

15 SHOTS

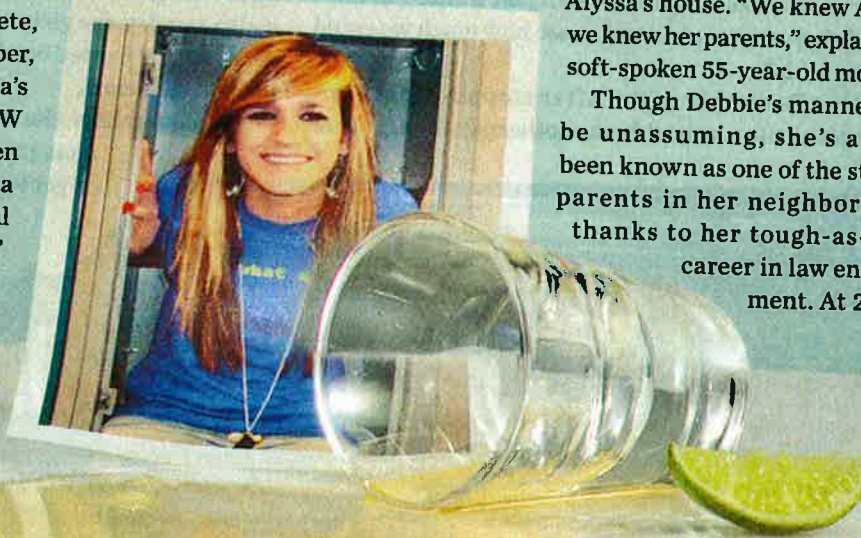
KILLED SHELBY ALLEN

But what's perhaps more shocking is that the 17-year-old drank them at a friend's house, while the parents were home. Here, how her mom is fighting to make sure no other child dies this way **BY ANDREA TODD**

IT was the first night of Christmas vacation 2008—one of the biggest teen party nights of the year. Seventeen-year-old Shelby Allen, an athlete, honors student, and avid shopper, begged for her older sister Tera's permission to borrow her VW Beetle for the occasion; she even offered to "detail" it. "I told Tera it sounded like a pretty good deal to me," Debbie Allen, the girls' mom, remembers with a smile.

Debbie had no qualms about giving her daughter permission to head out and spend the night at her best friend Alyssa's house. "We knew Alyssa; we knew her parents," explains the soft-spoken 55-year-old mom.

Though Debbie's manner may be unassuming, she's always been known as one of the stricter parents in her neighborhood, thanks to her tough-as-nails career in law enforcement. At 21, she



was a correctional officer in a men's state prison; 10 years later, she worked as a bodyguard for California's governor and his family before leaving the capital to raise her family in rural Redding, CA. "A safe place to raise kids," say Debbie and her husband, Steve, of the area, known for its lakes, caverns, hills, and fields with grazing horses.

It's a place with a small-town vibe, where a teenage girl won't get away with much, especially if everyone knows her mom is a former cop and her dad is a labor rep for most of the public employees who live there.

"Shelby had been busted [for trying to drink] before; her mom caught her on her way to a beer-pong party," says Alyssa. Shelby disappeared from the social scene for about

real name), who invited Alyssa and Shelby over to her house. Both of her older sisters were home, Jane explained, and she let the two girls know that she was drinking and everyone else was, too, says Alyssa.

By the time Shelby and Alyssa arrived, after midnight, the family had been drinking together, Jane included. Shelby chronicled the night on her cell phone: "Just family. It's nice though. Nothing like a [family's last name omitted] party.:" she texted to a friend. She also snapped a photo of the full bar at the house (you can see her in the mirror, taking the picture), and there's another photo from that night of Shelby, casually dressed in a T-shirt, her blond hair loose, with Jane's father partly visible. His arm

"I almost wish this had happened out on the street, because at least there, Shelby would have gotten help"

a month after that: Debbie grounded her younger daughter and afterward kept a watchful eye on her, always checking where she was going and whom she'd be with.

"The second I knew I was going to be a mother, my whole life changed," explains Debbie. "Everything I did from that point on was with my children in mind, my kids coming first. I wanted to give them all the precious love I felt for them, and when they became teens, that meant being a vigilant mom, one who kept things safe."

Despite Debbie's efforts, Shelby continued to sneak around a bit, Alyssa admits, but "she wasn't this wild party girl. Shelby partied like most of us did. She didn't stand out as a troubled or moody kid. She was curious about alcohol—curious about how much she could drink until she passed out, just like many other teens. You just drink until you're out, and then you sleep it off." Alyssa pauses, then adds, "Shelby was full of energy and curiosity; her motto was 'Dig life!' We all just wanted to have as much fun as we could—and to see how much we could get away with."

