



Working with law enforcement to implement strategies that support healthier alcohol environments.

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## Session Objectives

- Discuss primary alcohol enforcement strategies.
- Discuss the need to utilize data to identify the appropriate strategy for your community.
- Work through several examples to highlight the process.
- Discuss and identify the elements of an effective enforcement plan to include:
  - Securing support of law enforcement
  - Securing funding
  - Developing community support
  - Imposing appropriate sanctions/fines
  - “Best practice” protocols
  - Training
  - Judicial system support
  - Collaborating with the media



## Primary Alcohol Enforcement Strategies

- Compliance checks
- Shoulder tap operations
- Controlled party dispersal
- DUI/DWI enforcement
- False identification education/enforcement
- Bar checks/street sweeps
- Special events enforcement
- Enforcement of minor in possession laws

## General Informal & Formal Policy Steps

- Collect data.
- Clearly state the problem (and why your informal policy effort will meet a community need).
- Assess staff and community capacity.
- Mobilize support and provide community education.
- **Ensure enforcement, consequences, and/or follow-up.**
- Collect process data and evaluate effectiveness.





## Need For Enforcement

Much of your prevention work will be dependent on working with your local law enforcement and judicial system to ensure that any new ordinances/policies you create, or any existing ordinances, are adequately enforced in the community and that appropriate sanctions are imposed against violators.

## The Case for Increased Enforcement



- A 2014 review of research reveals the 21 Minimum Legal Drinking Age (MLDA) law works. The lead researcher William Dejong, stated the research shows:
  - “Tougher enforcement of the age-21 law, rather than a repeal, is what’s needed. Clinical trials have found that when college towns put more effort into enforcing the law – and advertise the facts to students- student drinking declines.”
  - “Some people assume that students are so hell-bent on drinking, nothing can stop them. But it really is the case that enforcement works.”
  - “Just because a law is commonly disobeyed doesn’t mean we should eliminate it.”
  - <https://www.Bu.Edu/sph/2014/02/26/new-report-on-minimum-drinking-age-makes-strong-case-for-existing-laws/>

## Effectiveness of Enforcement Benefits of Dedicated AET's

- Petaluma, CA.
  - Saw a drastic decrease in crime after the implementation of a dedicated alcohol enforcement team (AET).
  - Budget cuts occurred and the AET was eliminated.
  - Within less than six months the crime rate went back up to previous levels before the implementation of the AET.
- Champaign, IL
  - Saw a 70% decrease over 6 years in the targeted area as compared to a 29% drop for the city as a whole.

## Effective Enforcement Requires:

- Selecting the appropriate strategies for your community.
- Securing the support of enforcement.
- Securing funding.
- Community must support enforcement.
- There must be appropriate sanctions for violators.
- Enforcement operations must meet "best practice" standards/protocols.
- Provide adequate training.
- Securing the support of adjudicators.
- Publicizing results.

## Think About Your Community's Focus in Response To Underage Drinking

- Is the focus on youth possession?
- Is the focus on retail access?
- Is the focus on adult providers/social hosts?
- Is the focus on public venues/special events?
- Is there enforcement?



## Determining the Appropriate Strategy

- First assess your community & identify the problems.
- Collect the right information and
- Select an enforcement strategy that is supported by the data.
- Ensure that the information makes it to the right folks who can allocate resources and/or take action to change the environment. (Chiefs, prosecutors, policy makers, retailers, media, AET's, parents, etc...).



## Assessment Data

### Police Action Data:

- Minor in possession.
- Sales to minors.
- Compliance check data.
- Assaults (sexual & physical).
- Last drink data (APRC resources coming in FY20).
- Property damage.



