

## **CHAPTER 4.2**

# **Cross-State Survey Report**

This document is excerpted from:

**The 2013 Report to Congress on the Prevention and Reduction of Underage Drinking**  
submitted to Congress by The U.S. Department of Health and Human Services.

To obtain more information and a copy of the full Report to Congress go to:

<https://www.stopalcoholabuse.gov>

## Overview

The 2012 Sober Truth on Preventing Underage Drinking (STOP) Act State Survey of the 50 states and the District of Columbia involved the same questions as those asked in the 2011 survey to gather information on the following three topics:

- Enforcement programs to promote compliance with underage drinking laws and regulations
- Programs targeted to youth, parents, and caregivers to deter underage drinking, and the number of individuals served by these programs
- The amount that each state invests, per youth capita, on the prevention of underage drinking

The survey content was derived directly from the STOP Act, covering topics and using terminology from the Act itself. The survey instrument comprised approximately 90 questions divided into 4 sections.

1. Enforcement of underage drinking laws, including:
  - The extent to which states implement random checks of retail outlets, assessing compliance with laws prohibiting the sale of alcohol to minors, and the results of these checks
  - The extent to which the states implement other underage-drinking-enforcement strategies, including Minors in Possession, Cops in Shops, Shoulder Taps, party patrol/party dispersal, and underage alcohol-related fatality investigations (see the definitions on the next page)
  - Sanctions imposed for violations
2. Underage drinking prevention programs targeted to youth, parents, and caregivers, including data on state best-practice standards and collaborations with tribal governments, and the number of people served by these programs
3. State interagency collaborations used to implement the above programs
4. State funds invested in the following categories, along with descriptions of any dedicated fees, taxes, or fines used to raise funds:
  - Compliance checks and provisions for technology to aid in detecting false IDs at retail outlets
  - Checkpoints and saturation patrols
  - Community-based, school-based, and higher-education-based programs
  - Programs that target youth within the juvenile justice and child welfare systems
  - Other state efforts as deemed appropriate

The survey questions were structured to allow states maximum flexibility in deciding which initiatives to describe and how to describe them. Open-ended questions were used, whenever possible, to allow states to “speak with their own voices.”

Survey instructions emphasized that states were expected to rely on readily available data, rather than initiate data collection for the sole purpose of answering the survey questions. In all cases, the survey offered the opportunity to respond “Data Not Available.”

## Definitions for Enforcement Strategies

- **Compliance Checks/Decoy Operations:** Trained underage operatives (“decoys”), working with law enforcement officials, enter retail alcohol outlets and attempt to purchase alcohol.
- **Cops in Shops:** A well-publicized enforcement effort in which undercover law enforcement officers are placed in retail alcohol outlets.
- **Shoulder Tap:** Trained young people (decoys) approach individuals outside of retail alcohol outlets and ask them to make an alcohol purchase.
- **Party Patrol/Party Dispersal:** Operations that identify underage drinking parties, and/or safely make arrests and issue citations at underage drinking parties.
- **Underage Alcohol–Related Fatality Investigations:** Investigations to determine the source of alcohol ingested by fatally injured minors.

## Methods

The state governors and the Office of the Mayor of the District of Columbia were sent letters requesting confirmation of a designated representative for each jurisdiction to serve as the contact and be responsible for completing the survey. In most cases, this representative was the same person designated for the 2011 survey. In all cases, designated contacts were typically staff members from state substance abuse program agencies and state alcohol beverage control (ABC) agencies. Two sections of the survey were uploaded to a web-based platform, and the designated contacts were sent a link to this platform. They were also sent a Microsoft Word document containing their 2011 responses for two additional sections and were asked to make changes to this file as needed.

The online survey and Word documents were available for completion by the states beginning in February 2012. The CDM Group, Inc., a Substance Abuse and Mental Health Services Administration (SAMHSA) contractor, provided both telephone and online technical support to state agency staff while the survey was in the field. A representative from the National Liquor Law Enforcement Association provided review and support for any questions pertaining specifically to enforcement.

As with the 2011 State Survey, responses were received from all 50 states and the District of Columbia, which resulted in a 100 percent response rate. (Note: henceforth, the states and the District of Columbia are referred to, together, as “states.”) Each state’s response was reviewed by senior staff members, who made inquiries when necessary about apparent omissions, ambiguities, or other content issues. The responses were also copyedited, and the edited responses were returned to each state by e-mail. The states either approved the proposed copyedits or provided their own copyedits, and they provided any requested clarifications.

## Results

### Introduction

The individual state reports provide a full presentation of the survey data submitted by each state. This Results section provides summary information about all variables amenable to quantitative analysis. It is important to keep in mind that the states determined how much information to provide, and that the range of information the respondents provided was highly variable. The breadth and depth of the information should not be assumed to reflect all underage drinking prevention activity in any state.

The results are grouped into five broad headings:

1. Enforcement Programs
2. Programs Targeted to Youth, Parents, and Caregivers
3. Collaborations, Planning, and Reports
4. State Expenditures on the Prevention of Underage Drinking
5. Comparison of Enforcement Data: 2011 to 2012

The final section, Comparison of Enforcement Data: 2011 to 2012, provides a limited comparison between state survey data collected in 2011 and the current 2012 data for selected activities. It should be noted that 2 years of data are insufficient to make any definitive statements regarding trends, and not all states reported data for both years. This section should be viewed with these cautions in mind.

In all cases, where numerical estimates are reported, the reporting period is the most recent year for which complete data were available to the state. Average values are reported as medians. The median is the numerical value separating the higher half of a sample from the lower half and is the best representation of the “average” value when, as is often the case with the state survey responses, the data include outliers (a data point that is widely separated from the main cluster of data points in a dataset).

### Enforcement Programs

The STOP Act State Survey requested enforcement data in four areas:

1. Whether the state encourages and conducts comprehensive enforcement efforts—such as random compliance checks and shoulder tap programs—to prevent underage access to alcohol at retail outlets.
2. The number of compliance checks conducted on alcohol retail outlets.
3. The results of these compliance checks.
4. Enforcement of a variety of state laws aimed at deterring underage drinking (see Chapter 4.3: Policy Summaries). In the current survey, arrest data for minor in possession (MIP) offenses have been used to index enforcement of these laws.

Exhibit 4.2.1 shows the percentage of states that collect data on compliance checks, MIP charges, and penalties levied against retail establishments for furnishing alcohol to minors.

