

UNDERAGE DRINKING

MORE THAN A MINOR ISSUE

PLANO POLICE DEPARTMENT, TEXAS, 2003

- THE PROBLEM:** Officer Glenn had noticed that an increasing number of calls for service in his area involved minors in possession of alcohol and minors consuming alcohol. These calls included juvenile problems, noise, party disturbances, and others. While enforcing these violations, the minors advised him that they could easily walk into a beer store in Plano and purchase alcohol.
- ANALYSIS:** Glenn observed that this problem involved not only the subjects that he caught in violation, but also the store clerks who sell the alcohol, the police department, and the residents of the City of Plano. The harm this caused to the residents was demonstrated in police calls for service involving juvenile problems, party disturbances, noise complaints and alcohol-related traffic accidents. His goal was to reduce the number of stores in Plano selling alcohol to minors.
- RESPONSE:** Glenn implemented a plan for conducting special enforcement details to increase enforcement, obtain specific data on which stores were selling alcohol to minors and to educate violators. He utilized confidential informants under the age of 18 to purchase alcohol under very controlled circumstances. Finding that the problem was pervasive throughout the City of Plano, he identified four main reasons that store clerks sell alcohol to minors. He then utilized this information to educate the community and violators about this problem.
- ASSESSMENT:** Glenn has continued to conduct special enforcement details and the number of stores selling alcohol to minors in Plano has significantly decreased during the time that he has been working on this project.
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INTRODUCTION

During the latter part of 2001, Officer Glenn began to notice that there appeared to be an increase in the number of minor in possession of alcohol violations in his area. He noticed that many of the calls for service the officers of Plano Police Department responded to involved minor in possession of alcohol violations.

These included calls classified as party disturbances (raves), juvenile problems, noise

complaints, vehicle disturbances, and alcohol-related traffic accidents. The one thing that many of these calls had in common was that they involved underage drinking. While enforcing these violations, many of the suspects told him that it was easy for them to go into stores in Plano and purchase alcohol without fear of any consequences. Glenn initiated special enforcement details targeted at stores throughout the City of Plano for selling alcohol to minors. This approach enabled him to increase enforcement for these violations, gather

information on the nature and scope of this problem, and implement an educational program to address this issue. He felt that this was a substantial concern to the residents of Plano and the Plano Police Department, and he was determined to reduce the problem and the harm it caused.

SCANNING

As a neighborhood police officer, Glenn was responsible for a very small geographical neighborhood, which had been experiencing an increasingly high crime rate with a very high demand for police and city services. Officer Glenn developed working relationships with the residents of his neighborhood and used community-oriented policing to build partnerships with the community to resolve many issues facing this neighborhood.

Among community members that Officer Glenn met were minors who would tell him about beer parties that were planned in the area and stores that were openly selling alcohol to minors. He discovered that many minors were able to simply walk into a store and purchase alcohol without fear of being asked for identification or reported to the police.

During this time, he began to notice that there appeared to be an increasing number of calls for service for juvenile problems, party disturbances, noise, and alcohol-related traffic accidents that involved minors possessing and consuming alcohol. He then began investigating underage parties where alcohol was involved and when he would observe a violation, he would interview the suspect as to where and how he had obtained the alcohol. Many of the minors told him they purchased the beer themselves and that it had been easy (they had not been asked for identification, or even asked their age). They told him there were no pattern of just a few specific stores, but many stores in Plano selling alcohol to minors.

Officer Glenn then began watching the package stores within his neighborhood closely and caught several clerks selling alcohol to minors. During these investigations, he conducted interviews asking the clerks why they committed

the violations. Officer Glenn found that the clerks had no fear of consequences for breaking the law and others had an apathetic attitude about it. He decided that there appeared to be a strong correlation between the number of calls for service (party disturbances, juvenile problems, noise complaints, and vehicle disturbances) and the minors with alcohol who often caused the disturbances. He believed that if he could reduce the number of minors who had access to alcohol, he could reduce the resulting behavior of the drunken minors.

