June 13, 2017

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA  94903

SUBJECT:  CONDUCT MERIT HEARING OF ORDINANCE AMENDING CHAPTER 6.75 OF THE MARIN COUNTY CODE (SOCIAL HOST ORDINANCE) TO:  (1) PROHIBIT LOUD OR UNRULY GATHERINGS WHERE MARIJUANA IS SERVED TO, INGESTED BY OR IN POSSESSION OF UNDERAGE PERSONS, (2) ADDING PARTY BUSES AND LIMOUSINES TO THE GATHERINGS WHERE LOUD AND UNRULY PARTIES ARE PROHIBITED; (3) DEFINING RESTORATIVE JUSTICE PROGRAM; (4) MANDATING PARTICIPATION AND GRADUATION FROM A RESTORATIVE JUSTICE PROGRAM FOR REPEAT UNDERAGE OFFENDERS; (5) MANDATING PARTICIPATION AND GRADUATION FROM A RESTORATIVE JUSTICE PROGRAM FOR YOUNG ADULTS UNDER THE AGE OF 21; AND (6) MANDATING 6 – 20 HOURS ATTENDANCE AT RESTORATIVE JUSTICE HEARINGS FOR ADULT OFFENDERS IN ADDITION TO THE CIVIL FINE

Dear Supervisors:

RECOMMENDATION: Conduct Merit Hearing of the proposed Ordinance amending Chapter 6.75 of the Marin County Code (Social Host Ordinance) to add marijuana to the Ordinance’s prohibition, adding party buses and limousines to the gatherings where loud and unruly parties are prohibited, mandating participation and graduation from a restorative justice program for repeat underage offenders and offenders under the age of 21, mandating 6-20 hours attendance at a restorative justice program for adults offenders in addition to the already imposed civil fine and setting the Merit Hearing of the proposed Ordinance for Tuesday, June 13, 2017, at 10:00 a.m.

SUMMARY: Over the past six months, Supervisor Katie Rice, Dr. Matt Willis and H&HS staff have been working with community stakeholders on identifying and making changes to the Social Host Ordinance to
strengthen and unify it. The proposed Amendments are a result of that collaborative work.

The Social Host Ordinance (SHO) was introduced into Marin County and all the cities within Marin County in 2006. The purpose of SHO is to keep youth safe by not tolerating or allowing alcohol to be served to youth in homes with or without parents present. The SHO holds the adult of the home responsible for what occurs in their home. Allowing youth to consume alcohol is illegal. The SHO imposes a fine starting at $750 and goes up depending on the nature of the incident and the jurisdiction.

In Marin County 40% of 11th graders currently (in the past 30 days) consume alcohol, 24% are binge drinking and 30% use marijuana currently. This is significantly higher than California averages.

SHO has been proven to be an effective tool in the enforcement of underage alcohol consumption. It holds adults responsible to combat the norms that prevail of adults thinking it is OK to allow teens to drink under the assumption it is safer at their home. They are not thinking about the unintended risks of alcohol poisoning, overdose, risky sexual behavior, driving under the influence, and other health risks as well as destruction of property. The recommended changes will deter adults and teens from hosting parties both in private homes or other venues.

Youth Leadership Institute and Marin Prevention Network have worked collaboratively on examining the SHO and how to strengthen the language and increase enforcement. After careful analysis, changes in the legalization of marijuana and the attention on prescription drug abuse, the groups have determined that stronger and more specific language is necessary to strengthen and unify the current SHO. A task force of law enforcement leaders was developed to aid in altering Marin’s SHO and enforcement across the county. The recommended changes include:

- Adding marijuana (controlled substances were added in 2016)
- Include limousines and party buses
- Require a restorative justice program for all youthful offenders under the age of 21 so young people learn from their mistakes.

Due to marijuana legalization, its increased availability and potency and the current opioid and prescription drug epidemic, we are recommending that we include marijuana to give law enforcement additional legal justification to enforce the SHO.

Due to last year’s rental (party) bus incident involving 30 teens and alcohol and drugs, it was also determined that stronger measures were needed to enable law enforcement to enforce the SHO at other venues including party buses and limousines.
The proposed changes to the Marin County SHO are intended to improve on an ordinance that is necessary to protect the youth of Marin County. It also is intended to pave the way for all other cities in Marin County to follow and adopt similar language to create a uniform policy throughout the county in an effort to protect youth and reduce underage substance use.

It is urged that your Board conduct a Merit Hearing of the proposed Ordinance and consider passage.

**FISCAL/STAFFING IMPACT:** None. It is not anticipated that enforcement of the Ordinance will burden the Sheriff.

**REVIEWED BY:**

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<tr>
<th>Dept. of Finance</th>
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<tr>
<td>County Counsel</td>
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<td>Human Resources</td>
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Respectfully submitted,

Jack F. Govi
Assistant County Counsel

cc: CAO, Clerk of the Board