**Exhibit 4.2.1: Percentage of Jurisdictions that Reported Enforcement Data Collection at the State and Local Levels**

|            | State collects data on compliance checks |                   | State collects data on MIP arrests/citations | State collects data on MIP, including arrests/citations by local law enforcement agencies | State collects data on penalties imposed on retail establishments |                     |                     |
|------------|--|-------------------|--|---|---|---------------------|---------------------|
|            | State-conducted                          | Locally conducted |  |   | Fines   | License suspensions | License revocations |
| Percentage | 80                                       | 37                | 82   | 37  | 73  | 73                  | 69                  |

The large majority of states collect data on state compliance checks, MIP charges, and penalties imposed on retail establishments. However, the number of states that collect data on local enforcement efforts is limited. Thus, it is likely that the enforcement statistics that follow underestimate the total amount of underage drinking enforcement occurring in the states.

## Enforcement Strategies, Statistics, and Results

### Compliance Checks

As reported in Exhibit 4.2.1, 80 percent (41 states) reported that they conduct compliance checks and collect associated data. Exhibit 4.2.2 illustrates the results for the states that provided data on state compliance checks and failures. Localities in 19 states also conduct compliance checks and collect data. Fourteen states report conducting and collecting data for both state and local compliance checks, 32 states conduct and collect data on either state or local compliance checks, and 5 states conduct neither state nor local checks. As shown in Exhibit 4.2.2, the number of licensees checked and licensee failures varies widely.

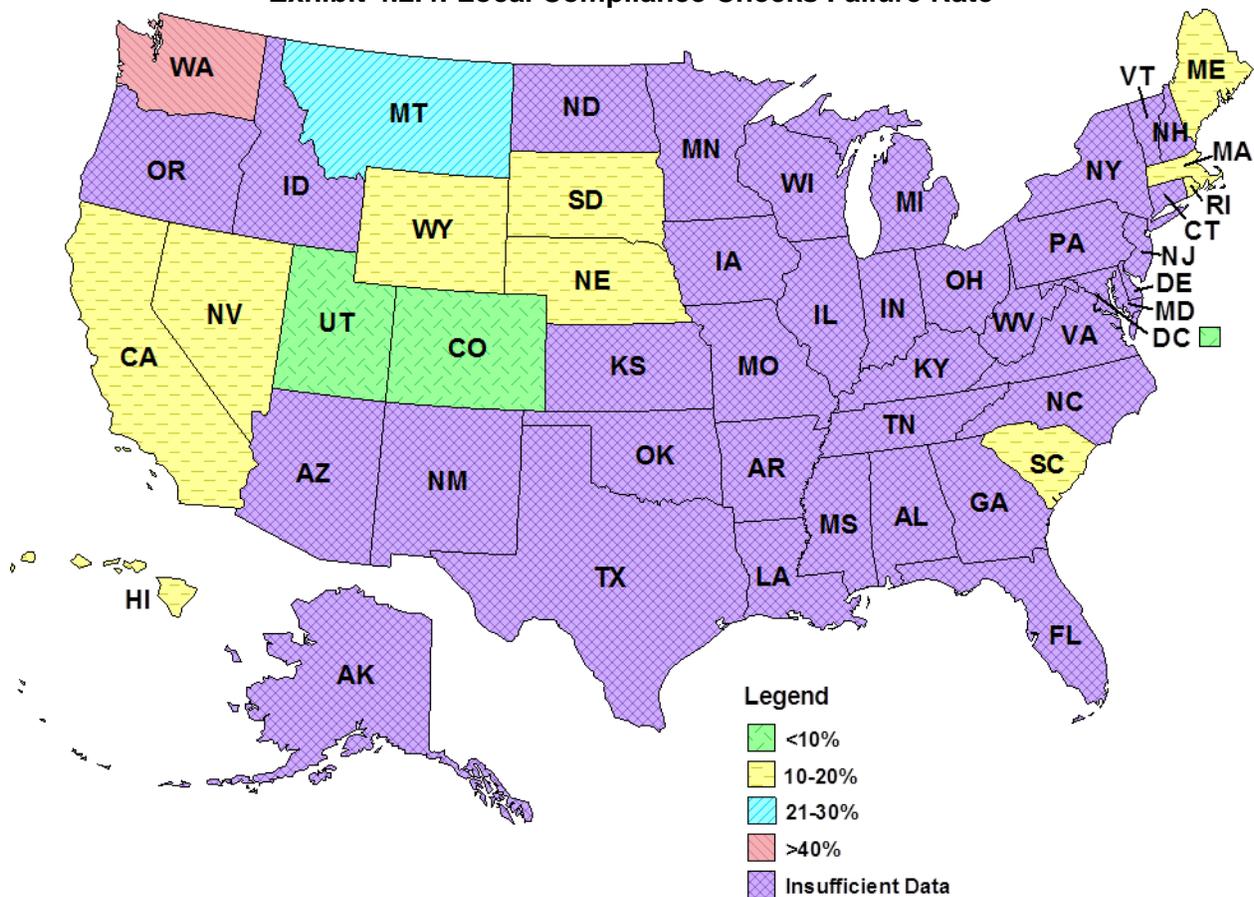
**Exhibit 4.2.2: Compliance Checks**

|                        | Number of licensees upon which checks were conducted |        | Percentage of licensees upon which checks were conducted that failed the checks |      |
|------------------------|--|--------|---|------|
|                        |  |        |   |      |
| State agencies (n=38)* | Median for those that collect data                   | 1,347  | Median for those that collect data  | 13%  |
|                        | Minimum  | 37     | Minimum   | 5%   |
|                        | Maximum  | 11,977 | Maximum   | 84%  |
| Local agencies (n=19)  | Median for those that collect data                   | 568    | Median for those that collect data  | 15%  |
|                        | Minimum  | 7      | Minimum   | 7%   |
|                        | Maximum  | 6,108  | Maximum   | 100% |

\*Three states are omitted from the analysis because, although they reported that they collect compliance check data, they did not provide these data.