ANALYSIS

In August of 2001, Officer Glenn was re-assigned as a Problem-Oriented Policing officer and had more time to consider underage drinking. He asked himself if this met the definition of a problem. There were far more than two or more incidents. Underage drinking offenses (minor in possession of alcohol, minor consuming alcohol, minors driving under the influence of alcohol, selling alcohol to minors, and furnishing alcohol to minors) were similar in nature.

These offenses were certainly capable of causing harm. This harm includes physical injury to the minors and others due to alcohol-related traffic accidents, and harm in the form of calls for service from the residents of Plano who were subjected to the rowdy, drunken behavior. Further, the harm involved increased calls for service for the police department. The calls for service demonstrated that there was a public expectation for the police to do something about it.

Officer Glenn decided that to reduce the number of minors in possession of alcohol, it would be more effective to concentrate his efforts towards the businesses that were selling alcohol to minors. Officer Glenn determined that selling alcohol to minors met the definition of a “problem” and he was committed to reducing the harm being caused.

Officer Glenn discovered that the problem of stores selling alcohol to minors was two-fold. First, neither the minors nor the store clerks had any fear of getting caught breaking the law. He

found that store clerks who sold alcohol to minors rarely got caught doing so and there were no consequences for repeat violators who did get caught. Second, the store clerks displayed a lack of knowledge about the law and the sell alcohol to minors, the instances of minor in possession of alcohol would be reduced, consequences for breaking the law.

Officer Glenn believed if the store clerks refused to sell alcohol to minors, incidents resulting from the behavior of drunken minors would be diminished as well.

Officer Glenn then researched the conditions that facilitated minors being able to purchase alcohol at stores in Plano. According to the North Texas Council of Government, there are over 15,000 residents in Plano between the ages of sixteen and twenty. This is the target demographic for underage drinking.

Glenn found that there were 159 package stores within Plano licensed to sell beer and wine by the Texas Alcoholic Beverage Commission. He also considered that the problem was amplified by the fact that most of the surrounding cities were “dry,” in that they did not sell any alcoholic beverages. So the minors (ages 16-20) from numerous other “dry” cities came to Plano to purchase alcohol as well. With so many minors attempting to purchase alcohol, the store clerks were bound to become careless in selling alcohol to minors.

This was a more complex issue than he first believed because each of the parties involved had a great deal at stake. The minors simply wanted alcohol and would use many illegal tactics to obtain it even though they risked being issued citations or being arrested. The store clerks risked losing their jobs, being arrested or fined. The storeowners risked being fined by the TABC and having their licenses to sell alcohol revoked. Further, the police department was spending valuable personnel resources responding to calls for service involving minor in possession of alcohol and related disturbances. Finally, the safety of the residents of the City of Plano was at stake because of the behavior of the intoxicated minors.

Another critical facet of this problem was the lack of fear of the consequences was well founded.

Officer Glenn spoke to Sgt. Mulkem, the supervisor in charge of operating minor in possession of alcohol details. Sgt. Mulkem advised him they were only occasionally able to spend any time on attempting to enforce these laws using programs such as Cops in Shops. Further, prior to his beginning this project, patrol officers were simply responding to routine calls for service as individual complaints about unruly or criminal behavior. The responding officers would attempt to disperse the parties, quiet the noisy groups, or issue citations on a case-by-case basis. This tactic was very unsuccessful in reducing the number of complaints and had no impact whatsoever on the overall problem of underage drinking or of clerks selling alcohol to minors.

Officer Glenn found there were 48 alcohol-related traffic accidents involving minors between 16-20 years of age in 2001. Even though none of these were fatalities, many of these involved serious injuries. Interestingly, all of these accidents were attributed to the minor drinking alcohol. He attempted to research all categories of calls for service within the Plano Police Department to analyze how many calls were actually results of minors with alcohol; however, there was no accurate way of finding out this data without reading each report individually. This preliminary study revealed the nature and extent of this problem were broader than originally anticipated.

He found that since enforcement was so limited, there was no specific data on how often and where these violations most occur. Most of the information he obtained about this problem was gained through interviews with minors and store clerks he had caught breaking the law. Many of these subjects told him this was a commonplace occurrence at many of the stores in Plano that had been going on for many years. Officer Glenn decided he needed to collect statistical data to determine the actual scope of this problem.

