Underage drinking is a serious public health and safety concern. It is a causal factor in a host of serious problems including but not limited to alcohol poisoning, burns, depression, drowning, falls, physical assault, sexual assault, suicide, theft, unintended pregnancy and vandalism. This should be concerning to professionals, policymakers, parents and others who are attempting to reduce the negative consequences of underage alcohol use.

A social host ordinance makes it unlawful to provide an environment where underage drinking takes place, regardless of who provided the alcohol. These policies assist with reducing youth access to alcohol.

According to a bi-annual survey of youth in grades 9–12 in Grand Forks, 44% report that it is “easy” or “very easy” to access alcohol. A majority also report getting alcohol from a student/friend. Similarly, a survey of UND students reveals that a majority (83.9%) of underage respondents report obtaining alcohol from friends age 21 and older.

Almost one-third (30.5%) of students in grades 9–12 in the Grand Forks area have had at least one drink on one or more of the last 30 days. Of underage students at UND, this number jumps to 67.5%.

<table>
<thead>
<tr>
<th>Minor in Possession and Minor in Consumption Citations in Grand Forks</th>
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<tbody>
<tr>
<td><strong>2013</strong></td>
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<tr>
<td>Agency</td>
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<td>GFPD</td>
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<tr>
<td>UNDPD</td>
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There are several local and state laws that address underage drinking in some manner.

GF City Code 9–0113  Minor in possession of or consuming alcoholic beverages
GF City Code 9–0115  Purchase or procurement of alcoholic beverages or minors
GF City Code 9–0110  Noisy party or gathering
GF City Code 21–0610  Alcohol–related violations in rental units
North Dakota Century Code 14–10–06 Contributing to delinquency of a minor <18

Even though there are several laws that can assist with reducing underage drinking, the data above tells us that more could be done to address the problem.
What Gaps Exist in Current Law?

It is difficult to prove that someone has “furnished” alcohol to a minor. It requires cooperation by the minor.

It is difficult to write large quantities of MIC/MIP citations at one setting.

“Participation” by the owner/renter must be proven in order to cite the individual for a Loud Party.

The “3 strikes” conduct ordinance for rental properties only pertains to rental units that are under 3 units. A tri-plex or quad-plex would not be deterred from loud parties or alcohol violations because they are exempt from the penalties of this ordinance.

The contributing to a delinquency of a minor statute would not pertain when individuals at a house party are 18, 19 or 20 years of age. The individuals themselves can be cited for MIP/MIC, however, there is no consequence/deterrent for the ‘host’.

It is unlikely that a warrant will be issued for misdemeanor offenses. (For example, a Loud Party where entry is not allowed.)

What Is Being Proposed?

A Social Host ordinance makes it against the law to allow or host an underage drinking party.

A social host ordinance specifies that it is unlawful to provide the venue where minors consume alcohol (not necessarily if the alcohol was provided.)

To be cited, it must be proven that the person knew or reasonably should have known minors would possess or drink alcohol.

The person responsible does not need to be present to be cited for violation of the Social Host ordinance.

References

1. 2012 Grand Forks Public Schools Risk and Protective Factors Survey

2. 2012 UND Core Alcohol and Other Drug Survey

3. 2013 North Dakota Youth Risk Behavior Survey

4. Alcohol Related Offenses Overview 2011-2013 (Grand Forks Police Department and University of North Dakota Police Department)