

Youth Possession Laws: Promising Approach Or Diversion?

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ImpacTeen and YES! are part of Bridging the Gap: Research Informing Practice for Healthy Youth Behavior, supported by the Robert Wood Johnson Foundation.



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Bridging the Gap: Research Informing Practice for Healthy Youth Behavior

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Additional support provided by the National Cancer Institute and
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www.impacteen.org



Purpose of the Initiative:

- To evaluate the impact of:
 - *Policies*
 - *Programs*
 - *Practices*
- Addressing various types of substances:
 - *Alcohol Use*
 - *Illicit Drug Use*
 - *Tobacco Use*
- At various levels:
 - *State*
 - *Community*
 - *School*
 - *Individual*

University of Michigan
Institute for Social Research

Monitoring the Future (MTF)

Youth, Education and Society (YES!)

University of Illinois at Chicago
Health Research and Policy Centers

ImpacTeen

**Coordinating Center,
Community Data Collections
Polysubstance Use Research**
UIC

**Alcohol Policy Research
Team**
U of MN

**Illicit Drug Policy Research
Team**
Andrews U and RAND

**Tobacco Policy Research
Team**
Roswell Park



Data Collections

- **Half-Sample of MTF Schools Cycling Out of the National Sample**
 - **c. 215 Schools Per Year**
 - **National Replicate Sample**
- **Administrators in Those Schools Surveyed**
- **Community Data Collected From Their Catchment Areas**
 - **Observational Studies of Retail Outlet and Communities**
 - **Key Informant Interviews in the Community**
 - **Local Ordinances and Regulations**
 - **Other Existing Archival Data**
- **State Level Data on Laws, Policies, and Environmental Data**

Key Informant Surveys

➤ Modular Approach:

➤ Core Modules

- Universal Questions
- Demographic Module
- Health Department
- Police Agency
- Police Officer
- Coalitions

▪5 Targeted Modules

- *Youth access enforcement*
- *Policy/media advocacy*
- *Public education*

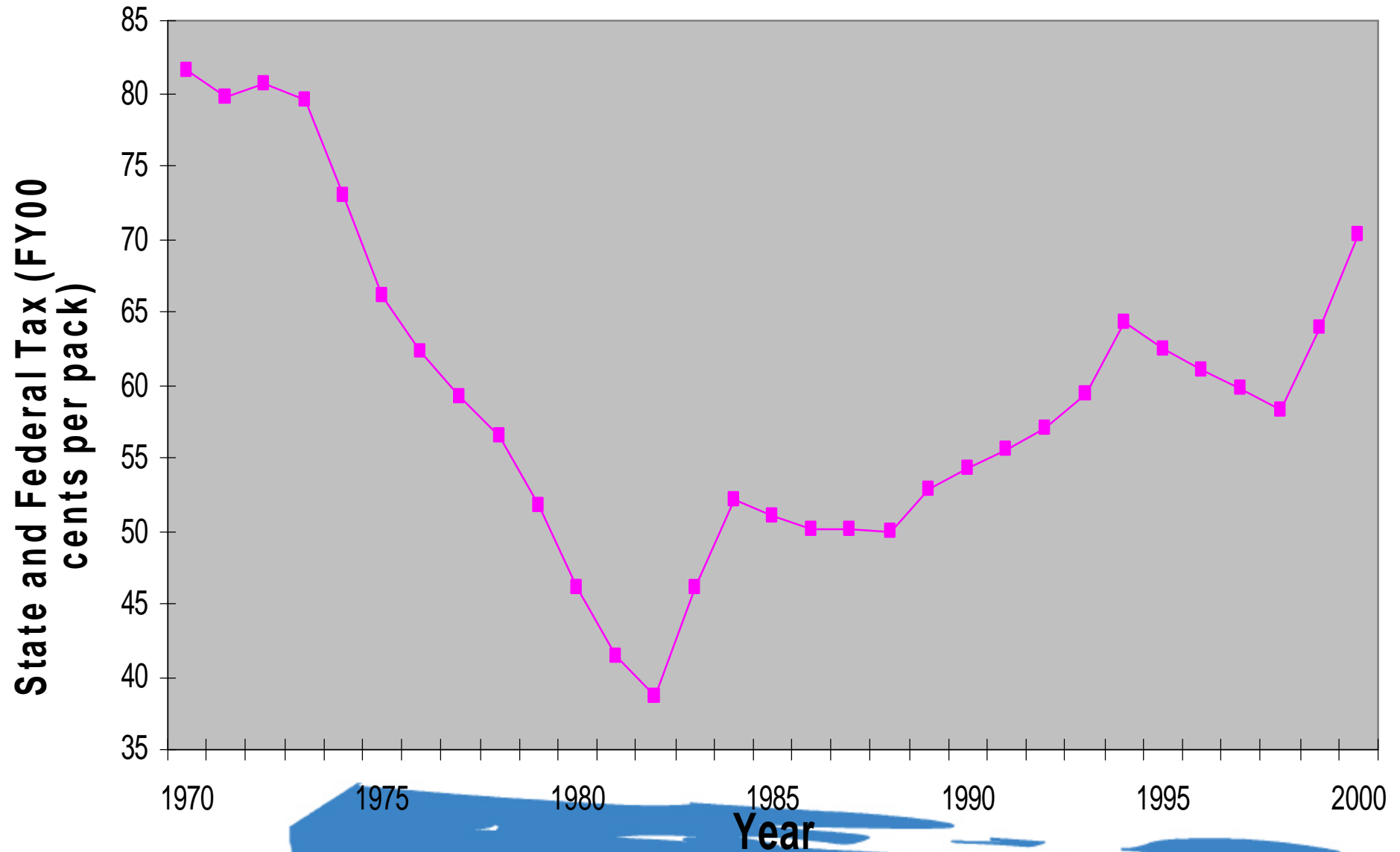
▪Ordinance Feedback Modules

- *Youth Tobacco Possession*
- *Keg Registration*
- *Curfews*
- *Inhalants*
- *Drug Paraphernalia*
- *Medical Marijuana*

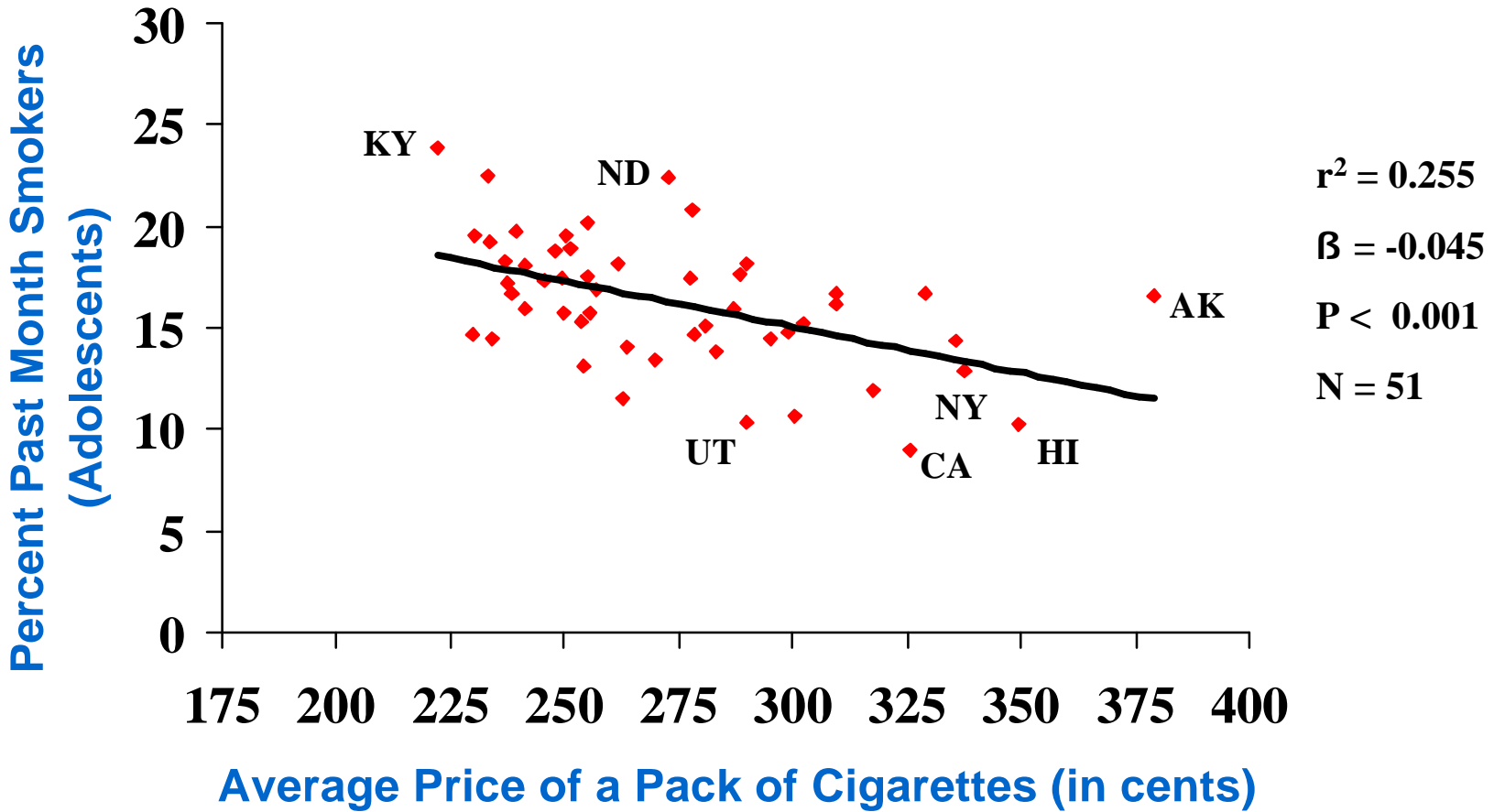
State Tobacco Policy/Legislative Data

- **Tobacco Control Expenditures – CDC/NCI/RTI - Since 1991**
- **Price Data – Tax Burden on Tobacco, American Chamber of Commerce Researchers' Association, Observational Data, Scanner Data, Self-Reported Data – 1955+**
- **Smoke-Free Air Laws – CDC, ALA, RPCI; 1991+**
- **Sales to Minors' Laws – CDC, SLATI, MIT; 1991+**
- **Purchase, Possession, and Use Laws – CDC, ALA, RPCI; 1988+**

