
YOUTH,
ALCOHOL,
and the LAW.

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FINAL REPORT

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Report to the Wisconsin Council on Alcohol and Other Drug Abuse

The Report was prepared by the Bureau of Alcohol and Other Drug Abuse, Division of Community Services, Department of Health and Social Services in December 1978.

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Youth, Alcohol and the Law
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SUMMARY OF RECOMMENDATIONS

INDIVIDUALS

1. Increase direct personal actions to prevent and intervene in youthful alcohol abuse.
2. Change parental, other adult behaviors, attitudes and examples.

COMMUNITY ACTIONS

3. Establish local commissions, committees on youth.
4. Restrict the use of alcohol in public, by local ordinance.
5. Tighten local alcohol beverages sales licensing practices.
6. Develop local interagency prevention, intervention programs.
7. Focus local enforcement on unlawful sellers, furnishers to minors.
8. Increase police cooperation with schools to enforce existing laws.
9. More vigorously prosecute unlawful sellers, furnishers.
10. Develop local diversion programs for youthful drinking offenders.
11. Improve local schools' preventive education, student services, schools codes, community cooperation.
12. Improve local agencies' cooperation and expand services directed toward youth.

ADVERTISING

13. Eliminate youth-oriented, life-style advertising for alcoholic beverages.
14. Develop voluntary alcohol beverage advertising guidelines.
15. Prohibit radio and television advertising of alcoholic beverages.
16. Require warning labels and messages.
17. Mandate and fund mass media campaign.

STATE LEVEL EFFORT

18. Mandate and fund comprehensive prevention, intervention and treatment programs in the Department of Health and Social Services.
19. Mandate and fund expansion of DPI alcohol and other drug abuse activities.
20. Employ two full-time DPI staff for this purpose.
21. Develop coordinated DHSS-DPI 5-year plan.
22. Train local agencies in alcohol control law administration.
23. Raise alcohol beverage tax to support alcohol programs.

THE LAW

24. Prohibit possession and use of alcoholic beverages in schools by statute.
25. Limit Class "A" and "Class A" licenses to package stores.
26. Prohibit entry by unaccompanied minors.
27. Mandate minimum fine for sale.
28. Permit treatment with minor's consent.
29. Do not change "Legal Drinking Age," implement above recommendations.

1. Introduction

Under s. 14.24 Wis. Stats., the Council on Alcohol and Other Drug Abuse is responsible for considering all questions and matters relating to the prevention of alcohol abuse; for coordinating, reviewing and recommending efforts by State agencies to prevent and control alcohol abuse; and, making public reports to educate and inform the people of the dangers, problems, and measures to combat alcohol and other drug abuse.

Public concerns over the problems associated with youthful alcohol abuse have generated statewide interest in new measures to prevent the abuse of alcohol by minors and young adults.

In accordance with its statutory duties and responsibilities, the Council on Alcohol and Other Drug Abuse appointed a special panel, headed by Senator Gary Goyke, Chairman Pro-Tem, to:

Determine the nature, extent, causes and influences on youthful alcohol abuse in Wisconsin; and,

Make recommendations for legislative, administrative and community actions to reduce and prevent alcohol abuse; and, to effectively treat and rehabilitate its youthful victims.

In preparation for its study of youthful alcohol abuse in Wisconsin, the panel directed staff of the Bureau of Alcohol and Other Drug Abuse to conduct a comprehensive review of the literature and to undertake specific research in areas related to the issue. The results of those efforts were contained in a report, Youth, Alcohol and the Law: Issues for Public Discussion, published by the Wisconsin Department of Health and Social Services in August, 1978 and in subsequent special reports on regional indicators, legal aspects and opinion surveys issued during the period August through October of 1978. Those reports were widely distributed throughout the State and reviewed by members of the Council, the special hearing panel, potential witnesses, the press and the general public.

During the month of September, the panel held public hearings in five different areas of the State including urban, rural, and suburban, cities and industrial, farming, and governmental centers in the Lake Winnebago District, North Central, Northwestern, Southeastern, and South Central districts.

Invitations to appear were issued to school administrators; law enforcement agencies; youth agencies; health, welfare and social service agencies; parents organizations; young people's organizations; county supervisors; tavern keepers and other licensed alcohol beverage retailers; and juvenile authorities throughout

the State. In addition to those invitations, more than one hundred media announcements were aired or published in the hearing areas, encouraging the general public to attend and appear or to share their observations and recommendations with the panel by writing to its chairman.

During the course of those hearings, the panel received testimony from one hundred sixteen persons representing themselves as individuals or organizations with combined memberships of several thousand persons. These hearings produced a wide range of observations as to the nature, extent, causes and influences on youthful alcohol abuse; and, approaches and recommendations for actions to reduce, prevent, treat and rehabilitate youthful victims of alcohol abuse.

During the months of October and November, 1978, the panel reviewed the research, testimony and written materials obtained during public hearings and examined the State's and individual communities' present approaches to the problems of youthful alcohol abuse, formulating its findings and recommendations.

This report is the result of those efforts. It is our hope that it will provide the Council on Alcohol and Other Drug Abuse, other State agencies and legislative bodies, and the people of Wisconsin with a better understanding of the nature, extent, causes and influences on youthful alcohol abuse; and, will encourage the people of this State to take positive actions to reduce and prevent alcohol abuse and to improve treatment and rehabilitation services to its youthful victims.

II. PROBLEMS

A. CONCERNS

Since 1976 individual legislators, legislative subcommittees and the Council on Alcohol and Other Drug Abuse have held numerous public hearings throughout the state on a variety of youthful alcohol-related problems and legislative proposals directed toward the prevention of alcohol abuse in Wisconsin.¹

In testimony at those hearings and in other public forums, the people of Wisconsin have expressed particular concern about the problems associated with an apparent increase in youthful alcohol abuse.²

Among those most visibly concerned about the use and abuse of alcohol by young people are organizations associated with the secondary school system in Wisconsin, parents' organizations, highway safety groups, law enforcement and alcohol and other drug abuse treatment agencies.³

Testimony, public debate and discussion of the problems and the need for more effective measures to prevent youthful alcohol abuse have focused on three principal issues:

1. Youthful Alcoholism and Alcohol Abuse

Increasing numbers and lower ages of young people identified as alcoholic and/or otherwise dysfunctional due to alcohol abuse.⁴

2. Threats to Highway Safety

Increasing numbers of motor-vehicle, pedestrian, motorcycle crashes, death, injury and property damage, caused by alcohol-impaired youthful drivers.⁵

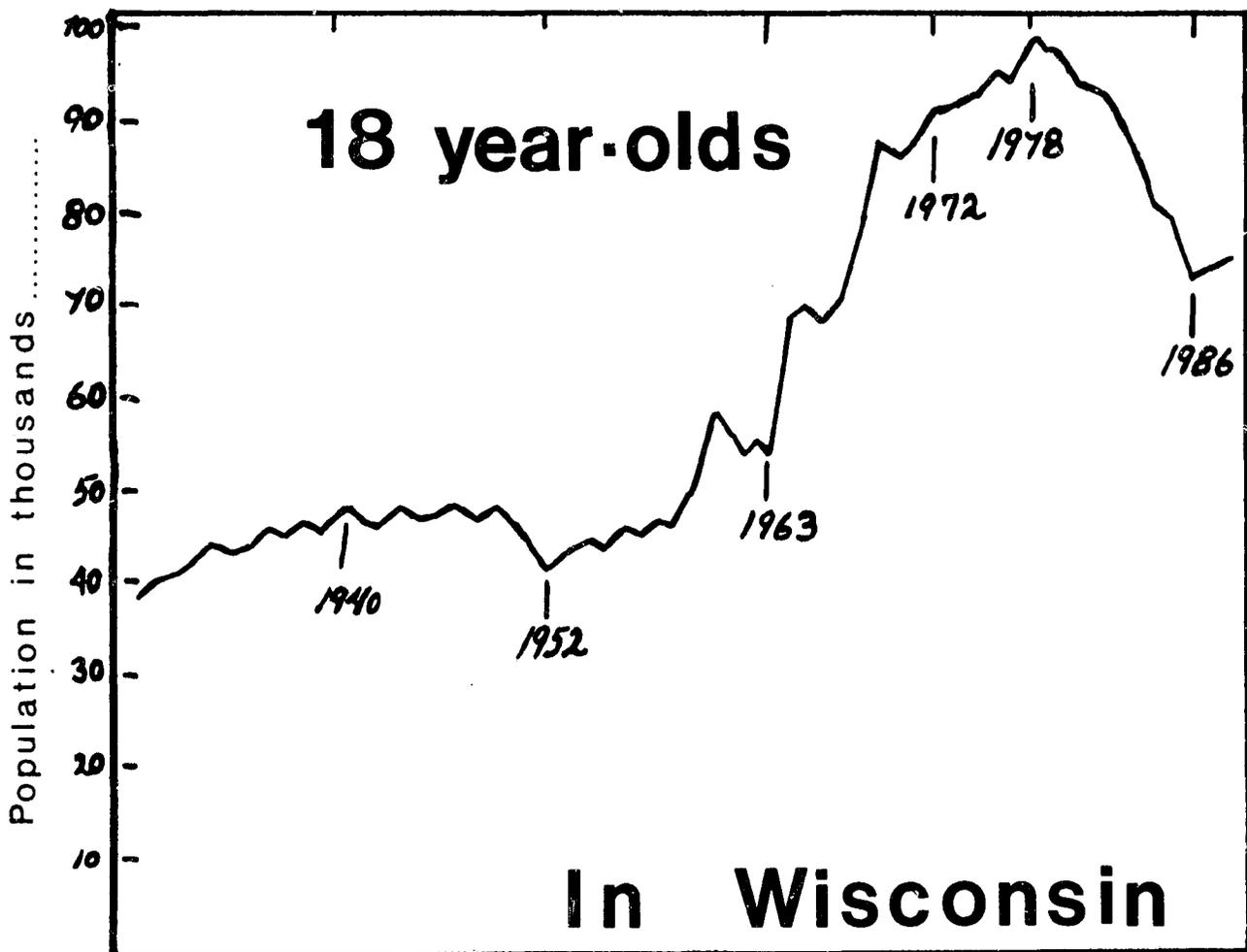
3. Threats to Peace and Public Safety

Increasing numbers of disrupted classroom and extra-curricular activities, vandalism, sexual assaults, disturbances of the peace, disorderly conduct, threats to public safety and other crimes and misdemeanors involving alcohol-intoxicated youth and young adults.⁶

B. FACTS AND DISCUSSION

Since 1960, the number of young people ages 15 through 24 have almost doubled, increasing from 506,718, 17.4% of Wisconsin's total population, to an estimated 980,596, 21.1% of the population in 1978 (Illustration 1). Persons ages 13 through 19 currently number approximately 706,486. They constitute 15.9% of Wisconsin's residents. However, the number and ratio of persons aged 13 through 18 to total population is expected to decline rapidly over the next five years.⁷

Illustration.....1.



The recent precipitous and significant increases in both the number and ratio of teenagers and young adults to the total population have particular relevance to the problems discussed below.

I. YOUTHFUL ALCOHOLISM AND ALCOHOL ABUSE

It is estimated that 28% of the nation's teenagers are "problem drinkers" and that there are one million teenage alcoholics among them.⁸ Based on those estimates, there are approximately 185,743 "problem drinkers" and 13,936 alcoholics 13 through 19 in Wisconsin.

Identified and treated as delinquents and processed through the juvenile justice system, teenage problem drinkers and alcoholics were infrequently counted or noted as such prior to the mid-1960's. The average age of alcoholics identified within Wisconsin's community mental health services system in 1968 was 42, with no alcoholics having been admitted under the age of 28. From 1968 through 1975, the average age of alcoholics served in Wisconsin alcohol and other drug abuse services programs, excluding victims of Fetal Alcohol Syndrome, dropped to 31.

In 1975, Wisconsin's Unified Services system served 27 alcoholics between the ages of 6 and 17, and ten alcoholics aged 18-19.

Youth workers, law enforcement agencies and school officials indicate that the number of teenage problem drinkers and alcoholics identified in Wisconsin communities are increasing. Many such agencies report having encountered their first teenage alcoholic within the past ten years, some within only the past five years.⁹

With the reduction in the age of majority in 1972; alcoholics and problem drinkers aged 18, 19 and 20 became entitled, under s. 51.45 Wis. Stats. to emergency care and treatment for those disabilities. Persons under the age of 18 with similar problems, however, are not. Except for those 18 or older, teenage alcoholics and problem drinkers are treated as delinquents in the juvenile justice system, and consequently, avoid identification and treatment for their alcoholism or alcohol abuse.

2. THREATS TO HIGHWAY SAFETY

Young drivers are more frequent victims of and more frequently at fault in fatal motor vehicle crashes than older drivers. (See Table 2).

In 1975, a study of data accumulated over 6 years through the Wisconsin program for blood testing of traffic fatalities found no significant increase in alcohol-involved traffic fatalities among youthful drivers and no significant change in the percentage of drivers tested with blood alcohol levels in excess of .05% following the change from availability of beer only to statewide availability of all alcoholic beverages at age 18.¹⁰

A 1978 Bureau of Alcohol and Other Drug Abuse study of data for the ten-year period, 1968-1977 found no evidence that the change in the law had effected any change in the rate or rate of increase in alcohol-involvement in youthful highway crashes.¹⁵ (Appendix A.)

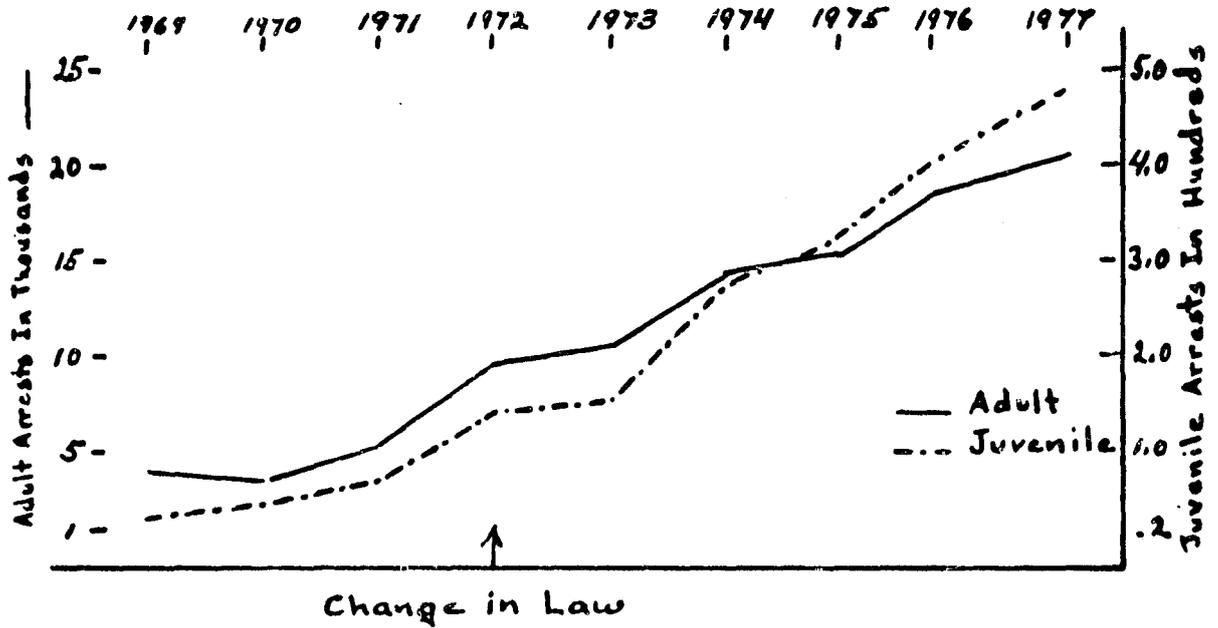
In 1973, the rate of alcohol-involved deaths per 100,000 drivers aged 18-20 rose, within the normal range of probability, to exceed the rate for all other driver age groups. Since 1973, the annual fluctuations in the rate of alcohol involvement in 18-20 year old driver fatalities have generally paralleled those of 21-24 year olds, with no statistically significant differences between the two age groups. (See Tables 1, 2, 4, 5.)

The rate of reported alcohol-involved fatal, property damage and personal injury crashes for 18-20 year olds decreased by 1/3, from 1238.85 in 1972 to 827.02 in 1977. (See Table 1-B.)

Except for persons aged 25-34, the proportion of alcohol-involvement by all persons tested in 1976 fatal crashes increased over previous years and subsequently declined in 1977. (See Table 3.)

Arrest rates for driving under the influence have continuously increased for all age groups since 1969. (See Table 6.) Arrest trends for juveniles and adults in this category show no statistically significant changes or differences in the trend over the period 1969-77 (Illustration 11).

DRIVING UNDER THE INFLUENCE



Youthful alcohol-involved drivers continue to pose significant hazards to themselves and others on Wisconsin's highways. (See Table 1.)

Comparisons of Wisconsin highway data to those of other states show few significant differences. Between 1968 and 1974, the number and rate of alcohol-related highway crashes involving youthful drivers aged 16-20 increased in most states, regardless of their legal "drinking age". Studies comparing youthful alcohol-involved crashes in Michigan, Maine and Vermont (legal "drinking age" 18 in 1972) with Texas and Louisiana (legal "drinking age" 18 in 1970) and New York (legal "drinking age" 18 in 1962) found no statistically significant changes attributable to lowering the age in Maine or Vermont (Douglass, Filkins and Clark, 1974)(Zylman, 1976). The same authors disagreed as to the significance and validity of the Michigan data.¹¹

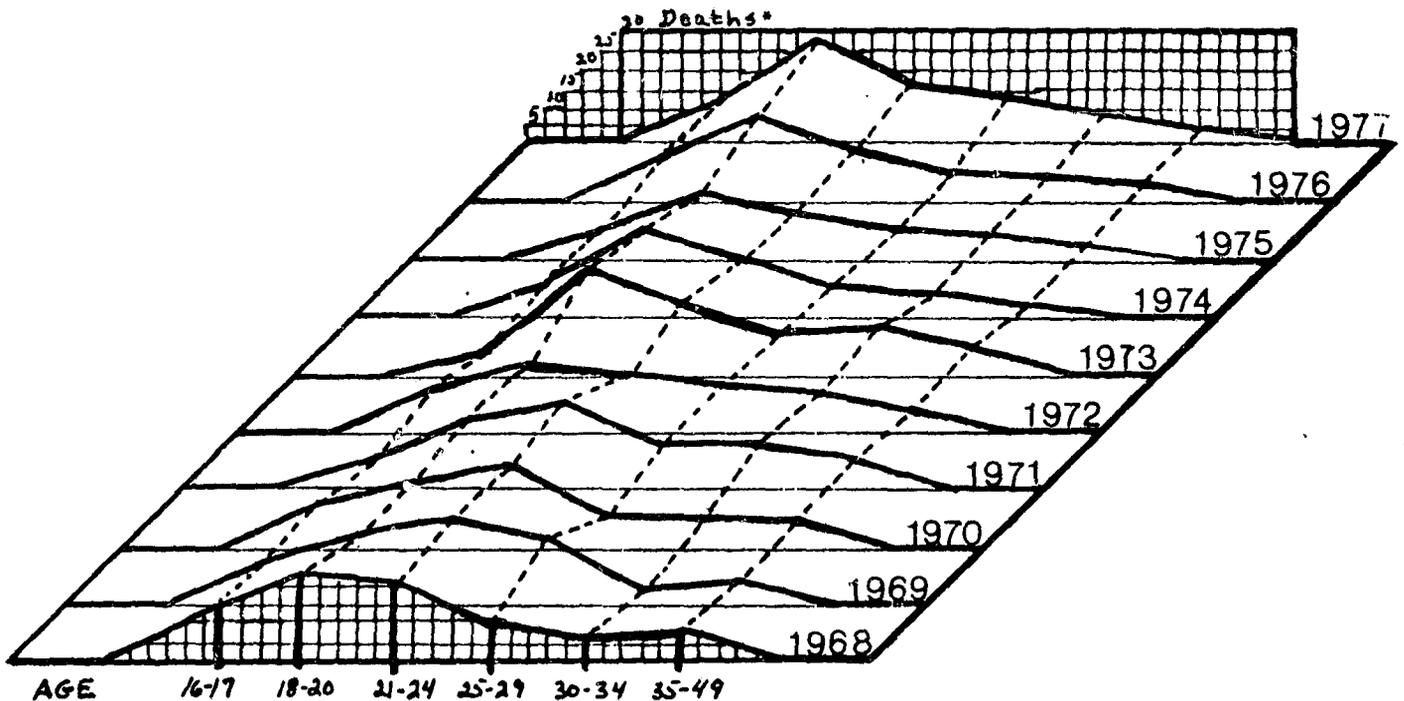
Nationwide studies show that youthful alcohol-involved highway incidents have increased in states with 21 year-old legal "drinking ages" as well as in 18 and 19 year-old "drinking age" states.¹²

In Wisconsin, as in most other states, highway crashes have generally decreased since 1974 for all driver age groups. Though the rate of alcohol-involved crashes remains high for youthful drivers, aged 16-24 in comparison with other age groups, it has been lower for 18-20 year olds in each of past three years than in any of the preceding five. (See Table I-B.)

Illustration... II.

Alcohol- involved Driver Deaths *

1968 - 77



* Per 100,000 licensed drivers

3. THREATS TO PEACE AND PUBLIC SAFETY

The involvement of juveniles and young adults in acts of vandalism, sexual assault, disorderly conduct, other assault, disturbances of the peace and other crimes and misdemeanors have historically been disproportionate to their numbers. It is estimated that 57% of the adults arrested for similar offenses were alcohol-involved at the time of the commission of the offense.¹³ Studies by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) of youthful alcohol-involvement indicate that alcohol is involved in 27%-43% of youth (13-19) offenses.¹⁴ During the period 1968 through 1977 both adult and juvenile arrest rates for and incidences of alcohol-related offenses have steadily increased. (See Tables 7, 8, 9, 10.)

There are no significant differences between adult and juvenile arrest-rate increases during the past nine years for assaults or disorderly conduct, both of which have high correlations with alcohol-involvement. (See Illustrations IV, V.)

Illustration... IV

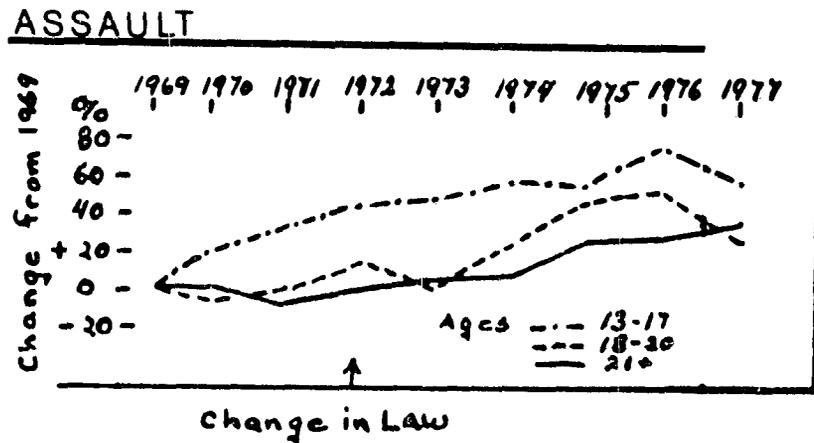
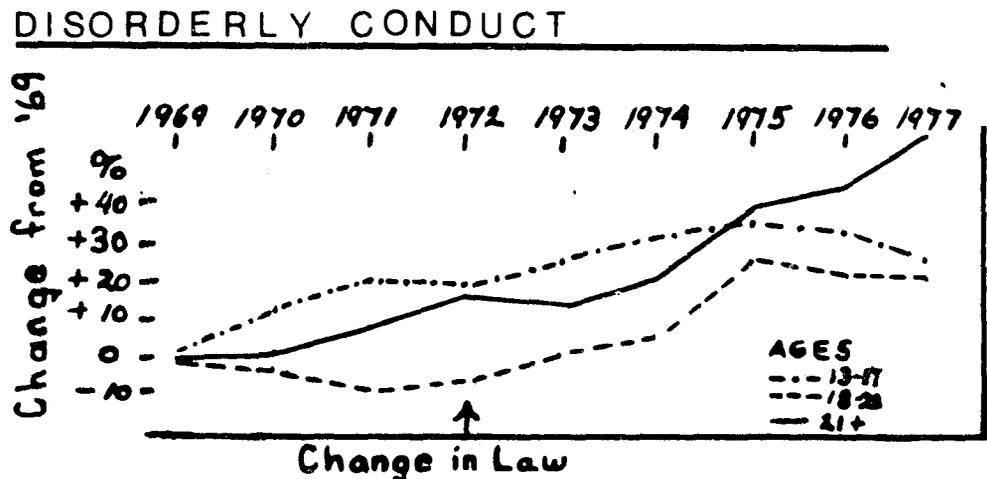


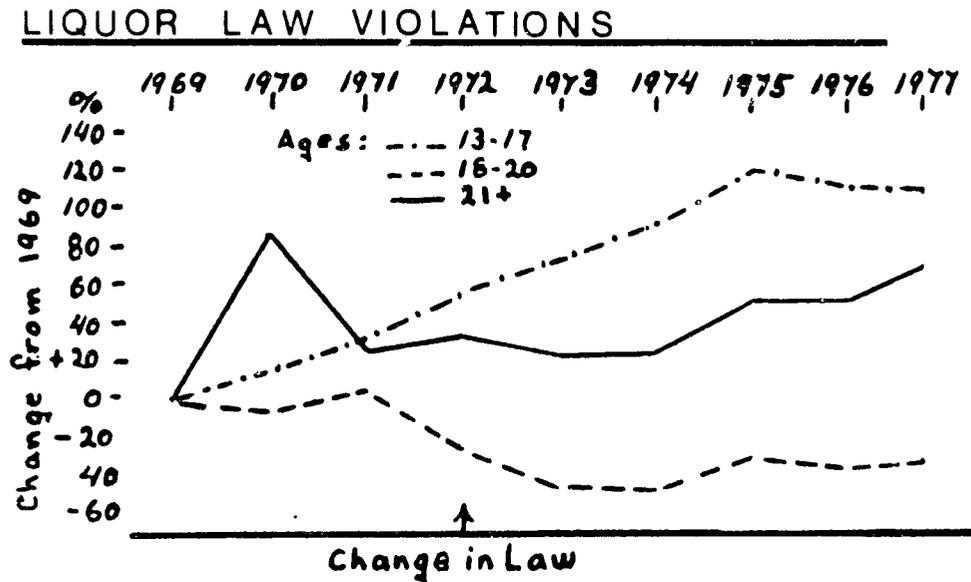
Illustration... V



Neither juvenile nor adult arrest data for those indicator offenses show any significant trend changes during any period between 1969 and 1977 (Tables 7, 10).

