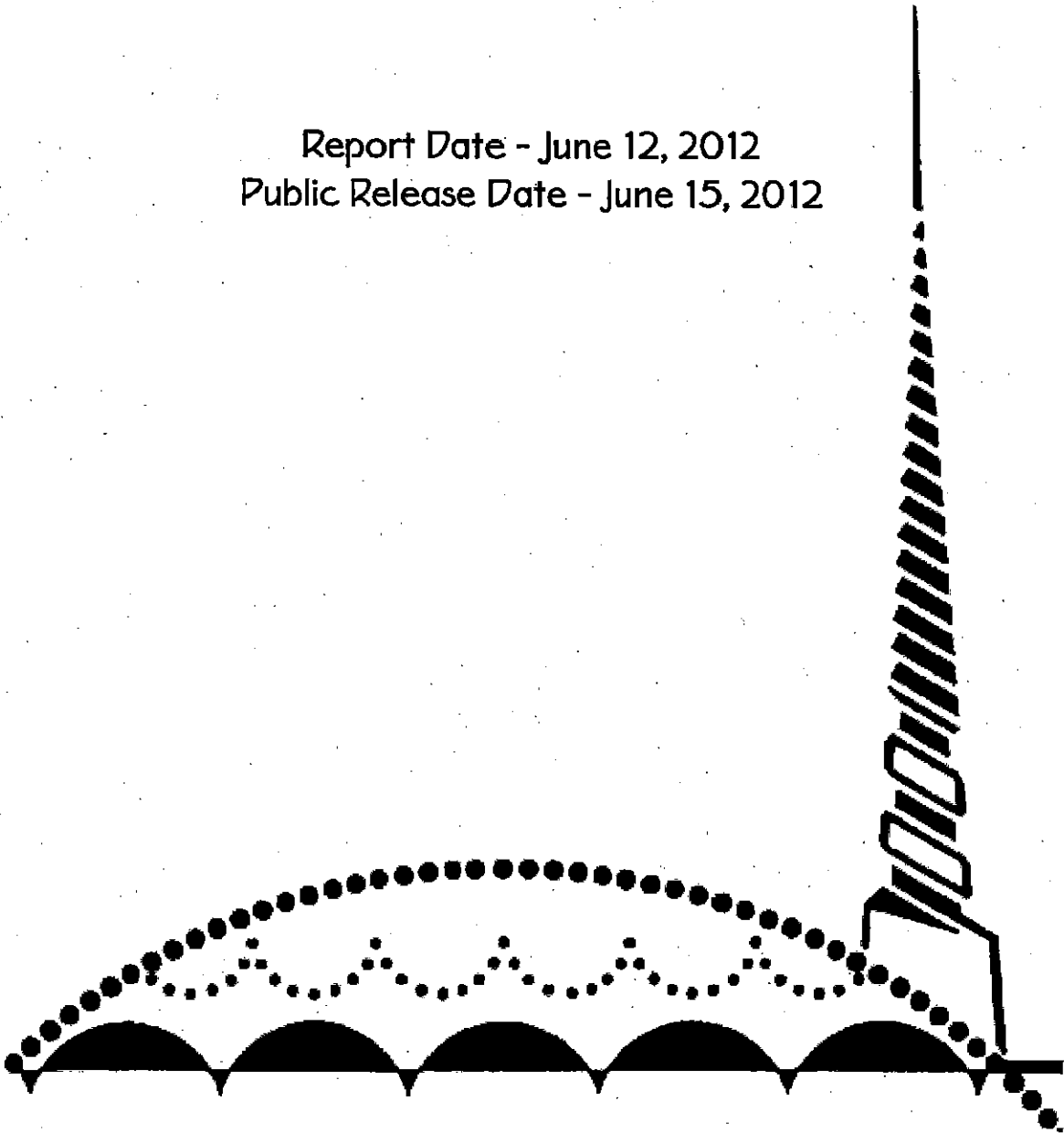
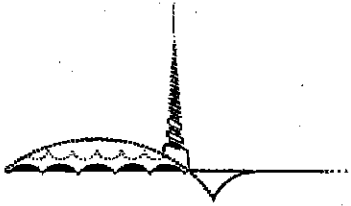


2011/2012 MARIN COUNTY CIVIL GRAND JURY

THE MARIN YOUTH ALCOHOL CRISIS:  
One City's Response

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## **THE MARIN YOUTH ALCOHOL CRISIS: One City's Response**

### **SUMMARY**

Marin County is the healthiest county in California except for one startling statistic: its excessive drinking rate is nearly 50% higher than the California average and three times higher than the U.S. average. Like their parents, Marin County youth drink a lot. Nearly half of 11<sup>th</sup> graders consume alcohol and one-third of them binge drink, the highest rate in California. Many parents and government entities do not regard their status as front runners in underage drinking as an important issue. The Marin County Civil Grand Jury thinks otherwise; youth binge drinking is a public health crisis in Marin County.

Marin County kids report that alcohol is easy to obtain. Their primary sources are local liquor retailers and social sources, including their parents, older friends and siblings. House parties in friends' homes, usually when parents are away, are the main place where kids consume alcohol. Sometimes parents host these parties, including providing the alcohol. Social host ordinances specify penalties for adults who provide a place for underage drinking to occur. Most Marin County cities and towns have adopted these ordinances, but they are seldom enforced. Police departments are short-staffed and police officers have other assignments, decreasing the likelihood that an underage drinker or a social host will receive a citation.

Parents have the most influence on their children's alcohol-related attitudes and behavior. Parents should model good behavior, stay close to their children and talk to them about alcohol. They need tools and tips to use when talking to their children about alcohol and opportunities to meet other concerned parents.

While parents are essential participants in the effort to reduce underage drinking, schools can play a part, too. They can inform children about the harm to their brains and bodies that alcohol can cause and help them develop social skills to resist peer pressure and refuse a drink. Some Marin County public and private schools have already implemented alcohol use prevention programs but more are needed.

