



Success Stories

Enforcing the Underage Drinking Laws Program

NEWS FROM THE FIELD

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October 15, 2002

The OJJDP Enforcing the Underage Drinking Laws Initiative supports cooperation between community organizations, enforcement agencies, youth, and other concerned citizens to change local ordinances and enforcement practices.

Making Compliance Checks Sting— Tougher Penalties for Outlets in Nebraska

In Nebraska, prevention advocates won stiffer penalties for outlets that fail compliance checks. These new penalties give teeth to compliance check operations, and eliminate the economic incentive to sell alcohol to young people.

Previously, retailers who failed compliance checks were given the option of a suspended license or a “buy-out” fine. Since the Nebraska Liquor Control Commission (LCC) did not have the statutory right to give increased sanctions for repeat offenses, most outlets chose to “buy-out” for violations, instead of investing in the training or equipment necessary to prevent sales to minors.

This loophole hindered the effectiveness of compliance checks; license holders had no incentive to comply, since the fines were not increasingly severe. Sales to minors went effectively unchecked in the state, since the fines associated with compliance checks provided no real deterrent. To work, the law needed to provide for graduated sanctions for repeat offenses.

Prevention advocates, including Diane Riibe, Director of Project Extra Mile, were well aware of this flaw, and sought to change the relevant statutes. In 1997, a concerned State Senator, Dave Landis, introduced a bill that would give the Liquor Control Commission the discretion to disallow the “buy-out” option for repeat offenders. Unfortunately, the bill was stopped in the

General Affairs Committee, despite overwhelming public support.

Unable to pursue the committee route, Senator Landis sought to get the proposed language attached to the priority bill for the committee that had stopped it. “Priority” status usually means that the bill would likely pass, but attaching this amendment essentially held the bill hostage. On the day of the vote to attach the amendment, Project Extra Mile blanketed the Capitol with volunteers who managed to speak to nearly every Senator. The amendment passed handily, though the bill was eventually defeated. Still, it was a victory.

Realizing that they were about to be overtaken by public sentiment, the committee decided in 1999 to offer its own bill, which gave the LCC discretion to issue graduated sanctions. The bill passed, and was signed into law that year.

>Our Point:
Communities, States, and law enforcement are successfully changing laws, regulations, and enforcement practices to reduce underage drinking.

These increased sanctions will not end underage drinking in Nebraska, but they will help reduce it. A subsequent increase in compliance checks has also helped demonstrate how serious law enforcement and prevention advocates are about reducing underage drinking. Nebraskans are using their political voice to make their communities healthier and safer places.

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