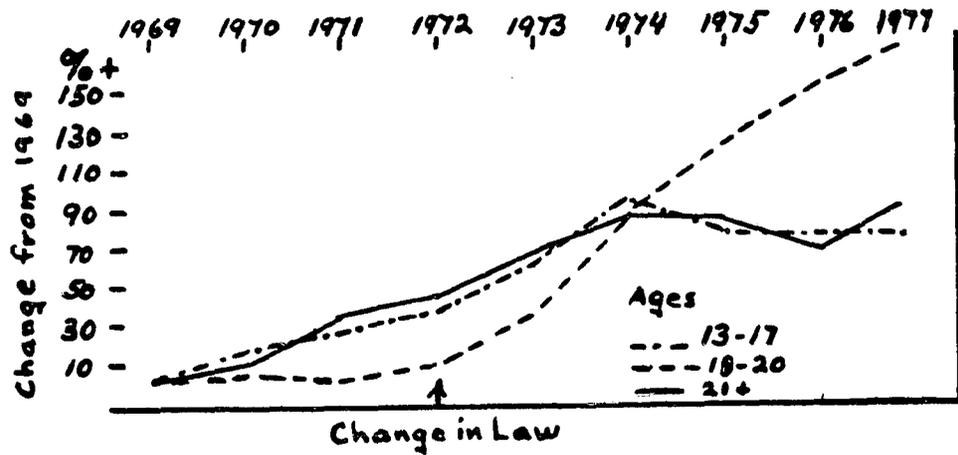
For juveniles aged 13-17, arrest rates for liquor law violations rose steadily from 1969 through 1975 and declined from 1975 to 1977. Adult arrests for the same offense increased moderately throughout the period. The change in the "drinking age" appears to have had some effect on young adult (18-20) arrests for liquor law violations (Illustration VI). (See Table 9.)

Illustration VI



The number of juvenile vandalism offenses have been and remain significantly greater than the number of adult offenses in the same category. During the period 1969 through 1977 juvenile (13-17) and adult arrests for vandalism increased from 1969 to a plateau between 1974 and 1977. Arrests of young adults, aged 18 through 20, for the same offense nearly doubled between 1972 and 1977 (Illustration VII). (See Table 8.)

VANDALISM



The vandalism rate for youthful offenders (13-17) however, remains four times that of the young adults (18-20) and twelve times that of other adults. (See Table 8.) Assault arrest rates for both youth and young adults are approximately four to five times the other adult rate; and the disorderly conduct arrest rates for youth and young adults are five to six times that of the other adults. (See Tables 7, 10.)

The historically greater rate for youth and young adults in these categories of offenses, combined with the significant increase in the numbers and ratio of young people to the total population, has generated a substantial rise in the numbers and visibility of these kinds of offenses.

Analysis of newspaper accounts, police records and other Wisconsin historical documents reveals that alcohol-involved youth and young adults have caused neighborhood disturbances, disrupted classes, assaulted teachers and other pupils, caused the suspension of school social activities, and vandalized property since before the turn of the century.

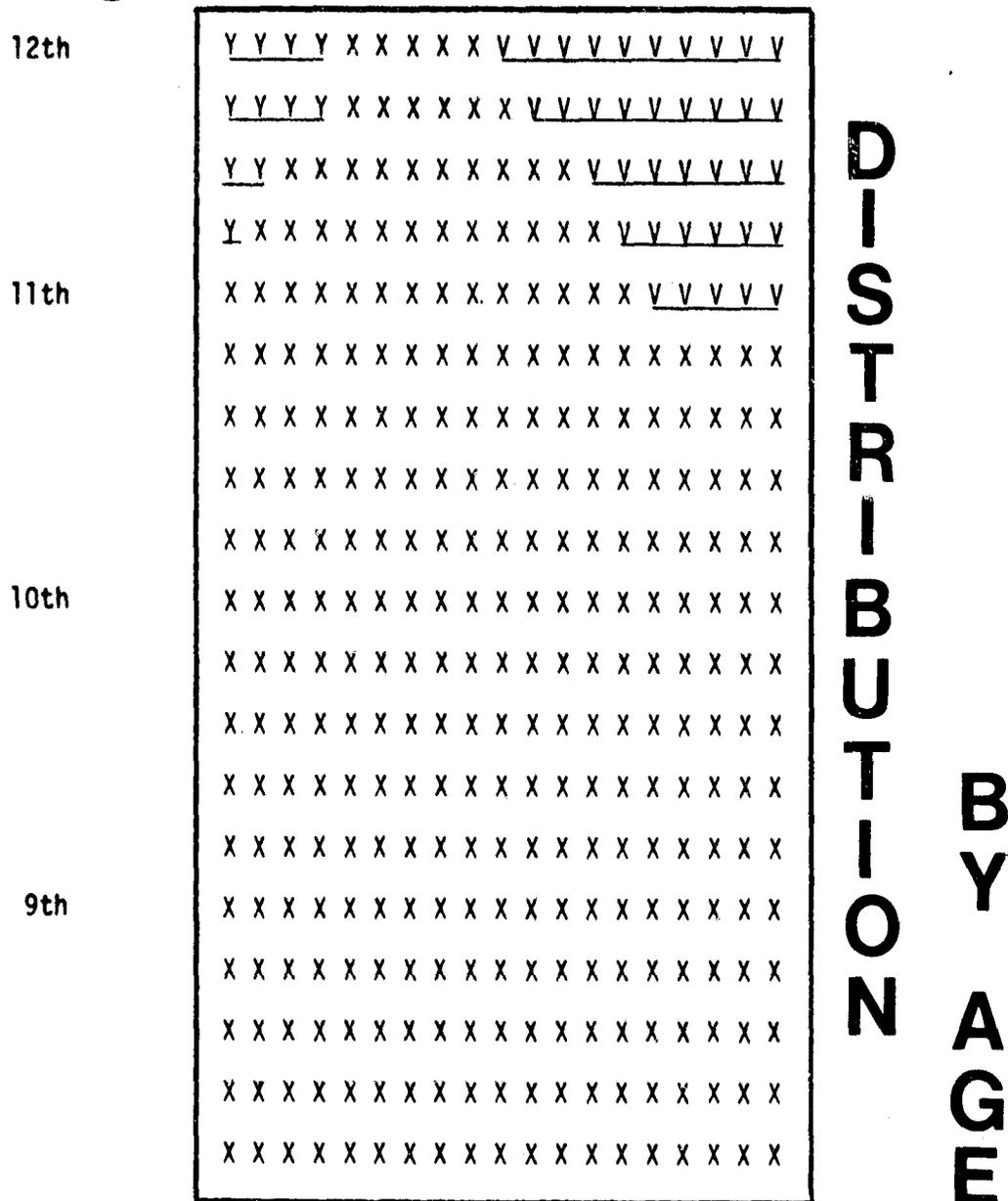
During the 1950's wide-spread alcohol consumption and intoxication among the nation's high school students at senior proms, Christmas balls and graduation celebrations led to the development of a variety of alternatives, including one-to-one chaperone systems and twenty-four hour surveillance methods to prevent and guard against any use of alcohol in connection with those events.

School administrators report that, since 1972, they have documented more than 1,500 disruptive and dangerous alcohol-involved behaviors both in-school and in school-related extra-curricular and social events.¹⁶ (Although no pre-1972 data have been provide for comparison, population trends (Illustration I), changes in youthful drinking patterns since 1957⁸ and increased numbers of alcohol-related youthful crimes and disruptions generally (Tables 7-10) tend to indicate that in-school alcohol-related disturbances would have increased substantially since 1957.)

Eighteen year-olds currently constitute approximately 10% of Wisconsin's High School population (Illustration VIII). (See Table II.) Some school officials attribute the increasing numbers of alcohol-related in-school disruptions and crimes to the availability of alcohol to underage students through close association with 18 year-old adult classmates.¹⁷

Wisconsin 18 year-olds have been legally entitled to purchase alcohol (beer) since 1933. Over the years, many 18 year-old high school students have been arrested for procuring and giving alcohol to underage persons. Since 1972, when the legal age for liquor and wine was lowered to 18, the number and rate of arrests of 18 year-olds for liquor law violations have substantially decreased. The number of liquor law violations arrests for 13-17 year olds, however, increased. (See Table 9.)

High School Students



X = Students under 18 (87.4% of High School Population)

Y = Students over 18 (2.6% of High School Population)

V = 18 Year Old Students (10% of High School Population)

(Each figure represents approximately 970 students.)

Source: Characteristics of the Population, Volume 1, Part 51, United States Department of Commerce, 1971.

III. PERSPECTIVES

A. INFLUENCES ON YOUTHFUL ALCOHOL CONSUMPTION

1. Adult Consumption

Since the end of World War II, the per capita consumption of alcoholic beverages has increased among all age groups in Wisconsin, and the nation as a whole.²⁰

Surveys of adult drinking patterns indicate that 68% of all adults regularly consume alcoholic beverages, and that alcohol is regularly consumed in 62% of the homes in the United States.²¹ Traditionally among the nation's leading consumers of alcoholic beverages, in 1976 Wisconsin ranked fifth among the fifty states in the annual amount of absolute alcohol consumed per person.²² In 1975 Wisconsin consumed 11,967,207 gallons of absolute alcohol; 148,076,731 gallons of beer; 6,472,536 gallons of wine and 10,849,647 gallons of distilled spirits. The amount consumed in 1975 was equal to 42 gallons of beer, 2 gallons of wine and 3 gallons of distilled spirits; approximately 962 drinks per person over the age of 15.²³

2. Role Models

It is estimated that 8.2% of Wisconsin's adult population, or 248,780 persons over the age of 18 are alcoholic and/or otherwise dysfunctional users of alcohol.²⁴ Alcohol involvement by one or both partners contributes to an estimated 53% of Wisconsin's divorces.

In 1977, alcohol-impaired adult drivers were involved in 200 fatal crashes on Wisconsin's highways.²⁶ During the same year 18,152 adults were arrested for operating while intoxicated,²⁷ and another 24,091 adults were charged with crimes in which alcohol-involvement was a contributing factor.²⁸ An additional 3,663 adults were arrested for liquor law violations. (See Table 9.)

3. Availability of Alcoholic Beverages

There are 19,237 establishments licensed to sell alcoholic beverages in Wisconsin, one for every 225 residents. The number of packaged beer and liquor outlets more than doubled in 30 years, increasing from 2,188 in 1948 to 5,039 in 1977.²⁹

Alcoholic beverages are sold in 14,198 Wisconsin restaurants, night-clubs, bars, taverns; in more than 2,200 retail food stores and gasoline stations.²⁵

In addition to regular licenses, Wisconsin counties, cities, towns and municipalities issue an estimated 5 to 7 thousand "special events" beer licenses every year to churches, clubs, veterans' organizations, fairs and agricultural societies.

4. Parental Attitudes, Guidance

Most parents regularly consume alcohol in the home. According to a 1978 nationwide survey of parental attitudes and approaches to the consumption of alcohol 47% of the parents interviewed said they had set no guidelines or limits on their own use of alcohol; 10% admitted that their own drinking patterns were poor models for their children, while 15% had no opinion as to the quality of their own example; and more than half of the parents said that they had set no guidelines regarding the use of alcoholic beverages by their children.³⁰

5. Community Attitudes

Long recognized as the home of the nation's beer capital, brewing is a major contributor to Wisconsin's economy and tax revenues. From the turn of the century to the mid-1950's, operating breweries were located in most Wisconsin cities with populations of 15,000 or more. In 1951 there were 46 licensed breweries scattered throughout the state. (See Table 13.)

During the early part of the century, beer was commonly available and consumed by people of all ages in Wisconsin. Drinking occurred in homes, in the fields, in work places and at social and recreational events of all kinds, including church and family picnics and celebrations.³² The consumption of beer in Wisconsin's work places has diminished since prohibition. The consumption of beer in other settings by people of all ages, however, continues to be commonplace.³³ In 1933, before repeal of National prohibition, the U.S. Congress declared that beer containing not more than 3.2% alcohol was not an alcoholic beverage.³⁴

From passage of the Cullen Beer Act in 1933 until the mid-1950's, the beliefs that persons who drank beer only could not become alcoholics, and that the unlimited consumption of beer posed no health hazards to the user, were common among the nation's residents. Recent surveys indicate that those beliefs persist among more than 16% of the population.³⁵

Since before the repeal of prohibition, for the past 45 years, persons 18 years or older have been legally entitled to purchase alcoholic beverages for on-premises consumption in specially licensed beer bars, and in areas covered by special "picnic" beer permits.³⁶

Under Wisconsin laws licensed establishments have been permitted to serve alcoholic beverages to minors when accompanied by their parents or spouse of legal age.³⁷ Between 1963 and 1977 it was also legal for minors to consume beer off licensed premises when accompanied by any adult who claimed to be a chaperone.³⁸

During World War II, in response to community pressures in war goods manufacturing areas to provide second shift workers with after-work drinking time; and, in farming areas, for an offset to the drinking time lost due to daylight savings time, Wisconsin created local late-closing options.³⁹

Wisconsin's attitudes toward the consumption, sale and distribution of beer and other alcoholic beverages have contributed to its reputation among its neighbors, as a liberal beer-drinking and party state.

During the 1960's and 70's a number of Wisconsin events directed toward young people which focus on or include the sale and public consumption of alcoholic beverages grew to become major Midwest attractions. Those Wisconsin events - Oktoberfest (La Crosse), Summerfest (Milwaukee), and Road America (Elkhart Lake) - continue to attract increasing numbers of youthful participants and to experience increasing numbers of alcohol and other drug abuse problems, incidents and arrests.⁴⁰ Those and other festivals, fairs, picnics and celebrations are reflective of attitudes which not only tolerate but encourage and promote the consumption of alcohol by people of all ages.

6. Advertising and Promotion

The alcoholic beverage industry annually spends more than \$409 million dollars for the promotion of its products on television and radio, in newspapers and magazines; and on billboards, stadium scoreboards, ballpark fences, beach-towels, picnic coolers, T-shirts, hats, hot-air balloons, hydroplanes and racing cars.⁴¹

According to industry spokespersons, the principal target of alcoholic beverage promotions is the "youth market" (18-35).⁴² The principal audiences and readership of the media in which those advertisements appear - prime time television slots, TV sports presentations, youth-oriented magazines and newspapers, and rock, pop and country music radio stations - include high percentages of both "teen market" (12-17) and youth market (18-35) members.⁴³ The messages, activities, models, actors and actresses involved in many alcoholic beverage advertisements have direct appeal to the illegal underage market.⁴⁴

Since World War II, the alcoholic beverage industry has developed and vigorously promoted the sale of a variety of new products designed to convert non-drinkers, particularly those who dislike the taste of alcohol, to steady consumers.

Beginning with the widespread promotion of vodka, which is mixable with fruit juices and other ingredients to disguise the taste (mid 1950's), the development of alcoholic products for non-drinkers continued through the 1960's with fruit flavored malt beverages, and "pop wines," which had "great appeal to teenagers"³⁴; and, with strawberry, mocha, root beer, pistachio, holiday spice, banana, chocolate, orange, coffee, coconut and walnut flavored "30 proof milkshakes," first introduced to the market in 1976 by Heubleins to "appeal to non-drinkers" who "don't like the taste of liquor, but want alcohol delivery."⁴⁵

Expert witnesses before United States Congressional bodies have testified that these new product developments and promotions have contributed to "more regular patterns of alcohol use . . . among youth," and threaten to cause "future abuse and addiction in our young."⁴⁶

B. PATTERNS OF YOUTHFUL CONSUMPTION

The majority of young people in America do drink, most of them in moderation. This appears to occur regardless of any legal limitations on youthful drinking. (Zylman, 1973)

Analyses of 120 surveys of the patterns of alcohol consumption among the nation's junior and senior high school students over a 35-year period show that the frequency of consumption and the amount consumed by young people increased. The average age of first use decreased gradually from the mid-1940's to a plateau in the early 1960's. (Blane and Hewitt, 1977)

Studies of the patterns of youthful alcohol consumption, over time, in Toronto, California, and New York, in which the legal "drinking age" was lowered in 1962 - ten years before the liquor age was lowered in Wisconsin - showed no significant differences between youthful drinking patterns in New York and those jurisdictions with higher legal "drinking ages"; and, no causal connection between lowering the "drinking age" and subsequent youthful drinking patterns in the state of New York.⁴⁷

Similar nationwide studies conducted by the National Traffic Safety Administration (1974) and the Response Analysis Corporation (1976) show that, regardless of differences in the legal "drinking age" from state to state or in a given jurisdiction over time, youthful alcohol consumption patterns are generally consistent throughout the nation.⁴⁸

Among illegal, youthful users of alcohol, aged 13-17, beer has traditionally been the leading and most frequent choice, 85%, compared to wine, 8%, and distilled spirits, 6%.⁴⁹ In a study of highway fatalities during the period preceeding legal availability of liquor to persons 18 through 21, beer drinking was found to be a more frequent contributor to fatal highway crashes among 16-25 year-old drivers than the consumption of other alcoholic beverages. (Perrine, Waller and Harris, 1971)

The legal availability of beer, to Wisconsin persons aged 18 and older has not changed since 1933. The 1972 change in Wisconsin's "drinking age" which added liquor and wine to the alcoholic beverages legally available to persons aged 18 through 21, did not affect the illegal, underage (17 and under) users of alcohol in the state who traditionally preferred beer to all other beverages.

A 1969 survey of Madison, Wisconsin, high school students found that, in spite of Wisconsin's laws at that time prohibiting the sale of beer to persons under 18, and of liquor to people under the age of 21, 33% of the students reported occasional consumption, 21% reported frequent consumption, 33% had used alcohol "once or twice" and only 12% had never used alcohol. (U.W. Bureau of Business Research and Service.)⁵⁰

In April 1978, the National Institute on Drug Abuse issued the results of two nationwide surveys showing that alcohol is third among the drugs used most often by high school students.⁵¹ Ranked by the percentages of students reporting daily use, the drugs were:

Tobacco	(29%)
Marijuana	(9%)
Alcohol	(6%)

In March 24, 1977 the Director of the National Institute on Alcohol Abuse and Alcoholism reported these findings on the current patterns of youthful use of alcohol:

- a. Earlier Use - The average age at which young people first begin to use alcohol declined from 13.6 years in 1965 to 12.9 years in 1975.
- b. More Frequent Use - The average number of drinking occasions for teenagers increased from 2.6 per month in 1965 to 3.1 per month in 1975.
- c. More Consumption - The percentage of teenagers who drink to intoxication doubled between 1957 and 1974:
 - 45% reported "being drunk" on at least one occasion in 1974 compared with 19% in 1957.
 - 12% reported "getting drunk" once a month in 1974 compared with 5% in 1957.

-5% reported "getting drunk" once a week in 1974 compared with 2% in 1957.⁵²

- e. High Percentage of Drinkers - In 1976, 72% of all 7th graders and 80% of all 12th graders drink.⁵³

In an October, 1977 survey, the American Institute of Public Opinion, (Gallup Poll) found that alcohol is served at one in five teenage parties in the home.⁵⁴

The effects of increased frequency, increased consumption and earlier onsets of regular drinking among the growing numbers of young people are reflected in the increasing incidence, rates and visibility of alcoholism, alcohol abuse and associated problems among Wisconsin's teenagers and young adults.

IV. THE LAW

A. Fermented Malt Beverages - Laws of 1933, Currently In Force

1. The Law

- a. Since 1933, persons aged 18 and older have been legally entitled to purchase beer for off-premises consumption in both Class "A", (off-premises) and "B" (on and off premises) licensed establishments. (s. 66.054(9)(b),(g) Wis. Stats.)
- b. Persons 18 years old and above have also been legally entitled to purchase and consume beer on Class "B" licensed premises, and the premises of specially licensed events conducted by clubs; state, county or local fair associations or agricultural societies; lodges; veterans' organizations; churches; and on state, county and district fairgrounds. (s. 66.054(8)(b) Wis. Stats.)
- c. Except at special events, it has been unlawful to procure for, sell, dispense, give away or furnish beer to any person under the age of 18 not accompanied by parent, guardian or adult spouse. (s. 66.054(20)(24)(a) Wis. Stats.)
- d. It has been unlawful, since 1933, for a person under the age of 18 to possess beer outside of licensed premises, except when accompanied by parent, guardian, adult spouse, or (1963-1977) an adult chaperone. (s. 66.054(24)(b) Wis. Stats.)
- e. It has been unlawful for persons under the age of 18 to misrepresent, falsify or possess false documents for the purpose of obtaining beer; or for anyone to make, alter or duplicate such documents. (s.s. 66.054(25), 66.057(1) (3) Wis. Stats.)
- f. Licensees have been responsible for determining the age of persons presenting themselves for the purchase or receipt of beer, and for maintaining a register, signed by the purchaser, of persons whose age is in question. (s. 66.057(4))

2. Effects of the Law

- a. Persons age 18 and older have regularly and legally purchased and consumed alcohol both on and off licensed premises since 1933.

From 1940 to 1967, the number of establishments licensed to sell beer only to persons 18 and older increased 58%, from 3,147 to 4,976. (See Table 12.)

The estimated number of regular, legal consumers of beer, aged 18 through 20 in Wisconsin increased by the same percentage, from approximately 120,000 in 1960 to 182,000 in 1978.

- b. Until 1978, persons under the age of 18 could legally purchase and consume beer at church picnics, bingo parties, veterans' celebrations, state, county and district fairs and similar events.⁵⁵

The number of specially licensed Wisconsin events have increased to 5,000 - 7,000 per year from less than 2,000 in 1960.⁵⁶

- c. Throughout the history of laws prohibiting procurement for selling, dispensing, giving away or furnishing beer to persons under the age of 18, significant numbers of teenagers (13-17) have illegally obtained, purchased, possessed and consumed malt beverages. Nationwide Surveys indicate that 26% of the teenagers in 1957, 54% in 1969, and 62% of the teenagers in 1975 regularly obtained and consumed fermented malt beverages in spite of laws prohibiting their purchase, possession and consumption by persons under 18 years of age.
- d. In spite of laws prohibiting possession of malt beverages by persons under the age of 18, teenagers at parties, picnics and other unchaperoned gatherings have frequently possessed and consumed beer.
- e. The use of false age identification to obtain fermented malt beverages has been common throughout the State of Wisconsin for more than two decades.⁵⁷
- f. In spite of the laws requiring licensees to confirm the ages of those to whom they sell, serve or furnish beer, many do not.⁵⁸

Violations of all of the above steadily increased from 1969 to 1975 (Table 9). The reduction in the age at which liquor may be purchased, which occurred in 1972 did not affect Wisconsin's long-standing fermented malt beverage statutes and had no effect on the steady rate of increase in those violations.

Juvenile liquor law violations, an estimated 86% of which involve fermented malt beverages, increased steadily at 10 - 15% per year from 1968 to 1975 and declined approximately 5% in the years 1976 and '77.

Adult violations of the laws prohibiting, procuring for, selling, giving or furnishing malt beverages to persons under 18 likewise increased at the rate of 10-15% per year through 1975 and declined moderately in 1976 and '77.

B. Liquor - 1972 Reduction in Legal Age, Currently in Force

1. The Law

In 1972, Wisconsin's statute 176, which governs the sale of intoxicating liquors was amended, lowering the age at which it is legal to purchase wine and liquor from 21 to 18.

2. Effects of the Law

- a. The number of establishments in which persons aged 18 through 20 could purchase alcoholic beverages increased from 5,278 in 1971 to 18,478 in 1972.
- b. The type of alcoholic beverages legally available to persons aged 18 through 20 expanded from beer only to include wine and distilled spirits. (Surveys of young adult drinking patterns both in 1957, before the change in the law; and in 1975, after the change in the law indicate that beer is the principal alcoholic beverage chosen by drinkers under age 25 and constitutes most of the alcohol consumed by all persons under the age of 20. The reduction of the legal age for purchasing wine and liquor did not affect the beverage of choice for the 18-20 year old age group.)

C. Alcohol Beverage Controls and Penalties

Statutes	The sale, manufacture, distribution and use of distilled spirits, liquor, wine and beer are governed by Chapter 176 Wis. Stats. Fermented malt beverages are controlled by Chapter 66, Wis. Stats. The taxation of alcoholic beverages is controlled by Chapter 139 Wis. Stats. Procedures and penalties for juveniles are controlled by Chapters 46 through 48, Wis. Stats. (Children's Code).
Ordinances	Cities, villages and towns may adopt ordinances which are in conformity with the provisions of Chapters 176 and 66.
Local Licensing Authority	Retail alcohol beverage sales licenses are issued and controlled by municipal governments. Local licensing authorities may restrict the types of establishments, locations and number of licenses issued and may place regulations on the sale of alcoholic beverages in addition to those provided by statute (s. 66.054(13)).

Revocation
By Local
Authority

Town and village boards, and city councils may revoke alcohol beverage licenses for a variety of reasons, including the licensee's failure to comply with any lawful order of the issuing body, upon the filing of a complaint and after a hearing held by the board or council (s. 176.11).

Violations
And
Penalties
(Adult)

Bootlegging (s. 139.03(5) wine and liquor, and s. 139.05(5) beer)

All: Fine, minimum \$50 - maximum \$500 or
Jail, minimum 10 days - maximum 90 days or
Both fine and jail and revocation of licenses and permits.

