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Social host liability for minors and underage drunk-driving accidents

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ABSTRACT

Social host laws for minors aim to reduce teenage alcohol consumption by imposing liability on adults who host parties. Parents cite safety reasons as part of their motivation for hosting parties, preferring their teens and their teens' friends to drink in a supervised and safe locale. Both sides predict an effect of social host liability for minors on alcohol-related traffic accident rates for under-aged drinkers; the effects, however, work in opposite directions. This paper finds that, among 18–20 year olds, social host liability for minors reduced the drunk-driving fatality rate by 9%. I find no effect on sober traffic fatalities. Survey data on drinking and drunk driving suggest the declines resulted mostly from reductions in drunk driving and not reductions in drinking.

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1. Introduction

Motor vehicle accidents are the leading cause of deaths for adolescents in the U.S.¹ Alcohol contributes to a significant fraction of these deaths: 14% of driver fatalities occur due to driving under the influence. Since the mid-1970s, states have passed a series of laws seeking to reduce underage access to alcohol and improve driver safety. States raised minimum legal drinking ages, lowered the maximum blood alcohol content to be legally sober for adults and for underage drinkers, required graduated driver licensing of teenagers, and passed more restrictive seat belt laws.

Previous studies highlight the effects these laws and other alcohol policies, such as alcohol taxes, have on drinking, on underage drinking, driving under the influence of alcohol, and motor vehicle fatalities. *Dee (1999)* and *Dee and Evans (2001)* provide an overview of this literature. One policy that appears to be overlooked in the literature, however, is social host laws for minors.

Although providing alcohol to minors is illegal in all states (*APIS, 2007*), social host laws for minors increase the potential penalties.

Hosts of a private party can acquire civil liability if they provide alcohol to minors and that act leads to the injury to a third person. These laws make it illegal to provide any alcohol to minors even on private property and, typically, make hosts liable for underage drinking on their property. Most minors obtain alcohol from adults of legal drinking age. Further, most underage drinkers typically drink alcohol in their own or someone else's home (*Pemberton et al., 2008*). The added liability, referred to as a social host law for minors, specifically targets underage access to alcohol.

Social host laws for minors (SHLM) became increasingly common in the United States in the 1980s and early 1990s. This paper tests whether the adoption of SHLM affected drunk driving by teenagers. This is an inherently empirical question. These laws may reduce drunk driving by raising the price of alcohol to underage drinkers and reducing their alcohol consumption. In response to the laws, social hosts may improve their monitoring of guests and pressure guests to reduce their drinking, drunk driving, or other risky activities. On the other hand, these laws may increase drunk driving by relocating underage drinking from their own homes and adult supervision to more distant locales, by increasing the consumption of substitute goods that may impair teens' driving, or both.

Using state-level traffic fatality data for 1975 through 2005, I estimate the effect of SHLM on traffic fatalities involving and not involving alcohol. I find that these laws appear to reduce drunk-driving fatalities but are uncorrelated with sober traffic fatalities. Survey data for 1984 through 2004 suggest that SHLM reduced

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¹ Centers for Disease Control and Prevention. Web-based Injury Statistics Query and Reporting System (WISQARS) [Online] (2008). National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Available from: www.cdc.gov/ncipc/wisgars.

drunk driving but only modestly, if at all, reduced alcohol consumption. The effectiveness of SHLM may stem from social pressure applied by party hosts to reduce their guests' drunk driving and their own liability.

2. Empirical methods: traffic fatalities and SHLM

Social host laws for minors theoretically have three effects. First, they raise the price of underage drinking; downward sloping demand curves imply this reduces underage drinking. Proponents of these laws tend to cite the unseemliness of parents, in particular, allowing underage drinking.² Second, others argue that teenagers will drink anyway and that teenagers are safer drinking at home with adult supervision than without supervision. Raising the liability for adults providing these opportunities may make teenagers less safe by increasing the likelihood of driving after drinking.³ Third, SHLM strengthen the incentive for social hosts to monitor and encourage guests not to drink and drive; in an effort to reduce their own liability, social hosts may reduce drunk driving.

I estimate the effect of SHLM on teen traffic fatalities involving alcohol. If social host laws effectively reduce teen drinking or drunk driving instead of pushing teens towards drinking further from home, then the fraction of teens killed in traffic accidents involving alcohol will fall. Alternatively, if the dominant effect is to increase teens' drinking further from home and, presumably, teen drunk driving, then the fraction of teens killed in traffic accidents involving alcohol will increase. Social host laws for minors should have no effect on fatalities stemming from non-alcohol-related accidents.

I consider how social host laws affect traffic fatalities of 18–20 years olds by estimating the following:

$$\ln \left(\frac{\text{fatality_rate}_{it}}{1 - \text{fatality_rate}_{it}} \right) = X'\beta + \alpha \text{SHLM}_{it} + \delta_t + \theta_i + \gamma_i t + \varepsilon_{it}$$

The log-odds ratio of traffic fatalities accounts for the discrete nature of a traffic fatality at the individual level (Ruhm, 1996).

The regressions control for a variety of alcohol- and driving-related policies: the minimum legal drinking age, beer taxes, whether the state has lowered its maximum legal blood alcohol content to 0.08, whether a seat belt law is in existence, whether a state has a zero-tolerance law, and whether the state has a graduated driver license program. Prior research suggests each of these policy changes may have played a role in altering behavior. Dee (1999) finds that a higher minimum legal drinking age reduced traffic fatalities, although Miron and Tetelbaum (2009) argue that this effect is quite small. Saffer and Grossman (1987) suggest that beer taxes reduce traffic fatalities although Dee (1999) finds that this result is not robust to the inclusion of additional control variables. Dee (2001) shows that lower legal blood alcohol limits for adults also reduce traffic fatalities. Seatbelt laws consistently correlate with fewer traffic fatalities (for example, Cohen and Einav, 2003), particularly for youth (Carpenter and Stehr, 2008). Other research suggests that zero-tolerance laws, laws that lower the legal blood alcohol level of persons under 21 to 0.02 or less, reduce alcohol-related highway fatalities (Eisenberg, 2003) and heavy episodic drinking for underage males (Carpenter, 2004). Dee

et al. (2005) find that graduated driver licensing programs, which require teenagers to ease into independent driving, reduced traffic fatalities by teens.

In addition to these alcohol- and driving-related policies, the regressions control for the total vehicle miles traveled, the state unemployment rate, average per capita income, state fixed effects, and year dummies. I present specifications with and without state-specific trends. Dee (1999) highlights the importance of state fixed effects and state-specific trends when estimating the effects of alcohol policies.

The variable of interest is an indicator for whether a state has a SHLM. The estimated coefficient on SHLM is α . The percentage reduction in traffic fatalities associated with SHLM is the product of α and one minus the fatality rate. The likelihood of a teenager dying in a traffic accident is quite small. The coefficient, α , provides a close approximation of the percentage reduction in traffic fatalities associated with SHLM.

