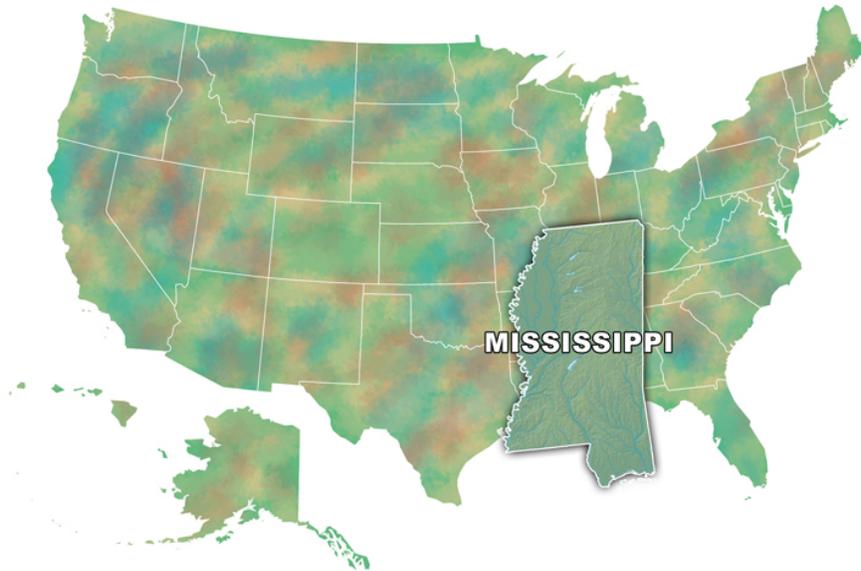


**State Report**

**Mississippi**

This document is excerpted from:

**The June 2015 Report to Congress on the Prevention and Reduction of Underage Drinking**



# Mississippi

## State Profile and Underage Drinking Facts\*

State Population: 2,984,926  
 Population Ages 12–20: 384,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	24.8	95,000
Past-Month Binge Alcohol Use	15.9	61,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.9	6,000
Past-Month Binge Alcohol Use	2.6	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	21.3	28,000
Past-Month Binge Alcohol Use	13.5	17,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	45.6	62,000
Past-Month Binge Alcohol Use	29.9	41,000
<b>Alcohol-Attributable Deaths (under 21)</b>		65
<b>Years of Potential Life Lost (under 21)</b>		3,926
	<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>	22.0	17

\* 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 location OR
- Parent/guardian

*Note:* Mississippi’s parent/guardian exception applies to those persons at least 18 years old and only for possession of light wine or beer. The location exception is not limited to persons between 18 and 21, and applies only to alcoholic beverages, not including light wine or beer.

### Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

*Note:* Mississippi’s parent/guardian exception applies to those persons at least 18 years old and only for consumption of light wine or beer.

### 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.

#### *Provision(s) 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

***Authority to impose driver’s license sanction***

- Mandatory

***Length of suspension/revocation***

- Minimum: Not specified
- Maximum: 90 days

**Graduated Driver’s License**

***Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- No minimum supervised driving requirement

***Intermediate stage***

- Minimum age: 16 years
- Unsupervised night driving
  - Prohibited after: 10 p.m. Sunday through Thursday; 11:30 p.m. Friday and Saturday
  - Primary enforcement of the night-driving rule
- No passenger restrictions

***License stage***

- Minimum age to lift restrictions: 16 years, 6 months

**Laws Targeting Alcohol Suppliers**

**Furnishing of Alcohol to Minors**

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

- Parent/guardian OR
- Spouse

*Note:* Mississippi’s parent/guardian and spouse exception applies to those persons at least 18 years old and only for furnishing light wine or beer.

**Compliance Check Protocols**

***Age of decoy***

- Minimum: 16
- Maximum: 19

***Appearance requirements***

- Male: No facial hair and youthful looking

***ID possession***

- Required

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Not specified

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: Not specified
- First offense: \$500 to \$1,000 fine
- Second offense: \$1,000 to \$2,000 fine plus license revocation

### **Responsible Beverage Service**

No beverage service training requirement

### **Minimum Ages for Off-Premises Sellers**

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

### **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

### **Distance Limitations for New Alcohol Outlets near Universities and Schools**

#### ***Colleges and universities***

- Limitations on outlet siting:
  - Off-premises outlets: Yes—no permits on campus
  - On-premises outlets: Yes—no permits on campus
  - Alcohol products: Wine, spirits—“alcoholic beverage” does not include wine or beer containing 6.25 percent ABV or less

#### ***Primary and secondary schools***

- Prohibitions against outlet siting:
  - Off-premises outlets: Yes—within 400 feet; within 100 feet in areas zoned commercial or industrial.
  - On-premises outlets: Yes—within 400 feet; within 100 feet in areas zoned commercial or industrial.
  - Alcohol products: Wine, spirits—“alcoholic beverage” does not include wine or beer containing 6.25 percent ABV or less.

