

REPORT TO CONGRESS ON THE PREVENTION AND REDUCTION OF UNDERAGE DRINKING

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**U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201**



Colorado

State Profile and Underage Drinking Facts

State Population: 5,029,196
Population Ages 12–20: 570,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	32.1	183,000
Past-Month Binge Alcohol Use	19.7	112,000
Ages 12–14		
Past-Month Alcohol Use	10.1	19,000
Past-Month Binge Alcohol Use	3.5	7,000
Ages 15–17		
Past-Month Alcohol Use	29.6	58,000
Past-Month Binge Alcohol Use	18.5	36,000
Ages 18–20		
Past-Month Alcohol Use	57.2	106,000
Past-Month Binge Alcohol Use	37.4	69,000
Alcohol-Attributable Deaths (under 21)		Number 74
Years of Potential Life Lost (under 21)		4,442

	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	20.0	14

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Private location AND
- Parent/guardian

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private location AND
- Parent/guardian

Internal Possession by Minors

Internal possession is prohibited with the following exception(s):

- Private location AND
- Parent/guardian

Underage Purchase of Alcohol

Purchase is prohibited and there is NO ALLOWANCE for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver's license suspension through a judicial procedure.

Provision(s) Targeting Suppliers

- It is a criminal offense to lend, transfer, or sell a false ID.

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Retailers are permitted to seize apparently false IDs.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.
- Retailer has the authority to detain a minor suspected of using a false ID in connection with the purchase of alcohol.

Laws Targeting Underage Drinking and Driving

Blood Alcohol Concentration Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of Violation Leading to Driver’s License Suspension, Revocation, or Denial

- Underage purchase
- Underage possession
- Underage consumption

Authority to Impose Driver’s License Sanction

- Mandatory

Length of Suspension/Revocation

- Minimum: Not specified
- Maximum: 90 days

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15
- Minimum learner-stage period: 12 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 16
- Unsupervised night driving prohibited after: 12 a.m.
- No primary enforcement of the night-driving rule
- Passenger restrictions exist: For first 6 months, no passengers under 21 unless immediate family member; second 6 months, only one passenger under 21 who is not immediate family
- No primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 17

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited with the following exception(s):

- Private location AND
- Parent/guardian

Compliance Check Protocols

Age of Decoy

- Minimum: 18
- Maximum: 20

Appearance Requirements

- Age-appropriate appearance with no age enhancements

ID Possession

- Discretionary

Verbal Exaggeration of Age

- Prohibited

Decoy Training

- Not specified

Penalty Guidelines for Sales to Minors

- Time period/conditions: 1 year
- 1st offense: Written warning, up to 15 -day license suspension, or fine
- 2nd offense: 5- to 30-day license suspension
- 3rd offense: 20- to 45-day license suspension
- 4th offense: 45-day or more license suspension or license revocation

Note: List of aggravating and mitigating factors is provided. Responsible alcohol vendors receive a warning on the first offense.

Responsible Beverage Service

Voluntary Beverage Service Training

- The law does not specify on- or off-sale establishments.
- The law does not specify new or existing outlets.

Incentive for Training

- Mitigation of fines or other administrative penalties for sales to minors

Minimum Ages for Off-Premises Sellers

- Beer: 21
- Wine: 21
- Spirits: 21

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Condition(s) That Must Be Met in order for an Underage Person To Sell Alcoholic Beverages

- Manager/supervisor is present.

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on damages: \$280,810 per person
- Limitations on elements/standards of proof: Knowledge of underage status

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on damages: \$280,810 per person
- Limitations on elements/standards of proof: Knowledge of underage status

Host Party Laws

There is no State-imposed liability for hosting underage drinking parties.

Direct Sales/Shipments from Producers to Consumers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age Verification Requirements

- Common carrier must verify age of recipient.

State Approval/Permit Requirements

- Producer/shipper must obtain State permit.

Reporting Requirements

- Producer must record/report purchaser's name.

Shipping Label Statement Requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

Registration is not required.

