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INTRODUCTION

Targeting public policy is a necessary part of a successful underage drinking prevention effort. This “*Community How To Guide on Public Policy*” details how coalitions and organizations can effectively work to change public policies that impact underage drinking. The booklet first explains the elements of public policy including laws, regulations, and the policies and practices of public institutions. Tips are provided on effective ways to impact each of these elements so that a clear, consistent message can be delivered throughout the community on the dangers of underage drinking.

Because changing laws and regulations are often viewed by many people as a difficult and daunting task, the booklet provides the tools communities can use in dealing with the legislative process at either the federal, state or local level. To clear up any confusion regarding an organization’s involvement in this process, guidelines are given on what is and what is not allowed. To help coalitions and organizations get started, the booklet gives examples of opportunities that can jump start a public policy initiative.

The appendix of the booklet also gives a variety of useful tools that can help communities first determine what kind of public policy initiative they need. A checklist on underage drinking laws and regulations can quickly tell an organization where improvement is needed. An Elected Official Inventory form will enable every member of the coalition to know who represents them in Congress, in state government and at the local level. Samples of letters and a telephone script are provided to assist groups in launching their public policy program and a state-by-state legislative status report will tell them how their state compares with the other 49 states and the District of Columbia.

Community How To Guide On...PUBLIC POLICY

Coalitions offer special opportunities for individuals and organizations to come together and work for public policy change. Those changes often are critical to the success of the organization and its mission. One of the reasons there has been a dramatic decrease in the number of alcohol-related motor vehicle fatalities is the passage of tougher anti-drunk driving laws in response to efforts by Mothers Against Drunk Driving (MADD), Remove Intoxicated Drivers (RID), and other groups. Underage drinking prevention coalitions and organizations can follow this example and reduce the serious consequences of underage

drinking by working to pass tougher laws and regulations at the federal, state and local level.

Public policy includes the following:

- Laws and regulations on underage drinking, alcohol sales, driving under the influence of alcohol, providing alcohol to minors and enforcement and licensing of retail establishments.
- Policies and practices of public institutions such as police departments and school systems.
- Policies about advertising in public places and alcohol sponsorship of public events.

This booklet deals mainly with legislative policies. However, all of the suggestions and information also apply to a coalition's efforts to strengthen or change a regulation, modify the policy of a public agency or institution, or alter alcohol advertising practices in public places.

Guidelines on Advocacy

Public policy change is an integral part of a comprehensive underage drinking prevention program because it directly impacts public attitudes and behavior. As a result organizations will find themselves working on public policy issues related to legislation. There are, however, certain restrictions on legislative activity that apply to the following:

- Not-for-profit organizations which are granted a special exemption from tax liability under the Internal Revenue Code, section 501(c)(3).
- Organizations receiving federal funds.

These restrictions refer to what is called "lobbying," which is a form of advocacy. These restrictions *do not prohibit* an organization from engaging in advocacy efforts. Rather they limit or restrict the amount and type of funding that can be used to pay for advocacy efforts.

Restrictions Covering Not-for-Profit Organizations with Tax-Exempt Status

The information in this section is taken, in part, from "*Guidelines for Advocacy: Changing Policies & Laws to Create a Safe Environment for Youth*," published by the Community Anti-Drug Coalitions of America (CADCA).

In exchange for the tax exemption, organizations that qualify for the IRS 501(c)(3) status must comply with certain rules and regulations, including limiting the amount of money they spend on lobbying. The rules and regulations do not prohibit lobbying, but rather

view the tax exemption as a type of government subsidy, which the IRS says cannot be used to influence government policy.

The IRS defines lobbying in two ways: direct lobbying and grassroots lobbying. Direct lobbying involves the following:

- Attempts to influence specific legislation by expressing a view on such legislation in communications with the following
 - Any member or employee of a legislative body.
 - Any government official or employee (other than a member or employee of a legislative body) who may participate in the formulation of the legislation.

The two required elements for the advocacy to be considered lobbying are the following:

- The communication must refer to a specific piece of legislation.
- It must reflect a view on that legislation.

The IRS regulations also focus on grassroots lobbying, which is defined as attempts to influence legislation by affecting the opinions of the general public or any segment thereof. As with direct lobbying, grassroots lobbying must do the following:

- Identify a specific piece of legislation.
- Express the organization's view on that legislation.
- Encourage the recipient of the communication to take an action.

The IRS describes a call to action as:

- Requesting the recipient to contact a legislator or legislative staff person.
- Providing addresses, telephone numbers or other information for legislators.
- Providing a petition, tear-off postcard or other similar material that enables the recipient to communicate with a legislator or legislative staff.
- Listing the position of particular legislators on the bill, i.e., for or against.

For instance, it would be grassroots lobbying if the organization writes a letter to the membership asking them to call or write their legislator's office indicating their support for H.B. (House Bill) 105, a bill to increase penalties on retailers who sell to underage youth. This action would constitute grassroots lobbying because the letter refers to specific legislation, reflects a specific view on the legislation, and encourages the member to take action by calling or writing their legislator.

Under the IRS 501(h) expenditure test, organizations can spend the following on direct lobbying:

20% of the first \$500,000 of their tax-exempt expenditures
15% of the next \$500,000
10% of the next \$500,000
5% of all remaining exempt expenditures up to a total limit of \$1 million

In addition, the section limits the organization to spending no more than 25% on grassroots lobbying.

The IRS rules and regulations do not prohibit direct or grassroots lobbying by non-profit organizations, but rather limit the amount of lobbying in which these organizations can engage. Because the original language was vague and ambiguous, in 1976 the U.S. Congress approved language in the IRS Code — Section 501(h) — which measures lobbying activities based solely on the amount an organization spends. The difficult-to-quantify factors such as volunteer time or “impact” are not covered under the 501(h) section.

Penalties for exceeding the allowable limits on lobbying include an excise tax of 25% on the excess expenditures. Only the organization, not the staff or board members, is held liable under the penalty and the tax exempt status cannot be revoked unless the organization exceeds the allowable limits by at least 50% over a four-year period.

Restrictions Covering Organizations that Receive Federal Funds

All Federal Funds (National Highway Traffic Safety Administration, Office of Juvenile Justice and Delinquency Prevention, Department of Health and Human Services, etc.)

Federal law prohibits the use of Federal funds, either directly or indirectly, for the purpose of influencing a member of Congress to favor or oppose legislation, whether or not legislation is currently pending. This restriction prohibits the use of Federal funds for grassroots lobbying.

Federal law also prohibits the use of Federal funds to pay any person for influencing or attempting to influence an employee of an agency or a member, officer or employee of Congress in connection with the awarding, making, entering into, or extending of a Federal contract, grant, or cooperative agreement.

This prohibition covers the direct use of Federal funds and the use of Federal funds through a lower tier agreement, (e.g., Federal monies received by organizations that are sub grantees of a state under Section 402 of the Highway Safety Program). The reasoning behind this prohibition is that Federal money should not be used to lobby Congress in an attempt to insure a steady stream of such funds.