Officer Glenn needed to be able to record

specific situational information as to which stores were actually committing violations and if there was any kind of pattern, which could be used to correct the problem. Since there was virtually no specific data, Officer Glenn created a computerized database to monitor all aspects of this problem. It tracked information on each 159 package stores in Plano, every visit he made to each store, as well as every criminal case filed. He also created computerized offense reports, case reports, witness statements, warrants, affidavits, and supplements that directly import information from the database. This database has allowed him to keep track of all critical data involved in the project.

Officer Glenn recognized this would be a long-term project whose improvement could most easily be evaluated by statistics. He decided that his goal was to reduce the number of stores in Plano selling alcohol to minors, and this may have an impact on reducing the overall calls for police service.

RESPONSE

Officer Glenn contacted Sgt. Mulkem, and asked if he could have responsibility for this project. Mulkem accepted this offer and introduced him to Agent Lindle Davis and Sgt. Jeff Gladden with TABC Agent Davis assisted him in getting started and became a close work associate. Officer Glenn decided that his project would have three components:

- To increase enforcement for all violations associated with underage drinking;
- To obtain information to determine specifics of time and location of violations and the reason the violations occur; and
- To educate store clerks and managers to gain voluntary compliance.

His research showed him there are already programs within schools to educate students about the dangers of alcohol (DARE, SADD, and STAND) so he decided enforcement was the best way to reinforce the issue to the offending

minors. He decided the way to meet his three objectives was to begin special enforcement details targeting the stores selling alcohol to minors.

With the assistance of Sgt. Roady, Sgt. Mulkem and Agent Davis, Officer Glenn developed a set of guidelines he would follow during this project. He decided he would only use minors ages 18 and under who did not have any alcohol-related citations or arrests. They would be required to carry a valid state identification card and present it to the clerk upon request, and to tell the truth if asked any questions. He developed these guidelines to prevent the perception that he was trying to “trick” clerks into selling alcohol to the minor informants. Minor informants would be paid twenty-five dollars per night, whether they made any criminal cases or not. Officer Glenn decided to use minors he had met as a neighborhood officer and minors recommended by other officers as informants on these details.

On September 28, 2001, during Officer Glenn's first enforcement detail, he visited 28 stores and made five criminal cases. In the following months, he conducted 22 details using seven different minor informants. Officer Glenn made a total of 594 store visits, and made 102 criminal cases for selling alcohol to minors. According to TABC records, of those 102 cases, three stores were fourth-time offenders; five were third-time offenders; and 21 were second-time offenders.

Each time a clerk sold alcohol to a minor informant, Officer Glenn immediately contacted the clerk and advised him of the action that would be taken. He would complete an offense report, case report, probable cause affidavit and then present this to a municipal judge to obtain an arrest warrant for the store clerks. Most of these warrants resulted in a \$1,000 bond. Officer Glenn would later contact the clerk by telephone and give them the option of turning themselves in or be arrested at large. Once the paperwork was completed, he would forward a copy of the entire packet to Agent Davis for subsequent administrative investigation by TABC.

When he was not conducting enforcement details, Officer Glenn would conduct

surveillance on package stores throughout the city. He found many minors purchasing alcohol at many different stores. When he witnesses these offenses, he would file criminal charges on both the minor and the clerk.

Officer Glenn also contacted the patrol beat officers and explained his method of enforcement to them and requested their assistance. This involved patrol officers in the process, and often encouraged them to conduct their own stricter enforcement and authority on alcohol violations in the Plano Police Department and a liaison between the department and TABC. He received many calls from officers regarding information they received about stores selling alcohol to minors, parties and other alcohol-related information. Even dispatchers began sending him information of pending calls involving alcohol, juvenile parties, or disturbances.

In addition to other officers and TABC, Officer Glenn utilized as many resources as he could to work on this problem, including the store clerks, storeowners, and the media. Officer Glenn reached out to the community to help resolve this increased their knowledge about TABC violations.

Officer Glenn reached out to the community to help resolve this problem, which resulted in two newspaper articles being written about his special enforcement details and the issue of minors being able to purchase alcohol in Plano.