Real Average Cigarette Excise Tax



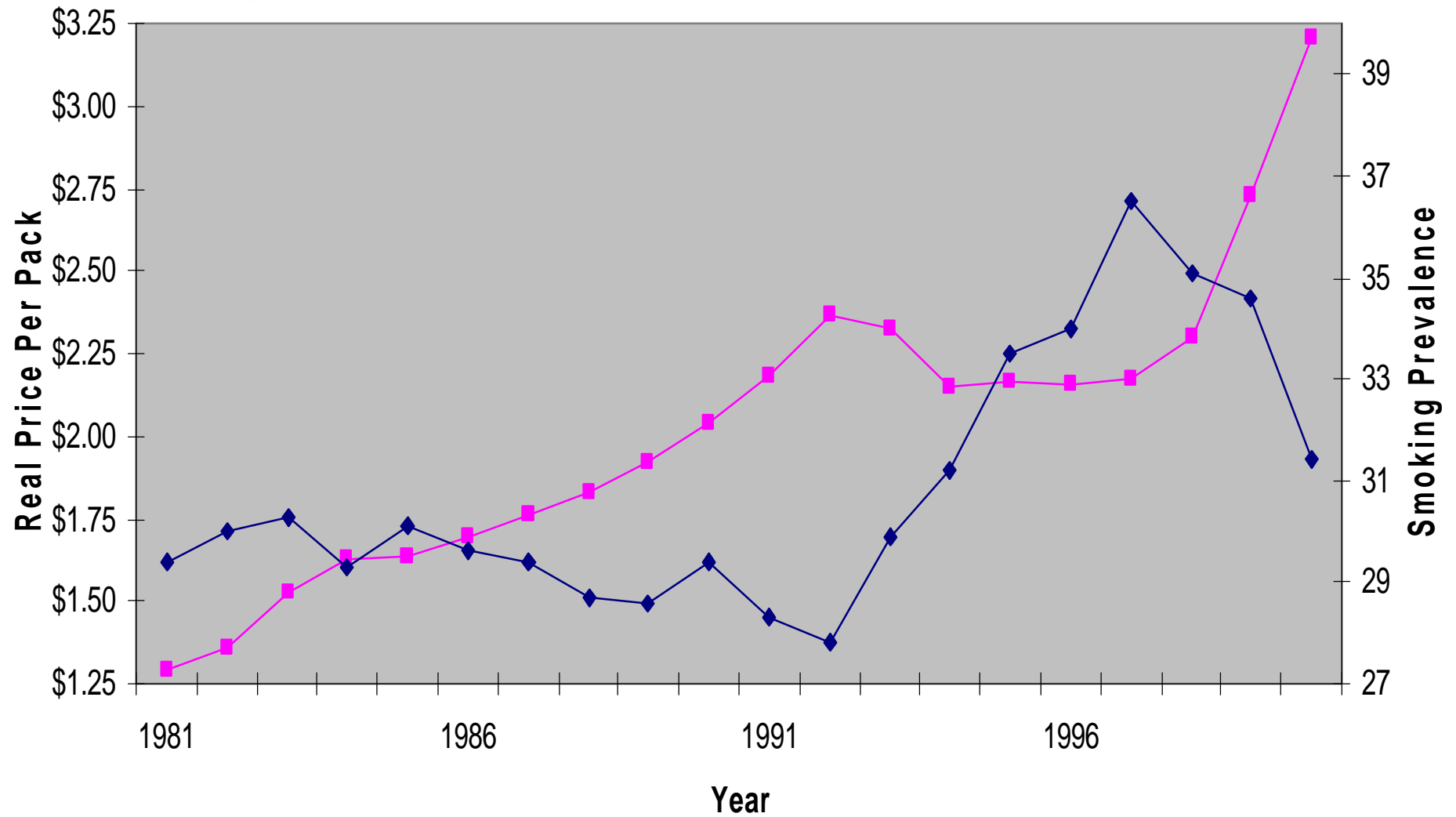
Cigarette Smoking Among Youth by the Average Price of a Pack of Cigarettes in 50 States and the District of Columbia, 1999



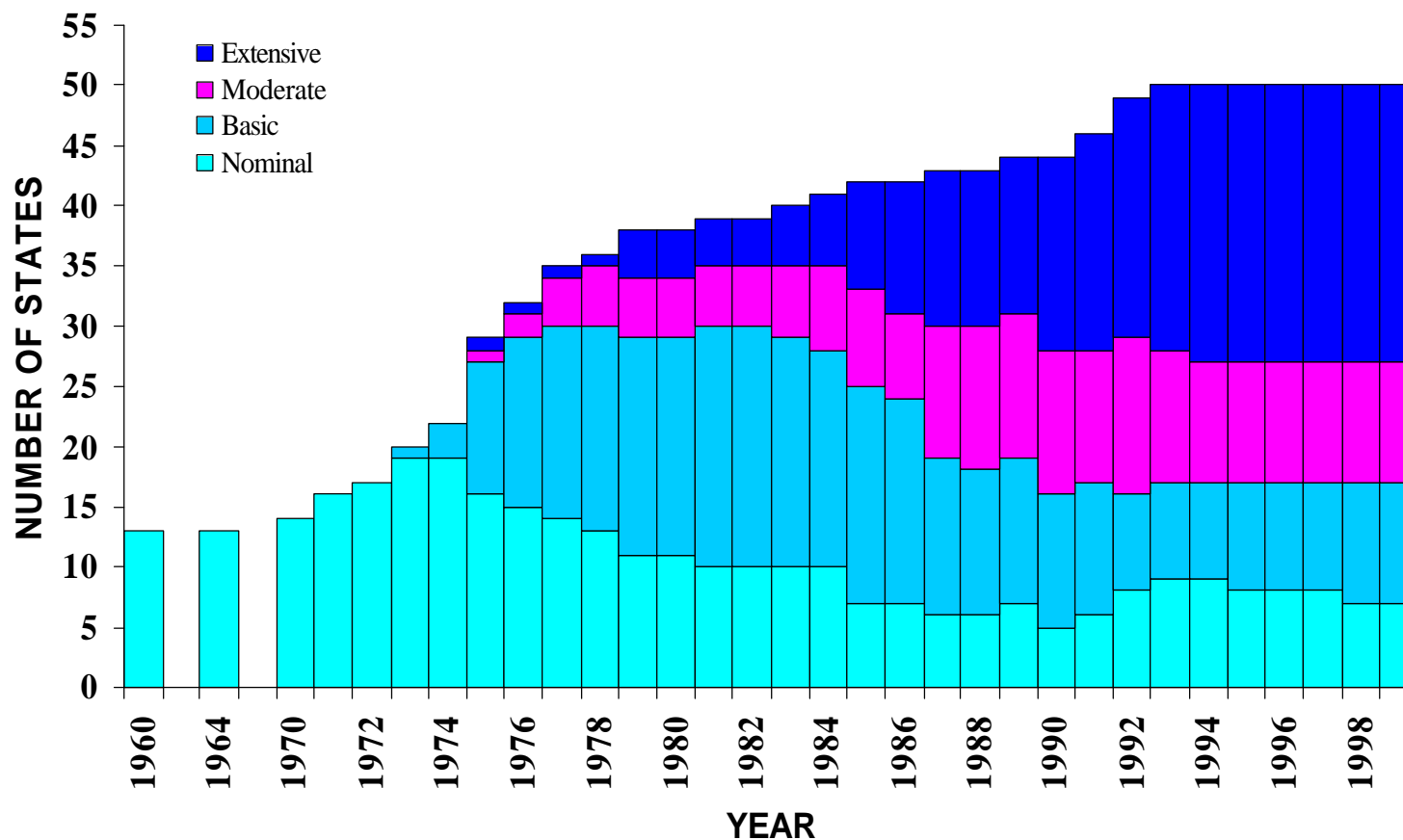
Sources: 1999 NHSDA (12-17 year olds); 1999 *Tax Burden On Tobacco*