Selling, Procuring for, Furnishing to minors (s. 176.30(1) liquor, s. 66.054(20) and s. 66.054(24) beer)

Liquor: Fine, minimum \$200 - maximum \$500 or
Jail, minimum 30 days - maximum 8 months
(second offense, jail only is mandatory).

Beer: Fine, minimum \$0 - maximum \$500 or
Jail, up to 60 days or
Both fine and jail.

Procurement, Purchase, Possession, Consumption by Minors (s. 176.31(2) liquor, s. 66.054(24) beer)

Liquor: Fine up to \$100 or
Jail up to 10 days or
Both.
(And driver's license shall be suspended or restricted.)

Beer: Fine up to \$500 or
Jail up to 30 days or
Both.
(And drivers' licenses shall be suspended or restricted.)

Misrepresentation of Age to Purchase (s. 176.31(1) liquor, s. 66.054(25) beer)

All: Fine up to \$100 or
Jail up to 10 days or
Both.
(Minors, the court shall also suspend or restrict the driver's license.)

Making, Altering, Duplicating Official I.D. (s. 66.057(3), any)

Fine: minimum \$50 - maximum \$500 or
Jail: minimum 10 days - maximum 30 days or
Both.

Carrying False I.D. (s. 66.057)

Fine: minimum \$25 - maximum \$50

Presenting False Information for I.D. (s. 66.057)

Fine: minimum \$50 - maximum \$100 or
Jail: up to 10 days or
Both

Violations by Licensed Establishments (s. 176.11 and
S 66.054(15) beer)

In addition to other penalties provided, the license of any person who violates any provision of Chapter 176 is subject to suspension of not less than 10 days nor more than 90 days or revoked and no other license shall be granted to such person within 12 months of the date of revocation.

Minors

Effective November 18, 1978 (Chapter 354, Laws of 1977) procedures and penalties for juveniles will undergo significant changes. Under the new law, prosecutors will be able to take cases involving ordinance violations and offenses punishable by forfeiture committed by 16 and 17 year olds directly to court of civil jurisdiction without waiver from the juvenile court (s. 48.17(2)).

Penalties
(Minors)

Under the new provisions of the Children's Code (s. 48.343) for violations of ordinances and laws punishable by forfeiture, the court shall make one or more of the following dispositions:

1. Counsel the child, parents or guardians.
2. Order forfeiture of not more than \$25 to be paid by the child; and if not paid, suspend the child's hunting, fishing or driver's license for not less than 30 nor more than 90 days.
3. Order the child to participate in a supervised work program.
4. Order the child to make reasonable restitution for damage done, if any.
5. Order the child to attend a boating safety course, if a boating offense.
6. Suspend hunting and fishing license for one year or until 18, whichever is first, if offense was hunting or fishing.

Waivers
To Adult
Court

If waived by the juvenile court into courts having civil and criminal jurisdiction, 16 and 17 year olds may be subject to all of the adult penalties applicable to the offense. (Persons under 16 remain under the jurisdiction of the juvenile court for all offenses.) Under the new code, 16 and 17 year olds may be subject to three separate procedures and three sets of penalties which include:

1. Delinquency procedures, in juvenile court.
2. Direct prosecution in civil court where limited penalties apply.
3. Waiver to civil or criminal court by juvenile court where adult penalties may apply.

*Note: Although these offenses may only be committed by minors, the statutory penalties exceed those which may be applied to minors under s. 48.343. Theoretically, those statutory penalties could be applied to a minor only if waived and tried as an adult for these offenses which can only be committed by minors.

V. FINDINGS

A. ON THE NATURE AND EXTENT OF YOUTHFUL ALCOHOL ABUSE IN WISCONSIN

Youthful Consumption

1. Youthful alcohol abuse has become a major social problem and is a matter of increasing concern to the people of the state.
2. Wisconsin's young people begin drinking at an earlier age, drink more openly and more frequently and consume more alcohol than at any time in recent history.

Discussion

Young people testifying before the panel observed that the use of alcohol has become a frequent feature of leisure time and social activities involving people of high school and junior high school age in Wisconsin.⁵⁹ Witnesses indicated that 72% to 86% of Wisconsin's teenagers between thirteen and eighteen regularly or occasionally do obtain and consume alcoholic beverages. Recent surveys of Wisconsin high school students offered in testimony show that approximately 76% consider themselves to be "drinkers".⁶⁰ Thirty-nine percent (39%) reported drinking once a week or more often. Two percent drink daily.⁶¹ Most drink only on weekends (30%) or on "special occasions" (40%). While 49% reported drinking less than five drinks per occasion, 36% reported drinking an average of five or more drinks per drinking occasion.⁶² Seventy-eight percent (78%) of the young people attending the public hearings agreed that "teenagers who drink, usually get drunk."⁶³

Youthful witnesses testified to widespread peer pressures and frequent opportunities to drink, beginning in early adolescence (seventh and eighth grades).

School officials, law enforcement officers, parents, young people and other witnesses reported that underage drinking regularly occurs on school grounds, in school neighborhoods, at sports events, dances, concerts, fairs, picnics, festivals, family celebrations, and on beaches, in parks, cars, and out-of-the-way rural locations.⁶⁴ According to the witnesses, underage drinking occurs most frequently in "friends' homes", with and without parents' or other adults' presence, knowledge or consent. The second most frequent setting for underage drinking listed in the testimony was "in cars", generally in remote locations, parks, campgrounds and parking lots. The third most frequent setting mentioned by underage drinkers was "at home", both with and without parents' presence and consent.⁶⁵ Young people and law enforcement personnel also testified that a significant number of underage high school students, estimated to be between 20% and 40%, drink in licensed bars and taverns.⁶⁶

Of those attending the public hearings, sixty-seven percent (67%) of the young people and 53% of those 19 or older agreed that "teenage drinking is out of control".⁶⁷

Indicators
Of
Youthful
Alcohol
Abuse

3. Although the majority of Wisconsin's underage drinkers do so without any attendant social, physical or legal problems, many do experience some alcohol-related dysfunction.

Discussion

Witnesses testified that few underage drinkers are likely to cause or experience any significant problems resulting from their use of alcohol; juvenile drinkers generally were considered by those witnesses to be a "low risk" population.⁶⁸

High school students' observations and surveys offered in testimony indicated, however, that an estimated 12% to 28% of all teenagers experience some dysfunction due to their use or abuse of alcohol, including disruptions of social and family relationships, impaired learning skills, problems with the law, unwanted pregnancies, motor vehicle crashes, fights, physical deterioration and other related problems.⁶⁹ School personnel testified that, in the past five to ten years, there has been a significant increase in the number of students whose out-of-school drinking results in serious impairment of their learning skills, attitudes, health and behavior.⁷⁰ Health and social services providers, alcohol and other drug abuse agencies and others testified that the number of young people aged 13 to 19 who are identified, referred and treated for alcoholism and alcohol-related problems is increasing.⁷¹ Other witnesses indicated that the use of alcohol by one or both partners is a contributing factor in more than half of the state's teenage pregnancies.⁷²

Juvenile
Crimes
And
Disturbances

4. Throughout the state, the incidence and rate of increase in crimes, disturbances and disruptions involving alcohol-intoxicated juveniles have increased significantly in the past ten years, and continue to increase at a rate disproportionate to the rate of increase in the juvenile population.

Discussion

Law enforcement officers, school officials, young people and others appearing before the panel testified that the incidence of vandalism, assault, sexual assault, disorderly conduct and similar criminal behaviors by alcohol-intoxicated young people is increasing.⁷³ Alcohol abuse is seen by young people as contributing to more than half of the criminal offenses committed by juveniles aged 13 through 17.⁷⁴

Witnesses testified that disruptions and disturbances by alcohol-intoxicated juveniles at and following school functions, sporting events, concerts, school dances, picnics and other youthful events are more common today than at anytime in the recent past, and that they are increasing in number and seriousness throughout the state.⁷⁵ Witnesses also testified that motor vehicle crashes involving alcohol-intoxicated young people aged 16 through 17 have increased significantly in the past ten years.⁷⁶

B. INFLUENCES AND CAUSES OF YOUTHFUL ALCOHOL ABUSE

Adult
Role
Models

5. Adult role models significantly influence youthful drinking patterns and behaviors.

Discussion

Witnesses most frequently mentioned adult drinking behaviors as having a direct influence on youthful drinking patterns. Witnesses observed that adult drinking is widespread and occurs at all socio-economic levels; and that drinking is an adjunct to most adult social events and is commonly associated with a wide variety of adult activities including athletic events, outdoor recreation, family celebrations, picnics, fairs and fund-raising activities such as bazaars and bingo parties. Witnesses estimated that alcoholism and alcohol abuse affect more than 1 out of every 5 adults in Wisconsin and that adult alcohol abuse contributes to more than half of the adult crime, divorce and family problems in Wisconsin. Those adult behaviors and drinking patterns were seen as significant influences on the behaviors and drinking patterns of young people.

Parental
Influences

6. Parental attitudes and behaviors significantly influence youthful drinking behaviors.

Witnesses indicated that many parents of teenagers illegally permit drinking by underage persons in their homes and illegally serve or permit their children to serve alcoholic beverages at parties in their homes. Witnesses also observed that while many parents provide poor examples and little or no guidance to their children in this area, some parents do set examples of responsible use and self-limitation, instruct their children on the proper use and dangers of alcohol and establish appropriate limits on its use by their children.

Law enforcement officers, school officials, health and social services witnesses testified that parents frequently resent the apprehension, identification or referral of their children for alcohol-related offenses and drinking problems. Many parents refuse to permit

their children to be treated or to become involved in the treatment process.

According to witnesses' testimony, parents frequently dismiss their children's alcohol-related behaviors as insignificant compared with other drug-related problems "It's not as if he was using drugs" or "She was only drunk, not stoned". These kinds of parental messages were seen by the witnesses as reinforcing the common social attitude that alcohol intoxication is an acceptable and tolerable behavior.

Young people testified that their peers have learned from their parents that drinking is an appropriate "social lubricant"; that people who get drunk at parties are funnier and more fun than people who don't; that a bad hangover is the sign of a "good night"; that people are admired for being able to "drink everybody under the table"; that a drink or two is "relaxing"; that drinking is appropriate in a variety of settings; and that adults drink to relieve tension, pain, loneliness and anxiety. Witnesses observed that young people drink for many of the same reasons as do their parents.⁷⁷

Symbol
Of
Adulthood

7. Young people are influenced to some degree to drink as part of the rite of passage to adulthood.

Discussion

Drinking is a significant symbol of adulthood. The law permits only adults to purchase, use or control the use of alcoholic beverages. To most young people, the use of alcohol has become a sign of maturity, the "mark of a man". A number of witnesses indicated that the establishment of a "legal age", which is relatively recent in America and uncommon among other nations, provides artificial significance and enhances youthful motivation to drink. Young people testifying before the panel made frequent references to drinking being an important step to "adulthood" for many of their peers.

Advertising

8. Alcoholic beverage advertising exerts a significant influence on youthful drinking patterns and behaviors. Advertising and other approaches to increasing the market for alcoholic beverages are clearly directed toward young people.

Discussion

With few exceptions, witnesses testified to the strong influence and impact of alcoholic beverage advertising on youthful consumption. Advertising is clearly directed at young people. Youthful activities and models, sports and success figures, music and messages appealing to young people, cartoon characters and settings which

appeal to the very young were cited by witnesses as significantly influencing the young to associate the use of alcoholic beverages with fun, success, adulthood, companionship, gratification, glamour and a desirable lifestyle. Many witnesses observed that alcohol and other drug advertising tended to reinforce, glamorize and promote the inappropriate use of alcohol in work and study settings, in conjunction with dangerous sports and other recreational activities and to relieve pain and anxiety, enhance social presence and release inhibitions.

Peer
Pressures

9. Young people pressure one another into experimenting with a variety of risk-taking activities and prohibited adult behaviors including sexual experimentation and drinking. Peer pressures in both areas directly influence many young people, who are otherwise reluctant to engage in those activities, to become actively involved.

Discussion

Witnesses testified that junior and senior high school students frequently drink to relieve anxieties and release inhibitions related to sexual advances to which they are expected to respond favorably by their peer group. Both young men and young women frequently find themselves being pressured by their peers to drink at parties, dances, sports and other group activities. In many communities, young people who don't drink find themselves ostracized, viewed with suspicion and threatened with physical violence for failure to "go along" with drinking.⁸¹ Young people who choose not to drink are frequently without friends or support within their peer group.

10. Young people who prefer not to drink feel that their efforts to resist peer pressures to drink are not supported by law enforcement, parents and the public generally.

Discussion

Youthful witnesses testified that their parents, law enforcement officers and others frequently "turn a deaf ear" to their requests to "tighten-up" on enforcement and to apply community pressures on other young people not to drink. Some indicated that parents advise them to "go along" with or to ignore unlawful drinking by others.

Opportunity

11. Young people have frequent opportunities to drink in both supervised and unsupervised settings.

Discussion

Youthful drinking occurs in automobiles on the way to and from school, in school, on school grounds, in school neighborhoods, in homes, at parks, recreation centers, beaches, fairs, weddings, sports events, concerts, specially licensed church and community events, and licensed establishments. Wherever young people congregate, witnesses testified, one or more group members are likely to have, use and share alcoholic beverages with other group members. Many underage young people do drink in licensed establishments using false identification, or misrepresenting their age to gain access. Others drink at home, with or without their parents' knowledge or consent. The opportunity for drinking is enhanced by the fact that, in any setting, the likelihood of detection and punishment for illicit drinking is extremely low.

- Availability 12. In spite of the laws prohibiting the sale or giving of alcoholic beverages to or procurement of alcoholic beverages for persons under the age of 18 and, in spite of the laws prohibiting persons under 18 from purchasing, possessing or using alcoholic beverages, or obtaining, using or possessing false identification to obtain alcoholic beverages, alcohol is readily available to most Wisconsin young people over the age of 13.

Discussion

Surveys of Wisconsin high school students offered in testimony show that 67% to 74% of the respondents felt that underage persons could obtain alcohol in licensed establishments without much difficulty. Most (56-60%) thought it was "somewhat easy" to "extremely easy" for underage persons to buy alcoholic beverages in licensed establishments. The fact that 70% to 80% of the high school students polled (90% of whom are under 18) reported occasional to regular use of alcohol testifies to the widespread availability of alcohol to underage drinkers. Twenty percent of the underage drinkers report that they purchase alcohol directly from licensed establishments, others report obtaining alcohol most frequently from people over 20 (19%), 18-year-olds (18%), parents (18%), other underage persons (14%) and 19-year-olds (12%). An estimated 15-20% of the underage drinkers possess and use false identification cards to purchase alcoholic beverages.⁸²

Law enforcement officials testified that, in spite of "carding" rules and other enforcement efforts, underage persons frequently purchase alcoholic beverages for themselves and other underage drinkers at concerts, sports events, and other mass gatherings.⁷⁸ Young

people and law enforcement personnel frequently mentioned grocery stores, all-night "convenience grocery stores" and retail liquor outlets as being places in which underage persons were most likely to purchase alcoholic beverages for themselves and others.⁷⁹

Young people, law enforcement officers and other witnesses observed that while many licensed establishments, including taverns, restaurants, package stores and other retail outlets, frequently violate the laws prohibiting the sale of alcoholic beverages to minors, and many adults and underage persons frequently violate the existing procurement, use and possession laws, few are detected, arrested, prosecuted or convicted for those offenses.⁸⁰ The low likelihood of detection, apprehension or significant consequences for liquor law violations was seen by many witnesses as significantly contributing to the existing widespread disregard of the law which results in ready access to alcoholic beverages by underage drinkers.⁸¹

C. CURRENT APPROACHES TO PREVENTION, TREATMENT AND CONTROL OF YOUTHFUL ALCOHOL ABUSE

1. STATE LEVEL EFFORTS

Department
Of
Health
And
Social
Services

13. The Department of Health and Social Services, Unified Services Programs and County Departments of Social Services have statutory responsibilities for the development and provision of comprehensive, coordinated alcohol and other drug abuse programs including prevention, intervention, treatment, rehabilitation, consultation and community and professional education services. (ss. 51.42, 51.437, 51.45 Wis. Stats.)

Throughout the state, the services directed toward youthful alcohol abuse by those agencies are generally underfunded, underdeveloped, uncoordinated, inadequate and inconsistent.

Discussion

The Department of Health and Social Services has primary responsibility for prevention, intervention, treatment and rehabilitation of youthful alcohol and other drug abusers. The department's efforts in this area are carried out by the Division of Community Services which directly operates a number of institutional programs, including those of the State Mental Health Institutes, the Winnebago R.O.A.D. program and the Wisconsin Substance Abuse

Treatment Center. A network of Unified Services Programs and County Departments of Social Services provides direct services in communities, including prevention, intervention, emergency care, out-patient and inpatient care, community-based residential facilities and other rehabilitative services to alcohol and other drug abusers. Community boards are responsible for the development of cooperative and coordinated programs of prevention and intervention with other community agencies: the schools, courts, law enforcement agencies, public and private health care providers, social welfare and correctional facilities.

Limited by "sum certain" state appropriations and supplemental funding provided by county governments, United Way contributions and fee collections, and governed by local boards with wide differences of opinion as to the kinds and levels of services needed, the quality and quantity of services provided by Human Services and Unified Services Boards vary significantly throughout the state.

In some areas of the state, the services available to youthful alcohol abusers appear to be adequate and are equal to the demand. In others, however, Unified Services programs are poorly developed and inadequate to respond to referrals and appropriate requests for services.

Some witnesses testified that their community agencies had established cooperative programs directed toward prevention, intervention, treatment and rehabilitation. Others indicated that, in their communities, existing agencies tend to work independently, competitively and frequently counter-productively. Many indicated a lack of communication and cooperation among their community agencies (schools, Unified Services Programs, social services agencies, courts, law enforcement, public and private health providers).

In some communities, the schools, law enforcement and social services agencies and the courts have entered into formal working agreements with Unified Services Programs for the referral and cooperative treatment of youthful alcohol abusers. In others, there are no such working relationships. Some Unified Services Programs provide in-service training, consultation, in-school counseling and educational services to school, law enforcement and social services personnel, students and clients; others do not.

Throughout the state generally, the level of services and degree of inter-agency cooperation appear to be inadequate. The provision of basic services is frequently dependent upon "on-again, off-again" federal grant funding from a variety of sources. This dependence upon "soft" federal funding results in discontinuity, wasteful duplication and periodic gaps in essential services.

Department
Of
Public
Instruction

14. The Department of Public Instruction has statutory responsibility for the establishment of guidelines to help school districts develop comprehensive health education programs including curricula in alcohol, tobacco, mental health and related health and safety topics; establish special in-service training in these areas for teachers throughout the state; develop cooperative programs between school districts and institutions of higher education for ongoing consultation, professional training and curricula development for local programs; and, assist in the development of plans and procedures for the evaluation of health education curricula.

Although the department has developed guidelines for K-12 health education programs which include references to alcohol and other drug abuse, those guidelines are not sufficiently specific in this area and require substantial outside assistance, consultation and specialized teacher training for effective implementation. The Department's efforts in this responsibility area appear to be underfunded, underdeveloped and in need of broad-based community, legislative and professional support.

Discussion

School administrators, teachers and other school personnel appearing before the panel testified to their need for guidance and assistance, consultation, inservice training and advanced education in the provision of K-12 comprehensive health education programs which include alcohol and other drug education. School personnel also testified to the need for assistance in the development of models and the implementation of system-wide alcohol and other drug abuse programs in which health education activities may be integrated with other classroom, extra-curricular and administrative activities and other prevention, identification, counseling and treatment services both in school and in the community. Some witnesses representing Wisconsin's public schools testified that they look to the

Department of Public Instruction for guidance and assistance in the development of curriculum guidelines, in-service training guidelines, funding and other resources.

School administrators also expressed the need to require additional professional education in this area of concern.

2. COMMUNITY EFFORTS

Schools

15. Throughout the State of Wisconsin the quality and quantity of education services, counseling, disciplinary procedures, codes of behavior, inter-agency programs and other approaches to youthful alcohol abuse vary from school district to school district and from school to school within districts. School services and programming in the area of alcohol and other drug abuse are generally inadequate and frequently non-existent.

Discussion

The testimony reveals a reluctance on the part of school administrators to publicly recognize the lack of adequate alcohol and drug education programming and the extent of alcohol and drug use in their schools.

Some school systems have developed comprehensive, inter-agency programs for prevention, intervention, treatment and rehabilitation of alcohol abuse among their student populations. These include: municipal ordinances and school codes prohibiting sale, possession or consumption of alcohol on school grounds or within limited distances from school buildings; codes of behavior providing disciplinary actions such as suspension of privileges including participation in athletics or other extracurricular activities or banning attendance at athletic events, dances and other school functions for students who violate drinking codes; special classes and in-school group and individual counseling for persons who violate school drinking codes or whose academic abilities and classroom behaviors suffer due to out-of-school drinking; consultation and referral of dysfunctionally alcohol-involved students to appropriate alcohol services agencies; in-service training in alcohol and other drug abuse topics for all school personnel; special education for health, social studies, psychology and related subjects teachers; employee assistance programs for school staff and administration; student assistance programs; in-school rap centers; special recreational programs;

job assistance counseling; school grounds and school building monitors; periodic police surveillance of school grounds, school neighborhoods and school events; mandatory reporting by staff and students of illegal drinking and referrals to appropriate law enforcement agencies; parent-teacher involvement in prevention, intervention and rehabilitation program; and K-12 comprehensive health programming and frequent special classroom activities focusing on alcohol and other drug related topics.

In some school districts, school administrators, school boards, students, parents and community agencies have established ongoing inter-agency organizations to develop and assist in the implementation of policies, programs and procedures for preventing, identifying, referring and dealing with youthful alcohol abuse. Other school districts have clearly established limits on student drinking, clearly stated the consequences for violations of those behavioral codes and consistently followed through on those violations.

In most school districts, however, there are no established codes, procedures or inter-agency mechanisms for preventing or dealing with youthful alcohol abusers. Educators and school administrators testified to being "gun-shy" of reporting illegal youthful drinking on school grounds or "labeling" and referring young alcohol abusers to appropriate treatment services for a variety of reasons including: lack of cooperation and effective follow-up, and the likelihood of legal reprisals from parents and guardians.⁸³ Some maintain that it is not the role of educators to enforce the law or to report illegal activities. Others see such actions as having the potential for destroying the teacher-student relationship. Many school district officials testified that their budgets are inadequate and may not be expanded to support additional counseling services, school grounds monitors, special classes, student assistance or employee assistance programs.

School officials also testified to lack of parental support and frequent parental objection to identification of their children as having alcohol-related problems as well as parental refusal to permit their children to enter treatment, counseling or other special alcohol-related services.⁸⁴

Seventy percent of the school personnel testified that lack of community support, funding, and financial support were the principal blocks to the development of effective educational programs and intervention efforts in their schools.

School officials also testified that, on some occasions, parents have refused to pick up or accept their children who were sick due to intoxication and have looked to school officials and other helping agencies to take charge.

Law
Enforcement

16. The current level of enforcement and compliance with the laws prohibiting the sale, procurement, giving, serving or furnishing of alcoholic beverages to persons under the age of 18 appears to be ineffective.

Discussion

Young people testifying before the panel indicated that the major sources of alcoholic beverages are parents and other adults and licensed establishments which sell directly to underage persons, parents and older adults.

Young people also testified that, in some communities, police officers responding to complaints about loud teenage parties at which there are a number of underage drinkers make no effort to arrest or intervene in the illicit drinking.

School officials testified that some law enforcement agencies do not respond to calls about youthful drinking on school grounds; others testified to the existence of school policies not to report illegal drinking by students to law enforcement agencies.

Law enforcement officers testified that parents and witnesses to underage drinking violations frequently criticize police for "picking on kids instead of chasing real criminals" and frequently do not support enforcement of the laws pertaining to the possession and consumption of alcoholic beverages by minors.

Others testified that juveniles arrested for liquor law violations frequently are not required to appear before the court or juvenile officials and suffer no penalties as a consequence of the offense.

Witnesses also testified that few licensed establishments are charged with violations of liquor laws

and fewer still lose their licenses for violating those laws, yet they are a major source of the alcoholic beverages consumed by underage persons.⁸⁴

In spite of the laws prohibiting falsification of identification and the possession and use of false identification to obtain alcoholic beverages by underage persons, an estimated 10-20% of Wisconsin's high school students do possess and successfully use false ID's to obtain alcohol. Few are detected, apprehended or punished for those violations.⁸⁵

Witnesses testified that, in some jurisdictions, law enforcement agencies have increased their focus on juvenile liquor law violations. The witnesses also observed that, while some jurisdictions appear to concentrate more heavily on juvenile liquor law violations than others, youthful drinking patterns in high arrest rate areas do not appear to differ significantly from those in other jurisdictions.

Youth
Services
Agencies

17. In some communities public and private health and social services agencies, Unified Services Programs, law enforcement agencies and schools have developed cooperative inter-agency programs for prevention, intervention, referral and treatment services for youthful alcohol abusers. In most communities, however, existing programs are fragmented and operated independently with little cooperation among providers of services. In many communities, the services available are inadequate to respond to the existing numbers of youthful alcohol abusers capable of benefiting from those services.

Discussion

Witnesses from youth service agencies testified that many young people who would otherwise seek assistance, counseling and treatment on their own behalf are prevented from doing so by the current legal requirement for parental consent to treatment. Many young people testified to the reluctance of their peers to ask for professional help, fearing reprisals from their parents. Potential referral sources such as school personnel, public health agencies and youth agencies indicated reluctance to label and refer youthful alcohol abusers to treatment agencies for fear of legal reprisals or parental reprisals against the young people involved.⁸⁶

Social services personnel testified to the difficulty of treating young people whose home environment contributes to their alcohol abuse problem

and who receive little support, encouragement or cooperation in treatment from their immediate family. In many instances in which temporary alternative living arrangements for the youthful victim of alcoholism or alcohol abuse are essential to their rehabilitation, suitable alternatives do not exist or are impossible to arrange due to parental resistance and/or the legal constraints on such placements and removals.

