

## FAST FACTS

### **ALCOHOL LAW ENFORCEMENT:** An Overview

The Centers for Disease Control and Prevention (CDC) defines excessive alcohol use as heavy drinking by anyone, binge drinking by anyone, any alcohol use by pregnant women and drinking by anyone under 21. Excessive alcohol use contributes to numerous short-term and long-term health risks, including car crashes, violence, depression, high blood pressure, heart disease and cancer, to name a few. According to the CDC, excessive alcohol use is responsible for 95,000 deaths annually and costs the United States \$249 billion each year.<sup>1</sup> It also is associated with crime. An estimated two-thirds of domestic violence cases are believed to be attributed to alcohol. It is the most common substance used in date rape and is often a factor in other sexual assaults and rape.<sup>2</sup>

Enforcement of alcohol laws is necessary to reduce the harms associated with excessive alcohol use. Proper enforcement can make individuals accountable for their irresponsible consumption of alcoholic beverages and hold licensed retailers responsible for illegal and improper sales of alcoholic beverages. Strong enforcement of existing alcohol laws also acts as a deterrent, ensuring that individuals and the retail alcohol industry behave responsibly when selling, dispensing and consuming alcoholic beverages. Active enforcement not only affects behavior; it also serves as a prevention tool by defining what is acceptable community behavior. Enforcement should be the cornerstone of any communities' efforts in addressing excessive alcohol use.

#### **INCREASING ENFORCEMENT OF ALCOHOL LAWS**

Enforcement of alcohol laws can reduce the harms associated with excessive alcohol use and thereby foster healthier communities. If retailers believe that they are being monitored and that there are consequences for violating liquor laws, they will act more responsibly when selling and dispensing alcoholic beverages. Research indicates that strong and consistent enforcement of alcohol laws has helped reduce the harms associated with excessive alcohol use.

#### **WHY ENFORCE ALCOHOL LAWS?**

Effective deterrence requires active enforcement of alcohol laws. Laws are only as effective as their enforcement. "Perception of the probability of apprehension (policing), swiftness and certainty of a penalty (adjudication) and severity of the penalty (sanctioning) may also affect compliance with a particular policy. These perceptions are key factors in the extent to which an alcohol-related policy functions as a deterrent to illegal behavior.<sup>3</sup> Given the harms associated with excessive alcohol use, communities need to be more intentional about their alcohol intervention strategies. The regulatory schemes adopted after Prohibition was repealed were designed to ensure that alcohol was sold

in a safe and responsible manner. For regulation to be effective, there needs to be adequate oversight and enforcement. In the absence of oversight, many retail liquor establishments fail to follow the statutory guidelines regarding the responsible sale of alcoholic beverages. Research has shown reductions in alcohol sales to underage youth by as much as 35 percent to 40 percent when alcohol policies are properly enforced.<sup>4</sup> Research also shows that regularly conducted compliance check investigations reduce youth access to alcoholic beverages.<sup>5</sup> Research findings additionally confirm that sobriety checkpoints, when well-publicized, highly visible and frequently implemented, reduce impaired driving fatal crashes by 18 percent to 24 percent.<sup>6</sup> A 2014 research review found that that the 21 minimum drinking age law works.<sup>7</sup>

### **CONSIDERATIONS FOR ALCOHOL LAW ENFORCEMENT**

There are numerous effective enforcement strategies a community can implement. However, that does not mean that they will be easy to implement in your community. You may face strong opposition from the alcohol retail industry, law enforcement agencies, politicians and the community because of their unfamiliarity with the research that supports the effectiveness of enforcing alcohol laws. Use research that supports the strategy or strategies you have selected. Educate law enforcement and the community at large regarding the science that supports the use of the various enforcement strategies. In addition, use best-practice protocols for each strategy you implement to ensure that the enforcement programs allow prosecutors and regulatory agencies to take appropriate action against violators.

