AOD PRACTICE TO POLICY

LESSONS LEARNED & PRACTICAL ADVICE

DR. LAURA OSTER-AALAND - NDSU
JANE VANGSNESS FRISCH - ND UNIVERSITY SYSTEM
PRESENTATION PREVIEW

• Why policy?
• Policy process
• Successes and Failures
• Case Study
• Discussion
WHO ARE WE?

• Prevention professionals dedicated to evidence-based practices

• Inexperienced at policy work

• Learning as we go...
OUR CLIMATES

- 11,000+ undergraduate students
- Land-Grant
- Division I Athletics
- 2 research institutions
- 4 regional universities
- 5 community colleges
- Population: 641,481
- Biennial Legislature
- “Oil Boom” in the West
FARGO

**Demographics**
- Largest city in the state
  - Pop. 105,549
  - Metro Pop. 208,777
- Liquor Control Board
  - Police, City Commission, City Attorney
- 4 college campuses
  - North Dakota State University
  - Minnesota State University
  - Concordia College
  - M-State

**City Policy**
- Over-serving ordinance
- Required server training
- Loud party ordinance
- Compliance Checks
- Sobriety Check Points
ALCOHOL CONTEXT

Drinking in ND
- Past month binge
  - 9th- 12th graders: 30.7%
    - #1 in Nation
  - Adults: 18.7%
    - #5 in Nation (Wis. #1: 21.6%)
- Past month alcohol use
  - Age 15-17: 33.9%
  - Age 18-20: 66.3%
- Fargo: “3rd drunkest city in America”

Alcohol Policy in ND
- Keg Registration
- Power Hour Legislation
- No Statewide Server Training
- No host party laws
- Low tax (last increase 1963)
- 14 year old driving age
## COLLEGE STUDENT DRINKING

### ND CORE - 2010

<table>
<thead>
<tr>
<th></th>
<th>ND - 2010</th>
<th>Nat’l CORE*</th>
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<tbody>
<tr>
<td><strong>Average # of Drinks/Week</strong></td>
<td>4.78</td>
<td>5.2</td>
</tr>
<tr>
<td><strong>5+ drinks/sitting in the past two weeks</strong></td>
<td>48.3%</td>
<td>45.9%</td>
</tr>
<tr>
<td><strong>Marijuana Use (30 days)</strong></td>
<td>12.8%</td>
<td>17.3%</td>
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BACKGROUND & CURRENT RESEARCH

WHY POLICY?
WHY POLICY?

Public Policy is an effective environmental strategy to REDUCE high-risk drinking.¹

¹Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention, 2007; National Institute on Alcohol Abuse and Alcoholism, 2001; U.S. Department of Health and Human Services, 2007; World Health Organization, 2004
THE POLICY PROCESS

WHAT DOES YOUR COMMUNITY NEED?
IDENTIFYING POLICY NEEDS

• What does your data say?
• What ‘works’?
  • www.alcoholpolicy.niaaa.nih.gov
• Talk with law enforcement/local prosecutors
• Network with bar owners and hospitality association
• Use your campus/community coalition
• Look to your neighboring states
• Determine priority legislation for each session
FINDING POLICY CHAMPIONS

• **Legislative Meetings**
  - Invitation from high level administrator
  - Hosted by senior administrators
    - Provide talking points
    - 1.5 hours at the longest, allow for questions and discussions
  - Celebrate the successes on your campus
  - Share what is being done on campus/community
    - Illustrate policies that are there, those that are not
  - Be honest: money is NOT the objective – the objective is education/collaboration/policy!
  - Anticipate objections and provide arguments
  - Positive ‘peer pressure’ is helpful
LASTING CONNECTIONS

• Active campus/community coalitions provide infrastructure for policy work
• Neighborhood associations
• Law enforcement
• Activist groups (MADD, SADD, PTO)
• Liquor industry/hospitality associations

Follow up with these stakeholders consistently!
BUT WAIT...I’M A STATE EMPLOYEE?!