The City of Novato is taking a stance against underage drinking. The Novato Blue Ribbon Coalition for Youth has 25 years of history within the Novato community. It is working to change the social norms that accept and permit underage drinking and implementing strategies to reduce kids' exposure and access to alcohol. Merchants are being asked to relocate alcohol to make it harder to steal, to enforce shoplifting laws and to add signage about the consequences of selling alcohol to minors. Grassroots actions have already been used to stop a national clothing store's alcohol-themed ad campaign and prevent a gas station from obtaining a liquor license.

The best way to reduce underage drinking is to change attitudes about what is acceptable behavior for youth. The Marin County Department of Health and Human Services can play a leading role in educating the community about the risks of underage drinking and what

parents can do to prevent it. Youth coalitions, government entities and members of the community must work together to create change and eliminate the crisis of underage drinking in Marin County.

The Marin County Civil Grand Jury recommends:

- The Marin County Office of Education and Board of Education support and encourage existing and future programs of alcohol prevention education in all Marin County schools.
- Marin County Department of Health and Human Services lead the community in emphasizing the dangers of underage drinking and parents' role in prevention.
- Marin County Department of Health and Human Services have members of its staff attend meetings and provide support to the Novato Blue Ribbon Coalition for Youth.
- Marin County Department of Health and Human Services convene regular meetings of the three Marin County youth coalitions to provide support and guidance, share ideas and stay abreast of the coalitions' activities, challenges and successes.
- The Novato City Manager select a representative to become a member of the Novato Blue Ribbon Coalition for Youth, attend its meetings regularly and provide updates on its progress to the City Manager and City Council.
- The City of Novato enforce the drinking age laws and the Social Host Ordinance.
- The City of Novato require Responsible Beverage Service training for anyone selling or serving alcohol.

## BACKGROUND

The Marin County Civil Grand Jury's investigative interest in this topic began with curiosity about why Marin County, the healthiest<sup>a</sup> and wealthiest county in California,<sup>b</sup> has such a high rate of excessive drinking.<sup>1</sup> According to a recent survey, 24% of Marin County adults report drinking excessively within the last 30 days — three times more than the U.S. average and 41 percent higher than the California average. Marin County kids report that they drink a lot, too. Nearly half of Marin County 11<sup>th</sup> graders report consuming alcohol within the last 30 days and one-third of them binge drink, more than anywhere else in the state. And in Marin County, children try alcohol at an early age: nearly a third of Marin County fifth graders have consumed alcohol.<sup>c</sup>

In September, the Novato's Blue Ribbon Coalition for Youth ("NBRCY"; or "the Coalition") was awarded a White House Drug Free Community ("White House") grant. The Coalition also received a grant from the Peter E. Haas Jr. Family Fund in response to the deaths of Novato youth in alcohol-related traffic collisions. The Jury began to connect the dots and started an odyssey encompassing alcohol, youth, parents, prevention and enforcement.

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<sup>1</sup> Excessive drinking is either binge drinking, defined as consuming more than 4 (women) or 5 (men) alcoholic beverages on a single occasion, or heavy drinking, defined as drinking more than 1 (women) or 2 (men) drinks per day on average.

Novato is not the only city concerned with alcohol consumption by youth: San Rafael and the Twin Cities have newly-formed coalitions. The coalitions were created in response to statistics about youth alcohol use within each community, alcohol-fueled collisions and the concerns of parents. Marin County is experiencing a crisis and its communities are looking for solutions.

## **COST OF ALCOHOL ABUSE**

Alcohol is the drug of choice among youth<sup>d</sup> and more than 90% of what they drink is while binge drinking<sup>e</sup>. Alcohol is a factor in nearly half of all teen automobile crashes, the leading cause of death among teenagers.<sup>f</sup> Approximately 5,000 children die each year as a result of drinking: 1,900 from vehicle crashes, 1,600 from homicide, 300 from suicide and hundreds from alcohol-related accidents such as falls, burns and drowning.<sup>g h i j k</sup> Alcohol use is also involved in sexual assaults and date rapes of teens and college students and is a major factor in unprotected sex among youth.<sup>l</sup> Underage drinking is a leading public health problem in the United States.

In addition to the high impact on some individuals' well-being, the cost of alcohol abuse affects everyone. Alcohol Justice<sup>2</sup> studied the annual cost of alcohol problems in the state of California. In their calculation, Alcohol Justice included the annual costs to the health care and criminal justice systems, lost productivity from deaths, illness and injury, and reduced quality of life. The total annual price tag for alcohol abuse was \$38 billion, approximately \$1,000 per California resident.<sup>m</sup>

## **INFLUENCES ON ALCOHOL USE**

### **Alcohol Sources**

Three-fourths of Marin County ninth graders and 84% of eleventh graders report that alcohol is easy to get.<sup>n</sup> Kids surveyed by the Marin Youth Health Advisory Council<sup>3</sup> reported that their primary sources of alcohol were local liquor retailers and social sources, including their parents, older friends and siblings.<sup>o</sup> Some kids have fake ID's,<sup>4</sup> some kids steal from stores or from their parents' liquor cabinet and some parents provide alcohol to their children and their friends.

Some kids get adults to buy alcohol for them – the “shoulder tap” approach.<sup>5</sup> During a recent shoulder tap sting operation in Novato, three (7%) of 44 adults agreed to buy alcohol for the decoy.<sup>p</sup> When Alameda County police had a young decoy stand outside a liquor store and ask adults to buy alcohol for him, 10% of the adults agreed to do so.<sup>q</sup>

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<sup>2</sup> Alcohol Justice was established in 1987 as one of three Major Projects funded by the Leonard and Beryl H. Buck Trust at the same time the Marin Community Foundation was formed.

<sup>3</sup> Marin Youth Health Advisory Council is a youth-led advisory body, staffed by the Youth Leadership Institute.

<sup>4</sup> Kids reported buying fake ID over the internet or from local sources and said it is easy to obtain.

<sup>5</sup> A minor asks an adult to purchase alcohol for him or her. This approach is also called, “Hey, Mister.”

