Juvenile Justice Achievements
in Pennsylvania

Summer 2000

Enforcing the Underage Drinking Laws in Pennsylvania
by Patrick Griffin

About a thousand Allentown-area high school students watched from behind a line of yellow tape as one of their classmates, after failing a sobriety test, was handcuffed to a fire truck by a state trooper at the scene of a fatal head-on collision this May. Emergency rescue personnel had sawn the top off of one of the cars involved, and were removing the body of another classmate. A total of three teenagers died in the crash. A fourth survived, but was in serious condition. The accused driver, a junior, was said to have been drinking beer with two friends and “looking for a party” when he collided head-on with a car carrying a couple on a date.

Fortunately, this was the week before prom. The wrecks were donated. The blood was fake. “Memorial services” scheduled for the following day would be play-acting exercises, designed to impress distracted and often thoughtless young people with a sense of how precious their lives are, and how easily thrown away.¹

But there are all too many real tragedies attributable to underage drinking in Pennsylvania, and not just on the roads. This issue of Pennsylvania Progress will describe efforts being made all over the Commonwealth to reduce underage drinking through community action—efforts that are being funded through the Pennsylvania Commission on Crime and Delinquency (PCCD) as part of the federal Office of Juvenile Justice and Delinquency Prevention’s Enforcing the Underage Drinking Laws Program.

COUNTING THE COST

It’s legal, at least for adults. It’s sanctioned by age-old custom. It’s available everywhere. And it’s massively advertised. (In 1997, according to the Federal Trade Commission, the alcohol industry spent about $1.1 billion on advertising, most of that for beer.)² So it’s no wonder that alcohol is the drug whose use and abuse we take most lightly, even when adolescents are involved. And yet by some measures, underage drinking is among the most costly and destructive forms of “crime and delinquency” we know. One study estimated the costs of underage alcohol use in a single year, 1996—including the costs of all the traffic accidents involving impaired underage drivers, all the alcohol-fueled crimes and alcohol-related injuries—at a staggering $53.8 billion. Pennsylvania’s share of those costs was estimated at about $1.4 billion.³

Nationwide, an estimated 2,210 young people died in alcohol-related car crashes in 1998. One hundred and two of them were Pennsylvanians.⁴ Getting into a car is already one of the riskiest things most young people ever do—motor vehicle accidents are by far the leading cause of death among those in the 15-20 age group; they are about twice as likely to die in a car as the general population. But adding any amount of alcohol to the mix heightens that risk considerably. Teenagers have less experience as drivers and lower tolerance as drinkers. And alcohol doesn’t just impair their skills. It seems to intensify their recklessness as well, so that they are much more likely to speed, run red lights, make illegal turns—and do without seat belts. All this helps explain why (1) their risk of crashing is far higher at every blood alcohol level than that of older drivers and (2) they make up only 6.7% of the drivers on the road, but constitute 13% of the alcohol-impaired drivers involved in fatal crashes.⁵
Underage drinking poses dangers off the roads as well. It is strongly linked with violent crime and victimization, with accidental drownings and fires, with adolescent suicides and suicide attempts. Kids who drink have been shown to be more likely to experience depression, to perform poorly in school, to use other drugs, and to engage in premature sexual activity.

And it’s not going away by itself. Indeed, to sheltered adults, recent survey data measuring the prevalence of underage drinking can be astonishing. According to the University of Michigan’s 1999 Monitoring the Future Study, about one in four of the nation’s eighth graders reported having had alcohol in the preceding month. Substantial minorities of eighth-, tenth-, and twelfth-graders—15%, 25.6%, and 30.8%, respectively—had binged on alcohol in the preceding two weeks. By the 12th grade, more than 80% of adolescents reported having at least experimented with alcohol, and more than half had done some drinking within the past month.

In Pennsylvania, according to a 1997 survey sponsored by the PA Commission on Crime and Delinquency and the Governor’s Policy Office, nearly a quarter of all 12th-graders say they drink at least once a week, and more than half drink at least once a month.