On that December night, after stopping for tacos, Shelby got a call on her cell from another pal, Jane (not her

is around her slim shoulders, and the two are smiling widely. The holiday vacation had begun.

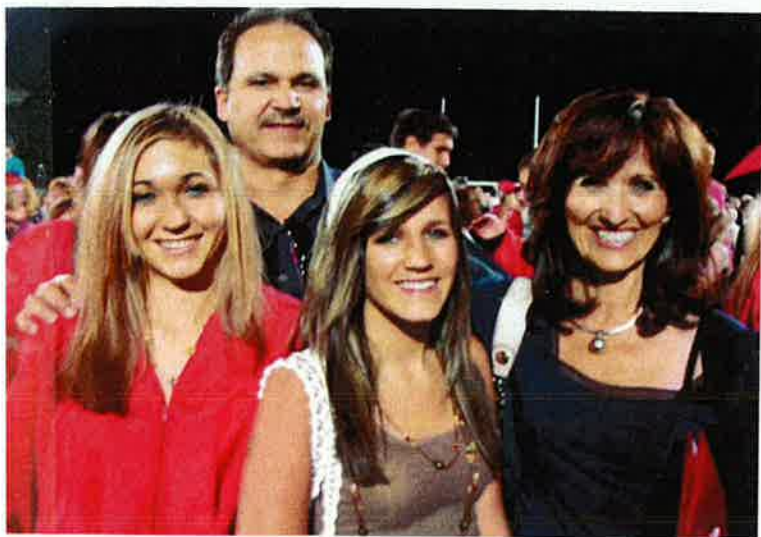
According to statements to the police, Jane's parents and her older sisters headed upstairs to bed around 1:00 A.M. Before retiring, Jane's father admonished the guests not to drink. (He later explained to police that he was concerned the girls were thinking of drinking, and he felt compelled to tell them not to.) He then left them seated around the open bar.

That was when the drinking really got under way. Shelby's drink of choice was vodka, and her goal that night was to down 15 shots of it. "I honestly don't know why she got that number in her head," says Alyssa. "Maybe she saw someone do it at a party. Shelby was an athlete [she played volleyball and was on the cross-country track team]; she had a competitive spirit. We all told her it was a bad idea, but she was determined to make that her goal." She started downing the shots at 1:08 A.M. When the first bottle of vodka ran dry, the girls found more. Shelby took a photo of the second frosted bottle and then tracked her progress in texts to friends.

A half-hour later, the 5-foot-6-inch, 107-pound girl had consumed 10 shots. "Slow down. You'll get sick," a classmate texted her back.

Shelby's messages got sloppier





HAPPIER DAYS
Clockwise from far left: Steve and Debbie Allen with daughters Shelby (center) and Tera at Tera's 2007 graduation; Shelby with her dog, Koda; Shelby, 7, at her first Communion



and sloppier until she sent her final texts of the evening, announcing that she'd reached her goal at 1:58 A.M.

When Shelby began to feel sick, Jane led her to the nearest bathroom to vomit. When Shelby seemed to pass out, she was propped against the toilet for the night. Her young pal then left to be with Alyssa, who at this point was also sick from drinking, and periodically checked on Shelby. Clearly, this party had gone out of control.

About an hour and a half later, Shelby's phone fired up again. But this time it was Jane who was texting a boy—a friend of Shelby's—whom she supposedly had a crush on.

"She wont sober up at all," Jane's texts read. "im freakin out have no ide wat to do," "shelb is out [boy's name omitted] I f_____ need help..." and "shelb is just half snoring shaking. I need you so dab right now." The boy offered to come over but said he'd have to tell his father first. He could write a note and leave, Jane suggested, and when he rejected this idea, she eventually dropped the matter. The boy sent one last text—"Feel better Shelby:)"—later in the morning.

Around 8:00 A.M., the father of the house, a prominent area veterinarian, was preparing to open the medical office on his property to treat the day's first clients. Intercepted by his daughter, who had been up most of this time, he asked about the previous night. "Shelby's not feeling well," Jane reported, but she apparently sounded no alarm.

It wasn't until Alyssa awoke around one hour later that anyone took notice of Shelby's condition. She went to check on her and was horrified by what she found: Shelby was still slumped in the downstairs bathroom, completely motionless. Her head hung over the edge of the toilet bowl, her lip split from having slammed *continued on page 212*

WHAT TO TELL A TEEN ABOUT DRINKING

Some experts may think the "don't drink" message is all that teens should hear. But according to a 2009 survey by the Centers for Disease Control and Prevention, 42 percent of high school students said they had drunk alcohol within the past month, revealing that the no-booze mandate isn't always heeded. So take this advice from Kate Cronan, M.D., a pediatrician and medical editor at kidshealth.org, about what to tell your teen to keep him safer

IF YOU OR A FRIEND THROWS UP AFTER DRINKING...