Officer Glenn made it a priority to use these details not only as a means of enforcement, but as an information gathering process as well. By interviewing violators, he developed a list of reasons for why clerks violate this law.

The most common reason that violations occurred seemed to be confusion. Many of the clerks confused the legal age for tobacco (18) and alcohol (21), and some were unable to add or read. The second most common reason violations occurred was the clerks were in a hurry. It seemed when the clerk had a long line or the store was crowded, they were more apt to sell the beer to the minor informant without checking for identification. He further noticed

that some minors used fake identification cards and others intimidated the clerks. However, the most disturbing reasons he found was that some clerks sold to minors intentionally (to gain popularity or to boost sales) and others did so out of apathy. He believed better internal training and supervision by store management could eliminate many of these violations.

After beginning the special enforcement details, Officer Glenn began going into the stores to speak with the managers about incidents that occurred in their store. Many managers advised they were not aware of the violations until his visit. Because many claimed to not be aware of the violations in their stores, Officer Glenn decided he would have a meeting with all managers to educate them on the problem and promote a cooperative effort to gain voluntary compliance to reduce violations.

Officer Glenn spent a great deal of time preparing for this meeting because he wanted to ensure that each storeowner and manager was given adequate information on the problem of minors obtaining access to alcohol in Plano, and that each understood that the Plano Police Department was committed to reducing these violations. Officer Glenn also believed that by gaining voluntary compliance by the stores, the problem would be reduced more effectively than merely relying on sporadic enforcement as a deterrent.

Officer Glenn prepared a detailed power point presentation to aid him in explaining the nature and extent of the problem, his response to the problem and the criminal and administrative consequences for the clerks and the businesses. Using the list of reasons for the violations, he developed a comprehensive plan the storeowners could implement to help train their employees. Officer Glenn arranged for TABC Agent Davis to be available for a brief presentation and to questions as well. To demonstrate that voluntary compliance was paramount, he also designed some stickers that graphically depict the legal ages for tobacco and alcohol. Clerks would be able to look at these stickers and tell by the pictures on the sticker the ages for each violation. Officer Glenn mailed letters inviting the managers and storeowners of all package

stores in Plano to this meeting.

Officer Glenn hosted this meeting at the Plano Police Department in October 2002. Forty-five of the managers came for the meeting. During the presentation, he was able to explain the nature of the problem from an enforcement perspective, and he received feedback from the store managers' perspectives. He also passed out 150 stickers that he had made and encouraged each manager to put a sticker on every register in their stores. He also concentrated on encouraging better training and internal supervision of the store clerks to help reduce these violations. He passed out his business cards and asked them to call him if they have any alcohol-related issues. This meeting fostered cooperation between the Plano Police Department, TABC, and the stores, which was encouraging for the long-term success of this project.

After this meeting, he implemented a training session for the minors themselves. Officer Glenn began working with the organization Students Taking Action Not Drugs (STAND). He has spoken to over 350 minors about what he does, as well as the consequences they could face if they were caught with alcohol. He has also developed an open line of communication between himself, the stores, their employees, and the minors in the community.

Glenn did encounter some obstacles due to the number violations associated with underage drinking (minor in possession of alcohol, minor consuming alcohol, minors DUI, selling alcohol to minors, and furnishing alcohol to minors), the population of Plano, the number of package stores, and the number of minors attempting to purchase alcohol. His original concept was simply too broad for one officer to have much impact. However, he corrected this by redefining his goals and focusing on one aspect of the problem (clerks selling alcohol to minors) and getting other officers involved in the project.

ASSESSMENT

Officer Glenn's supervisors have assessed the effectiveness of his project and have been very pleased with the rate at which stores selling

alcohol to minors have decreased. By analyzing the number of alcohol-related traffic accidents involving minors since Officer Glenn's special enforcement details began and the present, there has been some improvement.

In 2001, there were 48 accidents; and in 2002 there were 42 accidents. There have been 19 as of May in 2003. There is no notable correlation to the decrease in alcohol-related traffic accidents and Officer Glenn's project; however, one may extrapolate that the fewer minors in possession of alcohol may have contributed to fewer alcohol-related traffic accidents.

