

YOUTH ACCESS TOBACCO POSSESSION, USE, AND PURCHASE LAWS: MEASURES OF STATE AND LOCAL ENFORCEMENT

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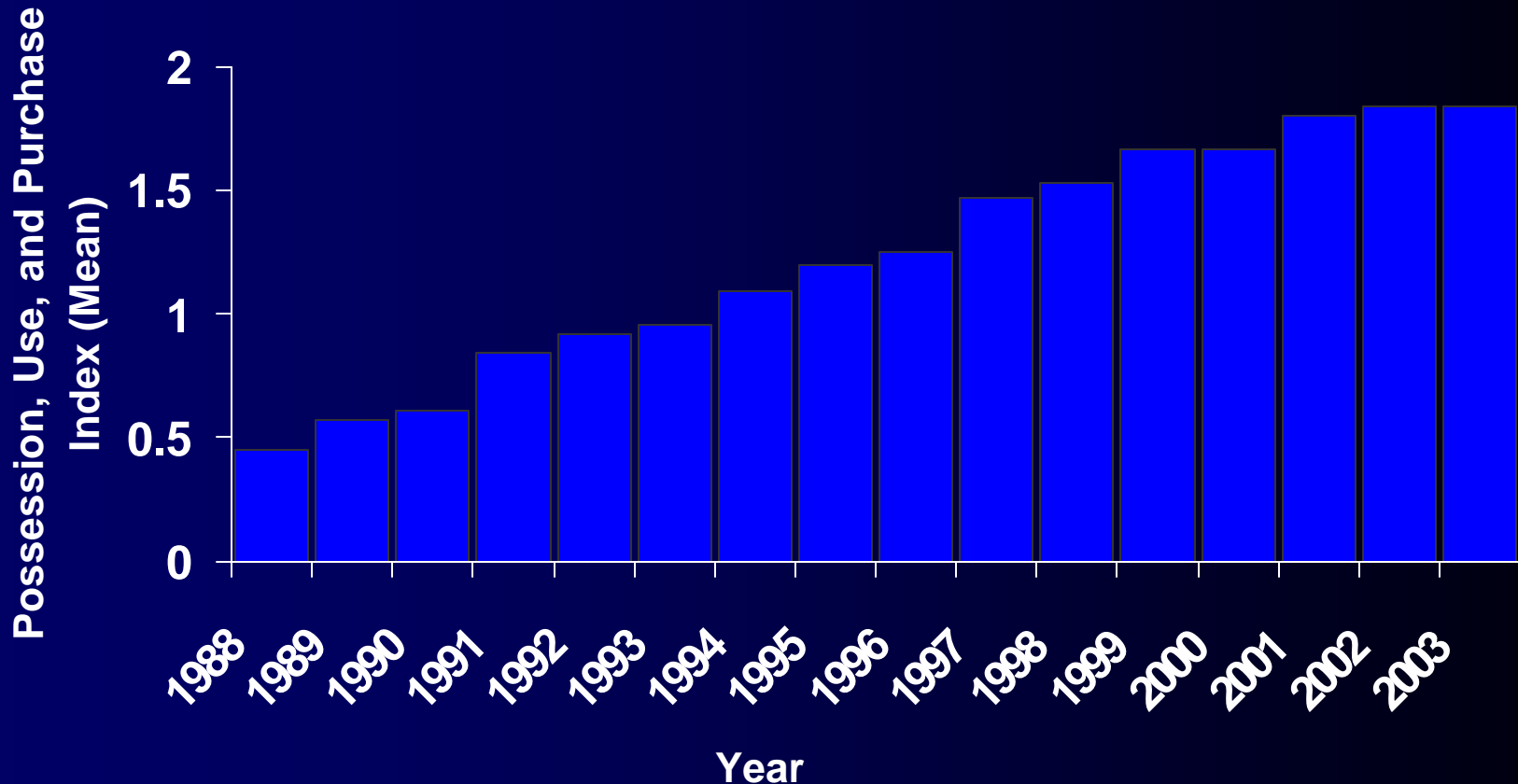


