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*Social host ordinance sought here

Rule: Parents responsible for parties

By Michael Scharnow
Times Editor

In light of recent controversy surrounding a School Board member whose residence was the location of a teen drinking party last year, a drug abuse prevention coalition is pushing for the adoption of a municipal "social hosting" ordinance.

Such ordinances are seen as giving law enforcement additional tools for cracking down on teen drinking and holding parents responsible for what transpires in their homes.

Toughened rules also are seen as additional teen drinking prevention tools.

Carole Groux, director of the Fountain Hills Youth Substance Abuse Prevention Coalition, plans to address the Town Council in March and urge passage of such an ordinance.

"It is a proven effective strategy that moves us to-

wards changing the social norms and reducing underage alcohol consumption," Groux said.

"Not all parents and not all friends over 21 realize the dangers and short- and long-term effects of underage drinking."

Many letter writers and others have questioned in recent weeks why School Board member Pat McNett-Green was not cited herself after 16 juveniles were cited for minor consumption violations at her home in March 2009.

Under state laws, an adult must supply a minor with alcohol to be cited for contributing to the delinquency of a minor (a misdemeanor).

Often times it is difficult for law enforcement, upon arriving at the scene of an underage beer party, to determine who exactly sup-

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Statement by teens' attorney

(Editor's Note: Following is a statement submitted to 'The Times' by Harlan W. Green, attorney for the juveniles who filed a notice of claim seeking damages from the Fountain Hills Unified School District and Sheriff's Office for allegedly violating laws governing police records. Mr. Green also is the father of one of the teens, Martess Green. The initial story on this incident did not include comments from Mr. Green because none were received prior to presstime, thus we have agreed to publish his full statement here.)

I would like to offer a civics review to your staff and readers over the confusion created by the process created by law to process a governmental claim prior to filing a lawsuit. Each governmental entity must receive a claim with a sum certain for damages within six months of the tort giving rise to the claim. After service of the claim, the entity has 60 days to review the claim and accept or reject the claim as presented. The lawsuit is filed within one year of the initial tort act. This process allows the government to budget for and pay its claims.

My clients' claims were ignored, and the Sheriff's Office acknowledged they continue to share the juvenile identities with the school, and the school has shared the discipline consequences with the sheriff. Thank you for confirming the additional unlawful conduct by the school officials of violating the Federal Family Education Record Protection Act of 1974 (FERPA). The Federal Court now has jurisdiction over this breach, and the consequences include further damages for my clients and the School District's loss of all federal funding.

There is a lawful process for the schools to present to every law enforcement agency in the state: a request for public records on each student, faculty member, parent and employee every day of the week to know the total picture of the personal life of each of us. The school would have to pay the search fees and record copying fees, plus they would

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Music to their ears

Two picked for honor region band

By Ryan Winslett
Times Reporter

The Fountain Hills High School music program continues to shine this year with band members Matt Vezey and Will Aker being accepted to the Central Region Honor Band.

Vezey, a senior tuba player, and Aker, a freshman trombonist, recently joined several of their fellow musicians in trying out for the band.

"There are a bunch of different regions in the state," Vezey said. "A band director has to nominate you and Mrs. Truby nominated us for the audition portion."

Vezey said students from all over the central region showed up to audition with only a select number being given a spot on the Honor Band.

When asked how they performed at auditions, both boys smiled.

"I think it went really well," Vezey said. "I got in, so that's good."

Aker agreed. "Yeah, mine went well too," Aker said. "Honestly, I was a little nervous."

Aker explained that, at the auditions, musicians went into a quiet room where they couldn't even see the men and women judging their performance.

"You just sit there,"

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Matt Vezey and Will Aker recently took part in the 2009 Region Honor Band. They will find out in the coming months if they qualified to play for the state band.

Great Fair lifts off without balloons

It's time for the annual Fountain Hills Great Fair.

The most significant change this year in the three-day event starting Friday is that hot air balloons will not launch on Sunday morning.

Chamber of Commerce President Frank Ferrara said a combination of costs and lack of participation by the balloonists forced the Chamber to cancel the "Hare and the Hound"

race for this year (see his column on Page 6A).

Party cloudy skies on Friday and Sunday and a 50 percent chance of rain Saturday is the forecast for the Great Fair weekend.

The Chamber sponsors two juried annual arts and crafts festivals on the Avenue of the Fountains and a segment of Saguaro Boulevard, one in November and the other in February. Fort McDowell Casino is

the official sponsor.

Hours are 10 a.m. to 5 p.m. Friday, Saturday and Sunday, Feb. 26-28. Admission and parking are free. Visitors are requested not to bring dogs out of respect for other fair-goers.

Now in its 23th year, "The Great Fair" showcases nearly 500 artists and artisans from across the United States and some foreign countries and attracts more than 200,000

spectators.

Numerous food booths offer the typical fair fare of hot dogs to shish kebabs and crepes to chocolate-covered strawberries on a stick. A beer garden overlooking Fountain Park is reserved for legal-age shoppers. The Sahnas Brothers will provide live music.

Wheelchairs and scooters can be rented. The event takes place, rain or shine.

*PARTIES: Holding parents responsible

(cont. from page 1A)

plied the alcohol.

With a social host ordinance in place locally, an adult could be cited if teens are drinking on property for which they are responsible, regardless of whether the adult supplied the alcohol.

"As you can see from the case with the Green family, many parents need to pay closer attention and stop enabling this behavior," Groux said.

"A mother or father will no longer be able to get by with 'a party happened, but I wasn't hosting it,' because an ordinance would stipulate that extra measures were taken to ensure that parties were not happening in their home.

"I have teen-aged kids. I know that it sometimes cramps my style to raise them. That's life.

"I had them, it is my responsibility to raise them and protect them – sometimes from themselves."

Town Councilwoman

Cassie Hansen is involved with the substance abuse prevention coalition and sees merit in such an ordinance.

"I'm most impressed by the number of parents willing to share and openly discuss a very real problem facing our town and families," Hansen said of coalition efforts to date.

"Local law enforcement personnel have stated that the state laws regarding underage consumption are vague and difficult to enforce.

"(This) will hopefully be a catalyst to encourage open and honest discussions and further the efforts of the coalition to address the substance abuse issues in our town."

Sheriff's Office Lt. Brian Jakowicz said deputies must prove an adult "knowingly" provided alcohol to minors.

"Very often the adults will be in another part of the house, or inside versus outside, and say they

did not know the minors were drinking," he added.

"Deputies are unable to prove otherwise and are unable to cite or arrest."

According to Mothers Against Drunk Driving, cities in 32 states have social-host ordinances.

In Arizona, cities like Tucson, Casa Grande, Coolidge, Eloy, Superior and Miami have such ordinances. The City of Buckeye also is looking into one.

According to the Governor's Office for Children, Youth and Families, adult family members and friends are common sources of alcohol for youths in gatherings on private property.

Social host laws seek to restrict youth access to alcohol in these settings.

Social host ordinances enable law enforcement to cite the individual who hosted the party, or who owns or controls the land where parties occur.

Under social host laws, these responsible individuals include parents, landowners and tenants.

Several Arizona cities have passed social host ordinances to create underage drinking laws that can be enforced without requiring proof of knowledge that underage drinking is occurring.

Ordinances can be written to target adults who fail to use reasonable precaution to keep alcohol out of the hands of minors, Groux added.

About half of the minors who drink get alcohol at a party.

"This is by far the number one place they report drinking," Groux said. "Limiting or eliminating this access is an effective prevention measure.

"The main objective is prevention. The intention is not to start witch hunts...We all need to be working to change the norms."