Department of Transportation/NHTSA Funds

Additional lobbying restrictions apply specifically to programs funded by the U.S. Department of Transportation (DOT). The fiscal year 2000 DOT Appropriations Act prohibited the use of DOT funds (including NHTSA funds) for any activity intended “to influence in any manner a Member...of a State legislature to favor or oppose by vote or otherwise, any legislation or appropriation by...a State legislature...after the introduction of any bill or resolution in a State legislature proposing such legislation or appropriation.”

In addition, the Transportation Equity Act for the 21st Century (TEA 21), as amended by the TEA-21 Restoration Act, prohibits the use of NHTSA funds for “any activity specifically designed to urge a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body.” (This latter provision contains an exception allowing testimony for or against pending legislation in response to an invitation from a member of a State or local legislative body or the State executive office.)

There are slight differences in the reach of these two restrictions. However, taken together, they prohibit the use of NHTSA funds for direct lobbying activities and grassroots lobbying activities that specifically target pending State or local legislative bills. They do not apply to State officials engaged in direct communications with their legislatures, under customary practice in the State.

Other Federal agencies may be subject to lobbying restrictions applicable specifically to their programs. Organizations that seek or receive funding from a particular Federal agency should become familiar with any restrictions that might apply funds from to that agency. In addition, there may be specific state or local laws, regulations or ordinances that may apply, and state and local government employees need to be aware of them. Again, these restrictions do not prohibit lobbying, but rather the type of funding that is used to pay for these activities.

The Six “C’s” of Effective Advocacy

In order to change public policy, an organization or coalition must learn to effectively advocate their views. With the proper tools and information, anyone can be an effective advocate. It does not require a lot of money or a highly paid professional to influence public policy. Following are the six “C’s” of effective advocacy.

Be clear

- Determine what you believe and what you want the other person (legislator, regulatory, school board, police department, retailer, etc.) to do.
- Test your clarity by expressing your goals in three sentences or less.
- Be as specific as possible. For instance, going to the state legislature or city/county council with a placard that says, “Stop Underage Drinking” does not

give a legislator a clear direction on what action to take. Instead, ask them to pass a bill that would suspend a young person's license if they drink illegally.

- Be well informed and know if there are barriers.

Be consistent

- Be sure everyone in your group is asking for the same thing. Nothing can derail an advocacy effort faster than members of the same group asking for something different.

Be concise

- Whether you are advocating in person, on the phone or in writing—be brief. Elected officials and their aides are always in a hurry, so to capture their attention, make points quickly and clearly.
- Plan exactly what to say and make the most compelling points first. As Muriel Humphrey once told her husband, “Remember, Hubert, you don't have to be eternal to be immortal.”

Be creative

- Citizen advocates often lack the financial resources of corporations and trade associations, but clever planning of media events and public policy strategies can more than compensate for a lack of money.
- If flyers or educational packets are being distributed, particularly to legislators, make them stand out from the mass of written information an elected official receives.

Members of Project Extra Mile, an underage drinking prevention coalition in Omaha, Nebraska, distributed flyers to legislators on attention-getting acid green paper. The flyers “cut through the clutter” and enabled coalition members sitting in the legislature's gallery to recognize their own materials when legislators were reading them.

Be convincing

- Facts and real-life anecdotes are allies. Use them to convey the impact the public policy change will have — whether it is positive or negative. Emotion is not enough— facts must support feelings.
- A comprehensive needs assessment can prove invaluable because it demonstrates the seriousness of a problem and the number of people who are concerned. For instance, provide statistics about the numbers of young people who report drinking or riding with a impaired driver.

- Mothers Against Drunk Driving (MADD) and Remove Intoxicated Drivers (RID) have been effective in working with victims of alcohol-related motor vehicle crashes who can present the deadly consequences of drinking and driving in a very real way. Be certain your group can make the issue “come alive” for legislators and other public policy officials.

Be committed

- Success does not occur overnight. Sometimes it will take years to win approval. If you are absolutely committed to your cause, keep fighting for it. As Winston Churchill said, “never, never, never, never give up.”
- In the case of legislation, it usually takes three years to win approval at the state level. With each additional year a group advocates for a piece of legislation, legislators and the general public learn more about the issue.

Appendix #1 is a Public Policy Message Development Sheet that will assist members of the coalition in developing a brief, clear statement on their public policy goals with supporting facts and anecdotes. Prior to a legislative or other public policy meeting, copy this worksheet and distribute it to all members of the coalition who will be participating. Make it a group exercise to develop a consistent statement.

Techniques for Effective Public Policy Change

Following are some practical techniques for effective public policy change that are neither difficult nor expensive. With a little preparation, common sense, and energy, anyone can join thousands of other citizen advocates who work on behalf of causes.

1. Know who represents you at all levels of government — local, state and federal.

Constituents have special clout with their own elected officials. Do members of your coalition know who represents them in the city/county council, the state legislature and U.S. Congress?

Mothers Against Drunk Driving has a list of every member of the U.S. Congress on their web site. By typing in a zip code, anyone can find out who represents them in the U.S. Senate and U.S. House of Representatives. The National Conference of State Legislatures’ web site has links to the web sites of state legislatures across the country. Most of these sites help individuals determine who represents them at the state level. Information on contacting these organizations, along with their web sites, is located in the Resource Section of this guide.

If the coalition or organization does not have access to the Internet, the local board of elections or electoral commission will be able to provide the same information. The local board's phone number can be located in the blue pages of the any telephone directory, which is also where individuals can determine representation at the city and county level.

Appendix #2 is an *Elected Official Inventory Form* that can be reprinted and distributed to members of the coalition so they can obtain information on their elected officials.

Get to know your elected officials by doing the following:

- Send a letter of congratulations after an election and including information about your issue and organization.
- Schedule a courtesy call. A good time for courtesy calls is usually right after the elected official has been sworn into office (normally the January following a November election). Courtesy calls are short—no more than ten to fifteen minutes—and are designed to inform the official about your organization and to help your organization to learn more about the elected official.
- Determine whether the elected official may be predisposed to your issue based on a personal experience. A legislator who has experienced, either personally or through a friend or family member, the tragic consequences of a traffic crash or who is personally familiar with underage drinking may champion the cause to help others avoid a similar fate.
- Invite an elected official or an aide to come speak to the organization or participate in a news media event. Their participation generates greater exposure.

The Safe and Sober Youth (SASY) in Chesterfield County, Virginia worked with U.S. Representative Tom Bliley (R-VA) to bring the Century Council's program, "Make the Right Choice," featuring Brandon Silveria and his father Tony, to several high schools in the county. During the program, the Silverias talked about Brandon's decision to drink alcohol and drive; a decision that left him permanently brain damaged. Rep. Bliley's office helped contact the schools and the Congressman introduced the program at each site. All of the presentations received extensive coverage in the media.

- Attend a town meeting. Often an elected official will sponsor a town meeting to hear from his or her constituents. Make sure your organization is represented and that a representative speaks about the underage drinking issue.
- Place elected officials on the mailing list. If the coalition or organization has a newsletter, make sure your elected officials receive copies. This is a good way to educate them about the work of the coalition.