By controlling for a wide variety of other alcohol-related policies as well as the state trends, fixed effects, and year effects, any bias in the estimate of α must arise from differing within-state trends prior to the court finding. Estimates of the effect of social host laws are biased if the laws are passed in response, for example, to increasing traffic fatality rates. I explore this possibility below by estimating how the effect of social host liability changes with the time before and after passage of the law.

To correct for heteroskedasticity, regressions are appropriately weighted for the log-odds ratio dependent variable. Following Ruhm (1996), this regressand implies that the variance of the error term is:

$$(\text{fatality_rate}_{it}(1 - \text{fatality_rate}_{it})\text{pop}_{it})^{-1}$$

where *pop* is the population of the relevant age-group. Standard errors are clustered by state.

Three measures of teen traffic fatalities are considered: fatalities where the accident included anyone who was drinking, fatalities where the accident included a drunk driver, and fatalities where the accident did not involve any alcohol. The first two types of traffic fatalities examine whether SHLM reduce drunk driving, and therefore fatalities due to drunk driving. I analyze non-alcohol-related traffic fatalities as a counter-factual: SHLM should have no effect on these fatalities.

3. Data

In 1975, seven states imposed civil liability on social hosts for providing alcohol to minors: Iowa, Indiana, Louisiana, Minnesota, Mississippi, North Dakota, and Oregon.⁴ In the mid-1980s, this number increased rapidly. By 1992, 25 states had social host laws applicable to minors. In most cases, a SHLM arose when the state supreme court judged that existing laws allowed for social host law liability when the imbibing party was a minor. Table 1 presents the dates associated with the relevant decision or legislation for each state with SHLM. Fig. 1 graphs the fraction of states with SHLM over time. This fraction increases beginning in the late 1980s, leveling off near the end of the 1990s.

State-level data on traffic fatalities are from the Fatality Analysis Reporting System (FARS) for 1975–2005. I analyze three types of teenage traffic fatalities: fatalities from accidents involving alcohol, fatalities from accidents involving a drunk driver, and fatalities from accidents not involving alcohol. Fig. 2 presents nationally

² See, for example, MADD's webpage on social host liability: <http://www.madd.org/Professionals/Social-Host/Social-Host-Liability.aspx>.

³ Although the public debate tends to involve a discussion of whether parents should provide alcohol to their teens, SHLM applies to any adult providing alcohol to a minor. Police use the laws, in some locales, to crack down on underage parties whether or not a parent is present.

⁴ Mothers Against Drunk Driving (MADD) provides a state-by-state summary of social host liability including relevant legal decisions and legislative behavior.

Table 1
Effective dates of social host laws for minors by state.

States with SHLM in 2005		States without SHLM in 2005
Alabama	1987	Alaska
Arizona	1994	Arkansas
Colorado	1997	California
Connecticut	1988	DC
Florida	1999	Delaware
Georgia	1985	Hawaii (currently has SHLM but not in 2005)
Idaho	1991	Kansas
Illinois	1991–1995, 2004	Kentucky
Indiana	1974	Maryland
Iowa	1972	Missouri
Louisiana	1972	Nebraska
Maine	1987	Nevada
Massachusetts	1986	Oklahoma
Michigan	1985	Rhode Island
Minnesota	1972–1977, 1990	South Carolina
Mississippi	1975	South Dakota
Montana	1985	Texas
New Hampshire	1995	West Virginia
New Jersey	1984	
New Mexico	1984	
New York	1986	
North Carolina	1992	
North Dakota	1975	
Ohio	1988	
Oregon	1971	
Pennsylvania	1983	
Tennessee	2005	
Utah	1994	
Vermont	1986	
Washington	1992	
Wisconsin	1985	
Wyoming	2003	

Source: Mothers Against Drunk Driving (2007).

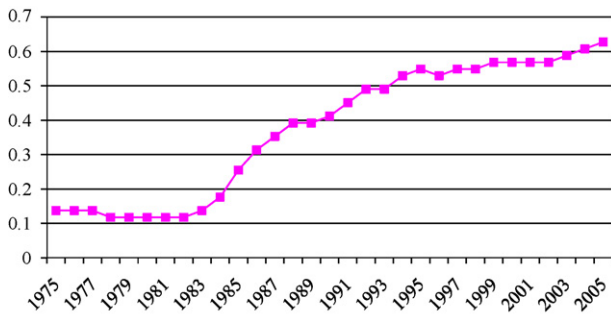


Fig. 1. Percent of states with social host laws for minors, 1975–2005.

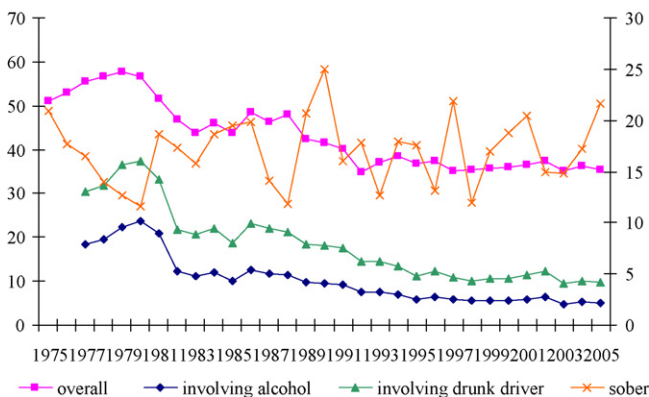


Fig. 2. U.S. traffic fatalities per capita aged 18–20, 1975–2005.

aggregated traffic fatalities of 18–20 year olds divided by the population aged 18–20 years old.⁵ Teenager traffic fatalities increased somewhat between 1975 and 1979; decreased for several years before mildly increasing again in the mid-1980s; after another decline between 1989 and 1992, the traffic fatality rate for 18–20 years olds has been relatively stable around 36 fatalities per 100,000.

Traffic fatality rates for accidents involving alcohol closely track fatality rates involving a drunk driver. In both cases, there is an increase in the rate in the late 1970s, a quick decline, and then a general trend downwards from the late 1980s until the present. Traffic fatality rates for accidents not involving alcohol show much less of a trend. The rate increases slightly over the 30 years; the series demonstrates more variance over time.

Summary statistics for the outcomes of interest as well as the control variables appear in Table 2. The table presents means and standard deviations separately for state-years with a social host law for minors, state-years without, and for the whole sample. The summary statistics suggest that alcohol-related traffic fatalities are less common in state-years with SHLM than state-years without SHLM. Sober fatality rates for both sections of the sample are similar.

State-years without a SHLM differ from those with a SHLM in other respects. State-years with a SHLM are more likely to have tougher drinking- or driving-related legislation such as a higher minimum legal drinking age, lower blood alcohol limits, zero-tolerance laws, graduated driver licensing programs, and seat belt laws although beer taxes are lower. In addition, the unemployment rate is lower, per capita income is higher, and fewer vehicle miles are traveled.⁶ These differences in factors potentially related to traffic fatalities warrant the multivariate regressions presented in the next section.

