

# Baltimore County Social Host Ordinance

## Issue Brief



- Most of the alcohol young people consume is on binge drinking occasions. <sup>(1)</sup>
- Nearly half of Maryland college students (legal-aged and under 21) binge drank during the past month, a rate similar to the national average. <sup>(2)</sup>
- Binge drinkers do so often: approximately, 48% of college students who drank in the past month reported binge drinking 1-to-4 or more times in a month. <sup>(2)</sup>
- Among past month drinkers, their average maximum number of drinks is 8 for males and 5 for females. <sup>(2)</sup>

## Overview

Excessive alcohol use among underage and college students is a serious public health issue. Despite the minimum legal purchasing age of 21, young people aged 12 to 20 drank 11% of the alcohol consumed in the U.S. in 2002. <sup>(3)</sup> Youth who begin drinking before the age of 15 are five times more likely to have an alcohol problem,

including dependence, motor vehicle crashes or violence, later in life than those who wait to drink until they are 21. <sup>(4)</sup> The younger a person is when they start drinking, the greater their risk for excessive drinking in college. <sup>(5)</sup> While we have made great progress in reducing drinking among high school students in recent years,

there has been little progress in reducing drinking among college students. <sup>(6)</sup> CDC defines “excessive alcohol use” as any underage drinking, drinking by pregnant women or binge drinking. “Binge drinking” refers to having five or more drinks for males, and four or more for females, in about two hours. <sup>(7)</sup>

## Access & Availability

Young people across the nation report alcohol is easy to get from social settings (noncommercial sources of alcohol, often private parties), as well as bars and liquor stores, <sup>(8)</sup> and the same is true in Maryland: over 90% of college students reported that alcohol was either easy or very easy for someone under 21 to obtain. <sup>(2)</sup>

Reducing young people’s ease of access to alcohol, in both social and commercial settings, is a critical step to addressing excessive drinking among college students.



## The Problem: Loud and Unruly House Parties

Loud and unruly house parties are gatherings of people in a home or residential property that substantially disturb the quiet enjoyment of the neighborhood. These parties are frequently large and provide young people with easy access to alcohol.<sup>(9,10)</sup> They can lead to a range of alcohol-related problems, including sexual assaults, drinking and driving and violence<sup>(11)</sup> as well as other consequences like blackouts, vomiting and alcohol poisoning.

In Maryland, students who did drink at an off-campus party in the past month compared to those who did not were:

**3 times** more likely to perform poorly on a test or project, damage property, get in trouble with campus police, or injure someone;

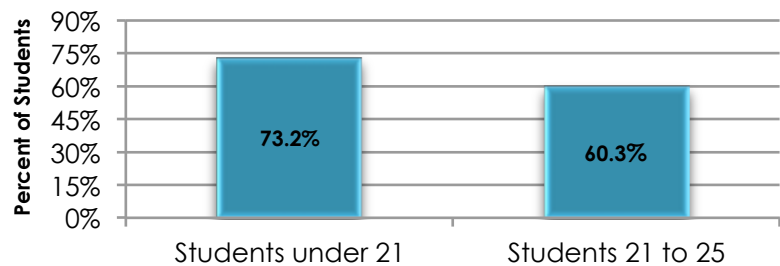
**More than twice** as likely to miss class and get in trouble with off-campus police;

**More than 1.5 times** as likely to ride with a drinking driver, be taken advantage of sexually, have unprotected sex, or have sex with someone without their consent.<sup>(2)</sup>



The majority of Maryland students participating in the Maryland College Alcohol Survey (MD-CAS) who drank in the past month did so at an off-campus house party at least once during the last 30 days.<sup>(2)</sup> Anecdotal evidence suggests that high school students often drink alcohol at college parties and their own house parties, creating negative consequences for the students, their peers and the surrounding community.