PUP Laws:

- Possession, use, and purchase (PUP) laws are youth access tobacco control policies that penalize minors, themselves, for possessing, using, and/or purchasing tobacco products
- Recent trends indicate a sharp increase in the number of state PUP laws:
 - ✓ 1988: 17 states had enacted at least 1 PUP law
 - ✓ 2003: 45 states had enacted at least 1 PUP law

There is little empirical data on the effectiveness of these laws

Mean Number of Possession, Use, and Purchase Laws per State* -- United States, 1988-2003**



*Includes the District of Columbia; Theoretical Range = 0-3; Includes 1st quarter of 2003 only.

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

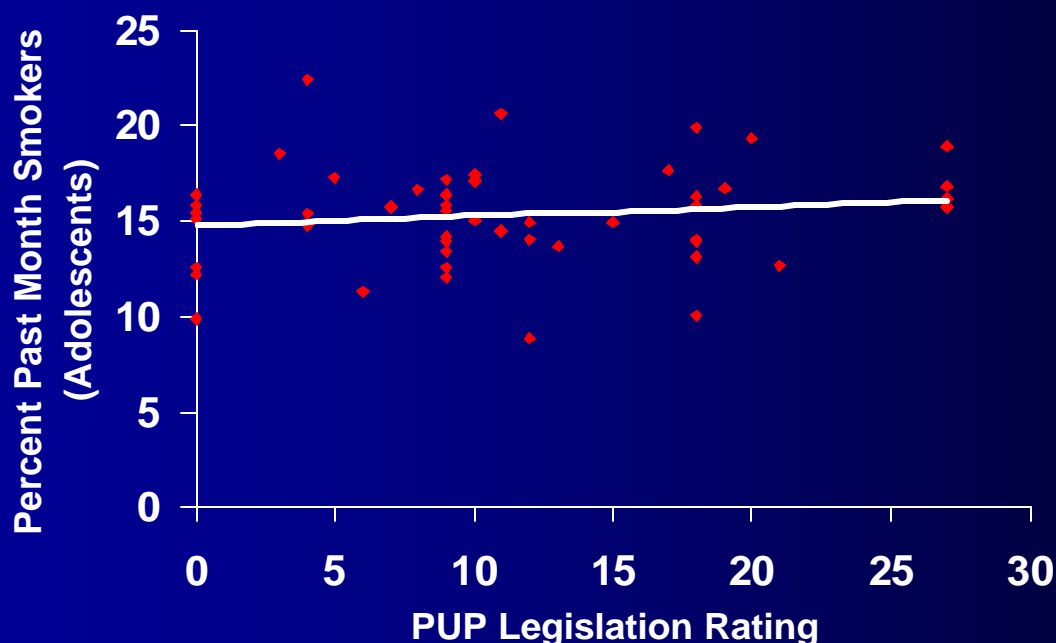
PUP Laws:

PUP laws have been controversial:

- ✓ Arguments in favor of PUP laws
(i.e. they add a cost to youth for tobacco use, promote youth accountability, and de-normalize tobacco use among youth)
- ✓ Arguments against PUP laws
(i.e. they divert attention from other tobacco control efforts, including merchant responsibility; enforcement costs and difficulty can be high; kids rebel and want to smoke even more)

Previous analyses have not suggested a relationship between the presence of state PUP laws and adolescent smoking behavior:

Cigarette Smoking Among Youth by the Historical PUP Legislation Rating in 50 States and the District of Columbia, 1999/2000*



*Source: Giovino et al. Cigarette Smoking Among Adolescents and Adults in US States and the District of Columbia in 1997 and 1999 – What Explains the Relationship? American Society of Preventive Oncology Meeting; poster presented: March 12, 2001.