4. Results

Results from a multivariate regression of traffic fatality rates on social host laws, a set of control variables, state fixed effects, and year dummies appear in Table 3. Column (1) presents estimates for fatalities involving drinking; column (2) for those involving drunk drivers; and column (3) for sober accidents. Columns (4)–(6) present estimates including state-specific trends. These results suggest that SHLM reduced traffic fatalities from accidents involving alcohol and had no effect on fatalities from accidents not involving alcohol.

Few of the control variables have statistically significant effects. Lower legal minimum drinking ages raised alcohol-related fatalities relative to a 21 legal minimum drinking age. Laws lowering the maximum BAC correspond to reduced fatalities from drunk drivers and increased sober fatalities. More driving is associated with fewer alcohol-related fatalities. As in the pooled cross-sectional estimates in Dee (1999), I observe no statistically significant effect of beer taxes on youth traffic fatalities when state trends are included.

The results for SHLM are suggestive; any potential bias must arise from these laws arising in response to changes in the alcohol-related traffic fatalities’ trend for that state. One example would be if a rash of teenager deaths in alcohol-related accidents leads

⁵ The United States Census Bureau provides the population figures.

⁶ The Federal Highway Administration (various years) provided the vehicle miles traveled. The Bureau of Labor Statistics provided per capita income rates and unemployment rates. Beer tax data are from the United States (various years); blood alcohol level laws and mandatory seat belt laws from the Insurance Information Institute (various years). Dee et al. (2005) provided the state graduated licensing programs. The Distilled Spirits Council of the United States DISCUS (1996) provided the minimum legal drinking age laws.

Table 2
Summary statistics by presence of social host law for minors.

	No SHLM		With SHLM		Overall	
	Mean	S.D.	Mean	S.D.	Mean	S.D.
Social host law for minors					0.40	0.49
Log-odds ratio of traffic fatalities with						
Drinking involved	−9.07	0.76	−9.73	0.89	−9.35	0.88
Drunk driver	−9.33	0.69	−9.96	0.83	−9.59	0.81
Sober	−8.77	0.50	−8.73	0.45	−8.75	0.48
Minimum legal drinking age is						
18	0.20	0.40	0.05	0.22	0.14	0.35
19	0.13	0.34	0.02	0.15	0.09	0.28
20	0.04	0.21	0.00	0.04	0.03	0.16
Unemployment rate	6.14	2.06	5.56	1.80	5.90	1.98
Per capita income	15,849	7821	22,391	8246	18,465	8610
Beer tax	0.54	0.22	0.50	0.14	0.52	0.19
Blood alcohol limit is 0.08	0.12	0.32	0.30	0.46	0.19	0.39
Zero-tolerance law	0.22	0.41	0.51	0.49	0.34	0.47
Any seat belt law	0.42	0.49	0.76	0.42	0.55	0.49
Graduated driver licensing program	0.10	0.29	0.26	0.43	0.16	0.36
Total vehicle miles traveled (in 000s)	42.9	52.2	46.1	34.7	44.2	46.1

Table 3
Multivariate regression of traffic fatalities on alcohol laws and control variables, 1977–2005.

	Logged odds ratio of traffic fatalities					
	(1) Drinking	(2) Drunk driver	(3) Sober	(4) Drinking	(5) Drunk driver	(6) Sober
SHLM	−0.260*** (0.084)	−0.275*** (0.071)	−0.029 (0.041)	−0.142* (0.081)	−0.192*** (0.071)	0.005 (0.048)
Minimum legal drinking age is:						
18	0.001 (0.137)	−0.014 (0.126)	−0.027 (0.050)	0.131 (0.127)	0.109 (0.112)	−0.053 (0.058)
19	0.218*** (0.056)	0.203*** (0.065)	−0.077 (0.048)	0.323*** (0.055)	0.314*** (0.057)	−0.029 (0.054)
20	0.157 (0.116)	0.030 (0.115)	0.045 (0.054)	0.263** (0.111)	0.141 (0.108)	0.002 (0.088)
State unemployment rate	0.002 (0.024)	0.001 (0.022)	−0.010 (0.011)	0.007 (0.023)	0.007 (0.022)	−0.002 (0.013)
Income per capita	−0.079*** (0.024)	−0.075*** (0.020)	−0.004 (0.008)	−0.010 (0.042)	−0.006 (0.030)	0.011 (0.023)
Beer tax	−1.253*** (0.421)	−1.040** (0.388)	0.009 (0.247)	−0.666 (0.737)	−0.363 (0.739)	0.440 (0.397)
State has .08 BAC law	−0.160* (0.087)	−0.155* (0.078)	0.056 (0.046)	−0.119 (0.101)	−0.136 (0.089)	0.091** (0.045)
Zero-tolerance law	−0.142* (0.083)	−0.151** (0.068)	−0.010 (0.057)	−0.007 (0.084)	−0.039 (0.067)	0.011 (0.058)
Seat belt law	0.022 (0.112)	0.047 (0.107)	−0.031 (0.059)	−0.018 (0.113)	0.001 (0.100)	−0.034 (0.061)
Graduated driver licensing	−0.090 (0.112)	−0.101 (0.100)	−0.020 (0.044)	−0.011 (0.143)	0.000 (0.127)	−0.014 (0.056)
Total vehicle miles traveled (in 000s)	−0.003 (0.002)	−0.002 (0.002)	0.001 (0.001)	−0.008*** (0.003)	−0.006** (0.002)	0.006 (0.004)
With state trends	No	No	No	Yes	Yes	Yes
R-squared	0.785	0.748	0.402	0.831	0.796	0.438

All regressions include state fixed effects and year dummies although coefficients are suppressed. Standard errors clustered by state.

* Significant at 10%.

** Significant at 5%.

*** Significant at 1%.

to increased community support for and a court finding of social host liability for serving to minors. I first consider this possibility in Fig. 3a–c. The figures graph the trends in traffic fatality rates separately for states that never have SHLM in the sample and those that have SHLM at some point in the sample.

Fig. 3a graphs the trends for all traffic fatalities; there is little difference between the two series. Fig. 3b and c, the trends for alcohol-related and drunk driver traffic fatalities, suggest a possible endogeneity problem in Table 2. States that experience higher alcohol-related fatalities in the early years of the sample are more likely to enact SHLM. These initially high years may lead to spurious findings of an effect of SHLM. Moreover, Fig. 3d, the trends for sober traffic fatality rates, does not show this separation at the early part of the sample.

To explore the possibility that higher alcohol-related fatalities in the early period may affect the results, I consider a few robustness checks. First, in Table 4, I estimate the previous regressions using data from 1982 onwards. Beginning in 1982, the aggregate trends in fatality rates are similar for states that will and will not

enact SHLM. The estimates without state-specific trends are similar to the estimates with trends in the full sample (Table 3).⁷ Adding state-specific trends to the shorter sample eliminates the negative correlation of SHLM and traffic fatalities involving alcohol. However, the negative estimate for traffic fatalities among 18–20 years olds involving a drunk driver continue to suggest that SHLM reduce fatalities involving a drunk driver. The magnitude of the estimate is smaller than that from the full sample, although still economically significant. In the shorter sample, SHLM reduces the traffic fatality rate from accidents involving a drunk driver by 9%.⁸

To observe whether public opinion shifted in the years prior to the court's ruling or legislative change, I estimate regressions as in

⁷ These results are robust to other specifications than the log-odds estimation presented here, including OLS with and without weights and semi-log estimates.

