

Underage Drinking Enforcement Training Center

Webinar January 23, 2014, Transcription

“Underage Drinking laws: How are we doing and where are we going?”

Hello and welcome to the webinar series focused on leadership in the area of underage drinking and alcohol-related problems. This is Aidan Moore of the Pacific Institute for Research and Evaluation located in Calverton, Maryland. We would like to welcome you to our series of webinars that began in 1999. Over the years we have brought you over 160 webinar presentations produced by the Pacific Institute for Research and Evaluation, in cooperation with the Office of Juvenile Justice and Prevention, with an emphasis on issues related to underage alcohol abuse. I would encourage you to visit our website and take advantage of free and timely resources.

Before we begin today's call I would like to let our listeners know that our webinar is being recorded and will be available for download from our website within the week. During the presentations you will be in listen-mode only. I hope you'll find our format easy to use. Please note that each registrant was provided a unique web access code to view the online presentation as well as a toll-free number to join the audio portion of today's session. Please note that only one individual is able to use the web link provided. If anyone on the call did not register and did not receive your own web access link to view the presentation please visit our website at <http://www.udetc.org/audioconfregistration.asp> to register for the webinar, which will immediately result in access information being sent to your e-mail address. In the unlikely event you experience technical difficulties during our program you may call the technical assistance hotline at 800-263-6317. Let me repeat that number 800-263-6317.

To enhance your program experience we want to offer you a few suggestions to improve your computer's performance: Please close all programs not being used to reduce the screen lag time. And please remember you can use the chat box feature to pose questions.

Today we hear from three individuals who have dedicated their careers in service to others. Their extensive background in education and enforcement of laws within the alcohol regulatory systems make them uniquely qualified to be part of our conversation today. Following today's call you will receive an e-mail asking your assessment of today's presentation. Please respond to the e-mail at your earliest convenience and we would like to thank you in advance. We would also like to note that the views of the presenters are not necessarily the views of the Pacific Institute for Research and Evaluation. If you have questions about the material presented today, not answered in our question and answer session, please e-mail me and I will be happy to respond to you. Today's presentation is entitled Underage Drinking Laws: How are we doing and where are we going?

Often referred to as a rite of passage, underage drinking is a serious public health and safety issue requiring the engagement of the entire community to resolve. Alcohol plays a significant role in the level of harm we experience in our communities and while underage alcohol consumption is unlawful, the way in which alcohol is often consumed and the influencing factors that support excessive alcohol consumption often lead to harm.

Alcohol plays a significant role in violent crime in many cases that come before the courts. About 3 million violent crimes occur each year in which victims perceive the offender to

have been drinking. Crimes include rape, sexual assault, robbery, and aggravated and simple assault. About two thirds of violent crimes are characterized as simple assault.

Alcohol abuse is a heavy burden of delinquency, crime, injury, illness, and death. Problems can produce lifelong disability derailing individual potentials and creating tremendous burdens. Underage drinkers consumed over \$25 billion of alcohol in 2009 or three times the entire sales of Starbucks.

Our presenters work to educate and influence public policy on the sale and enforcement of laws. I would like to introduce our first presenter Mr. Steve Schmidt, the senior vice president of public policy and communications with the National Alcohol Beverage Control Association. Presently he is overseeing the research and development of policy, best practices, and communication strategies to assist states to manage control of their regulatory systems. Previously he was the director of alcohol education for the Pennsylvania Liquor Control Board where he was responsible for the vision and development of statewide initiatives to reduce underage drinking and high risk college drinking; creation of innovative education/prevention programs for local communities; establishment of grant programs that funded college and community prevention efforts; and a comprehensive responsible alcohol management program. Steve has consulted with state and national organizations and has authored several articles and presented at numerous national and state conferences on a variety of alcohol-related issues. He has been professionally employed for over 31 years in positions responsible for addressing alcohol-related issues at local state and national levels. Welcome to our program, Steve.

I would like to introduce Jim Wilson who is the director of the New Hampshire State Liquor Commission's Division of Enforcement and Licensing. A law enforcement veteran of over 21 years with progressive experience and responsibility with documented success in the areas of security and investigations at various organizational levels. James has been a regular presenter at the Office of Juvenile Justice and Delinquency Prevention's national leadership conferences in areas such as fraudulent identification, managing media campaigns, and coalition building. James is a training consultant with the UDETC and serves on the executive board of the National Liquor Law Enforcement Association and is the past president. Prior to joining the division of liquor Law Enforcement in 2002, he served in the New Hampshire Department of Correction for 10 years where he reached the rank of Sgt. and was assigned to the department training Bureau as well as the investigative unit. Welcome to our program.