The Office of Juvenile Justice and Delinquency Prevention’s Enforcing the Underage Drinking Laws program is out to change those numbers. It’s a $50 million combination of block grants, discretionary funding, and training and technical assistance focused on strengthening state and local law enforcement efforts to combat underage drinking. Pennsylvania’s current allocation under the program, which is awarded through the PCCD, amounts to a total of $760,000. That includes almost $400,000 in discretionary funding over two years for the Pennsylvania Liquor Control Board’s (PLCB) effort to address the underage drinking problem at the local level, through community coalitions in Erie, Monessen, Pottsville, Reading, and Doylestown. The PLCB’s goal is to reduce underage drinking in the five targeted communities by 5% per year (see “Benchmarks of Progress”). Another $360,000 in the form of a block grant to the state is being used by the Pennsylvania State Police Bureau of Liquor Control Enforcement to fund the Campus and Community Partnership Initiative, which is targeted at underage drinking among college-age students at nine Pennsylvania campuses (see “Sobering Up on Campus”).

Some of this money goes to meet police overtime, training, and other costs associated with stepped-up enforcement of existing underage drinking laws: DUI...
SOBERING UP ON CAMPUS

It was arguably the stupidest campus riot on record. At 1:30 in the morning of July 12, 1998—just after area bars had announced last call in State College, home of Pennsylvania State University—a drunken mob that eventually reached an estimated 1,500 ran amuck on Beaver Avenue in the borough’s downtown, setting fires, pulling down lampposts, bashing in car windshields and store windows, and throwing bricks and bottles at police who tried to interfere. Judging from contemporary press reports, there was no apparent reason for the melee. But eyewitnesses described a “drunken party” atmosphere, with debris raining down from high-rise balconies to feed the bonfires, and rioters chanting, “We Are...Penn State!” One pizzeria reportedly stayed open for business the whole time, and had a line going out the door. State College Borough Police had to call in reinforcements from area township and state police posts before wading into the mob in riot gear. “In my 15 years on the force, this was the scariest moment in my life,” one lieutenant said afterwards.

A total of 120 police eventually restored peace at about 4:00 a.m. Sixteen police officers were injured in the process. They arrested 23—11 of them Penn State students. Total property damage for the night was estimated at between $100,000 and $150,000. State College Police Chief Tom King, in a statement issued afterwards, said about all anybody could think of to say: “Without alcohol, this situation would never have occurred.”

That’s one reason why, a little more than a month later, Governor Ridge chose to go to State College to announce the Campus and Community Partnership Initiative, an anti-underage drinking program for students at nine Pennsylvania colleges: Bloomsburg University, Gannon University, Indiana University of Pennsylvania, Lafayette College, University of Pennsylvania, Penn State University, the University of Scranton, and Shippensburg University. The program is being run by the Pennsylvania State Police Bureau of Liquor Control Enforcement (BLCE) and funded with a $360,000 OJJDP block grant awarded through the PCCD.

According to Sgt. Pearl Sweeting of the BLCE, “All the schools in Pennsylvania have a drinking problem.” The purpose of the Campus and Community Partnership Initiative is to organize a coordinated response, involving college administrators, local law enforcement, campus police, alcohol retailers, and representatives of student and community groups. For more information on this program, as well as a related state-funded initiative in which 51 Pennsylvania colleges have received $2,500 mini-grants to finance campus-community coalitions to combat underage drinking, call (717) 540-7425.

checkpoint, roving foot patrols at nighttime youth events, undercover “Cops in Shops” sting operations designed in cooperation with retailers to snag would-be underage buyers—even a first-of-its-kind underage drinking hotline “1-888-UNDER-21. But much of the current anti-underage drinking activity in Pennsylvania is community- and youth-generated, and involves prevention, education and reform efforts as well as law enforcement.

ERIE: “IT’S NOT YOUR CALL! IT’S THE LAW!”

