Implementing and Supporting Policies
to Prevent Alcohol, Tobacco and Other Drug Misuse
Information Guide Series

NC DEPARTMENT OF
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This Information Guide was developed as a means to provide resources for prevention practitioners in addition to the training opportunities offered throughout the year.

Thank you for your dedication to ensuring effective planning and delivery of prevention efforts within the community setting related to local, state and federal alcohol, tobacco and illicit drug laws and policies. We believe your hard work in this area will improve the lives of children, youth and communities across the state. Your work is meaningful, important and necessary in the promotion of healthy, alcohol and drug-free communities.

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Comments and Suggestions

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Prevention Efforts:
Individual Versus Environmental Focus

Efforts to prevent substance use have typically taken one of two broad approaches (USDHHS, 2007, 2014, 2016). The first focuses on changing individuals, where interventions aimed at adolescents, young adults and adults seek to change attitudes and intentions, provide knowledge, and develop skills to help individuals resist influences that would lead them to use substances (USDHHS, 2007: 28). Because individual-based prevention programs involve working repeatedly with individuals and small groups, a tremendous amount of resources is usually needed to reach a large portion of the community population.

The second approach focuses on changing environments. In an environmental change model, the focus of intervention efforts shifts from changing individual behaviors to changing the environments that shape individual behavior. Research has demonstrated that behaviors can be changed by modifying policies, practices, and social norms (Stokols, 1996; NIAAA, 2006, (Treno & Lee, 2002). The Substance Abuse and Mental Health Services Administration (SAMHSA) recommends environmental strategies as one of six prevention strategies in the Strategic Prevention Framework to help communities create a prevention plan to address substance use. SAMHSA defines environmental strategies as "aimed at the settings and conditions in which people live, work, and socialize." (SAMHSA, 2017). Examples of environmental strategies include policies that increase product price, limit the density of retail alcohol or tobacco outlets, lower the blood alcohol concentration (BAC) limit for impaired driving, limit the prescribing of opioid analgesics, and raise the minimum legal smoking age, as well as related enforcement efforts (USDHHS, 2007: 28; SAMHSA, 2017).

Environmental strategies should be used in conjunction with individually based strategies—one is not intended to replace the other. Environmental strategies offer the opportunity to produce more enduring reductions in risk by creating conditions that support the non-use of illicit substances and responsible use of legal ones. Individual prevention programs that do not consider the environments in which individuals live may find their effectiveness severely undercut by processes outside the individual that are inconsistent with program messages. For instance, programs that teach youth resistance skills may be undermined when young people are exposed to messages glamorizing substance use, can easily purchase or obtain alcohol, tobacco or other drugs, and perceive that there are no penalties associated with underage use. Sustained reductions in use are most likely to be achieved when environments are consistent with, and mutually reinforce, the formal prevention messages directed at individuals. Please see Appendix A for examples of some NC laws specific to substance use.

The Policy Approach

Policy can play an important role in alcohol, tobacco (including combustible products as well as vaping devices) and other drug (ATOD) prevention. Coupled with stronger enforcement, policies can shift the focus on solving ATOD-related problems from the individual to the community settings in which a substance is obtained and used. The focus becomes regulating the sale, use, consumption, promotion, or consequences of ATOD. Strengthened local ATOD policies and enforcement efforts have the capacity to change attitudes, behaviors, community norms, and consequences of ATOD use.

Formal versus Informal Policies. ATOD policies rely on environmental management strategies to alter the environmental conditions that influence ATOD use (i.e. availability, accessibility, and desirability of ATOD). This intersection of environmental strategies and policy is crucial for changing the attitudes, behaviors, norms, and consequences of ATOD use on a larger scale. ATOD policies can be distinguished as either formal or informal policy, depending on the environmental strategies used and the agency that implements the policy.

Formal policies are laws and ordinances that affect how a product is sold or distributed, where it is consumed, its price and marketing, and underage access. Formal policies are usually enacted by a body elected by the general population, such as a City Council or a County Board of Commissioners. Some examples of formal policies include excise taxes, restricted ATOD use in public places, mandated warning labels on ATOD products, and established minimum age requirements.

Informal policies, on the other hand, are implemented by various community sectors such as schools, businesses, families, groups, or clubs. Informal policies are rules and/or guidance as to how each individual organization manages ATOD use. One example of an important informal policy is the use of secure and continuous remote alcohol monitoring. Other examples of informal policy include restricting ATOD access at family gatherings.

Examples of formal polices and their decision-making entity:

Formal Policy	Decision-Making Entity
Mandatory Responsible Server Training Ordinance	City Council, Council Supervisors
Restrictions on where vaping materials can be sold in retail stores	City Council, Council Supervisors
School policy on suspensions for marijuana possession	School Board
Ordinance restricting alcohol outlet density	City Council, Council Supervisors
Mandatory prescription drug drop boxes at all city buildings including police stations	City Council, Council Supervisors

*In some states, state decision makers may be part of the decision-making process for some of these formal policies, as well.

Examples of informal polices and their decision-making entity:

Informal Policy	Decision-Making Entity
Decision to stop open campus	School principal
PTA decision to not accept financial support from bars for project graduation activities	PTA board
Local service club restricting the amount of alcohol served at its mixer events	Service club board of directors
Pharmacists must consult with patrons before filling prescription for opioids	Local branch of Pharmacists Association
Local faith institution restricts events where alcohol may be served	Organizational leader or committee of congregants
Secure and monitor alcohol in the home	Home owner, parent, guardian

Formal Policies

Laws and ordinances that affect how a product is sold or distributed, where it is consumed, its price and marketing, and underage access.

Informal Policies

Rules and/or guidance implemented by various community sectors, such as schools, businesses, and groups, as to how the organization manages ATOD use.

Policies alone are not likely to make population level changes. A credible threat of enforcement and consequences must accompany any policy change for the policy to have the desired effect (National Research Council, 2003). In addition, the community must be aware that the policy is in effect, so an awareness campaign is also an essential component of effective policy work (see Policy Steps). This guide describes a 10-step process to help communities consider policy, along with the associated enforcement and awareness components, as tools for addressing ATOD use and problems in the community.

What Does This Approach Do?

Policies have the potential to bring about dramatic and enduring reductions in substance use problems because they typically affect entire populations and create changes in the system-wide processes underlying substance use.

However, policies alone are not likely to bring about the desired change. When considering policy as an intervention, it is important to think about policy as part of a comprehensive approach to addressing substance use. A credible threat of enforcement and consequences must accompany any policy change for it to have the desired effect (National Research Council, 2003). To ensure that strategies are implemented in a comprehensive manner, each chosen strategy should include policy and enforcement elements as well as efforts to build awareness about the strategy. The following pages outline key steps in not only exploring potential policies to address community needs, but also developing the necessary enforcement and awareness activities for policy success (see Policy Steps).

In addition to coupling policy with enforcement and awareness efforts, you should also consider using multiple policies in developing a comprehensive approach to addressing the problem. For example, one model program, Communities Mobilizing for Change on Alcohol, the comprehensive approach included mobilizing the community; encouraging Responsible Beverage Service at bars, restaurants, and liquor stores; reducing underage drinking by limiting access to alcohol; increasing local enforcement of drinking-and-driving laws; and limiting access to alcohol by using community zoning restrictions. Essentially, the more alcohol supply channels impacted through environmental strategies, the more successful efforts will be to stem the flow of alcohol to underage youth. In general, there seems to be evidence that it is important to focus on commercial and social sources at the same time to avoid the shifting of sources based on shutting down either supply.

Another example of using policies as part of a comprehensive approach focuses on countering the marketing of the alcohol and tobacco industry at the point of sale, where the products are heavily advertised and widely available to consumers. These policies are often aimed at transforming the retail environment and the four Ps of marketing that are used by industry to promote their products to consumers: Price, Place, Product and Promotion.

Price includes retail pricing and discount strategies.

Place refers to where products are sold and their availability to consumers.

Product refers to a good or service that a company offers to customers. Ideally, a product should fulfill a certain consumer demand or be so compelling that consumers believe they need to have it.

Promotion refers to advertising, displays, direct marketing and other related strategies

Policies aimed at these elements can be implemented altogether or one at a time, depending on the jurisdiction, its retail environment, community support and political conditions. Some examples of effective policies that target the four P's include:

- Restricting drink specials (price),
- Restricting the sale of menthol cigarettes (product),
- Restricting where vape products can be sold in retail stores (placement), and
- Restricting alcohol and tobacco advertising around schools and playgrounds (promotion)

For more information on strategies to address the retail environment, see the Point of Sale Playbook by ChangeLab Solutions: changelabsolutions.org/sites/default/files/Point_of_Sale_Playbook_FINAL_20160105.pdf

How Do You Implement Policy?

Across the U.S., community-based organizations, such as prevention providers and community organizations, are advocating for policies to improve the health and safety of communities. However, getting policies adopted can be a challenging process, marked by trial and error. This guide describes an effective approach to implementing policy in local communities: the *Policy Adoption Model*.

The *Policy Adoption Model* originated in California communities in the late 1990's, as local community organizations were being encouraged by their funders to work on local alcohol policies. As a result, the development of a coherent model for policy development was essential. The *Policy Adoption Model* was developed in the context of the challenges local communities experienced as they struggled to pass a range of city and county alcohol policies, including social host, alcohol outlet density, and mandatory server training ordinances.

The *Policy Adoption Model* consists of ten "policy steps" that have been used to adopt both formal policy and informal polices. They are designed to be followed in a more or less sequential order. The steps are listed below and are described in more detail later in this section of the guide.

Although the model was created based on the work of local community organizations, this model can be used by any organization or group of organizations that is considering policy as a mechanism for addressing substance use prevention. The model is meant to be implemented by groups of individuals or organizations that are working together in a partnership to bring about change. For convenience, in the following pages, we refer to an "organization" as the entity moving the policy forward.