Home Delivery

- Beer: Permitted—State permit required
- Wine: Permitted—State permit required
- Spirits: Permitted—State permit required

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

Specific Excise Tax: \$0.08 per gallon

Wine (12 percent alcohol)

Specific Excise Tax: \$0.32 per gallon

Spirits (40 percent alcohol)

Specific Excise Tax: \$2.28 per gallon

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Minimum markup/Maximum discount: Yes—no sales below cost
- Retailer credit permitted: Yes—30 days maximum

Wine (12 percent alcohol)

- Minimum markup/Maximum discount: Yes—no sales below cost
- Retailer credit permitted: Yes—30 days maximum

Spirits (40 percent alcohol)

- Minimum markup/Maximum discount: Yes—no sales below cost
- Retailer credit permitted: Yes—30 days maximum

Colorado State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Department of Revenue/Liquor Enforcement Division (LED)	
<i>Methods by which local and State enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> LED provides training to and conducts enforcement with local and county law enforcement agencies. These operations include compliance checks, party patrols, and event patrols. LED and local law enforcement also conduct independent enforcement operations. LED, as recipient of the Enforcing Underage Drinking Laws (EUDL) Grant, awards subgrants to several local and county law enforcement agencies and works jointly with these agencies in enforcing underage drinking laws. EUDL subgrantees work with community-based organizations that provide programs and services that enhance local enforcement efforts.	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary State agency responsible for enforcing laws	Department of Revenue/Liquor Enforcement Division
addressing direct sales/shipments of alcohol to minors	Yes
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession ¹ by State law enforcement agencies	331
Number pertains to the 12 months ending	12/31/2010
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by State agencies	1323
Number of licensees that failed State compliance checks	253
Numbers pertain to the 12 months ending	12/31/2010
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Data not collected
Number of licensees that failed local compliance checks	Data not collected
Numbers pertain to the 12 months ending	Data not collected
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the State ³	No
Total amount in fines across all licensees	Data not collected
Numbers pertain to the 12 months ending	Data not collected
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
	Yes

Number of suspensions imposed by the State ⁴	269
Total days of suspensions across all licensees	No data
Numbers pertain to the 12 months ending	12/31/2010
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁵	0
Numbers pertain to the 12 months ending	12/31/2010
Additional Clarification	
No data	

¹ Or having consumed or purchased per State statutes

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

³ Does not include fines imposed by local agencies

⁴ Does not include suspensions imposed by local agencies

⁵ Does not include revocations imposed by local agencies

Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking

Persistent Drunk Driver

Number of youth served	246,724
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	06/30/2010
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report	Not applicable
URL for more program information	No data

Program description: Pursuant to legislation passed in 1998, penalties were increased for high blood alcohol concentration (BAC) and repeat driving under the influence (DUI) offenders. Referred to as the Persistent Drunk Driver (PDD) Act of 1998, this legislation defined the PDD program and created the PDD Cash Fund, which is funded by a surcharge imposed on convicted driving while alcohol impaired (DWAI)/DUI offenders. Monies in the PDD fund are subject to annual appropriation by the general assembly, with the scope of their use stipulated by statute. Overall, the primary purpose of the fund is to support programs intended to prevent persistent drunk driving or intended to educate the public, with particular emphasis on the education of young drivers regarding the dangers of persistent drunk driving.

Authorizing legislation/grant: C.R.S 42-3-303, et seq. (House Bill 98-1334) sponsors Hopper/Hagedorn.

Population served: Programs, practices, and approaches cover a wide range of prevention activities including collaboration with local organizations; conducting educational programs for young people, parents, enforcement officials, community and business leaders, healthcare providers, school personnel, and others; promoting governmental and voluntary policies to promote alcohol-free activities for citizens; and restricted access to alcoholic beverages.

Underage Drinking Prevention Programs Operated or Funded by the State: Programs RELATED TO Underage Drinking

Law Enforcement Assistance Funds

URL for more program information: No data

Program description: The Law Enforcement Assistance Fund (LEAF) increases the capacity for comprehensive impaired driving education and underage drinking prevention at the local level.

Authorizing legislation/grant: CRS 43-4-401 et seq. allocates a portion of funds to the Colorado Department of Human Services, Division of Behavioral Health. These dollars are used to establish a statewide program for the prevention of driving after drinking, including educating the public about the problems of driving after drinking, preparing and disseminating educational materials dealing with the effects of alcohol and other drugs on driving behavior, and preparing and disseminating educational curriculum materials for use at all levels of school.