Exhibit 4.2.4: Local Compliance Checks Failure Rate



## Other Enforcement Activities

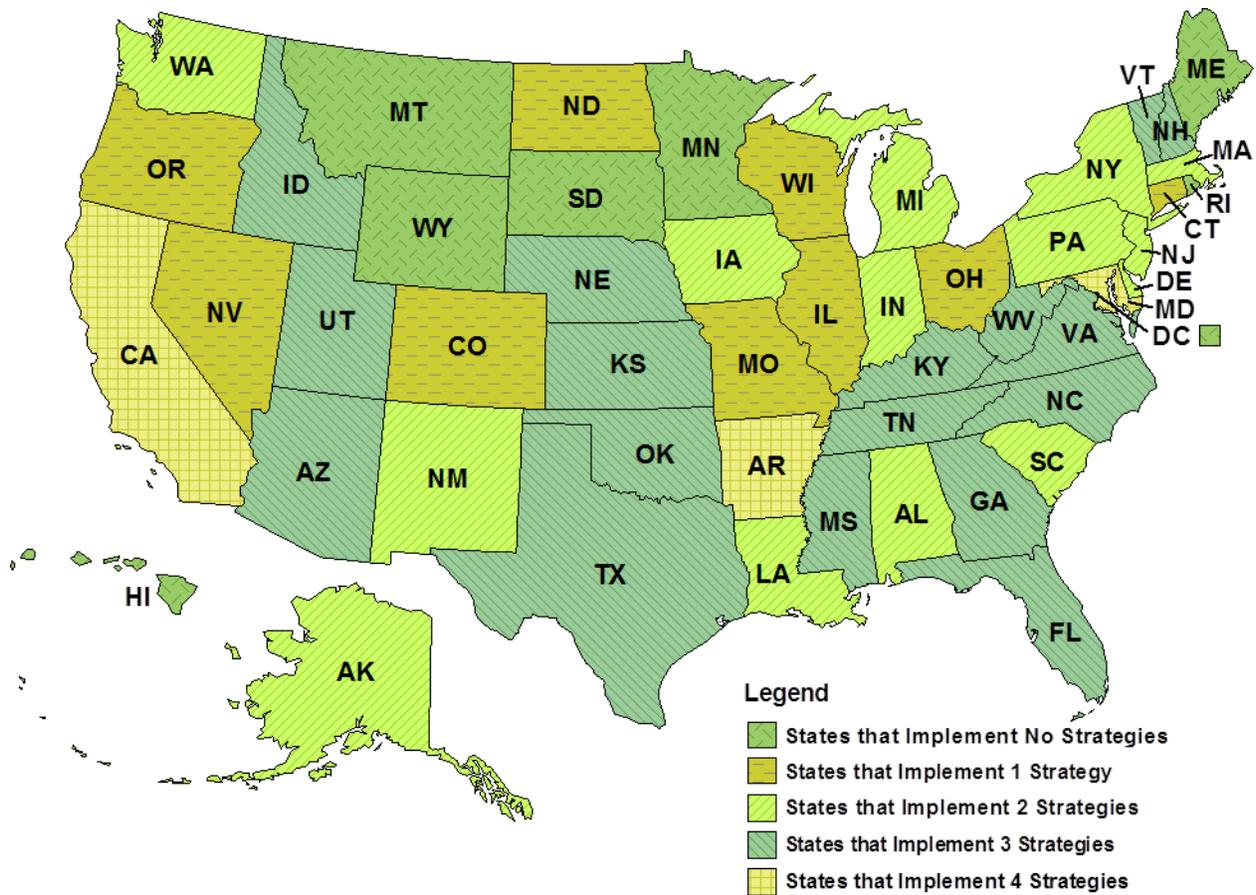
States were asked to report on four other state and local strategies to enforce underage drinking laws: Cops in Shops, Shoulder Tap operations, party patrol operations or programs, and underage alcohol-related fatality investigations.

As shown in Exhibit 4.2.5, the most common enforcement activities at both the state and local levels are party patrol operations or programs and underage alcohol-related fatality investigations. Given that much of the enforcement of laws pertaining to minors in possession occurs at the local level, it is not surprising that more states report implementation of related programs (shoulder tap and party patrol operations) by localities than at the state level. Exhibit 4.2.6 displays states that implement one, two, three, or all four of the strategies listed in Exhibit 4.2.5. Exhibit 4.2.7 displays states in which localities implement one, two, three, or all four of the strategies.

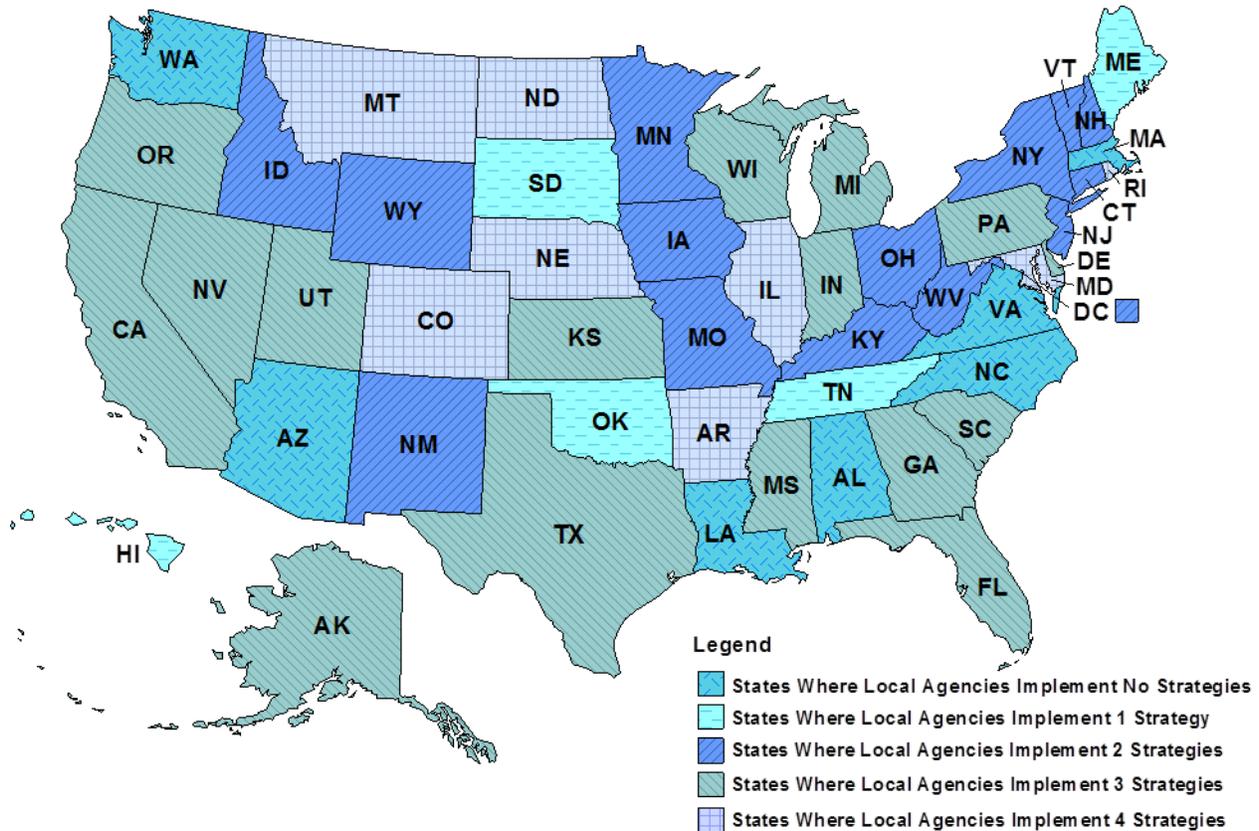
**Exhibit 4.2.5: Enforcement Activities**