I would like to introduce Wes Kuhl, an officer of the Arizona Department of liquor for approximately 14 years, starting his tenure as a special investigator on community interaction unit. During this time he has interacted with neighborhood representatives, elected officials and law-enforcement agencies to resolve liquor concerns throughout the state. In 2004 he was promoted to sergeant and now supervises the investigation unit in the Phoenix office. He also serves part-time as a public information officer to the Department of Liquor. A graduate of the Phoenix Police Academy in 1996, he was a patrol and a bicycle officer before joining the Department of Liquor in 2000. In 2012 he was elected to the National Liquor Law Enforcement Association board and currently serves as the Association secretary and treasurer. He grew up in Iowa where he graduated from high school and from the University of Iowa in 1995 where he studied Spanish and sociology. And in 2002 he graduated from Western International University where he received his Masters degree in public administration. A father of two boys who keep

him very busy. He enjoys sports and traveling with his family. I would like to welcome you to our program.

I would like to kick off the program with Mr. Steve Schmidt bringing his perspective on some of the national trends he is seeing in alcohol regulation and how some of these could impact current and future efforts to address underage alcohol consumption. Welcome to our program.

Thanks. And certainly I want to express my thanks for this opportunity and the privilege of being on a panel with the other panelists from law enforcement. I want to give a 30,000 foot level as to what is going on from the regulator's perspective around the prevention of underage drinking and the role they play. That really is important to the environment in which enforcement operates. So if you can go to the first slide.

I'm going to talk about why I think it is so difficult to get a handle on what regulators do. Each state truly is different. When Prohibition ended it gave the states the right to regulate alcohol as they felt was necessary in their state. As a result of that, a great deal of variances occur and was created in the state. But the first point I want to make is 'control versus license'. Our Association is most involved with control systems but we work with regulators around the country. I want to make it clear that if you are a control or license state, each of these jurisdictions have responsibility for regulating beverage alcohol. Many, whether in control or license have similar laws. Some are very different. The thing that is different is that control systems were created to enhance the regulatory involvement of the state in the actual sale and distribution of the product and at some point actually take ownership of the product. There is a difference that is important to recognize as part of the environment.

The second is where does this regulatory structure sit within government. In some states it is within the Attorney General's office. In other states it is a standalone independent agency. And other states it may answer to public safety. And other states that could be in the tax or revenue bureau. Important to recognize that even though they may have the same name, 'alcohol beverage control' or 'alcohol beverage commission', it could reside somewhere different in the state and have a different reporting responsibility to the governor's office.

A third is where does alcohol law enforcement reside within that state government? It could be within the bureau of patrol of the state police, or something that is housed within independent agency, or even, such as what we are seeing occurring within the state of Alabama, part of an overall state enforcement responsibility for lottery, gaming, alcohol, many other alcohol enforcement issues.

The fourth is, and I put alcohol outlets out there, and we could spend an entire day on this issue, and that is that every one of these jurisdictions, as to what and who and where the category of alcohol, beer or wine or spirits, could be very different from state to state. Some states don't allow sales in grocery stores. Some don't allow sales in convenient stores. Some such as control systems you can only go to a state owned store. It is important to understand the outlet issues in each state are going to be very different which presents quite a challenge to enforcement as well.

The last one, I want to make a point of, I'm only touching on a few that really demonstrate the variances from state to state. There are more nuances and differences. I would make this offer now, that as an association, this is something we stay very in tuned to, or

if there is a question or something you are looking for clarification, or what it looks like in your state. Don't ever hesitate to contact our offices. We are here as a resource.

So let's talk about what regulators are doing. There should be six items here.

The first one is regulation and rule making. Every regulator gets its authority from the regulations and statutes of the state. But those things are changing in any given legislative session. It will typically be the regulatory agency that is going to play a key role in what those regulations look like. So if you are hearing about a law that is going to change around what types of outlets going to sell, or what a new compliance program is going to look like, chances are that regulatory agency is engaged in helping to frame what that legislation or rulemaking or law is going to look like. It is important to recognize that they have that role.

The second is licensee training which is directly impacted on underage drinking in that the whole concept of licensee training is to make sure those that are involved in the commercial sale of alcohol are preventing sales to underage or visibly intoxicated persons. This is an important role. Some states are very active in the training. Some are only involved in providing guidelines, some provide an entirely volunteer process.