2. Know the legislative process or "how a bill becomes a law."

The Legislative Structure

- The U.S. Congress and most state legislatures are bicameral, which means there are two bodies — a Senate and a House. At the state level, the House may be referred to as the Assembly.
- Because this country operates mainly under a two-party system, both bodies have a majority and a minority. The party that has the highest number of elected legislators determines the majority. In most cases, members of the majority party chair committees and hold leadership positions such as the Speaker of the Assembly/State House or President of the State Senate.
- In order for a bill to become a law, it must pass both Senate and House and be signed into law by the President, or in states, by the Governor. City and county councils are usually only one unified body and legislation must be signed by a mayor, county executive or chair of the county board to become law. City and county council members may be elected at-large or by district.

Bill is introduced

- The first task is to find a sponsor for the bill, either in the Senate or House or both. Sometimes a bill's future depends upon the clout of its primary legislative sponsor. This is where knowledge of individual legislators is crucial. Members of minority parties, for instance, may face an additional hurdle when trying to get difficult legislation passed. Even a well-intentioned legislator who believes strongly in a particular piece of legislation may be an ineffective sponsor for political reasons.
- Find sponsors who have successfully sponsored other bills, hold positions of influence in the legislature or sit on the committee with jurisdiction over the issue. Other legislators may participate as additional sponsors, but if the primary sponsor or co-sponsors are strong and influential, it may make the difference between passage and failure. Occasionally, a junior legislator is able to shepherd a difficult bill to passage, but powerful sponsors, who are truly committed to the bill, are valuable.
- Advocates should be wary of legislators who may attach their names to a bill as prime sponsors for political reasons but then do very little to secure the bill's passage. Try to be sure the sponsor will really work for the bill.

Committee/Subcommittee Consideration

- Once a sponsor has introduced a bill, it is assigned to the committee that has jurisdiction over the issue. For instance, a bill dealing with traffic safety may be assigned to the committee that deals with transportation issues, and a bill dealing with keg registration may be referred to a committee on economic matters.

Because legislatures deal with so many different issues, each committee usually has subcommittees so legislators can develop expertise in specific areas.

- Determine which committees and subcommittees have jurisdiction over your issue because the bill must survive a vote by the subcommittee, and then by the full committee, before it can be considered by the entire legislature or Congress.
- Advocates must work to ensure that a majority of the subcommittee and committee supports the bill. The National Conference of State Legislatures' web site has links to state legislatures. For instance, the link to the Virginia General Assembly lists all committees in both the State Senate and House. Clicking on the Transportation Committee reveals the names of all the committee members, with a link to each individual committee member. Clicking on a committee member's name reveals the area they represent, addresses and phone numbers for both District and State Capitol offices and the name of their legislative aide. Individuals without access to the Internet, can contact their local board of elections or electoral commission, which is listed in the blue pages of the telephone book under local government. They can provide you with a main number for the state legislature.
- The bill's proponents should make appointments to see members of the subcommittee and then the full committee, talk with them about the bill and determine how they will vote. If possible, find people who are constituents of the committee member to speak to them.
- Members of the committee or subcommittee who have jurisdiction over the issue are the first targets. An issue can quickly die if it is defeated during committee or subcommittee consideration. Even if the person requesting the meeting is not a constituent of a legislator on an important committee, they sometimes can be persuasive. It is always important to try.
- The chair of a committee is particularly important to a bill's fate. On some committees, it is virtually impossible to secure passage of a bill if the chair opposes it. Advocates should try to obtain the chairperson's support whenever possible. In some legislatures, if a bill survives the committee process and goes before the full legislature, the chairperson of the committee is required to become the bill's spokesperson. The chair also must often face challenges to the bill or amendments, all of which require strong support if the bill is to be successful.

Vote By Full Legislature

- If the bill survives the committee process, expand the range of contacts to as many legislators or council members as possible. Keep track of the legislators who indicate "yes," "no," or "maybe" responses.
- Are there people outside the committee who could be affecting the bill's fate? Legislators sometimes "trade" bills and agree to support or kill one another's

bills. Is there a legislator who could be quietly influencing the bill? Is there a legislator with something to win or lose if your bill passes? Try to find out and contact those legislators as well.

- The timing of visits with legislators can be as important as the visit itself.
- If the state legislature meets only for a few months at the beginning of each year, the worst time to contact a legislator is after the session begins. By that time, many of the decisions on what will be supported and what will not have already been made. A good time to contact legislators from these states is during the summer and fall. If it is not possible to contact them in advance, advocates must be especially persistent and skillful in reaching them during the legislative session.
- Other state legislatures are like the U.S. Congress and meet all year long and, consequently, timing is not as critical, but it is advisable to contact them when the session is in recess and the elected official will have more time for meetings.

3. Determine if outside influence will help or hinder the effort.

- Private or other public sector officials sometimes exert considerable influence on the fate of bills. Is there a corporation, trade association, political organization, or other group which could be affected by the bill? If so, try to persuade them to join the effort, not fight it. If they oppose the legislation, then determine how to combat or neutralize their influence. The best offense is a good defense. Know opponent's arguments and be able to refute them. An informed advocate is an effective advocate.
- Recruit allies who can wield their influence to support the bill. It may not be immediately obvious that an individual or organization would support the bill. Be inclusive in contacting other organizations or groups who may have their own influence with the legislature. In this case, more is better because it demonstrates strength, credibility and wide spread support.

The Maryland Committee for Safety Belt Use was able to work for passage of a primary seat belt law due to the extensive coalition the group put together to assist with the effort. Barbara Beckett, the Committee's Executive Director, put together a packet of information for every individual and organization in the coalition and then requested they fax back their signed support. A complete list of all supporters with names and phone numbers was then given to all legislators, some of whom even called several organizations to make sure of their support.

4. Understand how public policies and procedures impact underage drinking.

- Find out how fines and penalties are assessed against alcohol licensees charged with sales to minor violations. In many states, fines and license actions are handled by an Alcohol Beverage Control Board. Attend a board hearing to find out what happens to the licensee. Determine how the process works in your state to insure appropriate penalties are being given to those licensees that violate the law.
- If a police department is not aggressively enforcing liquor law violations or other underage drinking laws, contact a member of the city or county council to request their assistance.
- Determine when the local school board meets and how the coalition or organization can brief members on the underage drinking issue.
- Find out the advertising policy of a college or university newspaper. If alcohol ads are permitted, discuss the issue with the administration, including the President's office, if necessary.

Tools of Public Policy Change

Public policy change depends upon communication. Letter writing, personal meetings and telephone calls are fundamental tools.

Letter Writing

- *Make your position clear* and don't be overly concerned about creative writing.
- *Always be polite* even if you do not agree with the legislator or other public official's position. Do not threaten to vote them out of office if they do not vote correctly.
- *Spell the person's name correctly.* In the case of legislators, address them as "The Honorable" on the envelope and the inside address. Then say "Dear Councilmember, Dear Senator, Dear Representative..."
- *Include the return address* on the letter itself in case the envelope and the letter get separated. Provide home and office phone numbers.
- *Ask for a response* articulating the public official's position on the bill. In the case of legislation, ask if the legislator will vote for the bill.
- Try to get the letter to a legislator at least *a few days before a vote* or committee meeting. Remember legislators and staff may not see their mail or faxes the day they arrive.