⁸ Results are similar excluding California. California is unusual in that several localities have passed SHLM although the state has not (and is coded as not having SHLM).

Table 4
Multivariate regression of traffic fatalities on alcohol laws and control variables, 1982–2005.

	Logged odds ratio of traffic fatalities					
	(1) Drinking	(2) Drunk driver	(3) Sober	(4) Drinking	(5) Drunk driver	(6) Sober
SHLM	–0.190*** (0.063)	–0.229*** (0.054)	–0.028 (0.053)	–0.067 (0.053)	–0.091* (0.046)	0.005 (0.062)
Minimum legal drinking age is:						
18	–0.003 (0.137)	0.078 (0.115)	–0.003 (0.053)	0.168 (0.123)	0.121 (0.115)	–0.043 (0.061)
19	0.114* (0.063)	0.113* (0.066)	–0.110** (0.047)	0.129* (0.068)	0.123 (0.075)	–0.101* (0.059)
20	0.179 (0.145)	–0.022 (0.119)	0.069 (0.070)	0.270** (0.112)	0.176 (0.114)	0.028 (0.078)
State unemployment rate	–0.015 (0.025)	–0.015 (0.023)	–0.015 (0.010)	–0.043* (0.025)	–0.037 (0.026)	–0.007 (0.013)
Income per capita	–0.030 (0.019)	–0.033** (0.016)	–0.008 (0.010)	–0.061** (0.025)	–0.054* (0.028)	–0.005 (0.028)
Beer tax	–0.003 (0.949)	–0.268 (0.897)	–0.062 (0.310)	0.581 (0.933)	0.525 (0.899)	0.032 (0.699)
State has .08 BAC law	–0.073 (0.084)	–0.076 (0.080)	0.083* (0.049)	–0.093 (0.078)	–0.101 (0.077)	0.091* (0.046)
Zero-tolerance law	–0.076 (0.076)	–0.105 (0.065)	0.006 (0.062)	–0.050 (0.073)	–0.077 (0.058)	0.008 (0.061)
Seat belt law	0.021 (0.080)	0.018 (0.075)	–0.039 (0.057)	–0.025 (0.084)	–0.017 (0.075)	–0.022 (0.060)
Graduated driver licensing	–0.059 (0.101)	–0.061 (0.094)	–0.015 (0.045)	–0.007 (0.110)	0.004 (0.103)	0.002 (0.066)
Total vehicle miles traveled (in 000s)	–0.003*** (0.001)	–0.003*** (0.001)	0.000 (0.001)	0.003 (0.004)	0.003 (0.005)	0.004 (0.004)
With state trends	No	No	No	Yes	Yes	Yes
R-squared	0.763	0.742	0.420	0.815	0.789	0.454

All regressions include state fixed effects and year dummies although coefficients are suppressed. Standard errors clustered by state.

* Significant at 10%.

** Significant at 5%.

*** Significant at 1%.

Table 5
Multivariate regression of traffic fatalities on leads and lags of SHLM, 1982–2005.

	Logged odds ratio of traffic fatalities					
	(1) Drinking	(2) Drunk driver	(3) Sober	(4) Drinking	(5) Drunk driver	(6) Sober
5–6 years before	–0.068 (0.104)	–0.030 (0.091)	0.110 (0.073)	0.074 (0.090)	0.115 (0.081)	0.157* (0.086)
3–4 years before	–0.099 (0.157)	–0.116 (0.133)	0.045 (0.073)	0.045 (0.074)	0.065 (0.072)	0.054 (0.090)
1–2 years before	–0.171 (0.172)	–0.199 (0.141)	–0.014 (0.075)	0.013 (0.095)	0.021 (0.083)	0.039 (0.084)
Year of SHLM	–0.265 (0.199)	–0.319* (0.170)	–0.017 (0.087)	–0.056 (0.112)	–0.070 (0.102)	0.030 (0.116)
1–2 years after	–0.302 (0.188)	–0.324** (0.159)	0.031 (0.094)	–0.069 (0.091)	–0.054 (0.083)	0.079 (0.120)
3–4 years after	–0.301 (0.204)	–0.378** (0.164)	0.112 (0.078)	–0.035 (0.119)	–0.068 (0.115)	0.187 (0.124)
5–6 years after	–0.248 (0.166)	–0.314** (0.129)	0.042 (0.104)	0.069 (0.169)	0.047 (0.182)	0.154 (0.130)
7 or more years after	–0.140* (0.076)	–0.103 (0.078)	–0.003 (0.068)	–0.092 (0.073)	–0.062 (0.070)	–0.009 (0.071)
With state trends	No	No	No	Yes	Yes	Yes
R-squared	0.752	0.732	0.414	0.811	0.785	0.455

All regressions include state fixed effects and year dummies although coefficients are suppressed. Standard errors clustered by state.

* Significant at 10%.

** Significant at 5%.

*** Significant at 1%.

Table 4 but using a series of variables indicating the years before and the years after acceptance of SHLM. I include indicator variables for 5–6 years prior to SHLM, 3–4 years prior, and 1–2 years prior, the year of, 1–2 years after, and 3–4 years after, 5–6 years after, and 7 or more years after. The omitted category is 7 or more years before the SHLM. Table 5 presents the estimates; Fig. 4a and b graphs the estimated coefficients.

First, I consider the estimates without state trends. In the alcohol-related and drunk driving regressions, we observe declines in traffic fatalities in the years preceding SHLM. Traffic fatalities decline even further the year of and the years following the SHLM, increasing again after about 6 years. Sober traffic fatalities were high several years prior to SHLM; however, in this regression, the SHLM coefficients are not jointly significant. For the estimates with state trends, the pattern differs. Coefficients for all three fatalities series appear similar prior to SHLM. At the year of SHLM, drinking-involved and drunk-driving accidents fall and stay lower for about 4 years.

The pattern of estimates is consistent with the estimates in Tables 3 and 4: the estimates are more negative in the year of and the years after SHLM than in the years before. SHLM reduced alcohol-related traffic fatalities in an economically important way, resulting in declines of about 5–7% for a handful of years.