For additional guidance on developing community partnerships for substance use prevention, please see SAMHSA's Focus on Prevention: *Strategies and Programs to Prevent Substance Use* (SAMHSA, 2017).

10 Steps of the Policy Adoption Model

1. Clearly state the problem as a policy action statement.

2. Engage with the organization or entity responsible for enforcing or implementing the policy.

3. Collect data establishing a link between the community condition and the proposed policy.

4. Write an issue brief that makes the case for the policy and offers the policy solution.

5. Draft policy language.

6. Use advocacy messaging to build support for policy.

7. Mobilize support and provide education about the policy benefits.

8. Prepare to present your policy to decision makers.

9. Ensure the policy is being enforced and/or implemented post adoption.

10. Evaluate the policy campaign process and the policy impacts.

POLICY STEP: 1

Clearly State the Problem as a Policy Action Statement

Stating the problem is not as easy as it may sound. Identifying factors that are contributing to the problem is an important first step. The key ingredient to stating the problem is developing a policy action statement. The policy action statement is a condensed (approximately 25 word) statement that does the following things:

- States the actual problem to be addressed – a brief description
- States the policy solution – names the actual policy
- States what the policy will do – briefly describes the impacts
- States who will benefit from the policy – identifies who will be positively impacted
- States the policymakers that can make it happen – identifies the "targets" who ultimately adopt the policy

The value of developing the policy action statement is the clarity it brings to the organization as it grapples with describing the key components. The statement also serves as a roadmap when the organization is months into the campaign and wondering "what are we doing again?" and "why are we doing this?"

A policy action statement is a short statement that sets up much of the work of the organization in carrying out the policy campaign. It identifies the decision makers who will need to be educated and influenced to adopt the policy, as well as identifying one of the prime candidates from whom support should be sought.

Here are six examples of policy action statements. Following common usage, we refer to informal policy as "Small P," and formal policy as "Big P." Please note that the examples provided are pulled from experiences of communities around the country. As always, and described throughout this guide, it is critical to determine whether a particular policy is feasible in your state and local legal environment. To help you determine what type of policies are feasible in North Carolina, a section describing preemption in North Carolina follows the six examples.

Figure 1. Action Statement Examples

"Small P"
Informal Policy

Alcohol Example
The local service club adopts a policy requiring that alcohol at club events be served by individuals who have received responsible beverage service (RBS) training, in order to reduce the potential for DWI.

"Big P"
Formal Policy

Alcohol Example
The City Council passes a local ordinance holding landlords accountable for loud and unruly parties on their property, in order to reduce the negative consequences of these parties, both involving partygoers and neighborhood nuisances.

"Small P"
Informal Policy

Opioid Example
The ABCD Pharmacy chain adopts a corporate policy to install and maintain a prescription drug drop box at each of its stores in North Carolina, in order to reduce the availability and diversion of opioids and other prescription drugs with abuse potential.

"Big P"
Formal Policy

Opioid Example
City council will require that all pharmacies in the city limits must provide a drop box.

"Small P"
Informal Policy

Tobacco Example
Local convenience store chain will no longer sell tobacco products to reduce rates of tobacco use and improve community health.

"Big P"
Formal Policy

Tobacco Example
The City Council passes a local ordinance prohibiting the use of tobacco products in all City-owned and managed parks to reduce youth and adult exposure to second-hand smoke.

Changing Public Policy In North Carolina: Preemption

Preemption is a critical issue for public health and can have important implications for policy advocates and policymakers – especially those working at the local level.

Basics of Preemption

In the United States, many levels of government (i.e. Congress, state legislatures, city councils, county boards, regional authorities, administrative agencies) are regularly making new laws and revising existing ones. Preemption is a legal concept that seeks to bring some order to this system. It holds that a higher level of government can restrict or withdraw the authority of lower levels of government. Or more simply, preemption answers the question of who gets to decide what law controls.

The basis for the federal government's authority to preempt state and local law is the Supremacy Clause of the U.S. Constitution. The Supremacy Clause establishes the U.S. Constitution and federal laws as the supreme law of the land. The states are however afforded the authority to regulate in all other areas by the 10th Amendment of the U.S. Constitution which states that "[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." State-level preemption functions in a similar manner. The ability of local governments to regulate are both limited and authorized by their state's constitution and laws.

The purpose of preemption is to prevent a patchwork of laws and is itself not inherently "good" or "bad." In the context of public health, preemption can function as an important tool or a barrier. For example, uniform state-level policies on quarantines and vaccinations can be beneficial and necessary for limiting the spread of communicable diseases. However, state prohibitions on local outdoor smoking bans may create an important barrier to communities seeking to reduce the harms caused by secondhand smoke.

Preemption of any given policy should not be presumed. Whether preemption limits the implementation of a policy at the state-level or local level must be evaluated on a case-by-case basis. Preemption typically takes one of two forms: express or implied. Express preemption occurs when a law explicitly states that it is meant to prohibit lower-levels of government from legislating on a topic. Even when a law contains express preemptive language, there may still be an issue as to its scope and effect on further lawmaking. Implied preemption is harder to spot and takes two forms: field preemption and conflict preemption. Field preemption occurs when a regulatory scheme is so extensive that it leaves no room for further regulation by a lower-level of government (i.e. federal immigration laws). Conflict preemptions occurs when (1) it is impossible to comply with laws passed by two different levels of government on a single topic or (2) a law interferes with the objectives of a law passed by a higher-level of government. Further complicating the issue of preemption is that its scope may vary. Depending on the wording of a law it may preempt all action on a topic or just certain aspects. Preemption that prohibits lower levels of government from adopting any stronger laws on a topic is referred to as "ceiling" preemption. Preemption that establishes minimum standards while allowing lower levels of government to adopt stronger policies is referred to as "floor" preemption.

State Delegation of Authority

In the United States, local governments derive their authority from state government. A state's constitution and legislature will dictate the extent of its local governments' policymaking powers. In general, there are two manners by which states delegate powers to local government: Home Rule and Dillon's Rule. Home Rule refers to a delegation of broad powers to local governments allowing for wide discretion to act on matters of local concern (all powers not reserved by the state). In contrast, Dillon's Rule refers to a delegation of limited powers to local governments (only those powers explicitly given by the state).

Cities and counties in North Carolina have been delegated generally broad powers.[1] While North Carolina is often described as a Dillon's rule state, state laws and court interpretations of local government authority suggest that local governments have powers similar those in home rule states.[2] What this means for local governments in North Carolina is that when state law is silent as to whether local regulation on a topic is authorized, they are not immediately restricted from establishing a policy on that topic (as would be the case in a true Dillon's rule state). Instead the general authority granted to local governments should be broadly construed to allow for local regulation on the topic.[3]

Navigating the Issue of Preemption and Governmental Authority

When seeking to establish a new law – whether it be at the state or local level – it is necessary to determine whether it may be preempted by a higher level of government. Additionally, in North Carolina when seeking to establish a new local law it will be necessary to determine whether local government is authorized to regulate the topic. A simple starting point for conducting this analysis is to inquire whether other similar government bodies already have such a policy (Does another state have the policy?; Does another city already have this law?). A next step is to search state and federal law for any broad statements that express an intent to preclude in a topic area or establish a "floor" for regulation. Finally, it is always recommended that one consult with an attorney or organization, such as the Public Health Law Center, that provides technical assistance on legal when seeking to evaluate the full scope of any preemptory issues.

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[1]North Carolina General statutes, Chapter 160A (governing cities) and Chapter 153A (governing counties).

[2]See Bluestein, F. S. (2005). Do North Carolina local governments need home rule. NCL Rev., 84, 1983.
Available at: www.scholarship.law.unc.edu/nclr/vol84/iss6/6

[3]See discussion by Professor Frayda Bluestein in Smith, B. (2018). Cooper H.B. 2 compromise doesn't address 'home rule' question State remains in 'gray area' over relative powers of local governments versus legislature, legal experts say. Carolina Journal. [online]
Available at: www.carolinajournal.com/news-article/cooper-h-b-2-compromise-doesnt-address-home-rule-

Preemption and ATOD Policies in North Carolina

Note: The discussion that follows on the impact preemption may have on various state and local environmental policies addressing alcohol, tobacco, and other drugs is intended as an overview. As described above, preemption (both federal and state) is a complex issue requiring analysis on a case-by-case basis. The examples provided below illustrate the issues facing policy advocates and policymakers working to address harms associated with alcohol, tobacco, and other drugs and are in no way exhaustive.

All levels of government have established laws that regulate alcohol, tobacco, and other drugs to some degree within North Carolina. These laws can take many different forms including prohibitions, limits on use, regulations on retail and licensing, and marketing restrictions to name a few. And while there is likely overlap in some areas, the type and scope of each law is directly related to the governmental body's authority (or limited authority) to pass such laws.

When narrowing the focus to those policies that address environmental issues associated with these substances, the potential source of preemption in North Carolina is largely the state when discussing alcohol and tobacco, while the federal government plays a greater role in other drugs, especially for those that are illegal under federal law.

Alcohol. The state clearly establishes its intent to uniformly control the sale, purchase, consumption, and possession of alcoholic beverages while prohibiting local ordinances that establish different rules.[4] As a result, local government in North Carolina is limited from passing laws seeking to directly regulate these activities – especially in the commercial context. For example, a county cannot pass laws establishing local licensing of retailers or restricting sales practices, such as restricting beverage types or promotional offers. That's not to say that local government is preempted from regulating all activity that involves alcohol. State law grants local governments the authority to regulate activity that is detrimental to the health, safety, or welfare of its citizens and abate nuisances.[5] Under this authority local governments may establish policies that address problems attendant to alcohol consumption. For example, a city can pass an ordinance that addresses underage drinking on private property by framing it as a matter of abating nuisance. Although state preemption is strong when it comes to local government seeking to directly regulate alcohol, local government is not precluded from pursuing policies that may take an indirect approach based on powers directly granted to them.