- **Be sure the drinker is not lying on his stomach or back** If you throw up while you're lying flat, it increases your chances of choking on the vomit. It's best to be upright—on your knees or standing—and by the toilet. If that's too hard, the next best position is lying down on your side.
- **If you or a friend vomits repeatedly**, get a parent or older sibling involved. If you throw up once, you don't have to call 911—but if you can't stop, you may have to. Reach out to an adult to help you make a decision.

- **Do not drink any more** Your having vomited does not mean that your stomach is "empty" and therefore you can drink more, as some teens believe. It means you've had too much to drink. Stop.

CALL 911 IF THE DRINKER...

- **Doesn't respond when someone says his name** If you get close to the person's face, say his name loudly, and don't get an answer, medical attention is required. Say to the operator, "We can't rouse our friend, who's been drinking. He's not responding." Let them know you urgently need help.

- **Is breathing irregularly** If he's taking lots of little, shallow breaths—not deep ones—he's in distress.
- **Is paler than usual** If he looks ashen and feels cool to the touch, get help ASAP.

KNOW NOT TO GO SOLO

- **Tell teens to enlist a buddy** if they ever do experiment with alcohol. The two friends should make a pact that they will tell each other when they start acting drunk. The pals should take heed when they hear they've had too much, and stop drinking. —Annie M. Daly

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against the porcelain in a bout of violent heaving. Pulling Shelby up, Alyssa saw her friend's face streaked in blood. She tried to rouse her, but Shelby remained unresponsive. An older sister was summoned and phoned her father. He quickly returned to the house and dialed 911 to have an ambulance sent to his home right away

house was just a dead house," Debbie says. "I don't know how else to describe it. And I was left to deal with the worst kind of anguish: that I wasn't able to comfort my baby when her body was dying. I didn't get to hug her, kiss her, hold her, keep her warm... how could this be true?"

Overwhelmed by misery, the Allens struggled to make sense of what had happened. "We second-guessed everything we did that day. If only we

over to investigators. "We realized the only way we were going to get our questions answered was to go to law enforcement," says Debbie.

Police were already investigating Shelby's death as a matter of procedure. "It became clear to me that negligence had occurred," recalls Gerald Benito, who served as Shasta County district attorney at that time. "When I first saw the photos of Shelby's body, I thought she had been strangled.

"Kids drink to get drunk. They're not having a glass of wine with a meal and enjoying the conversation"

because he'd found "a child that's here, and I don't think she's breathing." When asked if he was sure she wasn't breathing, he responded, "I can't...I'm not sure she's alive right now."

Dispatchers instructed him on how to perform CPR, urging him to continue until medical help arrived. The EMTs who arrived on the scene found a weak pulse, but were unable to revive the girl. Shelby Allen was pronounced dead at 9:40 on the morning of December 20. Her blood-alcohol content was 0.33, four times the legal driving limit for adults in California.

The Allens entered a disturbing parallel universe from that moment on. In 1987, Debbie and Steve had lost a baby to sudden infant death syndrome; they had never imagined they would have to grieve like that again. "That fear was always with me," says Debbie. "Shortly before I lost Shelby, we watched *Steel Magnolias* together; Shelby, the daughter, dies in the movie, and I remember thinking as I watched my dear girl next to me, *How could I be without her?* I told my Shelby, 'Don't ever leave this world before I do; I couldn't take it again.' We sat there sobbing together, and she said, 'Mom, don't worry; I won't!'"

Debbie and Steve slept in Shelby's bed the night she died, in an effort to feel closer to her spirit. After that, Steve couldn't go into his younger daughter's room for months. "The

had said she couldn't spend the night at Alyssa's house. If only we had banned sleepovers altogether," Steve says. "If only Debbie had taken her shopping in Sacramento that day, as originally planned. If only we had checked up on her, as we had in the past...if only we had known more about alcohol poisoning and binge drinking so we could have educated her...all these things go through our minds, to this day."

Wondering how a night at a friend's house, with parents present, could have gone so terribly wrong, Steve thought to check his daughter's cell phone for clues. The palm-size gadget, complete with incriminating texts sent to high-school pals and photos snapped, provided a heartbreaking but detailed record of what had happened that night.

It also raised some troubling questions: Why hadn't the parents intervened when Shelby was drinking so many shots? Why had no one called the Allens to report Shelby's behavior, so they could come get her? With adults in the home (the parents and two older daughters, plus their friends), why had no one tried to help the Allens' daughter when it had become clear she was in trouble?