Officer Glenn evaluated the statistics from his database by comparing the average from the first three details with the average of the last three details. These six details included 188 visits to stores throughout Plano. In the first three details, he visited a total of 83 stores. Of those 83 stores, he made 14 criminal cases. This was a total of 16.84% of the stores sold alcohol to minors. In the last three details, he visited a total of 105 stores and made only 4 criminal cases. The last three details were all conducted after the October 2002 meeting. The average of stores selling alcohol to minors after Officer Glenn's meeting with the storeowners and managers was 4.16%. This is a 75% decrease in sales of alcohol to minors. These statistics alone show the number of stores selling alcohol to minors in Plano has significantly diminished during the time that Officer Glenn has been working on this project.

However, statistics, in and of themselves is not a comprehensive evaluation of this project. Other measures of evaluation are whether his ancillary objectives were achieved. These include:

- Officer Glenn succeeded in raising community awareness of the problem of minors obtaining alcohol in Plano.
- He encouraged store managers and storeowners to take a more active role in training store clerks to refuse to sell alcohol to minors, identify fake identification cards, and to be alert to minors trying to intimidate them or "hurry" them during their busy times.

- Officer Glenn implemented educational sessions for the minors and has spoken to over 350 minors with the STAND organization.

Officer Glenn trained other officers in Plano in how to detect and enforce the TABC laws more effectively. This alone had a very influential impact on increasing enforcement throughout Plano. On what were once routine calls, many officers began to conduct a more thorough investigation as to where and how the minor obtained the alcohol instead of simply displacing the problem.

To properly evaluate his project, supervisors sought to see if he met the goals of the SARA model of problem solving. Legitimate expectations of the problem solver are:

- Eliminate the problem;
- Reduce the problem;
- Repair the problem;
- Reduce the harm; or
- Move the problem.

Obviously, Officer Glenn clearly reduced the problem and the harm alcohol sales to minors bring to our community. The comparison of the special enforcement details at the beginning and end of the project shows that the stores committing the violation of selling alcohol to minors has decreased by an average of more than 75%.

If TABC were to rigidly maintain their fine schedule for violations, the actual fines imposed in the first 102 cases would have generated over \$230,000 in fines. This has undoubtedly contributed to the willingness of the stores to increase voluntary compliance with these laws.

Even though there were many positive results from this project, Glenn encountered some obstacles. The facts that Plano has a population of over 230,000, 159 package stores, over 15,000 minors potentially attempting to

purchase alcohol, and a significant in turnover of store clerks indicate there will always be a need for continuing enforcement and education to maintain the strides made in resolving this problem. Further, there was a concern about displacing this problem from one area of Plano to another area of the city (since most surrounding cities are dry, there was not a significant concern about displacing the problem to another city). Officer Glenn tried to consistently investigate stores throughout the city so no one area seemed to be an easy target for minors attempting to buy alcohol.

Officer Glenn noticed when his details slowed down for a period of time, offenses increased. It appeared that as long as enforcement details were being conducted on a regular basis, the clerks stayed vigilant and the violations were reduced.

Officer Glenn plans to continue to conduct his special enforcement details and to increase patrol officers' involvement in this plan. He is working on ensuring that every register of every store that sells alcohol has one of his stickers on it. That will prevent simple mathematical errors contributing to a clerk selling alcohol to minors. He is also planning on additional special enforcement details to target adults who purchase alcohol for minors, adults who furnish alcohol to minors at parties, and other educational efforts to increase voluntary compliance. He has also proposed a plan to implement an alcohol hotline in Plano that would allow people to anonymously provide information about alcohol violations to the Plano Police Department. By using more officers and more enforcement strategies, Officer Glenn will make this project even more effective in the future and will be able to have more of an impact throughout the City of Plano.

REFERENCE LIST

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- Reuland, M. Sole Brito, C., and Carroll, L. (2001) Solving Crime and Disorder Problems: Current Issues, Police Strategies and Organizational Tactics. Washington, D.C.:

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The Texas Alcoholic Beverage Commission Criminal Code.