Youth services agencies and law enforcement and school officials also testified to the need for medical screening and detoxification facilities for sub-acutely intoxicated and incapacitated juveniles, i.e., those who are intoxicated to the extent that they are incapable of caring for their own safety but whose condition is not life threatening.

In most Wisconsin communities, alcohol intoxicated and incapacitated juveniles have no place to go for medical attention or detoxification (other than with/without) parental consent (which most resist) except to the county jail, juvenile detention facility or home (where parents are frequently found to be absent or refuse admission of the child).⁸⁷

D. ON THE EFFECTS OF THE EXISTING LAWS.

Control
Laws

18. The existing laws of the State of Wisconsin do not effectively control the sale, procurement for, serving, or giving of alcoholic beverages to minors.

Discussion

Witnesses testified that, in spite of the existing laws, young people "who want to drink" can and do obtain alcoholic beverages. Ninety-two percent of those attending the hearings agreed that "16 and 17 year-olds can obtain beer and booze easily." Young people and law enforcement personnel testified that underage persons can and do purchase alcoholic beverages in licensed establishments, convenience stores, grocery stores, retail liquor stores, bars, restaurants, and specially licensed beer outlets with little likelihood of detection, arrest, prosecution, conviction or significant consequences to either seller or buyer. Witnesses agreed that the public's general reluctance to report and testify against unlawful providers is a significant factor in the failure of the existing laws to effectively control minors' access to alcoholic beverages.

The
Legal
Age

19. There is easy availability and widespread use of alcohol by underage persons throughout the state despite the 18 year-old "drinking age".

Discussion

Twenty-eight percent of the witnesses testifying in the public hearings made no mention of the legal "drinking age" as either contributing to or being an effective approach to the control of underage drinking. Fifty-six percent testified that the "legal age" was not a significant factor in underage drinking, while sixteen percent did consider the "legal age" to be a significant contributing factor in youthful drinking. The witnesses agreed that while the 18 year-old "drinking age" has contributed to the availability of alcoholic beverages of all kinds to underage drinkers, other factors are far more significant influences on the problem.

E. ON PUBLIC ATTITUDES AND PERSONAL RESPONSIBILITIES

Control
Laws

20. Although there is no clear position relative to a specific legal drinking age, it is clear that the public supports the concept of laws prohibiting sales to, procurement for and furnishing of alcoholic beverages to underage persons. However, while there is clear public support for enforcement of those laws, there is equally strong public opposition to enforcement of the laws pertaining to the simple use and possession of alcohol by underage persons.

Discussion

Law enforcement officers, parents and young people testified that witnesses to the unlawful provision of alcoholic beverage to minors generally do not report, testify or otherwise assist in their apprehension, prosecution or conviction. Seventy-one percent (71%) of the persons attending the hearings agreed that licensed sellers of alcoholic beverages should lose their license if they sell alcohol to underage persons; however, only 50% indicated that they would "report or testify against a person who furnished alcoholic beverages to an underage person." More than half (62%) agreed that they would do so if the underage drinker "got drunk or caused trouble."

Law enforcement officers and school officials report that parents and peers frequently object to the arrest, identification and referral of underage

liquor law violators. Their testimony included examples of parents and other adults who criticized their enforcement and referral attempts by saying that the juvenile "was only drinking" or by asking "why aren't you out chasing criminals instead of kids?"

Of those attending the hearings, 55% disagreed and 23% agreed that they would report or testify against an underage drinker who didn't "get drunk or cause trouble." And 65% did not agree that "underage drinkers should be arrested, jailed or fined." Many testified that criminal prosecution and penalties were not appropriate social responses to the simple use or possession of alcohol intoxication as a medical rather than a legal problem.

Denial

21. Institutions, organizations and individuals frequently deny the existence of youthful alcohol problems. Many also deny or are not aware of their responsibilities for responding to the problems of youthful alcohol abuse, thereby hindering positive approaches to their prevention and resolution.

Discussions

Throughout the hearings on Youth, Alcohol and the Law, witnesses discussed the reluctance of institutions, organizations and individuals to openly discuss or admit to the extent of youthful alcohol abuse. School officials, law enforcement agencies, and health and social services providers view widespread youthful alcohol abuse among their students or in their communities as being a negative reflection on their administrations or professional abilities and parents view identification and referral of their children as an implication of their own inadequacy or failure.

In discussing youthful alcohol abuse, witnesses frequently saw themselves as being less capable and less responsible for controlling, preventing, identifying, referring and treating the victims of alcohol abuse than other agencies and individuals in the community. School officials, law enforcement officials, young people, parents and health and social services personnel frequently pointed to one another or to state agencies or the legislature as being principally responsible for controlling, preventing and resolving the problems of youthful alcohol abuse, or being the principal stumbling block to effective action in this area.

VI. RECOMMENDATIONS

In its studies and through public testimony on "Youth, Alcohol and the Law", the panel found that youthful alcohol abuse is everybody's problem, and that individual citizens can do much to prevent it and to help its youthful victims, right now, without new laws or additional help from the state or federal governments.

We also learned that local governments, community service agencies, local schools and citizens' organizations can organize effective, cooperative programs to prevent and intervene in alcohol abuse among their young people. They can do so right now using their existing statutory authority and legal, health, social welfare, educational and youth services resources without new laws or additional outside assistance from state or federal governments.

Finally, we discovered a number of ways in which the state and federal governments can strengthen their laws and programs to assist local governments, community organizations, schools and service agencies and individual citizens in their efforts to prevent alcohol abuse and help their young people recover from its effects.

Throughout the public hearings on "Youth, Alcohol and the Law" witnesses offered a variety of suggestions and recommendations as to what others might do to control, prevent and deal with youthful alcohol abuse. Many of the same witnesses, however, appeared to be unaware of their own individual, organizational or institutional responsibilities and potential for action in this area of concern. Reviewing the witnesses testimony it is clear that, although existing laws, agencies, institutions and organizations offer a wide range of mechanisms and resources to assist in controlling, preventing, identifying and intervening in youthful alcohol abuse, those mechanisms and resources are not well known or widely used. It is also evident that while laws, governmental agencies and institutions may assist in these efforts, the ultimate responsibility and greatest potential for effective action in combatting youthful alcohol abuse rests with each individual resident of the state.

Many of the recommendations made in this report are directed toward informing, assisting and strengthening the potential of individuals to prevent and respond to the problems they encounter in this area. Other recommendations are directed toward strengthening the alcohol beverage control laws and increasing state level efforts to provide leadership, consultation, program assistance and financial support for expanded community efforts to prevent, control, intervene and resolve the problems associated with youthful alcohol abuse.

It is hoped that this report will stimulate increased public awareness and application of the many personal, professional, social and legal resources currently available and encourage the

adoption of new legislation and other initiatives to strengthen the resources available and thereby further encourage individual citizens, community organizations and governmental institutions to undertake new efforts to contain and correct this major social problem.

A. Personal Approaches to Prevention and Intervention

INDIVIDUAL CITIZENS CAN DO MUCH TO PREVENT ALCOHOL ABUSE AND TO HELP ITS YOUTHFUL VICTIMS.

Personal

1. It is recommended that individual citizens strengthen their personal efforts to prevent, control and intervene in the abuse of alcohol by young people in their immediate families, neighborhoods and communities.

Discussion

In the hearings on "Youth, Alcohol and the Law," the most frequently mentioned reason for the failure of the existing laws and resources to effectively control and prevent youthful alcohol abuse was the failure of individual citizens to identify, report, testify or otherwise intervene in the unlawful sale and distribution of alcoholic beverages to young people and in their illegal or abusive use of alcohol.

The existing laws prohibiting selling or giving alcoholic beverages to underage persons are frequently violated. Individual citizens who observe or have knowledge of illegal alcohol sales and distribution can contribute to the reduction in the incidence of the sale and procurement of alcoholic beverages by young people by reporting those incidents to law enforcement agencies, cooperating with investigators and providing testimony about unlawful sales and distribution, by calling the attention of licensing authorities to licensees who frequently sell to underage persons and calling for appropriate actions to prevent the abuse of their licenses.

In spite of the fact that adult citizens are not permitted to furnish alcoholic beverages to underage persons other than their own children and may not permit children other than their own to consume alcoholic beverages in their homes or in their presence, alcohol is served to underage persons at one out of every five teenage parties in the home. The incidence of unlawful consumption of alcohol by young people may be reduced by personal action on the part of adult hosts and chaperones, neighbors and parents to prohibit drinking by other people's children in their homes; to prohibit their children's attendance at parties in homes where consumption of alcohol by underage persons is known to be permitted; by confronting hosts and chaperones who

encourage or permit underage drinking by other's children with the serious legal consequences of their behaviors; and, by reporting known incidents of those unlawful behaviors to appropriate law enforcement agencies.

Individual adult citizens may also provide support and assistance to young people who prefer not to drink or who ask for help in reducing the opportunity to drink and the availability of alcohol, and resisting peer pressures to use alcoholic beverages by: supporting and calling for firm enforcement of laws, school codes and ordinances prohibiting the use of alcoholic beverages on certain premises or admission of those who do at school functions, sports events and parties in the home; serving as chaperones for school and youthful social events; arranging for and providing safe, sober transportation to and from youthful social activities and school events; supporting the development of, and volunteering assistance in the provision of non-drinking social and recreational settings and activities for young people, managed and directed by young people.

Parents, friends, relatives and other individuals involved with young people are encouraged to help those whose use of alcohol results in social, legal, educational or physical dysfunction by: learning to recognize the behavioral indicators of those dysfunctions; by obtaining professional assistance for the victims of alcohol abuse; and, by supporting, participating and cooperating to the fullest extent possible in their rehabilitation.

Individuals are encouraged to become better informed about the many tools, resources and programs available to assist them in preventing, controlling and dealing with the problems of youthful alcohol abuse; to support the development of those resources in their communities; and, to apply those resources as required to effect the reduction of youthful alcohol abuse in their immediate families, neighborhoods, and communities.

2. It is recommended that parents and other adults recognize the extent to which their attitudes and personal use of alcohol serve as models for young people and that they re-examine and modify those examples to effect a positive change in youthful attitudes and behaviors of their youthful imitators.

Discussion

Adult role models and parental examples are the most frequently mentioned influences on youthful drinking attitudes, patterns and behaviors. The widespread tolerance, encouragement and use of alcoholic beverages

among young people were seen by many witnesses as reflecting the even more widespread tolerance, encouragement and use of alcoholic beverages by their parents and other adults.

Adults not only tolerate and approve, but frequently require drinking as an essential component of "successful" adult social and recreational activities. Many adults consume alcohol on a daily basis. Others can't have a "good time" without alcohol. Many adults brag about their capacity to drink. Others measure their "good times" by the severity of their hangovers or the amount of alcohol consumed. Intoxicated adults are not only tolerated by others, they are frequently the "hit of the party", and considered to be a source of entertainment. At family and other social gatherings where young people are present, adults frequently discuss and attempt to "outdo" one another with tales of their own drunken exploits and those of their friends and relatives.

These and other demonstrated adult behaviors and attitudes are often the only instruction children receive in the use and precautions in the use of the drug alcohol. Childhood observations of parental and other adult drinking behaviors are generally the most effective and long-lasting influences on their own future drinking behaviors.

By providing different examples, parents and other adults can effectively teach young people that drinking is not an essential ingredient to any adult activity; that adults can have a good time without alcohol; that drunkenness is neither tolerable nor acceptable; that drunks are not funny; that hangovers are signs of alcohol abuse; that people who drink and drive are potential killers; that people who allow or encourage their guests to drink too much are not good hosts; that bartenders who repeatedly serve intoxicated persons are irresponsible; that people who boast about how much they can drink don't have much to brag about; that people who "need" a drink shouldn't drink it; that drinking on a job is a good way to lose it; that alcohol and other drugs don't mix; that small amounts of alcohol are extremely dangerous to very young children; that drinking during pregnancy endangers the unborn; that alcohol is an addictive drug; and that, used with caution by those who can tolerate it there are times and settings in which the use of alcohol is generally considered to be appropriate and socially acceptable.

It is the consensus of the panel that, unless there is a reversal of the present trend among parents and other adults to accept, tolerate and encourage the widespread and frequent use and abuse of alcohol within adult

society, we will continue to observe those same behaviors and attitudes reflected and magnified among our youthful imitators.

B. Community Approches to Prevention and Intervention

LOCAL GOVERNMENTS, COMMUNITY SERVICES AGENCIES, SCHOOLS AND CITIZENS' ORGANIZATIONS CAN ORGANIZE THEIR EXISTING RESOURCES AND APPLY THEIR EXISTING AUTHORITY TO PREVENT AND INTERVENE IN THE ABUSE OF ALCOHOL BY THEIR OWN YOUNG PEOPLE.

Local
Government

3. It is recommended that county executives, county boards of supervisors, mayors, city councils, town chairpersons, and town boards establish special task forces, advisory committees or commissions broadly representative of the community including strong youth representation to examine and discuss all issues related to the safety, health and welfare of the young people in their jurisdictions including alcohol abuse, and to make recommendations for and monitor the implementation of community-wide programs directed toward their improvement.

Discussion

In presentations given at the Appleton hearing, members of the Outagamie County task force appointed by County Executive Eugene Higgins, and the City of Kaukauna's citizen's committee appointed by Mayor Robert LaPlante testified to a number of immediate benefits produced by their communities' wide-ranging examination of the problems and potential approaches to youthful alcohol abuse. Those benefits included: increased awareness of the nature and extent of youthful alcohol abuse in those communities; increased public knowledge and utilization of the many resources, programs and tools available within the community; identification of weaknesses, gaps, and duplications in services and alternatives to alcohol abuse; identification of funding requirements and potential funding sources; stimulation of cooperative efforts by community agencies to close communications and service gaps; mobilization of community-wide concerns and support for law enforcement, expanded educational programs, in-school and other prevention and intervention programs and non-drinking social and recreational opportunities for young people; and, renewed concern and action on the part of licensing bodies, licencees, parents and the general public to more effectively control the sale and distribution of alcoholic beverages. Both groups reported that the principal benefits of their activities were: first, that the people in those communities were able to discuss those problems, and explore their causes in wide-ranging open meetings, in the press and in a variety of other settings; and, secondly, that in

doing so, they discovered many things they could do to effectively reduce the incidence of youthful alcohol abuse in their communities. Many of the recommendations made in this report are the result of their findings and testimony.

4. It is recommended that local governments exercise the option to enact ordinances prohibiting the possession of unsealed containers and the consumption of alcohol on public property and in public places except those licensed to sell alcoholic beverages for on-premises consumption or where otherwise specifically permitted by statute or ordinance.

Discussion

So-called "open can" and "public consumption" ordinances have been adopted by a number of municipalities and appear to be effective in reducing public disturbances arising from public use. Local governments may prohibit or limit the use and possession of alcohol in parks, school neighborhoods, parking lots, streets, sidewalks and other public places. As necessary to respond to local needs, local ordinances may restrict the use of alcohol in those places to certain days and times of day, such as during school hours in school neighborhoods, between noon and 10 p.m. on weekends in public parks, etc. Certain parks or portions of parks and beaches may be designated as "no drinking" areas. Local governments may exercise a wide variety of controls on the use of alcohol on public property and in places accessible to the public.

Local
Licensing
Bodies

5. It is recommended that local alcohol license review boards and licensing authorities review their authority and revise their policies and practices with regard to the issuance, denial and suspension of licenses and establish conditions, restrictions and policies to more effectively control the sale and distribution of alcoholic beverages in their jurisdictions.

Discussion

Wisconsin statutes permit local licensing bodies to issue, review, deny, suspend and revoke alcohol beverage sales licenses and special beer permits. The statutes also establish minimum standards and requirements for those processes.

Under ss. 66.054 Wis. Stats. local licensing bodies may place conditions and regulations in addition to those specified in the statute and may revoke or refuse to

issue licenses to persons who violate any provision of s. 176.01 or s. 66.054 including keeping or maintaining a "disorderly or riotous, indecent or improper house" or have sold or given away alcoholic beverages to any minor, or to persons intoxicated or bordering on a state of intoxication, or have not observed and obeyed any order of the licensing body.

Local licensing bodies may set strict conditions on licensees and may revoke licenses for failure to comply with those conditions. Licensees who fail to abide by the law and carelessly or deliberately sell or permit the sale of alcoholic beverages to underage persons frequently do not suffer revocation. Local licensing authorities have the power and the duty to enforce compliance of licensees with the law.

Local
Agencies

6. It is recommended that community-based youth services agencies, organizations and institutions establish inter-agency coordinating bodies for the purpose of developing, implementing, and monitoring cooperative approaches, working agreements and programs directed toward the prevention, intervention, treatment and rehabilitation of socially, legally, physically and emotionally dysfunctional young people, including the victims of alcohol and other drug abuse.

Discussion

In spite of the fact that throughout the state community-based youth services agencies, organizations, and institutions, including law enforcement, private and public health and social services agencies, self-help groups, the courts, schools and church groups offer a wide variety of services and programs directed toward the prevention, intervention, treatment and rehabilitation of dysfunctional youth, the efforts of those agencies, organizations and institutions, are frequently uncoordinated, duplicative, fragmentary and occasionally operated competitively and to the detriment of the efforts of others.

By joining together to address the common objectives of protecting society from the negative behaviors of those dysfunctional young people and enhancing the potential of those same young people to realize their full potential as productive citizens, those community agencies, organizations and institutions may eliminate many of the barriers which now exist to their successful achievement of those objectives.

Except for alcohol acquired by theft or unauthorized use of alcohol found in the home, the alcohol consumed by underage persons is obtained from adults, of whom

approximately 19% are 18 year-old adults, 39% are parents or other adults over 19 years of age and 41% are licensed sellers.

Criminal justice data for the past five years, which show an annual average of 11,000 juvenile liquor law arrests compared with 5,000 for adults indicate that law enforcement agencies are concentrating less on adults who carelessly or deliberately sell or furnish alcohol to underage persons than on young people who use those alcoholic beverages unlawfully.

Law
Enforcement

7. It is recommended that local law enforcement agencies maximize their efforts to identify and arrest those who knowingly and unlawfully sell, furnish or procure alcoholic beverages for underage persons; including other underage persons, licensed sellers and other adults.

Discussion

Youthful witnesses, law enforcement personnel and others appearing before the panel testified that the widespread availability of alcoholic beverages is largely due to carelessness or deliberate disregard for the law on the part of licensed sellers and other adults. Elsewhere in this report recommendations are made which would eliminate some of the inherent weaknesses in Wisconsin's present alcohol control laws. Those recommendations, however, would have little effect on those who disregard the existing laws prohibiting the sale and distribution of alcoholic beverages to underage persons.

Witnesses testified that, in their communities, there is little risk of detection, arrest, prosecution, conviction or significant consequences to those who do disregard the existing alcohol control laws. By intensifying their surveillance of licensees and others suspected or reported to be sources of alcoholic beverages to underage drinkers local law enforcement agencies can greatly increase the likelihood of their detection and arrest, thereby reducing the likelihood of continuing carelessness and deliberate disregard of the law by those and other sellers and providers.

8. It is recommended that local law enforcement agencies and local school officials maximize their efforts to cooperate in enforcing the laws and ordinances prohibiting the use and possession of alcoholic beverages in school, on school grounds and in school neighborhoods; and, in controlling the use of alcoholic beverages at school events.

Discussion

Witnesses testified that, in a number of jurisdictions throughout the state, local law enforcement agencies do not respond to direct requests for assistance in controlling the unlawful use of alcohol by students in school, on school grounds or at school events. In other jurisdictions school buildings, grounds and activities are reported to be "off limits" to the police except for occasional drug abuse or safety lectures and outbreaks of violence resulting in serious injury or property damage.

It is recommended that school personnel, students and other citizens report unlawful behaviors and assist law enforcement agencies in apprehending those who disregard the law. Local law enforcement agencies can assist in controlling unlawful and disruptive behaviors in schools, on school property and at school events by: responding to requests for assistance; periodically patrolling and observing school grounds and the vicinities of out-of-school student and sports activities; establishing and implementing joint school-police mutual assistance programs; and apprehending, referring and reporting the dispositions of cases involving unlawful alcohol related student behaviors to appropriate school personnel.

- Prosecutors 9. It is recommended that local prosecutors vigorously prosecute those who sell or furnish alcoholic beverages to underage persons.

Discussion

With few exceptions, the unlawful use or possession of alcohol by underage persons is the direct result of careless or deliberate disregard of the laws prohibiting the sale of or furnishing alcoholic beverages to minors by licensed sellers, parents and other adults. Testimony to the panel indicates that those who do unlawfully sell or furnish underage persons with alcoholic beverages are rarely detected, infrequently arrested, prosecuted or made to suffer any significant consequences for their disregard of the law. Elsewhere in this report it is recommended that law enforcement agencies maximize their efforts to detect and apprehend adult liquor law violators. Similar intensification of effort on the part of prosecutors to pursue those arrests to conviction and the imposition of significant sentences on those convicted by the courts are seen as essential elements in reducing the likelihood of the same or other potential violators' willingness to risk the legal consequences of those or similar unlawful behaviors.

10. It is recommended that local courts, prosecutors and law enforcement agencies develop special "first offenders" and other diversionary alternatives including group counseling, offender-parent classes and other approaches to effectively intervene with youthful drinking offenders.

Discussion

A number of prosecutors have developed first-offenders programs in which prosecution of first-time arrested underage liquor law violators is deferred for those who participate in counseling and educational programs offered by local alcohol and other drug abuse resource centers, Unified Services or Social Services agencies. Participation in one or more of the sessions by the offender's parents or guardians is also frequently required as a condition of deferred prosecution. In some communities the juvenile courts employ similar programs among other sentencing options for juvenile liquor law violators. Testimony to the panel indicates that these approaches to the rehabilitation and habilitation of youthful liquor law violators have resulted in a variety of benefits to the youthful offenders, their families and the community including: early identification, intervention and treatment of potentially disabling emotional and behavioral disorders; identification and prevention or resolution of potentially disruptive child-family relationships; enhanced ability by offenders to resist future peer pressures to become involved in unhealthy or unlawful activities and increased awareness and interest in safe and healthful alternatives to alcohol-involved recreational and social activities. The positive effects of those programs frequently spread beyond the offender-participants and their families to their immediate peer group and former "drinking buddies".

Schools

11. It is recommended that local schools and school districts develop their potential for the prevention and intervention in alcohol abuse among their students and strengthen their ability to respond to the needs of those whose use of alcohol or other drugs do or may result in social, physical, emotional or educational dysfunction.

Discussion

Reviewing the testimony presented in the public hearings it is evident that the use and abuse of alcohol by students is a significant problem in many Wisconsin schools. It is also evident that those institutions in which youthful alcohol abuse is most apparent and problematic are in the best position to intervene and assist those students and to apply the lessons of their

experiences in educationally effective prevention programs. Unfortunately, many school systems lack the community support, funds and other resources for the development and implementation of comprehensive, and integrated programs of preventive education, staff and student assistance and parent-teacher-community cooperation required to effectively combat the problems they encounter daily.

Elsewhere in this report it is recommended that the State Department of Public Instruction cooperate with local schools to develop and implement educational, staff and student assistance program guidelines and models; and, provide funding and consultation to assist local school districts in responding to this area of concern.

During the public hearings on youth, alcohol and the law, the panel received testimony that local schools and school districts throughout the state have applied their existing resources to implement various approaches to the prevention, intervention and control of alcohol abuse among their student populations, including:

- a. Establishing ad hoc and standing committees, boards, commissions and task forces with representation from the Board of Education, school administrators, teachers, guidance counselors, parents, students, legal counsel and community youth services agencies and organizations to examine the nature and extent of alcohol abuse problems in the district's schools; assess the resources required and available to deal with those concerns; make recommendations to the Board of Education and District Administrators for, and monitor the implementation of comprehensive, integrated system-wide policy, procedural, educational and remedial approaches to those problems.
- b. Developing and enforcing codes of conduct to be distributed to and agreed upon by the school, parents, guardians and students involved which specifically prohibits the use of alcohol on school premises and attendance at school activities by intoxicated persons, and other prohibited behaviors; require the reporting of violations of the law and school codes; specify the fact-finding, administrative and appeals procedures to be employed and the consequences for violation of codes of behavior.
- c. Develop and implement student assistance programs which specify the behavioral indicators of the need for assistance; the procedures, staff and

resources to be employed and offered to students identified as being in need of services; the point in service and extent to which parents and significant others will be invited and expected to be involved; policies related to confidentiality and disclosure of information; and, the consequences of failure to participate.

- d. Develop and provide staff training in identification, intervention, referral and remediation techniques, resources and procedures involved in the provision of student assistance.
- e. Develop and implement K-12, comprehensive health education programs including identifiable units directed toward the provision of information about and developing decision making skills with reference to the use of alcohol and other drugs.
- f. Develop working relationships and cooperative services agreements with related community youth services agencies and organizations including Unified Services Programs, local Departments of Social Services, law enforcement agencies, the courts and other public and private health and social services providers.

Local
Health,
Social
Services
Agencies

- 12. It is recommended that local Unified Services Programs, County Departments of Social Services and other public and private health, welfare and social services agencies strengthen and expand their services and inform the public and related youth services and educational institutions of their ability to respond to youthful alcohol abuse.

Discussion

Elsewhere in this report it is recommended that the legislature direct and provide sufficient funding to the Department of Health and Social Services to assure the provision of comprehensive alcohol and other drug abuse services to young people in every Wisconsin County by 1985. During the hearings on "Youth, Alcohol and the Law," the panel received frequent testimony that alcohol and other drug abuse services to young people are underdeveloped; and that, where services do exist, they are not well known or as widely used as they could be by potential clients and referral sources. Witnesses presented a variety of youth-oriented alcohol and other drug abuse services which have been developed and successfully implemented by community-based service agencies throughout the state, including: mass media and large group talks, films and mixed-media presentations

by alcohol and other drug abuse professionals; radio call-in programs and special telephone hours for parents and young people concerned about their own or others' drinking; drop-in centers and in-school resource centers where young people can talk over and obtain helpful information about a variety of concerns with one another or with professional resource persons; diagnostic evaluation and referral services to individuals and community agencies; individual, family and group counseling and outpatient treatment; detoxification; crisis intervention; juvenile shelter and other alternative living arrangements; post-arrest, pre-conviction, pre-sentence and court-ordered assessments, classes and counseling sessions for juvenile offenders and their parents or guardians; professional education and in-service training; agency and case consultation; and adult education services.