| State enforcement: Percentage of states that implement |                         |                                     |  | Local enforcement: Percentage of states in which localities implement |                         |                                     |  |
|--|-------------------------|-------------------------------------|--|---|-------------------------|-------------------------------------|--|
| Cops in Shops  | Shoulder Tap operations | Party patrol operations or programs | Underage alcohol-related fatality investigations | Cops in Shops   | Shoulder Tap operations | Party patrol operations or programs | Underage alcohol-related fatality investigations |
| 45   | 27                      | 55                                  | 69   | 39  | 45                      | 75                                  | 67   |

**Exhibit 4.2.6: States that Implement Strategies**



**Exhibit 4.2.7: States Where Local Agencies Implement Strategies**



In addition, all states regulate or prohibit direct sales and direct shipment of alcohol from producers to consumers, typically through internet orders and delivery by common carriers. (These laws do not address home delivery or internet sales by retailers.) States were asked whether they have a program to investigate and enforce direct-sales or direct-shipment laws and whether these laws are also enforced by local law enforcement agencies. As shown in Exhibit 4.2.8, approximately three fifths of the states have direct-shipment enforcement programs, but only 12 percent report local enforcement.

**Exhibit 4.2.8: Enforcement of Direct-Shipment Laws**

| State has a program to investigate and enforce direct-sales/shipment laws (%) |    | Laws are also enforced by local law enforcement agencies (%) |
|---|----|--|
| Yes   | 59 | 12   |
| No  | 25 | 39   |
| Don't know/No answer  | 16 | 49   |

## Sanctions Imposed for Violations

### Penalties on Retail Establishments

The State Survey requested information on penalties imposed on retail establishments for furnishing to minors (Exhibits 4.2.9–4.2.11). As would be expected, fines are the most common sanction, and they are imposed about six times as often as suspensions. However, revocations are rare. Of the states that collect data on revocations, more than two thirds revoked one or no licenses. Eighty-four percent of the states revoked fewer than six licenses.

Sanctions for furnishing to minors can be put into perspective by considering rates per 100,000 drinking occasions among youth who are 16 to 20 years old. Exhibit 4.2.12 presents these rates for 32 states that collect complete sanctions data (fines, suspensions, and revocations).

**Exhibit 4.2.9: Fines Imposed on Retail Establishments for Furnishing to Minors**

| Number of outlets fined for furnishing             |       | Total amount of fines in dollars across all licensees |
|--|-------|---|
| Median for those that collect data ( <i>n</i> =37) | 155   | \$160,738   |
| Minimum  | 0     | \$0   |
| Maximum  | 1,111 | \$3,429,950   |

**Exhibit 4.2.10: License Suspensions Imposed on Retail Establishments for Furnishing to Minors**

| Number of outlets suspended for furnishing         |     | Total days of suspension across all licensees |
|--|-----|---|
| Median for those that collect data ( <i>n</i> =37) | 27  | 109   |
| Minimum  | 0   | 0   |
| Maximum  | 263 | 4,349   |

**Exhibit 4.2.11: License Revocations Imposed on Retail Establishments for Furnishing to Minors**

| Number of outlets revoked for furnishing                           |     |
|--|-----|
| Median for those that collect data ( <i>n</i> =35)                 | 0*  |
| Minimum  | 0   |
| Maximum  | 129 |
| *The median will be zero if more than half the responses are zero. |     |

**Exhibit 4.2.12: Retailer Sanctions for Furnishing to Minors**

| Sanctions per 100,000 drinking occasions  |      |
|---|------|
| Median for those that collect data (n=32) | 7    |
| Minimum                                   | 0.05 |
| Maximum                                   | 29   |

***Minor in Possession Offenses***

States were also asked to provide statistics on MIP offenses. As noted earlier, arrest data for MIP offenses provide an index of the enforcement of laws designed to deter underage persons from drinking.

Some states reported data that included arrests/citations issued by local law enforcement agencies; others did not.

The first three rows of Exhibit 4.2.13 present the number of arrests/citations reported by all states that collect such data. These data may not provide an accurate picture of MIP enforcement, because much of it is conducted at the local level and, therefore, is not represented in state data. The second three rows present data only from those states that collect both state and local data. When only those states that collect local data are considered, the median number of arrests/citations increases by 93 percent, highlighting the importance of local enforcement efforts and data.

To explore the meaning of these data, two indices were calculated for states with both state and local MIP enforcement. The first index compares the rates of MIP arrests/citations with an estimate of yearly drinking occasions among 16- to 20-year-olds.<sup>29</sup> The second index reflects arrests per 100,000 youth who are 16 to 20 years old. The results appear in Exhibit 4.2.14. Because the data in Exhibit 4.2.14 are from states with both state and local MIP enforcement, the rates for the nation as a whole will be lower.

**Exhibit 4.2.13: Number of Minors Found In Possession of (or Having Consumed or Purchased per State Statutes) Alcohol**

|   | Number of arrests/citations |
|---|-----------------------------|
| Median for all states that collect data (n=42)                  | 1,302                       |
| Minimum   | 65                          |
| Maximum   | 13,355                      |
| Median for states that collect both state and local data (n=19) | 2,515                       |
| Minimum   | 226                         |
| Maximum   | 13,355                      |

<sup>29</sup> This estimate is based on the calculations of Wagenaar and Wilson (1994). Using Monitoring the Future data, they estimated a rate of 90 drinking occasions per 100 youth per month.