Police may be less willing to note the involvement of alcohol when a state has a SHLM. If so, enactment of SHLM may coincide with reduction in police reporting of alcohol involvement in fatal accidents. Most alcohol-involved accidents occur at night. Nighttime fatality rates are highly correlated with alcohol-involved fatality rates ($\rho=0.7483$) and drunk-driving fatality rates ($\rho=0.7243$). To avoid confounding effects from changes in police reporting, I compare the effects of SHLM on nighttime and daytime accident rates.⁹

Table 6 presents these estimates for the full sample, 1977–2005. Without state-specific trends, SHLM reduces nighttime fatalities by 8.6%. At the 10% level, the estimated effect of SHLM on nighttime fatalities is statistically smaller than its effect on daytime fatalities. Columns (3) and (4) add state trends. Although the estimated effect on nighttime fatalities is no longer statistically different from zero, it is statistically smaller than the estimated effect on daytime fatalities. Columns (5) through (8) in Table 6 present estimates for the shorter sample period, 1982–2005. In the estimates without state trends, SHLM reduced nighttime fatalities by a statistically significant 5%. However, this is not statistically different from its

⁹ I thank an anonymous reviewer for suggesting this strategy.

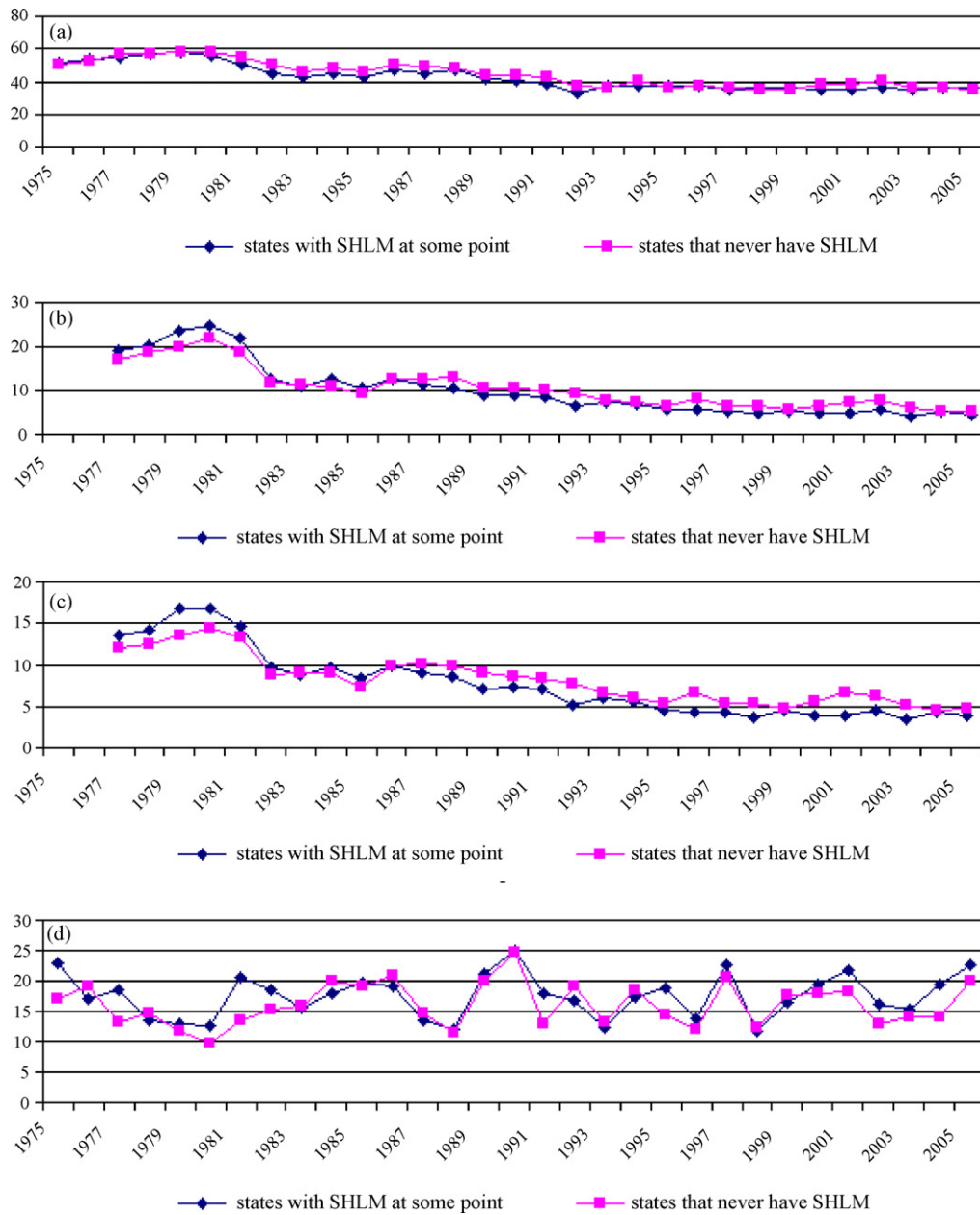


Fig. 3. (a) Traffic fatality rates by SHLM, (b) traffic fatality rates involving alcohol by SHLM, (c) traffic fatality rates involving drunk drivers by SHLM, and (d) traffic fatality rates not involving alcohol by SHLM.

Table 6
Multivariate regression of traffic fatalities by time of accident on alcohol laws and control variables.

	Logged odds ratio of traffic fatalities							
	(1) Night	(2) Day	(3) Night	(4) Day	(5) Night	(6) Day	(7) Night	(8) Day
SHLM	-0.086*** (0.026)	-0.037 (0.028)	-0.038 (0.026)	0.014 (0.027)	-0.050** (0.025)	-0.037 (0.028)	-0.036 (0.022)	0.026 (0.023)
Dates covered	1977–2005						1982–2005	
State trends?	No	No	Yes	Yes	No	No	Yes	Yes
R-squared	0.844	0.800	0.873	0.840	0.818	0.797	0.845	0.834

All regressions include state fixed effects and year dummies although coefficients are suppressed. Standard errors clustered by state.

* Significant at 10%.

** Significant at 5%.

*** Significant at 1%.

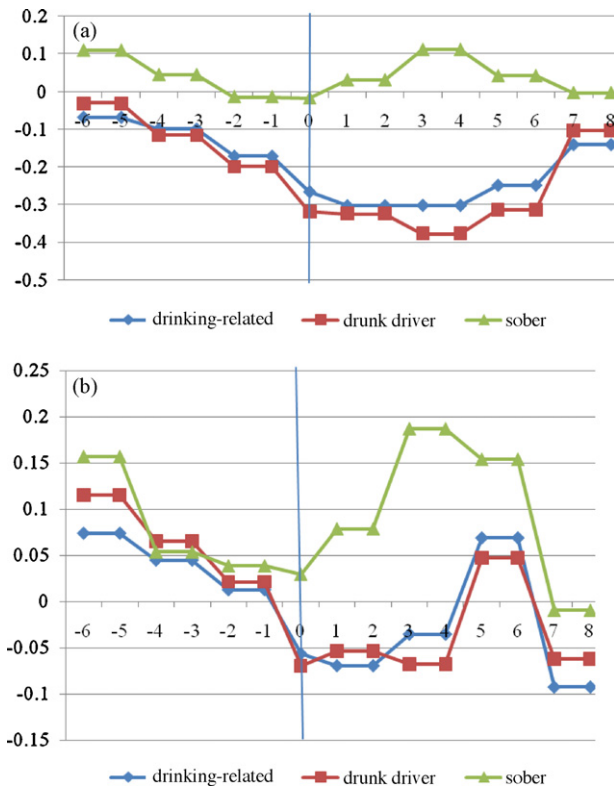


Fig. 4. (a) Timing of effect of SHLM and (b) timing of effect of SHLM, including state trends in model.

estimated effect on the daytime fatality rate. Columns (7) and (8) include state-specific trends. At the 5% level, the estimated effect of SHLM on nighttime fatality rates is statistically smaller than the effect on daytime fatality rates. SHLM reduces nighttime fatality rates more than daytime fatality rates. This evidence is consistent with the earlier estimates demonstrating that SHLM reduced drunk-driving accident fatalities.