C. State and Federal Approaches to Youthful Alcohol Abuse

STATE AND FEDERAL GOVERNMENTS CAN STRENGTHEN THEIR LAWS AND PROGRAMS TO ASSIST LOCAL GOVERNMENTS, COMMUNITY ORGANIZATIONS, SCHOOLS, SERVICE AGENCIES AND INDIVIDUAL CITIZENS TO PREVENT AND INTERVENE IN YOUTHFUL ALCOHOL ABUSE.

- Advertising
13. It is recommended that the Council on Alcohol and Other Drug Abuse make known to appropriate federal regulatory agencies and congressional committees its support of the elimination of alcohol beverage advertising directed toward youth or containing messages which associate the use of alcohol with success, health, sports, sex, school, or recreational activities; or suggesting or depicting excessive consumption of alcoholic beverages.
 14. It is recommended that the Council on Alcohol and Other Drug Abuse encourage and obtain agreement from corporations licensed to manufacture or sell alcoholic beverages in the state to adopt advertising guidelines relating to underage persons similar to those of the Wine Institute.
 15. It is recommended that the Council on Alcohol and Other Drug Abuse make known to appropriate federal regulatory agencies and congressional committees its support of the elimination of all alcohol beverage advertising on radio and television.

Discussion

In the hearings on youth, alcohol and the law, alcohol beverage advertising was among the most frequently mentioned influences on youthful alcohol abuse. Directed toward the "youth market" (18-35), alcohol beverage advertising appears in print and electronic media which

capture large audiences of underage persons, and carry messages which are often inappropriate and clearly directed toward young people. Although there is disagreement as to whether advertising alone influences non-drinkers to begin drinking, it is evident that it contributes to the incidence of underage drinking by conveying the impression that alcohol consumption is essential to a "good time" and is an appropriate adjunct to and enhances every kind of social and recreational activity. Radio and television advertising exposes underage audiences to more examples of youthful and adult drinking, and more frequent messages encouraging the use of alcoholic beverages than they are likely to encounter in real life situations. It is the consensus of the panel that, at minimum, alcohol beverage advertisers should adopt and abide by voluntary guidelines limiting the media employed, messages conveyed, and the population exposed to those messages.

Alcohol and other drug abuse differ from other health-endangering behaviors in that they are tolerated and encouraged by the general public and permitted by public policy to be actively promoted and advertised. It is the consensus of the panel that public airways should not be used to promote behaviors which clearly endanger the public safety.

Warnings

16. It is recommended that the Council on Alcohol and Other Drug Abuse make known to appropriate federal regulatory agencies and congressional committees its support of a requirement that messages stating the dangers and precautions to be exercised in the use of alcohol be affixed to alcoholic beverage containers and prominently displayed in all alcoholic beverage advertising.

Discussion

In spite of the fact that the misuse and abuse of alcohol are the most frequent causes of death and disability in the nation, alcohol is the only commercially available dangerous drug which does not require labeling or advertising statements as to its dangers and the precautions to be observed in its use. National public opinion surveys over the past decade consistently reveal that more than half of the nation's adults are not aware of the maximum safe daily dosage and contraindications for the use of the drug. It is the consensus of the panel that appropriate warning labels and precautionary advertising statements would improve public knowledge and enhance the potential for reducing the incidence of the drug's misuse and abuse.

Department
Of Health

17. It is recommended that the Department of Health and Social Services be provided with legislative direction

And Social
Services

and sufficient funding to develop and conduct a mass media campaign to inform the public of the hazards associated with the use of the drug alcohol and encourage healthful alternatives to its use.

Discussion

It is the consensus of the panel that it is the responsibility of the state to inform the public about the potential health and safety hazards involved in the use of the drug alcohol. Some state-funded efforts have been made to inform and warn the public against the hazards involved in drinking and driving and encouraging alternatives to the use of alcohol during the Christmas and New Year Holiday Season. Party recipe requests received in response to the Holiday campaign indicate that large-scale promotions of safe and healthful alternatives to the use of alcohol are capable of generating positive public response. It is the panel's consensus that a mass media campaign to inform the public of the dangers of alcohol and promoting healthful alternatives to the use of alcohol should be equal to or greater in quality and exposure than campaigns which promote the use of the drug.

18. It is recommended that the Department of Health and Social Services, Bureau of Alcohol and Other Drug Abuse, be provided with legislative direction and funding sufficient to develop, test and assist in providing comprehensive programs of alcohol and other drug abuse prevention, intervention, treatment, rehabilitation, consultation and professional education by Human Services, Unified Services and County Social Services Programs to every Wisconsin resident. It is further recommended that the Department complete a county-by-county assessment of the need for youth-directed alcohol and other drug abuse services by 1981, and a plan for statewide services development by 1983, with implementation as soon thereafter as possible.

Discussion

Elsewhere in this report it is recommended that community-based alcohol and other drug abuse service providers develop, strengthen and inform the public and other community agencies of their capacity to provide a wide range of services to youthful victims of alcohol abuse and their families, and to the community as a whole. It is the consensus of the panel that the successful implementation of community-based programs in this area will depend largely upon the availability of additional funds to support their development and operation; and, on the availability of suitable models, technical

assistance and direct consultation to local program personnel from the Bureau of Alcohol and Other Drug Abuse, Division of Community Services, Department of Health and Social Services.

Department
Of Public
Instruction

19. It is recommended that the Department of Public Instruction be provided with legislative direction and sufficient funding for the development and evaluation of programs and resources for the provision of consultation, assistance and special incentive funds in order to promote the implementation of a comprehensive continuum of alcohol and other drug abuse services within local school districts.

Discussion

Limited by appropriation of one half-time consultant in alcohol and other drug abuse, the Department of Public Instruction is clearly unable to respond to local school boards' needs for program development and consultation in this area of concern. Limited budgets also restrict the resources which may be applied to teacher training, resource development, program and curriculum development by local schools.

By providing additional staff for this purpose to the Department and special funds to be distributed to local schools to support their efforts to establish programs in this area of concern, the legislature may assure statewide availability of quality educational offerings and student services programming in local schools.

20. It is recommended that, at minimum, the Department of Public Instruction be provided with legislative direction and funding sufficient to employ two fulltime alcohol and other drug abuse education consultants during the 1979-80 budget period.

Discussion

It is the consensus of the panel that the Department of Public Instruction will require additional personnel to effectively plan, develop models, establish resource networks, coordinate local program development and provide consultation and technical assistance in this area.

Joint
DHSS,
DPI
Efforts

21. It is recommended that the Departments of Health and Social Services and Public Instruction be provided with legislative direction to jointly develop a single, coordinated plan for the development, testing and implementation of cooperative and integrated school-community prevention, intervention, treatment and

rehabilitation services to be presented to the Council on Alcohol and Other Drug Abuse by 1980, and to report annually thereafter on the progress made in its implementation.

Discussion

Elsewhere it is recommended that schools and community services agencies develop and implement cooperative programs directed toward youthful alcohol abuse prevention, intervention and treatment. It is deemed essential that the principal state agencies responsible for providing leadership, resources and consultation to local schools and community services agencies also develop a single integrated plan for the orderly development of and funding for the program models, guidelines, resources, consultation networks and training required to accomplish those objectives.

Joint
Justice,
Revenue,
UW-Ext.
Effort

22. It is recommended that the Departments of Justice and Revenue and the University of Wisconsin Extension be provided with legislative direction and sufficient funding for the joint development of instructional materials and provide programs of instruction in the administration of Wisconsin's retail alcohol beverage sales statutes to municipal attorneys, law enforcement personnel, and alcohol licensing authority members and alcohol beverage licensees.

Discussion

Wisconsin's alcohol beverage licensing statutes are complex and permit local licensing authorities to adopt a wide variety of administrative actions and policies restricting the issuance and otherwise controlling the use of those licenses. The panel found that those statutes and their implications for licensing and enforcement are not generally known or understood by local authorities responsible for their administration.

It is the panel's consensus that additional information and training in this area would greatly enhance the potential of local authorities to more effectively apply and administer those statutes.

Funding

23. It is recommended that funds sufficient to support the above recommendations for the development, expansion and improvement in state and community-based services and programs for the prevention of youthful alcohol abuse and effective intervention, treatment and rehabilitation of its youthful victims be provided by an increase in the alcoholic beverage tax formula.

Discussion

Estimates based on community program statements as to their unmet needs indicate that community-based alcohol and other drug abuse services are underfunded by more than ten million dollars. Based on 1977 Wisconsin Department of Revenue Data, a tax increase amounting to 1/10 of a cent per drink would produce more than 2.7 million dollars in state revenue annually. It is the consensus of the panel that a small increase in Wisconsin alcohol beverage taxes to support the prevention of alcohol abuse and the treatment of its victims should be considered.

Use
On
School
Property

24. It is recommended that the use and possession of alcoholic beverages in primary and secondary school buildings and school property be prohibited by statutes.

Discussion

Although drinking in school and on school property was mentioned as being a matter of major concern to school officials, and although local municipalities may prohibit drinking in those locations by statute, many have not. While it is recommended elsewhere that local governments adopt ordinances prohibiting or restricting the use and possession of alcoholic beverages in school, on school grounds and in school neighborhoods, it is deemed essential that the statutes prohibit use and possession in schools and on school grounds statewide, to control this widespread behavior.

Control
Of Sales

25. It is recommended that the issuance and renewal of licenses for the off-premises only sales of alcoholic beverages to establishments in which alcohol beverage sales constitute less than 80% of gross sales be prohibited by statute.

Prohibit
Entry

26. It is recommended that persons under the legal purchasing age who are not accompanied by parent or guardian be prohibited from entering or being on the premises of any "Class A" beer or Class "A" liquor licensed establishment as redefined in 27. above.

Discussion

The most frequently mentioned sources of alcoholic beverages to underage persons were convenience stores, grocery stores and service stations in which, witnesses noted, there are few effective controls on sales to underage persons.

It is the consensus of the panel that restricting sales to package stores, requiring presence of licensed

operators, and prohibiting the entry or employment of underaged persons in such establishments would largely eliminate the present major sources of alcohol to underage persons.

Other alternatives for more effectively controlling and reducing the incidence of careless and unlawful sale to minors include:

- a. Prohibiting sale in licensed premises by persons under the lawful purchasing age.
- b. Requiring the presence and supervision of persons selling alcoholic beverages by a licensed operator.
- c. Requiring separate entrances, exits, check-out registers and segregated areas for alcohol beverage sales and storage in licensed establishments other than taverns, restaurants and package stores, and prohibiting entrance by or employment of persons under the legal purchasing age in those segregated areas.

Penalties

27. It is recommended that licensees convicted of the unlawful sale of alcoholic beverages to minors be fined a minimum of \$300 for the first offense.

Discussion

The statutes presently set a minimum \$200 fine for sale of liquor but no minimum for the sale of beer, to minors. In addition, licensed establishments may suffer suspension of their licenses on first offense, but few experience that or any other significant consequence for first conviction. It is the consensus of the panel that a minimum \$300 fine for sale of alcoholic beverages of any kind to minors would reduce the likelihood of repeat offenses and result in increased vigilance by vendors.

Minors'
Consent,
Notice
To
Parents

28. It is recommended that the statutes be amended to permit the treatment of minors, 12 years of age or older, for alcohol and other drug abuse as follows:
- a. Up to 72 hours detoxification upon consent of the minor and with notice to the parent(s) or guardian(s).
 - b. Up to six diagnostic sessions and two month's out-patient counseling without medications upon the minor's consent and without notice to parent(s) or guardian(s).

- c. Treatment as adults under s. 51.45 Wis. Stats. except for voluntary admission to inpatient treatment facilities under s. 51.13 Wis. Stats.

Discussion

Under the present laws, intoxicated or incapacitated minors may not be detoxified or treated in other than life threatening medical emergencies, except with prior parental consent or intervention on the child's behalf by the juvenile court. Whereas adults may be admitted and treated for acute intoxication in regular medical facilities, minors frequently have no place to go for proper treatment for the same condition, due to the consent requirement. The panel believes that treatment should not be denied or delayed for young people experiencing these serious medical problems.

Law enforcement officers, school personnel and health and social services personnel appearing before the panel frequently mentioned the need to permit the provision of early treatment, counselling and other services to minors with alcohol and other drug related problems upon the minor's consent and without prior parental notice or consent.

The principal objective of this recommendation is to remove one of the major obstacles to early intervention in youthful drinking problems; parental notification. It is the consensus of the panel that by removing this obstacle, more young people with beginning alcohol problems will ask for and receive treatment and counselling while they are more readily treated and before those problems result in serious disruptions of family, social and school relationships or long-term legal, social, physical or emotional dysfunction.

Drinking
Age

29. It is recommended that Wisconsin's "Legal Drinking Age" not be changed and that other alternatives to dealing with youthful alcohol abuse, which are recommended in this report, be implemented.

Discussion

After careful consideration of the facts and testimony of the witnesses pertaining to the influence of the "legal age" on the availability and abuse of alcohol by young people, (see Section VII), it is the consensus of the panel that: unless there is a substantial reduction in individual and social tolerance and encouragement of the inappropriate use of alcohol by adults and young people; and, unless there is widespread public support for, assistance in and insistence on the enforcement of existing alcohol beverage control laws, raising the

"legal drinking age" is unlikely to have any significant influence on the availability, use and abuse of alcohol by young people in Wisconsin.

It is also the opinion of the panel that: If there were to be a substantial reduction in individual and social tolerance and encouragement of the inappropriate use of alcohol by adults and young people; and if there were to be widespread public support for, assistance in and insistence on enforcement of the existing laws, the use and abuse of alcohol by young people would not be a major social problem and raising the "drinking age" would not be an issue.

While raising the "legal drinking age" may have some impact on the availability of alcoholic beverages to underage persons if it is accompanied by vigorous enforcement and widespread public support and assistance in its enforcement, it is the consensus of the panel that it would unnecessarily restrict and criminalize the behaviors of the many 18 year-old adults who do not violate the existing "drinking age" laws in an attempt to control the few 18 year-olds who do, and who are likely to continue to violate any "drinking age" laws by furnishing or procuring alcohol for underage persons.

It is the consensus of the panel that criminal sanctions are an inappropriate social response for the simple use or possession of alcohol, and that the establishment of criminal records which have serious lifelong consequences in the selection of careers, employment and other personal opportunities for a behavior by certain young adults which is tolerated, encouraged and practiced by adults generally, would be an unnecessary, intolerable and fruitless response to underage drinking.

The futility of this approach is evident in the fact that other states in which the "legal drinking age" is higher than it is in Wisconsin or which have recently raised their "legal drinking age" to 19 have experienced similar and continuing youthful alcohol abuse problems in spite of their different "drinking ages".

In Iowa, where the age is 19 and problems continue to increase, there is a move to raise the age to 20 or 21. In Michigan where the age was raised to 19, the voters raised it again to 21. In Minnesota where the age was raised to 19, problems appear to continue, and a further raise to 21 is being considered. In Illinois where the age for wine and beer are 19, youthful alcohol abuse problems have generated a move to raise the age

to 20 or 21. In Nevada, the nation's number one alcohol problem state, the drinking age is 21. In California where the age is 21, youthful alcohol abuse is a major concern. It is clear that other states' manipulation of their "legal drinking ages" have not effected any significant changes in their youthful alcohol abuse problems.

Youthful alcohol abuse is growing in Wisconsin as it is elsewhere in the nation. It is the consensus of the panel that there is a need for individual, community, state and federal action to control and prevent the incidence of that abuse. It is our belief that raising the "drinking age" would not significantly reduce youthful drinking problems but would, instead, postpone effective actions, such as those recommended elsewhere in this report, which have a substantially greater likelihood of preventing the abuse of alcohol by Wisconsin's young people and helping those who have become its victims.

VII. THE PUBLIC HEARINGS

A. Testimony on the "Legal Drinking Age"

During the course of the public hearings on Youth, Alcohol and the Law, 116 persons offered written or verbal testimony. Witnesses represented: secondary school administrators, teachers and school counselors (23 persons); law enforcement agencies and individual law enforcement officers (10 witnesses); young people (12 witnesses); parents and parents' organizations (6 witnesses); health, welfare and social services agencies (41 witnesses); the general public and other community organizations (24 witnesses).

Summary

Of the 116 witnesses, 86(74%) did not consider the present legal "drinking age" to be a significant issue. Of those, 33 (28%) did not mention the "drinking age", 36 (31%) stated that they did not support raising the age, and 17 (15%) directly opposed raising the age. Thirty witnesses (26%) supported either raising the legal "drinking age" or "carry-out age" only (3%). More than half (57%) of those who supported raising the drinking age testified that although raising the "drinking age" was unlikely to have a significant impact on the problem it "would help the schools" (9 persons), or was a symbolic "step in the right direction" (7 persons). (See Table 2).

Analysis of the testimony by group represented, providing equal weight to the positions taken within each group, their positions were:

Support raising the "drinking and/or carry-out" age	33%
"Oppose" raising the age.	12%
"Do not support" raising the age.	25%
"No mention of "drinking age".	30%

(See Table 1).

More than half of the school administrators, teachers and counselors, 13 persons, (56% of the group), and half of the parents' representatives, 3 persons (50% of the group) supported raising the "drinking age". Raising the age was supported by less than half of the law enforcement officers, 4 witnesses (40% of the group); young people, 3 witnesses (30% of the group); health, welfare and social services personnel 4 witnesses (10% of the group); and, the general public, 3 persons (12% of the group). (See Table 1).

Twenty-six (63%) of the Health, welfare and social services personnel, 60% of the young people, 46% of the general public 30% of the school personnel and 20% of the law enforcement personnel either opposed or did not support raising the age. (See Table 1.)

Half of the parents, 42% of the general public, 40% of the law enforcement officers, 27% of the health, welfare and social services personnel and 10% of the young people did not mention the legal "drinking age". (See Table 1.)

Excluding those who did not mention the "drinking age" (30%), and providing equal weight to each group, 53% either opposed (17%) or did not support (36%) and 47% supported raising the legal "drinking age", the "carry-out age" or both. (See Table 1.)

Summary of Pro's and Con's

PRO TESTIMONY

Wisconsin's 18 year-old "drinking age" is a major factor in the high incidence of youthful alcohol abuse.

The "drinking age" contributes to the ready accessibility of alcoholic beverages to underage drinkers. Eighteen-year-olds in high school are the principal source of alcohol for underage classmates.

Eighteen-year-old pressures on underage classmates to drink are a significant factor in underage drinking.

Lowering the legal "drinking age" for liquor and wine in 1972 caused a significant increase in youthful drinking and alcohol abuse.

Raising the "drinking age" to 19 will keep alcohol out of the schools, and will help control the downward distribution by older adults to underage students.

CON TESTIMONY

The drinking age is not a significant factor in the incidence of youthful alcohol abuse.

Regardless of the legal "drinking age" underage persons who want to drink can easily obtain alcoholic beverages. Eighteen-year-olds are not the principal source of alcohol for underage classmates. Persons 19 and older are the most frequent source, (31%); while parents and 18 year-olds are the next most frequent (18% each); and, other underage classmates are fourth (14%).

Peer pressures are a significant factor in underage drinking. Eighteen-year-olds are no more likely to pressure underage persons to drink than other underage classmates.

The increase in youthful drinking and alcohol abuse has been gradual over an extended period of time, there is no causal relationship between lowering the wine and liquor age in 1972 and the incidence of underage drinking. The increase is due largely to the increased numbers of young people since 1970.

Raising the "drinking age" will have little or no effect on the availability of alcoholic beverages to underage persons who want to drink.

Eighteen-year-old schoolmates are mentioned as the source of alcoholic beverages by fewer than 20% of the underage drinkers. Raising the "drinking age" would have little or no effect on other sources of supply, i.e. persons 19 and older, parents, or other underage classmates, who furnish alcohol to 82% of the underage drinkers.

Raising the "drinking age" will make it harder for underage drinkers to obtain.

Raising the "drinking age" provides school officials with an essential legal tool for the control of student alcohol involvement.

Even if it has little effect on the availability, use and abuse of alcohol by underage persons, raising the "drinking age" would be a clear statement of public policy and an important first step in the fight against youthful alcohol abuse.

While it may prevent some of those affected from drinking, raising the "drinking age" is unlikely to prevent anyone who currently violates the existing laws by illegally purchasing, selling, providing, serving or furnishing alcohol to underage persons from doing so in the future.

Alcohol is just as available to underage drinkers in other states in which the legal "drinking age" is 19, 20 or 21, as it is in Wisconsin. Raising the "drinking age" has had little effect on youthful alcohol abuse in other states.

Even if raising the "drinking age" would make it more difficult for underage drinkers to obtain alcoholic beverages, it is unlikely to affect those who abuse alcohol from doing so in the future.

School officials aren't using the many "legal tools" already available. The existing laws cover all of the behaviors which are the proper concern of school officials.

For 18 year-old high school student alcohol abusers (dysfunctional users), identification, counseling and treatment are more suitable social responses than criminalization.

It is not necessary to raise the "drinking age" to make a statement of public policy. Public policy may be stated by resolution.

Raising the "drinking age" is more likely to be the last, rather than a first step toward preventing and controlling youthful use of alcohol.

Although it will have little or no direct effect on youthful users and abusers, raising the "drinking age" is likely to be viewed by many as the principal solution to the problem. As such, it is likely to divert public and political attention from the many other, more effective approaches to the problem.

Raising the drinking age will bring Wisconsin "in-line" with its neighboring states, and eliminate "border problems."

The "drinking age" laws of each of Wisconsin's neighbors is different from that of each other. There is no evidence that there is any correlation between the laws of any one state and the incidence of youthful alcohol abuse within that state. "Border-crossing" is frequently unrelated to legal differences.

Raising the "drinking age" will help law enforcement control underage drinking.

Enforcement of the existing laws is difficult. Changing the law will have little effect on enforcement.

Raising the "drinking age" will disenfranchise drinking by the overwhelming majority of 18 year-olds who use the privilege responsibly, for the very few who abuse that privilege.

Raising the "drinking age" for all 18 year-olds, 60% of whom are either in college or members of the adult work force would work a hardship on college student organizations and other groups in which 18 year-olds are significantly represented.

Criminalization, arrest, jail, fine and the effects of criminal record on future career choices are not a suitable social response to the simple use or possession of alcohol by anyone, regardless of age.

Increased enforcement of existing laws, particularly those pertaining to sellers and procurers; strict control by licensing bodies and similar actions would be far more effective on controlling the illegal sale and distribution of alcoholic beverages to underage persons than would raising the "drinking age."

Increased enforcement of existing laws would **not** disenfranchise the majority to get at the minority; would not cause problems on college campuses; would require no new legislation; would serve as an effective statement of public policy, would focus on alcohol beverage law violators instead of on those who don't violate the present laws; would not impede further, more appropriate public responses to the problem.

Observations

Thirty-three of the witnesses, 28% of the total, made no mention of the legal "drinking age" in either their list of factors contributing to youthful alcohol abuse or in their recommendations for measures by which youthful alcohol abuse could be reduced or prevented. Reviewing their testimony, it appears that this group generally did not consider the legal "drinking age" to be an issue worth mentioning.

SCHOOL PERSONNEL

School administrators, teachers, school social workers, psychologists and guidance counselors made frequent mention of the legal "drinking age". School administrators generally viewed the present legal "drinking age" for all alcoholic beverages as being a significant factor in the increased incidence of youthful alcohol abuse. Many of the school administrators offered the observation that lowering the drinking age for wine and liquor to 18 which made all alcoholic beverages more readily available to approximately one-half of the high school seniors had also made alcohol more readily available to all young people. Some testified that lowering the drinking age for wine and liquor had also increased the 18 year-olds pressures on underage classmates to drink.

Some school administrators also testified that youthful drinking had substantially increased since the drinking age for wine and liquor was lowered to 18 in 1972. Three of the 23 school personnel testifying before the panel asserted that lowering the drinking age was among the major causes of that increase.

School personnel other than school administrators, however, generally discounted the effects of having lowered the drinking age on youthful alcohol abuse. Seventy percent of the school personnel, including school psychologists, social workers, counselors, and individual teachers testified that, although the present legal drinking age may have increased the availability of alcoholic beverages to underage students, it was not a major contributing factor or significant influence on youthful alcohol abuse. This group of school personnel generally considered adult role models, advertising, peer pressures, lack of parental concern and guidance, lax enforcement of existing laws, lack of school/community standards regarding youthful consumption of alcohol and alcohol abuse, lack of significant consequences and their consistent application to violators of existing laws, rules and standards to be significantly more important factors in youthful alcohol abuse than the present legal "drinking age".

LAW ENFORCEMENT

While some Law Enforcement administrators and spokespersons for law enforcement organizations (4 persons, 40% of this group) agreed with the observations made by the school administrators, a number of police administrators, and individual officers, particularly juvenile law enforcement officers did not.

This latter group, which constituted 60% of the witnesses representing law enforcement, observed that, although alcohol is readily available to underage drinkers, the present legal "drinking age" contributes less to the incidence of illicit sale, distribution and use of alcohol by underage drinkers than careless sellers; parents; lack of public support, testimony and vigilance against violators of the existing laws; and the pervasive desire or pressures on young people to drink.

PARENTS

While half of the persons representing parents' organizations testified that the present legal "drinking age" was a significant factor in the use and abuse of alcohol by underage drinkers, another half made no mention of the legal "drinking age."

YOUNG
PEOPLE

Eighty percent of the young people testifying before the panel observed that the "drinking age" was not a significant factor in accessibility, peer pressure or illicit use of alcohol. The testimony of this group showed that parents, older adults (19+), and other underage classmates are more frequent sources of alcoholic beverages than are 18 year-old classmates. It was the consensus of this group that although the legal "drinking age" does contribute to the accessibility of alcoholic beverages to underage drinkers, peer pressures unrelated to the drinking age, lack of enforcement of the existing laws, adult role models, advertising, lack of parental guidance and concern and normal adolescent risk-taking were more significant influences on youthful alcohol abuse.