"When we asked the family for details, we were met with a wall of silence," Debbie remembers.

The Allens handed the cell phone

There was a massive bruise on her neck from the hours leaning against the toilet rim. There was blood all over her face. And the cell phone texts and pictures made it clear that Shelby had been in trouble for hours, and nothing had been done to help her."

THE "SAFE HOME" HOAX

Through interviews with local teens and parents, investigators learned that the house where Shelby died had a reputation as a "safe home." Says Benito: "Parents in the community told us that the parents allowed what they called 'responsible drinking.' [Parents like these] believe that underage drinking can be done safely; that even if teens overdo it, as they often do, as long as they are being chaperoned and not driving, nothing tragic will happen. They believe kids are going to experiment with drinking anyway, so it may as well happen at home, with adults present." (Jane's father told police he didn't allow other people's children to consume alcohol in his home, although he admitted he allowed his own underage children to drink in moderation.)

As they spoke with the police, the Allens were shocked to discover that although providing alcohol to a minor who was not one's own child was illegal in California, the state provided significant immunity to hosts in this situation through what was

known as Civil Code Section 1714, which became law in 1978. When it was enacted, lawmakers felt that too many suits were being filed against deep-pocketed hosts—that guests were overindulging, which led to injury, and then refusing to assume blame. In a nutshell, the code says those who choose to drink too much are responsible for what happens, not those who provide the alcohol.

Currently, 23 states have some degree of social-host immunity that protects those who serve underage guests. At the time of Shelby's death, California was one of only a few states to provide social hosts with nearly full civil-lawsuit protection. It's a stance on responsibility that's totally reasonable, say many—including Patrick Beasley, the Redding attorney retained by the family who hosted Shelby Allen on the night she died.

"If I put a fifth of vodka in front of you, it's your choice [whether] to drink it and how much of it to drink," Beasley says. "Whether or not you abuse it has nothing to do with me."

"Not if the drinker is a kid," Debbie Allen counters. And more and more parents are beginning to agree. "Underage drinking is not a moral, constitutional, or cultural issue," says Cindy Schaidler, executive director of the Casa Grande Alliance, a nonprofit drug- and alcohol-abuse prevention coalition in Arizona that, among other things, works to make social hosting for minors a punishable offense. "It's a health and safety issue. Communities are recognizing this, and thus the increased call for these social-host ordinances."

The goal of people who support social-host responsibility is simple: "Homeowners [or renters] can no longer claim they had no idea minors were drinking on their premises. These laws make residents culpable for any underage drinking that goes on in their home and/or any damage or injury that occurs as a result," says Anthony Wagner, policy and media

strategist for the Institute for Public Strategies, a nonprofit public-health-and-safety advocacy group in San Diego. (Wagner has also helped shape and implement social-host ordinances.) "Adults need to understand why underage drinking is dangerous, and that serving liquor to someone under 21 isn't worth what it could end up costing you."

A DEADLY RITE OF PASSAGE

That's a hard message to get across when teen drinking persists as the

great American rite of passage. Consider how it's depicted in movies: From *Sixteen Candles* (released in 1984) to *Superbad* (2007) and beyond, underage drinking has provided decades of coming-of-age-flick entertainment. Generations have giggled over buckets of popcorn as teenagers have vomited on each other, passed out, woken up in strange beds, and seduced one another's best friends, girlfriends, and even parents, only to arrive at the morning after with a hangover, some wild experiences, →

THE NEW LAWS

In almost all cases, anyone who drinks alcohol before turning 21 is breaking the law. But in 27 states, parents who host underage drinkers in their homes—defined as "social hosts"—are breaking the law, too. And this situation occurs more often than you may think: One in four teens says he's attended a party where under-21s were drinking in front of parents. Here's what you need to know to be informed and to keep your family safe:

WHAT EXACTLY ARE SOCIAL-HOSTING LAWS?

Since 2004, social-hosting laws, which hold adults legally responsible—criminally and/or civilly—for hosting parties where underage drinking occurs, have come under increased scrutiny. The laws exist at both state and local levels, and they vary. At the state level, all social-host laws are criminal—that can mean offenders can go to jail if found guilty. But at the local level, the laws are either criminal or civil—civil means the offender will get a ticket or a public-nuisance fine (often around \$1,000).

WHAT'S THEIR PURPOSE?

The laws try to deter underage drinking by reducing the incidence of parties at which youths consume alcohol on private property. Additionally, the laws encourage parents to keep closer watch on what teens are doing in their home. Notes Jim Mosher, lead legal researcher for the Alcohol Policy Information System: "Social-host laws give parents an incentive to intervene and change social norms. They can say [to their kids or other parents], 'This party is illegal. Are you going to pay the \$1,000 fine?'"