Tobacco. The state clearly establishes its intent to set standards for local regulation of tobacco use. In addition to prohibiting smoking in restaurants, bars, and governmental buildings, state law allows for local governments to establish restrictions on tobacco use in public places, with certain exceptions. Specifically, the state preempts

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[4] N.C.G.S.A. § 18B-100.

[5] N.C.G.S.A. § 160A-174 and N.C.G.S.A. § 153A-121

certain restrictions including those on smoking in private residence, and private vehicles.[6] Additionally, the state preempts local government from further regulating issues of youth access and vending machines.[7] Less clear is the extent to impose which local government may be able to other conditions on tobacco retailers, such as requiring a local license.[8]

Other Drugs. The topic of drugs is extensive and covers those that are both legal and illegal. Given that the legal status of drugs is largely a matter of federal law, federal law may preempt certain actions. That said, North Carolina still has significant authority to act, and to enable or restrict action at the local level. For example, efforts to address the opioid epidemic have seen laws in North Carolina establishing supply limits for prescription pain medications (likely preempt local action)[9] as well as laws authorizing local government, and other organizations, to establish policies for distributing opioid antagonists (i.e. Naloxone) to counter overdoses and managing syringe service programs to prevent the transmission of HIV, viral hepatitis, STDs and TB.[10]

Other substances of growing concern include cannabis. While still illegal under federal law, an increasing number of states have legalized it for medical and recreational use. As a result, local government may want to consider the extent that it wants local authority over the topic as well as to include restrictions on it when establishing new policies – for example including its possession and use by underage person as a violation of a social host ordinance.

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[6]N.C.G.S.A. § 130A-498.

[7]N.C.G.S.A. § 14-313.

[8]Center for Disease Prevention (2018, July 11). Map of Preemption on Advertising, Licensure, Smokefree Indoor Air, and Youth Access. Retrieved from www.cdc.gov/statesystem/preemption.html [Accessed 6 Sep. 2018]

[9]N.C.G.S.A. § 90-106.

[10]N.C.G.S.A. § 90-12.7 and N.C.G.S.A. § 90-113.27.

POLICY STEP 2:
Engage with the Organization or Entity Responsible for Enforcing or Implementing the Policy

Enforcing policies is central to their effectiveness. Many of the polices that have the most evidence of effectiveness are formal policies that require some level of enforcement to ensure the policies have the desired impact. Some examples of such policies include:

- A city ordinance requiring server training. To be effective, this policy would need a city department to ensure that merchants enroll all servers in the training within the required time period.

- Adopting a hospital policy requiring all prescribers to review individual CSRS records before prescribing opioids. To be effective, this policy would need to ensure that prescribers are registered with the CSRS, have access to the CSRS via medical records, and that they have training to recognize red flags.

- Establishing a police department policy mandating on-going compliance checks to prevent service to intoxicated patrons. To be effective, this would require law enforcement to regularly spend time in on-premise establishments to observe serving practices.

Without enforcement, the policies are unlikely to be effective, and will not reduce the problems they are intended to address.

Table 1. Policy Examples

Small P – Informal Policy	Possible Responsible Enforcement Entities
School policy on ATOD-related student suspensions	School Superintendent Principal School Resources Officer
Local service club policy requiring that all individuals serving alcohol at club events have received responsible beverage service training	Service club board of directors Service club committee chair Service club president

Big P – Formal Policy	Possible Responsible Enforcement Entities
Municipal alcohol outlet density policy	Local law enforcement agency Code enforcement
Municipal property maintenance policy	Code enforcement

Engaging the appropriate enforcement body early in the policy campaign is essential. Doing so increases the likelihood that the policies, once adopted, will actually be enforced. No entity wants to be told to enforce a policy which they had no input in developing. But engaging the enforcement entity early in the policy development process can have additional benefits:

- *It may facilitate collection of local data:* Partnering with the appropriate enforcement body allows you to collect data or have access to existing data, which is important as policies need to be backed by data. It is likely that in the policy development process, additional information will be needed to either establish if there is a need to educate the community about the problem the policy is intended to address. The enforcement entity may be in the best position to assist with any required additional data. The police department is a good example of an organization that can contribute significant amounts of data to support a policy. In the case of a community addressing substance use at local house parties, the police department would be an ideal partner to include early in the process, as it can provide data on calls for service to address loud and unruly parties, as well as identify which neighborhoods have a critical mass of concerned residents able to provide stories about the local impact of the parties.

Similarly, in the case of a Small P policy--for example, a service club policy--the organization may need data from the service club about the kinds of problems or consequences that are occurring at service club events where alcohol is served.

- *Selection of policy responses:* The entity charged with enforcing a policy is probably in the best position to identify what kinds of provisions would be enforceable, and which kinds would be harder to enforce. It is important to develop a policy that makes it possible—and perhaps even easy--for the enforcement body to do its job.

- *Crafting policy language:* For Big P policies, such as mandatory statewide responsible server training, it is advisable for the organization to draft the initial policy language. This enables the group to formulate its ideal policy, which then becomes a starting point for discussion of possible compromises. The enforcement entity will likely have much to add in terms of suggested policy language. Encourage the enforcement body to be part of the drafting process; it will build commitment to implementing the policy, as well as to the campaign to get the policy passed.

In the case of Small P policies, it may be advisable to work corroboratively with the enforcement entity from the onset to develop language. The extent to which Small P policies are subjected to legal review and analysis is generally far less than is the case for formal policies. This makes a collaborative process from the onset preferable. However, in all cases, it is important that the organization does not cede all responsibility for crafting of the language of the policy to some other person or entity.

POLICY STEP 3:
Collect Data Establishing a Link Between the Community Condition and the Proposed Policy

Policies require a set of findings to link the policy solution to the identified problem. In the case of formal policies, the data is usually embodied in "whereas" statements, which provide a foundation for the specific provisions that are included in the policy to address a specific problem.

It is often helpful to have some sort of framework to guide data collection efforts. One of the major challenges local organizations experience is knowing when they have collected the "right" kind, or a "sufficient" amount, of data to support the policy. Supportive data can be considered in a three-tier framework:

5000 Foot Level data

Information at the 5000-foot level demonstrates that there is a basic problem in the population being targeted. For example, is there an underage drinking, tobacco or vaping, or prescription drug misuse problem in your community? How do you know? What compelling data do you have that would convince community members and decision makers that the problem is real and deserves attention? Table 2 provides a few examples of local data that communities have found to be compelling in terms of making the case that underage drinking is an issue deserving attention.

Table 2. 5000 foot level data for Underage Drinking
30 day use rates
Age of initiation
Binge drinking rates
Number or rates of alcohol-related emergency room admissions
Number or rates of citations for underage possession of alcohol

1000 Foot Level Data

1000 foot- level data links the drinking behaviors to specific high-risk settings. When implementing policy interventions, we seek to modify high-risk settings where risky behaviors occur. In the case of underage drinking, many communities find that home parties are a location where youth drink. And often they drink in this setting in ways that create severe consequences. The Big P policy response to house parties is often the adoption of a local Loud/Unruly Party Ordinance. But it is possible that youth also drink in risky ways in other settings. For example, many communities are turning their attention to underage alcohol consumption at community events. Often

these events are hosted by a local service or other community organization. Responses to modifying these high-risk community events generally involve adoption of Small P policies by one or more relevant local community organizations.

Table 3 provides examples of 1000 foot data linking underage drinking to a specific setting in the community. The identification of the setting provides a foundation for a specific policy response. Examples of 1000 foot data include:

Table 3. 1000 foot level data for Underage Drinking	
1000' Data for Home Parties – "Big P" Policy	1000' Data for Community Event – "Small P" Policy
One-on-one interviews with residents	One-on-one interviews with residents
Number of DWI arrests using place of last drink data showing parties as a frequent place of last drink	Number of citations for underage possession of alcohol issued at these events
Youth focus group/listening sessions	Youth focus group/listening sessions
Police call for service data	Police call for service data
Emergency room admissions with place of last drink data	Surveys
School members	Interviews with event alcohol servers

Grassroots Data

So far we have used 5000 foot data to establish that there is an underage drinking problem in the community, and 1000 foot data to identify one or more high-risk settings where youth are drinking. Depending on community attitudes and norms, this may not be enough data to convince policy decision makers to act.

"Grassroots" data can force action. This information speaks to the consequences of underage drinking in the setting being addressed. This is the hardest information to gather, and often relies on anecdotal reports from individuals who are present at the setting. Here we want to know what bad things happen to individuals who

drink in these settings "Grassroots" data can dispel the belief that "kids are just being kids" or "I drank at parties and nothing happened to me." Examples include:

Table 4. Grassroots level data for Underage Drinking	
Grassroots Data for Home Parties – "Big P" Policy	**Grassroots Data for Community Event – "Small P" Policy**
One-on-one interviews with residents	One-on-one interviews with residents
Youth focus groups or listening sessions	Youth focus groups or listening sessions
Calls for service data	Calls for service data
Key informant interviews with local law enforcement representatives	Key informant interviews with local law enforcement representatives
Key informant interviews with EMS personnel	Surveys
Key informant information from parents	Calls for service data
Key informant information from School Resource Officers	

Data on such consequences as fights, nuisance behaviors, sexual assaults and other forms of violence, and public intoxication at home parties or community events, are often the kinds of information needed to convince community members and decision makers that the community settings of interest require attention.

