



# Public Safety Subcommittee Report

**Date:** October 16, 2014  
**To:** Public Safety Subcommittee  
**Through:** John Pombier, Deputy City Manager  
**From:** Frank L. Milstead, Chief of Police  
**Subject:** City of Mesa Social Host Ordinance

**Strategic**

**Initiatives**



**Purpose:**

The purpose of this report is to seek direction from the Public Safety Subcommittee on the proposed Social Host Ordinance for the City of Mesa. This Ordinance will protect the health, safety, and welfare of the citizens of the City of Mesa by reducing the occurrence of underage drinking of alcoholic beverages and/or illegal drug use by holding social hosts civilly and/or criminally responsible for permitting, causing, allowing, facilitating, or hosting a party, gathering, or event at their place of residence, or at other property under their ownership/possession or control, where alcoholic beverages are being served to, in the possession of, or consumed by any minor, or where illegal drugs are being served to, in the possession of, or consumed by any person. It is the intent of this Chapter to hold social hosts strictly liable for the underage drinking or illegal drug use activity that occurs on their property.

**Background:**

Underage drinking is a public health risk and a behavior detrimental to the health and safety of our youth. The focus of a social host ordinance is not about penalizing but as an awareness and accountability to adults in times when they need to exercise greater monitoring and supervision. Twenty percent of Mesa high school seniors surveyed reported that a parent or guardian furnished alcohol to them (AYS 2012).

The Mesa Prevention Alliance distributed a Community Norm Survey (CNS 2013) to 854 Mesa residents 18 and older. According to the CNS, 94% of participants reported they are concerned with underage drinking and 80% agree there should be a law that holds adults responsible for hosting parties where youth are drinking alcohol.

Over the past two years, the Mesa Police Department participated in Party Patrol Enforcement and has issued 156 citations related to underage drinking and during this project eight individuals were transported to local hospitals due to alcohol poisoning.

The City of Phoenix and City of Chandler are working on a Social Host for their communities and Tempe and Buckeye have a Social Host Ordinance.

**Discussion:**

Currently the Mesa Police Department enforces underage drinking violations and contributing to the delinquency of a minor through the authority granted by State Statutes Title 4 and Title 13. These statutes are effective in situations where police officers can determine the mental culpability of the offender of “knowingly”. The proposed social host ordinance will hold social hosts under “strict liability” for underage drinking or illegal drug use activity that occurs on their property, enhancing the ability to enforce this ordinance as it relates to underage drinking of alcoholic beverages and/or illegal drug use.

**Alternatives:**

- 1) Enhance training and officer awareness on the effectiveness of enforcing existing Title 4 and Title 13 statutes in order to reduce the occurrence of underage drinking of alcoholic beverages and/or illegal drug use.
  - a. Distribute training material on enforcement and awareness of underage drinking and contributing to the delinquency of a minor to all patrol officers of the Police Department.
  - b. Include information on underage drinking and contributing to the delinquency of a minor on all patrol “daily missions” in order to bring awareness to the problem and increase police officers’ daily enforcement activities as it relates to this issue.
  - c. Monitor arrests and enforcement activities through the use of monthly CompStat meetings to determine the increase of enforcement activities.
  - d. Conduct a follow-up survey by the Mesa Prevention Alliance to determine the effectiveness of the enhanced training and awareness.
- 2) Partner with Mesa Public Schools to enhance awareness on underage drinking and illegal drug use.

**Fiscal Impact:**

There is minimal fiscal impact with the proposed ordinance and or alternatives.

**Concurrence:**

The Mesa Police Department and Community Bridges Incorporated/Mesa Prevention Alliance are in concurrence with the proposed Social Host Ordinance.