Some of the most interesting and creative examples of the community approach can be found in Erie, where veteran teacher Nora Drexler runs the award-winning Kids Interacting Drug-Free Coalition and Teen Anti-Drug Coalition, Inc. (KIDCo/TADco) and serves as site coordinator for the Erie community anti-underage drinking coalition. Drexler herself first got involved in the cause after nearly losing her life to an alcohol-impaired teen driver in 1990. After nine painful operations, which left her with a computerized pacemaker (“He took away my heartbeat,” she says of the young man, who got off lightly), Drexler was frustrated, angry, and determined to take action. She found there were lots of others like her: “Most of the public, they want to do something, but they don’t know what.”

For Erie-area residents, Drexler’s group now helps provide the what. Among other claims to fame, they originated the “Sticker Shock” campaign—which will soon be coming to a case of beer near you. According to Drexler, two local KIDCo members, Danny Anderson and Cameron Wilkens, both now eleventh-graders at Erie-area high schools, had the original Sticker Shock idea back in 1996. It’s basically youth-driven, do-it-yourself alcohol labeling. Groups of kids with pre-printed stickers turn up at cooperating beer distributorships and, by permission of the owners, slap the same bracingly simple message on every case in stock: “It is Illegal to Buy
or Provide Alcohol for Anyone Under 21.” The warning appears under the bold heading “It’s NOT Your Call! It’s the Law!” Some current stickers also include small-print information on the surprisingly stiff penalties for furnishing alcohol to minors (see “Underage Drinking and Pennsylvania Law”), and all carry the logos of the Pennsylvania Liquor Control Board, which underwrites the cost of the stickers, and of Pennsylvanians Against Underage Drinking.

Besides galvanizing youth, Sticker Shock campaigns give alcohol buyers—and sellers—a no-nonsense reminder of their responsibility under the law. And at least in Erie, they have been media events as well. The idea has already been taken up by youth groups in Pottsville, Reading, Monessen and Mercer County, and will shortly go statewide—during the week of August 21-25, as many as 40 Pennsylvania communities are expected to participate in Sticker Shock campaigns. (Call the PLCB’s Bureau of Alcohol Education at 717-705-4232 to find out how to launch your own.) In fact, Sticker Shock may go further than that before long. Drexler says the model has been presented at several national conferences, including those of the American Medical Association and Mothers Against Drunk Driving, and that activists from as far away as Kona, Hawaii have expressed interest in giving it a try.

But the Erie coalition’s anti-underage drinking efforts go way beyond Sticker Shock, to include a broad range of educational and preventive activities, from elaborate conferences to attention-getting stunts. A few recent examples:

Underage Drinking and Pennsylvania Law

- **Minimum Drinking Age:** Like all states, Pennsylvania’s legal drinking age is 21. It is a summary offense, punishable by a suspension of driving privileges, for those under 21 to possess, consume, transport, purchase or attempt to purchase alcohol, to lie about their age in order to get alcohol, or to carry false identification.

- **Adult Responsibility:** Selling or furnishing alcohol to anyone under 21 is a third degree misdemeanor, punishable by a mandatory minimum fine of $1,000 for a first offense, and up to $2,500 for each subsequent offense. Adults who furnish alcohol to underage drinkers may also incur civil liability for any resulting injuries or property damage.

- **DUI:** All state DUI laws have lower Blood Alcohol Content (BAC) thresholds for underage drinkers, ranging from 0.00% to 0.02%. While underage drinkers in Pennsylvania are technically prohibited from operating motor vehicles with any amount of alcohol in their systems (violations are punishable by a fine of $100), Pennsylvania’s law against driving under the influence of alcohol makes a BAC of 0.02% prima facie evidence of impairment for those under 21. This is the equivalent of about one drink for the average person. (For drivers 21 and over, a BAC of 0.10% is required.) A first-offense DUI conviction can result in a driver’s license suspension of up to one year and a fine of up to $500, among other penalties.

- **Get the Point:** This interscholastic “youth-generated media competition” spurred local middle and high school students to find creative ways to spread the anti-drinking message—and win prizes for their schools in the process. Each week during the month of March, 2000, students could rack up a predetermined number of points by participating in any of a number of message-reinforcing activities—making buttons, posters, banners, videotapes, or PA announcements, putting messages on web sites, taking part in mock trials and crash simulations, attending workshops and other special programs with anti-underage drinking themes, and so on. Point tallies were verified by school administrators and submitted to a central clearinghouse weekly. By month’s end they “mounted into tens of thousands,” Drexler says. Local newspapers provided coverage of students’ activities, and one of them presented trophies to the winning schools.