Note: Past Month Smoking = smoking on ≥ 1 day during the previous 30 days

12th Grade 30 Day Smoking Prevalence and Price

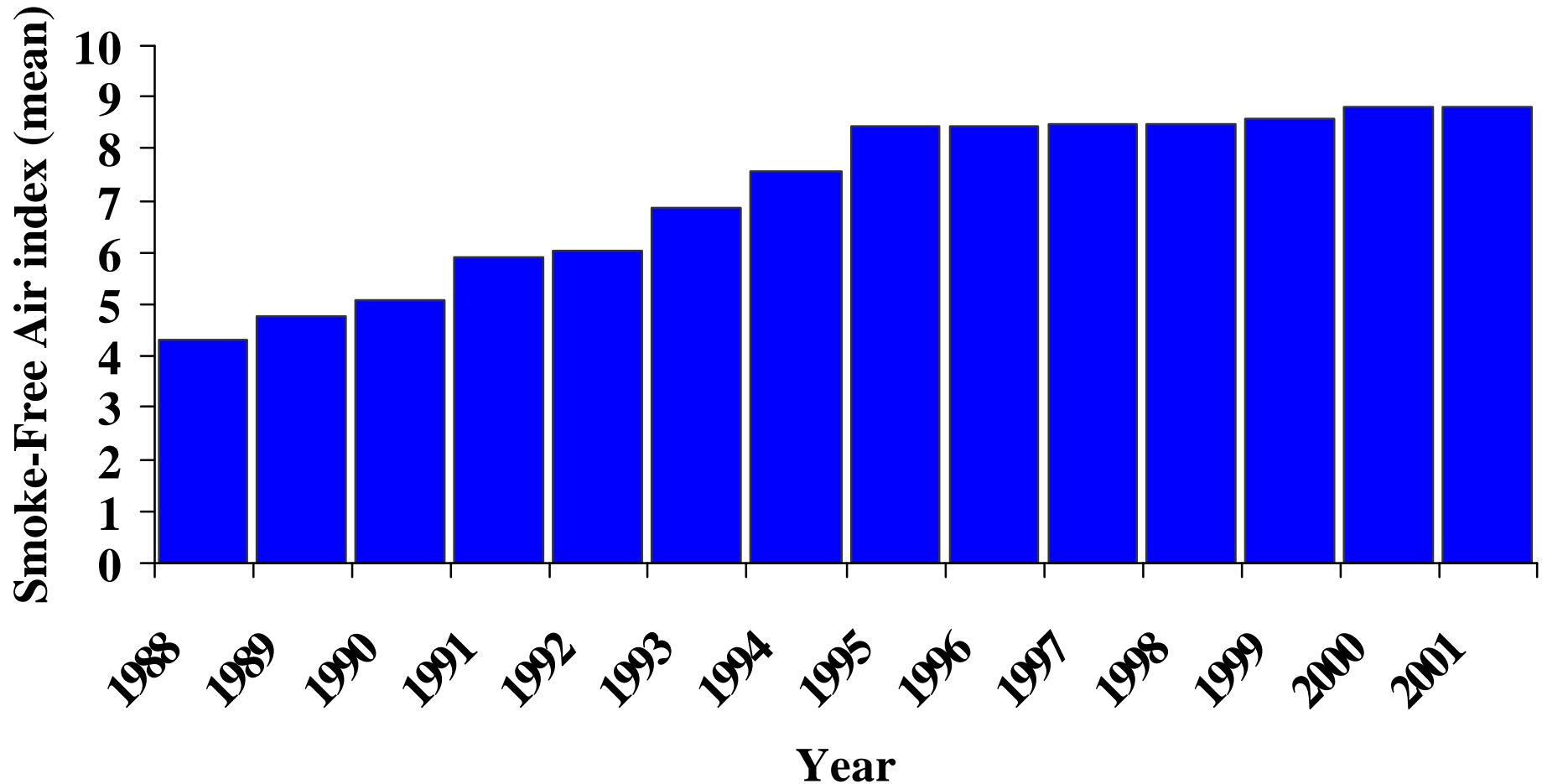


Restrictiveness Of State Laws Regulating Smoking In Public Places – U.S., 1960-1999



Sources: 1989 Surgeon General's Report, ALA's SLATI, CDC's STATE system, Roswell Park Cancer Institute. Note: Includes the District of Columbia; Alabama = only state with no restrictions on public smoking.

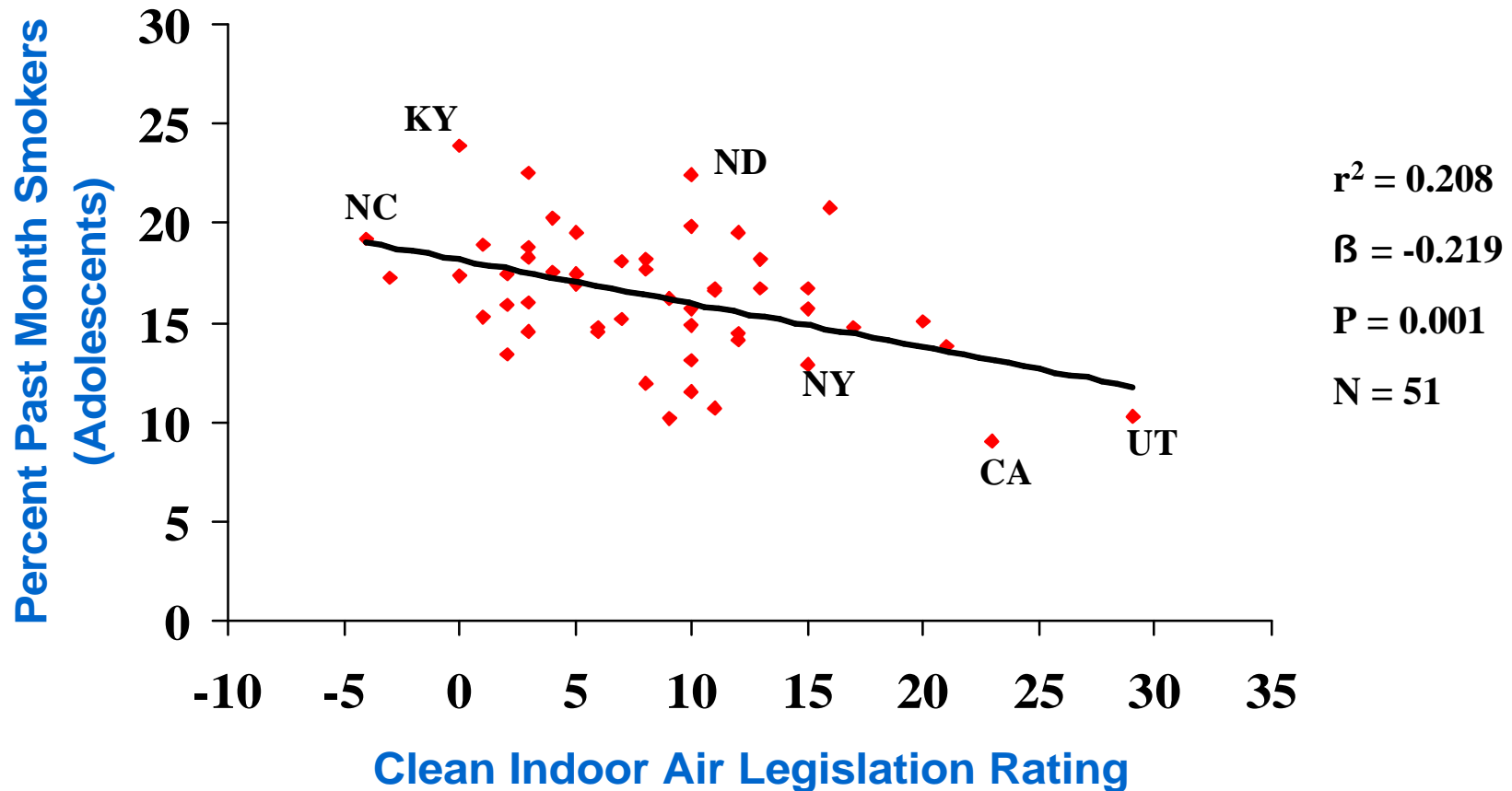
Mean Smoke-Free Air Law Rating Per State* -- United States, 1988-2001



*Includes the District of Columbia; Theoretical Range = -5-42

Sources: ALA's SLATI, CDC's STATE system, and Roswell Park Cancer Institute

Cigarette Smoking Among Youth by the Clean Indoor Air Legislation Rating in 50 States and the District of Columbia, 1999



Sources: 1999 NHSDA (12-17 year olds); ALA's SLATI, CDC's STATE system, and the Roswell Park Cancer Institute.

Note: Past Month Smoking = smoked on ≥ 1 day in the previous 30 days

Possession, Use, and Purchase Laws

- **Penalize minors, not vendors**
 - **States want to avoid criminal record for offender (Teen Court or Peer Court)**
 - **Penalties include:**
 - **Fines -- most common**
 - **range as high as \$750 (some graduated)**
 - **majority \leq \$100**
- Other penalties in lieu of or in addition to fines:**
- **Community Service**
 - **Smoking Education Classes**
 - **Smoking Cessation Classes**
 - **Driver's License Suspension**