Appendix #3 is a *Sample Letter* that coalitions and organizations can use for their public policy efforts.

Telephone Calls

- *Be polite, brief and prepared* to make the most compelling points early in the conversation.
- *Ask for the legislator's position* on the bill, especially if a vote is near.
- *Offer to answer any questions* about the bill or its impact. If you don't know an answer, offer to get it. (Be sure to follow up!)
- *Thank the legislator* for his or her time.
- *Establish a telephone tree* to increase the organization's legislative effectiveness. Sometimes action on a bill happens very quickly and there is little time to organize a large rally or schedule testimony before a committee. A telephone tree can be every bit as effective because it can quickly generate large numbers of calls into a legislator's office.

The telephone tree process is simple. The organization identifies five to ten people who will each agree to call five people alerting them to the need for phone calls into a legislator's or council member's office. Each of those groups of five, in turn, agrees to each call five additional people and so on. If every member of the telephone tree calls a legislative office, the number of calls can be impressive and gain attention for the organization's views.

Appendix #4 is a *Sample Telephone Message* that coalitions and organizations can use in their public policy efforts.

Personal Meetings

- *Be impassioned, but always be courteous.* A personal meeting with a public official is an opportunity to persuade. Never take useless revenge, become angry or lose your focus.
- *As always, be brief.* Ten minutes is a normal time frame for a meeting. Make your important points early in the meeting.
- *Ask the public official for their position.* Answer questions or offer to get the answers they need.
- *In the case of legislation, don't be offended if the legislator has staff members sit in on the meeting.* Some legislators depend on their staff to develop a position on the issues. Take the time to educate the staff, too. They are the legislator's

gatekeepers, and their eyes and ears. (Remember, too, not to say anything in front of the legislator's receptionist that you wouldn't say to the legislator.)

- Provide the public official and their staff with *brief written summaries* (no more than a page and a half) of your position and supporting facts.
- Write the public official a *thank you note* after the meeting. For legislation, mention the bill's title or bill number in the note.

Maryland House of Delegates member Sheila Hixson tells the classic "how not to do it" story about a personal meeting with a legislator. Mrs. Hixson represented a trade association as a lobbyist on Capitol Hill. A critical bill was pending before Congress and she struggled for some time to arrange a personal meeting among members of her trade association and a Congressman whose vote was critical. Mrs. Hixson was delighted that she had been able to arrange a 15-minute meeting, because 10 minutes is more common.

Shortly after she and her group sat down with the Congressman, one of the trade association members said to the legislator, "You know, I'm so angry at you about that tax vote a few weeks ago, no matter what you do, I'll never vote for you again." Needless to say, the meeting was effectively over at that moment.

Testifying

We have all seen news clips of government officials testifying before congressional committees, flanked by their staff or lawyers with massive briefing documents in front of them. Could you testify before a committee, without a staff, lawyers or an enormous briefing book? Yes, citizen advocates and organization representatives can be compelling witnesses before a legislative committee. Following are tips for testifying effectively. These tips also apply to any public presentation, including a school board meeting.

- *Contact the committee and find out how to sign up to testify.* In some cases you must sign up by phone or mail well in advance. Other committees require witnesses to come early on the day of the hearing, sign up before the meeting and wait to be heard. Find out if there is a specific time limit for the testimony.
- *Have a representative of the coalition testify on behalf of the organization.*
- Look around the coalition and community and *identify key individuals and organizations to testify.* Organize these witnesses so that their arguments are both interesting and compelling for legislators and are not redundant. Be certain each

individual supports your organization's perspective. Following are examples of the types of testimony various groups can provide.

- Young people can tell legislators "like it is," sometimes opening the legislators' eyes to a world with which they are unfamiliar. Young people who do not drink can talk about the challenges they face when others are drinking and how much they need the support of adults in order to make good decisions.
- People from the medical community (physicians, nurses, pharmacists, and rehabilitation therapists) can provide statistical information on alcohol-related injuries and fatalities, and offer powerful anecdotes about the personal impact of these tragedies on patients, their families and medical care providers.
- Professional societies for medical professionals can also be powerful allies for coalitions. Coalition members should seek out state and local medical societies and strive to work together.
- Teachers and guidance counselors, who work with young people every day, often know a good deal about young people's attitudes and behaviors and can testify about the effects of alcohol on a student or the effects if one of their peers is killed in an alcohol-related crash.
- Law enforcement officials, like medical professionals, can present both statistics and compelling anecdotes. They can also help to identify gaps and problems in the law.
- Liquor control authorities can speak authoritatively about alcohol licensees who either sell alcohol for consumption on the premises (a bar, restaurant or other facility) or for consumption off-premises (beer and wine shops, liquor stores, grocery stores, etc.).
- Parents can provide powerful testimony about the nature and effects of underage drinking. Parents of young people who have been in trouble with alcohol, parents who feel that laws are inadequate and parents who are active in prevention offer different and compelling perspectives.
- Insurance companies can testify about the economic impact of crashes as well as the personal tragedies with which they are familiar. Many insurance companies lobby heavily for other business-related issues and their representatives may be powerful, well-known figures.

In Maryland, police officers that participated in the Maryland Underage Drinking Prevention Coalition testified before the legislature about the need to change the law governing the use of fake IDs. The provisions were so complex and confusing that officers sometimes did not write citations because they were afraid of using the wrong section of the law and having their citations criticized or thrown out of court. Their testimony resulted in a change in the law.

At another hearing, two young men in recovery spoke to the committee about keg parties, and came away shocked by the legislators' ignorance of how young people "party." As one of the young men said, until they heard the testimony, legislators were "clueless." The boys' testimony was not only shocking, it was successful. Several legislators later said that they decided to vote for the bill after hearing the young people speak.

- *Prepare testimony carefully.* Be accurate and to the point. If the time is limited, make sure oral comments do not exceed that limit. Written testimony can be more extensive.
- *Cite statistics and compelling anecdotes* to support your views.
- *State who you represent and how many people are in your organization, coalition, etc.*
- Have someone else *proof the testimony* to be sure it is error- and omission-free.
- Find out in advance from the committee staff *how many copies of testimony* must be submitted. Testimony may need to be sent prior to the hearing, so that legislators have time to review statements and prepare questions.
- *Prepare a summary.* It is not necessary to read every word of the testimony exactly as written to have it entered into the record. Try to say it without reading it. Legislators will appreciate brevity and a more natural delivery.
- *Be prepared to answer questions* about the bill and your views. Can you cite the source of statistics? Have you drawn conclusions, which you are not able to support with fact? Committee members may ask an array of questions. Have someone ask mock questions.
- *Do not try to fake it.* If you do not know the answer to a committee member's question, say you don't know, but will find out. Be sure to follow through quickly after the appearance and get the answer the legislator requested.
- Testifying before a committee can be a media opportunity (See *Community How To Guide on Media Relations* in this series). *Give the press a "hook" or reason for attending the hearing* such as a celebrity, victim or survivor of a tragic incident who will be speaking. Let the media know in advance so that they can cover the event. If the media is alerted, have a press release and copies of the testimony available. Practice a "sound bite" description of the bill and your views.

