

State Report

Washington

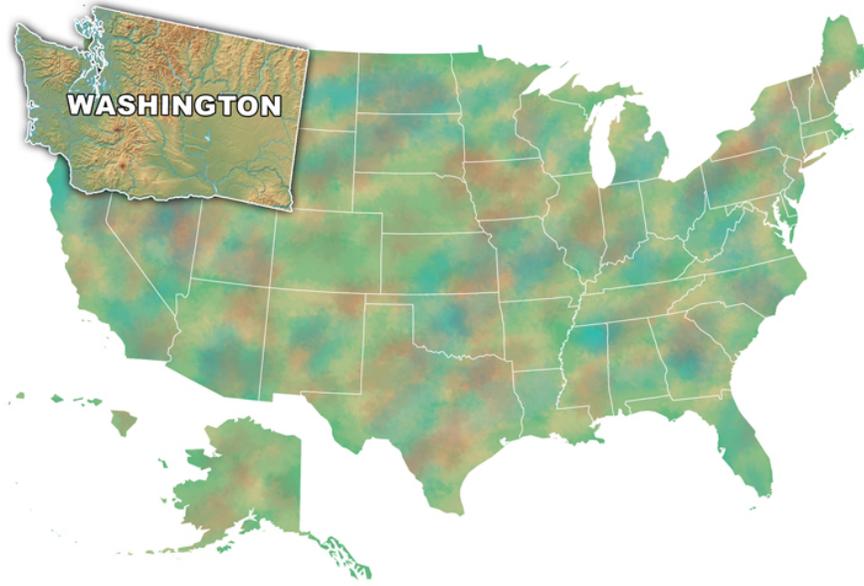
This state report is excerpted from:

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>



Washington

State Profile and Underage Drinking Facts*

State Population: 6,830,038
Population Ages 12–20: 812,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	24.8	201,000
Past-Month Binge Alcohol Use	16.7	136,000
Ages 12–14		
Past-Month Alcohol Use	6.4	16,000
Past-Month Binge Alcohol Use	3.8	9,000
Ages 15–17		
Past-Month Alcohol Use	19.2	53,000
Past-Month Binge Alcohol Use	13.0	36,000
Ages 18–20		
Past-Month Alcohol Use	45.6	132,000
Past-Month Binge Alcohol Use	31.1	90,000
Alcohol-Attributable Deaths (under 21)		76
Years of Potential Life Lost (under 21)		4,549
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	26.0	20

* 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):

- Parent/guardian

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Parent/guardian

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Note: Although Washington does not prohibit internal possession, it has a statutory provision that makes it unlawful for a minor to “be in a public place...while exhibiting the effects of having consumed liquor” (Wash. Rev. Code § 66.44.270). Laws that punish minors for displaying “indicators of consumption” or for “exhibiting the effects” of having consumed alcohol, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting internal possession, for purposes of this report.

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.

Provision(s) Targeting Suppliers

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

Provisions Targeting Retailers

- 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 18.

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

- 365 days

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15
- Minimum learner-stage period: 6 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 1 a.m.
 - No primary enforcement of the night-driving rule
- Passenger restrictions exist: First 6 months, no one under age 20 not in the immediate family; after 6 months, no more than three passengers under age 20 not in the immediate family
 - No 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):

- Parent/guardian

Compliance Check Protocols

No data

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

Mandatory Beverage Service Training for Managers, Servers

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

Note: On November 8, 2011, voters in Washington approved Initiative 1183. In addition to privatizing the wholesale distribution and retail sale of liquor, Initiative 1183 triggers changes to laws currently coded for several policy topics. Implementation of the measure is ongoing, however, and will continue during 2012. Until implementation is complete, it is not possible to fully and accurately report information for this policy topic.

Minimum Ages for Off-Premises Sellers

- Beer: 18
- Wine: 18
- Spirits: 21

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 servers and 21 for bartenders
- Wine: 18 for servers and 21 for bartenders
- Spirits: 18 for servers and 21 for bartenders

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

- Manager/supervisor is present.