HEALTH,
SOCIAL
SERVICES

Sixty-three percent of the health, welfare and social services personnel appearing before the panel testified that the "legal drinking" age was not a significant factor or contributor to youthful alcohol abuse, another 27% of this group made no mention of the legal age in their list of factors influencing youthful alcohol abuse. However, three persons (7%) in this group of witnesses did consider the legal "drinking age" to be a major contributing factor in the availability and abuse of alcohol by underage drinkers. An equal number of witnesses in this group, three persons, testified that any legal "drinking age" was likely to contribute to drinking by underage persons to establish their "right to adulthood". (These witnesses proposed eliminating the "drinking age".)

GENERAL
PUBLIC

Two of those representing the public at large (8% of this group) considered the legal "drinking age" to be a significant contributor to youthful alcohol abuse. Eleven, (42%) made no observation as to the "drinking age" and thirteen (50%) observed that while it may contribute to availability and use by underage drinkers, it is a far less significant influence on youthful alcohol abuse than many other social, legal and personal factors.

Generally, those whose profession brings them into frequent and close contact with young people such as juvenile law enforcement officers, alcohol counselors, youth agency personnel, health and social services personnel, teachers, school psychologists, social workers and guidance counselors tended to view the legal "drinking age" as a minor issue. Twenty six percent of this group referred to it as a "phony", "false" or "non-issue" while another 42% made no mention of the "drinking age." Most school administrators, police chiefs, law enforcement organization spokespersons and half of the parents, however, viewed the "drinking age" as a significant issue.

A tabulation of the witnesses observations on the significance of the legal "drinking age", by group, is as follows:

Observation: Group	Drinking Age Significant		Drinking Age Not Significant		Drinking Age Not Mentioned*	
	N	%	N	%	N	%
School Personnel	4	17%	16	70%	3	13%
Law Enforcement	4	40%	2	20%	4	40%
Youth	1	10%	8	80%	1	10%
Parents	3	50%	-	-	3	50%
Health, Social Serv.	4	10%	26	63%	11	27%
Other	2	8%	13	50%	11	42%
Total	18	16%	65	56%	33	28%

* (Assumed to be considered insignificant in most cases.)

NOTE: It should be noted that 12 of the witnesses (10% of the total) who indicated that the "drinking age" was not a significant factor in youthful alcohol abuse, did support raising the "drinking age" in conjunction with a variety of other preventive measures; as a symbolic "step in the right direction".

POSITIONS ON THE LEGAL "DRINKING AGE"

SUPPORT Thirty witnesses (26% of the individuals, 33% of the averages by group) supported raising the legal "drinking age", the carry-out age" or both. Thirty percent of those calling for raising the "drinking age" 5 of whom were school administrators (Table 2.) did so on the grounds that it would "get alcohol out of the high schools," or would "help keep it out of the schools". Four school administrators testified that, by raising the "drinking age", school officials would be provided with an essential legal tool with which to combat drinking by students. More than half of those in support of raising the drinking age (57%) testified that doing so "would" or "might" have some impact on the availability and use of alcohol by young people; that it would make it "somewhat harder to get", "less accessible"; that offenders could be more easily detected and apprehended. Twenty-three percent

testified that, while raising the "drinking age" would do little to reduce the availability and use of alcohol by youth, it was a desirable, symbolic "step in the right direction", i.e. a statement of concern.

Approximately 30% of those who supported raising the legal "drinking age" qualified their support with statements such as "if it will help the schools", "if it will help cut-down on the number of teenage drinkers". A number offered no reason other than "it's a good idea" or "it's needed".

It should be noted that 68% of the witnesses supporting raising the "drinking age" testified that it would have little impact unless it was accompanied by increased public awareness, support for enforcement, additional enforcement efforts and other supportive measures.

Sixteen witnesses (13% of the total) supported raising the "drinking age" to bring Wisconsin in conformity with its border states to eliminate problems in border communities or because "they know something we don't."

OPPOSE,
DO NOT
SUPPORT

Fifty three witnesses (46% of the individuals, 37% of the averages by group) stated either opposition or non-support for raising the legal "drinking age". Many took issue with those who claimed that raising the age was an essential tool in keeping alcohol out of the schools, testifying that the present laws already prohibit procuring, giving or furnishing alcoholic beverages to persons under 18; that disruptive behaviors by intoxicated persons are already prohibited by law; that schools and other organizations already have the right and power to refuse entrance by intoxicated persons to social, athletic and classroom activities and by ordinance, to prohibit the consumption use or possession of alcohol on school grounds and in school neighborhoods.

Among the 43 persons (80% of the group) opposing or stating "non-support" for raising the age, twelve (28% of the group) testified that, in their opinion, raising the age was "a cop out" "a quick fix" or a "phony issue" promoted by school officials to cover-up their inability to cope with the problem of youthful alcohol abuse among their student populations. Witnesses in this group generally testified that the existing laws gave school officials, law enforcement officers and the general public all the tools necessary to control illicit drinking and disruptive behaviors, but that violation of those laws are frequently undetected, violators are rarely arrested, prosecuted or made to suffer any meaningful consequences.

One out of three law enforcement spokespersons who mentioned the "drinking age" testified that raising the drinking age would have little or no effect on those who presently violate existing laws.

Police officers who made no mention of the "drinking age" per se stated that the present laws were incapable of controlling youthful drinking and that more laws "aren't the answer".

Young people, teachers, school psychologists, school social workers and guidance counselors, health and social services personnel in this group testified that "those who want it" can now obtain alcohol with little difficulty and that raising the drinking age "won't stop anybody who wants it from getting it." Testimony of this group included statements such as: "It's silly to think another law would help when we don't use what we've got"; "it won't help"; it's "futile, symptomatic"; "a simple and simple-minded approach that simply won't work"; "to think that raising the drinking age will stop any kid from drinking is a delusion"; "if we think that raising the drinking age will (help the schools) we're kidding ourselves". Witnesses generally supported these comments with survey data, personal observations of youthful drinking behaviors, or other testimonial evidence. Those who work with youthful alcoholics and alcohol abusers pointed out that a higher "drinking age" would not have prevented any of their youthful clients from becoming alcohol-involved. Recovering adult alcoholics testified that the higher drinking age had not prevented them from obtaining and drinking alcoholic beverages when they were as young as 12, 13 years old. Out-of-state young people testified that alcoholic beverages were as frequently used by young people in states with higher drinking ages as they are in Wisconsin.

Seventeen witnesses (15% of the individuals, 12% of the group averages) directly opposed raising the legal "drinking age" on the grounds that it would "do more harm than good". The most frequently mentioned harmful effect of such an action was that it would "take away the focus" on the need for more effective counter-measures. Witnesses in this group testified that while raising the drinking age would do little or nothing at all to reduce alcohol abuse among underage persons, the "politicians, school people and general public would think they've done something and stop worrying about the problem when they've done nothing at all."

Many of those opposing or not supportive of raising the "drinking age" cited the fact that while few of the 18 year-olds in Wisconsin are high school students and that most of the 18 year-olds in high school do not violate the existing alcohol beverage laws, raising the "drinking age" would deprive all of the 18 year-olds who do so responsibly of the right to use alcoholic beverages. According to the testimony of this group, this would impose an unnecessary restraint on the overwhelming majority of 18 year-olds who drink responsibly; it would work a particular hardship on college organizations and student bodies, and activities; and it would discriminate against 18 year-old adults who are no longer in school.

Ten persons, (24% of those opposing or stating their non-support of raising the "drinking age") cited their own opposition, and that of the general public, to imposing criminal penalties and other consequences of arrest, prosecution and conviction on persons who simply use or possess alcohol without any attendant social, legal or personal dysfunction. (This general reluctance to impose criminal sanctions for simple use or possession was supported by witnesses responses to the opinion survey in which 67% disagreed that "underage drinkers should be arrested, fined or jailed".)

Table 1.

	A. Support Raising Age			B. Support Raising Carry- Out		C. Oppose Raising Age		D. Do Not Support Raising		E. Do Not Mention Age	
	N	N	%	N	%	N	%	N	%	N	%
School Personnel	23	12	52	1	4	3	13	4	17	3	13
Law Enforcement	10	3	30	1	10	1	10	1	10	4	40
Youth	10	3	30	-	-	2	20	4	40	1	10
Parents	6	2	33	1	17	-	-	-	-	3	50
Health, Soc. Services	41	4	10	-	-	10	24	16	39	11	27
Other	26	3	12	-	-	1	4	11	42	11	42
Total	116	27	23	3	3	17	15	36	31	33	28
		N	%	N	%	N	%	N	%	N	%
All Groups (N=600%)	Avg.	167	28	31	5	71	12	148	25	182	30
All Groups (N=418%)	Avg.	167	40	31	7	71	17	148	35		
Individuals (N=83)		27	33	3	4	17	20	36	43		

Summary	Individuals N=83	Group Averages N=418%
1. Support (A.+B.%)	37%	47%
2. Oppose, Do Not Support (C.+D.%)	63%	53%
a. Oppose (C.%)	20%	17%
b. Do Not Support (D.%)	43%	36%

Table 2. Observations of Persons Supporting Raise in "Drinking Age"

	TOTAL Support	Some Impact on Availability, Use. Help Keep it Out of Schools. Step in Right Direction Only. Other							
		N	%	N	%	N	%	N	%
School Personnel	13	9	69	5	38	2	15	7	54
Law Enforcement	4	2	50	3	75	1	25	2	50
Youth	3	2	67			1	33	1	33
Parents	3	2	67			1	33	1	33
Health, Soc. Services	4	1	25			1	25	2	50
Other	3	1	33	1	33	1	33	1	33
Total	30	17	57	9	30	7	23	14	47

Table 3. Observations of Persons Opposing or Not Supporting Raise In Drinking Age

	TOTAL Non-Sup.	More Harm Than Good. Not Much Impact on Problem. Impede More Positive Actions. Other							
		N	%	N	%	N	%	N	%
School Personnel	7	4	57	4	57	5	71	2	28
Law Enforcement	2	1	50	2	100	-	-	1	50
Youth	6	2	33	4	67	2	33	1	17
Health, Soc. Services	26	10	38	22	85	17	65	8	31
Other	13	1	8	11	85	5	38	2	15
Total	54	18	33	43	80	29	54	14	26

B. Summary of Witnesses Recommendations

Public Attitudes

With few exceptions, the witnesses appearing before the special hearing panel testified to the need to change public attitudes toward the use of alcohol by young people as well as adults; to increase public awareness of the dangers of the drug alcohol; to increase personal responsibility for the consequences of the sale, use and distribution of alcohol; to reduce the level of tolerance for socially irresponsible uses of alcohol; and, to reduce the level of denial, scapegoating and evasion of individual responsibility for alcohol related personal and social problems. To effect those changes in public and personal attitudes, witnesses suggested a variety of specific actions which could be taken, including:

Recognizing and officially declaring alcohol to be a dangerous drug.

Requiring that warning notices be prominently displayed on alcoholic beverage containers and advertisements, and posted in retail sales outlets.

Conducting wide-spread media campaigns to include negative advertising, promotion of alternatives and dissemination of factual information about the use and abuse of alcohol.

Organizing community alcohol awareness groups such as city and county task forces, church, school, parent, youth, service club, professional health, welfare and social services, and other community action groups focusing on the development of community standards and approaches to the use and abuse of alcohol throughout the community.

Witnesses generally saw reappraisal of the widespread social tolerance and promotion of the use of alcohol; the establishment of more appropriate limitations on its use; the development of consistent and rigorous community approaches to its inappropriate use, sale and distribution as essential prerequisites or adjuncts to other efforts to control and prevent youthful alcohol abuse.

Advertising

More than two thirds of the witnesses expressed concern over the current level, quality and impact of alcohol beverage advertising. Those witnesses strongly recommended prohibiting or otherwise restricting alcohol beverage advertising.

Enforcement of Existing Laws

More than half of the witnesses, representing all interest groups, recommended increased enforcement of the existing laws pertaining to the sale, distribution and use of alcohol by minors. Specific recommendations included:

Increasing enforcement personnel assigned to surveillance of licensed establishments and youth oriented activities and events at which illicit alcohol consumption is likely to occur.

Conducting periodic "sweeps" or "spot-checks" for identification of patrons in licensed establishments.

Increasing the number of underage drinkers arrested as opposed to being warned or ignored by investigating officers.

Focusing more on sellers, procurers and purveyors of alcohol to minors than on underage drinkers; particularly grocery stores and gas stations.

Suspending or refusing to renew licenses of establishments with one conviction of sale to minors.

Increased cooperation, support and encouragement of law enforcement in these efforts by parents and the general public.

Penalties

Numerous witnesses observed that, when detected, arrested, referred or adjudicated by the juvenile courts, few underage drinkers suffer any significant consequences.

A number of these witnesses recommended that courts impose more meaningful penalties for underage drinking.

Sixty seven percent of the witnesses and persons attending, however, did not agree that underage drinkers should be arrested, fined or jailed for simple use or possession of alcohol.

Schools

Witnesses recommended that schools develop a wide variety of new approaches and improve on existing educational, disciplinary and remedial approaches to the prevention, control and rehabilitation of school age alcohol abusers, including:

Implementation of Kindergarten through 12 comprehensive health education programs containing integrated units on critical health decisions involving alcohol and other drugs. Witnesses stressed the need for very early, (K-5) alcohol education.

Providing specialized training for all school personnel in the identification, referral and handling of in-school behaviors of alcohol-involved students.

Developing and implementing Employee Assistance Programs for school staff.

Developing and implementing Student Assistance Programs to identify, counsel and treat or refer students whose in-school behavior, learning skills and attitudes reflect alcohol and/or other drug abuse or other personal, social or family problems.

Development of and consistent enforcement of school codes which include appropriate limitations on student drinking such as prohibiting use or possession of alcoholic beverages in school at school functions, in school neighborhoods; drinking before or during school or school functions, and which clearly state the consequences for violation of those limitations including suspension or cancellation of student privileges such as participation in extra-curricular activities, sports, and other school events and which include appeal procedures and alternatives such as participation in counselling, or attendance at special classes.

Developing and implementing school administrative policies which require staff and students to report unlawful drinking behaviors to appropriate law enforcement agencies.

Develop school-police liaison programs.

Establish cooperative agreements and working relationships with law enforcement, juvenile justice, health and social services agencies, youth services programs and alcohol and other drug abuse services providers for referral and mutual assistance in helping youthful alcohol abusers and their families.

Develop and implement individual school-student learning contracts relative to student drinking which clearly state the expectations of both parties and remedies for breach of contract.

Develop and implement school codes, or contracts involving parents as well as students and school personnel.

Provide special training in counselling alcohol abusers and their families to school counselors.

Provide adequate in-school counselling for alcohol-involved students and their families or arrange for referrals to appropriate alcohol and other drug abuse services providers in the community.

Provide adequate numbers of chaperones and monitors and arrange for police surveillance sufficient to discourage and control unlawful or disallowed drinking at school events, in school neighborhoods, on school grounds or to prohibit admission of intoxicated persons or the introduction of alcoholic beverages into those settings.

Provide or arrange for in-school job counselling and student placement services to assist interested students in finding meaningful after-school employment.

Provide or work with other youth services agencies to develop alternative, alcohol-free, out-of-school, recreational, social and community services activities.

Assist other agencies and organizations to reach and involve at-risk student populations in alternative activities. Provide in-school and community recognition for participation in both in-school and out-of-school activities.

Counseling
Treatment and
Rehabilitation

Witnesses representing community health and social services agencies, youth, school, parents and law enforcement testified to the need to expand alcohol abuse services, make them more accessible to young people and increase public knowledge of their availability.

Juvenile Consent
To Treatment

More than half of the witnesses recommended making counselling and outpatient treatment services available to minors without prior parental consent. A number of witnesses recommended that parents be notified of the child's involvement in treatment only with the child's consent. Others recommended notifying and involving parents in counselling and outpatient treatment after a limited number of counselling or treatment sessions with the child alone, or in a group.

Decriminalization,
Detoxification
and Treatment

A significant number of witnesses observed that while public intoxication by adults is treated as a medical problem, juvenile intoxication is treated as a criminal justice problem. Those and other witnesses recommended that public intoxication by juveniles be decriminalized and treated as a medical rather than a criminal justice problem.

Witnesses specifically recommended that intoxicated and incapacitated juveniles be screened, admitted, detoxified, medically supervised and referred to other services as

required, without prior notification or parental consent in the same manner as provided for adults under s. 51.45 Wisconsin Statutes.

Witnesses from Dane County recommended statewide adoption of the mechanisms jointly established by the Dane County Juvenile Court, law enforcement and University Hospitals for the emergency care and medical supervision of intoxicated and incapacitated juveniles which include the court's authorization and delegation of authority to hospital staff to assume custody of the child for this purpose.

Witnesses also recommended that unified services boards expand, broadly advertise and promote the use of their alcohol and other drug abuse services to juveniles.

A number of witnesses recommended the expansion of AA programs for young people and the development of referral agreements with other service agencies.

Community-Wide Approaches

With few exceptions the witnesses recommended that, in each community, the agencies involved with young people coordinate and integrate their programs to eliminate wasteful duplication, assure comprehensive and continuous delivery of services, reduce miscommunication among agencies and decrease the potential for manipulation of the system by clients.

Witnesses also recommended that young people, parents and other community interest groups be involved with schools, law enforcement, court, health and social service agencies, churches and other youth service organizations to develop comprehensive community-wide prevention, intervention, treatment and rehabilitation services.

Funding

A number of witnesses recommended increased funding for schools, law enforcement and community health and social services programs directed toward preventing and treating the youthful victims of alcohol abuse.

Witnesses also recommended the adoption of a special tax on alcoholic beverages to be earmarked for expanded prevention, intervention and treatment services.

C. Survey of Persons Attending Public Hearings

Background

Survey forms were distributed to persons attending the Wausau, Eau Claire, Madison and Milwaukee public hearings on Youth, Alcohol and the Law. The persons attending represented law enforcement, school personnel, health and social services agencies, parents, students and the general public. 124 persons, many of whom also testified at the hearings, responded to the questionnaire. 15% (18 persons) of those responding were under 21; 40% (49 persons) were aged 21 through 34; 26% (32 persons) were 35 through 44 and 20% (25 persons) were 45 and older.

Survey Summary

A. On the Nature and Extent of Youthful Alcohol Use and Abuse

67% of the young people (under 21) and 53% of the older adults agreed that teenage drinking is "out of control." 22% of the younger respondents and 30% of the older adults disagreed. 15% of those responding had no opinion.

85% of the respondents agreed that "most high school seniors drink". 78% of the young people agreed that "teenagers who drink usually get drunk" while only 43% of the adults agreed.

In response to two questions, one negatively stated and the other positive, 42% of the respondents agreed that "most teenagers don't cause trouble when they drink", only 25% of the younger respondents agreed. More young people, 44%, disagreed.

92% of all respondents agreed that "16 and 17 year olds can get beer and booze easily." More older adults (93%) than young people (83%) thought it was easy for 16 and 17 year olds to obtain alcoholic beverages.

- I. Please read each statement carefully. Circle Yes if you agree.
No if you disagree. Circle ? if you have no opinion.

	Under 21			21+			All Responses		
	Yes	No	?	Yes	No	?	Yes	No	?
Teenage drinking is out of control.....	67	22	11	53	31	16	55	30	15
Most high school seniors drink.....	83	6	11	85	6	9	85	6	9
Adults drink more often than teenagers.....	78	0	22	74	12	14	74	10	15
Teenagers who drink usually get drunk.....	78	17	5	43	33	24	48	31	21
Most teenagers cause trouble when they drink.....	33	28	39	27	56	17	28	52	20
Parents of kids who drink illegally should pay for the damage their kids do when they're drunk.....	33	56	11	49	35	16	47	39	15
Most 16 and 17 year-olds can get beer or booze easily.....	83	5	12	93	4	3	92	4	4
Adults who let other people's minor children drink in their house should be fined.....	61	28	11	66	17	17	65	19	16
I would report or testify against any underage person who drinks illegally, even if they don't get drunk or cause trouble.....	11	50	39	25	55	20	23	55	22
Tavern keepers should lose their licenses if they serve under- age people.....	67	28	5	72	15	13	71	17	12
Underage persons who drink illegally should be subject to arrest or confinement.....	50	39	11	33	48	19	35	47	18
Should a minor between the ages of 12 and 17 who has developed a significant problem with alcohol be entitled to obtain counseling without parental consent.....	89	11	0	84	10	6	85	10	5
The best way to prevent drinking is to make it illegal.....	6	83	11	6	89	5	6	88	6
Kids under 18 who drink should be put in jail or fined.....	28	61	11	16	69	15	18	68	14
It should be illegal to drink in public buildings.....	56	16	28	52	31	17	52	29	19
Penalties should be greater for crimes committed when drunk than for crimes committed when sober.....	39	39	22	17	65	18	20	61	19
Kids who drink illegally should lose their drivers license.....	39	44	17	52	28	20	50	31	19
Most parents don't care if their 17 year-olds drink.....	17	39	44	27	46	27	26	44	30
Even if a kid who drinks illegally doesn't get drunk or cause any trouble, he or she should be arrested.....	17	67	16	17	66	17	17	66	17
Courts are too easy on underage drinkers.....	44	17	39	43	18	39	44	18	38
Most kids who drink illegally don't get drunk or cause any trouble.....	22	56	22	26	37	35	27	40	33
I would report or testify against anyone who furnishes beer or booze to an underage kid.....	28	44	28	54	26	20	50	29	21
I would report or testify against anyone who furnished booze or beer to a kid who got drunk or caused trouble.....	50	22	28	64	16	20	62	17	21

CONTINUED

1 OF 2

B. On Parents and Adults

Young people and older adults agreed (78%) that adults drink more often than teenagers. 44% of all respondents disagreed with the statement that "most parents don't care if their children drink"; however, 26% agreed and 30% had no opinion.

C. On Penalties and the Law

There was strong agreement (71%) that "tavern keepers should lose their licenses if they serve underage persons" and 65% agreed that "adults who let other people's minor children drink in their homes should be fined"; less than 20% disagree with either statement.

As to the penalties for underage drinking, only 23% agreed while 67% did not agree that "underage drinkers should be arrested, jailed or fined" for drinking. 50% of those questioned agreed that "underage drinkers should lose their driver's licenses" while 31% disagreed and 19% had no opinion.

Of those expressing an opinion, 71% felt that "courts are too easy on underage drinkers" while 29% disagreed. 38% of all respondents expressed no opinion.

D. Personal Action

Most (55%) respondents would not "report or testify against an underage person who drinks if they don't get drunk or cause trouble", some (23%) would, while 22% didn't know if they would.

50% would "report or testify against anyone who furnishes beer or booze to a minor" and 62% would do so if the minor "got drunk or caused trouble".

E. Prevention

89% of the older adults and 83% of the young people disagreed that the best way to prevent drinking is to make it illegal".

D. Appearances

A. Appleton, September 6, 1978. Attendance 70.

Appearance By:

1. Eugene Higgins, County Executive
2. William Freeby, M.D.
3. Orlyn A. Ziemann, District Administrator
Appleton Area Schools, President, WASDA
4. William Daumiller, Interim Program Director
Brown County Unified Board
5. Ann Walsh, High School Student
6. George Weaver, Juvenile Division
for: Chief David Gorski:
7. Kenneth Waisman, Prevention Specialist
8. Patricia Plettner, Crisis Counselor
9. Tina Zoeller, High School Student
10. Linda Richter, High School Student
for: C. Stuart Whipple, M.S.W.,
Chemical Dependency Coordinator
11. Dennis Booms, School Social Worker,
Secretary, KAAC
12. Bernard Schessler
13. Byran Bartow, Planning Committee
14. Russ Widoe

15. George Retson, Bar Owner

Written Testimony By:

16. Artie Kearney, Ph.D.
17. Sally L. Wilke, Director
18. Barbara Harms, Social Worker
19. Dan Malesevich, Program Director
20. John R. Peterson, Principal

Appearance By:

21. Dan Bay, AODA Coordinator
22. Becky Otto, High School Student
23. Bernard F. Hupperts, Teacher, Kaukauna
High School
24. Gerald Kratsch, Board of Directors,
Community Alcoholism Services and
Harrison House, Inc.