Other Public Policy Opportunities

Direct contact and testifying before committees or other public meetings are effective advocacy tools, but they certainly are not the only opportunities to influence a public official's views.

Involve Public Officials in the Coalition

- Ask the public official to become a member of the coalition.
- Invite them to an event (news conference, awards presentation, forum, or coalition meeting). If you are inviting them to participate in an event, be sensitive to their schedules and try to extend the invitation early. If a public official does participate in an event, be sure to write a thank you note immediately.
- Ask public officials to judge an underage drinking prevention poster contest or other activity where judges are required.
- If a public official has been supportive of your efforts, give them an award.
- Ask people who are influential with particular officials to advocate on your behalf. Enlist the help of large blocks of voters such as the teachers' union or business groups. Be sure to recognize and thank everyone who works with the coalition, whether you win or lose. You may need their help again some day.

Use the Media

- Launch a media advocacy campaign to inform the public and officials about your cause and to create public pressure. Advocates must help reporters and news executives understand what will be won, lost or changed if public policy is not altered or the legislation passes or fails.
- Generate news releases, hold media events, write letters to the editor, request editorials supporting your views and shine the media spotlight on the issue. Laud officials who support the issue so they receive positive publicity for their efforts.
- Be certain members of the coalition or organization are properly prepared to talk with reporters. They should be thoroughly familiar with the public policy change or legislation, know the supporting facts, understand the opposition's arguments and be prepared to refute them.
- When a bill is going to come before a committee or the full House or Senate, make it easy for the media to identify legislators from the newspaper, radio station or television station's coverage area. Reporters and producers often do not want to talk with legislators from outside their coverage area.
- If an article about pending legislation or a public policy appears in a newspaper or periodical, write letters to the editor or if the coalition has an opposing position, an op-ed piece. Letters to the editor should generally be no longer than a few

paragraphs and should express a distinct point of view. Public officials generally read their hometown newspapers (including small weekly papers) and letters to the editor are a valuable communications tool. The *Community How To Guide on Media Relations* in this series discusses this issue in greater depth.

Other Opportunities

- Rallies to support public policy change
- Issue-related forums
- Meetings for young people
- Interviews with victims or survivors
- Official events such as hearings and voting sessions

Underage Drinking Laws & Regulations

Following is a list of suggested model laws to reduce underage drinking, prepared by Mothers Against Drunk Driving (MADD). The list also appears in the appendix of this guide so it can be reproduced and distributed to public officials or coalition members. To develop a public policy advocacy plan, determine which of these laws apply in your state and how effective they are in deterring underage drinking.

- **21 Minimum Drinking Age Law**

Makes it unlawful for anyone under the age of 21 years to purchase, attempt to purchase, possess, consume, misrepresent their age to purchase or attempt to purchase or use a fake or false ID.

- **Use/Lose Law**

Applies driver's license sanctions for driving and non-driving related alcohol offenses.

- **Zero Tolerance**

Establishes a blood alcohol content (BAC) of .02 (can be 0.00 or 0.01) as a violation of law in operating a vehicle for anyone under age 21.

- **Adults Providing Alcohol To Minors or Dram Shop (Social Host) Liability Laws**

Makes it illegal for any person to sell, furnish or provide any alcoholic beverages to anyone under the age of 21 years (may be lawful for parents to provide alcohol to their children in their home or under certain circumstances, i.e., holidays, religious celebrations). Dram shop or social host laws make adults 21 and older liable for the actions of those under the legal drinking age, i.e., criminal or civil liability against a host who provided alcohol to a minor and that minor was involved in an incident resulting in physical or bodily harm.

- **Graduated Licensing Laws**

Establishes a graduated system of licensing that requires young drivers to meet certain standards before obtaining a full license. Some laws may also include prohibitions on the number of passengers and nighttime restrictions.

- **Youth In Alcohol Establishments Laws**

Prohibits youth under 21 years from entering an establishment that serves or sells alcohol, also may prohibit youth from working in these establishments or being allowed to sell alcohol.

- **Keg Registration**

Discourages adults from purchasing kegs of beer for youth by requiring the purchaser to provide identification for a label on the keg. The information is maintained by the seller until the keg is returned. This law also discourages youth from using fake IDs to purchase beer kegs.

In the appendix of this community how to guide are several items to assist coalitions and organizations determine the strengths and weaknesses of their own state's underage drinking laws and regulations. This information includes:

- *A Checklist of Underage Drinking Laws and Regulations (Appendix #5)*
- *Model Underage Drinking Laws (Appendix #6)*, prepared by Mothers Against Drunk Driving
- *Fact Sheet on Minimum Drinking Age Laws (Appendix #7)* from the National Highway Traffic Safety Administration
- A state-by-state report on the *Legislative Status Report on Drinking and Driving and Underage Drinking Laws and Regulations (Appendix #8)*

Other laws affecting underage drinking include the following:

- Open Container and Anti-Consumption Laws

Open container and anti-consumption laws involve alcoholic beverages in a motor vehicle. Open container laws make it unlawful to have an open container of alcohol in a motor vehicle and anti-consumption laws make it illegal for a driver, passenger or both to consume alcoholic beverages in a motor vehicle. Both laws apply to adults and underage youth.

- Anti-Happy Hour Laws

Anti-happy hour laws may be useful for communities with colleges and universities since these laws prohibit any special programs designed to encourage drinking.

- Laws Governing Alcoholic Beverage Licensees

These laws involve criminal and administrative actions against owners or employees of establishments that serve alcoholic beverages to individuals under the minimum legal drinking age. Often referred to as sales to minor violations, these actions can include imprisonment, fines and a suspension or revocation of a liquor license. Disposition of sales to minor violations are determined by the state agency which licenses individuals and businesses that sell alcohol. In many states they are called Departments of Alcoholic Beverage Control, and in some, alcohol sales are regulated by the Secretary of State. In reviewing the state's underage drinking laws and regulations, coalitions and organizations should also review the actual fines and licensing actions that are assessed against retailers who violate the law.

Advocacy Efforts with Public Institutions

Public institutions that deal with youth, such as a school system, college or university, or police department, have established policies that relate to youth. For instance, the policy of the local school system is to prohibit alcohol use on school grounds. However, what is the policy with respect to student athletes who use alcohol off school property and not during a school function? If this alcohol use is brought to the attention of school authorities, are the athletes suspended from playing on the team? If they are not suspended, are other alternatives used or is the young person allowed to continue participating on the team? If the latter is the case, it sends the wrong message to the student population.

As part of the needs assessment process (See *Community How To Guide on Needs Assessment and Strategic Planning*), an underage coalition should review the practices of public agencies charged with enforcing the law or regulating the sale of alcohol. For instance, even though underage drinking is against the law, the coalition may find

juvenile service agencies are diverting most offenders because of an overburdened court system. An effective alternative may be a teen court system, which is described in the *“How To Guide on Community Enforcement.”*

In the case of the public school system that allows an underage youth who drinks illegally to continue to play on the school’s team because he or she is a star, the advocacy strategy may involve organizing parents and other community leaders to testify at a local school board meeting. Media is also an effective advocacy tool particularly in altering alcohol-advertising practices in public places. In Detroit, MI, a local coalition formed by a member of the City Council, conducted a review of billboard advertisements throughout the city and founded a concentration of alcohol ads in poor neighborhoods. The group publicized their findings, which lead to changes in the placement of the billboards.