*Note:* Exceptions include (1) bed and breakfast inn or historic district listed in the National Register of Historic Places; (2) qualified resort area located in a municipality having a population greater than 100,000.

### **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.

### **Host Party Laws**

Social host law is specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Possession, consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the 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 not permitted.

### **Keg Registration**

Registration is not required.

### **Home Delivery**

- Beer: No law
- Wine: No law
- Spirits: No law

## **Alcohol Pricing Policies**

### **Alcohol Tax**

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

- Specific excise tax: \$0.43 per gallon

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

- Control state

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

- Control state

### **Drink Specials**

No law

### **Wholesale Pricing**

Pricing restrictions exist.

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

- Retailer credit: Not permitted

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

- Control state

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

- Control state

## Mississippi State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
State of Mississippi, Mississippi Department of Revenue/Office of ABC Enforcement	
<b>Enforcement Strategies</b>	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
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/shippments of alcohol to minors	Yes MS Dept. of Revenue/Office of ABC Enforcement
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 by state law enforcement agencies	Yes
Number pertains to the 12 months ending	No data 12/31/2012
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 retail licensees in state <sup>3</sup>	Yes 6,700 (beer and liquor retailers) approx.
Number of licensees checked for compliance by state agencies (including random checks)	78
Number of licensees that failed state compliance checks	78
Numbers pertain to the 12 months ending	12/31/2012
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	No
Number of licensees that failed <b>random</b> state compliance checks	Not applicable
<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	No
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable 12/31/2012
<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>4</sup>	No
Total amount in fines across all licensees	N/A suspensions only on sales to minors
Smallest fine imposed	Not applicable

Largest fine imposed Numbers pertain to the 12 months ending	Not applicable 12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	26
Total days of suspensions across all licensees	182
Shortest period of suspension imposed (in days)	7
Longest period of suspension imposed (in days)	7
Numbers pertain to the 12 months ending	12/31/2012
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2012
<b>Additional Clarification</b>	
No data	

<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> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

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

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

<sup>6</sup> Does not include revocations imposed by local agencies.

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Region 1 Community Mental Health Center (CMHC)</b>	
Program serves specific or general population	Specific population
Number of youth served	1,000
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	None available
<b>Program Description:</b> Region 1 CMHC utilizes the Project Alert prevention program for middle and high school students. It seeks to prevent adolescent nonusers from experimenting with alcohol, tobacco, and marijuana drugs, and prevent youths who are already experimenting from becoming more regular users or abusers.	
<b>Region 2 Community Mental Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	318
Number of parents served	151
Number of caregivers served	123
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	No data
<b>Program Description:</b> Region 2 CMHC utilizes the Project Alert prevention program for middle and high school students. It seeks to prevent adolescent nonusers from experimenting with alcohol, tobacco, and marijuana drugs, and prevent youths who are already experimenting from becoming more regular users or abusers.	
<b>Region 3 Community Mental Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	101

Number of parents served	164
Number of caregivers served	5
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Region 3 CMHC utilizes Protecting You/Protecting Me (PY/PM), a 5-year classroom-based alcohol use prevention and vehicle safety program for elementary school students in grades 1 to 5 (ages 6 to 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 alcohol free.	
<b>Region 4 Community Mental Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	350
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Region 4 CMHC utilizes LifeSkills Training (LST), 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 social influence and competence enhancement models of prevention.	
<b>Region 5 Community Mental Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	75
Number of parents served	23
Number of caregivers served	16
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Region 5 CMHC utilizes the No Underage Drinking Allowed program. This program encourages and teaches youth resistance skills when faced with alcohol at dances and parties. It also educates youth and parents about the Social Host law.	
<b>Region 6 Community Mental Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	807
Number of parents served	250
Number of caregivers served	34
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Region 6 CMHC utilizes the Creating Lasting Family Connections program, a family-focused program that aims to build the resiliency of youth ages 9 to 17 years and reduce the frequency of their alcohol and other drug use.	
<b>Region 8 Community Mental Health Center – Alcohol and Drug Services</b>	
Program serves specific or general population	Specific population
Number of youth served	46

Number of parents served	0
Number of caregivers served	6
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> No data	
<b>Region 9 Community Mental Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	140
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Region 9 CMHC utilizes the Too Good for Drugs (TGFD) school-based prevention program. It is geared for kindergarten through 12th grade and builds on students' resiliency by teaching them how to be socially competent and autonomous problem solvers. The program also provides information about the negative consequences of drug use and the benefits of a nonviolent drug-free lifestyle. TGFD has developmentally appropriate curricula for each grade level through 8th grade, with a separate high school curriculum for students in grades 9 through 12.	
<b>Region 12 – Pine Belt Mental Healthcare Resources</b>	
Program serves specific or general population	No data
Number of youth served	3300
Number of parents served	1200
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Region 12 utilizes Project Northland and Project Alert.  Project Northland is a multilevel intervention involving students, peers, parents, and community 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 weekly to adolescents in grades 6 to 8, the program has a specific theme within each grade level incorporated into the parent, peer, and community components.  Project Alert is a school-based prevention program for middle or junior high school students that focuses on alcohol, tobacco, and marijuana use. It seeks to prevent adolescent nonusers from experimenting with these drugs, and to prevent youths who are already experimenting from becoming more regular users or abusers.	
<b>Region 14 – Singing River Services Program</b>	
Program serves specific or general population	Specific population
Number of youth served	8,000 (2012-2013)
Number of parents served	600
Number of caregivers served	300
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