House parties are the primary place where kids consume alcohol.<sup>7 s t</sup> Kids report that they drink the most during large parties with their peers at someone else's residence.<sup>u</sup> Sometimes parents provide the alcohol consumed. Parents say they are afraid if their kids drink away from home, they may drive when they have been drinking or get in a car with a drunk driver. To combat this, they host prom, graduation, birthday and other special event parties in their home, or provide the alcohol consumed during a party bus<sup>6</sup> trip.

While some parents provide alcohol to their underage children, most do not. Those parents who refuse to let their children drink often feel alone and uncertain how to raise the issue with other parents. One Novato parent said she knows her children will be exposed to alcohol. She tells them they are not allowed to drink until they are 21, and she is prepared to "come down on them like a ton of bricks" if they do. She tells other parents she will not serve their children alcohol and she does not want them to serve alcohol to her children, either. Some parents are startled when she says this, but her request is respected.

### Advertising

Over \$2 billion was spent in television, radio, print, outdoor and major newspaper advertising in 2005.<sup>v</sup> Twice that amount was paid to promote alcohol through sponsorships, Internet advertising, point-of-sale materials, product placement, brand-logoed items and other means.<sup>w</sup> This means the alcohol industry spent \$6 billion or more on advertising and promotion in 2005.

Studies have shown that alcohol advertising influences behavior: youth who saw more alcohol advertisements tended to drink more.<sup>x</sup> Advertising impacts kids in another way, too. Advertisers want consumers to switch to their brand; their goal is to gain market share.<sup>y</sup> Kids form brand loyalties very early and if an advertiser can capture a consumer when he or she is 14, he or she will use their product for a long time.

### Parents

Parents have the most influence on their children's attitudes and behavior concerning alcohol. Most of them do not realize how important they are. When asked what might affect their decisions about drinking, the majority (74%) of American youth, ages 12 to 17, identified their parents as the leading influence<sup>z</sup>:

Modeling a life style teaches a child more than anything a parent says. Kids say they drink because that is what the adults in their life do. Parents who use alcohol to de-stress and include alcohol in every celebration send a message to their children that this is how adults behave. But parents can be good models, too. Their behavior can illustrate the importance of not driving if you have been drinking and not riding with someone who has been drinking. Rather than trying to scare children into abstinence, parents can teach skills like how to refuse a drink and how to avoid situations where kids are consuming alcohol.

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<sup>6</sup> A limousine, van or bus is hired by the hour to cruise Highway 101 and San Francisco while the occupants "party."

## Alcopops

Underage drinkers prefer beer to wine and they like liquor in half gallon jugs (called "handles"), a packaging well suited to sharing. Some of them drink alcopops, sweet, fruit-flavored alcoholic drinks which resemble soft drinks or energy drinks. They have catchy names and come in youth-friendly flavors of grape, strawberry, lemonade and watermelon (made with real juice). The alcohol flavor is masked and kids say they "go down easy."<sup>aa</sup>

Alcopops contain 8 - 12% alcohol by volume, about the same alcohol content as wine and two to three times more than beer. They typically cost \$2 to \$3 and come in 24 ounce containers. One can equals four to five beers and is enough to cause intoxication. They have been nicknamed "binge in a can," and, in California, 47% of all alcopops sold are consumed by underage drinkers.<sup>bb</sup>

Alcohol Justice is spearheading an effort to eliminate alcopop sales in Marin County. On May 8, 2012, the Marin County Board of Supervisors adopted a resolution designating Marin County as an Alcopop-Free Zone<sup>™</sup>. The resolution is the first of its kind in the U.S. and is supported by the Marin County Department of Health and Human Services and the Novato Blue Ribbon Coalition for Youth. It encourages all alcohol retailers to voluntarily stop buying, stocking, selling and marketing alcopops. Two local grocery chains have already agreed to do so. Most merchants will only stop selling alcopops if their customers demand it. This is an important opportunity for community grassroots efforts.

## **METHODOLOGY**

The Marin County Civil Grand Jury reviewed what was happening in Marin County, especially the results of the California Healthy Kids Survey<sup>7</sup>, and read books and journal articles. The Jury began attending the Novato Blue Ribbon Coalition for Youth's ("NBRCY") meetings and talked with members of the Coalition to understand the magnitude of the youth alcohol problem in Novato and its impact on the community. The Jury learned about Novato's youth programs and the grants funding the city's activities. The Jury attended monthly Coalition and Alcohol and Other Drugs ("AOD") subcommittee meetings, coalition training sessions, and witnessed two successful grassroots protests. The Jury also monitored the efforts of two other coalitions – San Rafael and Twin Cities.

The Jury went beyond the Coalition, too. Since 80% of the youth diverted from the juvenile justice system to the YMCA-sponsored Youth Court were arrested for underage drug and alcohol possession or use, the Jury visited the youth court where it saw young jurors ask hard questions and hand out stiff sentences to their peers. The Jury visited the YMCA's Decisions under the Influence ("DUI") Alcohol and Drug Safety Skills sessions, heard parents' concerns and listened to kids talk about their experiences with alcohol and drugs. The Jury visited Phoenix Academy, the county's school for kids struggling with alcohol and drug abuse, and it talked to parents and private mental health professionals who believe in prevention and emphasize the importance of parents as role models of responsible behavior.

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<sup>7</sup> California Healthy Kids Survey (CHKS) is a survey of children in grades 5, 7, 9 and 11 taken every other year. It measures attitudes, behaviors, and experiences related to school and learning.

## DISCUSSION

While all towns and cities in Marin County are concerned with the health and welfare of their children, the City of Novato's response to youth alcohol use is currently the most mature and best funded. Novato is the second largest city in Marin County and has the highest concentration of kids: 22.7% of its population is under 18<sup>00</sup>.