5. Effects of SHLM on alcohol consumption and drunk driving

The estimates above imply that SHLM reduce drunk-driving traffic fatalities by between 5 and 9%. This is large relative to the effects of other alcohol-related policies. Previous studies estimate the effect on drunk-driving traffic fatalities of raising the minimum legal drinking age from 18 to 21 at 10% (Dee, 1999) and of lowering the legal BAC to 0.08 law at 3.1% (Eisenberg, 2003).¹⁰ The magnitude of the estimated effect of SHLM calls for further investigation.

SHLM can affect drunk-driving traffic fatalities in two manners: reducing the amount of alcohol consumed or reducing the probability of driving after consuming alcohol. To disentangle these two effects, I consider survey data on current alcohol consumption, binge drinking, and drunk driving from the Behavioral Risk Factor Surveillance System (BRFSS). Begun in 1984, the BRFSS surveys more than 350,000 adults, by telephone, on the type and extent to which they participate in various risky behaviors. I concentrate on the sample of 18–20 year olds from 1984 to 2004.¹¹

As reported in Table 7, 47% report drinking alcohol and 23.7% report drinking 5 or more drinks in a row, “binge drinking”. The

Table 7

BRFSS: drinking and drunk driving among 18–20 year olds.

Percent of 18–20 years olds				
<i>Panel A: Prevalence of drinking</i>				
Drank alcohol in past 30 days				48%
Binge drank in past 30 days				24%
Drove after drinking past 30 days				4%
	People	Percent of drunk drivers	Incidents	Fraction of incidents
<i>Panel B: Drunk drivers past 30 days</i>				
One incident	1116	51.9%	1116	20.2%
Two incidents	510	23.7%	1020	18.5%
3–5 incidents	339	15.8%	1302	23.6%
6–10 incidents	133	6.2%	1015	18.4%
11–20 incidents	35	1.6%	525	9.5%
21+ incidents	19	0.9%	547	9.9%
Total	2152	100%	5525	100%

BRFSS also asks “During the past 30 days, how many times have you driven when you’ve had perhaps too much to drink?” I code responses into a variable indicating any drinking and driving in the past 30 days and a variable counting the number of times the respondent drove drunk. 4.1% report drunk driving in the past 30 days. Of those admitting any drunk driving, 48% report only one occasion in the past 30 days.

Most of those admitting to drunk driving in the past 30 days also report binge drinking in the past 30 days. Only 10% of the drunk drivers report not having five or more drinks in a row in the past 30 days. The 2152 drunk drivers in the sample admit to driving after drinking 5525 times in the past 30 days. Most incidents of drunk-driving stem from a small group of repeat offenders. Less than 3% of drunk drivers are responsible for 20% of the incidents of drunk driving.

Table 8 presents estimates of the relationship between SHLM and self-reported measures of drinking, binge drinking, and drunk driving. All regressions include individual-level indicator variables for sex, black, race not identified as white or black, Hispanic, age, marital status and education. State-level controls include indicator variables for whether the minimum legal drinking age is 18, 19, or 20; the unemployment rate; per capita income; beer tax; whether the state legal BAC is 0.08; whether the state has a zero-tolerance law; whether the state has graduated driver licensing; and vehicle miles traveled. All regressions also include year dummies and state fixed effects.¹² The odd numbered columns present estimates without state-specific trends; the even numbered columns with state-specific trends.

SHLM may have reduced alcohol consumption. In estimates without state trends, SHLM reduces the probability of current consumption and the probability of binge drinking by about 3 percentage points. Including state-specific trends results in an estimated effect on current alcohol consumption that is small and not statistically significant. Drinking is declining during this period; SHLM simply reflect that trend. With or without state trends, SHLM reduces binge drinking by about 3 percentage points; the estimate is not statistically significant once state trends are included.

SHLM reduces drunk driving. Columns (5) and (6) estimate the effect of SHLM on whether the respondent ever drove drunk in the

¹⁰ Miron and Tetelbaum (2009), however, contest Dee (1999) and find no effect of minimum legal drinking ages.

¹¹ The survey did not ask questions about drunk driving in 2001, 2003, or 2005. I omit these years.

¹² Estimates are weighted using BRFSS final sample weights. Unweighted estimates are similar. In the first six columns, the dependent variable is a dummy variable. Estimates using a logit are qualitatively similar. In the last two columns, the dependent variable is a count variable. Estimates using a Poisson or a negative binomial are similarly large, although not statistically significant at conventional levels.

Table 8
BRFSS regressions of alcohol consumption and drunk driving on SHLM.

	Drank past 30 days?		Drank ≥ 5 drinks in a row last 30 days?		Drove drunk last 30 days?		Number of times drove drunk last 30 days?	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
SHLM	-0.0329*	-0.0146	-0.0335**	-0.0309	-0.00844	-0.0173	-0.0506	-0.0906*
	(0.0182)	(0.0201)	(0.0146)	(0.0250)	(0.00916)	(0.0143)	(0.0388)	(0.0539)
State trends?	No	Yes	No	Yes	No	Yes	No	Yes
R-squared	0.085	0.087	0.106	0.108	0.037	0.039	0.021	0.023

All regressions include individual-level indicator variables for sex, black, race not identified as white or black, Hispanic, age, marital status and education. State-level controls include indicator variables for whether the minimum legal drinking age is 18, 19, or 20; the unemployment rate; per capita income, beer tax, whether the state legal BAC is 0.08; whether the state has a zero-tolerance law; whether the state has a graduated driver licensing; and vehicle miles traveled. Regressions include year dummies and state fixed effects. Standard errors clustered by state. Observations weighted using BRFSS final weights. $N = 52,168$.

* Significant at 10%.

** Significant at 5%.

*** Significant at 1%.

past 30 days. The estimated effects are large relative to the small fraction of people who drive drunk: SHLM reduced the propensity to drive drunk by 1.7 percentage points when only 4.1% of people drink and drive. However, the effect is not statistically significant. The final columns of the table examine whether SHLM reduced how frequently the respondent drives drunk. On average, 18–20 year olds drove drunk 0.10 times in the past 30 days. SHLM reduced the frequency of drunk-driving incidents by 0.09. SHLM particularly appears to reduce the frequency of repeat offenders' drunk driving.