The good news is that much of the required data is available to local organizations. And, planning ahead of time can save time, because 1000 foot and Grassroots Data can be collected in the same focus groups or listening sessions. Often organization members have access to these data and can provide them. The process for deciding what additional data may be needed is often an iterative one, where the policy provisions needed to address the problem are identified, and then data to establish the foundation for the policy is collected, followed in some cases by modification of the policy language based on an evolving data-based understanding of the problem.

It is important to remember that the data discussed here--especially the 1000 foot and Grassroots data—are used to establish the basis for selecting specific policy responses as well as the specific policy conditions that increase the likelihood the intervention will be successful.

POLICY STEP 4:

Write an Issue Brief that Makes the Case for the Policy and Offers the Policy Solution

Making the case for a Big P or Small P policy is essential to being able to build community support. Engaging the organization in the process of deciding what the argument for the policy is builds important commitment to the policy and energizes the group to organize for its support.

An **issue brief** serves as a powerful vehicle for educating both decision makers and the broader community about the policy solution. It is a one to two-page document that explains the issue to a member of the community. It helps the organization make its case about the nature of the problem and the policy solution.

Issue briefs are strongest when they:

- Are written in language you would use to explain the topic to a neighbor or friend.

  Tell a story about why the element is needed

  Can be used in a variety of situations

- Identify the problem to be addressed

  From an environmental perspective

  Use data

  Link health and safety consequences

- Include a section on the environmental approach

- Describe the organization and position it as the appropriate vehicle to address the issue

- Lay out the policy solution

- Describe the risks or harms if the policy is not adopted

- Discuss the evidence behind the solution

  a. Formal evaluation data

  b. Other communities successful experience with the policy

These elements enable the organization to frame the issue and the solution in ways that offer the greatest These elements enable the organization to frame the issue and the solution in ways that offer the greatest likelihood for support. The issue brief is not the intervention; this educational document is one part of the larger strategy to change policy. The issue brief begins the process of telling the story—about both the problem and the policy solution from the perspective of the organization.

While there is no "right" number of pages for an issue brief, generally they are two to four pages in length. The document should serve as the foundation for the media advocacy described in Policy Step 6 below. It also facilitates the organization speaking about the policy with the same voice. The document guides how decision makers and community members understand the proposed policy solutions and as well as how the organization members describe the work. To mobilize support for the policy, it is important to have everyone singing the same song; the issue brief helps accomplish this. Please see Appendix B for an example of an issue brief.

POLICY STEP 5:
Draft Policy Language

Working through the previous four steps will set the stage for developing a draft written policy. However, someone has to put all the good ideas and supportive data into a draft policy that is carefully designed to address local conditions and reflects what research indicates will work. How does this happen? Who actually writes the document? The simple answer is that the organization is in the best position to write the policy. Perhaps a subcommittee or the organization staff can put together a first draft for the full group to review. Of course, it is important that the full organization ultimately supports the draft policy.

While it may seem a little daunting to draft a policy, the process is not as hard as it might first appear. There are some tried and true tips a organization can use to make the work manageable:

- **Research similar policy examples from other communities**

  It is likely that some other community has worked on issues similar to those you are addressing. A Google search will often yield examples of polices similar to the one you are working on. While it is usually not a good idea to adopt a policy from another community exactly as written, examples from other communities can serve as templates for your policy language.

- **Compile supporting documentation**

  Someone will undoubtedly question whether the proposed policy is the correct response and if it can be legally implemented. This is particularly true where the state laws constrain, or even preempt, the kinds of ATOD policies that can be adopted by local communities (see Preemption section (step 1) for specific information on North Carolina). As a result, it is important that the organization does its homework to establish that the proposed policy is feasible—that is to say, legally permissible--at the local city or county level. An attorney does not have to do this kind of work, although this may be an excellent role for a lawyer serving as a member of the organization.

- Clarify the legal basis for the policy

    Local policies from other states may have different legal underpinnings. Each state has its set of unique laws that shape the nature and extent of authority communities have to adopt their own policies. In many cases, state law supersedes (or "preempts") local authority. That means that the state legal environment may preempt the capacity for localities to adopt specific policies (see Preemption section). It is important to understand the limits of local authority when working on local policy. This tends to be more relevant for Big P formal policies than small P polices. That said, it is advisable to ensure the decision-making body for a small P policy has the authority to adopt the policy under consideration. But one caution—city or county attorneys often have little expertise in this legal arena when it comes to ATOD policies. Cities and counties often defer to the state to handle ATOD laws and policies. Unfortunately, this approach has often contributed to the very problems that organizations are attempting to address. It is possible that by the time a organization has explored the authority of states to act locally, it may know more than the local city or county attorneys. Still, it is important to work with local municipal attorney after the organization has a draft, in order to put the policy into a format consistent with the city's local code (see American Medical Association, Jim Mosher, The Perils of Preemption, www.alcoholpolicymd.com/pdf/Policy_Perils.pdf).

In the case of "Small P" policies, there is less concern that state preemption will enter into the equation. While it is still important for the organization to write its own policy, it can often be reviewed by the legal entity representing the governing body adopting the policy.

If the organization decides that writing an actual policy is beyond its current capacity, at a minimum the group should develop an outline of key components they want to be sure are included in policy language produced by someone else (e.g., the city attorney, local law enforcement agency, other local organization). This will help ensure that the document reflects the will of the organization and reflects best practices in the field.

In the end, it is the organization's responsibility to develop a policy that will best address the problem and local conditions that are specific to the community. It is important to remember that by writing its own policy, the organization sets the standard for the policy components that should be included. Individuals or organizations who may oppose the policy must then argue why components should be removed, as opposed to the organization having to fight to get key components included in the first place.

POLICY STEP 6:
Use Advocacy Messaging to Build Support for Policy

Media advocacy is a powerful tool to move the organization's policy agenda forward. Media advocacy uses specific tactics to influence both decision makers and community members, with the ultimate goal of advancing the policy proposed by the organization.

Organizations often use media to publicize their events, or to inform others about a problem related to ATOD use in the community. This kind of community education is an important element of policy work, but it is only a piece of a larger strategy focused on using media as an agent of change. Media advocacy is used to spotlight the organization's issue and propose appropriate solutions, always including a specific "ask" for action.

A media advocacy campaign should always include the following:

- Setting the agenda/getting media attention
- Framing or shaping the debate
- Advancing specific solutions or policies

To achieve these objectives, a media advocacy plan should include these steps:

1. Define goals and objectives
2. Identify and target your audience
3. Develop your message
4. Develop story ideas
5. Define action steps

Media advocacy is the process of disseminating policy-related information through the communications media, especially where the aim is to effect action, a change of policy, or to alter the public's view of an issue (The Marin Institute Media Advocacy Primer, 2007).

Each of these steps is briefly described below.

Define goals and objectives

The overarching goal of your Big P or Small P policy campaign is the adoption of the policy goal(s) your organization has selected. The objectives break out specific milestones that need to be achieved. For example, in the case of the loud and unruly party ordinance discussed in Policy Step 1, the overall goal is to ensure the policy is passed by the city council. The objectives may include such things as generating a certain number of local stories in the press, producing letters to the editor, sending emails to targeted segments of the community, generating a certain number of hits on a Facebook page, and so on. All the goals and objectives should add up to a successful campaign that has the best chance of creating pressure on decision makers to adopt the policy the organization is seeking.

Identify the target audience

Which individuals or groups need to be reached to create pressure on the decision makers? What is the role of community residents, and how can they be reached in such a way that they are willing to contact the decision makers to voice their concern about the problem or voice their support for the policy? What role do youth play in the campaign, and how can they be reached to bring them into the work? Is it important to influence the Chamber of Commerce? If so, how can the members be reached with the advocacy message? How can advocacy messages be framed to these audiences in a way that will build support for the policy?

Develop the message

Fortunately, if the organization has developed an issue brief, much of this work is already done. The issue brief does the "heavy lifting" by providing detail on the problem and framing it using an environmental perspective. It provides the policy response and the justification for it and includes a call to action.

It is important to keep the messages simple. Do not have more than three or four messages for the organization to discuss to over the life of the campaign. These talking points should already be in the issue brief but may need revisiting or sharpening as the work proceeds. The value of having just a few key points is that all the organization members can be essentially saying the same things when they speak in support of the policy (see box on next page for examples of talking points to support policy work). This consistency in messaging will serve the group well as the campaign unfolds.

Example of Key Talking Points for Policy Goal of Passing Local City Ordinance Placing Fee on Alcohol Merchants to Fund Enforcement on Bars:

1) It's not just a few bad apples that need to be cleaned up. The problems associated with heavy drinking downtown mean all of the bars have a role in creating and preventing these problems.

2) We need an ongoing source of revenue to help law enforcement stay on top of these problems.

Develop story ideas

How can the story of this problem be told? How the story is told will influence the likelihood that people will respond to the call for action. Perhaps the organization wants to really dig into a local home party involving underage drinking that resulted in a serious consequence. Maybe a rash of prescription drug overdoses have recently occurred among high school student athletes and a Facebook post of a local party where an overdose occurred has captured the attention of the community. The story should be only part of the media advocacy campaign, but it is a very important component. The organization should play a major role in developing the story.

Ask if story ideas are:

- Timely
- Relevant
- Unusual
- Unexpected
- Hit close to home

Define action steps

A media advocacy campaign needs many voices. Everyone in the organization has a role to play. Because there are many moving parts in the effort, a media advocacy action plan is essential. The action plan is the "who will do what, by when" part of the process. While most organization leaders are familiar with creating an action plan, there are a few key considerations that may be specific to a media advocacy action plan. At a minimum media advocacy action steps should include:

- Generating a calendar of opportunities with steps to capitalize on each
- Building a media list with contact information
- Creating a list of key media contacts and establishing who will reach out and build relationships with them
- Building a tracking system for monitoring the various media pieces on your issue
- Identifying relevant editorial boards and who will meet with them
- Generating letters to the editor or communications using other media sources, such as blog postings.