Alcohol-related traffic collisions caused the deaths of young citizens and each event energized the community to do more to reduce alcohol abuse:

- Scott Van Hootegem, 18, and Alex Hunt, 19, were killed in a crash early the morning of November 12, 2005 after drinking at an 18th birthday party. The two Novato women who served alcohol at the party were sentenced to six months in the custody of the Marin County Sheriff's Office including two weeks in the Marin County Jail before being able to apply for a jail alternative. The women pleaded guilty to felony counts of conspiring to commit a crime. A third defendant was sentenced to three months in custody for a misdemeanor offense which was served in a jail alternative program. Alex's mother is a member of the NBRCY. She often speaks to youth groups to describe the impact her son's death has had on her family.
- In 2009, Melody Osheroff, 9, was a fourth-grader in Novato. She and her father were walking near their home when a motorcyclist plowed into them in a crosswalk. Melody died the next morning; her father was airlifted with critical injuries to a hospital where one of his legs was amputated. The cyclist, who was drunk at the time of the accident, had received six prior DUI-related convictions since 1990.
- 2010: *"A 16-year-old Novato High School student was drunk when he crashed his car into a cattle truck, killing a 15-year-old classmate and injuring three other passengers. The driver was arrested on suspicion of gross vehicular manslaughter while intoxicated, felony drunken driving and driving without a license in connection with the crash that killed 15-year-old Isaac Brott of Novato."*<sup>dd</sup> Isaac had not been drinking; he was the passenger in a car driven by a drunk driver, a fellow student who had been drinking in school prior to the accident.

Novato has been concerned about alcohol and drug abuse for 25 years:

- In 1987 the City of Novato formed the Novato Drug and Alcohol Prevention Advisory Task Force.
- In 1995 the Novato Unified School District Board of Trustees created the "Safe Schools Committee."
- In 1995 the Novato City Council passed the first Social Host Accountability Ordinance in Marin County. This ordinance holds anyone who hosts a party with underage drinking responsible for penalties and fines. In Novato it is a criminal misdemeanor to provide alcohol to a minor with a fine of \$1,000.
- In 2008 Novato's school-led Safe Schools Committee transitioned to the "Novato Blue Ribbon Coalition," an association of city and school members focused on youth. The transition was spurred by Novato's realization that to be fully successful and to employ a wide variety of strategies, the coalition had to be community-based.
- In 2009 the Novato Blue Ribbon Coalition for Youth applied for a grant from the White House Office of National Drug Control Policy.. Their application was denied.
- Following the unsuccessful application, the Peter E. Haas Jr. Family Fund awarded a four-month planning grant to NBRCY to strengthen the Coalition and help them become

better organized. The Coalition rewrote their grant application, and, in 2011, they received a five year White House grant.

## **NOVATO BLUE RIBBON COALITION FOR YOUTH**

Why did Novato create a coalition<sup>8</sup> to address underage drinking? It is important to involve parents, kids, schools, law enforcement, businesses and faith-based and civic organizations in the effort to reduce alcohol consumption by youth. Members of these groups interact with children and influence their behavior. If they work together, they can reduce alcohol access and availability and change attitudes about its consumption. There is one more compelling reason to form a coalition: local, state and federal funding is available to coalitions.

### **Funding and Members**

The NBRCY is composed of community members representing twelve sectors.<sup>9</sup> However, the work of the Coalition is not directed by the city, the schools, the police, a church, or any other organization. The Coalition receives both private and public funding. The strongest direction comes from the grantors providing the funding: the Coalition must fulfill the requirements of the grants for funding to continue.

The Coalition was awarded several grants to support efforts to reduce under-age drinking, marijuana use and incidences of bullying and harassment:

- White House Drug Free Community five year federal grant (2011 – 2016),
- Healthy Novato, a multi-year grant<sup>10</sup> (funders are Peter E. Haas Jr. Family Fund, Marin Community Foundation, Kaiser Permanente, Dennis and Carol Ann Rockey Fund and Lynx Foundation),<sup>11</sup> and
- Marin County Department of Health and Human Services grant.

The total combined grant amount for 2011 – 2012 is nearly \$600,000.

In addition to the grants, the NBRCY receives in-kind contributions.<sup>12</sup> Personnel from school, city, county and private organizations are dedicated to the NBRCY part time. For example, the co-chairperson of the NBRCY is an employee of a private health organization who

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<sup>8</sup> A coalition is an agreement among individuals or groups to cooperate in joint action, each focused on their own self-interest but working together toward a common cause.

<sup>9</sup> The involvement of representatives from 12 community sectors is required by the White House grant. The sectors are: youth (18 and under); parents; business; media; school; youth-serving organization; law enforcement, religious or fraternal organization, civic or volunteer group, healthcare; state, local or tribal agency with expertise in substance abuse; and other organizations involved in reducing substance abuse.

<sup>10</sup> Healthy Novato is a Coalition initiative emphasizing prevention and intervention strategies to reduce under-age drinking and incidences of bullying. Healthy Novato programs include the Youth Council of the NBRCY, Friday Night Light Live and Club Live Chapters, No Bully® Solution Teams, Peer Court and Promotoras.

<sup>11</sup> The Lynx Foundation grant funds are dedicated to the No Bully® project.

<sup>12</sup> An in-kind contribution is a non-cash input which can be given a cash value such as time spent working on coalition activities.



spends half of her time on community activities including the NBRCY. Under the terms of the White House grant, the in-kind contributions must equal or exceed the grant amount - \$125,000 per year. This requirement is focused on sustainability, on ensuring the work of the Coalition will continue even when there is no funding.

There are also volunteers who donate time to NBRCY. These volunteers include parents, youth, business people, civic group members and participants from faith-based organizations.

### Mission and Objective

The NBRCY is a group of people working together to create a community that understands, supports and involves youth. The mission of the Coalition is to impact the well-being of Novato youth through community action, policy advocacy and education.

The Coalition's alcohol-related objective is to reduce the use of alcohol among Novato ninth grade students from 30% to 25% by January 2019, as measured by the California Healthy Kids Survey.