### Community Data:

- Policy inventory.
  - What laws, regulations, and policies already exist?
  - Are they formal/informal?
- Determine the total number of outlets in your community.
  - On-premise
  - Off-premise
  - Specialty licenses
  - Map-plot them out:
    - Near schools
    - Churches

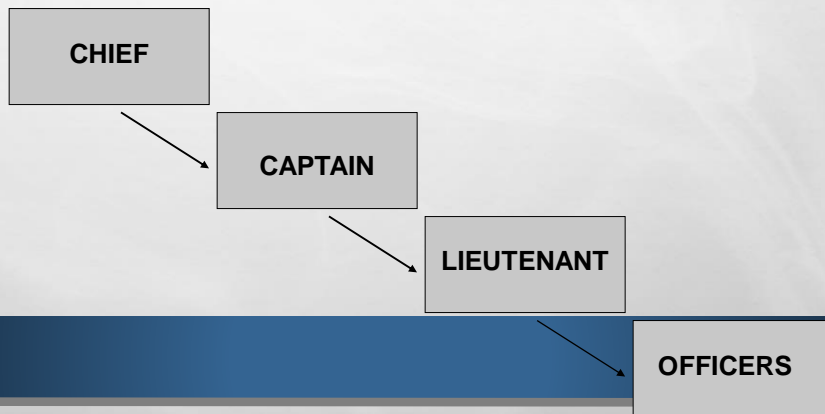
## Assessment Tools/Methods

- Surveys
  - Adults
  - Youth – YRBS, State Youth Surveys, MTF, NSDUH
- Archival data
- Policy inventory
- Focus groups
- Interviews of key informants
- Environmental scans:
  - Billboards
  - Signage at stores
  - Radio ads
  - Social media images



## Law Enforcement: Centralized & Clear Structure

**Decision-making authority is clearly delineated.**



## Dealing With A Structured Command

- Obtain commitment from the agency head/chief/sheriff/supervisor.
  - Ensure they:
    - Appoint an officer to your coalition who has been given authority to make decisions.
    - Task that officer to do things for the coalition.
    - If that individual fails to attend or is not responsive, contact their chief.
- **Understand that the values and attitudes of policy makers, officers, and inspectors play a role in determining what regulations look like in practice.**

## Securing Funding

- A police department's budget is set by the city council. Determine what percentage of the budget, if any, is earmarked for alcohol enforcement.
  - Potential sources of funding.
    - Increase fines/license fees – dedicated source of funding.
    - Grants (federal, state and private).
      - Can provide overtime pay for enforcement efforts and tools for enforcement (ID scanners, body cameras, PBT's).



## Community Support For Enforcement

- Provide the political support/cover for law enforcement and regulatory agencies to do their job. You must support law enforcement efforts which are attempting to address community concerns.
- Speak up and support law enforcement when their efforts are coming under attack.
  - Letters of support to politicians.
  - Respond to media reports.
  - Letters to administrators/editors.
  - Reward/awards/recognition for departments/officers.



## Appropriate Laws & Penalties

- Work with legislators/councilmen to enact stronger/tougher laws regarding underage drinking.
- When you draft the law/policy it should clearly define the penalties for all potential violators.
  - Youth – fines, community service, graduated licensing.
  - Retailers – fines, suspensions, revocations of license, mandatory/voluntary training.
  - Social hosts – criminal sanctions and civil penalties.

## Develop Protocols and Procedures

- Set realistic goals & prioritize.
  - Develop a workable strategic plan which outlines specific objectives and sets timelines based on your identified priorities.
- There should be written guidelines that follow the “best practices” identified by the research.
  - State and local law is followed.
  - Components of enforcement efforts supported by research and local data.
    - Identified problem, timing, locations, etc....
  - Youth volunteer safety is ensured.



## Provide Training

- Do not assume that law enforcement is aware of the “best practices”. Many of the concepts and the corresponding terminology are foreign to police officers.
- Provide **free** training for those the policy/law will affect or those that must implement the policy/law.
  - Retailers.
  - Law enforcement.
- Training should include.
  - Research that supports the policy.
  - Nuts and bolts of the strategy.
  - Training of youth volunteers and adult volunteers that will assist with the implementation of the strategy.
  - Training on technology used by youth - Facebook, Twitter, Instagram.
  - Alcohol trends and data.



## Securing Support Of Courts/ Administrative Agencies

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### Judge 'quashed' thousands of warrants

Mon, 01/15/2018 - 7:00am | Mary Schenk

URBANA — Champaign County's presiding judge recently did some major new year's housecleaning.

In a 15-word order issued Jan. 5, Judge Tom Difanis "quashed," or set aside, 2,547 outstanding warrants for people who have unresolved city or village ordinance violations, some issued as long ago as 2001.

Photo by: Stephen Haas/The News-Gazette

Majority were for minor civil offenses including public possession of alcohol, possession of marijuana, minor in possession of alcohol and alcohol sales to a minor.