- **Youth Leadership Conference:** About 180 students and their advisers—in all, more than 300 people from 15 Pennsylvania counties—attended a coalition-organized Youth Leadership Conference in Erie this spring, where they heard speeches from PLCB Chairman John Jones III and Pennsylvania Attorney General Mike Fisher, received training and information from the Pennsylvania State Police Bureau of Liquor Control Enforcement, the Regional Highway Safety Network, Pennsylvanians Against Underage Drinking, and other groups, participated in mock trials, put on “Fatal Vision” impairment-simulating goggles and tried to walk a straight line, and took...
turns riding in the Pennsylvania DUI Association’s “Safety Bug,” a Volkswagen that is computer-rigged to show kids what it’s like—based on their height, weight and hypothetical alcohol consumption—to try to control a car after drinking.

After-School Program:
A coalition-sponsored after-school program for middle school students conducted by police in suburban Millcreek, combining snacks, sports, and an anti-drinking message, has grown from “a handful of kids,” Drexler says, to more than 400—all of whom signed an anti-alcohol pledge in order to participate. The message from police, according to Drexler, is “As nice as you think we are right now, we’re not going to be nice when we see you with that beer can.”

All this consciousness-raising activity, and the enhanced enforcement that accompanies it, seems to be bearing fruit. Drexler says underage drinking arrests in Erie jumped 21% in a single year—from 676 in 1998 to 822 in 1999. But she adds that arrests are projected to fall back down again for the year 2000, despite stepped-up surveillance and enforcement—and she’s hoping they will. When the laws are vigorously enforced, and everyone, young and old, knows it, arrests—along with underage drinking—will come down, Drexler says. “It’s clear as a bell. It’s a no-brainer.”

In the meantime, her advice for other activists around the state is equally simple: “Build those connections. Just keep knocking on doors. It’s surprising how much support there is. We really are making a difference out there—with attitude change and policy change.”

POTTSVILLE: BANG FOR THE BUCK

Another Pennsylvania community that is making a name for itself in the anti-underage drinking movement is Pottsville, which has been featured in the OJJDP-sponsored Success Stories series of publications, produced for the Enforcing the Underage Drinking Laws Program by the Pacific Institute for Research and Evaluation. The Pottsville coalition, led by the North Central Highway Safety Network, has established an enforcement committee in which representatives of numerous local police departments, juvenile and adult probation officials, district justices and other key players meet to coordinate enhanced area-wide enforcement of underage drinking and DUI laws. Undercover “youth patrols” on foot at school athletic activities and dances, roving patrols, and sobriety checkpoints are planned in concert for maximum impact.

In the period from September 1999 through March 2000, arrests for underage drinking and related offenses in Pottsville more than doubled those of the comparable period in 1998-1999 (123 compared with 60). And much of the increase has not occurred during periods of special “overtime” enforcement paid for directly with grant funds, but during regular patrols—as a result of a new, heightened consciousness of the importance of enforcing underage drinking laws, from the Chief of Police on down to the line officers. So, for example, in October of 1999 (typically a peak underage drinking month), 30 arrests were made for underage drinking and related offenses in Pottsville—up from just 18 during October of the previous year—and all but 5 occurred on regular patrols. According to Site Coordinator Mark Alonge of the North Central Highway Safety Network, the coalition has helped to convert key officials and motivate local police to take up the cause of tough underage drinking law enforcement—with practical benefits that should last well beyond the life of the grant.

The Pottsville-area group also has a public policy committee that is working to enact a “mandatory server-training” ordinance for local alcohol licensees. Alonge is “99% sure” of the passage later this summer of a Pottsville ordinance modeled on one enacted last fall in State College, Pennsylvania, which requires businesses serving alcohol to send employees to an approved responsible alcohol service training course. The PLCB operates one such course—the Responsible Alcohol Management Program (RAMP)—which teaches employees of restaurants, bars, hotels, clubs, distributors, and other license-holders the facts about Pennsylvania’s underage drinking and DUI laws, as well as practical techniques for identifying underage drinkers and would-be drinkers, detecting false and borrowed identification cards, catching signs of impairment, safely dealing with intoxicated customers, and minimizing business liability.