### Early Successes

The NBRCY has already had two grassroots successes. In March 2012, *"The Novato Planning Commission unanimously denied a beer and wine permit for a Shell gas station next to The Square shopping center after neighbors spoke about the presence of teens and the concentration of alcohol vendors nearby... Opposition to the project grew after a neighborhood meeting last fall, and the project was opposed by groups including the San Marin Compatible Housing Coalition and the Novato Blue Ribbon Coalition for Youth."*<sup>66</sup> The Marin County Civil Grand Jury watched the excitement within the Coalition as they organized, planned what to say at community meetings and rushed to attend those meetings. The members tackled the issue with great energy and were rewarded for their efforts.

More recently (April 2012), *"Irvine-based surf-and-skate clothing retailer Tilly's Inc. killed a corporate store display featuring red plastic cups and the phrase, 'It's time to get tanked'... after several Marin groups said it promoted underage drinking. The groups had planned a protest but the event morphed into a celebration after the Tilly's corporate office, prompted by a media inquiry, ordered its 145 stores in 14 states to take down the displays..."*<sup>67</sup> Their enthusiasm was contagious as NBRCY members hastily rearranged their schedules to attend the planned protest. This was another example of how grassroots efforts involve the community, get things done and create lasting change.

The NBRCY held a successful Town Hall Meeting on Underage Drinking in May 2012. Dinner, entertainment, speakers and break-out sessions were used to tell the community why underage drinking is a problem in the City of Novato, highlight the latest research on underage drinking and provide strategies for keeping alcohol away from youth. Novato's Mayor and the city's representative on the Marin County Board of Supervisor were featured speakers.

### Challenges

In the short time the Marin County Civil Grand Jury has been observing the NBRCY it has seen them sort through start-up issues, clarify their mission, create a detailed work plan, redefine subcommittees and assign tasks. The Jury observed their early successes and saw the members' commitment. Many of them have been involved with Novato's youth organizations for many years. The Novato Coalition is the most mature and the best funded of Marin County's youth coalitions. Even so, it experiences challenges as it explores new territory. The other coalitions can learn from both its successes and its challenges and are well-advised to track its progress.

Most members work on Coalition activities only part-time. It is important for the subcommittees to meet regularly and for members of the entire Coalition to meet, share their experiences and build working relationships. The Jury was disappointed to hear that meetings of the entire Coalition will occur only once every two months during the 2012 – 2013 school year, rather than monthly as they had been. The Coalition is still young and frequent meetings are important.

The Coalition must fulfill the reporting requirements of the grants it receives. Grantors generally release funding annually and, if the Coalition fails to meet the requirements defined in the grant, the next year's funding could be lost. Unfortunately, this adds a layer of bureaucracy to the Coalition's activities. It is challenging to proceed aggressively while focusing on grant requirements that define the structure of the coalition and what data must be captured; specify how the grant funds can be spent; and include a process for planning and decision-making. To make things more complicated, the NBRCY has more than one grant. Early on, the Coalition realized the grants need to be coordinated to avoid overlapping work efforts and maximize results. They are doing this effectively.

Engaging the community is a challenge. A requirement of the White House grant is to include representatives from all twelve sectors in Coalition activities. While there is a core team of people at each Coalition meeting, members of some sectors, especially parents and youth, are under-represented or missing. The Coalition is very aware of this problem and is trying to define meaningful activities to engage parents, youth and representatives from other under-involved sectors. The recent grassroots efforts were examples of successful events involving kids, their parents and the entire community. While they do not happen every day, they really build a sense of community when they occur.

### **ENVIRONMENTAL PREVENTION STRATEGIES**

Environmental prevention strategies are the primary focus of the NBRCY's efforts to reduce alcohol consumption by youth. The White House grant requires the NBRCY to "*employ environmental strategies aimed at addressing the entire community through the adaptation of policies and practices related to youth substance use.*"<sup>28</sup> Successful environmental strategies change aspects of the environment that contribute to the use of alcohol and other drugs. They attempt to decrease the social and health consequences of substance abuse by limiting access to substances and changing social norms that accept and permit substance abuse. Laws, policies and practices may be changed. The goal of environmental strategies is to support youth in positive activities and thwart them in negative actions.<sup>hh</sup>

### Access to Alcohol

The Coalition is focusing on decreasing kids' exposure to alcohol advertising and reducing their access to alcohol. It is addressing point-of-sale advertising and product placement in stores selling alcohol for off-sale consumption. Planned activities include reducing alcohol ads in windows and stores; educating off-sale merchants about the problem of youth stealing alcohol and the penalties for selling alcohol to minors; and encouraging those merchants experiencing high shoplifting rates<sup>13</sup> to:

- Change store layout: restrict access to alcohol by placing it where it is harder to steal (away from the store's doors, for example),
- Enforce shoplifting laws, including posting warning signs about consequences of stealing,
- Display signage containing information about consequences of underage drinking, and
- Increase signage about alcohol laws.

In Novato there are 132 stores that sell or serve alcohol, 1 for every 417 people; 52 of those licenses are for "off-sale"<sup>14</sup> purchase. The numbers exceed the California Department of Alcohol Beverage Control (ABC) guidelines but requests for new liquor licenses in Novato and other saturated towns and cities continue to be submitted and approved.<sup>15</sup>

Known locations where kids drink are being eliminated; the "pit," an area behind the Novato Public Library where kids met to smoke and drink, was bulldozed. Shoulder tap sting operations were conducted by Novato law enforcement in early 2012 to discourage adults from purchasing alcohol for kids. The operation was funded by a Community Policing grant from the California Department of Alcohol and Beverage Control.

The Coalition is working with rental party facility owners and staff to educate them on their liability and responsibility when serving alcohol. Responsible Beverage Service ("RBS") training is overseen by a member of Novato's police force and encourages better strategies and policies when handling liquor. The Coalition hopes to develop stricter, enforceable alcohol use guidelines and to make RBS training a requirement for anyone who sells or serves alcohol.

One segment of Novato's population is way ahead in its efforts to manage drinking at parties held in rental facilities. Promotoras, Latino women who live in the community and serve as liaisons between their community and health, social and human service organizations, are already attending RBS training. Promotoras use their expanded knowledge about safe and

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<sup>13</sup> The Coalition surveyed 29 managers of retail stores selling alcohol off-sale. Six of them reported that youth frequently stole alcohol from their stores.