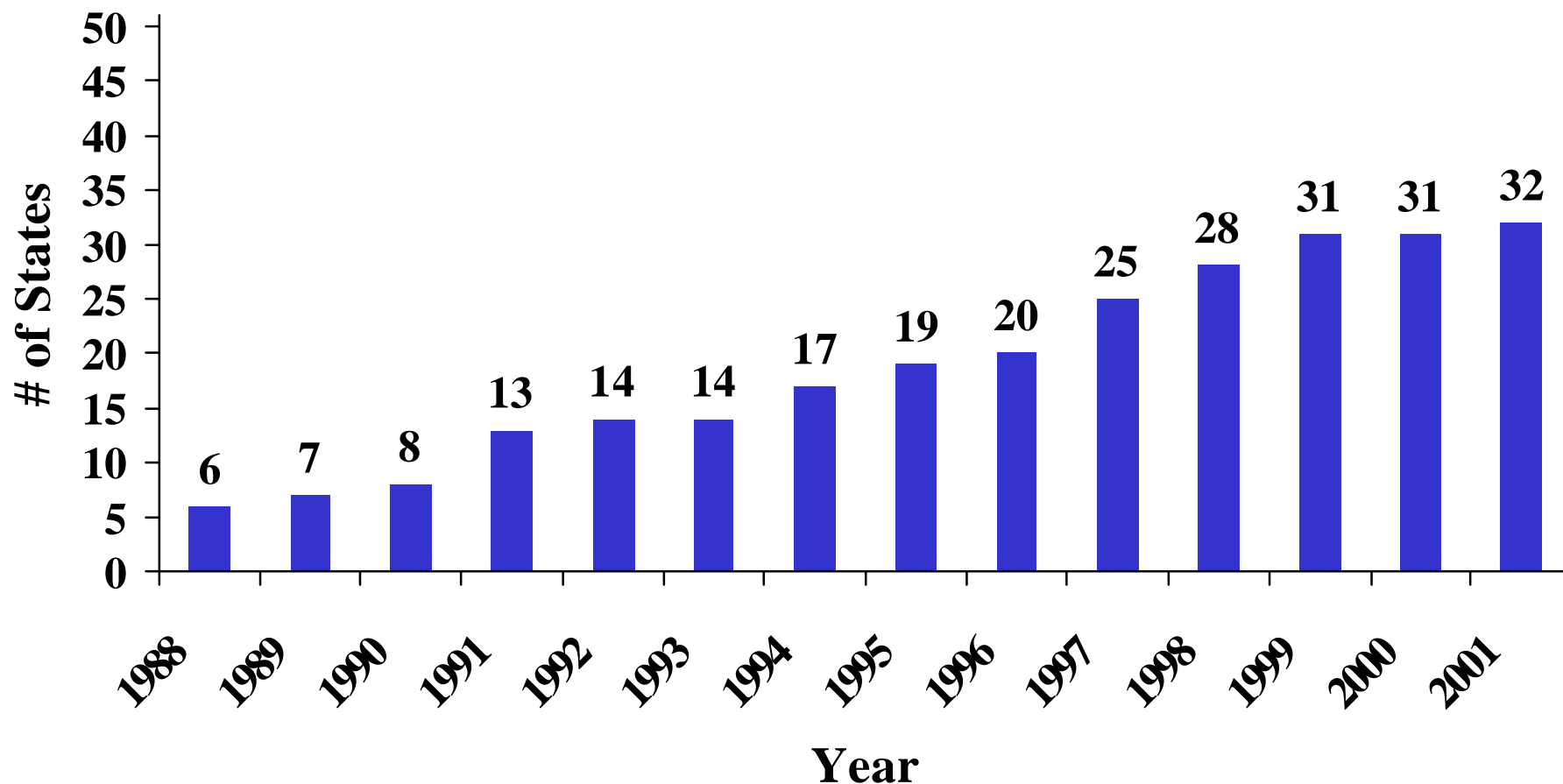
Arguments In Favor of PUP Laws

- **Promote Accountability, Personal Responsibility**
 - **Vendors Shouldn't be Liable**
- **Add a Cost to Tobacco Use**
- **Can be Used by Law Enforcement Officers to Inspect Suspicious Youths - May Reduce Crime Rate**
- **Send a Message That Adults Mean What They Say**
- **Alcohol Experience - minimum age increase (to 21 years old) has reduced drinking and saved lives**

Arguments Against PUP Laws

- **Youths are Enticed to Smoke by Marketing, Only to Be Punished for Wanting the Promoted Product**
- **Enforcement Costs; May Reduce STM Enforcement**
- **Profiling**
- **Youth Focus Diverts Attention/Resources From Effective Tobacco Control Efforts**
- **Kids Rebel**
- **Age-aspiration Means Adult Status is Attractive**
- **Efficacy of Sales to Minors Laws in Doubt**

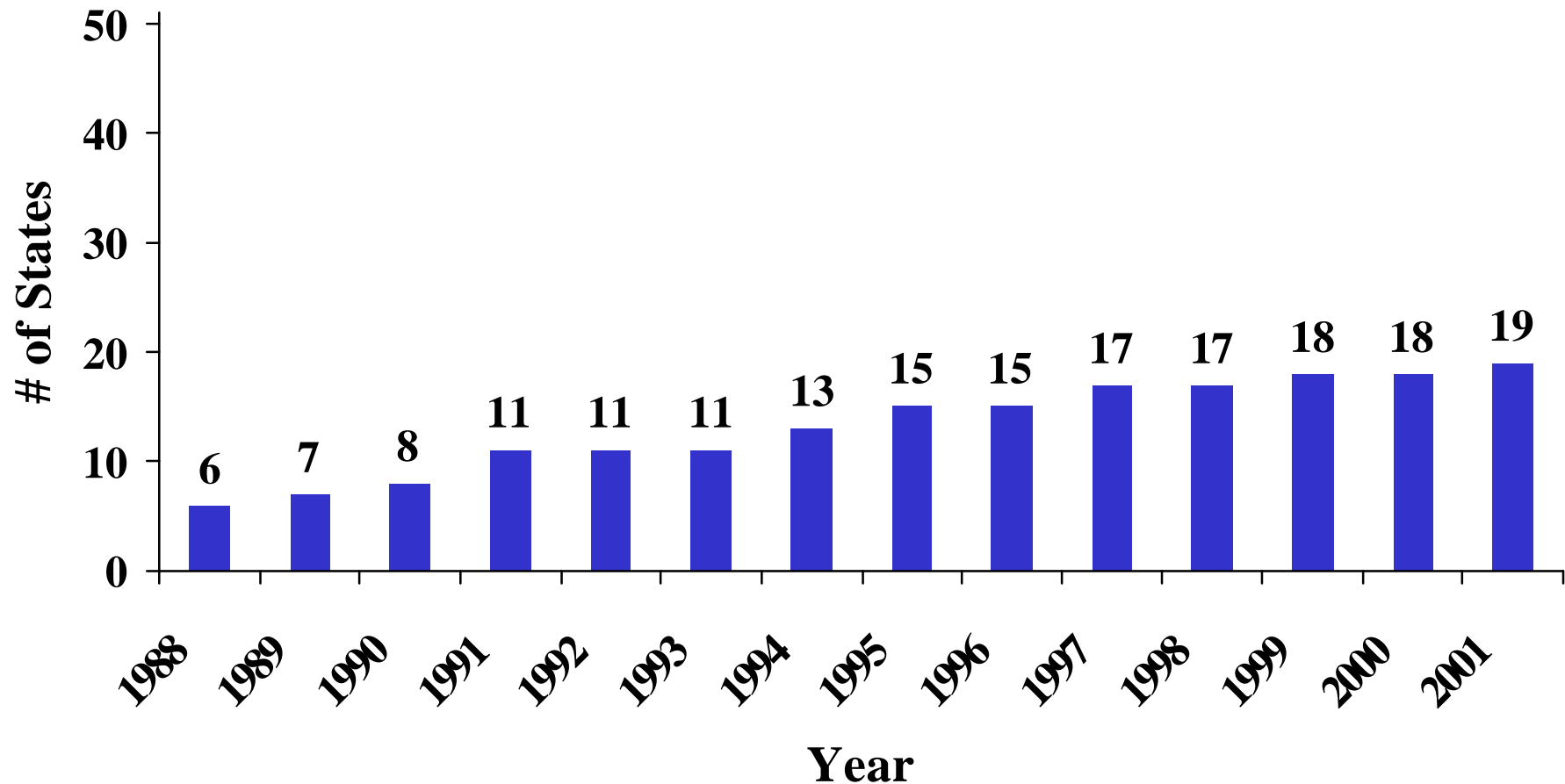
Number of U.S. States including D.C.*, with Legislation Restricting Possession of Cigarettes to Persons aged ≥ 18 years, 1988-2001



*District of Columbia

Source: "State Legislated Actions On Tobacco Issues", 1988-2001, CDC's STATE system, Roswell Park Cancer Institute.