The third is a licensing process. Those that end up being able to sell beverage alcohol legally, have to go through a licensing process. That not only includes a financial commitment, some states that may be very low, while in other states it may be very high. There is also background check. There are checks needed to make sure that it's going to be operated and managed by appropriate persons. This is a good place for regulators to make it very clear to this new or change of licensee, that preventing underage sales is critically important. This is an important regulatory role.

Fourth is that, in many of the regulatory jurisdictions, they try to support communities by providing more information as to how they can have a say in who gets licensed and who doesn't get licensed. It's important that communication be two way. If a community is having a problem with a licensee, they need to communicate with the regulatory agency. That is where they ultimately emanate their authority to sell beverage alcohol. In many states that is where they support communities. I will say I'm going to give an example of one state in a few moments, they go further than that. They are very involved. They will fund community efforts to prevent underage drinking and other alcohol-related issues and harms.

The fifth is they support enforcement. In some of these regulatory bodies, enforcement is housed within the actual agency, and of course they provide that support, whether it be budget or other ways that they can operate. But regulators need to work with enforcement very closely if they are not within the same agency. Because enforcement is typically in the position of having to interpret and carry out not only the letter of the law of the spirit of the law. So supporting enforcement as it relates to licensees is critical but it is also critical to support enforcement that is out there on the front line, trying to prevent and be certain to make sure underage persons are not purchasing. That they are safe and that this is not as problematic as it should be or can be. And I will give a couple of examples of that.

Lastly, that is always important to recognize, a very complex political issue in a state. There are a lot of economic players involved. There are a lot of governmental players involved. Typically it is the regulatory agency that ends up having to find a way to strike that balance. That is why I often say whether it is enforcement or community members or prevention groups, if you don't know the regulatory agency, if you are not engaged with them and you don't the

laws of the state, then you often are at a significant disadvantage when it comes to understanding how to best make sure a licensee is operating appropriately within your community.

So let's talk about a few case studies that would illustrate some positive illustrations and values of these regulatory agencies. The first one I will talk about this Pennsylvania. Pennsylvania is a state that has decided that they need to be in a role of supporting communities and organizations that are trying to prevent underage drinking and high risk college drinking and other harmful uses of alcohol. They have instituted a grant program that has been in place over a decade. They have literally given millions of dollars to their communities. Law enforcement being a significant benefactor of that in developing programs such as controlled party dispersal training, source investigation projects. They brought the professionals and experts from the Underage Drinking Enforcement Training Center to their state. Certainly they have been involved in developing training programs, responsible alcohol management programs, and in helping to get communities, especially where there are colleges, getting colleges and local communities to work closer together. This is a way that a regulator has gone beyond just the rulemaking and provided funds to prevent many problems related to harmful and inappropriate alcohol use.

The state of North Carolina has just gone through change in leadership, a change in governor's office. North Carolina ABC Commission has always been an active player in working with communities. But most recently has ramped up and gotten more involved as one of the leaders of the state trying to prevent underage drinking. Ripped from the headlines, they have been asked by their new governor to spearhead the development of a state wide initiative to coordinate all the good things going on in that state to prevent underage drinking, identify where there are problems and gaps. Early in the process the chairman found that alcohol law enforcement was lacking in funds. They had been cut and there was a need to reinstate those funds. They had been the leader in bringing that message to the Legislature and the governor's office. This is the kind of role a regulator can play as not only a political leader but also one that can work with many other agencies in the state.

The third and final case study is Utah that has been involved in extensive effort to communicate with the public, working with many other agencies within their state around underage drinking. They had a very innovative public media campaign. They have worked to coordinate with other state agencies, including the first spouse's office in that state. They are there to support enforcement and support efforts and their communities to prevent underage drinking.

All of that is a good story and positive. But there are some forces out there, that you need to be aware of, that are at play in all of our states, and in many of our states very visibly, to deregulate. And to try to provide for less regulation, or what looks like less regulation. I want to talk about six aspects of that, or six driving factors.

First of all, has been the rise of big retailers and grocers around the country who are trying to get a piece of the alcohol sales market. They are very active politically. They were the ones that backed the initiative to privatize the system in the state of Washington. They are behind efforts in other states, as we speak, to take the same move, all of the idea of giving the consumer one place to shop for all of their beverage alcohol.

The second I want to talk about is dissatisfaction with government. There is no question that we are in a phase in our country where people do not like government. That has had an impact on those that are out there not only enforcing, but regulating the alcohol in the field and industry. People aren't thrilled with government as a big brother and that has had an impact.

And the third is fiscal distress. Many states have turned to increasing alcohol revenues by increasing outlets, loosening different restrictions. That fiscal distress has lead towards some of these moves to deregulate.

