

Enforcing Underage Drinking Laws

Underage drinking is undoubtedly a major public health problem in the United States. Over 12 million underage youth drink annually. In 2005, they consumed 15% of all alcohol sold in the United States, totaling \$19.8 billion in sales, and providing profits of \$3.6 billion to the alcohol industry.¹

According to self-reports by U.S. high school students in 2005:

- 74% had at least one drink of alcohol on one or more days during their life.
- 26% had their first drink of alcohol before age 13.
- 43% had at least one drink of alcohol on one or more occasion in the past month.
- 26% had five or more drinks of alcohol in a row (binge drinking) in the past month.
- 4% had at least one drink of alcohol on school property on one or more days in the past month.
- In 2005, underage drinking cost citizens of the United States \$60.3 billion. The direct costs of underage drinking due to medical care and loss of work cost the U.S. \$21.1 billion each year, or \$2,094 per year for each youth in the nation.

Costs of Underage Drinking, 2005 (\$ billions)³

Problem	Total Cost
Youth Violence	\$31.1
Youth Traffic Crashes	\$14.9
High-Risk Sex, Ages 14-20	\$5.6
Youth Property Crime	\$3.1
Youth Injury	\$1.9
Poisonings and Psychoses	\$.5
FAS Among Mothers Age 15-20	\$1.1
Youth Alcohol Treatment	\$2.2
Total	\$60.3

Source:

1 Miller, T.R., Levy, DT, Spicer, RS, & Taylor, DM. (2006). Societal Costs of Underage Drinking. *Journal of Studies on Alcohol*, 67(4), 519-528.

2 Center for Disease Control (CDC). (2005). Youth Risk Behavior Surveillance System (YRBSS).

3 Underage Drinking Enforcement Training Center. Online at: <http://www.udetc.org/UnderageDrinkingCosts.asp>

4 Fell JC, Fisher DA, Voas RB, Blackman K and Tippett AS. "The Relationship of Underage Drinking Laws to Reductions in Drinking Drivers in Fatal Crashes in the United States." *Accident Analysis & Prevention*. Vol. 40, Issue 4, July 2008, Pages 1430-1440

COMMUNITY ACTION KITS

Enforcing Underage Drinking Laws

A recent study, funded by the Substance Abuse Policy Research Program of the Robert Wood Johnson Foundation, shows that:

- State laws making it illegal to possess or purchase alcohol under the age of 21 have led to an 11.2% drop in alcohol-fueled traffic accident deaths among youth;
- states with robust fake ID laws on the books have experienced a 7.3% drop in alcohol-related car fatalities among under-21 drivers; and
- strong fake ID use laws have larger impacts: the difference in impact between the weakest and strongest of fake ID use laws was 14.1%.

The Enforcing the Underage Drinking Laws (EUDL) Program supports and enhances efforts by states and local jurisdictions to develop comprehensive and coordinated initiatives to address the problem of underage drinking. Established by Congress in 1998, EUDL is the only Federal initiative directed exclusively toward preventing underage drinking. It is administered by the Department of Justice, Office of Juvenile Justice and Delinquency Prevention (DOJ/OJJDP).

Congress has appropriated \$25 million annually to OJJDP for its EUDL program from FY 1998 through FY 2007. EUDL funds are available through:

Block Grants: Annual block grants to states varying from \$350,000 to \$360,000 to improve enforcement of underage drinking laws, conduct public education activities and implement innovative programs.

Discretionary Grants: From 1998-2002, the agency designated in each state to implement EUDL efforts was invited to compete for up to \$400,000 of EUDL discretionary funding to implement local programs over a grant period of 24 months. In 2003, the same agencies were invited to compete for up to \$960,000 of EUDL discretionary funding to implement local programs over a grant period of 36 months that would be evaluated with a community trials design. In 2004 and 2005, the same agencies were invited to compete for up to \$1,050,000 of EUDL discretionary funding to implement rural community-based programs over a grant period of 36 months and be evaluated by the National Institute on Alcohol Abuse and Alcoholism (NIAAA). In FY 2006, OJJDP awarded four states funds to support partnerships between select communities and Air Force bases to reduce underage drinking. In FY 2007, the same four states were awarded supplemental funding to complete the demonstration partnership between the elected communities and Air Force bases.

