

## State Report

# Louisiana

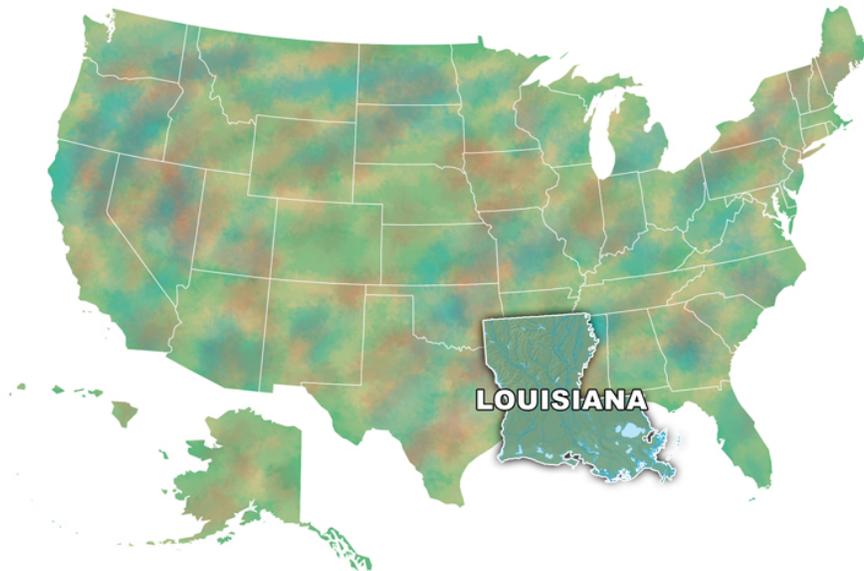
This state report is excerpted from:

**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>



# Louisiana

## State Profile and Underage Drinking Facts\*

**State Population: 4,574,836**  
**Population Ages 12–20: 579,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	29.0	168,000
Past-Month Binge Alcohol Use	16.9	98,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	6.8	12,000
Past-Month Binge Alcohol Use	2.6	5,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	23.9	45,000
Past-Month Binge Alcohol Use	12.5	24,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	52.7	111,000
Past-Month Binge Alcohol Use	33.0	69,000
<b>Alcohol-Attributable Deaths (under 21)</b>		125
<b>Years of Potential Life Lost (under 21)</b>		7,431
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	27.0	32

\* See Appendix C for data sources.

## Laws Addressing Minors in Possession of Alcohol

### **Underage Possession of Alcohol**

Possession is prohibited with the following exception(s):

- Private residence OR EITHER
- Parent/guardian OR
- Spouse

### **Underage Consumption of Alcohol**

Consumption is prohibited with the following exception(s):

- Private residence OR EITHER
- Parent/guardian OR
- Spouse

### **Internal Possession by Minors**

Internal possession is not explicitly prohibited.

### **Underage Purchase of Alcohol**

Purchase is prohibited and there is NO ALLOWANCE for youth purchase for law enforcement purposes.

### **False Identification for Obtaining Alcohol**

#### *Provision(s) Targeting Minors*

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver's license suspension through a judicial procedure.

#### *Provisions Targeting Retailers*

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

## Laws Targeting Underage Drinking and Driving

### **BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)**

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

### **Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)**

Use/lose penalties apply to minors under age 21.

#### *Type(s) of Violation Leading to Driver's License Suspension, Revocation, or Denial*

- Underage purchase
- Underage possession
- Underage consumption

***Authority To Impose Driver’s License Sanction***

- Mandatory

***Length of Suspension/Revocation***

- Minimum: 90 days
- Maximum: 365 days

**Graduated Driver’s License**

***Learner Stage***

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours—15 of which must be at night

***Intermediate Stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 11 p.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: Unless accompanied by a licensed driver at least 21 years old, no more than one unrelated passenger under 21 between the hours of 6 p.m. and 5 a.m.
  - Primary enforcement of the passenger-restriction rule

***License Stage***

- Minimum age to lift restrictions: 17

**Laws Targeting Alcohol Suppliers**

**Furnishing Alcohol to Minors**

Furnishing is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

**Compliance Check Protocols**

No data

**Penalty Guidelines for Sales to Minors**

No data

**Responsible Beverage Service**

***Mandatory Beverage Service Training for Managers, Servers***

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets

**Minimum Ages for Off-Premises Sellers**

- Beer: Not specified
- Wine: Not specified
- Spirits: Not specified

***Condition(s) That Must Be Met in order for an Underage Person To Sell Alcoholic Beverages***

- Manager/supervisor is present.

**Minimum Ages for On-Premises Sellers**

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

**Distance Limitations for New Alcohol Outlets Near Universities and Schools**

***Colleges and Universities***

No distance limitation

***Primary and Secondary Schools***

No distance limitation

**Dram Shop Liability**

- There is no statutory liability.
- The courts recognize common law dram shop liability.