<sup>14</sup> Liquor licenses specify whether the establishment may sell alcohol "off-sale" – to be consumed elsewhere – or "on-sale" – to be consumed onsite. Some establishments are licensed to sell liquor both on-sale and off-sale.

<sup>15</sup> A request for a liquor license in an area of "undue concentration" (the number of existing licenses exceeds ABC guidelines) requires a public hearing to "make a finding of public convenience or necessity" before ABC issues a license. The NBRCY successfully appealed and stopped the license application of a gas and convenience store in Novato.

responsible liquor service to impact the way alcohol is served, to stop alcohol consumption by youth and reduce consumption by adults to safe levels.

### **Social Host Ordinance**

In 1995, Novato adopted the first Social Host Ordinance<sup>16</sup> (SHO) in Marin County. Violating it is a criminal misdemeanor offense punishable with a \$1,000 fine. While Novato's SHO has been in existence for many years, the frequency of enforcement has declined. In 2009, 37 citations were issued; in 2010 only six citations were issued; and no citations were issued in 2011. A member of the Novato police force told the Civil Grand Jury that between September 2010 and August 2011, police were called to over 100 events but no citations were issued. He explained that less is being done to fight youth alcohol abuse because of budget and staff cuts and the amount of time it takes to complete the paperwork. He also explained the enforcement limitations the police encounter: the police can go the same places a mail carrier can go. They cannot forcibly enter a home and break up a party. Enforcing the SHO has become a low priority.

The Novato SHO is an early focus of the NBRCY. The Coalition plans a two-prong approach: educate the community and enforce the SHO. They plan to develop "*parent-friendly*" talking points of what the SHO is and the consequences if it is violated. Following efforts to educate the community, members of the Coalition will work with police to target teen party hot spots. The Coalition has a small amount of funding to support this effort. Enforcement will require the cooperation of the Novato Police Department and the District Attorney.

### **Enforcement of Underage Drinking Laws**

Technology gives kids the ability to communicate quickly. Between cell phone calls, text messaging and social networking, a gathering of ten kids can quickly become a party of 50 or 100 as kids contact their friends. Cars and kids pour into a neighborhood.

If the neighbors call the police to report a party, officers respond. Their arrival may cause the kids to scatter in all directions; some kids may hop in their cars and drive away intoxicated or high. The police ring the doorbell of the house in which the party is being held. If no one answers the door and there is nothing visible to cause concern, the police cannot forcibly enter the home. If the door is answered, they can only enter if they are invited in, someone obviously needs assistance or an illegal activity is observed. If the police are invited in or there are kids outside, parents may be called to pick them up. Kids are seldom taken into custody and there are few consequences for their behavior.

Law enforcement faces other challenges, too. A Twin Cities police officer explained that if a child who appears to be drunk or high is taken into custody, he or she must be medically cleared before he or she can be taken to Juvenile Hall. The police must take the child to a hospital emergency room to be examined. The wait and examination may take hours during which the officer is unavailable for other assignments.

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<sup>16</sup> Social Host Ordinance is a law that holds hosts of parties responsible for providing places/locations for underage drinking.

The Marin County Civil Grand Jury understands that in this time of shrinking budgets and reduced staff, it is difficult for police to enforce the drinking age law and the SHO. But these are important deterrents: children and their parents need to know there are consequences for underage drinking. The Jury recommends community education to make citizens aware of the penalties for breaking the law and increased enforcement. Simplification of law enforcement's paperwork and procedures might help, too.

### **Coalition Parents**

Environmental prevention strategies include changing social norms that accept and permit alcohol use. Parents have the most influence on their children's alcohol-related attitudes and behavior. Changing their view of acceptable behavior is likely to change that of their children, too. Parents are the first target of Coalition messages. The NBRCY is conducting surveys at each school in an effort to understand its culture. The results will shape the message sent to parents.

Parents need supportive, non-judgmental assistance and tools to help their kids navigate safely through the risk taking years (ages 12 – 25). To provide those tools and give them opportunities to meet other concerned parents, the Coalition should host informal parent get-togethers to provide information about Marin County's youth alcohol crisis while sharing advice on how parents can work together to impact their children's behavior. Workshops and community meetings could be used to make parents aware of the Social Host Ordinance and what happens when it is enforced. A parent newsletter could be posted on the Coalitions' website along with other useful parenting information. A website suggestion box would provide an opportunity to ask a question or send a message to the Coalition. School PTA's could spread the word too in parent meetings and newsletters.

### **MEDIA**

The NBRCY hired a public relations specialist to help craft its messages to the community. The Coalition is also training its members to share the vision, goals and activities of the NBRCY with stakeholders and media. This includes using "talking points" so everyone says the same thing using the same language. The Marin County Civil Grand Jury applauds the NBRCY's efforts to communicate with the community and encourages them to do it often. Speak to civic groups, faith-based organizations, and anyone else concerned with the health and well-being of the community's children.

### **COALITION FUNDERS**

The Marin County Civil Grand Jury met with Coalition funders who stressed the importance of parents. The funders believe the long-term goal is social transformation - large scale social change. This occurs when the rules that govern behavior throughout the community – the social norms – are changed. Changing what is acceptable behavior for youth takes time and requires patience.

The funders believe that kids need to know why underage drinking is illegal and how drinking alcohol can harm them. Parent education is critical. Parent training provides an easy, non-judgmental way for them to learn about alcohol, understand how important they are to their children and change the behavior they model. Hosting parent coffees and providing

parents with tip sheets gives them tools to use when talking to their children. Children and parents benefit from shared involvement in alcohol prevention education. They hear the same message, learn the same facts, learn to talk to one another and develop respect for themselves and each other.

The funders and a co-chair of the NBRCY stress the concept of sustainability, the capacity to endure. If funding stops, what happens then? What the NBRCY is working to implement is social transformation, change that benefits the community. If the Coalition is successful, the changes will endure even when the funding ends.

