidence of Financial Responsibility: CHP/DP/PUC/ICC											
Registered Owner or Lessee: <input type="checkbox"/> Same as Driver											
R/O Address: <input type="checkbox"/> Same as Driver											
City:				State:		Zip Code:					
Correctable Violation (Veh. Code § 40610)											
Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>		Code and Section: 7-13-D		Description: ESMC - SOCIAL HOST		<input type="checkbox"/> Booking Required (See Reverse)		Misdemeanor or Infraction (Circle) M I	
<input type="checkbox"/>		<input type="checkbox"/>				ORDINANCE				M I	
<input type="checkbox"/>		<input type="checkbox"/>								M I	
<input type="checkbox"/>		<input type="checkbox"/>								M I	
Speed:		P.F./Max Speed:		Vehicle Limit:		Safe:		Laser:		<input type="checkbox"/> Continuation Form Issued N	
Location of Violation(s): (City/County of Occurrence) 123 MAIN ST W E											
Comments: <input type="checkbox"/> Traffic Collision (Accident) S											
Road Conditions <input type="checkbox"/> Wet <input type="checkbox"/> Dry		Traffic Conditions <input type="checkbox"/> Hwy <input type="checkbox"/> Med <input type="checkbox"/> U		Weather:		Unit No.:		<input type="checkbox"/> Cited in Accordance with VC § 40500		<input type="checkbox"/> Violation Committed in a Construction Zone	
<input type="checkbox"/> Violations not committed in my presence, declared on information and belief. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct. Executed on the date shown above in the City of El Segundo, California.											
Date: 11/1/18		Arresting or Citing Officer: SMITH				Serial No: 106		Dates Off: to			
Date: / /		Arresting or Citing Officer: (If Different Than Above)				Serial No.:		Dates Off: to			
WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.											
<input checked="" type="checkbox"/> Signature											
<input type="checkbox"/> JUVENILE _____ TIME: _____											
<input type="checkbox"/> ADULT <input type="checkbox"/> INGLEWOOD COURTHOUSE - _____ ONE REGENT ST., INGLEWOOD, CA 90301 AT 8:30 A.M.											
<input type="checkbox"/> LOS ANGELES AIRPORT COURTHOUSE - DIVISION _____ 11701 LA CIENEGA BLVD., LOS ANGELES CA 90045 AT 8:30 A.M.											
WHEN: ON OR BEFORE THIS DATE: _____ DAY OF _____ 20 _____											
<input type="checkbox"/> TO BE NOTIFIED <input type="checkbox"/> MINORS OR JUVENILES MUST BE ACCOMPANIED BY A PARENT OR LEGAL GUARDIAN <input type="checkbox"/> YOU MAY ARRANGE WITH THE COURT CLERK TO APPEAR AT A NIGHT SESSION OF THE COURT											
PARKING <input type="checkbox"/> WITHIN 21 DAYS CITY OF EL SEGUNDO - PARKING ENFORCEMENT P.O. BOX 3214 MILWAUKEE, WI 53201-3214											
											
586151					1923						
Approved by the Judicial Council of California Rev. 05-05-2017 (Veh. Code §§ 40500(b), 40513(b), 40522, 40600; Pen. Code § 853.9) SEE REVERSE TR-130											

COURT COPY

City of El Segundo Social Host Ordinance

On September 18, 2018, the El Segundo City Council approved a new Social Host Ordinance (SHO).

Here are some answers to commonly asked questions on what the SHO is and what it entails:

Q: What is a social host ordinance?

A social host ordinance (“SHO”) is a local, city-specific law that holds individuals responsible for hosting or knowingly allowing a gathering to occur at which underage drinking or recreational marijuana use takes place. Venues for such gatherings include homes, hotel/motel rooms, and other private locations. The purpose of an SHO is to establish liability and serve as a deterrent to underage drinking and drug use.

Q: How is an SHO different than the laws that already exist regarding underage drinking and drug use?

State law makes it illegal to (1) provide alcohol to minors under the age of 21; (2) possess or consume alcohol in a public or commercial setting; and (3) possess marijuana for recreational use if you are under 21. The purpose of a social host ordinance is not to criminalize conduct which is already against state law, but to make it illegal to provide an environment where underage drinking or illegal drug-use takes place, regardless of who provides the alcohol or marijuana. Said differently, a social host ordinance assigns responsibility to those who knew or should have known that a party was occurring on their private property which involved underage drinking or recreational marijuana use.

Q: Did El Segundo really need an SHO?

The following statistics are pulled directly from El Segundo’s results for the California Healthy Kids Survey that was given to our students at ESMS and ESHS this year (2017-2018):

Alcohol consumption:

- For a substance that is not intended for minors, it has been found that consumption of alcohol to those under 21 increases with age.
 - In 7th grade, 4% of the students said they have drunk alcohol – that’s twelve 13-14 year old kids who have already experimented.
 - 51 students (or 17%) in 9th grade admitting to drinking at 15-16 years of age.
 - 27% (81 students) in 11th grade said that they had drunk alcohol.
- When asked if students had consumed alcohol within 30 days of taking part in the survey:
 - 7% of 9th graders ((23) 13-14 year olds) said that they’ve had 1 or more drinks of alcohol over the course of 1 or 2 days;

- 11% (33 students) of 11th graders indicated they had, while an additional 4% (twelve 16-17 year olds) said that they had been binge drinking for 1 or 2 days.