The fourth is customer demands and focus. There is no question that what we hear in the media and others is the customer demands more access, should have more access. What is interesting about that is that the numbers, 35% of our culture 35% of our population, abstains from alcohol and other 15% drinks less than 12 times a year. So who is the customer that is demanding all of this access and focus? That is a question we need to ask and it is also driving the regulatory trend.

I want to jump to ideology. It is idea that the government should not be involved in a personal choice around alcohol. Again, it is a complete disconnect with the value of controls and the value of regulation and the value of making certain that this product is treated differently than other consumer products such as tires, lettuce, mayonnaise. That is an important aspect of this debate.

And lastly, I think this is an important one to finish up with. For the most part we have seen numbers going down in respect to the damage that alcohol has been doing to our community. As a result there is an apathy about what alcohol's impact on communities is. It leads many people to ask why we should be so worried about all of these controls, why are we so worried about this regulation? Certainly that apathy within the media and within our communities often allows us to get out of balance with how we should be dealing appropriately with this problem.

If you can move to the last slide again, if we, as an association, can ever be of any help, I probable can take any one of these slides and go on for an hour or two. It has been a privilege and a pleasure. If I can ever provide any assistance, I would be happy to do that.

Thank you, Steve. Certainly, those of us who are familiar NABCA, with a tremendous resource that is available to anyone, if you're in a control state or not, their website and their association has been very important leader in alcohol policy.

I would like to remind you who may have joined our program late, our topic is "Underage Drinking Laws: how we are doing and where we are going?" I would like to remind you our approach in this webinar is different than we have in the past where we've saved questions and you have been able to come online and ask those questions over the phone. We won't be doing that in the webinar. We will be taking your questions via chat box, which will see if you are on the web, you can login. Please fill free to pose your questions there so our presenters can answer them. And if they don't get asked today, e-mail us and we'll get those to our presenters for a future response.

Our next panelist, Jim Wilson the Director of Enforcement and Licensing, New Hampshire State Liquor Commission, will address us on some of the trends he has seen in New Hampshire. Down from the 50,000 foot level that Steve spoke of, to some of the things on the ground and what enforcement efforts his agency is using to address underage drinking issues.

My name is Jim Wilson and I appreciate the opportunity to participate in this webinar program. To speak and share some information and do some networking. I want to thank the other panelists for agreeing to participate as well. And Steve did a great job of laying the groundwork.

I want to talk about what is going on in New Hampshire and the 3-tier system. New Hampshire is a control jurisdiction. 3-tier system consists of manufacturers, wholesalers, and retailers. As you can see on the slide, the premise of that is that manufacturers can only sell to wholesalers and wholesalers can only sell to retailers. This was put into place to eliminate any possibilities of tied house situations. Those laws are put in place after repeal of Prohibition in 1933. New Hampshire's control system is such that there are 77 retail stores that are run by the New Hampshire liquor commission which is a standalone government entity. And the Division of Enforcement is one of three divisions in that organization. So they are the retail outlet for spirits and wine and they're the only retail outlet for spirits in the state. Other retailers can sell wine and beverages.

What are we seeing in New Hampshire? There are consistent legislative attempts to erode the three-tier system. In our state we see it through attempts to privatize. We have the conversations of the big stores with a lot of money and political power trying to privatize the liquor industry and generate revenue for their businesses rather than the control system. Another issue we're seeing is deregulation. This is a fairly consistent attempt in New Hampshire to weaken the control system that we have. I will talk about some of the pending legislative initiatives to give you an idea where we are at. It can be anything from changing licensing requirements, to creating new licenses, to eliminating requirements for licenses.

And what that leads to is a blurring of the line between the tiers. We have the very distinct manufacturers, wholesalers, and retailers. There are attempts to allow interlocking relationships between the tiers and between business types which blurs the lines and makes it very difficult to ascertain what business is doing what in the state.

We're dealing with attempts to weaken underage drinking possession and transportation of alcohol laws. Again, alcohol in this state, appears to be perceived as a rite of passage. There has been a lot of great work in recent years over the last couple of decades on reducing underage drinking. I think the statistical trends will show that all of that good work is based on good policy that was set forth and education and enforcement efforts. Now because we are trending down, there is an increased apathy towards the idea of underage drinking and the notion that it is trending down and things are fine and we will go ahead and loosen it up a little bit. I am not in support of that concept at all. This is the time that we keep the pressure on and try to eliminate underage drinking.