The coalition’s public policy group is also working to enlist Pottsville’s beer distributors in a voluntary keg registration scheme. Kegs are perfect for underage binge drinkers—they’re cheap, provide lots of alcohol, and require only one purchaser. They are usually obtained for teenagers by older friends or relatives—who may be difficult to track down or convict after the
police break up an underage drinking party. For that reason, thirteen states, the District of Columbia, and many local jurisdictions have mandatory keg registration laws, requiring retailers to (1) collect a refundable deposit on keg transactions, (2) record the customer’s name, address, telephone number, driver’s license and other identifying information, (3) attach an identifying tag, sticker, or engraving to every keg to facilitate the tracing of original purchasers after the keg is confiscated, and (4) retain records for some period of time.10

Pennsylvania currently has no statewide keg registration requirement. However, voluntary keg registration yields similar benefits where it has been tried. In Pottsville, 3 of the town’s 5 distributors have so far agreed to comply.

The Pottsville coalition’s media/education committee, a group of high school students and school officials, has taken on the task of strengthening area schools’ anti-alcohol policies, Alonge says. For instance, they are expanding the definition of sanctionable drinking offenses to include drinking off-campus as well as on. And the group has introduced a contract system for participation in sports and other extracurricular activities, under which a student and his or her parents agree in advance to the imposition of a series of graduated sanctions for drinking offenses. A first offense might result in the loss of the privilege of participation for a month, subsequent offenses by the loss of privileges for a season, culminating in the loss of privileges for a student’s whole high school career.

DOYLESTOWN: “MODEL WHAT YOU EXPECT AND EXPECT WHAT YOU MODEL.”

Doylestown, a rapidly growing community in Bucks County, outside Philadelphia, has taken an adult approach to solving the problem of underage drinking, according to Lexi Islinger, Coordinator of the Central Bucks 40 Assets Project. “A lot of what’s going on in our teens’ lives today is directly related to how adults behave,” Islinger says. That includes the boundaries adults set, the values and expectations they impart, the conduct they model, and the support they offer to their community’s youth. With the right kind of structure and encouragement from the grown-ups around them, adolescents aren’t so likely to drift into self-destructive and spirit-wasting patterns of behavior like underage drinking.

At least that’s the idea behind “40 Assets,” a strength-based, community-wide framework for promoting the health and well-being of children and adolescents. Developed by Minnesota’s Search Institute in the 1990’s, the 40 Assets approach has been adopted in over 200 communities nationwide, Islinger says. It starts from the premise that, in order to grow up to be a responsible and competent adult, every kid needs certain internal/individual assets—values, skills, attitudes—and certain external/collective ones—relationships, models, opportunities, institutions. The job of a community’s adults is to recognize and work to develop both kinds of assets—that is, to encourage, reward and nurture the former, and to shore up and build upon the latter.

In practice, 40 Assets can only work with a strong network of caring adults who understand the importance of asset-building and are committed to making it work. That’s why during its first year as a recipient of funding under the Enforcing the Underage Drinking Laws program, the Doylestown coalition has been primarily engaged in changing adult attitudes and enlisting adult help in the asset-building effort. Above all, Islinger says, “We want the adults to start thinking.” Through speeches, presentations and trainings before neighborhood, business and civic groups, at PTA meetings, at places of employment, at churches and hospitals and schools, the nine members of the 40 Assets steering committee are constantly recruiting adults into neighborhood-, faith-, business-, recreation-, and school-based 40 Assets groups. Materials and resources from the Search Institute help those groups focus their thinking and activities on asset-building—strengthening the ties and structures that help the community’s adolescents grow up strong and healthy.