The media advocacy component of the policy campaign is one of the most important parts of the work and should be allocated ample time and resources to make it happen.

As a final note, organizations often require assistance developing and implementing a media advocacy campaign to support policy adoption. This aspect of the campaign requires unique skills sets. These skills can be developed and implemented by organization members. But, providing organization members with media advocacy training may be a good use of resources.

For further information, you can also refer to the Effective Substance Use Prevention Communication Campaign: Information Guide Series, as well www.topospartnership.com for useful tips that can help you plan your media advocacy campaign.

POLICY STEP 7:

Mobilize Support and Provide Education about the Policy Benefits

This step of the campaign involves community organizing and mobilization aimed at achieving two key objectives:

- Building a grassroots base of support for the proposed policy.
  (Think of this as building "bottom up" support).

- Influencing key decision makers to support the policy. (Think of this as building "top down" support.)
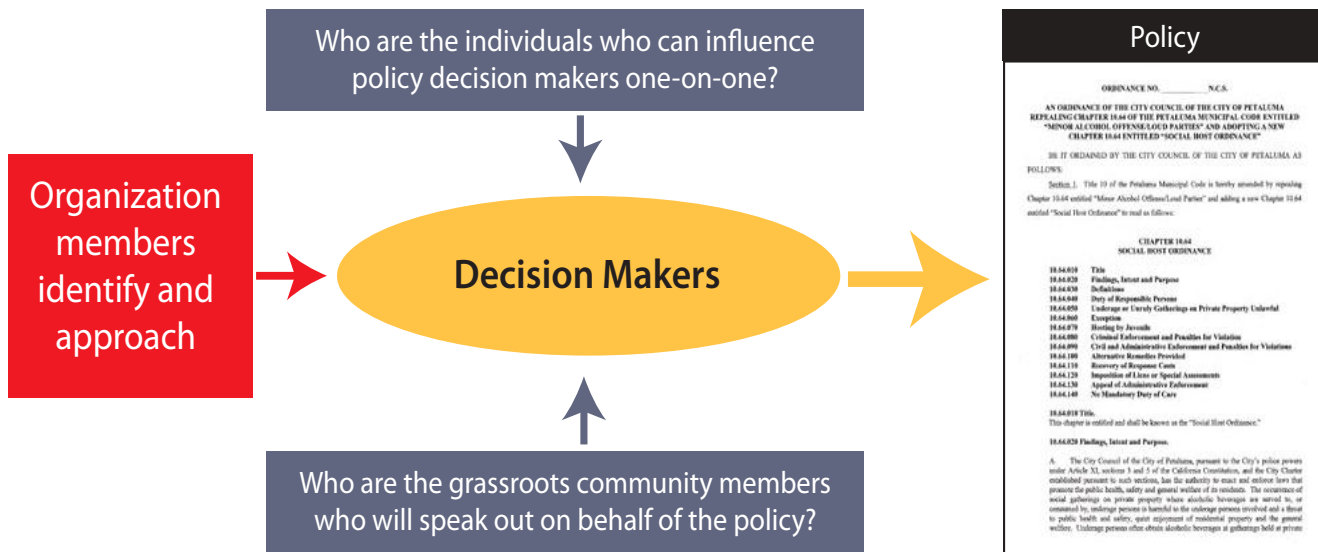
Building the grassroots base

At the core of most successful policy campaigns is a community mobilizing effort. Decision makers need to know that the public supports the policy. Because policies can sometimes be controversial, a broad base of public support is essential to both convince policy makers that they should adopt the policy and maintain their support as those that oppose the policy exert their influence. Because polices usually have supporters and detractors, the supporters must build a strong base and demonstrate more power than the opponents. This is similar for Small P and Big P policies.

Building power is not a new concept when applied to implementing environmental strategies, especially policy work. But many organizations fail to spend the time necessary to build the base. If the organization conducted

one-on-one interviews as part of their assessment process, some of these individuals may be appropriate to re interview to seek support for the policy campaign. Some individuals who become part of the base may engage in the media advocacy component of the campaign, by writing letters to the editor or being a media spokesperson.

Others will agree to come to a meeting where the policy is discussed by decision makers. Still others may sign a petition in support of the policy. The goal of this part of the campaign is to bring as many people into the support column as possible and find ways for them to publicly express their support.

> A Power Analysis is an advocacy tool that explores how decisions are made in a community on a specific issue.

Influencing key decision makers

This is the important "top down" part of the community mobilizing strategy. Simply put, the organization is trying to influence the decision makers, who are the primary target of the campaign, by recruiting those they listen to become supporters of the policy and willing to talk to one or more of the decision makers. This may be a multi-step process in which the organization identifies individuals who can convince key influencers to speak to decision makers. For example, for a loud and unruly party ordinance, if the final decision maker is the city council, organization members may need to get the city manager or city attorney on board before approaching council members. Similarly, a organization that is working to have the school district adopt a new policy on suspensions related to ATOD use, understanding who influences the school superintendent is essential. Central to this process is understanding how decisions are made in the organizations or groups that the organization is trying to influence.

An important tool for understanding the policy decision making process is power analysis. A power analysis concretely identifies who should be approached, and who can approach the targeted individual. The following is a tool organizations can use to carry out a power analysis.

Assess the Individuals Who Can Give You What You Want.
Who has the power to adopt your policy?

Who are the most important individuals?	Who must you talk with before you approach him/her?	How do you influence this individual?	What is their self-interest?	Who will approach this person?

The combined strategy of building a grassroots base of support coupled with strategic pressure exerted on key decision makers, complemented by powerful media advocacy, can move a decision-making body from opposed to supportive of your policy.

This step takes time. A comprehensive mobilizing effort might take between four and eight months. This timeline can be significantly shorter if the policy is broadly supported from the outset. It can also be shortened if the relationships developed during early one-on-one interviews have been kept alive and current. Generally, building a committed community is an on-going effort that begins once the policy goal has been identified by the organization in Policy Step 1. However, in the life of almost every policy campaign, there comes a time when the supporters need to be rallied into action to encourage decision makers to adopt the policy.

POLICY STEP 8:
Prepare to Present Your Policy to Decision Makers

Generally, the proposed policy needs to come in front of the decision makers in a formal public setting for adoption. This is certainly true for adoption of a Big P or Small P policy that has a clear set of decision makers who will formally decide "yes" or "no". Policy adoption requires deliberation and usually more than one person to make it happen. When more than one individual is involved in discussing the policy, there tends to be a hearing or discussion of some sort where the decision is made. The organization needs to be an active part of any hearing or public discussion on its proposed policy.

Being part of a hearing entails much more than showing up with a few supporters in tow. Many policies have failed at a hearing when no one from the community showed up to speak in support of it. The lack of a visible presence creates a vacuum that opponents can exploit by exerting counter pressure on decision makers making it difficult for them to vote in favor of the organization's policy.

After months of media advocacy, community mobilizing, one-on-one meetings with key decision makers and what may seem like endless organization meetings, the hearing is your chance to pull it all together.

The following is a list of activities for a successful hearing:

- *Be sure to know how each decision maker plans to vote on the policy.* If there is a possibility of a majority vote in opposition to the policy, it may make sense to pull it off the agenda and continue building support. There may be times when the policy is clearly headed for defeat and the organization makes a strategic decision to let it sink, but these times are rare. It is much more likely that the hearing is the opportunity to see the policy adopted. The organization wants to maximize the potential for success.

- *Determine who will speak on behalf of the policy.* Pick a person that has significant credibility to the decision makers. The person(s) to speak depends on your policy. In the case of a Loud and Unruly Party ordinance, it may be a youth or school administrator who should take the lead in the organization presentation. In the case of a local policy to restrict vape shops, it may be another respected community merchant. Understand the time limits available to the person speaking on behalf of the group. If more time is needed than what is allotted to your speaker, consider using the public comment period to make other points. Also, consider if it is better to go first or last after the opposition has spoken. This may provide a chance to rebut arguments the opponent have made.

- *Thoroughly plan the presentation.* Decide who is saying what and script it out. Make only the points necessary to sway votes. Do not over talk. Don't rely on just facts. Tell stories of the conditions that the policy is meant to address. Determine ahead of time if the decision makers are swayed or put off by many speakers voicing their support. Sometimes too many speakers irritates decision makers and it is better to have one or two make the case, ask for support and then ask the supporters in the audience to quietly stand up. One hundred people standing can be an impressive sight and suggests deep support and a strong base of power.

- *Determine if the entity to enforce the policy will speak in favor.* If the police department is the enforcement agency, its testimony in support can be a difference maker. If the policy requires a school board decision, have a local school administrator speak to their confidence that the policy is enforceable. If the key people/ agencies responsible for enforcement have been involved with you from the early days of the campaign (see policy campaign step 2), there is a greater chance that it may be willing to publicly advocate on behalf of the policy.

- *Pack the room with supporters.* There is no such thing as too many people in showing up in support. This is where the community mobilizing in step 7 pays off. All the people the organization sought support from should be encouraged to attend the meeting to demonstrate the breadth and depth of the community support. Having many people in attendance reinforces the "yes" votes and moves those "undecided" to the yes category. Sometimes a "no" will move to a yes if the crowd is large, but this is more the exception than the rule. But, a reminder, having 100 supporters in the room doesn't mean they all speak in support.

- *Be respectful of all the people in attendance, especially the opposition.* Taking the "high ground" as an advocate for your policy is a powerful position to take and sets up the organization for future policy efforts.