Distance Limitations for New Alcohol Outlets Near Universities and Schools

Colleges and Universities

No distance limitation

Primary and Secondary Schools

Prohibitions against outlet siting:

- Off-premises outlets: Yes—within 500 feet if the public elementary or secondary school objects after receiving written notice.
- On-premises outlets: Yes—within 500 feet if the public elementary or secondary school objects after receiving written notice.
- Alcohol products: Beer, wine, spirits

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.

Note: In *Reynolds v. Hicks*, the court held that a social host who furnishes alcohol to a minor can be held liable for resulting harms to the minor who was furnished but is not liable for injuries caused by the minor to third parties.

Host Party Laws

Social host law is not specifically limited to underage drinking parties

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Negligence—host must have known or should have known of the event's occurrence.
- Exception(s): Family

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

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

- Common carrier must verify age of recipient.

State Approval/Permit Requirements

- Producer/shipper must obtain state permit.

Reporting Requirements: None

Shipping Label Statement Requirements

- Recipient must be 21.

Keg Registration

- Keg definition: 4 gallons or more
- Prohibited:
 - Possessing an unregistered, unlabeled keg—maximum fine/jail: \$5,000/1 year
 - Destroying the label on a keg—maximum fine/jail: \$5,000 /1 year
- Purchaser information collected:
 - Purchaser's name and address
 - Verified by a government-issued ID
 - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

Note: Under a special endorsement from the liquor control board, a grocery store licensee may sell malt liquor in containers no larger than 5½ gallons. Research revealed no similar container size restriction imposed on other licensees (see Wash. Rev. Code § 66.28.200).

Alcohol Pricing Policies

Home Delivery

- Beer: Permitted—to sell via the internet, a new license applicant must request internet sales privileges. Existing licensees must notify the board.
- Wine: Permitted—to sell via the internet, a new license applicant must request internet sales privileges. Existing licensees must notify the board.
- Spirits: No law

Alcohol Tax

- Beer (5 percent alcohol): Control state
- Wine (12 percent alcohol): Control state
- Spirits (40 percent alcohol): Control state

Drink Specials

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis.
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price at specified day or time: Not prohibited
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

- Beer (5 percent alcohol): Control state
- Wine (12 percent alcohol): Control state
- Spirits (40 percent alcohol): Control state

Note: On November 8, 2011, voters in Washington approved Initiative 1183. In addition to privatizing the wholesale distribution and retail sale of liquor, Initiative 1183 triggers changes to laws currently coded for several policy topics. Implementation of the measure is ongoing, however, and will continue during 2012. Until implementation is complete it is not possible to fully and accurately report information for this policy topic.

Washington State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Washington State Liquor Control Board (WSLCB)	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> WSLCB has its own certified enforcement force that focuses on retailer-directed interventions such as over-service investigations, underage alcohol sales, signage compliance, etc. However, WSLCB also coordinates with local law enforcement to conduct additional compliance checks in response to requests from community organizations or coalitions or in response to specific complaints.	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
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	WSLCB
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	No data
Number pertains to the 12 months ending	12/31/2011
Data include arrests/citations issued by local law enforcement agencies	Unknown
<i>State conducts underage compliance checks/decoy operations² 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	1,658
Number of licensees that failed state compliance checks	359
Numbers pertain to the 12 months ending	12/31/2011
<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	Yes
Number of licensees checked for compliance by local agencies	7
Number of licensees that failed local compliance checks	7
Numbers pertain to the 12 months ending	12/31/2011
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ³	300
Total amount in fines across all licensees	\$173,400
Numbers pertain to the 12 months ending	12/31/2011
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the state ⁴	48
Total days of suspensions across all licensees	314
Numbers pertain to the 12 months ending	12/31/2011

State collects data on license revocations imposed on retail establishments specifically for furnishing minors	Yes
Number of license revocations imposed ⁵	2
Numbers pertain to the 12 months ending	12/31/2011
Additional Clarification	
WSLCB receives some referrals from local law enforcement on failed compliance checks that they conduct. WSLCB handles these as referred cases and conducts an investigation before acting on the case information. WSLCB cannot provide accurate data on these referrals due to their random nature.	