**Exhibit 4.2.14: State and Local Arrests/Citations for Minors in Possession: 16- to 20-Year-Olds**

|  | Number of arrests/citations | Arrests/Citations per 1,000 drinking occasions | Arrests/Citations per 100,000 population 16–20 |
|--|-----------------------------|--|--|
| Median for those that collect data ( <i>n</i> =19) | 2,515                       | 1.33   | 1,437  |
| Minimum  | 226                         | 0.13   | 145  |
| Maximum  | 13,355                      | 9.31   | 10,049   |

### Sanctions Against Youth vs. Sanctions Against Retailers

Comparing rates of MIP arrests and rates of retailer sanctions (totals of fines, suspensions, and revocations) highlights enforcement priorities. Twenty-two states provided the complete dataset needed for this analysis (Exhibit 4.2.15).

In most states, MIP arrests greatly outnumber retailer sanctions, indicating that priority is given to individual arrests over enforcement at the retail level. The ratio of MIP arrests to retailer sanctions was less than one in only one state.

### Programs Targeted to Youths, Parents, and Caregivers

States were asked to describe their underage drinking prevention programs. Information was requested about the following:

1. Programs *specific* to underage drinking (e.g., prevention of underage drinking is the primary objective)
2. Programs *related* to underage drinking (e.g., address other drug use [including tobacco] in addition to alcohol use):
  - School-based drug and alcohol education
  - Programs that address individual risk and protective factors
  - Programs to strengthen families

**Exhibit 4.2.15: Ratio of State and Local MIP Arrests to Retailer Sanctions**

|  | MIP arrests per retailer sanctions |
|--|------------------------------------|
| Median for those that collect data ( <i>n</i> =22) | 14                                 |
| Minimum  | 0.99                               |
| Maximum  | 267                                |

The survey provided space to describe up to 20 specific programs and 2 related programs, and to list 8 additional related programs. For the specific programs, space was also provided to indicate:

- The numbers of youth, parents, and caregivers served by each program.
- Whether the program has been evaluated.
- Whether an evaluation report is available and where the report can be found.

In addition to program descriptions, states were asked whether they had programs to measure and/or reduce youth exposure to alcohol advertising and marketing, and best practice standards for selecting or approving underage-drinking programs.

Exhibit 4.2.16 lists the survey's definitions for youth, parents, and caregivers.

## Program Content

States varied widely in the number of programs described, in part because some states provided detailed information on local variations of some program types (e.g., community coalitions), whereas others described the general program.

Many well-known programs were reported, including those focused on life skills, refusal skills, media advocacy, community organizing, and environmental change. Also well represented were indigenous initiatives that appear, at least for the moment, to be unique to their states of origin.

As a method for summarizing the types of programs states are implementing, all programs were coded into one of four categories:

- *Programs focused on individuals*—Programs designed to impart knowledge, change attitudes and beliefs, or teach skills. Although individual youths or adults (usually parents) are the focus of these programs, the programs are almost always conducted with groups (e.g., classrooms, Boys/Girls Clubs, PTAs, members of a congregation). Also in this category are programs for offenders (MIP, driving while intoxicated [DWI]). Certain kinds of education and skills development were considered part of the environment. These include training for alcohol sellers and servers, health care workers, public safety personnel, and others whose activities affect large numbers of people.
- *Programs focused on the environment*—Programs that seek to alter physical, economic, and social environments, which may be focused on entire populations (e.g., everyone in a state or community) or a subpopulation (e.g., underage people, youth who drive). The main mechanisms for environmental change include state laws and local ordinances and their enforcement, institutional policies (e.g., enforcement priorities or prosecutorial

### Exhibit 4.2.16: Definitions of Youth, Parents, and Caregivers from Survey

**Youth:** People younger than 21 years old

**Parents:** People who have primary responsibility for the well-being of a minor (e.g., biological and adoptive parents, grandparents, foster parents, extended family)

**Caregivers:** People who provide services to youth (e.g., teachers, coaches, health and mental health care providers, human services and juvenile justice workers)

practice, how alcohol is to be served at public events, carding everyone who looks younger than 35 years old, alcohol screening of all ER injury admissions), and changing norms. These changes are generally designed to decrease physical availability of alcohol (e.g., home delivery bans, retailer compliance checks), raise economic costs (drink special restrictions, taxation), and/or limit social availability, such as policies that affect the extent to which alcohol and alcohol users are visible in the community (e.g., banning alcohol in public places and at community events, banning outdoor alcohol advertising).

- *Mixed*—Cases where both individual and environmental approaches are a substantive part of the effort. So-called “comprehensive” prevention programs are a relevant example.
- *Media campaigns*

In total, 301 programs (78 percent of all programs) were described in sufficient detail to allow coding.<sup>30</sup> The results are presented in Exhibit 4.2.17. As shown in Exhibit 4.2.17, programs focused on individuals were more than twice as common as programs focused on the environment. States tended to favor either an individual or an environmental approach in the programs they described; 42 percent of the states that reported any programs that could be coded focused exclusively on one or the other.

### Numbers Served

For each specific program described, states were asked to estimate the numbers of youths, parents, and caregivers served. These data were spotty, with 75 percent of the states ( $n=38$ ) providing data for at least one program for youths served, 59 percent ( $n=30$ ) for parents served, and 43 percent ( $n=22$ ) for caregivers served. These data may be difficult for certain types of programs to estimate. In particular, the target populations for programs focused on the environment may be entire populations or subpopulations. Estimating the actual numbers reached is therefore problematic. Exhibit 4.2.18 gives the reported number of youths, parents, and caregivers served across all states that reported data.

**Exhibit 4.2.17: Types of Programs Implemented by the States**

| Program category           | Percentage of programs implemented |
|----------------------------|------------------------------------|
| Focused on individuals     | 58                                 |
| Focused on the environment | 21                                 |
| Mixed focus                | 16                                 |
| Media campaigns            | 5                                  |

**Exhibit 4.2.18: Reported Numbers of Youths, Parents, and Caregivers Served**

|         | Youths served | Parents served | Caregivers served |
|---------|---------------|----------------|-------------------|
| Median  | 5,526         | 0              | 0                 |
| Minimum | 0             | 0              | 0                 |
| Maximum | 997,257       | 786,834        | 664,406           |

<sup>30</sup> In some cases, the states did not provide enough information about the nature of the program to allow coding. In other cases, space limitations in the survey instrument prevented states from fully describing all their programs.