- *It is a good idea to do a "dry run" of the hearing with your organization before the real thing.* Identify individuals to play the decision makers and structure the hearing as realistically as possible. Have all your speakers and some supporters in the audience. Be sure the decision makers have questions and comments thought out ahead of time. Have them ask hard questions and use the experience to sharpen your presentation. This is a very fun process that builds confidence and commitment to the policy.

Following these steps does not guarantee a policy "win" but it does increase the likelihood that your organization can get to "yes" and strengthens the groups power next time it campaigns for a new policy.

POLICY STEP 9:
Ensure Policy is Being Enforced and/or Implemented Post Adoption

An unenforced policy is of little value to the organization. A recently adopted policy may have some impact on the intended problem resulting from deterrence or normative effects as a result of media coverage regarding its adoption, but in the absence of enforcement, any benefits are likely to be short lived.

Organizations sometimes think that their work stops with the adoption of the policy. In fact, getting a policy adopted represents about 50% of strategy implementation. The other 50% is the work of organization and the enforcement entity doing their respective jobs with respect to enforcement. If the organization has been working with the enforcement entity from the beginning of the campaign, there is a much greater likelihood that this aspect of implementation will take place. While actual enforcement begins when the policy is adopted, a forward-looking organization will have already been discussing the enforcement challenges early in the policy campaign. That way there are no surprises after the policy is adopted.

The organization can decrease the time lag between adoption and enforcement by doing the following:

- *Prior to policy adoption, engage the enforcement entity in a discussion with the organization about what is needed to make enforcement happen.* What challenges exist and what are some possible remedies? How can the organization help? This is an important step in that it demonstrates that the organization is in for the long haul. It signals a willingness to help--but also suggests that enforcement is a organization priority and the group will be monitoring how effectively it occurs. There is nothing wrong with shared accountability between partners, as long as it is explicit and done in a way that reflects shared commitment and responsibilities. Some of this discussion may have occurred as part of Step 2. If not, be sure to initiate these discussions early and often.

- *Set up a mechanism for discussion within the organization about challenges associated with the enforcement work.* This could mean a standing report on the organization meeting agenda. Or it could take place in a subcommittee that is charged with policy implementation. It can take months to build the enforcement process for a policy. A organization may misinterpret no enforcement as a lack of commitment when the organization with responsibility for enforcement may simply be working out the details of the process. The goal is to keep communication open about policy implementation and enforcement.

- *Engage in regular meetings with the enforcement entity.* A subgroup of the organization should be meeting regularly with the entity that will have primary enforcement responsibilities. This serves three purposes 1) it keeps the enforcement entity clear about the fact that this issue is a high priority for the organization, 2) it enables any problems related to enforcement to be communicated with the organization, and 3) it enables the organization to discuss the kinds of activities it can engage in to publicly support the enforcement entity.

- *Use organization media contacts to regularly publicize enforcement efforts.* One of the supports the organization can provide is media attention. The more the community knows about the policy, the better the chances of compliance with its provisions. Use the media to showcase stories emerging from the enforcement efforts. Use social media to let the community know the policy is working. This post-adoption media reinforces the normative shifts that accompany policy adoption. The organization is in the best position to make enforcement a community issue as it provides public support for the enforcement entity.

- *Expect that the enforcement entity may need to engage in internal training of its personnel.* New policies require new procedures to ensure appropriate implementation. For example, a law enforcement agency has to provide training to its officers when implementing new procedures to hold adults accountable for loud and unruly parties. City or county code enforcement and planning staff may need training in how to interpret local land use provisions designed to shift the sales and service practices of on- and off-premise alcohol outlets. While the enforcement entity may require the training, it should be a shared responsibility between the organization and those requiring the training to be sure it happens.

Following these key steps will help ensure that the necessary enforcement will be initiated and sustained. Remember, without enforcement, the policy has little chance of success, and the problems the organization is attempting to address will likely continue.

POLICY STEP 10:

Evaluate the Policy Campaign Process and Policy Impacts

Win or lose, it is important to consider a process evaluation so that you can evaluate how well the policy campaign was carried out and if the policy is changing community conditions and behaviors. A process evaluation documents the steps you took to implement the policy and helps you identify steps that went well and ones that you could improve upon next time.

One of the ideal outcomes of a well-run campaign is to build organization capacity and expertise to implement environmental strategies. Certainly, part of the evaluation process is to celebrate the work of the group. It is easier to celebrate a victory than a loss, but both require an honoring of the organization and community members who participated in the work. If this is overlooked people will be less likely to engage with the organization next time around.

There are a few key areas to pay attention to during the evaluation:

- Did the policy pass? If not, what happened? What could the group have done differently and what are the lessons for the next policy campaign? What new groups were brought into the orbit of the organization? Are there new partners? If so, how can you keep them engaged?

- Is the organization more or less united after the campaign? Are people energized? Did the organization develop a new sense of its own capacity to be as an agent for change? How can the organization be strengthened? Are there some members that should be asked to leave the group? Did organization members settle into roles that can be put in play next time?

- Are community members talking about the policy? Was the media advocacy work robustly carried out? Are people talking about the problem and how to solve it in a different way? Are you sensing the beginning of new norms taking shape regarding the tolerance community members have about the problem? Has the soil been tilled for more attention to the problem?

- Has the organization established itself as the "go to" group for implementing environmental strategies to address ATOD problems? If not, what needs to happen to make it so?

- Finally, as noted in Policy Step 9, how will you know if the policy is working? What data was used to convince decision makers the problem was real and required a policy solution? Can you access another round of this data to begin to track changes in rates of the problem the policy addresses? For example, if your policy was a local loud and unruly party ordinance to address home parties, can you collect law enforcement data on calls for service and compare to the number of calls for service in a comparable period before the ordinance took effect? Or, can you conduct listening sessions with youth to determine if they know of and are attending fewer parties since the policy was implemented? If your policy was a local ordinance to ban the use of tobacco in city parks, are there fewer complaint calls since the ordinance? The important point here is you are not trying to attribute post-policy adoption changes to the policy alone (since there may have been other things going on that could have influenced the changes), but to demonstrate that the policy was likely to have contributed to positive changes.

There are other facets of a post-policy campaign evaluation. These are meant to provide a starting point and drive home the fact that this kind of evaluation is essential to the short-term and long-term strength and success of the organization.

Summary

Please keep in mind that "policy" is an umbrella term that includes everything from federal legislative action to the decision a parent makes to lock alcohol in their home. Though the best practices of the "Big P" should always be present in your work, the local and family policies may be more actionable in your community. Among "Small P" policy changes to consider - where, how, when and if community events include alcohol, tobacco or other substances; strategies to get all adults to secure and monitor their alcohol, tobacco and prescription medications; and work with retailers to establish mandatory policies to check identification and seller training. These are just a few examples—the point being that a focus on "policy change" should be comprehensive and not limited to large legislative or municipal code changes (i.e. "Big P" policies). Supporting existing policies can be just as effective as advocating for best practice policy changes. It is important to know how to use each of these tools for achieving positive community change.

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Appendix A: Selected NC Alcohol And Tobacco Laws

Law	Information
General	
General Prohibition Source: NC G.S 18B-102(a)	It shall be unlawful for any person to manufacture, sell, transport, import, deliver, furnish, purchase, consume, or possess any alcoholic beverages except as authorized by the ABC law.
Retail Sales	
Misdemeanor Offenses Source: NC G. S. 18B-102(b)	Unless a different punishment is otherwise expressly stated, any person who violates any provision of this Chapter shall be guilty of a Class 1 misdemeanor
Sale to Minor Source: NC G.S. 18B-302(a –a1)	Prohibits the Sale & Supply of Alcoholic beverages to anyone under the age of 21 **Cannot sell or give:** ▪ Malt beverages; ▪ Unfortified wine; ▪ Fortified wine; ▪ Spirituous liquor; or ▪ Mixed beverages
Permittee/Seller Defense Source: NC G.S. 18B-302(d)	Provides a good faith defense to the seller if they can prove the following: **They looked at a validly issued** ▪ Driver's License, Identification Card, Military ID, or Passport ▪ That the identification displayed a photograph and or description that resembled the subject presenting it
Right to Refuse Sale Source: NC G.S. 18B-129	No liability for refusal to sell or for holding documents (a) No permittee or his agent or employee may be held liable for damages resulting from the refusal to sell or furnish an alcoholic beverage to a person who fails to show proper identification as described in G.S. 18B-302(d), or who appears to be an underage person. (b) No permittee or his agent or employee may be held civilly liable if the permittee or his agent or employee holds a customer's identification documents for a reasonable length of time in a good faith attempt to determine whether the customer is of legal age to purchase an alcoholic beverage, provided the permittee or his agent or employee informs the customer of the reason for his actions.
Sale to Intoxicated Prohibited Source: NC G.S. 18B-305 (a) NC G.S. 18B-305(b)	(a) Sale to intoxicated individuals- It is illegal to sell or give intoxicating liquor to anyone who is intoxicated (b) Seller has the right to refuse sale of alcoholic beverages to anyone so long as it is not based on a discriminatory purpose.

Dram Shop Liability/Minors Source: NC G.S. 18B-121	Claim for relief created for sale to underage person. An aggrieved party has a claim for relief for damages against a permittee or local Alcoholic Beverage Control Board if: (1) The permittee or his agent or employee or the local board or its agent or employee negligently sold or furnished an alcoholic beverage to an underage person; and (2) The consumption of the alcoholic beverage that was sold or furnished to an underage person caused or contributed to, in whole or in part, an underage driver's being subject to an impairing substance within the meaning of G.S. 20-138.1 at the time of the injury; and (3) The injury that resulted was proximately caused by the underage driver's negligent operation of a vehicle while so impaired. (1983, c. 435, s. 37.)