This action cuts the legs out from law enforcement as there is no real sanction for committing the violation...just don't show up or handle the violation... nothing will happen.



## Must Secure Support Of Prosecutors & Judges

- Policies and laws will become ineffective over time if there is insufficient prosecution and adjudication.
  - Police will stop enforcing if their cases are constantly being dismissed by the prosecutors, judges, or the regulatory agencies.
  - Before implementation you need to meet with the prosecutors and judges to ensure they understand the policy and the need for consistent adjudication of cases.
  - Hold judges and administrative agencies accountable.
    - Monitor their decisions.

## What Level Of Enforcement?

- Will depend on what your data tells you.
- Key is fairness.
- Need to reassess each year and may need to change-up your strategy based upon changing community support & data.
- Remember - it needs to be a comprehensive approach to include several strategies relevant to your community's needs.



## Publicize Results



- Media amplification - the power of enforcement lies not only in holding violators accountable, but in using the opportunity to bring attention to the problem and begin to change community perception about the issue.
  - Have a detailed plan in place to publicize what you are doing in the community.
- Media amplification can serve to:
  - Foster voluntary compliance – example DUI/DWI enforcement.
  - Raise community awareness and change norms.
  - Demonstrate accountability.

## Question?



Obtaining information on the number of arrests for minor in possession of alcohol in your community is an example of which of the following assessment methods?

- A. Policy Inventory
- B. Key Informant Interview
- C. Environmental Scan
- D. Archival Data Collection

## Question?



Which data source would be the most helpful in determining the level of underage drinking in your community in comparison to other communities in Illinois?

- A. Monitoring the future survey (MTF).
- B. Illinois youth survey (IYS).
- C. The national survey on drug use and health (NSDUH).
- D. Youth risk behavioral survey (YRBS).

## Fact Pattern

While shopping at the liquor mart convenience store you witness an employee sell a six pack of beer to one of your daughter's classmates that you know to be 17 years of age. As a concerned coalition member you contacted the owner about what you witnessed. The owner stated that it is not her fault that the employee sold. She states she cannot babysit her employees 24 hours a day and there is nothing more she can do. She further tells you to mind your own business.



## Question?



Which of the following enforcement strategies is the best option to address the issue of this establishment selling to underage individuals?

- A. Have the police department conduct targeted surveillance of the establishment.
- B. Provide a free retail beverage service training to help the retailer in educating her clerks on responsible alcohol sales.
- C. Work with the police department to conduct a compliance check investigation of the establishment.
- D. Work with the police department to conduct a “shoulder tap” investigation of the establishment.

## Fact Pattern

You live in a middle class neighborhood and recently you noticed one of your neighbors, who has a 16 year old son, has been hosting large parties on Friday evenings where underage kids are consuming alcohol. You speak to your neighbor about the dangers of underage drinking. The neighbors tell you that they take away the kids' keys - so it is safe. The neighbor states that the kids are going to drink anyway so they would rather have them drink at the house where they cannot get into any trouble.

## Question?



What would be the most effective alcohol enforcement strategy to address this identified problem?

- A. Pass a local social host ordinance which imposes a civil fine for hosting an underage drinking party.
- B. Work with the local police department to implement a controlled party dispersal operation.
- C. Contact the school resource officer and offer to assist with a town hall meeting to inform parents about the dangers of underage drinking.
- D. Contact the local news station and ask them to do an undercover investigation to gather evidence against your neighbor.

## Question?



In reviewing the the Youth Survey data for your community you note that 8% of those surveyed indicate they have paid a stranger money to purchase alcoholic beverages for them. Which of the following alcohol enforcement strategies is the best option for addressing this identified problem?

- A. Implement a compliance check operation.
- B. Have the police department conduct random surveillance of the establishment.
- C. Implement increased police patrols in and around licensed liquor establishments.
- D. Have the police department conduct a "shoulder tap" operation at various licensed premises.

## Legal Disclaimer

- This program contained references to statutes, case law, and related materials.
- This program does not create a legal relationship between the participant, Prevention First, or any of today's presenters.
- This program does not constitute legal advice and does not establish an attorney-client relationship.
- Consult with your legal advisor to answer your questions and to obtain legal advice.



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