## Evaluation Data

For each specific program, states were asked whether the program has been evaluated and whether an evaluation report is available. Summary data for these questions appear in Exhibit 4.2.19. Clearly, the states vary widely in their emphasis on evaluation.

## Programs To Measure and/or Reduce Youth Exposure to Alcohol Advertising and Marketing

States were asked whether they have programs to measure or reduce youth exposure to alcohol advertising and marketing. Twenty-seven percent ( $n=14$ ) of the states reported they had such programs, which tend to implement four approaches:

1. Environmental scans to assess the degree of youth exposure to alcohol advertising
2. Counter-advertising initiatives
3. Eliminating environmental advertising aimed at youth
4. Social marketing

## Best Practice Standards

States were asked whether they have adopted or developed best practice standards for underage-drinking-prevention programs. Seventy-six percent ( $n=39$ ) reported they had such standards. States were asked to describe these standards, but the data were of variable quality. Some state responses were ambiguous or too brief to code reliably; however, approximately 46 percent of the 39 states that reported having standards indicated they followed SAMHSA's guidance document on evidence-based practices (*Identifying and Selecting Evidence-Based Interventions for Substance Abuse Prevention*, Revised Guidance Document for the Strategic Prevention Framework State Incentive Grant Program, SAMHSA, January 2009). A few additional states referenced some other federally produced document, and another 26 percent of the states described locally developed guidelines.

## Collaborations, Planning, and Reports

The STOP Act Survey included two questions about collaborations. The first asked whether states collaborated on underage drinking issues with federally recognized Tribal governments (if any). Forty-seven percent ( $n=24$ ) said they did collaborate, 25 percent said they did not collaborate, and the remainder reported no federally recognized Tribes in their states.

The second question asked whether the states had a state-level interagency body or committee to coordinate or address underage-drinking-prevention activities. Eighty percent of the states reported that such a committee exists, although the composition of the committee varied somewhat from state to state. Most states' interagency committees included a variety of state

**Exhibit 4.2.19: Evaluation of Underage Drinking–Specific Programs**

|         | Percentage of state programs evaluated | Percentage of evaluated programs with reports available |
|---------|--|---|
| Median  | 50                                     | 0   |
| Minimum | 0                                      | 0   |
| Maximum | 100                                    | 100   |

agencies directly involved in underage-drinking-prevention policy implementation and enforcement, as well as educational- and treatment-program development and oversight. These include the states’ departments of health and human services and alcohol beverage control, their substance abuse agency, and their state police/highway patrol. Of interest is the extent to which the committee included representatives of the governor, legislature, and attorney general, given that they are so critical in setting priorities, providing funding, and generating political and public support.

As shown in Exhibit 4.2.20, about one in four states with a committee included the governor and/or attorney general, and one in five included a legislature representative. We also assessed the extent to which the interagency committee included relevant entities and constituencies outside of state government (see Exhibit 4.2.21). Forty-six percent of the states with interagency committees included community coalitions, and 41 percent included college/university administrations, campus life departments, or campus police. About one in four states included youth, and one in five included local law enforcement.

States were asked whether they had prepared a plan for preventing underage drinking and/or issued a report on underage drinking in the past 3 years. About two thirds of the states had prepared a plan, and about three quarters had issued a report. The majority of states provided a source for obtaining the plans or reports (see individual state reports).

### State Expenditures on the Prevention of Underage Drinking

States were asked to estimate state expenditures for two categories of enforcement activities and five types of programs targeted to youths, parents, and caregivers. Exhibit 4.2.22 provides the data in \$1,000 units reported for the enforcement activities, program activities, and an “other” category. An entry of “zero” in the “Minimum reported” row means that at least one state that maintains data reports no expenditures in that category.

**Exhibit 4.2.20: Composition of the Interagency Group—State Government Entities**

|  | Office of the Governor | Legislature | Attorney General |
|--|------------------------|-------------|------------------|
| Percentage of states with a committee (n=41) | 24                     | 20          | 27               |

**Exhibit 4.2.21: Composition of the Interagency Group—Other Entities**

|  | Local law enforcement | College/university administration, campus life department, campus police | Community coalitions and concerned citizens | Youth |
|--|-----------------------|--|---|-------|
| Percentage of states with a committee (n=41) | 20                    | 41   | 46  | 24    |

**Exhibit 4.2.22: 12-Month Expenditures\* (in thousands) for Enforcement Activities; Programs Targeted to Youths, Parents, and Caregivers; and Other Programs**

|  | Enforcement activities |                                    | Programs targeted to youths, parents, and caregivers |               |                                |                                  |                               | Other programs |
|--|------------------------|------------------------------------|--|---------------|--------------------------------|----------------------------------|-------------------------------|----------------|
|  | Compliance checks      | Checkpoints and saturation patrols | Community-based programs                             | K–12 programs | College or university programs | Juvenile justice system programs | Child welfare system programs |                |
| Number of states providing data  | 19                     | 13                                 | 37   | 29            | 26                             | 21                               | 18                            | 25             |
| Median expenditure**   | \$112K                 | \$150K                             | \$215K   | \$18K         | \$0K                           | \$0*                             | \$0*                          | \$169          |
| Minimum reported   | \$0                    | \$0                                | \$0  | \$0           | \$0                            | \$0                              | \$0                           | \$0            |
| Maximum reported   | \$868K                 | \$8,248K                           | \$7,316  | \$33,771K     | \$511K                         | \$4.220                          | \$702                         | \$5,668        |
| Percentage of states providing data that invest in this category   | 84                     | 85                                 | 78   | 59            | 50                             | 38                               | 11                            | 68             |
| * These data must be viewed cautiously. Response rates ranged from about 11 percent to about 85 percent. Thus the extent to which some of these data reflect national trends is unclear. |                        |                                    |  |               |                                |                                  |                               |                |
| ** The median is zero if more than half the responses are zero.  |                        |                                    |  |               |                                |                                  |                               |                |

The largest expenditure category is for community-based programs, followed by K–12 programs. While the median of expenditures for all enforcement activities (\$119,500) is considerably higher than that for all programs targeted to youths, parents, and caregivers (approximately \$2,178), the total dollar amount expended for these nonenforcement programs (approximately \$108.4 million) is more than seven times the total dollar amount spent on enforcement (approximately \$14.3 million).<sup>32</sup>

States were also asked whether funds dedicated to underage drinking are derived from taxes, fines, and/or fees. About 90 percent of the states provided data for these questions. The use of these funding sources for underage-drinking-prevention activities is limited (see Exhibit 4.2.23).