### **MARIN COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES**

The Civil Grand Jury talked to the director of the Marin County Department of Health and Human Services (HHS) and a member of the organization's staff. HHS provided a grant to the NBRCY and staff members participate in the Coalition's activities. But HHS could do more. The entire Marin County community looks to them for guidance and help dealing with health crises, especially those that are widespread and headlined in the newspapers. When Marin County residents read about traffic collisions, injuries, crimes and medical emergencies tied to underage drinking, they are reading the details of a public health crisis. HHS can reach the entire community through its online Prevention Hub<sup>17</sup> which could be used to provide information about the health dangers of underage drinking and the long term value of prevention.

### **NOVATO CITY ADMINISTRATION**

The Civil Grand Jury talked to the Novato City Manager and a member of the City Council. In today's world of shrinking budgets, their highest priorities are fiscal matters and the overall direction of the city. While they are aware of the NBRCY, they seldom participate in its activities, although the Mayor gave a speech at the May 2012 Town Hall meeting. The Jury encourages members of the city administration to attend more Coalition events, including its meetings. The Coalition is making a difference in the community, and through their participation, the City Manager and City Council members increase the visibility of the Novato Blue Ribbon Coalition for Youth, show their support and encourage other communities to model the Coalition's efforts.

### **BEYOND THE COALITION**

The Marin County Civil Grand Jury visited the YMCA-sponsored Youth Court and the Phoenix Academy. These organizations work with youth who are already using alcohol or drugs and their main focus is on repairing damage. Their goal is to stop drug or alcohol abuse before it becomes a life-long problem. The continued need for these organizations highlights the importance of the work of the NBRCY. If the Coalition is successful, the flow of kids requiring these services will be reduced.

In addition to the directors and staff of the organizations serving kids already using alcohol or drugs, the Marin County Civil Grand Jury talked to practitioners whose primary interest was

<sup>17</sup> <http://www.co.marin.ca.us/depts/HH/main/prevention/index.cfm>

prevention, keeping kids from using alcohol or drugs. The director of the Phoenix Academy and the practitioners pointed out that harm reduction and abstinence are not mutually exclusive. Sometimes, taking a harm reduction approach is necessary to reduce the impact of drug or alcohol abuse.

### YMCA Youth Court

Eighty per cent of the kids diverted to the Marin YMCA-sponsored Youth Court have been arrested for incidents that are alcohol or drug related. While the kids regret getting caught, they usually have no plan to stop drinking or using drugs (usually marijuana). The Youth Court's goal is to keep kids alive, addiction free and without a criminal record.

Youth diverted to the Youth Court are required to attend the Decisions Under the Influence ("DUI") workshop. The workshop begins with an all-day Saturday workshop for the youth and a parent. Kids and parents meet separately in the afternoon. The parent session focuses on why juveniles take risks and the importance of setting boundaries and being actively involved with their child.

The kids also attend three teen-only DUI sessions that provide a crash course in how alcohol and other drugs impact lives. The kids learn about the legal consequences of underage drinking and the impact their behavior has on their families. They are asked why they thought they could do what they did without facing consequences and what they will do differently next time. They hear about the damage alcohol and drugs can cause and the difference between drinking or using drugs for recreation and taking them to self-medicate. They learn how to determine if a friend has consumed too much alcohol and what to do if that happens, and they make a commitment to take care of their friends.

The DUI workshop provides parents with insights into their children's behavior and suggests ways to deal with it. During the teen-only sessions, kids interact with peers and a caring adult who provides information and answers their questions. The kids are open, relaxed and involved; everyone is heard and no one is judged. The Youth Court fills the role of the parent in educating kids about alcohol and drugs. The workshop content could be shared with all children, not just those who have already begun drinking or using drugs. Their parents need the information, too.

### Phoenix Academy

Marin County has a special school for children with substance abuse problems, the Phoenix Academy. It is also sometimes called the Sober School. It serves middle and high school students whose education or health is being harmed by their substance abuse. Children are referred to Phoenix Academy by their parents, by Marin County Probation or they may refer themselves. Students follow an academic curriculum, receive counseling and are taught life skills while dealing with their substance abuse.

The Phoenix Academy offers two programs: a 12 Step program modeled after the Alcoholics Anonymous (AA) approach to substance abuse, and a Harm Reduction program. Recognizing their importance, the AA program requires parents to attend a weekly meeting at the school with their child. The school's focus is on the child's safety with substance abuse as a secondary issue. Abstinence is the eventual goal but, for many kids, the program begins

with a focus on harm reduction, on stopping the physical damage being caused by alcohol and drugs.

### Community Practitioners

There are many community practitioners, but two caught the Marin County Civil Grand Jury's attention. The Marin County school-based "*Being Adept*®" program focuses on kids in middle school. The program was designed to prevent the onset of substance use by teaching children about the effects of substances and empowering them to resist them through coping skills training. Classes are delivered at school by medical and mental health professionals who share the latest research. The students learn how to cope with peer pressure and manage stress. Peer leaders talk to the students about their experiences managing the pressure to use alcohol and drugs. The program is focused on prevention, abstinence and parents' role in preventing underage drinking and drug use. Both parents and children attend classes.

Apple Family Works ("AFW") provides therapy and counseling to individuals, couples and families and offers parenting and life skills programs. AFW emphasizes life skill acquisition by parents and children as a way of managing and regulating internal stress without turning to alcohol. Biofeedback techniques may be employed. Both the founder of *Being Adept* and AFW's Executive Director believe that prevention is the goal and that efforts should begin as early as the fifth grade.

Both *Being Adept* and AFW emphasize the role parents play as role models and arbiters of acceptable behavior. They stress the importance of teaching life skills and setting boundaries. They both report parental denial is a big hurdle; parents do not want to believe their children are abusing alcohol. This makes it difficult to deal with the issue.

## CONCLUSION

After talking to Novato parents, Novato Blue Ribbon Coalition for Youth funders, agencies serving kids and community practitioners, the Marin County Civil Grand Jury understood the importance of prevention. Once they start drinking, kids are likely to continue, exposing them to alcohol-related risks. Preventing underage alcohol use should be the primary goal.