6. Conclusions

Social host laws for minors aim to reduce adults' hosting of parties involving alcohol for teenagers by finding these adults liable for accidents stemming from the access to alcohol. Some parents of teens host parties for safety reasons, preferring their teens and their teens' friends to drink in a supervised and safe locale. Both arguments imply an effect of social host liability for minors on alcohol-related traffic fatality rates for under-aged drinkers; the signs of the implied effects, however, differ.

Parties are important sources of alcohol for underage drinkers. When asked where they were the last time they had 5 or more drinks in a row, 32% of 18–20 year olds reported that they were in their own home; an additional 51% reported that they were at another person's home.¹³ 70% report obtaining the alcohol they drank from someone else; only 20% report buying the alcohol themselves.¹⁴

I find that, among 18–20 year olds, social host liability for minors (SHLM) reduced the drunk-driving fatality rate. This effect is net of other alcohol-related state-level policies, state fixed effects, state-specific trends, and year dummies. Endogeneity could arise from states finding social host liability for minors after a spate of alcohol-related teen fatalities. However, the data exhibit no pre-law spike in alcohol-related teen fatalities. The magnitudes of the estimates suggest that SHLM reduced drunk-driving fatalities by about 9%, an economically important and statistically significant effect.

Survey evidence confirms that SHLM reduced drunk driving. Most of the effect appears to stem, not from reducing alcohol consumption, but rather from reducing driving after drinking.

¹³ Author's calculations from the BRFSS in 2003 and 2004, the only years this question was asked. The other options were at a restaurant or banquet hall; at a bar or club; at a public place, such as at a park, concert, or sporting event; and other.

¹⁴ This is consistent with evidence from other surveys. Most teenagers obtain alcohol from friends or acquaintances that are over 21 either directly or at parties (Fabian et al., 2008; Wagenaar et al., 1993, 1996; Jones-Webb et al., 1997). Among twelfth graders, most drinkers report obtaining alcohol at parties and from friends (Harrison et al., 2000).

Although advocates for SHLM may hope to reduce teenage drinking, the estimates suggest only modest, if any, effect on current alcohol consumption or binge drinking. Social host laws appear to induce the adults supervising alcohol consumption to pressure underage drinkers not to drive. The effects are most notable among those drunk drivers prone to be repeat offenders.

Acknowledgements

I thank Jeff Miron and Elina Tetelbaum for generously providing me with their data, Kitt Carpenter for providing data on the zero-tolerance laws, and MADD for providing the summary of court decisions related to social host liability. Thank you to Janice Hauge for a discussion provoking my interest in the topic. I am also grateful to Jeff Desimone, Sean Mulholland, and an anonymous reviewer for their useful suggestions and comments. Any remaining errors are my own.

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June 17, 2010, 6:20 pm

Should Parents Be Jailed When Kids Drink?

By [THE EDITORS](#)



Dennis W. Ho for The New York

Times

It's graduation party season, which means [social host laws](#) that hold parents responsible for teenage drinking are back in the news. Last week, two Harvard Medical School professors were arrested because [teenagers were found drinking at their daughter's graduation party](#), though they said they did not see the alcohol.

How effective are these laws, which can impose fines or jail time for parents? Some parents believe it is better to have teenagers party at home so that adults can monitor the event and take away the car keys than have kids drinking elsewhere unsupervised. Is this a bad idea? Is there an alternative to social host laws?

- [William Damon](#), Center on Adolescence, Stanford University
- [Ruth C. Engs](#), professor, Indiana University
- [David Jernigan](#), Johns Hopkins Bloomberg School of Public Health
- [Richard Bonnie](#), professor of law and medicine
- [Angela Dills](#), economist
- [David S. Anderson](#), professor, George Mason University
- [David J. Hanson](#), professor, State University of New York, Potsdam
- [Marsha Rosenbaum](#), Drug Policy Alliance
- [James F. Mosher](#), lawyer

Condoning Bad Behavior



William Damon is a professor of education and director of the Center on Adolescence at Stanford University. His books include "The Moral Child," "The Youth Charter" and, most recently, "The Path to Purpose."

Parents who sanction teenage drinking parties are making a huge mistake. These parents are encouraging the very behavior they are attempting to control. Even worse, they are communicating disrespect for legal authority to young people who are just forming their attitudes about how to behave in society.

A parent's first message must be that we are obliged to obey the law.

Laws on underage drinking in this country are clear. A parent certainly has the right to disagree with these laws; and discussions about such disagreements with children can foster critical thinking and civic awareness. But the parent's first message to a child must be that we are obliged to obey our society's laws even when we disagree with them.

At the same time, legal enforcement of social host laws should be used sparingly as a last resort. It's heavy-handed, intrusive, and risks undermining relations between parents and children.

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Learn Safer Drinking Habits



Ruth C. Engs is professor emeritus at Indiana University. She has researched university student drinking patterns for over 25 years in the United States and on the international level. She is currently researching health reformers of the Progressive Era.

"Social host" laws vary from state to state and on the whole they are largely unenforceable. High school graduates drinking at graduation parties has been a "rite of passage" among youth in the United States for decades. It is unlikely this behavior will change as it is ingrained in our culture.

The drinking age in the United States should be lowered to age 18 in controlled environments.

It is better to have young adults consume alcohol within the confines of a home where they can be monitored and driven home by parents or designated drivers, as opposed to having them go to unsupervised parties to get drunk. In many cultures outside of the U.S. parents routinely serve their children alcohol at home. Wine and beer are considered part of the diet.

In my opinion, the age of alcohol consumption in the United States should be lowered to age 18 in controlled environments. These include restaurants, anytime or anyplace with parents, or in pubs where alcohol is consumed on the premise.

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The Myth of How Europeans Drink



David Jernigan is an associate professor in the Department of Health, Behavior and Society and director of the Center on Alcohol Marketing and Youth at the Johns Hopkins Bloomberg School of Public Health. He has worked for the World Health Organization and the World Bank as an expert adviser on alcohol policies.

According to the Surgeon General, there are 5,000 deaths per year in the U.S. among young people under 21 as a result of alcohol use. No parent wants their child to have an alcohol problem, be involved in an alcohol-related crash or sexual assault, fall off a balcony during spring break, or suffer from alcohol poisoning.

Young people who start drinking before age 15 are five times more likely to develop alcohol problems.

Yet parents are strikingly ignorant of what the research literature suggests will be effective in keeping our children out of trouble with alcohol.

Many parents feel that young people will be safer if we keep them at home and supervise their drinking, or teach them to drink by having them drink with us. They shore up this conviction with a mental image of drinking patterns in European countries, where they assume that younger drinking ages and drinking with parents decreases youth drinking problems.

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Don't Depend on Laws Alone



Richard Bonnie is Harrison Foundation Professor of Law and Medicine and Professor of Public Policy at the University of Virginia. He chaired a study on underage drinking for the National Academy of Sciences, [“Reducing Underage Drinking: A Collective Responsibility.”](#)

In 2003, the National Academy of Sciences issued a report, “Reducing Underage Drinking: A Collective Responsibility,” concluding that an essential component of a successful strategy is changing the attitudes and behaviors of adults.