And of course we deal with budgets. Budget cutting and funding diversions. We have in my agency experienced budget cuts and loss of personnel and are currently at pre-1990 staffing levels which is a little bit disturbing to us. But we also see issues of fund diversion with dedicated funds from the sale of alcohol that are supposed to go to prevention and treatment

and they diverted back into the general fund during the budgeting process which makes it difficult for enforcement to do their work and for prevention and treatment personnel to do their work. Currently, I am tracking 20 bills that have an effect or would change regulatory oversight, licensing operations, and underage drinking laws. So let's talk about those.

How does it impact underage drinking? If you are going to deregulate and reduce the penalties and fines for underage drinking, how does that impact underage drinking as a whole? Increases outlet density, deregulating, reducing licensing requirements makes it easier for a business to get beyond that minimum threshold required to hold a particular liquor license. That allows them to create outlets, and increased outlet density, and increases youth availability. That leads to higher possibility of underage drinking.

We have increased advertisements and marketing aimed at youth. There is legislation pending that would reduce our ability to hold licensees and businesses accountable for their advertising practices. We have seen over the years advertisements aimed at the youth. Whether they are overt or not quite as overt, product advertising and marketing schemes and packaging that would induce or lead underage people to want to consume those products.

Increased hours of operations. This is an age old argument that we deal with and recently we had an hour increase of our on-premise operations. The compromise was a community 'opt in'. Our original law said that the drinking had to cease at 1 am and all drinks had to be cleared at 1:30 AM. The law was to move that to 2 AM with 2:30 being all drinks cleaned up. The compromise was to make that a community 'opt in' and up this point this law went into effect January first and we have no communities that have 'opted in'. This is something that is a good sign at the local government level, that they take underage drinking access and intoxication seriously.

But this all translates to increased availability of alcohol. When we allow a loosening of penalties and restrictions on underage drinking and advertisements and marketing and increased hours, we reduce the perception of risk to the underage person. Research has shown that when people don't perceive a particular behavior as risky, they're more likely to engage in that behavior.

What is going on in New Hampshire? House Bill HB1276 eliminates prohibition on advertising that 1) contains any reference to minors, pictorial or otherwise or 2) any subject matter or illustrations inducing persons under the legal drinking age to drink. The impetus for this particular one was a beer label that was denied in 2008 that had a picture of a minor eating a bowl of oatmeal. And the reaction to that was, we don't like that, you should not be telling us what to put on our labels so we are going to eliminate any advertising restriction that has a reference to minors or anything that would induce them to want to drink.

House Bill 1301 loosens the restrictions on underage persons transporting alcohol in a motor vehicle. In New Hampshire we have case law that goes back to the early 80s and I won't get into the details of that. But essentially in New Hampshire as the current law stands the only time a minor can operate a motor vehicle with alcohol in it, is if they're accompanied by a legal age parent, court appointed guardian, or legal age spouse. This bill would allow a minor to operate a motor vehicle as long as a 21-year-old was in the vehicle and the 21-year-old was in possession of alcohol. So, my 16-year-old son could drive to the local college community hookup with some of his friends and drive them around to get alcohol bring it back to it underage drinking party.

House Bill 1436 provides exemptions and allowances for underage possession of alcohol. This provides three exemptions. One is an exemption for medical reasons. Two, for religious reasons. And three, probably the scariest one, persons between the ages of 18 and 21 when they are in a place where alcohol beverages are not sold. In other words, it is effectively lowering the drinking age to 18, as long as you're not on a licensed premises. That means drinking on a campus, or possessing in a college dorm, and possessing a public place that is not licensed, if there is no ordinance against it, would all be fair game.

House Bill 1437 limiting the states authority to revoke a minor's driver's license for drug or alcohol involvement. Only if it is involving the operation of a motor vehicle. Currently the state can revoke a minor's driver's license for any drug or alcohol involvement regardless of if a motor vehicle is involved. This one is restricted to instances where the alcohol or drug violation occurred in connection with the operation of a motor vehicle.

House Bill 1486 reducing fines for unlawful possession and intoxication by minors from \$300 first offence, subsequent offenses \$600. This would aim to reduce the fine to \$100 and \$300. And again, we are going to increase availability. We are going to make allowances for when they can possess it, and if they possessed at a time they could not legally possess it, going to reduce the consequences and the perceived risk will go down.

What are we doing about it in New Hampshire? The New Hampshire Division of Liquor Enforcement does a lot of work around education and outreach whether it is licensees, college groups, high school groups, even community groups. A lot of media messaging around underage drinking and issues that spawn from that. We've spent over the years a great deal of money on media campaigns targeted towards adult providers of alcohol to minors. And it was funded in large part by the 'Enforcing the Underage Drinking Laws' grants. With that money being reduced, we had to find other funding sources for that. We're happy to report the commission has agreed to leverage some of their advertising budget to our awareness campaign messaging.