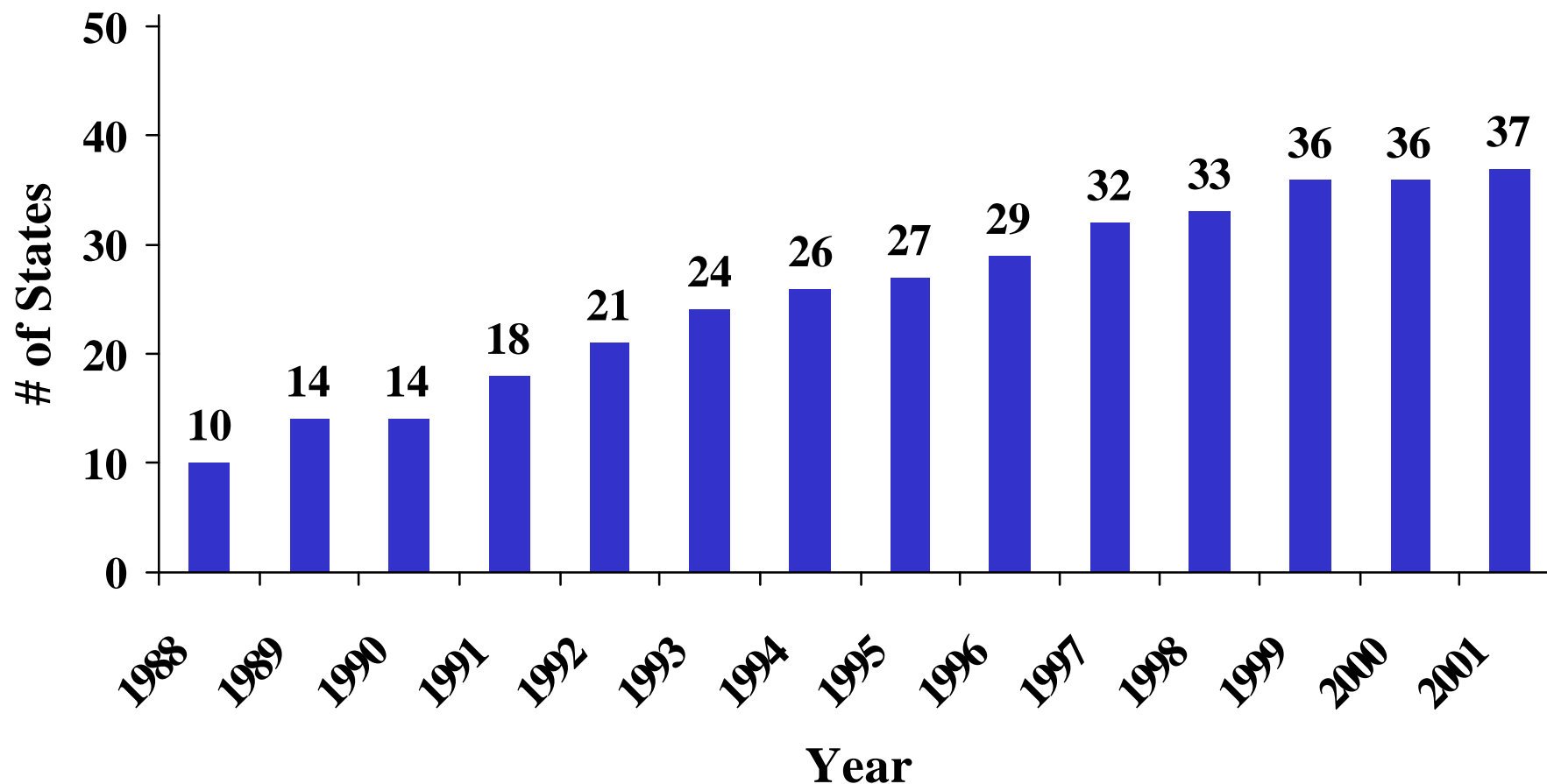
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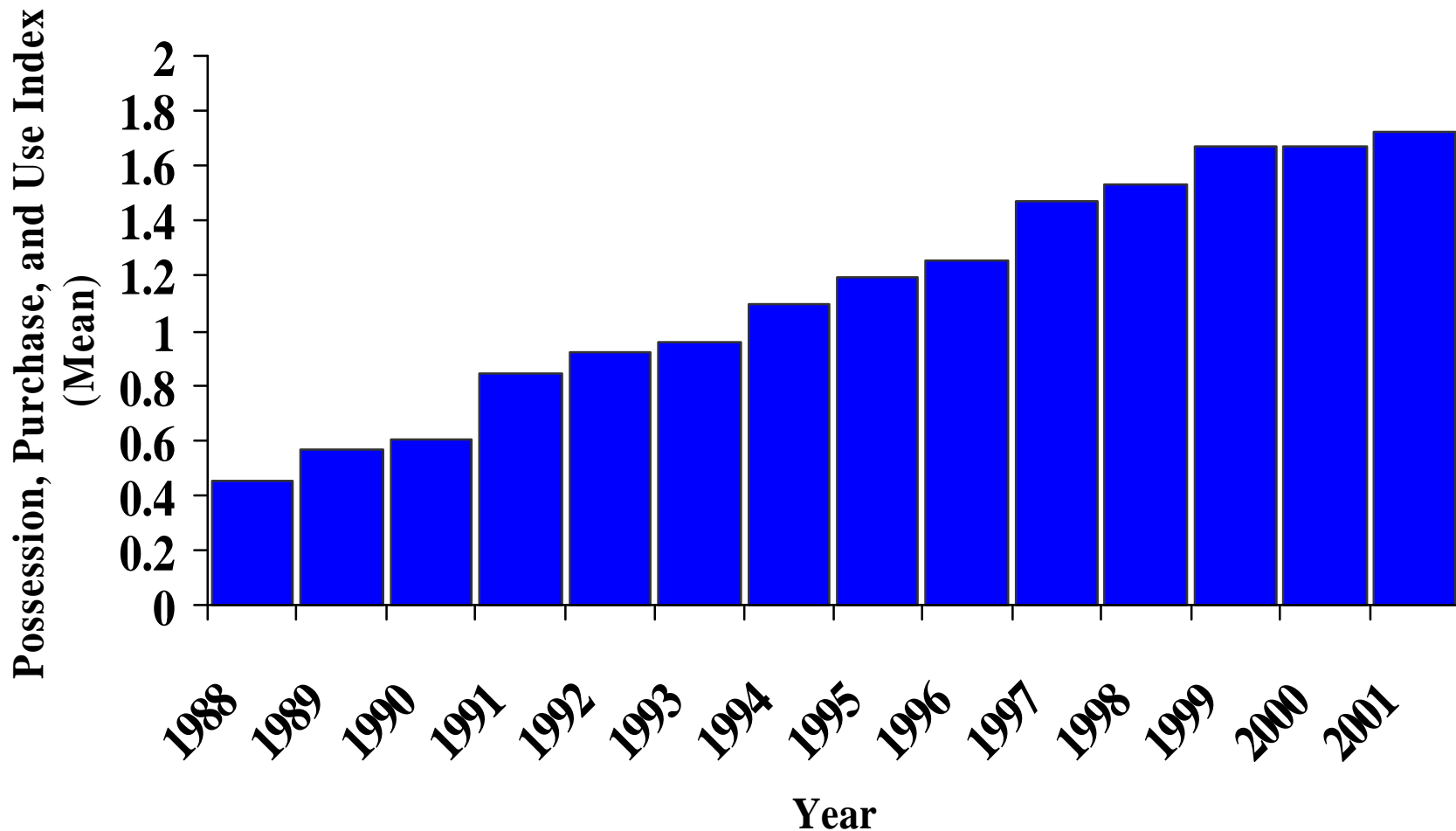
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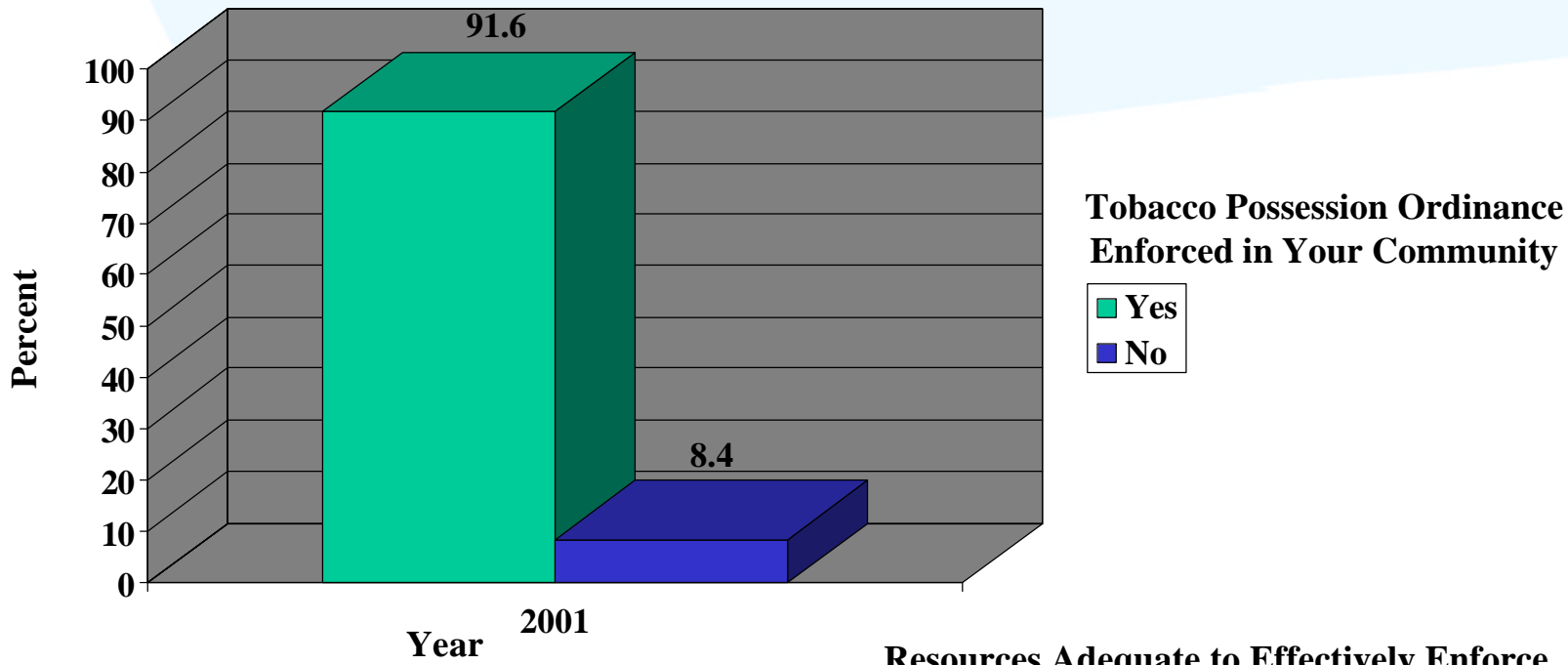
Source: "State Legislated Actions On Tobacco Issues", 1988-2001, CDC's STATE system, Roswell Park Cancer Institute.