The Pacific Institute for Research and Evaluation (PIRE) Center for Enforcing Underage Drinking Laws provides training and technical assistance to program grantees. PIRE support equips states and communities with practical, research-based tools to help them focus their efforts on prevention, intervention and enforcement issues related to the retail and social availability of alcohol to minors, possession of alcohol by minors and drinking and driving by minors. PIRE's tools are designed to help raise awareness of alcohol use by minors, change community environments and protect young people from the dangers of underage drinking. The Center provides a wide range of services, including training events, technical assistance, products and materials, and an annual leadership conference. Additional information, such as a list of success stories and EUDL State Coordinators, is available on the Center's website: <http://www.udetc.org/>

COMMUNITY ACTION KITS

Enforcing Underage Drinking Laws

Enforcement of state and local laws has proven highly effective in the past. Vigorous use of compliance checks, increases in alcoholic-beverage excise taxes, and implantation of minimum legal drinking age (MLDA-21, Zero Tolerance), .10 BAC, .08 BAC, and Administrative License Revocation laws have been successful in curbing youth alcohol consumption and deterring alcohol-related crashes.⁵ According to the National Highway Traffic Safety Administration, MLDA-21 and zero tolerance laws have had a strong effect on drivers aged 20 and under:

- Since 1988, the MLDA-21 law has reduced fatal crash involvements in under-21 drivers with a BAC of .01 or higher by 40%.⁵
- Since 2005, the zero tolerance law has reduced fatal crash involvements in under-21 drivers with a BAC of .01 or higher by 18%.⁵
- The majority of and largest improvements in alcohol-related fatal crash involvements (due to alcohol laws) occurred before 1997 since by then, most laws were in effect in a majority of states. In 1997, the .08 BAC law was passed in a large number of states, resulting in further improvements in alcohol-related fatal crashes.

Source:

⁵ US Department of Transportation National Highway Traffic Safety Administration. Statistical Analysis of Alcohol-Related Driving Trends, 1982-2005. May 2008. Report No. DOT HS 810 942.

COMMUNITY ACTION KITS

Enforcing Underage Drinking Laws

In an effort to assist state and local governments to identify “gaps” in their current efforts to reduce youth access to alcohol, OJJDP offers a guide⁸ highlighting the “best practices” to reduce underage alcohol use. The guide contains the following recommendations:

1. Commercial Availability

- Ban commercial sales and gifts to minors
- Restrict the location of alcohol outlets
- Restrict alcohol sales at community events
- Restrict the age of alcohol servers and sellers
- Restrict minors’ access to bars and nightclubs
- Install and use drivers license scanners
- Regulate home delivery and internet/mail-order sales
- Mandate responsible beverage service programs
- Carry out compliance check programs

2. Social Availability

- Restrict noncommercial furnishing of alcohol to minors
- Implement beer keg registration
- Implement “shoulder-tap” enforcement programs⁹
- Restrict and monitor teen parties at motels and hotels
- Establish alcohol restrictions in public locations
- Apply appropriate penalties to illegal transactions in noncommercial settings

3. Youth Possession

- Ban possession by minors in public and private locations
- Use “Cops in Shops” programs sparingly¹⁰
- Implement and enforce zero-tolerance laws
- Ban false identification
- Apply appropriate penalties to minors in possession

For more information on the Enforcing the Underage Drinking Laws Program and the Cost of Underage Drinking:

U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention:
<http://ojjdp.ncjrs.org/programs/ProgSummary.asp?pi=17&ti=&csi=&kw=&PreviousPage=ProgResults>

Pacific Institute for Research and Evaluation, Alcohol Control and Enforcement Focus Area:
<http://www.pire.org/topiclist2.asp?cms=67>

Underage Drinking Enforcement Training Center --<http://www.udetc.org/> UDETC state contacts --<http://www.udetc.org/StateContacts.htm>

Source:

8 Pacific Institute for Research and Evaluation. Regulatory Strategies for Preventing Youth Access to Alcohol: Best Practices, Prepared for the Office of Juvenile Justice and Delinquency Prevention. October 2006. Available online at: <http://www.udetc.org/documents/accesslaws.pdf>

9 “Shoulder tap” enforcement deters adult strangers from purchasing alcohol for minors.

10 “Cops in Shops” programs use undercover law enforcement officers in commercial establishments.

11 Center for Science in the Public Interest, cspinet.org, December 2008.

COMMUNITY ACTION KITS

Enforcing Underage Drinking Laws

What Police Can Do

The role of police enforcement in reducing youth access to alcohol.