- Review your campus policies
- Consult with legal counsel and/or other administrators
- Understand the difference between lobbying and education
- Find others to champion the cause
POLICY SUCCESSES AND FAILURES
AND EVERYTHING IN BETWEEN
<table>
<thead>
<tr>
<th>Successes</th>
<th>Failures</th>
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<tbody>
<tr>
<td><strong>City</strong></td>
<td><strong>City</strong></td>
</tr>
<tr>
<td>• Power Hour (Voluntary)</td>
<td>• Drink Discounting</td>
</tr>
<tr>
<td>• Over-serving ordinance</td>
<td></td>
</tr>
<tr>
<td><strong>State</strong></td>
<td><strong>State</strong></td>
</tr>
<tr>
<td>• Power Hour Legislation</td>
<td>• Social Host</td>
</tr>
<tr>
<td>• Fake ID Legislation</td>
<td>• Drink Discounting</td>
</tr>
<tr>
<td>• Minor entering liquor establishment</td>
<td></td>
</tr>
</tbody>
</table>
# The Immeasurable
Neither Success nor Failure – But Public Dialogue

<table>
<thead>
<tr>
<th>City</th>
<th>Campus</th>
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</thead>
<tbody>
<tr>
<td>Drink Discounting</td>
<td>Tailgating</td>
</tr>
<tr>
<td>Alcohol License Density</td>
<td>Parental Notification</td>
</tr>
<tr>
<td></td>
<td>Medical Amnesty</td>
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</table>
FAKE ID LEGISLATION

A CASE STUDY
SURE...USE A FAKE ID!

• Bars were unable to confiscate IDs (either fake or false rep.) because of state law
• Those using fake/false IDs were just told to leave - establishments felt helpless!
• Being a border city Fargo/Moorhead put Fargo bars at a disadvantage
• Language change was needed to allow for establishments to confiscate IDs
  • Police to be able to follow-up with the individuals (students)
THE NEED IS IDENTIFIED

- NDSU police chief brought up discrepancy in law
- Consulted with state-wide law enforcement (North Dakota Chiefs of Police Association)
- Consulted with bar owners
A SPONSOR STEPS UP

- Legislative meeting at NDSU
- Several policy suggestions presented
- Local legislator publicly committed to sponsoring
- Follow up by NDSU Police Chief with state senator
A STRATEGY EMERGES

• **Drafting the policy**
  - Research
  - Legislative Council (provide examples from other states)
  - Helping connect policymakers

• **“Promoting” the policy**
  - Educating Administration (SBHE, Chancellor, NDHECSAP, local coalitions)
  - One page fact sheet – talking points
PARTNERSHIPS ARE FORMALIZED

- ND Police Chief Association
- ND University System
- Hospitality Industry

**Unexpected partners**
- North Dakota Student Association

**Unexpected detractors**
- Local Coalition
- Other State Agencies
- Legal Counsel
FOLLOW THROUGH

• **Talking points** for administrators and others who may be called upon to comment

• **Supporting the Bill**
  • Testimony

• Carefully **enlist allies** to ask for votes when they are “off the clock”

• **Tracking the bills**
  • Communicate with all stakeholders
  • Navigating the bill-tracking system
2011 ND Legislative Update and Overview:
Legislation Related to Prevention as of February 22, 2011

SB 2257
Relating to providing a location for underage drinking of alcoholic beverages (social host law)
- The NDHECSAP supports the bill, while proposing amendments that would not require campuses (staff members) to report all instances of underage drinking to law enforcement officers.
  - The Chancellor, and his cabinet, supports this bill with amendments.
- Committee members raised many concerns regarding this bill, most of which centered on increased liability for landowners.
  - 1/24/11: Committee Hearing
  - 2/15/11: Committee reported back, do not pass
  - 2/16/11: Second reading, failed to pass (11 yea, 34 nays)
- For media please see:

SB 2133
Relating to using false identification to obtain alcoholic beverages
- The NDHECSAP supports this bill, along with the Chancellor and his cabinet.
- The initial hearing was very positive on this bill.
  - 1/17/11: Committee Hearing
  - 1/28/11: Reported back amended. Do Pass. Amendment placed on calendar
  - 1/31/11: Amendment adopted, placed on calendar
  - 2/1/11: Second reading, passed (yes 37, nays 10)
  - 2/2/11: Received from Senate
- For media coverage please see:

HB 1212
Relating to the possession and sale of alcoholic beverages at college sporting events
- Members of the House Education Committee questioned the impact this legislation would have on minor league sporting events, and other events (e.g. concerts, performances) held on campuses.
  - 1/20/11: recommended ‘do not pass’
  - 1/24/11: House, second reading, failed (13 yea, 78 nays, 3 absent)
- For media coverage see:

**Timely:** weekly or biweekly

**Overview:** Actual Name, Link to the legislation, Reminder of stance and who allies are

**Timeline:** event dates and what occurred – including: hearings, voting (stats), and next steps

**Media:** Share links to any media that occurred around the proposed legislation
TESTIMONY

• **Know your committee**
  - Find out the committee & their dynamics
  - Who is an ally?

• **Who should testify?**
  - Students have the best ‘pull’
  - Personal stories/impact

• **Tips:**
  - Find out the preferred ‘format’
    - a 3-hole punch goes a LONG way...
    - Be sure to include contact information on testimony
North Dakota University System
SB 2133 – Judiciary Committee
January 17, 2011
Jane Vangsness Frisch

Mr. Chairman, members of the Judiciary Committee. Good Morning. For the record, my name is Vangsness Frisch, Director of the Higher Education Consortium for Substance Abuse Prevention, an initiative of the North Dakota University System.

The Chancellor, the North Dakota University System, and the Higher Education Consortium for Substance Abuse Prevention support Senate Bill No. 2133: to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to using face identification to obtain alcoholic beverages.

Research has consistently demonstrated that underage alcohol use by college students hinders students’ development, health and ultimately success at college. The campuses in the North Dakota University System recognize these issues and work collaboratively utilizing the environmental management model of prevention to address them. This approach recognizes that the decisions college students make about alcohol use are shaped by their entire environment. Thus, the most effective and resource-efficient way of reducing high-risk use of alcohol in the general student population is to change that environment, primarily through institutional, community, and public policy changes.1

Passing this bill is one such strategy that would be considered an environmental management approach to prevention. Research from 2008 North Dakota CORE Drug and Alcohol survey, which surveyed a representative sample of students from all North Dakota University System Campuses and Laramie College, revealed that 6.9%, or approximately 2,300 students, have used a fake or false ID to obtain alcohol underage.2 Although, it is not the majority of our students that are engaging in this illegal behavior it is a critical mass of young people and is concerning, especially since research also tells us that students who use fake or false IDs also consume alcohol in more risky ways.3

Currently, if an underage person uses a fake ID or an ID of another individual, and the server recognizes the fraud, it is illegal for them to confiscate that ID. Often this results in the individual leaving the premises before law enforcement arrives; and the opportunity to use the fake or false ID in another establishment. The passing of this bill would allow those selling the alcohol to confiscate the fake or false ID from the individual attempting to purchase the alcohol, which are often times actual IDs that have been ‘borrowed’ from a friend, older sibling, or bought from someone that resembles the underage person. Removing these IDs from circulation is an important tool to help deter youth from attempting to purchase alcohol illegally, and this bill would enable the confiscation and follow-up from law enforcement.

Although underage alcohol use will not be eliminated by passing this bill, it is one more way to partner with law enforcement officials, and the alcohol industry, in limiting underage access to alcohol and ultimately enabling some of our students to reach their fullest potential.