**Social Host Liability Laws**

- There is no statutory liability.
- The courts recognize common law social host liability.

**Host Party Laws**

No state-imposed liability for hosting underage drinking parties

**Retailer Interstate Shipments of Alcohol**

Prohibition against retailer interstate shipments:

- Beer: Prohibited
- Wine: Permitted
- Spirits: Prohibited

**Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

***Age Verification Requirements:*** None

***State Approval/Permit Requirements***

- Producer/shipper must obtain state permit.

***Reporting Requirements***

- Common carrier must record/report purchaser's name.

***Shipping Label Statement Requirements***

- Contains alcohol
- Recipient must be 21

**Keg Registration**

- Keg definition: 4 or more gallons
- Purchaser information collected:
  - Purchaser’s name and address
  - Verified by a government-issued ID
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

**Alcohol Pricing Policies****Home Delivery**

- Beer: No law
- Wine: Permitted—no more than 144 (750ml) bottles per year per person per household
- Spirits: No law

**Alcohol Tax**

- Beer (5 percent alcohol): Specific excise tax is \$0.32 per gallon.
- Wine (12 percent alcohol): Specific excise tax is \$0.11 per gallon (\$0.32 per gallon for alcohol content of 6 percent ABV or less).
- Spirits (40 percent alcohol): Specific excise tax is \$2.50 per gallon.

**Drink Specials**

- Free beverages: Not prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Not prohibited
- Reduced price at specified day or time: Not prohibited
- Unlimited beverages: Prohibited—not permitted after 10 p.m.
- Increased volume: Not prohibited

**Wholesale Pricing**

Pricing restrictions exist.

***Beer (5 percent alcohol)***

- Volume discounts: Banned
- Retailer credit: Not permitted

***Wine (12 percent alcohol)***

- Volume discounts: Banned
- Retailer credit: Restricted—15 days maximum

***Spirits (40 percent alcohol)***

- Volume discounts: Banned
- Retailer credit: Restricted—15 days maximum

## Louisiana State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Louisiana Office of Alcohol and Tobacco Control	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> No data	
<b>Enforcement Strategies</b>	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Yes Louisiana Office of Alcohol and Tobacco Control
Such laws are also enforced by local law enforcement agencies	No
<b>Enforcement Statistics</b>	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession <sup>1</sup> by state law enforcement agencies	Yes 1,050
Number pertains to the 12 months ending	06/30/2011
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by state agencies	3,997
Number of licensees that failed state compliance checks	218
Numbers pertain to the 12 months ending	06/30/2011
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>3</sup>	Yes 257
Total amount in fines across all licensees	No data
Numbers pertain to the 12 months ending	06/30/2011
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the state <sup>4</sup>	Yes 0
Total days of suspensions across all licensees	Not applicable
Numbers pertain to the 12 months ending	06/30/2011

State collects data on license revocations imposed on retail establishments specifically for furnishing minors	Yes
Number of license revocations imposed <sup>5</sup>	0
Numbers pertain to the 12 months ending	06/30/2011
<b>Additional Clarification</b>	
None given	

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Does not include fines imposed by local agencies.

<sup>4</sup> Does not include suspensions imposed by local agencies.

<sup>5</sup> Does not include revocations imposed by local agencies.

<b>Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking</b>	
<b>Project Northland</b>	
Number of youth served	8,452
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: Hard copy available by request.	
URL for more program information: <a href="http://www.hazelden.org/web/go/projectnorthland">http://www.hazelden.org/web/go/projectnorthland</a>	
<p>Program description: Project Northland is a multilevel intervention involving students, peers, parents, and communities in programs designed to delay the age at which adolescents begin drinking, reduce alcohol use among those already drinking, and limit the number of alcohol-related problems among young drinkers. Administered to adolescents in grades 6 to 8 on a weekly basis, the program has a specific theme within each grade level that is incorporated into the parent, peer, and community components. The 6th-grade home-based program targets communication about adolescent alcohol use through student-parent homework assignments, in-class group discussions, and a community-wide task force. The 7th-grade peer- and teacher-led curriculum focuses on resistance skills and normative expectations regarding teen alcohol use, and it is implemented through discussions, games, problem solving tasks, and role plays. During the first half of the 8th-grade Powerlines peer-led program, students learn about community dynamics related to alcohol use prevention through small group and classroom interactive activities. During the second half, they work on community-based projects and hold a mock town meeting to make community policy recommendations to prevent teen alcohol use.</p>	
<b>Protecting You/Protecting Me (PY/PM)</b>	
Number of youth served	1,178
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	06/30/2011
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: Hard copy available by request	
URL for more program information: <a href="http://www.pypm.org">http://www.pypm.org</a> <a href="http://www.hazelden.org/">www.hazelden.org/</a>	
<p>Program description: PY/PM is a 5-year classroom-based alcohol use prevention and vehicle safety program for elementary school students in grades 1–5 (ages 6–11) and high school students in grades 11 and 12. The program aims to reduce alcohol-related injuries and death among children and youth due to underage alcohol use and riding in vehicles with drivers who are not alcohol free. PY/PM consists of a series of 40 science- and health-based lessons, with eight lessons per year for grades 1–5. All lessons are correlated with educational achievement objectives.</p>	