Population served: Across Colorado, individuals, organizations, and community coalitions are actively engaged in broad-based and coordinated activities designed to reduce underage access to alcohol and to prevent impaired driving. These programs, practices, and approaches cover a wide range of prevention activities including collaboration with local organizations; conducting educational programs for young people, parents, enforcement officials, community and business leaders, healthcare providers, school personnel, and others; and promoting governmental and voluntary policies to promote alcohol-free activities for citizens and to restrict access to alcoholic beverages for underage persons.

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized Tribal governments in the prevention of underage drinking Yes

Description of collaboration: Ignacio, CO, a multiethnic community with a Native American presence, has undertaken a 5-year approach affirming a course correction in its prevention strategy. With the Boys and Girls Club (BGC) of the Southern Ute Indian Tribe and the Ignacio School District, Southern Ute Community Action Programs (SUCAP) conducts evidence-based programming covering a younger age group. The BGC Stay Smart program targets youth ages 9 to 11, with a Native Hip Hop adaptation of the Smart Leaders program creating a role for youth ages 12 and older. SUCAP operates Project Venture, an afterschool activity combining classroom concept-building with challenging outdoor activities developed for Native communities. Outreach is based on relationship building with youth in the schools and the Ignacio Teen Center to create a continuum of contacts and dosage along with process and outcome evaluation.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing Yes

Program description: Corona Insights, on behalf of Peter Webb PR, conducted the following research to aid the development of a social norming campaign for Western State College as part of the PDD program. This research, conducted during the beginning of the Fall semester 2010, works to identify the current state of student perceptions regarding alcohol use and driving while impaired, actual behavior related to driving under the influence, and awareness of drinking and driving media messages. This survey's goal was to establish a baseline for the 2010-2011 campaign as well as to continue informing future campaigns.

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Best practice standards description: Each funded agency is required to present and follow programs that are evidence based and data driven. They are allowed to choose from many different evidence-based curriculums with the intention of reducing the percentage of underage drinking in their particular community. Data is collected from each provider every month. At the end of the fiscal year, evaluation reports with aggregate data will be collected to determine the overall effectiveness of each individual program as well as the underage drinking prevention program as a whole.

Additional Clarification

No data

State Interagency Collaboration

A State-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Christine Flavia

Email: christine.flavia@state.co.us

Address: 3824 W Princeton Circle, Denver, CO 80236

Phone: 303-866-7503

<i>Agencies/organizations represented on the committee:</i>	
Colorado Department of Revenue/Division of Motor Vehicles	
Colorado Department of Transportation/Office of Transportation Safety	
Colorado Judicial Department/Division of Probation Services	
Colorado Department of Human Services/Division of Behavioral Health	
<i>A Web site or other public source exists to describe committee activities</i>	No
<i>URL or other means of access</i>	Not applicable

Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Unsure
Prepared by	No data
Plan can be accessed via	No data
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Colorado Department of Human Services/Division of Behavioral Health	
Plan can be accessed via: http://www.colorado.gov/cs/Satellite?c=Page&childpagename=CDHS-BehavioralHealth%2FCBONLayout&cid=1251581449373&pagename=CBONWrapper	
Additional Clarification	
No data	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of State funds expended	\$665,914
Estimate based on the 12 months ending	06/30/2011
<i>Checkpoints and saturation patrols:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs that target youth in the child welfare system:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Other programs:</i>	
Programs or strategies included: Persistent Drunk Driver Law Enforcement Assistance Funds	
Estimate of State funds expended	\$665,914
Estimate based on the 12 months ending	06/30/2011

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No data
Fines	Yes
Fees	Yes
Other	No data

Description of funding streams and how they are used:

The Division of Behavioral Health's Community Prevention Programs are committed to the development, expansion, and maintenance of the State prevention system by allocating Federal and State resources to support this effort. The strategies align with the SAMHSA Strategic Prevention Framework (SPF) model. Comprehensive primary prevention programs, practices, and approaches are activities and services provided in a variety of settings for both the general population and targeted subgroups who are at high risk for substance abuse. Primary prevention is directed at individuals who do not require treatment for substance abuse. In implementing comprehensive primary prevention programs, practices, and approaches, the State of Colorado uses a variety of strategies and initiatives to address alcohol, tobacco, and drug use. The intention of the PDD fund is for each agency to work from its unique entry point and begin to move through various steps of the SPF model over the period of the contract.

Additional Clarification

No data