**Exhibit 4.2.23: Sources of Funds Dedicated to Underage Drinking**

| Source   | Number of states providing data | Percentage reporting yes* |
|--|---------------------------------|---------------------------|
| Taxes  | 47                              | 19                        |
| Fines  | 47                              | 15                        |
| Fees   | 45                              | 16                        |
| *Percentages reflect only those states that provided data for these questions. |                                 |                           |

<sup>32</sup> The median of the combined expenditures for programs targeted to youths, parents, and caregivers is affected by the number of states reporting zero expenditures, as is clear from Exhibit 4.2.22.

## Comparison of Enforcement Data: 2011 to 2012

The STOP Act State Survey is now in its second year of data collection. The following exhibits offer a snapshot of the results for 2011 and 2012 for several key components of the enforcement data. This section should be viewed with these cautions in mind: (1) a 2-year time span is insufficient to describe any kind of trend and (2) data collection varies from year to year among the states, so it is not possible to compare all states between these 2 years. Fewer than half the states provided information in both years for five of the datasets.<sup>33</sup>

About 70 percent of the states provided minors in possession arrest and state compliance check data for both 2011 and 2012. As shown in Exhibit 4.2.24, of these states, 60 percent reported an increase in the number of MIP arrests, 37 percent reported a decrease, and 3 percent remained the same. State compliance checks followed a different direction, with 44 percent of the states reporting an increase in compliance checks, 53 percent reporting a decrease, and 3 percent staying the same (Exhibit 4.2.25).

Fewer data are available addressing compliance checks conducted by local law enforcement. Exhibit 4.2.26 illustrates this, with only 10 states providing data for both years. Of this small group, 70 percent reported a decrease in the number of local compliance checks. Given that 32 states did not report in either year, these comparisons must be viewed with caution.

**Exhibit 4.2.24: Minors in Possession 2011–2012**

|  | Number | Percentage |
|--|--------|------------|
| <i>States reporting in both years (n=35)</i>     |        |            |
| States showing increased arrests                 | 21     | 60         |
| States showing decreased arrests                 | 13     | 37         |
| States showing same # of arrests                 | 1      | 3          |
| <i>States not reporting in both years (n=16)</i> |        |            |
| States reporting in 2011, but not in 2012        | 5      | —          |
| States reporting in 2012, but not in 2011        | 4      | —          |
| States reporting in neither year                 | 7      | —          |

<sup>33</sup>See Appendix E for detailed charts of all state enforcement data reported in 2011 and 2012.

**Exhibit 4.2.25: State Compliance Checks 2011–2012**

|  | Number | Percentage |
|--|--------|------------|
| <i>States reporting in both years (n=36)</i>     |        |            |
| States showing increased compliance checks       | 16     | 44         |
| States showing decreased compliance checks       | 19     | 53         |
| States showing same # of compliance checks       | 1      | 3          |
| <i>States not reporting in both years (n=15)</i> |        |            |
| States reporting in 2011, but not in 2012        | 2      | —          |
| States reporting in 2012, but not in 2011        | 3      | —          |
| States reporting neither year                    | 10     | —          |

**Exhibit 4.2.26: Local Compliance Checks 2011–2012**

|  | Number | Percentage |
|--|--------|------------|
| <i>States reporting in both years (n=10)</i>     |        |            |
| States showing increased compliance checks       | 3      | 30         |
| States showing decreased compliance checks       | 7      | 70         |
| <i>States not reporting in both years (n=41)</i> |        |            |
| States reporting in 2011, but not in 2012        | 4      | —          |
| States reporting in 2012, but not in 2011        | 5      | —          |
| States reporting in neither year                 | 32     | —          |

A small number of states (11) reported 2011 and 2012 data on total expenditures for compliance checks (Exhibit 4.2.27). Of these states, 55 percent indicated that expenditures increased, with the remaining 45 percent reporting that these expenditures had either decreased or remained the same. These data should be viewed with the caveat that 21 states did not report on compliance check expenditures in either 2011 or 2012.

Exhibit 4.2.28 describes state reporting on penalties for retail establishments between 2011 and 2012. In all penalty categories, larger percentages of the states reported reduced use of these penalties than reported increased use. However, given the great variation in reporting rates for both years (31 percent up to nearly 60 percent), these data should be viewed with caution.

**Exhibit 4.2.27: Compliance Check Expenditures 2011–2012**

|  | Number | Percentage |
|--|--------|------------|
| <i>States reporting in both years (n=11)</i>     |        |            |
| States showing increased expenditures            | 6      | 55         |
| States showing decreased expenditures            | 4      | 36         |
| States showing same amount of expenditures       | 1      | 9          |
| <i>States not reporting in both years (n=40)</i> |        |            |
| States reporting in 2011, but not in 2012        | 11     | —          |
| States reporting in 2012, but not in 2011        | 8      | —          |
| States reporting in neither year                 | 21     | —          |

**Exhibit 4.2.28: Penalties on Retail Establishments 2011–2012**

| Penalty   | Percentage of states reporting increase* | Percentage of states reporting decrease* | Percentage of states reporting no change* | Number of states reporting 2011 only | Number of states reporting 2012 only | Number of states reporting neither year |
|---|--|--|---|--------------------------------------|--------------------------------------|---|
| Fines: total number                                       | 43<br>(n=9)                              | 57<br>(n=12)                             | 0   | 7                                    | 10                                   | 13                                      |
| Fines: total dollar amount                                | 48<br>(n=11)                             | 52<br>(n=12)                             | 0   | 9                                    | 8                                    | 11                                      |
| Suspensions: total number                                 | 38<br>(n=10)                             | 62<br>(n=16)                             | 0   | 6                                    | 6                                    | 13                                      |
| Suspensions: total number of days                         | 38<br>(n=6)                              | 63<br>(n=10)                             | 0   | 11                                   | 10                                   | 14                                      |
| Revocations: total number                                 | 17<br>(n=5)                              | 45<br>(n=13)                             | 38<br>(n=11)                              | 9                                    | 3                                    | 10                                      |
| * Includes only those states that reported in both years. |  |  |   |                                      |                                      |   |