Successful Public Policy Initiatives

Maryland Underage Drinking Prevention Coalition

In 1992, the Maryland Underage Drinking Prevention Coalition successfully convinced several state legislators to sponsor legislation to require beer keg registration. The law required liquor licensees who sold kegs of beer to place a label with the name, address and age of the purchaser on the keg, and to keep a copy of the label until the keg was returned. If the keg was found at an underage drinking party, the purchaser could be identified and cited for an underage drinking offense.

Not unexpectedly, members of the alcohol industry strongly opposed the initiative. Faced with a well-known and politically connected adversary, the Coalition decided to mount a two-prong strategy involving both legislative advocacy and media relations.

1. The organization identified individuals to testify on behalf of keg registration including the following:
 - Representatives from alcohol beverage control agencies in the District of Columbia and Virginia, both of whom had passed keg registration. These representatives argued for continuity among the region’s jurisdictions.
 - Young people who had experienced problems with alcohol and students from an alternative school.
 - Police officers and others who had seen first hand the devastating effects caused by youth alcohol-related offenses.
 - A representative of the State Academy of Pediatrics.
2. The coalition organized an Advocacy Day, which included the following:

A breakfast for members and their legislators to hear more about the bill. The event gave the coalition an opportunity to educate legislators and distribute materials to group members who would be meeting with their own representatives throughout the day.

To highlight the coalition's presence at the state legislature during the day, each coalition member and all supporters wore a bright red sticker with the slogan "Underage Drinking... Put A Cork In It." The high visibility effort paid off because it distinguished the group from other advocates present that day, and created the impression that the State House was full of advocates for the bill.

The coalition staged a media rally at a prominent gathering place that would attract notice from legislators going to and from the State Capitol building for votes. Speakers, including state legislators supporting the initiative and members of the coalition, detailed the reasons for the bill and energized the crowd.

To increase media coverage and emphasize the seriousness of the issue, advocates brought a genuine casket to the rally, along with a keg and a large sign which said, "Too many kegs = too many caskets." Teens in recovery from alcohol abuse and a group of 6th grade students carried the casket, the keg and the sign during a rally and press event. Every television station from the Washington, DC and Baltimore media markets and several newspapers and radio stations attended the event. The coverage created pressure on legislators and put opponents on the defensive.

Despite being outgunned by a well funded opponent, the bill passed and was signed into law. Several well placed political experts had predicted that the bill would fail, but the coalition's determination, organization and ingenuity paid off.

Project Extra Mile

Project Extra Mile in Omaha, Nebraska worked to change the state's "buy out" provision for alcohol licensees.

Under the law at that time, liquor licensees in the state were allowed to "buy out" of a penalty when they were found to have sold alcohol to minors or intoxicated persons. Instead of facing days of suspension, the license holders simply paid a fine of \$50 a day for a first offense or \$100 a day for a second or subsequent offense. The average length of a suspension was just four days.

To change legislators' opinions, members of Project Extra Mile took the following action:

- Organized a two-county compliance check of licensees and presented the results to the media. The compliance checks were the focus of extensive coverage and generated an editorial in Omaha's largest daily newspaper.

- Testified at committee hearings helping legislators to understand the consequences of the “buy out” provision.
- Organized volunteers to canvas the legislature and prepared a one page fact sheet with information on the nature and extent of the underage drinking problem in Omaha to give to legislators during the debate.
- Sent letters to committee members and the full legislature and contacted various legislators during the debate to garner their support.

As the central contact, the coalition helped ensure the effort was efficient, organized and effective. Project Extra Mile executive director Diane Riibe says, “We are working together to change the environment for children in our community and help them to grow up healthy and whole.”

Troy Community Coalition

The Troy, Michigan Community Coalition found many young people were stealing alcohol from unsupervised, open display shelves. To correct the problem, the coalition changed a local city ordinance so that hard liquor would be placed in a supervised situation. The change was so successful, it is now being duplicated in other communities. In addition to the open shelf regulation, the coalition successfully advocated to prevent the National Football League from bringing their “Air It Out” event, which was sponsored by Budweiser, to their area. “Air It Out” is a football event that attracts many young people and children and the coalition felt sponsorship by an alcohol company sent the wrong message. As a result of their action, the NFL has changed sponsors. In both cases, the coalition cited the dangerous consequences of underage drinking to justify change.

Indiana Coalition to Reduce Underage Drinking (ICRUD)

To begin educating members of the state legislature about the issue of underage drinking, members of ICRUD developed a novel approach. Using used beer bottles, the group developed a new label that said, “Be Wiser About Underage Drinking. The facts are sobering—time is running out for Indiana.” On either side of the label, the group included facts such as “Warning: Eight youth die every day in alcohol-related crashes.” and “Ingredients: permanent injury, date rape, alcoholism, billions of dollars in medical costs, violence, unwanted pregnancy, drug addiction and STDs/AIDS.”

Inside the bottle, the group placed a rolled up fact sheet describing the coalition and its legislative goals. Every member of the state legislature received a bottle, which generated a lot of discussion about the effort and ultimately about the issue of underage drinking. The approach educated legislators about the issue before specific legislative proposals were offered. The activity was extremely useful when ICRUD began contacting legislators about specific legislation since the majority remembered the organization and their goals and objectives.

Conclusion

The old maxim says, “You can’t fight City Hall.” Don’t believe it, particularly when it comes to reducing underage drinking. You can “fight” and promote legislative change, whether it is City Hall, the State Capital or the U.S. Congress, if you are a committed advocate.

The keys to successful advocacy are in your heart, your head and your hands. Remember to be: Clear, Concise, Consistent, Committed, Creative, and Convincing.

You can successfully combat opponents who have more money and more staff. You can win votes for your issues. You can be an advocate. Start today!

APPENDICES

Appendix 1 -- Public Policy Message Development Sheet

[PDF -- Public Policy Message Development Sheet](#)

Appendix 2 -- Elected Official Inventory Form

[PDF -- Elected Official Inventory Form](#)

Appendix 3 -- Sample Letter

[PDF -- Sample Letter](#)

Date

The Honorable John Doe
Virginia State Senate
910 Capitol Street
Richmond, VA 2319

Dear Senator Doe:

I am writing to ask your support for S.B. 195, a bill that would change state law and remove the exemption that allows youth under age 21 to possess alcohol for employment purposes. In series of reports in 1991, the Surgeon General of the U.S. called these provisions “loopholes” and urged states to change them.

Underage drinking is the nation’s No. 1 drug problem. It kills more than six times as many young people as all other illicit drugs combined. Yet society often condones alcohol use by those under the legal drinking age of 21 as an accepted “rite of passage.”

Virginia is sending youth the wrong message. Underage drinking continues to be a serious problem in our state. According to the Virginia Department of Motor Vehicles in 1997, 29 teens age 15-19 died in alcohol-related motor vehicle crashes and 1,162 were injured. (Include your own state’s underage drinking facts gathered through the needs assessment process.)