PY/PM lessons and activities focus on teaching children about:

1. The brain—how it continues to develop throughout childhood and adolescence, what alcohol does to the developing brain, and why it is important for children to protect their brains.
2. Vehicle safety, particularly what children can do to protect themselves if they have to ride with someone who is not alcohol free.
3. Life skills, including decisionmaking, stress management, media awareness, resistance strategies, and communication.

Lessons are taught weekly and last 20–25 minutes or 45–50 minutes, depending on the grade level. A variety of ownership activities promote students’ ownership of the information and reinforce the skills taught during each lesson. Parent take-home activities are offered for all 40 lessons. PY/PM’s interactive and affective teaching processes include role playing, small group and classroom discussions, reading, writing, storytelling, art, and music. The curriculum can be taught by school staff or prevention specialists. PY/PM also has a high school component for students in grades 11 and 12. The youth-led implementation model involves delivery of the PY/PM curriculum to elementary students by trained high school students who are enrolled in a peer mentoring, family and consumer science, or leadership course for credit. The program’s benefits to high school students are derived from learning about the brain and how alcohol use can affect adolescents, serving as role models to the elementary school participants, and taking coursework in preparation for delivering the curriculum.

**Underage Drinking Prevention Programs Operated or Funded by the State:  
Programs RELATED TO Underage Drinking**

***LifeSkills Training (LST)***

URL for more program information: <http://www.lifeskillstraining.com>

Program description: LST is a school-based program that aims to prevent alcohol, tobacco, and marijuana use and violence by targeting the major social and psychological factors that promote the initiation of substance use and other risky behaviors. LST is based on both the social influence and the competence enhancement models of prevention. Consistent with this theoretical framework, LST addresses multiple risk and protective factors and teaches personal and social skills that build resilience and help youth navigate developmental tasks, including the skills necessary to understand and resist pro-drug influences. LST provides information relevant to the important life transitions that adolescents and young teens face by using culturally sensitive and developmentally and age-appropriate language and content. Facilitated discussion, structured small group activities, and role-playing scenarios are used to stimulate participation and promote the acquisition of skills. Separate LST programs are offered for elementary school (grades 3–6), middle school (grades 6–9), and high school (grades 9–12); the research studies and outcomes reviewed for this summary involved middle school students.

***Positive Action***

URL for more program information: <http://www.positiveaction.net>

Program description: Positive Action is an integrated and comprehensive program that is designed to improve academic achievement; school attendance; and problem behaviors such as substance use, violence, suspensions, disruptive behaviors, dropping out, and sexual behavior. It is also designed to improve parent–child bonding, family cohesion, and family conflict. Positive Action has materials for schools, homes, and community agencies. All materials are based on the same unifying broad concept (one feels good about oneself when taking positive actions) with six explanatory subconcepts (positive actions for the physical, intellectual, social, and emotional areas) that elaborate on the overall theme. Program components include grade-specific curriculum kits for kindergarten through 12th grade, drug education kits, a conflict resolution kit, statewide climate development kits for elementary and secondary school levels, a counselor’s kit, a family kit, and a community kit. All the components and their parts can be used separately or in any combination and are designed to reinforce and support one another.

***Project Alert***

URL for more program information: <http://www.projectalert.com>

Program description: No data

<b>Coping Skills</b> URL for more program information: <a href="http://www.learnkopingskills.com/about_the_program">http://www.learnkopingskills.com/about_the_program</a>
Program description: No data
<b>Too Good for Drugs</b> URL for more program information: <a href="http://www.mendezfoundation.org">http://www.mendezfoundation.org</a>
Program description: No data
<b>Al's Pals: Kids Making Healthy Choices</b> URL for more program information: <a href="http://www.wingspanworks.com/educational_programs">http://www.wingspanworks.com/educational_programs</a>
Program description: No data
<b>Strengthening Families</b> URL for more program information: <a href="http://www.strengtheningfamiliesprogram.org/about.html">http://www.strengtheningfamiliesprogram.org/about.html</a>
Program description: No data
<b>All Stars</b> URL for more program information: <a href="http://www.allstarsprevention.com">http://www.allstarsprevention.com</a>
Program description: No data
<b>Stay on Track</b> URL for more program information: <a href="http://www.ncprs.org/sotHome.htm">http://www.ncprs.org/sotHome.htm</a>
Program description: No data