¹ Or having consumed or purchased per state statutes.

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

³ Does not include fines imposed by local agencies.

⁴ Does not include suspensions imposed by local agencies.

⁵ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking	
Reducing Underage Drinking (RUaD)	
Number of youth served	5,000
Number of parents served	1,000
Number of caregivers served	No data
Numbers pertain to the 12 months ending	12/31/2011
Program has been evaluated	Yes
Evaluation report is available	Contact Scott Waller, scott.waller@dshs.wa.gov
URL for evaluation report:	Not applicable
URL for more program information:	http://www.starttalkingnow.org or contact Deb Schnellman, schneda@dshs.wa.gov
<p>Program description: The efforts of the Washington State Coalition to Reduce Underage Drinking (RUaD) are documented on its website, http://www.starttalkingnow.org. RUaD coalition members represent 27 state agencies and organizations. A major current effort is a media campaign called "Let's Draw the Line Between Youth and Alcohol" featuring community outreach efforts involving law enforcement. Project 1 involves law enforcement and legislators in community events to raise awareness about underage drinking. Project 2 involves law enforcement and youth in assessing the amount of interior and exterior alcohol advertising in stores in communities, as well as emphasizing to retailers the importance of asking for identification for all alcohol sales. Project 3 involves law enforcement and community leaders in establishing community conversations about social host ordinances. The RUaD coalition has also taken on important policy issues like pulling caffeinated high-alcohol-by-volume drinks (such as FourLoko) from store shelves and has worked to establish a permanent federal ban on the products.</p>	
Strategic Prevention Framework-State Incentive Grant (SPF SIG)	
Number of youth served	0
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	07/31/2011
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	Contact Scott Waller, scott.waller@dshs.wa.gov
URL for more program information:	Not applicable

Program description: Washington's SPF SIG project was completed in 2010; as a result, there were no new services provided last year. Several community coalitions formed under SPF SIG continue to operate with other funding.

Substance Abuse Prevention Intervention Services Program (SAPISP)	
Number of youth served	11,508
Number of parents served	1,000
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: Contact Dixie Grunenfelder, dixie.grunenfelder@k12.wa.us	
URL for more program information: http://www.k12.wa.us/PreventionIntervention/default.aspx	
Program description: The SAPISP program, operated by the Office of the Superintendent of Public Instruction, places specialists in schools to implement comprehensive student assistance programs that address problems associated with substance abuse and other at-risk behaviors. Historically, 600 to 800 schools across Washington state have received SAPISP services annually. Due to a reduction in funding, SAPISP was only able to reach approximately 300 schools in 2010 and 2011.	

Underage Drinking Prevention Programs Operated or Funded by the State: Programs RELATED TO Underage Drinking	
Athena Forum Website	
URL for more program information: http://www.theathenaforum.org	
Program description: This is the primary website for prevention professional development in Washington State. The site contains extensive information about underage drinking, but also about other general prevention issues and features informational maps and community profiles that indicate the geographic location of high-risk areas for various problem behaviors. The site has both a public view and a members-only side. Through the public view, users can access most of the resource information, including information about upcoming prevention events and training. Through the members-only side, users can post information on the site and participate in discussions and blogs.	
Target Zero Task Forces	
URL for more program information: http://www.wtsc.wa.gov/programs-priorities/task-forces	
Program description: The 41 Target Zero task forces are a key community-based component of the Washington Traffic Safety Commission's plan to reduce Washington traffic fatalities to zero. The task forces focus on addressing local traffic safety concerns, including impaired driving, young drivers, speeding, and safety restraint usage. Many of the task forces operate DUI victim impact panels for adults and youth and/or have law enforcement partnerships that implement party intervention patrols.	