Underage Drinking

Purchase, Possession, or Consumption by a Minor Source: NC G.S. 18B-302(b)	Prohibits anyone under the age of 21 from purchasing, attempting to purchase, or consuming any: ▪ Malt beverages; ▪ Unfortified wine; ▪ Fortified wine; ▪ Spirituous liquor; or ▪ Mixed beverages
Minor in Possession by Consumption Source: NC. G.S. 18B-302(j)	If officers have probable cause to believe that a subject under 21 has consumed alcohol they can request the subject submit to a screening test and use of the findings or the refusal to submit to the test are admissible in any court or administrative proceeding
Aider or Abettor Source: NC G.S. 18B—302(c)	By Underage Person. - Any person who is under the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 2 misdemeanor. By Person over Lawful Age. - Any person who is over the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 1 misdemeanor.
Fraudulent Identification Source: NC G.S. 18B-302(e-f)	Makes it unlawful for any person to use a fraudulent or altered identification to enter or attempt to enter a place where alcoholic beverages are sold or consumed, or to obtain or attempt to obtain or purchase alcoholic beverages -Prohibits the use of someone else's identification -Prohibits someone from allowing their identification to be used by underage youth
Penalties for Violations Source: NC G.S.18B-302.1	The Sale to/or purchase by underage persons are misdemeanor offenses and those convicted are subject to a varying range of penalties to include: ▪ Fines ▪ Imprisonment/Confinement in jail ▪ Community Service ▪ Supervised Probation

Notification to Division of Motor Vehicles Source: NC G.S.18B-302(g)	Upon conviction of violations of subsections (a-f) of NC G.S.18B-302 Sale to or purchase by underage persons the court is required to submit a report to the Division of Motor Vehicles(DMV) so that the DMV can revoke the driving privileges of the subject convicted.
Good Samaritan/Medical Immunity (also applicable to persons who overdose) Source: NC G. S. 18B-302.2	Limited immunity from prosecution if a person under 21 years of age seeks medical assistance for; ▪ An individual experiencing an alcohol-related emergency by contacting 911, law enforcement, or emergency medical personnel ▪ They acted in good faith and a reasonable belief that they were the first to seek medical attention for the subject in distress ▪ They provided their name to responding law enforcement ▪ They did not seek medical attention during the execution of an arrest warrant, search warrant or lawful search
**Retail Establishments**	

Hours of Sale	*On-Premise* – NC G.S. 18B-1004
	
	    Sale 7:00 am -2:00 am – Mon- Sat
	
	    Consumption is allowed up until 2:30 am
	
	    Sunday Noon – 2:00 am – See 2017 legislation that allow communities by ordinance to change the opening time to 10:00 am
	
	ABC Stores -NC G.S. 18B-802
	
	    Monday- Saturday 9:00 am – 9:00 pm
	
	    No ABC store sales on any Sunday,
	
	    Additional mandated days of closure New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, or Christmas Day
	
	    Local boards can further restrict hours of sale and days of sale
	
	Off- Premise – NC G.S. 18B-1004
	
	    Malt beverages, unfortified wine, fortified wine
	
	        7:00 am – 2:00 am Monday- Saturday
	
	        Sunday Sales – Local Option
	
	            City or County must create an ordinance approving Sunday package sales

Age of Servers	Bartenders Mixed Drinks – Must be 21 years of age to mix drinks containing spirituous liquor – Beer & Wine - 18 years of age Waiters/Waitresses – To serve, sell or deliver in an on-premise account must be 18 years of age Hostesses, Cooks, janitors etc. – 16 and 17 years olds can work at an on-premise account so long as they do not prepare, sell, serve, or deliver alcoholic beverages

Age of Clerks	Off – Premise Beer and Wine Locations
	▪ Minors can work in any capacity subject to the rules of the North Carolina Wage and Hour Division NC G.S. 95-25.5
	▪ Beer, unfortified wine or fortified wine permittees must have a person at least 18 years of age on premise and in charge at all times
	▪ See Administrative Rules
	▪ 14B NCAC 15B .0203 EMPLOYEE AGE REQUIREMENT
Happy Hour Regulations Source: 14B NCAC 15B.0223	Happy Hours are prohibited– Price must be set for the entire day
	-Free drinks are not allowed for only one segment of the population – No ladies nights or men's nights
	-One drink per person – pitchers and buckets can only be sold to 2 or more patrons
	-Alcohol as part of a package – Special Occasions – Cost of the alcohol must reflect the actual price of the alcohol and not a reduced price
	-Coupons for free or discounted drinks are not permitted
Responsibilities of Permittees	-They are responsible for the entire premise and are required to keep it clean, well-lit, and orderly –NC G.S. 18B-1003(a)
	-They are responsible for the acts of their employees- NC G.S. 18B-1003(b)
	-They are prohibited from knowingly allowing fighting, disorderly conduct, the sale of controlled substances, gambling, prostitution and sexually explicit conduct - NC G.S. 18B-1005 & NC G.S.18B-1006
Retail Beverage Service Training	Effective January 1, 2008 all applicants applying for a temporary retail ABC Permit are required to provide proof of responsible alcohol seller/server training before a temporary permit will be issued.
	Course requirements are set by the ABC commission – approved providers.
	Does not apply to employees but is recommended

Social Access to Alcohol	
Social Host Minors-Civil Liability	No specific statute that addresses underage house parties
	Court Decisions -1992 North Carolina Supreme Court recognized social host liability under common law negligence principles in Hart v. Ivey, holding that a social host is liable when he provides an alcoholic beverage to an underage social guest who then drives while impaired and injures a third party in an automobile collision
Social Host Minors-Criminal Liability	NC statute incorporates a criminal charge of Aider or Abettor –NC G.S.18B—302(c)
	▪ No exceptions in your statute for parental provision
	▪ Only exceptions to the statute for youth to possess or consume are:
	▪ Employment
	▪ Religious ceremonies
	▪ Culinary Schools

Miscellaneous Alcohol Law	
	NC G.S. 18B – 401 – Prohibits the transportation and consumption of open alcoholic beverages in the passenger area of a vehicle
	NC G.S. 18B-403.1 – A transportation permit is required to transport a keg purchased from a permittee off the licensed premise.
	14B NCAC 15B .0228 KEG PURCHASE-TRANSPORTATION PERMIT
	NC G.S. 18B-102(a-1) Powdered Alcohol Prohibition. - It shall be unlawful for any person to manufacture, sell, transport, import, deliver, furnish, purchase, consume, or possess powdered alcohol.
	NC G.S. 18B-306 – Allows for Home brew of Wine and Beer for private consumption - No sale allowed– See 2017 legislative change
Pregnancy Warning Signs Source: NC G.S. 18B-808	State ABC stores must post a pregnancy warning sign on the premises Signs can be purchased from the ABC Commission at a fee not to exceed $25.00

Selected New Laws-2017 Session	
Hours of Sale	City and Counties can adopt ordinances to change hours of sale on Sunday for on-premise locations from Noon to 10:00 a.m. Note this would allow stadiums, ballparks with a seating capacity of more than 3,000 to begin sales at 9:00 am-see- NC G.S.18B-1006(q)

"Crowlers"
 	
Source: NC G.S.18B-1001
	Allows Malt beverage permittees, Unfortified Wine permittees and Wine Shop permittees to sell their product for off-premise consumption in a one –time use container
	
	  ■ Can be sold by both on-premise and off-premise locations
	
	  ■ Eliminates the requirement that a growler be "resealable"

Distilleries	Increases the number of bottles from 1 to 5 that a distillery can sell to visitors that tour the distillery NC G.S. 18B-1105(4) -Allows for Distilleries to obtain special events permits and conduct tastings at fairs and festival under specified conditions New section NC G.S.18B-1114.7 -Adds a new section (j) to NC G.S. 18B-1001(3) allowing retail wine shops to sell unfortified wine on premise – effectively eliminates the need to qualify as an eating establishment to hold an on-premises unfortified wine permit

Home Brew
 	
Source: NC G.S. 18B-306
	New Provision allows for "home brew" to be tasted and/or judged at exhibitions and competitions – Section NC G.S. 18B-306
	
	  ■ Still prohibits the sale of "home brew"
	
	  ■ Applies to wines and malt beverages

Tobacco	
Protection of Minors Source: NC G.S. 14 Article 39	Tobacco Offenses: It is illegal to sell, furnish, give, or provide tobacco products to anyone under the age of 18 (14-313-(b) - Applies to Clerks - Applies to Third – Party Transactions as well Penalties - Class 2 Misdemeanor - Fines, jail time, probation, deferred prosecution, conditional discharge Tobacco Offenses continued: NC G.S.39-14-313-(c) - It is illegal for anyone under the age of 18 to purchase, accept receipt of, or attempt to purchase tobacco products or wrapping papers - It is illegal for anyone under the age of 18 to use a false, fraudulent, or identification not belonging to them in an attempt to gain access to tobacco products or wrapping papers - Class 2 Misdemeanor – Possible fines, jail time, probation, deferred prosecution, conditional discharge Products Covered by the Statute: - Traditional Combustibles – cigarettes, cigars, little cigars etc. - Traditional Non-combustibles derived from tobacco that contain nicotine and are intended for human consumption – Smokeless tobacco, chew, snus, dissolvable etc. - Vapor Products – E-cigarettes, electronic pipes, vape –pens etc. - Wrapping Papers
Retail Tobacco License/Tax	NC G.S. 105-113 Article 2A –Tobacco Products Tax further defines covered products NC G.S. 105-113.36 –Requires retail dealers of tobacco products to obtain a license and pay a fee of $10.00 per location to the state – this is essentially a state level tax – locals cannot charge a privilege license tax in addition to this tax This license must be displayed on premise
Verification of Age of Purchaser Source: NC G.S. 14-313(b)	State Requirement - Seller is required to demand proof of age if they reasonably believe the subject to be under the age of 18 - Class 2 misdemeanor if the subject is in fact under 18 years of age - Defense - Demanded and was shown valid proof of age - Used the electronic DMV database pursuant to G.S. 20-37.02 - Biometric Identification System-Purchaser had previously registered their identification with retailer
Tobacco Compliance Check Investigations Source: NC General Statute Article 39 - 14-313(d)	Allows for both local law enforcement and the Department of Health and Human Services to utilize underage youth to conduct compliance checks to ensure compliance with state laws regarding youth access to tobacco products

Source: NC TTA Center 2018 Policy Training Participant Materials

Appendix B: Issue Brief Example

ISSUE BRIEF | **Fort Collins Social Host Ordinance**

Fort Collins Social Host Ordinance is proposed to protect local youth from underage and binge drinking, underage marijuana use, and the consumption of other illegal drugs.