Representing:

Outagamie County
Community Alcoholism Services, Inc.
Wisconsin Association of
School District Administrators, Self
Alcohol and Other Drug Abuse
Division, Wisconsin Association of
Community Health Service Programs
Youth, Kaukauna
Appleton Police Department, Self

Brown County Unified Board
Brown County Unified Board
Oconto County Youth
Oconto County Unified Health Services

Kaukauna Alcohol Awareness Committee

Kaukauna Alcohol Awareness Committee
Winnebago County 51.42 Board, Oshkosh
Northeastern Wisconsin In-School
Telecommunications, University of
Wisconsin - Green Bay
Retson's Restaurant & Bar, and self;
Appleton

Representing:

CESA #8 Drug Prevention Education
Program
Waushara County Prevention Project
Alcohol & Drug Abuse Prevention Team;
Shawano
R.O.A.D. (Reflections On A Dream)
Program; Winnebago Mental Health
Institute
Seymour Community High School;
Seymour

Representing:

Outagamie County Community Board
Self; Kaukauna
Self; Appleton

Self; Appleton

- | | | |
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| 25. | John Maurice, Program Director | Outagamie County Community Board |
| 26. | Jo Ann Simons Derr, Planning Associate | Lake Winnebago Area Health Systems Agency |
| 27. | Joe Dannecker, High School Student | Self; Appleton |
| 28. | David Prosser, Outagamie County District Attorney | Self; Appleton |
| 29. | Jack Metz, Tavern Keeper | Self; Appleton |
| 30. | Gerald Kaiser, Businessman | Self; Neenah |

B. Wausau, September 13, 1978. Attendance 39.

Appearance By:

Representing:

- | | | |
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| 31. | Laurence Guth, Director, Alcoholism Program | Great Lakes Inter-Tribal Council, Inc. |
| 32. | Tom Hartman, Chair | Langlade County Task Force on Alcohol Abuse |
| 33. | A. C. Wheeler, Administrator | Wausau West High School |
| 34. | James R. Coenen, Assistant Principal | Wausau West High School |
| 35. | John Crubaugh, Principal | Wausau East High School |
| 36. | Michael J. Franz, High School Student | Self |
| 37. | Tom McGrath | Langlade County Health Care Center |
| 38. | Lloyd E. Scheel | Legislative Committee, Wisconsin Chiefs of Police Association |
| 39. | Elsie Waterman | Self, Wausaukee |
| 40. | Bill Wagener, Chair | North Central Area Health Planning Association |
| 41. | Les Montie, AODA Coordinator | Human Services Board of Langlade, Lincoln Marathon Counties |
| 42. | Galen Schelb, Intake Worker | North Central Health Care Facilities; Counselors Alliance on Alcoholism and Other Drug Abuse |

C. Eau Claire, September 14, 1978. Attendance 72.

Appearance By:

Representing:

- | | | |
|-----|-------------------------------------|---|
| 43. | Mary Vasquez, Executive Director | Coulee Council on Alcoholism and Other Chemical Abuse, LaCrosse |
| 44. | Raymond Seiler | Mississippi River Human Services Center, Independence |
| 45. | Patricia Swanson | Herself, Chippewa Falls |
| 46. | John Girolamo | Eau Claire City Tavern League |
| 47. | Richard Boyum, Ed. D., Psychologist | Counseling Services, University of Wisconsin-Eau Claire |
| 48. | Lt. David Mayer, Police Officer | Himself, Eau Claire |
| 49. | Patrick Mattson | Eau Claire Council on Alcohol and Other Drug Abuse, Information & Referral Ctr. |
| 50. | John Cassidy | Tri-County Council on Alcohol and Other Drug Abuse, River Falls |

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| 51. | Jim Miller, M.S.W., Assistant Administrator | St. Croix Dale Hospital, Prescott |
| 52. | Irwin A. Flaten | Eau Claire County Council on Alcohol
and Other Drug Abuse |
| 53. | Chuck Henning | Juvenile Drug and Alcohol Ed. Program |

Written Testimony By:

Representing:

- | | | |
|-----|--------------------------------|-----------------------------------|
| 54. | C. W. King, A.C.S.W., Director | Chippewa Co. Unified Services Bd. |
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Appearance By:

Representing:

- | | | |
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| 55. | Nancy Kloss, Teacher | Self |
| 56. | Dennis F. Owens | Self |
| 57. | Ray Pieterick | Eau Claire City Tavern League |
| 58. | Paul W. Paulson,
Father of Teens | Self |
| 59 | Don Postle, Barron High School Student | Students-Wisconsin Assoc. of School
Councils |
| 60. | Morris Hayes, Music Conductor | Self |
| 61. | Ralph D. Wallin, State Director (Bar Owner) | State Tavern League and Pepin Hotel |
| 62. | Steven P. Telford, School Bus Driver/
College Student | Self |
| 63. | Jim O'Dell, Parent of 10 & 11 yr. olds;
Sgt., Eau Claire Police Department | Self |
| 64. | Richard Gibson, Bar Owner | Self |

D. Milwaukee, September 26, 1978. Attendance 75.

Appearance By:

Representing:

- | | | |
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| 65. | Jerome Wolff, Chief, Brookfield Police | Wisconsin Chiefs of Police Association
and the Wisconsin Law Enforcement
Legislative Alliance |
| 66. | Richard A. Noennig, Captain, Youth Bureau | Milwaukee Police Department |
| 67. | John Sell, Executive Director | Milwaukee Council on Alcoholism |
| 68. | Michael Kirby | Representative, 13th District, Wisconsin
State Legislature |
| 69. | Mark Goff | Mental Health Planning Council of Milw. |
| 70. | Charles Englehart, Executive Director | Ozaukee Council on Alcoholism |
| 71. | Richard P. Gerhardstein, M.D., Medical
Director, Milwaukee County Mental
Health Center | Shorewood Village Parent's Task Force on
Alcohol and Drug Abuse |
| 72. | Richard Wiesen, M.D. | Milwaukee Association of Drug Abuse
Programs |
| 73. | Paul Szedziewski | DePaul Rehabilitation Hospital |
| 74. | Andrew Kane, Ph.D. | Self |
| 75. | Kitty Burke Peterson | Milwaukee Council on Drug Abuse |
| 76. | Candra Duke
Frank Habib
John M. Hohl | Cornerstone, Next Door Foundation |
| 77. | Frank Martin | Kenosha Unified School District |

- 78. Anthony Busalacchi, President
- 79. Ron Frederick, AODA Coordinator
- 80. Frisby D. Smith, for Dwight Teel
- 81. Brendan Duffy
- 82. David Kahler

Milwaukee Public Schools Board
 Kenosha County 51.42 Board
 Milwaukee Public Schools
 Marquette University Student Assoc.
 Shorewood Village Parents' Task Force
 on Alcohol and Drug Abuse

Written Testimony By:

Representing:

- 83. Elizabeth C. Parsons, Psychologist

Kenosha Residents Group

E. Madison, September 27, 1978. Attendance 85.

Appearance By:

Representing:

- 84. David Couper, Chief
Michael Puls
- 85. William M. Stone, President
- 86. Michael R. Schroeder, Director
- 87. Jane Cadott
- 88. Myrv Christopherson
- 89. Steven Landfried
Melinda Murphy
- 90. Karen Smith, for Linda Prentice and
Tim Otis
- 91. Beverly Daniels, for Kevin Murphy
- 92. Marcie Mackman
- 93. Michael Wolf and
Patricia Best
- 94. Beverly Daniels
- 95. Joan Lerman, for Larry Zuberbeier
- 96. Joan Lerman

Madison Police Department
 Wisconsin Association on Alcoholism and
 Other Drug Abuse
 Columbia County Human Services Agency
 Student, Stoughton High School
 Wisconsin Health Policy Council
 Selves, Stoughton High School
 Dane County Chemical Dependency
 Consortium
 Prevention and Intervention Center for
 Alcohol and Other Drug Abuse (PICADA)
 Madison Memorial High School Alcohol
 Education Committee
 Community Youth Services--Reach, Sun
 Prairie
 University Hospitals
 Madison School Psychologists and
 Social Workers
 Organization of Madison Social Agencies

Written Testimony By:

Representing:

- 98. Gary Rudzianis, AODA Coordinator
- 99. Pat Carruthers, AODA Coordinator
- 100. Robert Engelberger, President
- 101. Marion N. Rhodes, Detective
- 102. Margaret C. Wassmandorf, Director
- 103. Russell E. Julian, Executive Director
- 104. Carol Giammerino, Secretary
- 105. Earl J. Hawley
- 106. Gary M. Sater, School Psychologist

Adams County Unified Board
 Dane County Community Mental Health
 Services Board
 Dane County Juvenile Law Enforcement
 Association
 Dane County Sheriff Department
 Southwest Area Office Lutheran Social Svcs
 Southeastern Wisconsin Health Systems
 Agency, Inc.
 Bayfield County Alcohol and Drug Abuse
 Information and Referral Center
 Midway Manor Health Care Facilities
 Self, Middleton

107.	Richard R. Larkowski, Counselor	Chippewa County Council on Alcoholism and Other Drug Abuse
108.	Eugene Willman	Grantsburg, Self
109.	Karen Ainsworth, Counselor	Self, Fond du Lac County Alcoholism Information and Referral Center
110.	Edward M. Saykally, Prevention Specialist	Lakeland Council on Alcoholism and Other Drug Abuse
111.	Val Chilsen, Executive Director	Western Wisconsin Health Systems Agency
112.	DCYARC	Dane County Youth Association for Retarded Citizens
113.	Merlin A. Johnson, Superintendent	Grantsburg School District
114.	Susan Larkowski, Student	Cadott
115.	JoAnne Briggs	Agencies for Primary Prevention, Learning and Education (APPLE)

FOOTNOTES

1. Final Report of the Wisconsin Joint Subcommittee on Juvenile Alcohol and Drug Abuse. April 1977, p.1.
2. Ibid., p. 1.
3. Ibid., p. 1.
4. Ibid., p. 2.
5. Testimony at public hearing on SB 126, March 8, 1977, Senators Chilsen, McKenna and a Representative of the School Administrative Associations.
6. Public testimony on SB 126, March 8, 1977.
7. Characteristics of the Population, U.S. Department of Commerce, Bureau of the Census, 1971, Volume 1, Section 51.
8. The Bottom Line, American Business Men's Research Foundation, 1977 Volume 1, Number 1, p. 6.
9. "It Seems To Me: Legislators Ignore Teenage Alcoholics", Editorial by John Bowman, Assistant Principal, Eau Claire North High School, in the Eau Claire Leader-Telegram.
10. "Teenage Driver Fatalities Following Reduction in the Legal Drinking Age", Ellen M. Naor and Raymond D. Nashold, Journal of Safety Research, pp. 74-79, June 1975, Volume 7, Number 2.
11. "The Consequences of Lower Legal Drinking Ages on Alcohol-Related Crash Involvement of Young People", Richard L. Douglass, pp. 12-36, Richard Zylman, pp. 13-15, 18, Journal of Traffic Safety Education, January, 1977, Volume XXIV, Number 2.
12. Legal Drinking Age - A States Study, National Highway Traffic Safety Administration, 1974.
13. Correctional Clients Drug and Alcohol Abuse Survey, Wisconsin Division of Corrections, 1974.
14. Testimony to the U.S. Senate Subcommittee on Alcoholism and Drug Abuse by Ernest Noble, Director of the National Institute on Alcohol Abuse and Alcoholism, March 24, 1977.
15. The Effect of Lowering the Legal Drinking Age on 18 Through 20 Year Old Wisconsin Drivers, Michael M. Birkley and Michael A. Quirke, Wisconsin Department of Health and Social Services, August, 1978. (Appendix)
16. Testimony on SB 126, March 8, 1977. Records compiled by the Association of School Districts Administrators showed 1,500 alcohol-related incidents in schools occurring between March 1972 to March 1977.
17. Ibid., testimony.

18. Summary of NIAAA review of 120 surveys of junior and senior high school students presented in testimony to the Senate Subcommittee on Alcoholism and Drug Abuse, March 24, 1977, by Ernest Noble, Director, NIAAA.
19. Characteristics of the Population, U.S. Department of Commerce, 1971, Volume I, Section 51.
20. American Business Men's Research Foundation, Fall 1977, based on U.S. Treasury, DISCUS, Wine Institute and U.S. Brewers Association data.
21. American Institute of Public Opinion (Gallup Poll), quoted in The Bottom Line, pp. 2-3, 1977, Volume 1, Number 2.
22. See 20., above.
23. 672 8 oz. servings of beer; 43 6 oz. servings of wine; 247 1.5 oz mixed drinks.
24. Estimates for Wisconsin based on Marden formula. These are lower than more frequently quoted estimates based on the Jelinek model.
25. Wisconsin Department of Revenue, 1978.
26. Blood Alcohol Testing For Motor Vehicle Deaths, Division of Health, Wisconsin Department of Health and Social Services, 1977, p. 15.
27. Traffic Arrest Data, Wisconsin Department of Transportation, 1977.
28. Wisconsin Criminal Justice Information, Wisconsin Department of Justice, 1977.
29. Wisconsin Department of Revenue, Alcohol and Tobacco Enforcement Section, July 1977.
30. "Many Skip Drink Rules for Children", by George Gallup, Milwaukee Journal, July 3, 1978.
31. See 29., above.
32. Bucket Boy, by Ernest L. Meyer, 1933, New York: Hastings House.
33. One is challenged to name a setting in which alcohol consumption does not occur.
34. The Cullen Beer Act, which legalized beverages of not more than 3.2 per cent of alcohol by weight, was passed by Congress in March 1933 and became effective April 7, 1933.
35. See 30., above.
36. s. 66.054(24)(a) Wis. Stats., repealed in part, 1977.
37. s. 66.054(a)(b),(g) Wis. Stats.
38. s. 66.054(24)(b) Wis. Stats. amended, 1977.

39. s. 66.054(10) Wis. Stats.
40. Reports in the LaCrosse Tribune, Sheboygan Press, Wisconsin Criminal Justice Information, Wisconsin Department of Justice 1970-77.
41. Report on Alcohol, 1976, American Business Men's Research Foundation, p. 36.
42. "In the past we may have focused on youth", Francis Van Vortel, Executive Vice President for Market Planning and Research, McCann-Erickson advertising agency, in a speech to the Alcoholic Beverage Industry's Impact Marketing Seminar, May 12, 1977, New York City.
43. An example of teenage market reached by "youth market" advertising is found in ads for "Kickers" and "Hereford's Cows" which appeared in 11 youth market magazines which have a combined teenaged readership of 25 million. See October 1976 issue of Media Decisions, an advertising trade journal.
44. See Illustrations 9, 10, 11 for examples of advertisement with evident appeal to illegal, underage audiences.
45. William V. Elliott, Vice President for Marketing for the Heublein Company in an interview reported in Advertising Age, December 1, 1975, "There is a huge market here because Cows even appeal to non-drinkers. The American public has not lost its sweet tooth. Consumers don't like the taste of liquor, but they do want alcoholic delivery."
46. Judianne Deusen-Gerber, founder of Odyssey House, New York, October 18, 1976.
47. Schmidt, W. and A. Kornaczewski. "The Effect of Lowering the Legal Drinking Age in Ontario on Alcohol-Related Motor Vehicle Accidents." Proceedings of the Sixth International Conference on Alcohol, Drugs and Traffic Safety, Addiction Research Foundation, Ontario.
48. Also, Zylman, Richard. "Drinking Practices Are Changing Regardless of Legal Drinking Age", Journal of Traffic Safety Education, Volume XXIV, Number 1, October 1976.
49. "The American Drinking Scene", The Bottom Line, 1977, Volume 1, Number 1, pp. 15-20.
50. Survey of Madison Wisconsin High School Students, U.W. Bureau of Business Research, 1974, Part 1, Table II. Note: 63% of the students surveyed reported that they would "be able to obtain (alcohol) with no difficulty."
51. National Survey on Drug Use: 1977 by the National Institute on Drug Abuse quoted in The Journal (Addiction Research Foundation of Ontario) May 1, 1978, p. 4.
52. Testimony of Ernest Noble, Director of the National Institute on Alcohol Abuse and Alcoholism, March 1977.

53. Ibid.
54. "One out of five U.S. teens serves alcohol at parties "by George Gallup, Wisconsin State Journal, November 22, 1977.
55. s. 66.054(9) Wis. Stats.
56. Wisconsin Department of Revenue, Alcohol and Tobacco Enforcement Section estimate, July 1977.
57. Final Report of the Wisconsin Joint Subcommittee on Juvenile Alcohol and Drug Abuse, April 7, 1977, pp. 7-8.
58. "Teenage Drinking...Whose Fault Is It?" by Mary Sorenson, The Norse Star, Issue 5, Volume 35, January 1978, pp. 7-9.
59. Testimony of the young witnesses was unanimous on this point.
60. Surveys of Kaukauna High School and Stoughton High Schools supported by a later Madison Memorial Survey.
61. This figure is substantially less than the 6% daily usage reported in the survey cited in 51. above.
62. Figures from Stoughton High School Survey. Madison Memorial figures are substantially lower, while Kaukauna figures were higher.
63. See survey results, section VII, C.
64. Also at church bazaars, fund raising activities and other specially licensed events.
65. Composite order from surveys, testimony.
66. Students tended to estimate figures higher than law enforcement personnel and other authority figures.
67. See survey, section VII, C., above.
68. School counselors and health and social services workers testimony in this regard included prefaces such as "experimentation with alcohol and other drugs is endemic to adolescence" Andrew Kane, Ph.D.; and, "lots of kids use it a lot for a while and then settle down" Candra Duke. Others followed similar observations with statements such as "as a whole, adolescent alcohol users are a low risk population" Ron Fredrick; and, "most of (the underage drinkers apprehended by the Madison Police Department) don't have what you would call an alcohol problem and probably wouldn't ever have one" Michael Puls.
69. Wide variances in student survey estimates of the number of their classmates who suffer dysfunction appears to reflect disparate perceptions of dysfunctions.

70. Long time school administrators averaging 15 years experience frequently commented that they had encountered their first school-age alcoholic or problem drinker within the past two to five years.
71. See page 5.
72. No data were offered, however.
73. See Tables.
74. See page 9.
75. This testimony was largely obtained from experienced school administrators.
76. Although the numbers for this age group have increased, those increases are not statistically significant (See Tables 1 through 6 and Appendix.)
77. See Section III, 4.
78. Written testimony of Detective Marion N. Rhodes, Dane County Sheriff's Department and that of Appleton and Eau Claire officers.
79. Young people also testified that it was easier to steal alcohol in grocery stores than in other licensed establishments.
80. Even when "caught dead drunk", young people testified, law enforcement officers frequently pay no attention and often make no arrests.
81. "Force-feeding" alcohol to obstinate non-drinkers was also noted in testimony.
82. One witness produced an identification card showing a picture of Sesame Street's "Big Bird" and which also contained information pertaining to the TV character, which the witness claimed had gained him entrance to many licensed establishments when he was underage.
83. The fear of lawsuits appears to be wide-spread and founded on a small number of recent cases involving alleged improper conduct, and violation of equal protections, due process and first ammendment rights of students by school officials.
84. See recommendations re: Minors' Consent.
85. It is extremely difficult for licensed operators and establishments to check on, detect or prohibit entrance to older-looking minors who possess several falsified identification cards, i.e. driver's license, school and state I.D. cards, all giving the same information.
86. Reprisals against youthful victims of alcohol abuse by their parents appear to be a common effect of the victim's efforts to get help.

87. Law enforcement officers and school officials pointed out that parents who do refuse to accept an intoxicated child most often do so because they feel incapable of properly handling the child's immediate need for detoxification. Yet they often refuse permission for treatment in a hospital out of fear that, somehow, they might become the "talk of the town" as a result.

Table 1

A. Motor Vehicle Crashes
(Fatal, Personal Injury and Property Damage Incidents 1970-77)

	Number "Had Been Drinking"				
	<u>16-17</u>	<u>18-20</u>	<u>21-24</u>	<u>25-34</u>	<u>35-44</u>
1970	334	2133	2401	2965	3657
1971	379	2057	2326	2888	3394
1972	561	2712	2770	3321	3706
1973	518	2323	2052	2702	2804
1974	545	2371	2168	2661	2776
1975	449	1852	1653	2205	2187
1976	504	2090	1893	2389	2276
1977	499	2037	1895	2517	2409

Source: Uniform Police Accident Data,
Wisconsin Department of Transportation,
Division of Motor Vehicles, 1970-77.

B. Rate Per 100,000 Drivers

	Rate Per 100,000 Drivers				
	<u>16-17</u>	<u>18-20</u>	<u>21-24</u>	<u>25-34</u>	<u>35-44</u>
1970	322.96	990.59	870.20	607.06	870.64
1971	366.49	961.45	854.67	583.98	821.36
1972	535.33	1238.85	991.20	633.13	899.08
1973	473.20	1030.62	688.21	491.58	678.29
1974	472.65	1017.65	726.02	460.34	668.14
1975	380.71	781.42	536.82	366.23	525.42
1976	415.44	867.19	603.24	377.33	536.12
1977	412.19	827.02	592.83	381.17	548.22

Source: Uniform Police Accident Data,
Wisconsin Department of Transportation,
Division of Motor Vehicles, 1970-77.

Table 2

Deaths Tested At .05% + BAC Per 100,000 Drivers

<u>Age</u>	<u>16-17</u>	<u>18-20</u>	<u>21-24</u>	<u>25-29</u>	<u>30-34</u>	<u>35-49</u>
1968	14.184	23.27	20.838	10.793	6.164	8.595
1969	10.495	19.00	22.015	17.306	4.538	6.423
1970	11.603	15.789	21.746	9.037	8.153	7.617
1971	8.703	19.631	22.414	11.355	12.162	7.761
1972	11.451	18.729	15.387	13.404	11.987	5.943
1973	5.481	28.380	19.299	10.479	11.462	7.367
1974	8.673	22.748	15.739	8.321	5.915	4.801
1975	9.751	17.299	12.016	9.369	6.140	5.916
1976	11.365	22.406	14.977	7.853	6.507	5.373
1977	13.216	27.202	15.329	12.055	8.126	4.494

Source: Blood Alcohol Testing for Motor Vehicle Deaths, Wisconsin Department of Health and Social Services, Division of Health, 1968-77.

Table 3

% Drivers Tested with .05% + BAC

<u>Age</u>	<u>16-17</u>	<u>18-20</u>	<u>21-24</u>	<u>25-29</u>	<u>30-34</u>	<u>35-49</u>
1968	.4483	.5950	.7143	.6750	.6840	.6510
1969	.4167	.6418	.7867	.8070	.5263	.5694
1970	.5455	.6800	.7407	.6579	.5806	.5275
1971	.3103	.5676	.7625	.5741	.7500	.6364
1972	.4444	.5775	.5972	.7222	.8000	.5211
1973	.2222	.6275	.6588	.6154	.6512	.6389
1974	.5882	.7067	.6184	.6750	.8333	.6818
1975	.5000	.5942	.6379	.7111	.5953	.5781
1976	.6364	.7297	.7581	.5833	.7200	.6538
1977	.5332	.7128	.7313	.6250	.7059	.4203

Source: Blood Alcohol Testing for Motor Vehicle Deaths, Wisconsin Department of Health and Social Services, Division of Health, 1968-77.

Table 4

Increases and Decreases in Alcohol-Involved Driver Deaths 1968-77
(Rate per 100,000 drivers)

	<u>16-17</u>	<u>18-20</u>	<u>21-24</u>	<u>25-29</u>	<u>30-34</u>	<u>35-49</u>
68-69	-.2601	-.1835	+.0565	+.6034	-.2566	-.2527
69-70	+.1056	-.1690	-.0122	-.4778	+.7966	+.1859
70-71	-.2499	+.2433	+.0307	+.2565	+.4917	+.0189
71-72	+.3158	-.0460	-.3135	+.1805	-.0144	-.2381
72-73	-.5214	+.5398	+.2542	-.2182	-.0438	+.2396
73-74	+.5824	-.1984	-.1845	-.2059	-.4839	-.3483
74-75	+.1243	-.2395	-.2365	+.1259	+.0380	+.2322
75-76	+.1655	+.2952	+.2464	-.1618	+.0598	-.0918
76-77	+.1629	+.2140	+.0234	+.5351	+.2488	-.1636

Source: Blood Alcohol Testing for Motor Vehicle Deaths, Wisconsin Department of Health and Social Services, Division of Health, 1968-77.

Table 5

Increases and Decreases in Alcohol-Related Crashes 1970-77

	<u>16-17</u>	<u>18-20</u>	<u>21-24</u>	<u>25-34</u>	<u>35-44</u>
70-71	+.1348	-.0294	-.0178	-.0380	-.0566
71-72	+.4607	+.2885	+.1597	+.0842	+.0946
72-73	-.1161	-.1681	-.3056	-.2236	-.2456
73-74	-.0012	-.0126	+.0549	-.0636	-.0150
74-75	-.1945	-.2321	-.2606	-.2044	-.2136
75-76	-.0836	+.1101	+.1237	+.0303	+.0204
76-77	-.0078	-.0463	-.0173	+.0102	+.0226

Source: Uniform Police Accident Data, Wisconsin Department of Transportation, Division of Motor Vehicles, 1970-77.

Table 6

Driving Under the Influence
(Arrests, 1969-77)

	<u>Juvenile</u>	<u>Total</u>	<u>% Juvenile</u>
1969	38	4,006	.0095
1970	48	3,983	.0121
1971	70	5,319	.0132
1972	144	9,054	.0159
1973	146	11,696	.0125
1974	286	14,138	.0202
1975	323	15,554	.0208
1976	407	18,559	.0219
1977	486	20,577	.0236

Source: Wisconsin Criminal Justice Information, Crime and Arrests, Wisconsin Department of Justice, Division of Law Enforcement Services, Crime Information Bureau, 1969-77.

Table 7

Assault
(Arrests Per 100,000 Population, 1969-76)

<u>Year</u>	<u>13-17</u>	<u>18-20</u>	<u>21+</u>
1969	137.37	131.22	37.28
1970	165.80	128.59	37.77
1971	180.68	130.55	35.30
1972	199.80	148.33	37.20
1973	203.55	130.42	38.50
1974	219.02	160.30	40.82
1975	217.04	194.43	47.11
1976	240.90	197.28	47.22
1977	215.38	167.85	50.36

Source: Wisconsin Criminal Justice Information, Crime and Arrests, Wisconsin Department of Justice, Division of Law Enforcement Services, Crime Information Bureau, 1969-77.

Characteristics Of The Population, Volume 1, Part 51, U.S. Department of Commerce, Bureau of the Census, 1971.

Table 8

Vandalism
(Arrests Per 100,000 Population, 1969-76)

<u>Year</u>	<u>13-17</u>	<u>18-20</u>	<u>21+</u>
1969	492.56	116.79	38.31
1970	556.13	120.30	42.20
1971	622.93	119.12	52.14
1972	633.56	130.40	56.22
1973	793.54	162.75	63.98
1974	947.70	222.80	72.72
1975	906.64	260.57	71.99
1976	878.95	294.68	65.40
1977	853.94	317.32	73.07

Source: Wisconsin Criminal Justice Information, Crime and Arrests, Wisconsin Department of Justice, Division of Law Enforcement Services, Crime Information Bureau, 1969-77.

Characteristics Of The Population, Volume 1, Part 51, U.S. Department of Commerce, Bureau of the Census, 1971.