Mean Number of Possession, Use, and Purchase Laws per State* -- United States, 1988-2001

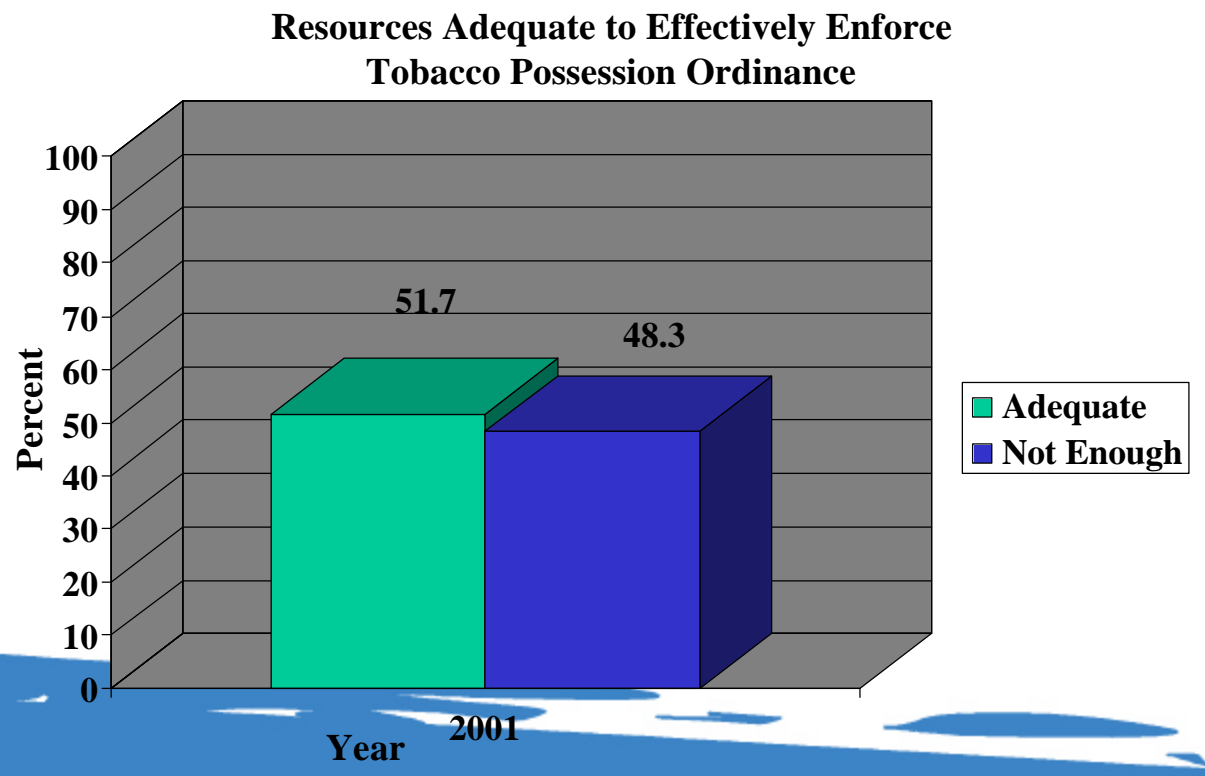


*Includes the District of Columbia; Theoretical Range = 0-3

Sources: ALA's SLATI, CDC's STATE system, and Roswell Park Cancer Institute

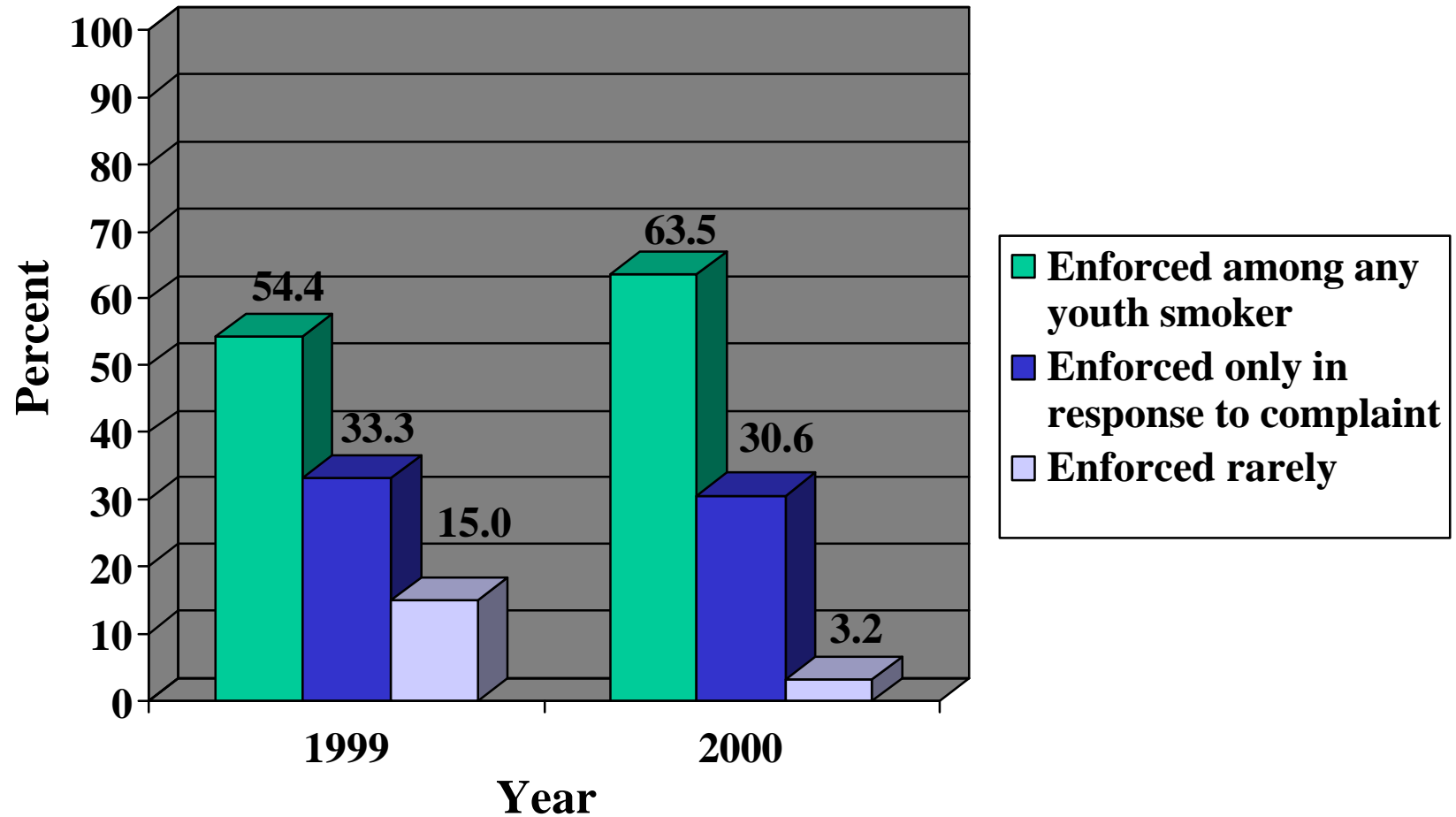


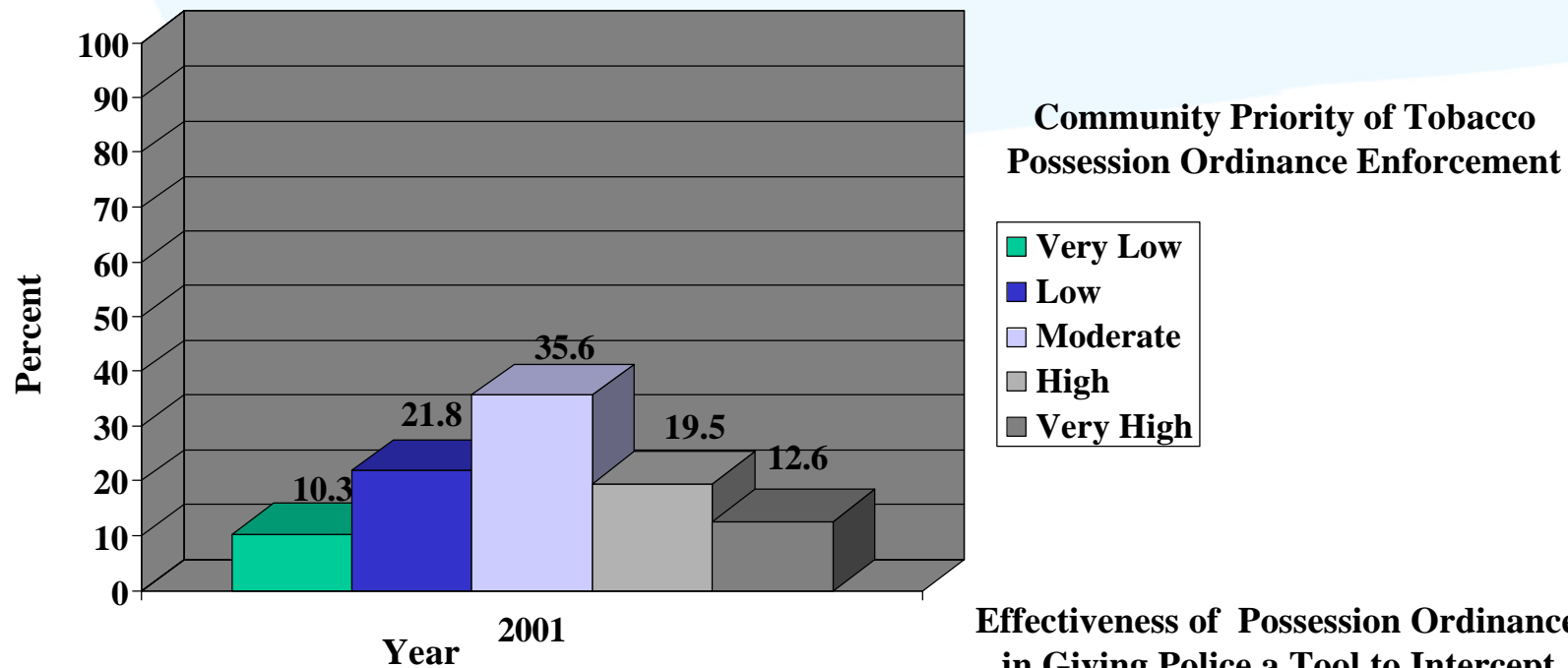
LOCAL ENFORCEMENT:
2001



LOCAL ENFORCEMENT

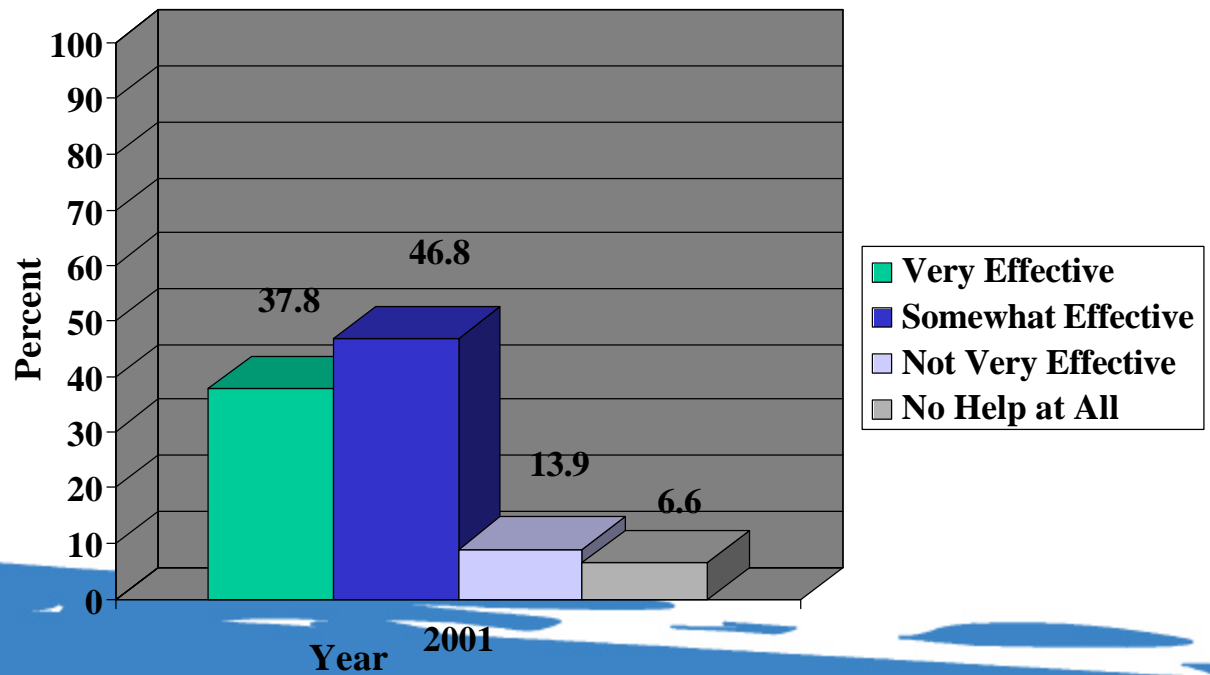
Pattern of Possession Ordinance Enforcement:





Effectiveness of Possession Ordinance in Giving Police a Tool to Intercept Youth for Other Issues or Concerns