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i> Description of collaboration: Not applicable.	No
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> Program description: Not applicable	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i> Best practice standards description: The state funds programs that meet the following criteria: <ol style="list-style-type: none"> <li>1. Inclusion in a federal list or registry of evidence-based interventions.</li> <li>2. Being reported (with positive effects) in a peer-reviewed journal.</li> <li>3. Documentation of effectiveness based on the following guidelines: <ol style="list-style-type: none"> <li>a. The intervention is based on a theory of change that is documented in a clear logic or conceptual model.</li> <li>b. The intervention is similar in content and structure to interventions that appear in registries and/or the peer-reviewed literature.</li> <li>c. The intervention is supported by documentation indicating effective implementation in the past, and multiple times, in a manner attentive to Identifying and Selecting Evidence-Based Interventions scientific standards of evidence and with results that show a consistent pattern of credible and positive effects.</li> <li>d. The intervention is reviewed and deemed appropriate by a panel of informed prevention experts that includes well-qualified prevention researchers who are experienced in evaluating prevention interventions similar to those under review; local prevention practitioners; and key community leaders as appropriate (e.g., officials from law enforcement and education sectors or elders in indigenous cultures).</li> </ol> </li> </ol>	Yes

<b>Additional Clarification</b>	
The following are additional related underage drinking prevention programs: Life Skills Parenting; Guiding Good Choices; and ATLAS (Athletes Training and Learning to Avoid Steroids).	

<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No
<i>Committee contact information:</i> Not applicable	
<i>Agencies/organizations represented on the committee:</i> Not applicable: Due to diminished resources, both financial and human, the High Risk and Underage Drinking Taskforce disbanded in 2011. The Taskforce was a subcommittee of the statewide Prevention Systems Committee. It is the intention of the state that should resources become available, the state will work to revitalize the taskforce.	
<i>A website or other public source exists to describe committee activities</i>	Not applicable
<i>URL or other means of access:</i> Not applicable	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable. Plan can be accessed via: Not applicable.	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Louisiana Department of Health and Hospitals Office of Behavioral Health (OBH) sponsors the Louisiana Caring Communities Youth Survey (CCYS) The State Epidemiology Workgroup in collaboration with the state evaluator produced a data brief on Underage Drinking in Louisiana Plan can be accessed via: <a href="http://www.gov.state.la.us/safe">http://www.gov.state.la.us/safe</a>	

<b>Additional Clarification</b>	
<p>Since 1998, OBH has cosponsored the CCYS of students in grades 6, 8, 10, and 12 statewide. The survey measures students' involvement in a specific set of problem behaviors (including alcohol use) as well as their exposure to a set of scientifically validated risk and protective factors identified in the Risk and Protective Factor Model of adolescent problem behaviors. The survey is conducted every 2 years. Website address: <a href="http://new.dhh.louisiana.gov/index.cfm/newsroom/detail/1392">http://new.dhh.louisiana.gov/index.cfm/newsroom/detail/1392</a>.</p> <p>The Drug Policy Board (DPB) holds statutory authority in Louisiana to coordinate all substance abuse efforts, including prevention, treatment, and enforcement. The DPB is supported by two formalized committees: the Prevention Systems Committee (PSC) and the State Epidemiology Workgroup (SEW). The DPB tasked the SEW with collection and analyses of data related to consumption and consequences of substance use. The DPB tasked the PSC with implementing Louisiana's Strategic Plan for Substance Abuse Prevention. The SEW collaborates with the PSC to advise and make data-driven recommendations to the DPB on issues relating to programs, policies, and practices. The DPB, SEW, and PSC provide the infrastructure for state and community planners to deliver and sustain effective substance abuse prevention efforts. Member agencies are committed to support local coalitions to address substance abuse prevention on a local level.</p> <p>As stated previously, due to diminished resources, both financial and human, the High Risk and Underage Drinking Taskforce no longer exists as a subcommittee of the PSC. Should resources become available, the state will work to revitalize the taskforce.</p>	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of state funds expended	\$400,000
Estimate based on the 12 months ending	06/30/2011
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	06/30/2011
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$368,050
Estimate based on the 12 months ending	06/30/2011
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Other programs:</i>	
Programs or strategies included:	No data
Estimate of state funds expended	Not applicable
Estimate based on the 12 months ending	Not applicable

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other	No data
<i>Description of funding streams and how they are used:</i>	
No data	
<b>Additional Clarification</b>	
While Louisiana does not dedicate any state general funds to underage drinking prevention programs, a Substance Abuse Prevention and Treatment (SAPT) Block Grant funds K–12 school-based programs to prevent underage drinking to include Project Northland and Protecting You/Protecting Me.	