With respect to underage drinking, Islinger says, 40 Assets takes an adult-to-adult approach. It’s primarily a matter of teaching adults, not kids, to “just say no.” “This is not about the kids,” Islinger says. “This is about adults who buy it, who let kids have it, who think it’s okay.” Setting limits and seeing that they are observed is a job for adults—“We don’t want to dump any more on our kids.” So, Islinger says, a high school-sponsored, alcohol-free post-prom party was a success—but only because a number of adults who had gotten the 40 Assets message took it upon themselves to approach some Doylestown parents who had given permission for an alternative drinking party in their home, and asked them (in Islinger’s words), “Do you realize what you’re getting into?”
community groups, the coalition has arranged an alcohol-free Independence Day Community Festival in a city park, featuring dance groups and a live band along with drug and alcohol awareness information and display tables.

The PLCB’s Bureau of Alcohol Education website (http://www.lcb.state.pa.us/edu/) is also a good source for statistical information on underage drinking/drinking and driving in Pennsylvania.

Training and technical assistance for grantees under the Enforcing the Underage Drinking Laws Program are provided by the Pacific Institute for Research and Evaluation (PIRE), 11140 Rockville Pike, Suite 600, Rockville, MD 20852, (877) 335-1287, http://www.pire.org. PIRE’s Underage Drinking Enforcement Training Center has prepared a series of excellent publications on underage drinking issues and law enforcement strategies, many of which are downloadable at http://www.pire.org/udetc.

Current national as well as state-by-state information regarding underage drinking and driving is available from the U.S. Department of Transportation’s National Highway Traffic Safety Administration at http://www.nhtsa.dot.gov.

The National Clearinghouse for Drug and Alcohol Information provides an abundance of information on drug and alcohol issues, including summaries of current research and access to searchable databases, at http://www.health.org.

The National Youth Anti-Drug Media Campaign operates http://www.freevibe.com, where young people can read and post alcohol and drug-related messages on a “Shout Out” bulletin board.

The Students Against Destructive Decisions website (http://www.saddonline.com) contains everything you need to form your own SADD chapter, including a mission statement and policies, suggested activities, fundraising tips, and downloadable documents.

READING: REACHING ACROSS CULTURES

The Reading Coalition Against Underage Drinking, led by the Community Prevention Partnership of Berks County, has made a special effort to reach that city’s large Hispanic population. Nearly one in five Reading residents is of Hispanic origin, according to the last census, and many are recent immigrants from the Dominican Republic, where both attitudes and laws regarding underage drinking are markedly different from our own. Fortunately, the Reading coalition includes two Hispanic membership groups—the Hope Delegation and the Dominican Civic and Cultural Association—to help in bridging cultural and language gaps that could prevent the Hispanic community from getting the anti-underage drinking message. With the help of these community groups, the coalition has arranged an alcohol-free Independence Day Community Festival in a city park, featuring dance groups and a live band along with drug and alcohol awareness information and display tables.

MONESSEN: “ARE YOU AN ACCOMPLICE?”

So far in Monessen, according to Project Coordinator Recardo Hall, the task of the anti-underage drinking coalition has been largely educational: “A lot of adults and youth were, for lack of a better word, ignorant.” That was the reason for a Town Forum held by the Students Against Destructive Decisions (SADD) and the Monessen Coalition Against Substance Abuse in April, with the provocative title, “Are You an
Accomplice?” And for the “Mister Monessen High School” contest, a kind of male beauty (or rather brawn) pageant put on this spring, in which contestants—besides walking a runway in casual, evening, and formal wear—were required to show off their knowledge of underage drinking laws by answering a series of questions devised by SADD members. Finalists were asked to deal with “what if” questions based on common underage drinking scenarios, and the crown was awarded on the basis of their answers. It was silly, of course, but it made a point—and since it was held just before prom, it came at a critical time.

The Monessen coalition arranged for a more pointed reminder to be sent to Monessen High School students at the time of the school’s Christmas Dance. This one issued from the mouths of babes. Couples entering the dance were given index cards made by local elementary school students, bearing childish pictures and simple messages—“Arrive Alive!” or perhaps just “We Love You!”—from those accustomed to looking up to them from way down low.

Attached to each card was 35 cents for a phone call, just in case.

ENDNOTES

6 Costs of Underage Drinking, supra.