Percentage of students who drank in the past month at an off-campus house party at least once in the past 30 days (MD-CAS)



*“Excessive student drinking has been a major contributor to increased noise, trash and violence in our neighborhoods,” said Paul Hartman, former president, Greater Towson Council of Community Associations. “Some residents have given up and moved away, often creating more rental properties, which perpetuates the cycle.”*

**Nearby residents** suffer as well, from quality of life issues such as excessive noise, loitering, public urination, fights, vandalism and sometimes even decreased property values. Cans and bottles littering yards and side-



walks can become major sources of frustration

for residents living in neighborhoods with party houses. Taxpayers end up paying for these parties. There were 44

addresses that generated 68 nuisance complaints from neighbors received by one local university during an academic year. Sixteen

(16) of the 44 addresses had multiple complaints.<sup>(12)</sup>

In neighborhoods near two Baltimore County universities, police were called 1,092 times about noise complaints and disturbances during the two-year period from January 1, 2012 - December 31, 2013, according to the Baltimore County Police Department.<sup>(13)</sup>

While not all of these calls for service can be attributed to

underage drinking and/or loud and unruly parties, property owners living in these neighborhoods report that many of these complaints emanate from houses that absentee landlords rent to college students who may not be aware of the problems that are occurring on their property.

*“Multiple police calls for service distract enforcement from other emergencies in the community,” said Joseph Cannon, president of the National Liquor Law Enforcement Association. “These calls, while time consuming, are necessary as they impact the public safety of the entire community from fights, noise and excessive trash to impaired driving.”*



### CURRENT LAW

Maryland tried to reduce underage drinking and loud and unruly house parties by adopting a statewide criminal social host law in 2002. However, three key weaknesses undermine that law's effectiveness:

- 1) Law enforcement under current law must find that an adult "knowingly and willfully" allowed a party to occur. This has discouraged law enforcement from issuing citations and prosecutors from filing charges because of the time and energy required to gather evidence and the difficulty of proving actual knowledge in many cases.
- 2) The law only holds an adult who owns or leases the premises and currently resides in it criminally liable. However, many party hosts do not meet these criteria, particularly in college communities.
- 3) The existing state law provides for criminal rather than civil penalties. Criminal penalties mandate a level of judicial scrutiny and resulting penalties that make enforcing the law cumbersome and time-consuming.

COMMUNITIES ACROSS THE COUNTRY have responded to these problems with local ordinances and we are following their lead. A parallel civil offense, prosecuted administratively at the local level, can address these weaknesses. Most party hosting cases may not require a full-blown criminal investigation and prosecution but nevertheless should be subject to a penalty because of the risks they pose to communities. Treating the less serious offenses as civil violations subject to civil fines can be a more appropriate and effective prevention strategy and a growing body of research is showing that these measures, known as social host ordinances (SHO's) are effective in reducing underage drinking at house parties.<sup>(14)</sup>

## LOCAL SOCIAL HOST ORDINANCES

Passage of a model social host ordinance in Baltimore County could allow law enforcement to write civil rather than criminal citations to hosts and/or property owners of parties found to threaten the safety and quiet enjoyment of the community, making law enforcement's job easier.<sup>(15)</sup>

Civil fines levied under this ordinance could also help local governments recover costs for repeated law enforcement or other emergency service responses to a property.<sup>(16)</sup> Model ordinances set the fines high enough to dissuade people from hosting loud and unruly parties, but do not create criminal records for offenders. Adolescents living in communities with social host policies were less likely to drink in large peer groups compared to adolescents who lived in communities without such policies.<sup>(17)</sup>

By coming together to address these issues through the passage of a SHO, we are proactively working together to keep students safe, save lives and be good neighbors.

## Social Host Ordinance Success Stories

A recent evaluation of social host ordinances operating across a range of California communities found that the ordinances that include strict liability and civil penalties did indeed reduce underage drinking at private parties, particularly among those who have already initiated alcohol use.<sup>(14)</sup> Petaluma, California's SHO also led to a reduction in police calls for service related to disturbance the year after the ordinance passed.<sup>(18)</sup>

## A Baltimore County Social Host Ordinance Can...

- Prevent unruly parties on private property by holding those who control the properties responsible for seeing to it that alcoholic beverages are not served to, or consumed by, underage persons, and that loud and unruly gatherings do not occur;
- Hold private property landlords responsible when they have been notified that their tenants are hosting or otherwise permitting underage drinking and/or loud and unruly gatherings, through sanctions for failure to take action after being notified about serious disruption to the quiet enjoyment of neighboring residents;
- Reduce the need to respond multiple times to disperse parties at problem properties, freeing up police resources for regular and emergency situations, and improving police services to the whole community;
- Improve on present policy, which constrains law enforcement's ability to deter underage drinking parties and unruly gatherings, providing communities with another strategy for preventing underage drinking and related problems.

## For more information

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For references visit  
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