As you may know, our own community of _____ has suffered the serious consequences of an alcohol-related motor vehicle crash. Just two months ago, two of our teens died because they were drinking and driving. The _____ Coalition has brought together all segments of the community—youth, parents, law enforcement, educators, the media, the medical and business communities—to develop a comprehensive plan to deal with this problem.

Comprehensive community programs have been successful, but we need your help in strengthening our underage drinking laws. We need to make it clear to our youth that underage drinking is illegal, unhealthy and unacceptable. We hope you agree and will support S.B. 195. Thank your for your consideration and I look forward to hearing your views on this issue.

Sincerely,

Jane Smith
Executive Director
The _____ Coalition
112 North Main Street
Arlington, VA 22205
703-845-1121

Appendix 4 -- Sample Telephone Script

[PDF -- Sample Telephone Script](#)

Good afternoon. My name is Jane Smith and I am Executive Director of the

_____ Coalition, a public/private partnership dedicated to reducing underage drinking in (city), (state).

I am calling to request that Senator Doe support S.B. 195, a bill that would change state law and remove the exemption that allows youth under age 21 to possess alcohol for employment purposes. In a series of reports in 1991, the Surgeon General of the U.S. called these provisions “loopholes” and urged states to change them.

The _____ coalition has brought together all segments of our community to fight this problem and we hope Senator Doe will join us. I understand the bill is coming up for consideration in the next few days and I would appreciate a letter, that I can share with our coalition, indicating how the Senator voted on the bill.

Thank you for your time. I may be reached at The _____ Coalition, 112 North Main Street, Arlington, Virginia, 22205. My phone number is 703-123-4567 and my fax number is 703-234-5678.

Appendix 5 -- Underage Drinking Laws and Regulations Checklist

[PDF -- Underage Drinking Laws and Regulations Checklist](#)

State: _____

Yes No

___ ___ The state has a zero tolerance law for minors and requires license suspension for violations of the zero tolerance law.

___ ___ The state has a use/lose law (Use/lose laws are those which result in a motor vehicle license action for underage drinking offenses, whether or not they involve a motor vehicle).

___ ___ It is illegal for underage youth to purchase alcohol.

___ ___ It is illegal for youth to attempt to purchase alcohol.

___ ___ It is illegal for youth to possess alcohol.

___ ___ It is illegal for underage youth to consume alcohol.

___ ___ There are no exemptions for underage youth purchasing, possessing or consuming alcohol.

If no, list the exemptions _____

___ ___ Possession or consumption of alcohol by underage youth is not limited to public places.

___ ___ It is illegal for underage youth to use an altered or false identification.

___ ___ The state has an open container law.

___ ___ The state has an anti-consumption law (pertains to motor vehicles) for drivers and passengers.

___ ___ The state has a law against public intoxication.

___ ___ It is illegal to sell alcohol to an underage youth.
If yes, what is the fine and licensing action

___ ___ It is illegal for adults 21 and older to provide alcohol to minors.

___ ___ Adults 21 and older are held responsible for alcohol use by minors.

___ ___ The state has a keg registration law.

___ ___ The state has a dram shop/social host law making the social host liable for any damages, injuries or deaths caused by an underage youth to whom they served alcohol.

Appendix 6 -- Suggested Model Underage Drinking Laws

[PDF -- Suggested Model Underage Drinking Laws](#)

The following is a list of model underage drinking laws prepared by Mothers Against Drunk Driving (MADD). In conducting a review of existing laws and regulations, communities can refer to this list to determine whether their laws are sufficient.

21 Minimum Drinking Age Law

Makes it unlawful for anyone under the age of 21 years to purchase, attempt to purchase, possess, consume, misrepresent their age to purchase or attempt to purchase or use a fake or false ID.

Use/Lose Law

Applies driver's license sanctions for driving and non-driving related alcohol offenses.

Zero Tolerance

Establishes a blood alcohol content (BAC) of .02 (or .00 or 0.01) for drivers under age 21 as a violation of law in operating a vehicle and requires license suspension for violators.

Adults Providing Alcohol To Minors or Dram Shop (Social Host) Liability Laws

Makes it illegal for any person to sell, furnish or provide any alcoholic beverages to anyone under the age of 21 years (may be lawful for parents to provide alcohol to their children in their home or under certain circumstances, i.e., holidays, religious celebrations).

Graduated Licensing Laws

Establishes a graduated system of licensing that requires young drivers to meet certain standards before obtaining a full license. Some laws may also include prohibitions on the number of passengers and a curfew.

Youth In Alcohol Establishments Laws

Prohibits youth under 21 years from entering an establishment that serves or sells alcohol, also may prohibit youth from working in these establishments or being allowed to sell alcohol.

Keg Registration

Discourages adults from purchasing kegs of beer for youth by requiring the purchaser to provide identification for a label on the keg. The information is maintained by the seller until the keg is returned. This law also discourages youth from using fake IDs to purchase beer kegs.

Appendix 7 -- Fact Sheet, Minimum Drinking Age Laws

[PDF -- Fact Sheet, Minimum Drinking Age Laws](#)

What is the national age 21 drinking law?

The National Minimum Drinking Age Act of 1984 required all states to raise their minimum purchase and public possession of alcohol age to 21. States that did not comply

faced a reduction in highway funds under the Federal Highway Aid Act. The U.S. Department of Transportation has determined that all states are in compliance with this act.

The national law specifically requires states to prohibit purchase and public possession of alcoholic beverages. It does not require prohibition of persons under 21 (also called youth or minors) from drinking alcoholic beverages. The term “public possession” is strictly defined and does not apply to possession for the following.

- An established religious purpose, when accompanied by a parent, spouse, or legal guardian age 21 or older;
- Medical purposes when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital, or medical institution;
- In private clubs or establishments; and
- In the course of lawful employment by a duly licensed manufacturer, wholesaler or retailer.

State Issues

Article XXI of the United States Constitution, which repealed prohibition, grants states the right to regulate alcohol distribution and sale. State laws are unique, but each allows local communities to regulate youth access to alcohol through local ordinances and law enforcement. State laws address youth-related violations separately. These include:

- *Sales to minors.* Prohibits vendors or any other persons from selling, giving, or otherwise providing alcohol to minors.
- *Purchase.* Prohibits or limits minors from obtaining alcohol from vendors or other sources.
- *Possession.* Generally prohibits or limits minors from carrying or handling alcohol. Some state laws contain various exemptions, such as handling alcohol in the course of employment and possession with parental possession.
- *Consumption.* Prohibits or limits minors’ drinking of alcoholic beverages.
- *Misrepresentation of age.* Provides for penalties against minors who present false identification or otherwise represent themselves as being of legal purchase age.

State and local enforcement agencies may use administrative and/or criminal penalties against alcohol law violations. Administrative penalties are assessed against vendors through licensing agencies. Administrative penalties include fines, license suspensions and revocations. Criminal penalties are assessed against vendors or minors through state

or local criminal courts. Criminal penalties include fines, jail sentences and diversion programs, such as community service.

Why are age 21 minimum drinking laws needed?

