Compliance Checks in the Age of Social Media

Chris Wagner
Project Extra Mile

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As required by the Alcohol Policy 18 Conference, I/we have signed a disclosure statement and note the following conflict(s) of interest:

None
Topics to Cover

- Why compliance checks?
- Results of enforcing underage drinking laws
- Calling tree gets a dangerous upgrade
- Salt 88 incident in Omaha
- Lessons learned
Project Extra Mile’s Mission

Advocating for evidence-based policies and practices to prevent and reduce alcohol-related harms.
Why is underage drinking prevention important?

- Alcohol is the most commonly used drug among America’s youth (U.S. Dept. of HHS, 2007)

- Youth that drink before the age of 15 are six times more likely to become alcohol dependent than those who wait until 21 (SAMHSA, 2016)

- Short- and long-term consequences include: physical and sexual assault, injuries, reproductive risks, higher suicide risk, learning and memory problems, social problems, poor grades, etc. (CDC, 2015)
2016 Binge Drinking

Binge drinkers (males having five or more drinks on one occasion, females having four or more drinks on one occasion) (variable calculated from one or more BRFSS questions) (Crude Prevalence)

View by: Overall
Response: Yes

Data Source: Behavioral Risk Factor Surveillance System (BRFSS)
### Alcohol use by Youth in Nebraska

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<tr>
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</thead>
<tbody>
<tr>
<td>NE</td>
<td>53%</td>
<td>43%</td>
<td>27%</td>
<td>23%</td>
</tr>
<tr>
<td>US</td>
<td>51%</td>
<td>43%</td>
<td>39%</td>
<td>33%</td>
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Source: 2011 and 2014/2015 Nebraska Youth Risk Behavioral Surveys (YRBS)

### Binge Drinking by Youth in Nebraska

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<tbody>
<tr>
<td>NE</td>
<td>37%</td>
<td>30%</td>
<td>16%</td>
<td>14%</td>
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<tr>
<td>US</td>
<td>31%</td>
<td>26%</td>
<td>22%</td>
<td>18%</td>
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Source: 2014/2015 Nebraska Youth Risk Behavioral Survey (YRBS)
Cumulative Estimated Number of Lives Saved by Minimum Legal Drinking Age Laws, 1975-2016

Source: National Highway Safety Administration
Evidence-based Strategies for Preventing Excessive Alcohol Consumption

<table>
<thead>
<tr>
<th>Intervention</th>
<th>Task Force Finding</th>
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<tbody>
<tr>
<td><strong>Interventions Directed to the General Population</strong></td>
<td></td>
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<tr>
<td>Increasing alcohol taxes</td>
<td><strong>Recommended</strong></td>
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<tr>
<td>Regulation of alcohol outlet density</td>
<td><strong>Recommended</strong></td>
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<tr>
<td>Dram shop liability</td>
<td><strong>Recommended</strong></td>
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<tr>
<td>Maintaining limits on days of sale</td>
<td><strong>Recommended</strong></td>
</tr>
<tr>
<td>Maintaining limits on hours of sale</td>
<td><strong>Recommended</strong></td>
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<tr>
<td>Electronic screening and brief interventions (e-SBI)</td>
<td><strong>Recommended</strong></td>
</tr>
<tr>
<td>Overservice law enforcement initiatives</td>
<td><strong>Insufficient Evidence</strong></td>
</tr>
<tr>
<td>Responsible beverage service training</td>
<td><strong>Recommended</strong></td>
</tr>
<tr>
<td>Privatization of retail alcohol sales</td>
<td><strong>Recommended Against</strong></td>
</tr>
<tr>
<td><strong>Interventions Directed to Underage Drinkers</strong></td>
<td></td>
</tr>
<tr>
<td>Enhanced enforcement of laws prohibiting sales to minors</td>
<td><strong>Recommended</strong></td>
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Project Extra Mile
Alcohol Compliance Checks
Douglas & Sarpy Counties

NON-COMPLIANT RATE


41% 21% 18% 34% 25% 17% 11% 12% 17% 11% 11% 10% 10% 7% 6% 10%
Figure 23. Number of liquor law violations per 1,000 people (12-20 years old)

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<tbody>
<tr>
<td>Douglas County</td>
<td>16.8</td>
<td>18.4</td>
<td>12.0</td>
<td>12.3</td>
<td>7.0</td>
<td>4.6</td>
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<tr>
<td>State Average</td>
<td>29.7</td>
<td>24.2</td>
<td>19.4</td>
<td>18.0</td>
<td>14.7</td>
<td>13.2</td>
</tr>
<tr>
<td>PFS Counties</td>
<td>30.3</td>
<td>26.4</td>
<td>21.0</td>
<td>18.4</td>
<td>14.9</td>
<td>13.4</td>
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<tr>
<td>Non-PFS Counties</td>
<td>28.8</td>
<td>21.2</td>
<td>17.1</td>
<td>17.3</td>
<td>14.4</td>
<td>13.0</td>
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Source: Nebraska Crime Commission
Social Media vs. Calling Tree

- Licensees have always tried to warn each other on compliance checks

- Social media is the **calling tree on steroids**
  - Immediacy
  - Reach
  - Pictures

- Calling tree impacts non-compliant rate

- Social media impacts non-compliant rate and CI safety
SALT 88 Incident
What Happened?

- PEM staff monitoring social media during operations
- Decision to terminate operation and cite “owner”
- Instead of plea, owner chooses jury trial
- Shifting explanations on motivation
- NOT GUILTY!
- What about the administrative process?
Salt 88 Continued

- Nervousness about continuing
- Think differently but push forward
- LEWG meeting – new strategy
- Committed new prosecutor – no win situation
  - Ignoring behavior sends a message
  - Salt 88 kept social media pressure on
Salt 88 Headlines

- Restaurant warns of alcohol compliance check
- Salt 88 owner questions why charges were filed after he tweeted photos of minors who tried to buy alcohol
- Restaurant owner warns businesses of underage drinking operation, could face jail time
- Salt 88 has closed its doors, restaurant announces on Facebook page
Salt 88 Lessons Learned

- Be aware of social media impact
- Importance of good relationships with law enforcement
- Terminate checks if needed
- Don’t be predictable
  - Alternate times, days of week, and locations
  - Consider having change of clothes on hand
  - Increase buy money available for purchase of alcohol other than single cans
  - Check “sore thumb” locations last
  - Check franchises at the same time
  - Limit exposure by decreasing length and increasing days of checks
  - Combine operations and delay media release
Thank You!

Project Extra Mile
11620 M Circle
Omaha, NE 68137
Phone: 402-963-9047
www.projectextramile.org