### **TIPS AND SUGGESTIONS FOR ENGAGING LAW ENFORCEMENT AND INCREASING ENFORCEMENT**

To ensure the success of your efforts it is imperative that you develop a strong working relationship with your local criminal justice system to include law enforcement agencies, prosecutors and probation officers. This will not happen overnight. Establishing relationships with your criminal justice partners is a long-term process that requires a great deal of trust on the part of all parties. Keep in mind that a uniform system of justice is everyone's goal and they are influenced by laws as well as community norms. Prevention and enforcement strategies to keep people out of court are the preferred approach. To maximize your efforts when engaging law enforcement in your community:

- Build relationships with the chiefs as well as front-line officers.
- Be respectful of their time.
- Make sure your words and actions are consistent. Mean what you say and say what you mean.
- Never breach their trust or their confidence.
- Provide free training in alcohol laws and enforcement strategies that is certified for law enforcement personnel.
- Support law enforcement efforts to enforce alcohol laws and reward individual officers and agencies that are enforcing alcohol laws within the community.
- Ensure that local data support the enforcement strategy you choose.
- Consult with community leaders to ensure they are on board with the proposed

enforcement strategy to reduce excessive alcohol use and that they understand the research that supports the use of the strategy.

- Work with prosecutors, courts and regulatory agencies to ensure all statutory guidelines are followed.
- Work with alcohol retailers to train their employees in their legal obligations regarding the safe and responsible sale of alcohol.
- Follow best practice protocols for conducting enforcement of alcohol laws to include, but not limited to, training law enforcement in "best practice protocols.
- Collect and evaluate data continuously and rigorously.
- Work with the media to enhance and reinforce community norms and expectations about excessive alcohol use.

The APRC website provides detailed explanations of various enforcement strategies as well as best-practice protocols for implementing the strategies. The APRC may provide in-person training for your community coalitions and law enforcement.

## RESOURCES

- National Liquor Law Enforcement Association: <https://www.nllea.org>
- Illinois Liquor Control Commission: <https://www2.illinois.gov/ilcc/Pages/Home.aspx>
- Illinois Department of Human Services: <https://www.dhs.state.il.us/page.aspx>
- Illinois Department of Transportation Highway Safety Program: <https://idot.illinois.gov/transportation-system/transportation-management/planning/SHSP>
- Illinois Higher Education Center: <https://www.eiu.edu/ihec/>
- Center for Prevention Research and Development: <https://cprd.illinois.edu>
- American Public Health Association: <https://www.apha.org/>

## REFERENCES

1. CDC Fact sheet on Excessive Alcohol Use, <https://www.cdc.gov/chronicdisease/resources/publications/factsheets/alcohol.htm>.
2. Recovered, Finding Treatment and Rehabs, <https://ncadd.org/addiction/alcohol-drugs-and-crime>.
3. Measuring Alcohol Policy Enforcement and Compliance, <https://alcoholpolicy.niaaa.nih.gov/resource/measuring-alcohol-policy-enforcement-and-compliance/15>.
4. CW Dent, JW Grube and A. Biglan, "Community level alcohol availability and enforcement of possession laws as predictors of youth drinking," *Preventive Medicine*, 40, no. 3 (March 2005): 355-62.
5. DJ Erickson, KM Lenk, JR Sanem, TF Nelson, R Jones-Webb and TL Toomey, "Current use of underage alcohol compliance checks by enforcement agencies in the United States," *Alcoholism: Clinical and Experimental Research*, 38, no. 6 (2014):1712-1719.
6. JC Fell, JH Lacey and RB Voas, "Sobriety checkpoints: evidence of effectiveness is strong, but use is limited," *Traffic Injury Prevention*, 5, no. 3 (September 2004):220-227.
7. Boston University School of Public Health, <https://www.bu.edu/sph/2014/02/26/new-report-on-minimum-drinking-age-makes-strong-case-for-existing-laws/>.

Funded in whole or in part by the Illinois Department of Human Services, Division of Substance Use Prevention and Recovery, through a grant from the Substance Abuse and Mental Health Services Administration.