Table 9

Liquor Law Violations
(Arrests Per 100,000 Population, 1969-76)

<u>Year</u>	<u>13-17</u>	<u>18-20</u>	<u>21+</u>
1969	970.55	1008.74	31.57
1970	1163.46	908.87	59.64
1971	1272.17	1034.56	39.61
1972	1550.64	746.19	42.66
1973	1682.42	561.16	39.98
1974	1874.11	533.85	40.38
1975	2152.87	700.4	48.28
1976	2078.20	678.54	48.07
1977	2047.13	749.84	54.56

Source: Wisconsin Criminal Justice Information, Crime and Arrests, Wisconsin Department of Justice, Division of Law Enforcement Services, Crime Information Bureau, 1969-77.

Characteristics Of The Population, Volume 1, Part 51, U.S. Department of Commerce, Bureau of the Census, 1971.

Table 10

Disorderly Conduct
(Arrests Per 100,000 Population, 1969-76)

<u>Year</u>	<u>13-17</u>	<u>18-20</u>	<u>21+</u>
1969	1113.1	1684.68	239.27
1970	1250.13	1609.08	253.82
1971	1342.18	1555.60	258.40
1972	1333.71	1585.04	275.40
1973	1399.77	1715.07	275.56
1974	1464.05	1791.99	293.28
1975	1494.9	2112.73	336.31
1976	1433.0	2054.89	346.80
1977	1396.1	2046.69	379.34

Source: Wisconsin Criminal Justice Information, Crime and Arrests, Wisconsin Department of Justice, Division of Law Enforcement Services, Crime Information Bureau, 1969-77

Characteristics Of The Population, Volume 1, Part 51, U.S. Department of Commerce, Bureau of the Census, 1971.

Table 11

High School Population By Age, 1970 - 1976

	<u>1970</u>	<u>Percent of Enrollment</u>	<u>1976 *</u>	<u>Percent of Enrollment</u>	<u>Change</u>
Total Enrollment	345,023		372,602		+8%
Age 11	41	.012%	39	.011%	-.001%
12	174	.050%	169	.045%	-.005%
13	1,617	.469%	1,645	.441%	-.028%
14	49,880	14.457%	52,510	14.093%	-.369%
15	86,145	24.968%	92,831	24.914%	-.054%
16	85,020	24.642%	91,826	24.645%	+.003%
17	78,085	22.632%	86,186	23.131%	+.499%
18	35,465	10.279%	37,453	10.052%	-.227%
19	6,098	1.767%	7,103	1.906%	+.139%
20+	2,498	.724%	2,837	.761%	+.037%

*Straight-line projection.

Source: Characteristics Of The Population,
Volume 1, Part 51, U.S. Department
of Commerce, Bureau of the Census,
1971.

Table 12

Wisconsin Alcoholic Beverage Sales Licenses, 1940-1976

	1940		1976		Change	
	Licenses	Per Capita (M)	Licenses	Per Capita (M)	Licenses	Per Capita (M)
Class "A" Beer (off)	1,790	.570	3,529	.751	+97.2%	+32%
"Class A" Liquor (off)	398	.127	1,510	.321	+279.4%	+152.8%
Class "B" Beer (on-off)	1,357	.432	1,438	.305	+6.0%	-29.4%
"Class B" Liquor (on-off)	12,082	3.850	12,760	2.714	+5.6%	-29.5%
Total Licenses	15,627	4.980	19,237	4.092	+23.1%	-17.8%
Total Beer	3,147	1.003	4,976	1.059	+58.1%	+5.6%
Total Liquor	12,480	3.977	14,270	3.036	+14.3%	-23.7%
Total Off Sales	2,188	.697	5,039	1.072	+130.3%	+53.8%
Total On-Off	13,439	4,282	14,198	3.020	+5.6%	-29.4%
Non-quota licenses	3,545	1.130	6,477	1.378	+82.7%	+21.9%

Table 13

Licensed Breweries 1951-1977

	<u>1951</u>	<u>1977</u>
Breweries Licensed	46	8

Prepared by: Bureau of Alcohol and Other
Drug Abuse,
July, 1978

Sources: Wisconsin Department of
Revenue, Bureau of Central
Compliance, U.S. Department
of Commerce

*Estimate

Table 14

States "Legal Drinking Ages",
Per Capita Consumption and Rank

STATE	AGE	CONS.	RANK	STATE	AGE	CONS.	RANK
Alabama	19	1.88	48	Nebraska	19	2.54	32
Alaska	19	3.97	4	Nevada	21	6.55	1
Arizona	19	3.03	15	New Hampshire	18	5.55	3
Arkansas	21	1.66	50	New Jersey	18	2.84	21
California	21	3.33	7	New Mexico	21	2.84	22
Colorado	21*	3.26	9	New York	18	2.92	20
Connecticut	18	2.71	28	North Carolina	21**	2.07	41
Delaware	20	3.01	18	North Dakota	21	2.77	23
Florida	18	3.17	11	Ohio	21*	2.25	39
Georgia	18	2.32	37	Oklahoma	18	1.99	44
Hawaii	18	3.13	13	Oregon	21	2.76	24
Idaho	19	2.55	31	Pennsylvania	21	2.38	34
Illinois	21***	3.02	16	Rhode Island	18	3.18	10
Indiana	21	1.98	45	South Carolina	21**	2.58	29
Iowa	19	2.18	40	South Dakota	21*	2.31	38
Kansas	21*	1.96	46	Tennessee	18	1.94	47
Kentucky	21	2.00	43	Texas	18	2.57	30
Louisiana	18	2.46	33	Utah	21	1.65	51
Maine	20	2.74	25	Vermont	18	3.79	5
Maryland	21**	3.16	12	Virginia	21*	2.36	35
Massachusetts	18	3.09	14	Washington	21	2.92	19
Michigan	21	2.71	27	Wash. D.C.	21**	6.15	2
Minnesota	19	2.73	26	West Virginia	18	1.87	49
Mississippi	21*	2.03	42				
Missouri	21	2.33	36	<u>Wisconsin</u>	<u>18</u>	<u>3.49</u>	<u>6</u>
Montana	19	3.01	17				
				Wyoming	19	3.31	8

- * Beer at 18
 ** Beer and Wine at 18
 *** Beer and Wine at 19

THE EFFECT OF LOWERING THE LEGAL "DRINKING AGE"
ON 18 THROUGH 20 YEAR-OLD WISCONSIN DRIVERS

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"Data for the ten-year period 1968 through 1977 obtained from the Wisconsin Department of Transportation's police accident reporting system and the Wisconsin Division of Health's program for blood alcohol testing of traffic fatalities were analyzed to determine the effect of lowering the state's legal 'drinking age.' No significant changes in non-fatal crashes were found among those affected following the change from availability of beer only in 5,416 licensed establishments to the availability of all alcoholic beverages in 18,478 establishments at 18. Trend analyses show the rate of involvement in fatal crashes to be increasing for drivers age 18 through 20 and decreasing for drivers aged 21 through 24. No significant changes were found in the relationships between alcohol-related crashes involving those affected by the change in the law and those involving the older age group. There was no evidence that the change in the law had affected any change in the rate, rate of increase or rate of alcohol-involvement in highway crashes involving 18 through 20 year-old drivers."

Since 1933, it has been legal in Wisconsin for persons aged 18 and older to purchase, possess and consume fermented (alcoholic) malt beverages (beer). In April 1972, Wisconsin lowered the legal "drinking age" for liquor and wine from 21 to 18. The principal effect of that change was to increase the number of establishments in which young people aged 18 through 20, most of whom continue to prefer beer (89%) to all other alcoholic beverages (11%) could legally purchase and consume beer and other alcoholic beverages.

Prior to the change in the law, persons aged 18 through 20 were legally entitled to purchase beer in 5,416 establishments licensed to sell beer only. After the change in the law, 18 through 20 year-olds were legally entitled to purchase beer or other alcoholic beverages in 18,478 licensed establishments. Perrine, Waller and Harris (1971) had found that beer was involved in a large proportion of youthful alcohol-related highway fatalities. The increased availability of beer to persons aged 18 through 21, which occurred as a consequence of Wisconsin's lowered legal "drinking age" for wine and liquor in April, 1972 might have been expected to increase the number of beer drinking occasions and the amount of beer consumed by that age group. Beer only establishments had been fewer in number and frequently located in rural areas, thus it was reasonable to expect that the legal opportunity to drink under supervision, in more places, closer to home would result in reduced drinking-driving mileage for persons aged 18 through 20. Some predicted that changes in the legal "drinking age" would have little effect on 18 through 20 year-old drinking-driving statistics. (Zylman, 1973).

TABLE 1

Fatal, Personal Injury and Property Damage Crashes
Total, "Had Been Drinking" and Percent By Age
Wisconsin 1970-1977

	<u>18-20</u>			<u>21-24</u>		
	<u>Total Crashes</u>	<u>"Had Been Drinking"</u>	<u>% of Total</u>	<u>Total Crashes</u>	<u>"Had Been Drinking"</u>	<u>% of Total</u>
1970	26,401	2,133	.0808	25,264	2,401	.0950
1971	26,228	2,057	.0784	26,310	2,326	.0884
1972	30,147	2,712	.0900	28,560	2,770	.0970
1973	31,922	2,323	.0728	29,496	2,052	.0696
1974	32,160	2,371	.0737	28,019	2,168	.0774
1975	33,918	1,852	.0546	30,527	1,653	.0542
1976	34,535	2,090	.0605	30,498	1,893	.0621
1977	39,665	2,037	.0514	36,360	1,895	.0521
	254,976	17,575	.0689	235,034	17,158	.0730

TABLE 2

Driver Fatalities By BAC and AGE
Wisconsin 1968 - 1977

	<u>18-20</u>			<u>21-24</u>		
	<u>Total Deaths Tested</u>	<u>Tested Above .05%</u>	<u>% of Total</u>	<u>Total Deaths Tested</u>	<u>Tested Above .05%</u>	<u>% of Total</u>
1968	79	47	59.5	70	50	71.4
1969	67	43	64.2	75	59	78.7
1970	59	39	66.1	78	56	71.8
1971	74	42	56.8	80	61	76.3
1972	71	41	57.7	72	43	59.7
1973	102	64	62.7	85	56	65.9
1974	75	53	70.7	76	47	61.8
1975	59	41	69.5	58	37	63.8
1976	74	54	73.0	62	47	75.8
1977	94	67	71.3	67	49	73.1

TABLE 3

Deaths Per 100,000 Drivers Tested AT 0.05% + BAC

	<u>18 through 20</u>		<u>21 through 24</u>	
	<u>Rate</u>	<u>Inc/Dec.</u>	<u>Rate</u>	<u>Inc/Dec.</u>
1968	23.27	(%)	20.84	(%)
1969	19.00	-18.35	22.02	+ 5.65
1970	15.79	-16.90	21.75	- 1.22
1971	19.63	+24.33	22.41	+ 3.07
1972	18.73	- 4.60	15.39	-31.35
1973	23.38	+53.98	19.30	+25.42
1974	22.75	-19.84	15.74	-18.45
1975	17.30	-23.95	12.02	-23.65
1976	22.41	+29.52	14.98	+24.64
1977	27.20	+21.40	15.33	+ 2.34

In a study of youthful alcohol-related driver deaths in Wisconsin, Naor and Nashold (1975) found no significant changes in either the fatality rate or degree of alcohol involvement in those affected by the change in the law. An early study of Michigan data (Zylman, 1974 a) likewise showed no significant effect of lowering that state's legal "drinking age" in 1972 on subsequent youthful alcohol-related highway statistics. However, a later study of Michigan data showed some apparent causal relationship between subsequent increased highway crashes among 18 through 20 year-old drivers and the lowering of the legal "drinking age" (Flora and Filkins, 1978).

Considering the apparent differences in the findings and conclusions of early and later analyses in other jurisdictions, it was decided to conduct a study of longer-term Wisconsin data to determine whether any statistically significant effects of the lowered legal drinking age for liquor and wine, and the increased availability of beer to persons aged 18 through 20 on that age group's drinking-driving behaviors could be observed.

Source of Data

Data for involvement of drivers in crashes resulting in personal injury and property damage were obtained from the Wisconsin Department of Transportation's police accident reporting system. These data are generated from uniform accident reports filed by the officers investigating those crashes, and rely upon the officer's subjective judgement as to whether the driver in any given crash "had been drinking" and if so, whether to report that condition as a contributing factor in the crash. Differences in the criteria employed by officers in making these determinations for different driver age groups have been noted (Zylman, 1974 b).

Changes in the uniform accident report form which may have influenced the reporting of "had been drinking" as a contributing factor did occur during the period studied. However, analysis of variance in the accident data for the age groups 18 through 20, and 21 through 24, found no significant differences in age-based criteria.

Data for alcohol involvement in driver fatalities were obtained from the Wisconsin Division of Health's program for blood testing of driver deaths, described in detail by Naor and Nashold.

Results

During the period 1968 through 1977, youthful drivers aged 18 through 24 were more frequently involved in Wisconsin Highway crashes than other drivers. The total number of highway crashes involving both groups aged 18 through 20 and 21 through 24, increased throughout the period (Table 1).

ILLUSTRATION I

% OF DRIVER DEATHS TESTED AT 0.05% + BAC - BY AGE, TREND

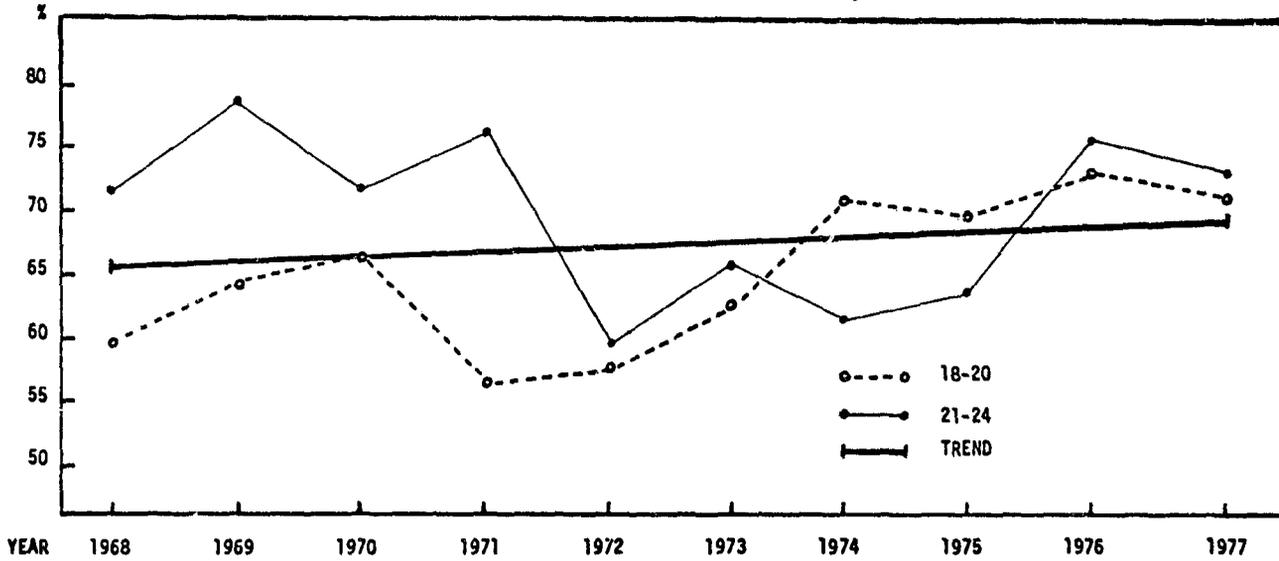
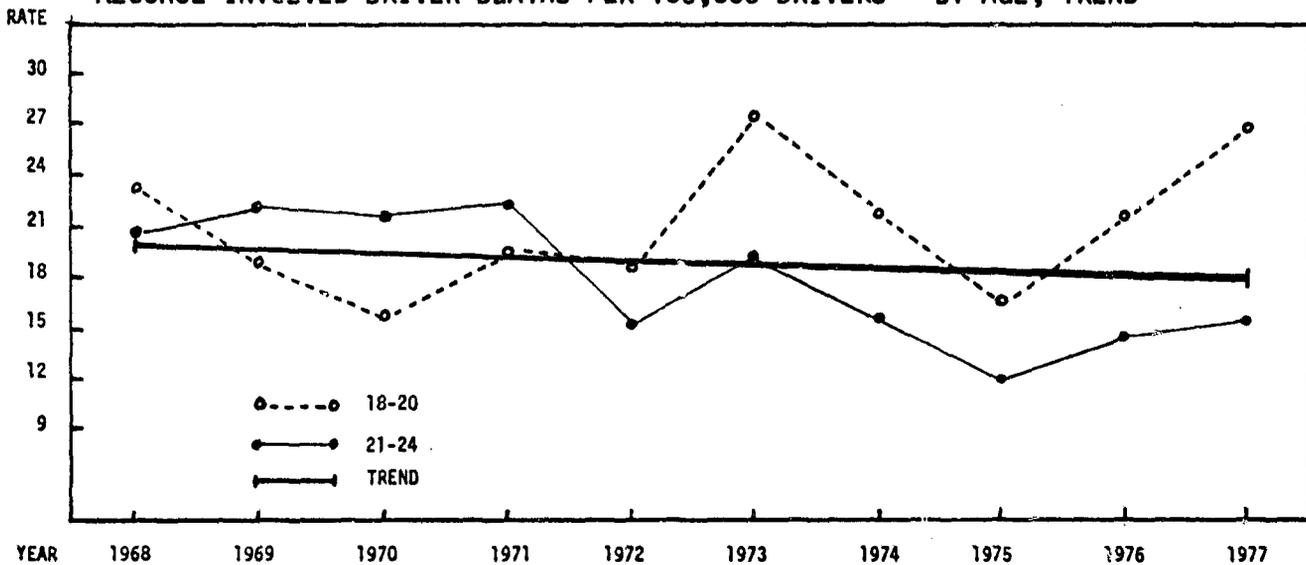


ILLUSTRATION II

ALCOHOL INVOLVED DRIVER DEATHS PER 100,000 DRIVERS - BY AGE, TREND



Driver alcohol-involvement was reported as a possible contributing factor in approximately 7% of all crashes involving drivers aged 18 through 24 during the period 1970 through 1977 (Table 1). Chi-square tests show no statistically significant change ($p. > .05$) in the percentage of reported alcohol-involvement in crashes for either those affected by the change in the law, aged 18 through 20, or the older age group, 21 through 24; and, no significant differences were found between the groups during the period.

For both groups, the rate of reported "had been drinking" drivers increased from 1970 through 1972, and subsequently declined. In the past three years, the rate of reported alcohol-related crashes has been lower for both groups than in any of the previous five (Table 1). Chi-square tests show no statistically significant differences between the rates of reported "had been drinking" drivers for either driver age group among the years; and, no differences in rates between the groups for the years 1970 through 1977.

Approximately 65% of the 18 through 20 year-old, and 70% of the 21 through 24 year-old drivers killed in Wisconsin highway crashes during the period 1968 through 1977 were alcohol-involved (BAC 0.05%). (See Table 2.) Linear least squares regression analysis show that the percentage of alcohol-involved driver deaths increased at an average rate of 1.9% per year for 18 through 20 year-old drivers and decreased at an average annual rate of .6% for 21 through 24 year-olds during the period (Illustration I). Chi-square tests show that the percentages of alcohol-involved driver deaths in both groups remained substantially unchanged during the period; i.e., the increases and decreases during the period of either age group were not large enough to be statistically significant ($p. > .05$).

The number of driver fatalities per 100,000 drivers likewise appeared to increase gradually for 18 through 20 year-olds and decrease for 21 through 24 year-olds during the ten year period (Illustration II). However, chi-square tests of the data showed no statistically significant differences in the alcohol-involved driver death rate for either group, or between the two age groups over time. Although the annual fluctuations in the 18 through 20 year-old alcohol-involved driver death rate appear to be greater than those of the older driver age group (Table 3), those fluctuations were not large enough to be statistically significant (Poisson Test $p. > .05$).

Discussion

Because of the limited usefulness of both sets of data, caution must be observed in interpreting the results. Traffic mortality is related less to the number of drivers than to the number of miles travelled (Naor and Nashold, 1975). Involvement in all highway crashes is also more closely related to number of miles traveled by time-of-day than to the number of licensed drivers. Reliable information on these related factors are not available.

The number of highway fatalities are small in comparison to the number of licensed drivers in any given age group and the resulting annual rates are subject to wide fluctuations resulting solely from chance. Though larger in number, and therefore, less subject to chance variation, the number of crashes reported as involving "had been drinking" drivers are subject to a variety of systematic biases and other influences on the reporting of those observations (Perrine, Waller and Harris, 1971; Zylman, 1976). Both blood alcohol testing of driver deaths and the reporting of alcohol-involvement in other crashes involve subjective judgement on the part of investigating officers. Naor and Nashold suggest the possibility that, because law enforcement agencies were quite aware of the change in Wisconsin's legal "drinking age" in 1972, a tendency existed to test greater numbers of youthful drivers following that change. The same possibility applies to reporting of youthful "had been drinking" drivers.

Early findings in both Michigan (Zylman 1974 a) and Wisconsin (Naor and Nashold) indicated that increases in the number of youthful driver fatalities had not exceeded the normal year-to-year fluctuations. However, a later study of Michigan data did find significant increases in youth crash involvement attributed to lower legal "drinking age" in that state. (Flora and Filkins, 1978).

Analysis of Wisconsin data for the period 1968 through 1977 as reported here has shown no statistically significant change in the rate of alcohol involvement by youthful drivers affected by the change in the legal "drinking age" aged 18 through 20 or those not affected by the change in the law, aged 21 through 24 and no statistically significant differences between the two age groups overtime.

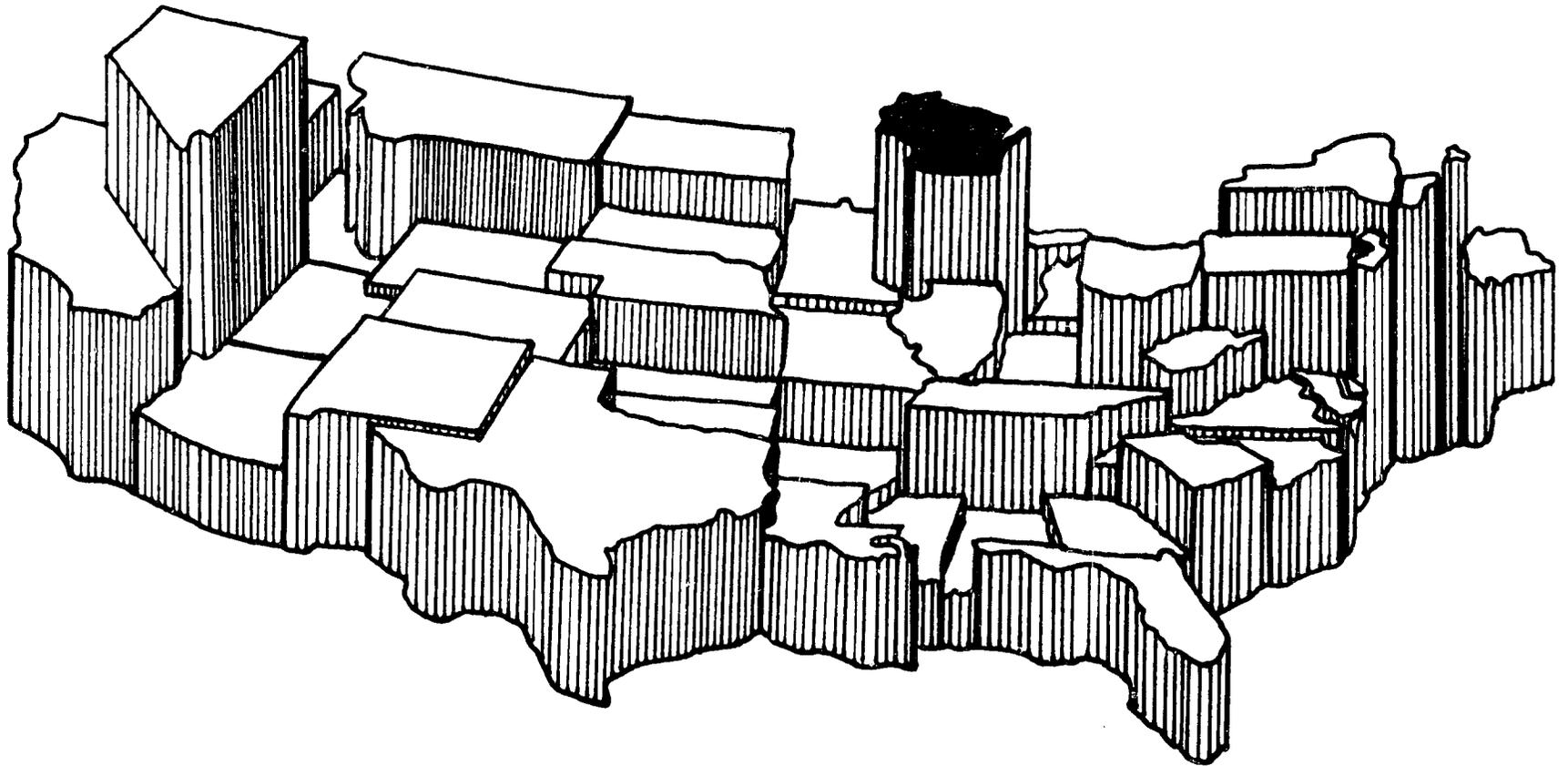
Summary and Conclusions

In Wisconsin, as elsewhere in the United States, youthful drivers are more frequently involved and more frequently killed in highway crashes than older drivers. Data for the past ten years show that the proportion of Wisconsin highway crashes involving 18 through 20 year-old drivers is no higher than that of the next older age group. There was no evidence that the change in the legal "drinking age" effected any change in the number, rate or rate of increase in alcohol-involved highway crashes among those affected by the law. No differences were found between 18 through 20 year-old driver alcohol-involvement and that of the next older driver age group.

Although hundreds of young people are killed every year on Wisconsin's highways, in every year since 1972, the numbers and rate of alcohol-involved highway crashes have been lower for youthful drivers, aged 18 through 24. This should not obscure the facts that alcohol is involved in 66% of all driver fatalities and that drinking and driving is a frequently fatal combination at any age.

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PER CAPITA ALCOHOLISM BY STATE

Plot by PRISM

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