Thank you for your time. I would be pleased to answer any questions the committee might have.

3 2008 North Dakota CORE Drug and Alcohol Survey Results
TRACKING EVIDENCE OF SUCCESS

• **Track the votes**
  - Determine your allies and challengers

• **Watch for unintended consequences of legislation**
  - Concerns about ‘locking up’ the ID
  - Be a part of solutions to resolve the issue

• **Record evidence of success**
  - “Fake I.D. Busts Net 6 Arrests”, officer attributes success in enforcement to new ID law (KFGO Radio)

• **Engage in formal evaluation if possible**
• **Anyone can do this work**
  - Well... almost...
  - Enjoy the process/game

• **It isn’t a failure if it fails**
  - Persistence is key

• **Communicate with EVERYONE**
  - Avoid surprises
  - This isn’t personal!

• **On the fly...**
  - Be prepared for being unprepared
    - Back-up, organize information, template, recycling arguments
HANDOUTS

- Testimony
- “What is HB1307?” Document
- Resources
  - Alcohol Policy Information system
    www.alcoholpolicy.niaaa.nih.gov
  - Alcohol Policy 16 Conference
    http://www.silvergategroup.com/ap16/index.htm
  - Alcohol Justice (formerly The Marin Institute)
    http://alcoholjustice.org/
  - Alcohol: No Ordinary Commodity (2010)
DISCUSSION

• What are the **current policy needs** on your campus? Your community?

• What are the **barriers** that keep you from engaging in policy work?

• What are the **assets** you have for successful policy work?

• What **successes have you had** with policy?
REFERENCES


QUESTIONS?

• Laura Oster-Aaland, PhD
  Director, Orientation and Student Success
  North Dakota State University
  laura.oster-aaland@ndsu.edu

• Jane Vangsness Frisch
  Director, ND Higher Education Consortium for Substance Abuse Prevention
  North Dakota University System
  jane.vangsness@ndsu.edu
Mr. Chairman, members of the Judiciary Committee. Good Morning. For the record, my name is Jane Vangsness Frisch, Director of the Higher Education Consortium for Substance Abuse Prevention, an initiative of the North Dakota University System.

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2011 NDHECSAP ND Legislative Update and Overview:
Legislation Related to Prevention

HB 1307: Relating to individuals under twenty-one years of age allowed in alcoholic beverage establishments

What is HB 1307:

- This bill is seeking to allow individuals under the age of 21 to enter a licensed establishment, while alcohol is being sold, if the individual is in the premises to consume a meal.
- Proposed Language:
  “An individual under twenty-one years of age may enter and remain on a licensed premises while alcohol is being sold or displayed if the individual is in the premises to consume a meal, the premises serves at a tabletop food that is prepared in a kitchen with at least an indoor grill, and the premises prohibits the smoking of tobacco.”
- Changes Century Code to allow individuals under twenty-one to enter and remain in an establishment that sells or displays alcohol if that person is there to consume a meal.
- The intent was to provide more options for dinning out in smaller communities.

What is the current law regarding those under the age of 21 in bars/restaurants:

- “An individual under twenty-one years of age may not remain in a restaurant where alcoholic beverages are being sold except if the restaurant is separated from the room in which alcoholic beverages are opened or mixed and gross sales of food are at least equal to gross sales of alcoholic beverages which are consumed in the dining area, or if the individual is employed by the restaurant”

Concerns about HB1307:

- “Table top food” is not defined.
- There isn’t a definition of ‘meal’.
- “Prepared in a kitchen with at least an indoor grill” is not defined. Many items are considered a ‘grill’ (e.g. pizza ovens, ‘George Foreman’ grills)
- This would allow people of any age to sit in a bar for as long as they would like “to consume a meal.”
- Underage access to alcohol would be increased; any age could enter a bar at any time and establishments/servers would have a hard time monitoring who was or wasn’t actually consuming the alcohol.