Underage Drinking and Marijuana Use is a Serious Problem in Fort Collins

Alcohol is the drug of choice for our youth, and while some believe that underage drinking is an inevitable 'rite of passage' that adolescents easily recover from, "More young people die from alcohol related incidents than from all other illicit drugs combined" (MADD, 2012). Additionally, alcohol and other drug use are two of the leading risk factors contributing to attempted suicide in youth (Surgeon General's Call to Action, 1999), and alcohol is the number one drug associated with the crime of sexual assault (www.ccasa.org).

Research from the 2013 Fort Collins Millennial Youth and Young Adult Survey (MY-Survey), indicates that nearly seven out of every ten (69.6%) youth who had attended a house party also witnessed marijuana use, increasing their chances of consumption through exposure. Although recreational marijuana use has only been legal for ages 21 and older since January 1, 2014, according to the National Survey on Drug Use and Health in 2012, marijuana is the top cause of youth admissions into substance abuse programs in Colorado.

It is time we move beyond the belief that underage substance use is a 'rite of passage.'

House Parties Are the No.1 Place Underage and Binge Drinking Occurs

The vast majority of underage people in our community—70% high school students (Team Fort Collins, 2012) and 76% Colorado State University students (AlcoholEDU Student Survey, Fall 2012) report home parties as the location where they most often consume alcohol.

The usual number of drinks consumed by young people is substantially higher in social gatherings than when drinking with one other person or alone (SAMHSA, 2012), and house parties provide an opportunity for even the youngest to initiate alcohol and marijuana use.

Teens experience a wide range of problems when they are involved with alcohol and binge drinking. Violence, including sexual assaults and fights, accidents, alcohol poisoning, and lowered school performance are only a few of the issues directly connected to teen alcohol use. In addition to these risks for underage drinkers, the teen brain is under major reconstruction until the age of 25, and research suggests that "…heavy alcohol use may affect the physical development and functioning of the brain" (Brown, S., et al., 2000).

32%
of Fort Collins 10th graders drank alcohol in the past 30 days (Team Fort Collins Classroom Survey, 2011-2012)

22%
of Colorado high school students reported binge drinking in the past 30 days (OMNI Institute,2012)

1in**3**
sexual assaults on people under 21 in Fort Collins involve alcohol (Fort Collins Police Services, 2009-2012)

1in**2**
fatal teenage car crashes involve underage drinking (Hingson, Heeren,& Winter, 2005).

$1.2billion
is the cost of underage drinking to the State of Colorado (Pacific Institute for Research & Evaluation, 2011)

Our Community is More Vulnerable Than Others

Fort Collins youth are even more vulnerable to the risks associated with underage substance use and high-risk behavior. On college campuses, 90% of all sexual assaults involve the use of alcohol or other drugs, according to the Colorado Coalition Against Sexual Assault, and in Fort Collins, 21.2% of underage youth reported to have witnessed unwanted sexual advances at a party they attended.

This epidemic affects not only college students, but **local underage youth** as well. Growing up just outside of Fort Collins, one former resident reported, "There really was not much for us to do as teens so we would all go to Fort Collins and that is where I feel I was most exposed to under-age drinking and the like...it was just easier to get alcohol in Fort Collins."

Large underage drinking parties provide a social context where young drinkers may be introduced to heavy drinking by older, more experienced drinkers (Wagoner et al., 2012), increasing youth's risk of alcohol poisoning, assault, and other dangerous consequences of underage drinking.

A Burden for Police Services and Neighborhoods

House parties with underage drinking is more likely to disturb neighborhood peace than those with more mature guests. Fort Collins research shows that over 72% of underage drinkers witness loud music at parties, as compared to only 28% of parties with those of legal drinking age (MYSurvey, 2013), and our local police services responded to almost 3,000 noise complaints in 2011 (Fort Collins Police Services, 2011).

Existing Laws Are Insufficient

Presently, the primary laws that are designed to discourage underage drinking include Minor in Possession (MIP) for the underage drinker, and Contributing to the Delinquency of a Minor. Both present logistical challenges for officers. Issuing MIPs to all of the underage people consuming alcohol at a party requires an exorbitant amount of responding police officer resources. Citing the adult as contributing to the delinquency of a minor requires that the officer actually witness the individual giving the alcohol to the minor—an unlikely opportunity when breaking up a party. There is a similarly high burden of proof in the new marijuana laws about providing to someone under 21.

A social host ordinance shows to be an effective tool for police to increase the safety of youth, while concurrently improve neighborhood community's quality of life.

70%
of Fort Collins 10th graders who drink are drinking at house parties (Team Fort Collins, 2011)

5+ drinks
consumed by 20% of Fort Collins youth at the last party they attended (Wake Forest School of Medicine, 2013)

21%
of Fort Collins youth experienced unwanted sexual advances at the last party they attended (Wake Forest School of Medicine, 2013)

40%
of Fort Collins' teen parties occurred in homes where parents or guardians were present and underage drinking was allowed (Wake Forest School of Medicine, 2013)

60%
of youth who attended a house party with drinking shared that their parents were unaware that alcohol was provided at the party (Wake Forest School of Medicine, 2013)

" It is my hope that by the time my five-year old son is at the age where he will inevitably be influenced by drugs and alcohol that I can find strength from my fellow community members and reflect with disbelief upon a time that it was ever an accepted norm to allow our kids access to substances that clearly endangered their well-being. "

Hopeful mother, Fort Collins, Co.

The Solution is a Social Host Ordinance in Fort Collins

A social host ordinance holds accountable the person at the party who is in control of the property and who allows a location for underage drinking and marijuana use. This will provide law enforcement the capability to not only effectively, but efficiently respond to underage substance use when they encounter it at house parties.

With time a social host ordinance can change the dangerous yet widely viewed belief that underage drinking is a 'rite of passage,' and in turn, reduce dangers such as sexual and physical assault, poisoning, or impaired driving that too often occur as a result of underage drinking.

Holding Hosts Responsible is a Proven and Effective Tool

House parties are the number one place underage drinking occurs, and the most commonly identified providers of alcohol at these house parties are either the 'host' or 'parents or guardians,' according the results from the Fort Collins MYSurvey, completed in 2013.

In the last eight years, local ordinances to address underage drinking are increasingly favored as a solution. Preliminary findings have been promising, with law enforcement reporting SHO to be an effective tool for reducing the number and size of underage drinking parties and none indicating any negative impacts (Ventura County Behavioral Health Department, 2009).

A Social Host Ordinance Compliments Fort Collins' Noise Ordinance, Improving Quality of Life

Fort Collins is fortunate to have a Noise Ordinance that has been effectively implemented for six years, yet not including the issue of underage substance use represents a missed opportunity for educating residents, improving the health and welfare of our youth, and increasing safety in our community. In Fort Collins, a SHO could be drafted so that it mirrors and compliments the existing Noise Ordinance. Doing so would simplify the implementation of the new ordinance, as the infrastructure for raising community awareness already exists.

➤ A social host ordinance targets the person who provides a location for underage substance use.

24 states and more than **150** cities and counties have enacted social host laws

Petaluma, CA had 9.3% fewer calls for service related disturbances from the year prior to passage of their SHO (2006) to the second year after passage (2009)

Parents who host underage drinking parties grossly underestimate the risks to their financial security…risks assumed by hosting the party don't end when guests leave and can no longer be supervised…we've all got a handle on what can go wrong at the "after-party." But we aren't aware that we could be made to pay big bucks for what happens at the party after the party. It's simply a 'no win' situation.

Ben Sartin,
President of Four Rivers Financial

National Support for Social Host Ordinances

Social Host Ordinances were first devised and implemented 10 years ago. Preliminary findings have been promising, with law enforcement reporting SHO to be an effective tool for reducing the number and size of underage drinking parties and none indicating negative impacts. San Diego, CA demonstrated an eight percent reduction in disturbance-related calls the year following its implementation of a SHO. The United States Office of Juvenile Justice and Delinquency Prevention identifies social host laws as a best practice. Plus, a national study indicated that 80% of adult respondents showed support for increased penalties for anyone illegally providing alcohol to minors.

How You Can Support the Ordinance

1. Contact your city council member to let them know how you feel or have been affected by underage drinking and house parties, and the solution of a Social Host ordinance.

2. Discuss underage drinking, marijuana use, and house parties with your friends and neighbors.

3. Contact Team Fort Collins to get more information and get involved.

4. Write letters to the Coloradoan and talk about this issue on social media and blogs.

About Fort Collins Safe Community Coalition:

The Fort Collins Safe Community Coalition's main focus is to decrease underage drinking, marijuana use, and the risks associated with each in the Fort Collins area. After analyzing nation-wide methods to decrease underage substance use, the coalition determined that a Social Host Ordinance is a practical and feasible way to affect positive change for the youth in our community.

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