Marijuana consumption:

- The number of students at ESMS and ESHS who abstain from marijuana consumption decreases with age:
 - 3% of 7th graders have used marijuana,
 - this increases to 8% of 9th graders and
 - in 11th grade nearly 20%, about 50 students, have used marijuana.

The following speaks to the prevalence of illegal substances and its accessibility to minors:

- **How many times in the past 12 months have you been offered, sold or given an illegal drug on campus?**
 - In 7th grade 3% of the students have been approached on campus.
 - In 9th grade 13% were offered sold or given an illegal drug on campus and
 - in 11th grade, it increases to 20%.
- In the past 12 months 11% of the 7th graders stated that they had used drugs or alcohol.
 - This number increases to 18% of 9th graders
 - and increases even further to 30% of 11th graders. This is nearly 100 students in only 1 grade level that have used drugs or alcohol.
- What is the perceived difficulty of getting
 - Alcohol?
 - 29% of 7th graders said it was very easy or fairly easy.
 - 48% of 9th graders and
 - 34% of 11th graders agreed.
 - Marijuana?
 - 18% of 7th graders said it was very easy or fairly easy – that's 55 students.
 - 42% for 9th graders (126 students) and
 - 55% for 11th graders (165 students)
 - What are the sources for alcohol?
 - At the 9th and 11th grade level, 37% and 45% of the respondents indicated that parties were sources for alcohol. This was the most common source for alcohol

Q: What is the goal of the ordinance?

The goal is to decrease underage drinking by reducing what research has shown is a primary source of youth access to alcohol- parties and gatherings in homes and other locations. Often at these events, underage drinkers obtain alcohol through older friends and adults. They encourage adults to avoid unsafe environments that foster high-risk, destructive behavior. They assist families in making healthy decisions and provide underage youth with support to avoid peer-pressure situations. They also give law enforcement a vital tool to prevent tragedy and address underage drinking locally. A study published in 2014 by the Journal of Studies on Alcohol and Drugs concluded that local policies which include strict liability and civil penalties

which are imposed administratively may be associated with less frequent underage drinking in private settings, particularly among adolescents who had already initiated alcohol use.

In El Segundo, the ordinance will do the following:

- Define “responsible person” as either a person in charge of the premises when the gathering occurs, or the person who organized the gathering. Under this definition, a “responsible person” includes persons of all ages, including those under the age of 21.
- Define “responsible adult” as a person 21 years of age or older who owns, rents, leases, or otherwise has control over the premises where the gathering occurs.
- Define a “gathering” as 3 or more individuals.
- Provide that a fine will be imposed when:
 - A responsible adult is present during a gathering where minors are consuming alcohol or marijuana;
 - A responsible person is present during a gathering where minors are consuming alcohol or marijuana and at least one of the minors is obviously intoxicated or under the influence of marijuana; or
 - A responsible person is present during a gathering where minors are consuming alcohol or marijuana and a warning for alcohol/marijuana use has been issued at the property within the last 12 months.
- Impose one fine per incident (where a fine is appropriate). For a first offense, the fine will be \$1,000. A second violation (within a 12-month period) carries a fine of \$2,000 and a third offense (within a 12-month period) carries a fine of \$5,000. These fines were set by City Council resolution.

The ordinance will **not**:

- Hold a social host liable for the cost of responding law enforcement services;
- Increase police authority to enter private property. Cities cannot enact a law that grants police officers with greater authority to enter a person's property than already exists under Federal law;
- Create the ability to double-fine. Depending on the circumstances, only the responsible adult or responsible person will be held in violation of the ordinance, not both;
- Regulate any premises licensed by the ABC;
- Regulate the possession or consumption of an alcoholic beverage in connection with a religious or cultural activity;
- Regulate any conduct protected by state law; or
- Penalize a responsible person who requests immediate assistance from law enforcement to remove violators or to terminate an unlawful gathering, or who requests immediate medical assistance related to marijuana use or alcohol consumption.

Q: Do SHOs work?

In communities where social host ordinances have been enacted, law enforcement officers report that the law is a useful tool in addressing underage drinking parties. The vast majority of citations for violations of social host ordinances are issued for first offenses. Over time, the passage of a social host ordinance results in fewer calls for service for law enforcement. Communities with social host ordinances have fewer large underage drinking parties.

Source: <http://www.chemicalpeople.org/socialhostordinance/>

California Healthy Kids Survey data for Thousand Oaks students demonstrated decreases in ease of obtaining alcohol since the implementation of the ordinance - 59% of 9th graders and 78% of 11 graders reported that alcohol is fairly or very easy to obtain in Fall 2007, as compared to 65% and 84% of 9th and 11th graders before the ordinance was passed. The majority of persons who received a Social Host violation have done so only once. That is, only 4% of violators were repeat offenders.

Q: Who supported a SHO in El Segundo?

Many residents and community members support the City's ordinance. This includes the ROAD (Reach Out Against Drugs) Organization, El Segundo Unified School District, El Segundo PTA Council, school administrators and teachers, law enforcement, health care providers, emergency responders, residents and community members.

Q: Where are SHOs being enforced?

Many states and local communities have exacted social host laws to reduce underage drinking in private settings, including:

- Manhattan Beach
- Palos Verdes Estates
- Hermosa Beach
- Rancho Palos Verdes
- Rolling Hills
- Rolling Hills Estates