DOES MY AREA HAVE SOCIAL-HOSTING LAWS?

These laws exist in 27 states—AK, AL, AR, AZ, CT, FL, HI, IL, KS, MA, MD, ME, MI, MO, NH, NJ, OH, OK, OR, PA, RI, SC, TN, UT, WA, WI, and WY. To see if your community has social-hosting laws, call your chief of police or the town hall.

HOW DO I GET THESE LAWS PASSED IN MY AREA?

- If none exist, first contact your state representative for the Enforcing Underage Drinking Laws Program (ojjdp.gov/statecontacts/resourcelist.asp); ask if there's a coalition working on social-hosting laws that you can join.
- If there isn't a coalition already at work, you'll need to propose the law to your city council. Gather info on teen drinking in your area, assemble a team of backers—say, your chief of police, a local principal, and the head of a local teen center—and approach your city council. Another important step: Be sure to bring a sample local ordinance from a town that has one; you can go online to see one from Ventura, CA, and print it out: goodhousekeeping.com/ordinance. —AMD

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skyrocketing popularity, and a valuable life lesson learned to boot.

That's the Hollywood version. In real life, the results are too often tragic. According to the Substance Abuse and Mental Health Services Administration (SAMHSA), more than 500 underage drinkers are rushed to ERs in a typical day, and

ecutor) and former state assemblyman who authored a California law enacting tougher penalties for underage DUI offenders. "Kids just do really stupid things when they drink, because their judgment is impaired."

Experts warn that young brains simply cannot process this amount of alcohol. "The brain doesn't stop growing until the mid-20s, and one of the first regions of the brain affected by alcohol—and affected

found that 21 percent of moms of underage girls believed it was OK for teenagers to drink under parental supervision and 20 percent said drinking was a natural part of growing up. "We have to change that outdated way of thinking," insists Schaidler. "Social hosting buys into the thinking that kids are going to drink no matter what. But if we educate our kids about the permanent damage alcohol is doing, I am

"Shelby made poor choices that night, but as adults, it's our responsibility to help teens survive poor choices"

about 5,000 people under 21 die annually of alcohol-related injuries—a number, experts are quick to point out, that is likely to be low because of underreporting.

There's a simple reason why underage drinkers are so likely to be injured or to die: "Kids drink to get drunk," says Frances M. Harding, director of SAMHSA's Center for Substance Abuse Prevention. "They're not having a glass of wine with a meal and enjoying the conversation. They're drinking five drinks or more when they're binge drinking." The landmark College Alcohol Study conducted by the Harvard School of Public Health (a 14-year endeavor involving four national surveys) found that the drinking style of many college students was "one of excess and intoxication." One in five students was a frequent binge drinker, and this group of students consumed three-quarters of the alcohol that all college students drank.

Technically defined as consuming five or more drinks on a single occasion for males and four or more drinks for females, binge drinking can have a devastating impact. "We are prosecuting teenagers who otherwise seem to be good kids for serious crimes all the time, from robberies to rape, and I have to say about 90 percent of these involve alcohol," reports Todd Spitzer, a 20-year law-enforcement veteran (he's been a police officer and a pros-

most dramatically—is the area responsible for judgment and decision-making," explains Schaidler.

Although binge-drinking behavior is actually down (from 10.7 percent in 2002 to 8.8 percent in 2009 among 12- to 17-year-olds, according to the National Survey on Drug Use and Health), this doesn't mean parents can breathe a sigh of relief. "What concerns me most is the attitude of the parents [toward drinking]," says Daniel G. Amen, M.D., a child psychiatrist, medical director of the Amen Clinics (headquartered in Newport Beach, CA), and coauthor of *Unchain Your Brain: 10 Steps to Breaking the Addictions That Steal Your Life*. "There is a powerful countercultural strain, and one of the ways you see it is the tolerance of 'soft' drugs—like alcohol, prescription medications, and pot. Once you decrease the idea that a drug is dangerous, use of that drug goes up," Dr. Amen says. "If parents think these substances aren't harmful, then they should just see the brain scans. Alcohol decreases functioning and blood flow. When the brain is in this period of intense growth, development is dramatically disrupted. Kids with frequent alcohol use are, quite simply, impaired."

Yet many parents believe drinking alcohol is a relatively safe alternative to drug use, says Harding. In fact, in 2005, the Century Council Survey

convinced, the kids themselves won't want to drink. If parents were educated about the recent research on drinking, they wouldn't want their kids to drink, either."