Alcohol compliance checks, once again, one of the things that has become a staple of what we do to ensure our licensees are not violating the statutes with respect to serving or selling products to underage persons. I'm happy to report that last year we had just under a 90% compliance rate. We had an 88% compliance rate in the state of Hampshire with our alcohol compliance check programs.

We also have another initiative called 'Selective Alcohol and Tobacco Initiatives'. And that is, for the lack of a better phrase, people would call a sting. That allows the Division of Enforcement to do a targeted compliance check on a particular licensee after we receive information that that licensee is serving or selling to minors. And what we do is we use one of our underage buyers that we would use in an alcohol compliance check, take them out to this location, and we will attempt to purchase. And whether or not they are sold to, we will come back 15 calendar days later and do it again to make sure it was not a mistake or fluke. So we are showing a course of conduct. What we do is we bring that licensee back before the commission for a hearing on that behavior.

Social media review is another thing that this office is looking at doing more and more of. We have done a lot of social media review as it pertains to license premises. Particularly on-premise licensees. The restaurants, cocktail lounges and the dance clubs and places like that. There is a wealth of information that we get from those Facebook and MySpace accounts that

give us a lot of detail as to what activities are going on in the establishments, right down to photographs and quotes and comments. We use that for investigative purposes. We also use it to do a little bit of targeted enforcement activity.

We do a lot of fake ID investigations. We have a lot of success with getting fake IDs from college campuses and tracing them back to the source. And we've had investigations that are multijurisdictional and go as far away as Virginia and all the way to Canada, for a distribution ring of IDs that came from China. We work towards disrupting those fake ID rings that seem to be cropping up all the time.

And of course parking lot surveillance, and premise inspections. The underage drinking and intoxication enforcement activities that our enforcement people do on their evening shifts. They're watching for those telltale signs and activities of people that would lead a prudent person to believe they're attempting to get access to alcohol. We are very much in tune with wanting to reduce youth access to alcohol and the problems associated with underage drinking and drinking and driving. That is one of our main functions. So that is a snapshot of where New Hampshire is at and I will turn it over to Aidan.

Thank you for your insights and information that I am sure will be of great interest as they move forward in their own states. Just a reminder for those of you that join our webinar "Underage Drinking Laws - How are we doing and Where are we going". I would like to introduce our third presenter who is Sgt. Kuhl. Sgt. Kuhl is a veteran law enforcement officer for the Arizona Department of Liquor Control. He will address some of the trends he is seeing in Arizona. What enforcement efforts his agency is using to address underage drinking issues. Welcome to our program.

Thank you. Thanks for this opportunity to participate in the webinar with Steve Schmidt Jim Wilson who are very knowledgeable in this field. It is a great opportunity for us to let everyone know what we are doing in Arizona to combat underage drinking. And some of those new bills in New Hampshire. We are going to follow those because we are always a year or two behind out here. It will be interesting to see how that goes.

The first thing I would like to talk about today is some of the programs that we use to combat underage drinking. And the trends going on in Arizona that we are seeing, recent trends.

One of the programs we are using that we get the most bang for our buck is the 'Covert Underage Buyer Program (CUB)'. And we started this program back in 2003. It is a directed investigation to prevent the sale of liquor to underage persons from license establishments. We can only target on-sale and off-sale locations, that sell retail to the public. When we get a complaint that a place may be selling to an underage person, this is the only time we can go after these locations to see if they're selling to underage people.

Once we have reasonable suspicion, we send them one of our cubs, 19 years of age or younger. We train them and educate them on the laws. We do a run through. We pair them up, a new cub with one that has experience so you learn the ropes. They get pretty comfortable pretty quick. And what 19-year-old or 18-year-old doesn't like to go in and try to purchase beer? We pay them \$10 an hour. It is not based on how many places they buy alcohol but it is

on an hourly rate. It is a great experience for them. They can use that on their resumes when they want to come into the law enforcement field.

What we're currently doing also, is we are training law enforcement agencies around the state to run their own programs. We have 15 officers currently for the entire state of Arizona. Arizona is a large state, it is hard to cover geographically all the areas. We give the local law enforcement our policies and procedures and educate them in the law, so they could run their own programs. When they do that, they will send us their law enforcement reports. We can take those reports and take any administrative action necessary against the licensee.