LOCAL ENFORCEMENT:
2001



LOCAL ENFORCEMENT

Local communities indicate that the following are typical actions taken when a minor is caught possessing tobacco:

- ✓ Citation issued
- ✓ Notification of parents
- ✓ Warning issued
- ✓ Appearance in peer or teen court

Local communities indicate that the following are typical penalties imposed when a minor is caught possessing tobacco (2001):

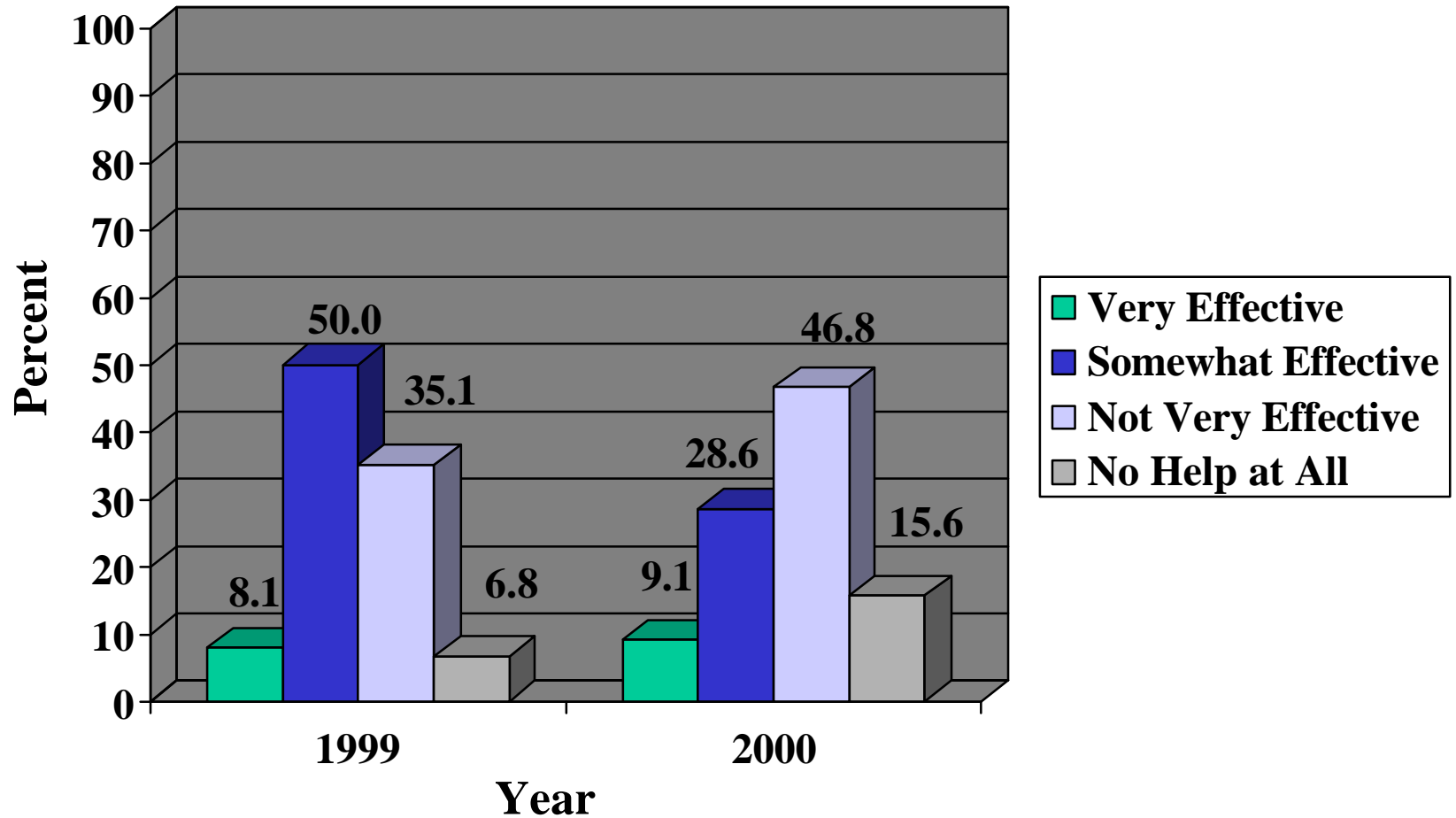
- ✓ Fines (65%)
- ✓ Community service (19%)
- ✓ Participation in Tobacco Cessation Program (15%)
- ✓ Counseling (12%)