The National Highway Traffic Safety Administration (NHTSA) estimates that minimum drinking age laws have saved 18,220 lives (of all ages) since 1975. In 1998 alone these laws saved 861 lives. These laws have had greater impact over the years as the drinking ages in the states have increased, affecting more drivers age 18 to 20. Although significant progress has been made over the past 15 years in reducing alcohol involvement in fatal crashes by young drivers, they are still at-risk and over-involved compared to older drivers. In 1998, 42 percent of 18- to 20-year-old crash fatalities were alcohol-related. This compares to 38.4 percent for the total population. More 18 year-olds died in low blood alcohol content (between .01 and .09 BAC) crashes than any other age. These numbers were much higher in past years when many states had lower drinking ages.

The traffic safety benefit of age 21 drinking laws has been well established. Many studies have examined the increase in fatalities when states raised the age. The Government Accounting Office has examined these studies and confirmed the life-saving benefits of age 21 drinking laws.

Loopholes

The Surgeon General of the U.S. determined, in a series of reports in 1991, that many states' laws contain loopholes that permit underage drinking.

- Although no states permit vendors to sell to minors, some states do not prohibit minors from purchasing alcohol.
- States allow minors to possess alcohol under certain conditions.
- Many states do not specifically prohibit consumption by minors.
- Some states allow minors to sell or serve alcohol without adult supervision.
- Most states do not prohibit minors from entering drinking establishments.

What can you do?

Loopholes in state laws and weaknesses in law enforcement and education have been identified by the Surgeon General. Become familiar with the laws and policies concerning youth access to alcohol in your state by reviewing the following checklist.

Do your alcohol laws:

- Prohibit youth from purchasing and attempting to purchase?

- Prohibit youth from consuming and possessing alcohol in public places?
- Prohibit youth from consuming and possessing in private places without parent or guardian supervision?
- Contain employment provisions, which reduce the opportunity for youth to sell alcohol to peers?
- Bar youth from entering bars, taverns, cocktail lounges and other establishments that are primarily drinking establishments?
- Contain specific civil liability provisions addressing establishments and individuals that illegally provide alcohol to minors?
- Contain provisions such as California's "Kegger Statute" that allow enforcement agents to take action against minors who drink in private residences?
- Provide decoy operation authority?
- Provide options for diversionary penalties such as driver's license suspension?

Do you emphasize the need for preventing youth from illegally purchasing alcohol by:

- Giving high priority to detecting and prosecuting alcohol-related offenses?
- Ensuring that alcohol enforcement agencies are adequately funded and staffed?
- Giving your ABC jurisdiction over minors and assuring that penalties are adequate, appropriate and uniformly applied?

Are your education efforts directed at:

- Youth at early ages using unique approaches whenever possible?
- The general public to change attitudes about youth drinking?
- Law enforcement agencies to emphasize the need to eliminate youth access to alcohol?
- The judicial system to stress the need to impose penalties?
- Alcoholic beverage sellers through vendor and server training programs?

Do you inhibit the use of false IDs by:

- Prohibiting the manufacturer and sale of false IDs?
- Prohibiting minors from misrepresenting their age?
- Providing adequate penalties for violations of false ID laws?
- Vigorously prosecuting offenders?
- Issuing driver's licenses and identification on cards that cannot be duplicated or counterfeited?

U.S. Department of Transportation
December 1999

Appendix 8 -- Legislative Status Report

RESOURCES

Resources Cited In How To Guide

Community Anti-Drug Coalitions of America (CADCA)

901 North Pitt Street, Suite 300
Alexandria, VA 22314
800-54-CADCA
703-706-0560
Fax: 703-706-0565
Web site: <http://www.cadca.org>

Indiana Coalition to Reduce Underage Drinking

Coalition Project Director
39 Boone Village
Zionsville, IN 46077
317-873-3900
Fax: 317-873-0993
Web site: <http://www.prevention.indiana.edu>

Internal Revenue Service

1111 Constitution Avenue, NW
CP:E:EO, Room 6411
Washington, DC 20224
1-800-829-1040
Web site: <http://www.nhtsa.dot.gov/exit.cfm?link=http://www.irs.gov>

Maryland Committee for Safety Belt Use

Director
7491 Connelley Drive
Hanover, MD 21076
410-787-4077
Fax: 410-787-5823

Maryland Underage Drinking Prevention Coalition

Executive Director
Governor's Office of Crime Control & Prevention
300 East Joppa Road, Suite 1105
Baltimore, MD 21286-3016
410-321-3521

Fax: 410-321-3116
Web site: <http://www.cesar.umd.edu/goccp/drinking/drinking.htm>
E-mail: nancy.rea@co.mo.md.us

Mothers Against Drunk Driving

511 East John Carpenter Freeway, Suite 700
Irving, TX 75062
214-744-6233
800-GET-MADD
Web site: <http://www.madd.org>

National Conference of State Legislatures

444 North Capitol Street, NW, Suite 515
Washington, DC 20001
202-624-5400
Fax: 202-737-1069
Web site: <http://www.ncsl.org>

Project Extra Mile

Executive Director
302 South 36th Street, Suite 214
Omaha, NE 68131
402-345-5000
Fax: 402-231-4307
E-mail: driibe@alltel.net

Remove Intoxicated Drivers (RID)

P.O. Box 520
Schenectady, NY 12301
518-372-0034
Fax: 518-370-4917
Web site: <http://www.crisny.org/not-for-profit/rid>

Safe and Sober Youth Coalition

Executive Director
Children at Risk Today
14005 Steeplestone Drive, Suite A
Midlothian, VA 23113
804-378-7752
Fax: 804-378-7752

The Century Council

1310 G Street, NW, Suite 600
Washington, DC 20005
202-637-0077

Fax: 202-637-0079
Web site: <http://www.centurycouncil.org>

Troy Community Coalition

Executive Director
Troy Community Coalition
1100 Urbancrest
Troy, MI 48084
248-740-0431
Fax: 248-524-1707
E-mail: maslotry@moa.net

Other Public Policy Resources

How and Why To Influence Public Policy: An Action Guide for Community Organizations

Center for Community Change
1000 Wisconsin Avenue, NW
Washington, DC 20007
202-342-0567
Fax: 202-333-5462
E-mail: info@communitychange.org
Web site: <http://www.communitychange.org>

This special newsletter focuses on how community organizations can flex more muscle on public policy. The guide provides advice on defining key issues, lobbying, demonstrating, and coordinating voter registration drives.

Leonard Communications

Trina Leonard
15713 Cherry Blossom Lane
North Potomac, MD 20878
301-948-4879
Fax: 301-948-3736
E-mail: trina@erols.com

PMB Communications

Pam Beer
1114 North Illinois Street
Arlington, VA 22205
703-237-5532
Fax: 703-237-8831
E-mail: PMBEER@worldnet.att.net

Save Lives! Join Together!

441 Stuart Street, 6th Floor

Boston, MA 02116

617-437-1500

Fax: 617-437-9394

Web site: <http://www.jointogether.org>

In this booklet, Join Together's public policy panel looks at the background and issues associated with underage access to alcohol, and offers five recommendations for addressing the problem. The author states that it should be illegal for individuals under age 21 to drive with any measureable amount of alcohol in their bodies. Supporting arguments are included.

DOT HS 809 209

March 2001

[HOME](#)