These there are our statistics from fiscal year 2012. As you can see last year we are at a 28% buy rate. Maybe the difference between us and some other states is we have to have reasonable suspicion to check these locations, we don't just go down the street and hit every location. That is by state statute. That by design. So when I say we get the best bang for our buck, we pay our officers, we pay these cops, and we're out there testing the market to see if suspicious locations are selling to underage. 28% in 2012 sold and you can see the administrative and criminal sanctions that resulted, and most of those were fines. There may have been a couple of suspensions and possibly even a revocation out of those sales.

These are our overall statistics since the initiation of the program. We are 10 years now and we have over 3000 locations suspected of selling to underage and over 900 sold, which is a 30%. Again 2000 administrative sanctions, and 1800 criminal sanctions. This is a successful program for us to get the message across the bar owners, the waitresses, the clerk behind the counter. They get criminally cited, and they have to go to court, and face a judge, and pay a fine. The bar owner or the liquor store owner gets administratively sanctioned. It gets their attention real quick and if they don't get the message, we have a progressive disciplinary system that moves up to suspension and revocation of their license.

One of the other major tools to combat underage drinking is our 'Trace' program. We borrowed this from California ABC who invented the Trace program. It is an acronym for 'target responsibility for alcohol connected emergencies'. There is a criteria that goes along with this. A source investigation. We call it TRACE in Arizona. What we do is we educate the local law enforcement around the state, highway patrol, so when they get into a situation where it meets this criteria - somebody under the age of 21, there is alcohol in their system, it is in the car, and it involves a liquor establishment with a serious incident - could be an overdose of alcohol, a crash - they're going to call us. We have people on call that will respond right then or we will do some follow up the next day and start our Trace program. We show up on the scene with the TRACE program and work backwards. What we find the scene we go backwards depending on what we find - what invoices received, bags - to tell us where that underage person may have purchased or consumed that alcohol. We don't interfere with the local law-enforcement's investigation of the crash scene or whatever we have. So we work backwards and we try to criminally or administratively to-make a case against a licensee establishment for furnishing to underage. This has been very successful throughout the years with our agency.

A recent case we had last year was a 19-year-old in a restaurant type location in Tempe, Arizona, many of you know is Arizona state university, and this underage was intoxicated, he showed up intoxicated, and was found to be inside consuming alcohol, and he had to go to the bathroom so he used the floor and he got kicked out. So the doorman sent him on his way and said go get into a cab and he ended up in a nearby lake and drowned. Three weeks later they

found him floating in the lake so we were able to use our TRACE investigation to go back and find out which bar he was at and use the video subpoena powers and get receipts and invoices, and show he was inside there.

Like I said we do a lot of training for law enforcement. There are only 15 officers throughout the state. We try to extend our arm of the investigation in our state so by teaching law enforcement the state liquor laws and fake ID, how to recognize fake IDs, we are just enhancing what we do through the numbers of the local PD. They will do their investigation and send us the police report. Has been very successful. We are gearing up for the Super Bowl in 2015. We are starting our training program with the Phoenix police department and the Scottsdale police department. Making sure a lot of those officers know the liquor laws, know what to look for and know their powers and what they could do to do it inspection and tell somebody to leave upon intoxication. We feel that that is going to help contain and regulate better so it is not going to get so out of control.

We also do civilian training as well. We provide training on Fake ID recognition to many of the bouncers and door men and bartenders of local establishments. We do a law enforcement version which we give all of the secrets and we do a civilian version where we provide much of the information they should be able to recognize what to look for and how to identify if this is the real person are not, to help them and protect the bar, protect the doorman so they don't get arrested or the bar doesn't get administratively fined.

Some of the trends we are seeing and we are starting to reach out past the universities and the typical bars, clubs, and nightclubs, is that these people who are under age of 21 are starting to book events at locations where we don't normally see these large parties and they will use it under the guise they were having a dance or a dinner or an awards ceremony. A nice dressed couple will show up and book a reservation. The next thing you know there's a flyer on the Internet for this New Year's Eve party, and 300 people are expected, and is 18 and over, and alcohol will be served, and there are some pictures of people with tattoos on their faces and throwing gang signs, type of thing. So these outlying areas, the suburbs of Phoenix, are starting to use social media along with us to look for this stuff. That is a tool that I recommend that a lot of places start using. These people who are teenagers love using social media that is how they advertise on Facebook and twitter. It is a great resource and we have officers that have a location in East Valley in Phoenix Arizona. We call it the fusion Center and there's officers that man that every day. They do nothing but work the Internet and social media and put a report together every week and send it out to the local law enforcement agencies. We know what we are facing this weekend that is coming up. Potential parties and problems and a lot of times we jump those parties in advance and meet with the owners - this is what is coming to your place, are you ready for this? Many times they say, we thought this was going to be a banquet or an award ceremony and they avert disaster and they are appreciative of that.