Policy Implementation – Tobacco Possession

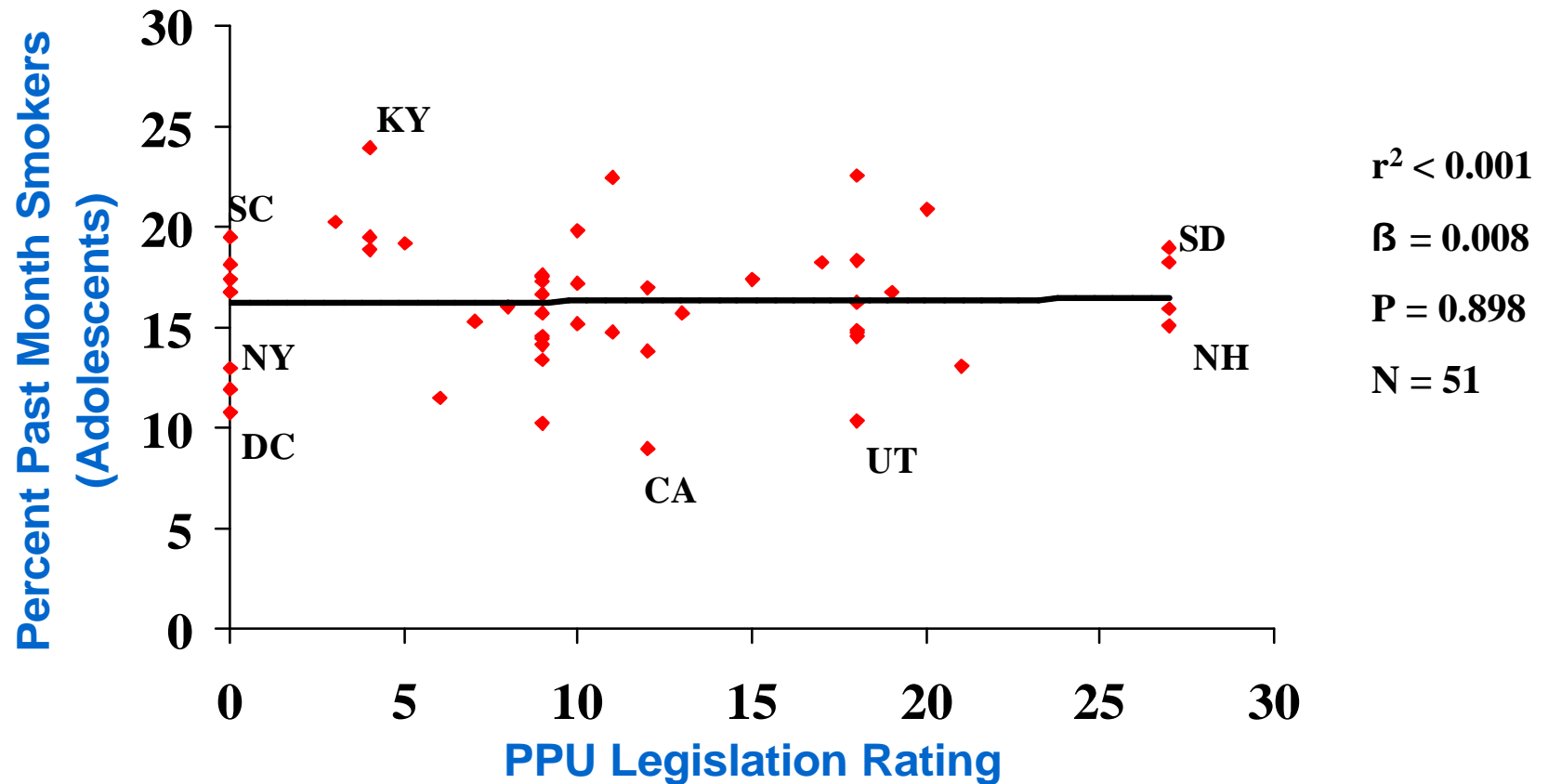
<i>If saw 14 year old smoking in public park, would:</i>	2000	2001
give teen warning	45%	55%
notify parents	23%	40%
do nothing	65%	47%

LOCAL PERCEPTIONS

**Effectiveness of Possession Ordinance
in reducing tobacco use by minors:**



Cigarette Smoking Among Youth by the Historical PPU Legislation Rating in 50 States and the District of Columbia, 1999



Sources: 1999 NHSDA (12-17 year olds); ALA's SLATI, CDC's STATE system, and the Roswell Park Cancer Institute

Note: Past Month Smoking = smoked on ≥ 1 day during the previous 30 days
 Historical PPU Legislation Rating = Sum of PPU laws for previous 8 years (0 = no law; 1 = law present)

Control Variables for Merged Analyses

- **Tobacco Control Expenditures, Cigarette Prices, Sales to Minors Laws, Smoke-free Air Laws**
 - **Age, Sex, Race/Ethnicity, Father's Education, Mother's Education, Respondent's Earned Income, Respondent's Income From Other Sources, Labor Force Status, Mother's Work Status, Religiosity, School Performance**
-

Table 1. Logit Analyses of the Association Between Purchase, Possession, and/or Use Laws and Cigarette Smoking among Minors – United States, 1991-1998

Past Month Smoking		
	Adjusted*	
	Coefficient (z-score)	p-value
Purchase	-0.075 (-1.75)	0.080
Possession	-0.050 (-1.11)	0.266
Use	-0.017 (-0.46)	0.642
PPU Index	-0.040 (-2.08)	0.038
Past Month Smoking Intensity		
	Adjusted*	
	Coefficient (z-score)	p-value
Purchase	-0.089 (-1.94)	0.052
Possession	-0.066 (-1.39)	0.166
Use	-0.016 (-0.41)	0.682
PPU Index	-0.048 (2.30)	0.022

*Adjusted for demographics, risk, and tobacco control variables

N (Weighted) = 248,369

Table 2. Logit Analyses of the Association Between Purchase, Possession, and/or Use Laws and Past Month Smoking among Minors, by Age and Risk Group – United States, 1991-1998

Past Month Smoking								
Age/Risk Group	Purchase		Possession		Use		PPU Index	
	z-score	p-value	z-score	p-value	z-score	p-value	z-score	p-value
≤ 14 yrs/Low	-2.13	0.033	-2.00	0.046	-1.99	0.047	-3.53	<0.001
≤ 14 yrs/Medium	-0.68	0.497	-2.05	0.040	-2.79	0.005	-2.91	0.004
≤ 14 yrs/High	0.15	0.885	-0.22	0.826	-1.52	0.128	-0.58	0.564
15-16 yrs/Low	-0.96	0.336	-0.52	0.602	-1.54	0.124	-1.49	0.137
15-16 yrs/Medium	-0.61	0.541	0.89	0.373	0.90	0.366	0.56	0.578
15-16 yrs/High	-1.83	0.068	1.02	0.309	2.10	0.035	0.28	0.777
17 yrs/Low	-2.08	0.038	-1.36	0.174	0.91	0.361	-1.60	0.110
17 yrs/Medium	-0.58	0.559	-0.18	0.859	-0.35	0.725	-0.75	0.452
17 yrs/High	-1.60	0.111	-0.26	0.795	0.64	0.520	-1.23	0.219

Note: Adjusted for demographics and tobacco control variables
 N (Weighted) for each age/risk strata ranges from 9,894 – 62,766

Table 3. Logit Analyses of the Association Between Purchase, Possession, and/or Use Laws and Past Month Smoking Intensity among Minors, by Age and Risk Group – United States, 1991-1998

Past Month Smoking Intensity								
Age/Risk Group	Purchase		Possess		Use		PPU Index	
	z-score	p-value	z-score	p-value	z-score	p-value	z-score	p-value
≤ 14 yrs/Low	-2.20	0.028	-2.13	0.033	-1.98	0.047	-3.64	<0.001
≤ 14 yrs/Medium	-0.61	0.542	-2.15	0.032	-2.94	0.003	-3.03	0.002
≤ 14 yrs/High	-0.31	0.753	-1.23	0.218	-1.74	0.082	-1.51	0.130
15-16 yrs/Low	-1.11	0.268	-0.69	0.492	-1.77	0.077	-1.73	0.084
15-16yrs/Medium	-0.84	0.402	0.58	0.564	0.78	0.435	0.17	0.861
15-16 yrs/High	-2.28	0.023	0.36	0.719	2.00	0.045	-0.30	0.763
17 yrs/Low	-2.18	0.029	-1.50	0.135	0.78	0.434	-1.73	0.084
17 yrs/Medium	-0.97	0.331	-0.61	0.544	-0.45	0.653	-1.29	0.197
17 yrs/High	-1.26	0.209	-1.01	0.313	0.21	0.830	-1.48	0.139

Note: Adjusted for demographics and tobacco control variables
 N (Weighted) for each age/risk strata ranges from 9,894 – 62,766

Compliance Check Analysis

- **Draws on data from FDA compliance checks done from 1998 through early 2000**
 - **over 100,000 initial checks**
 - **control for conditions of check, store characteristics**
- **Data on state policies matched based on store location**
 - **Includes sales to minors policies and policies limiting youth purchase, use, or possession**
- **Data on community population characteristics added based on store zip code**

Compliance Check Analysis Result

- Compliance more likely in states with more comprehensive restrictions on sales to minors
- Compliance less likely in rural, low-income, and/or minority neighborhoods
- Compliance not significantly related to state policies limiting youth purchase, use, or possession of tobacco products
 - *weak evidence that compliance is higher in states with these policies*

Conclusions

- **Policies limiting youth purchase, use and/or possession of tobacco products have spread rapidly during the 1990s**
 - *Enforcement increasing in recent years*
- **Mixed support for these policies at the level of implementation and enforcement**
 - *Not a high priority in most communities*
 - *Inadequate resources provided in many communities*
 - *Perceived to have little impact on youth smoking*
- **Policies more commonly used as tool to intercept youth for other concerns or issues**

Conclusions

- **State laws limiting youth purchase, use, and/or possession of tobacco products have little impact on youth smoking prevalence or intensity**
- *Some evidence that combination of policies has weak impact on overall youth smoking*
 - *Effects appear limited to lower risk/younger teens*
who are least likely to smoke to begin with
- **No evidence that purchase, use, or possession laws adversely impact on retailer compliance with sales to minors policies**

➤ **PUP Analyses to Incorporate:**

- **State Enforcement Data**
- **Local Laws and Enforcement**
- **Focus Group Data in Communities with Various Degrees of Enforcement**
- **Cost-Effectiveness Analysis**

➤ **Ongoing/Planned Analyses of Merged Data Sets:**

- **Tobacco Control Expenditures, Smoke-Free Indoor Air Laws**
 - **Other Outcomes, Such as Purchase Experiences, Attitudes, Quitting**
-

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A Policy Research Partnership
to Reduce Youth Substance Use



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YES!
Youth,
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