<b>Program Description:</b> Region 14 utilizes Project Northland by Hazelden Publishing. The four curricula include Slick Tracy, Amazing Alternatives, Power Lines, and Class Action. Project Northland's curricula invite participation and experiential learning at home, in the classroom, and in the local community. Parents as well as other possible caregivers are included. They are enlisted to support a no use message, while communities mobilize to reduce youth access to alcohol and to promote alcohol-free norms. Parents are pulled into this process as students are encouraged to partner with them to sign off on home assignments. Students are given weekly incentives to continue this process.	
<b>Region 15 – Warren Yazoo-Gateway MAP Team</b>	
Program serves specific or general population	Specific population
Number of youth served	5,000
Number of parents served	9,000
Number of caregivers served	1,500
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> No data	
<b>Mississippi Band of Choctaw Indians, Choctaw Health Department, Choctaw Behavioral Health</b>	
Program serves specific or general population	Specific population
Number of youth served	5,423
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nesonline.com">http://www.nesonline.com</a>	
<b>Program Description:</b> The Mississippi Band of Choctaw Indians utilizes the Reconnecting Youth (RY) Prevention Program. This is a school-based prevention program for youth in grades 9 through 12 and ages 14 through 18 who are at risk for school dropout and who may also exhibit multiple behavior problems, such as substance abuse, aggression, depression, or a higher suicide risk potential.	
<b>Mallory Community Health Center</b>	
Program serves specific or general population	Specific population
Number of youth served	2,000
Number of parents served	500
Number of caregivers served	45
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> Mallory Community Health Center utilizes the Taking Opportunity in Prevention–Teens/Tots substance abuse program, which targets 100 at-risk youth ages 5 to 18. The program promotes constructive lifestyles and norms that discourage alcohol, tobacco, and other drug use.	
<b>House of Peace Substance Abuse Prevention Program (HOPSAPP)</b>	
Program serves specific or general population	Specific population
Number of youth served	500
Number of parents served	85
Number of caregivers served	35
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable

URL for more program information:	No data
<b>Program Description:</b> HOPSAPP provides alcohol and drug abuse prevention services to at-risk minority youth, ages 10 to 18, living in Sharkey and Issaquena Counties as well the surrounding areas. We have joined forces with the local school district to form a collaboration that will reach as many youth as possible with the alcohol and drug abuse prevention message. Community outreach programs on alcohol and drug abuse prevention are presented to the schools, parents, and the local community. In addition, we provide local merchant education to to promote awareness and help prevent the sale of alcohol and tobacco products to minors.	
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
No data URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
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>	Yes
Description of collaboration: Mississippi DMH certifies and funds the Mississippi Band of Choctaw Indians to provide prevention services within their community.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies):	No
Agency(ies) within your state: MS Department of Mental Health	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: No data	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: Daisy Carter	
E-mail: daisy@ncaddms.org	
Address: 875 Northpark Drive, Ridgeland, MS 39157	
Phone: 601-899-5880	
<i>Agencies/organizations represented on the committee:</i>	
Department of Mental Health	
Department of Public Safety	
Department of Education	
DREAM of Hattiesburg	
DREAM, Inc.	
Mississippi National Guard	
Mississippi Band of Choctaw Indians	
MADD	
NCADD	
Department of Health	

Mississippians Advocating Against Underage Drinking (MAAUD)	
A website or other public source exists to describe committee activities	Yes
URL or other means of access: <a href="http://www.maaud.org">http://www.maaud.org</a>	

### Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes

Prepared by: Mississippians Advocating Against Underage Drinking (MAAUD)  
Plan can be accessed via: No data

State has prepared a report on preventing underage drinking in the last 3 years No

Prepared by: Not applicable  
Plan can be accessed via: Not applicable

### Additional Clarification

No data

### State Expenditures for the Prevention of Underage Drinking

#### Compliance checks in retail outlets:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending 12/31/2012

#### Checkpoints and saturation patrols:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

#### Community-based programs to prevent underage drinking:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

#### K-12 school-based programs to prevent underage drinking:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

#### Programs targeted to institutes of higher learning:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

#### Programs that target youth in the juvenile justice system:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

#### Programs that target youth in the child welfare system:

Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

#### Other programs:

Programs or strategies included:  
Estimate of state funds expended Data not available  
Estimate based on the 12 months ending Data not available

### Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes No data  
Fines No data  
Fees No data  
Other: No data

Description of funding streams and how they are used:

No data

### Additional Clarification

No data