Enacting and implementing alcohol control policies is an important step in reducing underage access to alcohol. However, such policies cannot be fully effective without enforcement.^{1, 2, 3} It is imperative that local law enforcement provides effective and consistent enforcement of policies affecting underage access to alcohol. Without such enforcement, communities may begin to view alcohol control policies as meaningless and violations of such policies as acceptable.

The role of police in enforcing laws aimed at reducing youth access to alcohol should not be limited to punishing youth who violate these laws. Instead, law enforcement agencies should:¹ include a variety of prevention-oriented strategies in their efforts to reduce commercial access to alcohol by young people;² invest time and effort in identifying and punishing adults over the age of 21 who illegally provide or sell alcohol to underage youth; and³ take measures to train police officers in more effective strategies of enforcing youth access laws.

Recommended strategies to reduce youth access to alcohol.

Ask underage youth who are caught drinking to disclose the source of their alcohol. Although youth are often reluctant to divulge the identity of their alcohol supplier, police can provide incentives for disclosure, such as reduced penalties for the underage offender. With this information, police can then give a citation to the adult supplier.

Strategies to reduce commercial access.

Conduct a minimum of 2 compliance checks in each licensed alcohol establishment each year. Police need to consistently enforce penalties against alcohol establishments that serve or sell alcohol to underage persons. Such enforcement may be accomplished through strategies such as random compliance checks by local law enforcement. Compliance checks have been shown to substantially reduce sales to minors.^{4, 5} (See compliance checks policy.) Conduct weekly walk-throughs of licensed establishments. Regular visits to licensed establishments may help establish a police presence and serve as a reminder to merchants that police intend to punish merchants who provide alcohol to underage youth.⁶

References:

- 1 Wagenaar AC, Wolfson M. Deterring Sales and Provision of Alcohol to Minors: A Study of Enforcement in 295 Counties in Four States. *Public Health Reports*, 110(4):419-427, 1995.
- 2 Wagenaar AC, Wolfson M. Enforcement of the minimum drinking age in the United States. *Journal of Public Health Policy*, 15(1):37-53, 1994.
- 3 Wolfson M, Wagenaar AC, Hornseth GW. Law Officers' Views on Enforcement of the Minimum Drinking Age: A Four-state Study. *Public Health Reports*, 110(4):428-438, 1995.
- 4 Preusser DE, Williams AF, Weinstein HB. Policing Underage Alcohol Sales. *Journal of Safety Research*, 25(3):127-133, 1994.
- 5 Wagenaar AC, Toomey TL, Erickson DJ. Preventing youth access to alcohol: Outcomes from a Multi-community Time-series Trial. *Addiction*, 100(3):335-345, 2005.
- 6 Jeffs BW, Saunders WM. Minimizing Alcohol Related Offences by Enforcement of the Existing Licensing Legislation. *British Journal of Addiction*, 78:67-77, 1983.

COMMUNITY ACTION KITS

Enforcing Underage Drinking Laws

Develop a system to monitor alcohol-related problems associated with community events and specific establishments. Such a system may help identify specific problem areas in the community, which may guide future law enforcement efforts and policy development.

Strategies to reduce social access.

Consistently enforce laws against adult providers and social hosts. Penalties against adult providers must be consistently enforced. Social host liability policies can help penalize adult providers and policies such as keg registration can assist law enforcement in identifying adults who provide alcohol to underage persons. (See social host liability and keg registration policies.)

Routinely conduct investigative checks of adults who are approached outside alcohol outlets and asked to buy alcohol for youth. Youthful-looking persons can be employed to approach an adult outside stores that sell alcohol and ask the adult to buy alcohol for them. Adults who do buy alcohol for the underage-appearing person can then be approached by an officer and informed of the penalties for provision of alcohol to minors.

Work with parents, schools, churches, youth and other community members concerned about underage access to alcohol. Such collaborations may help police identify and prevent underage drinking parties before they happen. For example, if a high school teacher hears about plans for an upcoming party at a student's house, he can notify the police who can then visit the home where the party is to take place.

General strategies:

Require each officer to attend an annual training session on the prevention of alcohol-related problems. This training can educate officers about the seriousness of the underage drinking problem and the importance of their role in reducing underage access to alcohol. In addition, such training can be used to educate officers on how a proactive approach to reducing youth access to alcohol can be more cost-effective and efficient than a reactive approach to underage access.

If it is impractical to have every officer trained, at a minimum each local police agency should have at least one designated alcohol control officer who is very knowledgeable about alcohol enforcement and can serve as a resource to all officers in the unit.

Source: University of Minnesota, Alcohol Epidemiology Program