THE LEGAL LOOPHOLE

Shelby's death compelled Debbie Allen to research what had killed her. "I learned that the party culture had drastically changed since I partied as a teen," she explains. "Kids are drinking differently, and aren't being taught that the way they are drinking can kill them." But what shocked Debbie the most was learning that more and more parents were participating in this dangerous drinking culture by allowing minors to have access to alcohol. Says Debbie: "Shelby lied to us about her whereabouts so she could go to a house where she could 'have fun' experimenting with illegal drinking. She made poor choices, but these poor choices should not have led to her death. Shelby should have known better...we all should have. I get it now."

Increasingly, parents who "get" the dangers of underage drinking have had it with parents who don't. Twenty-seven states now have social-host laws on the books. Richard Campbell, a trial lawyer with expertise in social-host cases, knows just how wrong teen drinking can go. He cites a case in Easthampton, MA, in 2007, in which Alexis Garcia, 15, and her best

friend shared a bottle of vodka that the pal had received from her dad as a gift. After the two downed it, Lexi went upstairs to take a shower and sober up. She was found facedown in the tub, drowned. He recalls 17-year-old Meaghan Duggan, who, while drinking at a house party in the basement of a close friend's North Andover, MA, home, tripped on a step, suffered a skull fracture, and died as intoxicated underage partiers repeatedly stepped over her body, while the father of the household was fully aware of the underage drinking going on.

As shocking as these cases are, the state often can't file criminal charges, which could lead to jail sentences, against the hosts. Campbell calls civil action, which may provide financial compensation, "the only recourse parents who have lost a child may have. But most of my clients who seek civil damages do so not for the money—most don't care if they ever see a penny. They do it to send a message, to deter other parents who are tempted to throw these kinds of 'safe' drinking parties."

failure to provide aid." In the legal system, finding failure to provide aid is based on what is called "creating a duty," or responsibility—in this situation, that means providing the illegal substance (liquor) to the point that another person becomes completely at one's mercy: "As a result, in criminal court, you then have the responsibility to at least seek help on this person's behalf," Benito adds.

His decision to file charges of involuntary manslaughter against 16-year-old Jane was not a popular one in the community. "LEAVE HER ALONE," one blogger wrote angrily. Others accused the Allens of trying to find people to blame for their daughter's death and said it was Shelby who had drunk the alcohol that killed her.

"The district attorney made his decision to prosecute Shelby's friend based on his view of the law," Debbie says. "He spent a good deal of time explaining his legal theory to us, and once we understood why charges were appropriate, we supported the prosecution.... Our laws say you file in civil court to seek compensation for

uncontrolled access to a full bar and left her with two other teenagers, knowing they might drink alcohol; a family member saw my daughter become seriously ill to the point where any normal person would have called for emergency medical aid. In my opinion, this family deliberately chose not to call for the medical help that would have saved her life."

Debbie pauses for a moment and then says quietly, "I almost wish this had happened out on the street, because at least there, I think Shelby would have gotten help. A stranger would have at least called 911 for Shelby. A stranger would have tried to contact her parents. My daughter made poor choices that night, but teenagers make poor choices. It's our responsibility as adults to help them survive those poor choices."

In response to critics who say that Jane was too young to know how to handle such a dire situation, Benito reframes the issue: "We weren't asking her to perform heart surgery or CPR; we were simply asking her to tell an adult. Alyssa, a girl of similar

Debbie's goal isn't to "teach kids how to drink," but to help them recognize and avoid a potentially deadly situation

For the Allen family, District Attorney Benito wanted to seek justice for what had unfolded late that December night. He took Shelby's case to a grand jury, and their stance was clear: Go after the parents in the host family. "But legally I couldn't, because by verbalizing the order not to drink (even though alcohol was easily accessible), by making the 911 call, by performing CPR, and also by not being aware of how severe Shelby's condition was, [the parents] were not legally responsible for what occurred," Benito says. "Initially I thought I could not file charges against Jane. But the cell phone texting indicated clearly that she was present the entire time Shelby was dying. And that Shelby died as a direct result of this girl's

damages caused by others," she explains, then swallows hard and adds, "and my family has been damaged in ways that cannot be described. My life will never be the same. I still feel like I am made of stone—that's how I've felt since the day Shelby died. It doesn't go away. I have derived what comfort I can from my faith, but what a terrible impact this has had on Tera, on my husband, on our marriage."

Debbie then calmly and methodically recites a list of the specific reasons the Allens filed their civil lawsuit: "The family in question has never been required to tell the truth under oath; the family invited my daughter to their house after midnight when the family had already been drinking; this family provided my daughter with

age, showed us how to act in this situation. When she saw Shelby's state, she immediately told an adult—an older sister—who called the father. This started the chain reaction to get Shelby help. This was the proper sequence of events. A girl of a similar age did the right thing."