## Discussion

The extent and richness of state activities related to underage drinking can be fully appreciated only through examination of the state survey responses in this chapter. This report summarizes data on variables amenable to quantitative analysis. Four broad categories of initiatives are discussed:

1. Enforcement Programs
2. Programs Targeted to Youth, Parents, and Caregivers
3. Collaborations, Planning, and Reports
4. State Expenditures on the Prevention of Underage Drinking

A key conclusion to be drawn from the STOP Act State Survey is that the states have demonstrated a commitment to the reduction of underage drinking and its consequences. This commitment is evident in the fact that all states and the District of Columbia completed the survey, reported numerous program activities, and in many cases provided substantial detail about those activities (see individual state summaries).

The results presented above must be viewed with caution. In many cases, substantial missing data decrease the extent to which a meaningful conclusion can be drawn. Caution must also be exercised in interpreting the changes from 2011 to 2012. Single between-year trends are rarely stable and may or may not hold up over time.

### Enforcement Programs

The large majority of states collect data on state compliance checks, MIP charges, and penalties imposed on retail establishments. However, only about one third of the states collect data on local enforcement efforts. Thus, the ability to draw conclusions about enforcement activities and effectiveness is limited, because a substantial portion of underage drinking law enforcement happens at the local level. Improvements in state enforcement data systems would increase the accuracy of these analyses in future years.

Overall, enforcement activities appear highly variable across the states. Compliance checks and other enforcement activities related to furnishing (Cops in Shops, Shoulder Tap operations, underage alcohol-related fatality investigations, and enforcement of direct-shipment laws) are fairly widely implemented, although not necessarily at both the state and local levels. However, the total number of checks is modest. The effectiveness of these enforcement activities is difficult to assess from the current data. Sanctions for furnishing are predominantly fines, which are about six times more common than suspensions. Revocations are extremely rare; more than two thirds of the states revoked one or no licenses. Data on MIP actions (an index of the enforcement of a variety of laws aimed at deterring underage drinking) revealed medians of 1.33 arrests per 1,000 underage drinking occasions, and 1,437 arrests per 100,000 in a population of 16- to 20-year-olds.

### Programs Targeted to Youth, Parents, and Caregivers

States reported implementing a wide variety of underage-drinking-prevention programs for youth, parents, and caregivers. Many well-known programs were reported, including those

focused on life skills, refusal skills, media advocacy, community organizing, and environmental change. The programs are predominantly focused on individuals, and approximately one in five programs focused on environmental change. Data on numbers of program participants were limited, owing perhaps to inherent difficulties in estimating program participation for programs focused on entire populations or subpopulations (e.g., environmental change programs). About one in four states (27 percent) reported implementing programs to measure and/or reduce youth exposure to alcohol advertising and marketing.

Evaluation of underage drinking prevention programs is limited. Only about half of the programs the states described have been evaluated, and reports are available for only about 16 percent of these. As with enforcement, assessments of program effectiveness are limited by a lack of relevant data.

Seventy-six percent of states reported they had best practice standards for underage-drinking-prevention programs. Seventy-nine percent of states with standards reported that they followed a federal standard or had developed their own standard, and the remaining states described a process for selecting programs or listed the programs themselves that were considered best practices.

### **Collaborations, Planning, and Reports**

Eighty percent of states reported the existence of a state-level interagency body or committee to coordinate or address underage-drinking-prevention activities. However, of the states with such a committee, only about one in four included the governor and/or attorney general, and one in five included a representative of the legislature. Forty-six percent of the states included community coalitions, and around 40 percent included college/university administrations, campus life departments, or campus police. One in four states included youth, and one in five included local law enforcement. Thus, key decisionmakers and local stakeholders were underrepresented on the interagency committees.

States were asked whether they had prepared a plan for preventing underage drinking and/or issued a report on underage drinking in the past 3 years. Approximately two thirds of the states had prepared a plan, and nearly three quarters had issued a report.

### **State Expenditures on the Prevention of Underage Drinking**

States were asked to estimate state expenditures for two categories of enforcement activities and five types of programs targeted to youth, parents, and caregivers. The largest expenditure category is for community-based programs, followed by K–12 programs. While the median of expenditures for all enforcement activities (\$119,500) is considerably higher than that for all programs targeted to youth, parents, and caregivers (approximately \$2,178), the total dollar amount expended for these nonenforcement programs (approximately \$108.4 million) is more than seven times the total dollar amount spent on enforcement (approximately \$14.3 million). Data reporting was again spotty, with response rates ranging from 11 to 78 percent (median = 50 percent) across the five expenditure categories for programs targeting youth, parents, and caregivers. Thus, these results must be viewed with some caution. On the other hand, these data may be difficult for states to assemble given multiple funding streams and asynchronous fiscal years, among other issues.

## Comparison of Enforcement Data: 2011–2012

In the 2 years in which the STOP Act State Survey has been implemented, the states varied greatly in their completion of datasets for both years. Fewer than half of the states provided information in both years for five of the nine enforcement data categories selected for comparison. Around 70 percent of the states reported data in both years for MIP arrests and for state-conducted compliance checks. Sixty percent of the states reporting for both years indicated that MIP arrests had increased, whereas 53 percent of the states reported a decrease in state compliance checks. Only 20 percent of the states reported on local compliance checks and state expenditures for compliance checks in both years. Larger percentages of the states reported reduced use of retailer penalties than reported increased use.

### Comment

The data reveal a wide range of activity in the areas studied, although the activities vary in scope and intensity from state to state. Clearly, all states have areas of strength and areas where improvements can be realized. A recurrent theme is the inadequacy of some state data systems to respond to the data requested in the survey, especially for local law enforcement and expenditures. Accurate and complete data are essential both for describing current activities to prevent underage drinking and for monitoring progress in future state surveys.

### Citation

Wagenaar, A., & Wolfson, M. (1994). Enforcement of the legal minimum drinking age in the United States. *Journal of Public Health Policy*, 15(1), 37–53.