Since drinking begins at an early age in Marin County, prevention efforts need to begin by age 10. Children should learn about the damage alcohol can cause to their developing brains and develop skills to deal with the pressure to drink. Home is the best place to teach children about alcohol and school is the second-best place.

The only way to reduce underage drinking is to change attitudes and behaviors throughout the community. Parents, educators, youth, law enforcement, government entities and community members need to work together to send a consistent message: "*It is NOT OK for youth to consume alcohol.*" Reducing kids' access to alcohol is important but providing them with positive role models and teaching them why alcohol is harmful is more effective than locking up the liquor and fining the people who provide it.

## FINDINGS



- F1:** Marin County cities and towns do not recognize underage drinking as a crisis in spite of alcohol-related deaths, injuries and medical emergencies. As a result, not enough resources are assigned to deal with it.
- F2:** Parents have the most influence on their children's attitudes and behaviors related to alcohol. They need information and tips for modeling good behavior and talking to their children about alcohol.
- F3:** Prevention is the key to reducing alcohol consumption by youth and home is the best place to teach children about the negative impacts of underage drinking. Schools are the next best place and, since kids try alcohol at an early age, prevention education needs to begin by the fifth grade.
- F4:** Alcopops are easy to get and provide underage drinkers with an inexpensive way to binge drink. But many citizens know nothing about them. Informing the public is the first step in eliminating alcopop sales in Marin County.
- F5:** Marin County is an Alcopop-Free Zone™ but compliance by merchants is voluntary. Grassroots efforts will be required to encourage them to stop stocking and selling alcopops. Grassroots efforts involve the community, get things done and create lasting change.
- F6:** Novato has more off-sale alcohol retail outlets than prescribed by ABC guidelines contributing to easy access to alcohol. ABC guidelines are not enforced and new licenses continue to be granted.
- F7:** Novato is ahead of other Marin County towns and cities in defining and implementing environmental strategies for reducing underage drinking. It's efforts are being led by the Novato Blue Ribbon Coalition for Youth.
- F8:** The Novato Blue Ribbon Coalition for Youth's efforts to reduce underage drinking by reducing alcohol access and availability make it a model for other communities to emulate.
- F9:** Responsible Beverage Service training offered by the Novato Police Department to anyone selling or serving alcohol reduces the likelihood that alcohol is sold or served to minors.
- F10:** Social host ordinances are seldom enforced in Novato and have little impact on underage drinking.
- F11:** Novato City Administrators are aware of the Novato Blue Ribbon Coalition for Youth but seldom participate in its efforts losing an opportunity to highlight their support of the Coalition and the importance of its work.

## RECOMMENDATIONS

The Marin County Civil Grand Jury recommends that:

- R1:** The Marin County Office of Education and Board of Education support and encourage existing and future programs of alcohol prevention education in all Marin County schools.
- R2:** Marin County Department of Health and Human Services lead the community in emphasizing the dangers of underage drinking and parents' role in prevention.
- R3:** Marin County Department of Health and Human Services have members of its staff attend meetings and provide support to the Novato Blue Ribbon Coalition for Youth.
- R4:** Marin County Department of Health and Human Services convene regular meetings of the three Marin County youth coalitions to provide support and guidance, share ideas and stay abreast of the coalitions' activities, challenges and successes.
- R5:** The Novato City Manager select a representative to become a member of the Novato Blue Ribbon Coalition for Youth, attend its meetings regularly and provide updates on its progress to the City Manager and City Council.
- R6:** The City of Novato enforce the drinking age laws and the Social Host Ordinance.
- R7:** The City of Novato require Responsible Beverage Service training for anyone selling or serving alcohol.

## REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the Marin County Civil Grand Jury requests responses as follows.

From the following individuals:

- Marin County Office of Education, Superintendent: Finding **F3**; Recommendation **R1**.
- Marin County Department of Health and Human Services, Director: Findings **F1, F2, F3, F4** and **F5**; Recommendations **R2, R3** and **R4**.
- City of Novato, City Manager: Findings **F1, F6, F7, F8, F9, F10** and **F11**; Recommendations **R5, R6** and **R7**.

From the following governing body:

- Marin County Board of Education: Finding **F3**; Recommendation **R1**.

The governing body or bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code Section 933 (c) and subject to the notice, agenda and open meeting requirements of the Ralph M. Brown Act.

California Penal Code Section 933 (c) states that "...the governing body of the public agency shall comment to the presiding judge on the findings and recommendations pertaining to matters under the control of the governing body." Further, the Ralph M. Brown Act requires that any action of a public entity governing board occur only at a noticed and agendized public meeting.

Note: Information-only, courtesy copies (without response) will also be sent to the following Districts:

- Bolinas-Stinson Union School District; Dixie School District; Kentfield School District; Laguna Joint School District; Lagunitas School District; Larkspur-Corte Madera School District; Lincoln School District; Mill Valley School District; Nicasio School District; Novato Unified School District; Reed Union School District; Ross School District; Ross Valley School District; San Rafael School District; Sausalito-Marín City School District; Shoreline Unified School District; Tamalpais Union High School District; and Union Joint School District

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury.

## APPENDIX

### RECOMMENDED ADDITIONAL READING

- Lamott, Anne (2010), *Imperfect Birds* (New York: Riverhead Books).
- Levine, Madeline (2006), *The Price of Privilege* (New York: Harper Collins, NY).
- Neufeld, Gordon and Mate, Gabor (2004), *Hold On to Your Kids: Why Parents Need to Matter More than Peers* (New York: Ballantine Books).
- For information about social host ordinances in Marin County cities and towns, please visit: <http://www.marin.ca.gov/depts/hh/main/adt/programs-and-services/PreventionSocialHost.cfm>

### ENDNOTES

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- Underage Drinking: A Collective Responsibility*. Washington, DC: National Academies Press, 2004. pp. 351–382. Available at: <http://www.nap.edu/books/0309089352/html>
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