Early in the texting, the moment when Jane described Shelby as "half snoring shaking" marked a critical turning point in the night's events: The forensic pathologist assigned to the case told Benito she'd probably been convulsing at that point. "Had medical help arrived, Shelby could have survived," says Benito.

In November 2009, Jane was acquitted. The Honorable Daniel Flynn ruled that she had not behaved in a →

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criminally negligent way, and found that it was unclear how the second bottle of vodka had been provided for Shelby to fulfill her “unwavering intent” to down 15 vodka shots that night. Despite the outcome, Benito insists that this proceeding did increase awareness about how dangerous binge drinking and social hosting

forced her to drink.” Friends and teachers were interviewed after Shelby’s death, but no one presented an image of her as a troubled teen. Regardless of Shelby’s reputation, Swartz continues, “if she was out of control or drinking too much, it was her friend [Jane’s] responsibility to tell the parents what was happening. The father, in particular, should have known better than to leave a group of teenage girls alone with access to a

of Shelby’s funeral—held the weekend after her death—information about what Debbie called “Shelby’s Rules” was available for mourners after the service. Debbie Allen gave her first presentation about alcohol poisoning on January 5, 2009, not quite three weeks after burying her child.

“Life gives you two choices when you suffer a tragedy: Give up or move on. I have a husband and another child to love and take care of. I must

Leaving a person to “sleep it off” after binge drinking may in fact be leaving that person to die

can be—and will continue to. “If one life is saved because of the awareness this raised, it’s worth it,” he says.

In his statement to the press, Adam Ryan, the attorney who represented the accused teenager during the proceeding, stressed that there was no winner in the case, stating that his client had lost a dear friend and that she would have to live with that loss—and her role in it. He argued that his client had been too young and inexperienced to realize that her friend was in danger of dying from alcohol poisoning.

While the host family cannot comment publicly about Shelby’s death for legal reasons, Beasley, who is defending them in the civil suit, insists that his clients’ lives have been turned upside down because a “deeply disturbed girl...on a suicide mission” was invited to their home for the night—and chose to drink herself to death there. “This case, which is about revenge and money, never should have been litigated,” he says. “What happened was a horrible tragedy. I hate this case. But the Allens should have opened their arms to my clients, to their young daughter, who has suffered tremendously over the death of her friend, instead of lashing out vindictively.”

“We’re not making Shelby out to be a choirgirl,” responds Mark R. Swartz, the Gold River, CA, attorney who is representing the Allens this time around. “It’s established that no one

full bar. He should have known what was going on in his own house. And he shouldn’t have been allowing access to alcohol to underage kids, especially when he was concerned they were interested in the alcohol.”

The Allens were deeply disappointed that there was no finding of criminal responsibility for any of the family members, not even a citation for providing alcohol to a minor. They filed their civil suit against the host family last spring; the trial is set to begin in August. Jane’s family has denied all allegations.

The lawsuits don’t end there: Beasley, the host family’s attorney, has filed a counterclaim against Alyssa, blaming her for the tragedy that unfolded that night, alleging that Alyssa should have sought help for Shelby and, by not doing so, contributed to her death. Alyssa has denied those allegations.

A MOTHER’S MISSION

The Allens say the suit is not about retribution. It’s about finding meaning and doing some good in the wake of Shelby’s death. The germ of an idea took root in Debbie’s mind soon after her loss. What could others learn from this tragedy? How could she help other teens and parents as the legal process took off on its own track? The idea of sharing the sad lessons from that night took shape, and by the time

move on, for their sake if not mine,” Debbie says. “But now I also have a mother’s passion to educate teens about the dangers of alcohol poisoning amid this new culture of binge drinking—a danger many know nothing about, and a danger my family learned about in the hardest way imaginable. It’s not a matter of staying strong; it’s a matter of doing what needs to be done, no matter how you are feeling, no matter how sad you are. I believe—and believed almost right away—this is what Shelby would have wanted me to do.”

And so Debbie set out to educate students about the dangers of binge drinking and alcohol poisoning through Shelby’s Rules, a nonprofit education foundation. “Shelby used to tell me, ‘Mom, just tell me how things work. That’s how I’m wired,’” Debbie says. “What she meant was, she wasn’t going to do or not do something just because I told her my stance on it. She required reasons. Facts. Explanations. I think most kids do.”

“If I had told her how alcohol affects the body, how alcohol relaxes every muscle in the body, including the gag reflex, so that if your body is trying to get rid of the booze that’s poisoning it, the muscles in the throat may be too slow to respond, and you can choke on your own vomit or not be able to vomit at all...if I had explained these specifics to Shelby,

she might still be alive."