There is very little research on the effectiveness of social host laws, and what evidence exists is conflicting.

Adults often facilitate or enable underage drinking directly by supplying alcohol to young people, by failing to take effective precautions to prevent it, by sending the message that alcohol use is to be expected, and by not adequately monitoring and supervising their children’s lives, generally.

The committee that wrote the report recommended an adult-oriented media campaign to educate parents and others that the negative consequences of underage drinking go beyond drunken driving, and that they have an obligation to do something about it. Although some steps in the direction of such a campaign have been taken over the past 5 years, it has not been implemented on the necessary scale.

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Making Hosts Responsible



Angela Dills, a visiting lecturer at Wellesley College, will be an assistant professor of economics at Providence College this fall.

Most minors obtain alcohol from adults of legal drinking age. Most underage drinkers typically drink alcohol in their own or someone else's home. Social host liability laws for minors aim to stem this access to alcohol and its accompanying drinking and driving.

Social host laws have substantially reduced drunk-driving fatality rates for minors.

These laws penalize adults facilitating under-aged drinking if that drinking damages a third party. Parents who throw parties for their children, however, cite safety reasons as part of their motivation for hosting parties, preferring their teens and their teens' friends to drink in a supervised and safe locale.

Both sides of the debate suggest that social host laws affect drunk-driving, albeit in opposite directions. How effective are these laws?

I [analyzed drunk-driving fatality data for 18 to 20-year olds](#) from the Fatality Analysis Reporting System. Over the last 30 years, an increasing number of states have enacted social host liability laws that impose penalties on adult hosts when the imbibing party is a minor.

Over the same period, drunk-driving fatality rates among 18 to 20 year-olds have fallen substantially. However, in those states adopting social host liability, drunk-driving fatality rates for minors fell 9 percent more than states without these laws.

Drunk-driving fatalities may decline because youths drink less, drive after drinking less, or both. Using data from the Behavior Risk Factor Surveillance System, I find little or no effect of social host laws on the drinking behavior of 18 to 20 year-olds. However, social host liability laws are associated with a reduction in how frequently 18 to 20 year-olds drive drunk.

Social host laws may not restrict under-aged access to alcohol but they do encourage adults to improve their monitoring of under-aged drinkers and to pressure those drinkers not to drive.

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Saying 'No' Is Not Enough



David S. Anderson is professor of education and human development at George Mason University.

Social host laws are needed to communicate clearly that underage drinking is not acceptable. While a parent may have the intention of limiting a teenager's (and his or her friends') exposure to drunk driving by hosting a party, exposing teenagers to alcohol even in that setting can result in harm, like alcohol poisoning, sexual abuse, violence, drunk driving and more).

To reduce teenage drinking, address their motivations.

Underage drinking, though decreasing in recent years, is still extensive, as over 25 percent of high school seniors nationwide report drinking 5 or more drinks in a row at least once in the previous two weeks.

While social host laws and other regulations make a difference I believe we also must have a comprehensive approach that emphasizes prevention, personal responsibility, skill-building, and early intervention in addition to laws and policies. We also need to find out why adolescents drink — and then address the underlying reasons for their decisions about alcohol use or non-use.

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Permit Drinking With Adults



David J. Hanson is a professor emeritus of sociology at the State University of New York, Potsdam.

Parent can prohibit drinking in their home and unintentionally drive their high schoolers to drink unsupervised in the woods, fields, older friends' apartments, and who-knows-where-else. The results are sometimes driving while intoxicated and tragic alcohol-related crashes.

Parents should be able to host parties with alcohol if other parents give permission.

Or parents can host gatherings in which they supervise and control the behaviors of the young people who attend to protect their safety and well-being. Some states already permit parents to serve alcoholic beverages to their own offspring under their direct supervision. Every state should do this. Federally-funded research has shown that drinking with parents can reduce overall alcohol consumption and alcohol-related problems.

But no state permits a parent to serve alcohol to the minor of another, even with the explicit permission of the parent or guardian. This prevents parents from legally hosting gatherings at which underage attendees consume any alcohol, even if they obtain permission to act in loco parentis.

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It's Not the Drinking, It's the Driving



Marsha Rosenbaum is a medical sociologist and the founder of the [Safety First project at the Drug Policy Alliance](#).

Recently, a couple (both on the faculty of Harvard Medical School) were arrested under a “social host” law in New Hampshire because teenagers were caught consuming alcohol at their daughter’s graduation party.

If they can’t drink at home, they’ll drink on the street, in the park, on the beach. And they’ll get there by car.

Such social host laws were created in a well-meaning effort to prevent teenage drinking by making parents vulnerable to prosecution. But are they effective?

Most would agree that teenagers would be better off if they abstained. But annual surveys consistently show that nearly 80 percent of high school students have consumed alcohol by the time they graduate.

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Shift Social Norms



[James F. Mosher](#) is a leading scholar in the field of alcohol policy and the law. He has provided expert consultation to community groups, policy makers, and law enforcement on social host laws.

Social host laws (sometimes referred to as house party laws) hold individuals responsible for underage drinking on property they own, lease or control. They recognize that the problems associated with underage drinking parties (a high-risk setting for binge drinking, drunken driving, sexual assault, and other forms of violence) are community problems that require a multifaceted public health approach.

Homeowners should be expected to take steps to ensure that out-of-control teenage parties are not occurring on their property.

Research is absolutely clear on this point: restricting the availability of alcohol to teens saves young lives. So does increasing alcohol taxes. Educational programs are important, but on their own have little or no effect on teen drinking, in part because of the massive advertising and marketing budget of the alcohol industry undermining the pro-health educational messages.

Many parents and other adults don’t realize how easily teen parties can get out of control. Even with

the best intentions, adults who allow teens to party on their property are not only setting a poor example but are also endangering the safety of those attending as well as neighbors and others in the community.

They are also making it more difficult for other parents who want to protect their children from the risks associated with binge drinking.

When properly crafted, social host laws are an appropriate and effective strategy for reducing underage drinking and shifting social norms.

Many communities treat violations as a form of public nuisance, holding the host responsible for costs associated with law enforcement and emergency medical response. This approach is more readily enforceable than social host laws that carry criminal penalties.

Public nuisance law requires property owners to take steps to maintain their property so as not to endanger community health and safety. For example, swimming pools must have fences and toxic substances must be removed.

Similarly, we should expect homeowners to take reasonable steps to insure that out-of-control teen parties are not occurring on their property. For example, if parents are going out of town, they should not leave teenagers in charge during their absence.

This is an invitation for disaster, even with the most responsible teenager. Social networking can easily result in 200 or more drunken, uninvited teens on the property. Law enforcement officials in communities across the country routinely report just these types of incidences. Parents should alert neighbors, friends or law enforcement to monitor the property during their absence and/or make other arrangements for the supervision of their teenagers. The last thing parents should do is give into social pressures by letting their homes become the site for underage drinking parties.

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