So in the future we're looking at additional training for law enforcement and licensees. I think it helps and it is another arm of us, an extension and can only help prevent and deter and combat underage drinking. So I do appreciate the opportunity to speak today at at this point I would be willing to take any questions.

Thank you very much. Technology is great when it works. I would like to remind you if you have questions they would like to present to our panelists, you can pose those in our question box and I have a few in our limited time that we have remaining.

This question is for Jim Wilson. Such a complex area of alcohol regulation. Do you have any suggestions for our audience on where a person can go to determine how their state is organized with respect to alcohol laws and regulations and who administers those laws.

The NLLEA website, if they are not a member they can still get limited information. If you are a member of NLLEA, you can log in and see all of the different states' enforcement information right down to agency contacts and links to the laws and administrative rules and you can get a sense of how those agencies are organized in their jurisdictions. We are both members of the executive board of that association and if anybody is interested in that information and are not a member they can reach out to the two of us and one of us will help them flesh out the information they need.

Steve, do you have any of the great resources that NABCA has available to it, any suggestions where people can go beyond the NLLEA website to find out information about their state?

Certainly you can go onto our website and see what we have available but I find generally questions are so customize that I would recommend, you have my contact information, and if we can't get an answer we will know who can and we have a pretty good handle on who are the players in different states and if we don't we can send you to someone else that does.

Jim, you mentioned there are 20 bills this session that could have a significant impact on the alcohol laws and efforts to reduce underage drinking. Does New Hampshire have some kind of system in place where the public can go to learn about these potential law changes?

That is on the website that the state has for the New Hampshire Gen. Court. If one would go to [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us), you can actually do a legislative search and find, not only what bills are pending, where they are, you can see the text of the bills and some cases you can listen to audio of the testimony given in these various committee meetings.

I'm going to guess Arizona and all of our state and territories have a similar mechanism in place where a citizen can go to the state's website and track legislation. Is that true in Arizona?

Absolutely. [www.azlegislature.gov](http://www.azlegislature.gov) is the website and just Google Arizona Legislature 2014. We don't have any crazy bills like New Hampshire is facing right now. But it is still early and we are starting to see more deregulation type bills come through where microbreweries want their caps raised, to do more of the wholesalers job at the producer level.

Our time has passed quickly and I would like to thank our presenters on behalf of OJJDP and the Pacific Institute for Research and Evaluation and thank Mr. Steve Schmidt, Director Jim Wilson and Sgt. Wes Kuhl from the Arizona Department of Liquor Enforcement for being part of our program today. In closing I would like to remind you that our project is a resource for your use and we are always available to provide support in a variety of ways. Please call our toll-free number at 877-335-1287 or visit our website on your screen that [www.udetc.org](http://www.udetc.org) for information.

I like to mention a few of the services that are available to you from our website that include newsletters focused on probation community. Our website I would like to urge any of you who are doing work in your state to contact me if you are doing something that might qualify for a success story. Pacific Institute are always looking to promote nationally the successes that are being developed in your state based upon your work around underage drinking. So feel free to pass that information on and we would love to feature your community in a future upcoming success story.

The American Probation and Parole Association in cooperation with the Pacific Institute for Research and Evaluation has developed a comprehensive document that explores the scope of the multifaceted problems associated with alcohol use among youth. Undoubtedly, this is an issue that is one of the most significant public health and safety issues facing our nation's youth.

While the document was written to aid the community corrections practitioner, is a practical tool containing a series of practice guidelines and guiding principles to help implement a more effective response to underage drinking youth who get themselves involved in the justice system. This document has information that will be useful to anyone interested in the area of underage alcohol problems. This document, and many other useful publications, are available for downloading at our website [www.udetc.org/publications.htm](http://www.udetc.org/publications.htm).

In December 2010 Underage Drinking Enforcement Training Center began offering distance learning opportunities featuring courses that had best practices and strategies for the enforcement of underage drinking laws to reduce underage drinking. Some of these programs include Environmental Strategies, Party Prevention and Controlled Party Dispersal, Techniques for Managing Special Events, Source Investigations. Our future programming will be focused on Volunteers in Support of Efforts to Reduce Underage Drinking.

And a reminder that the views expressed here today are not necessarily views of OJJDP or the Pacific Institute for Research and Evaluation and are solely those of the presenters. In closing, I urge you to visit our website and take advantage of our numerous resources all free of charge. Thank you for taking time joining us this afternoon and we hope you will join next time. Have a great afternoon everyone.