So, Debbie says, "I explain this stuff to these [other] kids. I admit that I didn't know enough about the dangers of alcohol to properly educate my children about them. I make sure other kids know, 'When in doubt, call 911,' and 'Vomiting = Alcohol poisoning.'" These are two of the key mottoes featured prominently in the materials Debbie hands out at her talks and in the public service messages her organization distributes. She has received letters of appreciation and interest from all over the country—attention sparked in part by the fact that Shelby's uncle, executive producer for the NBC series *ER* at the time, had his niece's story woven into the show's final episode, which aired the spring following Shelby's death.

In over 100 classrooms and auditoriums along the West Coast, Debbie has displayed an 8-ounce water bottle, noting that this was the amount of alcohol that was found in her daughter's body. "I explain that at about a blood alcohol level of 0.16, kids are generally throwing up, and by 0.30, they are passing out. Allowing someone to pass out after drinking and leaving that person to 'sleep it off' may actually be leaving someone to die," says Debbie. "Most kids don't know that the only way to save that person's life if he or she has in fact had too much to drink is to get medical attention immediately." "Shelby's Rules" share specific steps to take: Wake the person up; shake him; pinch him; if he doesn't respond, call 911 and then involve an adult.

The goal, Debbie insists, is not to "teach kids how to drink," as some parents within the community have complained, but to provide kids with an education that will encourage them to take alcohol seriously, hopefully avoid it altogether, and recognize a deadly situation and take the appropriate steps. Debbie takes special pride in the stories she's heard about underage drinkers rescuing their

friends from alcohol poisoning—because they knew what to do. "After one presentation I gave in Anderson, [CA], when a teen started vomiting after drinking at a party, his friends immediately marched him home," she recalls. "The boy made it home and collapsed into his mother's arms." His mother then took him to the emergency room, where he was successfully treated for acute alcohol poisoning. "One of the mothers checked to see if those boys were in the group that had seen my presentation, and they were," she reports happily. "It's proof this kind of alcohol education can really save lives."

Debbie often tours with Shelby's best friend, Alyssa—now a college student—who continues to have nightmares about that night. Alyssa, who describes herself as having been "guilt-ridden for months," was cooperative in the investigation of Shelby's death. She also admitted to underage drinking, served her 50 hours of community service with the Shelby's Rules foundation, and made the issue of alcohol poisoning and underage drinking her senior project. Her newfound zero-tolerance perspective on underage drinking, however, has not made her popular with kids her age.

"My stance is that teens shouldn't experiment with alcohol, which means they shouldn't drink at all, because what they wind up doing is seeing how much they can drink before they pass out or get sick. They don't think of alcohol as something that can kill you," Alyssa says. "The kids at our high school, right after Shelby died, were all shocked and kind of scared straight. But that didn't even last very long. Now most of them are drinking just like they did before. One of our friends was talking to me the other day about how wasted she got, how she was throwing up, and I just looked at her like, *Didn't you learn anything from Shelby's death?* Kids just don't get it. They need more information, and they need to hear it more often."

Debbie is also involved in other aspects of the teen binge-drinking issue. She lobbies for tougher underage-drinking and social-host laws. Last spring, she testified for the passage of AB 2486, a California bill seeking to hold adults civilly liable for damages if they knowingly furnish alcohol to underage drinkers in their homes. At the hearing, most—like State Senator Noreen Evans—expressed dismay. "I have to say, I always thought this was the law and I'm just shocked to find out it's not," Evans said, shaking her head. "It should have been the law all along." On August 30, 2010, the bill became state law. A companion amnesty bill—which provides criminal protection for minors who call 911 to assist an underage drinker in difficulty—was signed into law a month later.

As pleased as she is with these results, Debbie Allen's path as an activist has been a fraught one—not just because of the loss she's endured, but also because of the reception her actions have met with. "I've lost good friends as a result of the incident itself and the aftermath," she says, "parents of Shelby's friends—who were friends of mine—who have not provided the support we have asked for: agreement that parents should not allow kids to drink in their homes, or help with our efforts to change laws that provide immunity for parents who do."

This kind of collateral damage doesn't give Debbie even a split second of pause. Her mission is clear. "I've had people say, 'You've turned your whole life over to this issue; it must be very therapeutic for you,'" she says. "Well, it's *not* therapeutic. Every time I give a presentation, it's painful. My grief has not lessened. In some ways, it has grown as time has passed. No one's child should have to die on a cold bathroom floor while parents sleep warm in beds nearby. I'm determined to save kids' lives. Not my kid's. It's too late for my kid. Other people's kids. *Your* kid." ■