The Texas Alcoholic Beverage Commission website: <http://www.tabc.state.tx.us>

AGENCY AND OFFICER INFORMATION

1. Officer Glenn initiated this Problem-Oriented Policing project; however, there were instances in which several other officers assisted him with tasks. Since he implemented his program, he has taught numerous police officers his method for enforcing these violations.
2. When Officer Glenn was reassigned as a Problem-Oriented Policing officer, he received training in Problem-Oriented Policing methods. Prior to this project, all sworn officers of the Plano Police Department had received training in the Mechanics of Problem-Solving, which greatly enhanced Officer Glenn's ability to address this issue as a citywide problem.
3. No additional incentives were given to Officer Glenn for engaging in problem solving. Officer Glenn's motivation for this initiative was guided solely by his ability to identify a problem on his own, his having the time to work on the problem, and the discretion to resolve this issue in the manner that he deemed most appropriate.
4. Officer Glenn had previously attended classes in Problem Oriented Policing and Community-Oriented Policing, which helped him to identify an objective and to formulate a plan to help him meet this objective. These classes and several books and manuals on

Problem-Oriented Policing made him aware of the necessity to include an educational aspect to his plan to gain voluntary compliance with these laws.

5. In the beginning of this project, Officer Glenn had noticed that many calls for police service were a result of minor in possession of alcohol and he had hoped to show a reduction in these numbers. However, the problem of underage drinking consisted of many related violations and underlying conditions so he had to revise his objective to simply reducing the number of package stores selling alcohol to minors in order to keep the scope of his project within reason.
6. Personnel resources were the primary resources committed to address this issue. A small amount of financial resources were provided for the project. This included money for the alcohol purchases and money to pay the informants. The average cost per offense filed was \$10.93, not including personnel salary. This is a nominal fee for the investigation and filing of criminal offenses. Additional financial resources were allowed to implement the educational phase of the project, which included having the stickers made, the cost of postage and stationery for the letters to the stores and corporate headquarters inviting them to the meeting, and brochures for the STAND meetings. None of these costs exceeded the existing police budget for training or education.

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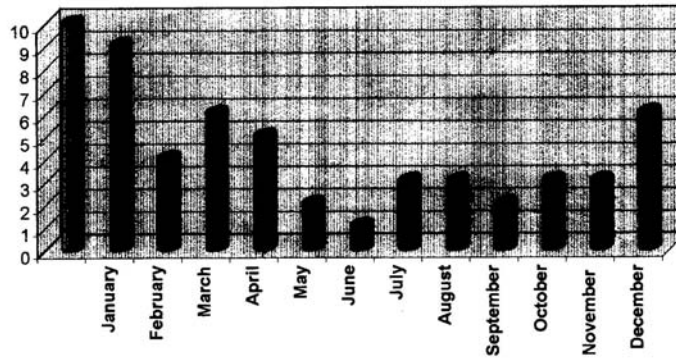
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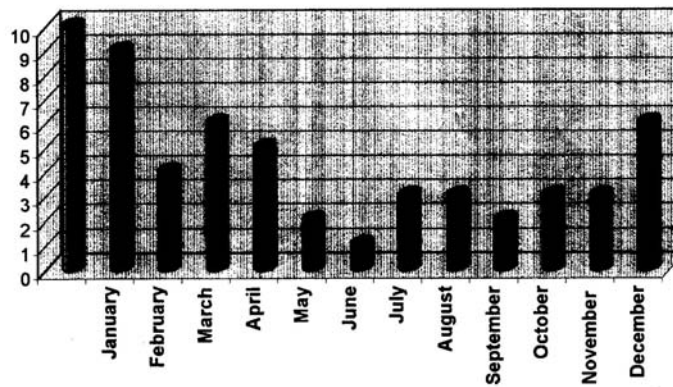
Plano Police Department Website
www.planopolice.org
City of Plano Website
www.ci.plano.tx.us
<http://www.planopolice.org/npo/>

Appendix

Alcohol-Related Accidents Involving Minors in 2001



Alcohol-Related Accidents Involving Minors in 2001



Alcohol-Related Accidents Involving Minors in 2003