Additional Information Related to Underage Drinking Prevention Programs	
<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: The Division of Behavioral Health and Recovery (DBHR) provides direct funding to the state's 29 federally recognized Tribes to support services that prevent or treat substance abuse problems. Most of the Tribes use these funds to support prevention efforts, most of which focus on youth issues including underage drinking.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Program description: In the past, EUDL funds supported statewide media campaigns. In 2011, the RUaD coalition decided that because of budget cuts in the federal EUDL program, as well as significant cuts to the budgets of partner agencies, funds were insufficient to support a statewide campaign. However, several community outreach efforts remain. For example, the DBHR communications manager arranged for a major billboard company to run a series of underage drinking prevention messages statewide in 2011.	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Best practice standards description: Washington requires that 60 percent of programs and strategies implemented with the prevention set-aside from the federal Substance Abuse Prevention and	

<p>Treatment (SAPT) block grant be evidence based. DBHR is in the process of converting its county-based prevention-delivery system to a system that focuses on high-risk communities. In that process, best practices for community coalitions are being practiced, and implementation of the Strategic Prevention Framework is used as the planning platform for communities. Each participating community is required to organize and support a community coalition, deliver both direct prevention services and environmental strategies, and provide prevention/intervention services in the community's schools.</p>	
<p>Additional Clarification</p>	
<p>None given</p>	

<p>State Interagency Collaboration</p>	
<p><i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i></p>	<p>Yes</p>
<p><i>Committee contact information:</i></p> <p>Name: Ray Horodowicz E-mail: horodr@dshs.wa.gov Address: PO Box 45330, Olympia, WA 98504-5330 Phone: 360-725-3807</p>	
<p><i>Agencies/organizations represented on the committee:</i></p> <p>College Coalition for Substance Abuse Prevention Court Services/Diversion Faith Community Medical Community Mothers Against Drunk Driving (MADD) National Governors' Spouses Native American Tribes Office of Attorney General of Washington Treatment Community Washington Association of Sheriffs and Police Chiefs Washington Association Substance Abuse and Violence Prevention Washington Drug Free Communities Coalition of Coalitions Washington National Guard Counterdrug Task Force Washington State Students Against Destructive Decisions (SADD) Washington State Department of Commerce Washington State Department of Health Washington State Department of Social and Health Services (DSHS)/ Division of Behavioral Health and Recovery Washington State Family Policy Council Washington State Governor's Office Washington State Liquor Control Board Washington State Office of Lt. Governor Washington State Office of Superintendent of Public Instruction Washington State Partnership Council on Juvenile Justice Washington State Patrol Washington State Parent-Teacher Association (PTA) Washington Traffic Safety Commission and Target Zero Task Forces</p>	

<p><i>A website or other public source exists to describe committee activities</i></p> <p>URL or other means of access: http://www.starttalkingnow.org</p>	<p>Yes</p>
---	------------

<p>Underage Drinking Reports</p>	
<p><i>State has prepared a plan for preventing underage drinking in the last 3 years</i></p> <p>Prepared by: Division of Behavioral Health and Recovery, Washington State Liquor Control Board and the Washington State Coalition to Reduce Underage Drinking Plan can be accessed via: Earlyse Swift, earlyse.swift@dshs.wa.gov</p>	<p>Yes</p>

<p><i>State has prepared a report on preventing underage drinking in the last 3 years</i> Yes</p> <p>Prepared by: Division of Behavioral Health and Recovery and Washington State Liquor Control Board</p> <p>Plan can be accessed via: Earlyse Swift, earlyse.swift@dshs.wa.gov</p>
Additional Clarification
<p>The Washington State Coalition to Reduce Underage Drinking is co-chaired by the Division of Behavioral Health and Recovery and Washington State Liquor Control Board, so those two agencies generally take the lead on creation of plans and reports. The documents are then brought to the coalition for review and approval.</p>

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$52,000
Estimate based on the 12 months ending	12/31/2011
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$400,000,000
Estimate based on the 12 months ending	12/31/2011
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$23,000
Estimate based on the 12 months ending	12/31/2011
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included: Community Mobilization Against Substance Abuse and Violence Family Policy Council - Health and Safety Networks	
Estimate of State funds expended	\$100,000,000
Estimate based on the 12 months ending	12/31/2011

Funds Dedicated to Underage Drinking	
<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	
Additional Clarification	
It is difficult to quantify dollars spent, as the programs have multiple focus points. The dollar amounts given represent whole budgets for programs, but do not represent the portion of those funds directed to underage drinking prevention.	