Note: Past Month Smoking = smoked on ≥ 1 day during the previous 30 days; Historical PUP Legislation Rating = Sum of PUP laws for previous 1991-1999; (0 = no law; 1 = law present, from 0 to 3 laws)

Sources: 1999-2000 NHSDA (12-17 year olds); ALA's SLATI, CDC's STATE system, and the Roswell Park Cancer Institute

Additional analyses to assess the effect of PUP laws on adolescent smoking behavior, in terms of adolescent age and risk status, have suggested:

- ✓ PUP laws were only somewhat associated with lower smoking rates among the youngest adolescents at low or medium risk

*(i.e those who were least likely to smoke to begin with)**

Jason et al., and other researchers, have studied the effects of youth access enforcement on youth smoking and have found positive effects of strong community enforcement efforts (*Jason et al, 2002; Jason et al, 1999, Langer et al, 2000; Livingood et al, 2001*)

* Source: Giovino et al. Study of Youth Smoking and State Laws Prohibiting the Purchase, Possession, and/or Use of Cigarettes by Minors – United States, 1991-1998. Society for Prevention Research Meeting; paper presented: June 2, 2001.

Preliminary analyses and other PUP research efforts suggest that additional studies to assess the effects of PUP laws on adolescent smoking behavior should include:

✓ **Measures of STATE
PUP Enforcement**

AND

✓ **Measures of LOCAL
PUP Enforcement**

A study was conducted to assess measures of state AND local PUP enforcement and to develop enforcement indices

OBJECTIVES:

- **To describe the methods used to develop state and local PUP enforcement measures**
- **To present the following enforcement indices and their components:**
 - ✓ **State Enforcement Index (SEI)**
 - ✓ **Local Enforcement Index (LEI)**
- **To present and compare state and local PUP enforcement scores**

State PUP Enforcement:

State PUP enforcement data were collected from appropriately identified tobacco control officials in 45 states with 1 or more PUP law(s)

- ✓ Telephone interviews were conducted from May-December 2002, with tobacco control officials in all 45 states
- ✓ Data were collected on state enforcement activities related to youth access PUP laws including: enforcement policies AND enforcement practices
- ✓ Follow-up interviews were conducted, as necessary, with additional state and local contact sources

PUP State Enforcement Index: SEI

Max total score – 35 pts.

- ✓ **Level of Enforcement:** (Max: 2 pts.)
- ✓ **State resources for local enforcement:** (Max: 3 pts.)
- ✓ **Predominant pattern of enforcement:** (Max: 3 pts.)
- ✓ **Typical enforcement action(s) when violation is observed:** (Max: 5 pts.)
- ✓ **Number of citations issued in past year:** (Max: 6 pts.)
- ✓ **Typical enforcement penalty(ies) when first-time violation is observed:** (Max: 5 pts.)
- ✓ **Typical enforcement penalty(ies) for second or subsequent violation(s):** (Max: 5 pts.)
- ✓ **Publicity related to enforcement past year:** (Max: 6 pts.)

Local PUP Enforcement:

Local PUP enforcement data are preliminary data from Project ImpacTeen

ImpacTeen is a Robert Wood Johnson Foundation funded multi-substance (tobacco, alcohol, illicit drugs) project coordinated at The University of Illinois at Chicago

✓ Its purpose is to evaluate the impact of policies, programs, and practices at the state, community, school, and individual levels on adolescent use of alcohol, tobacco, and illicit drugs

www.impacteen.org

University of Illinois at Chicago

Health Research and Policy Centers

ImpacTeen

→ Coordinating Center,
Community Data, Alcohol
Policy Research,
Polysubstance Use Research
UIC

→ Illicit Drug Policy Research
Team
Andrews U and RAND

→ Tobacco Policy Research
Team
Roswell Park Cancer Inst

Local PUP Enforcement:

Local PUP enforcement data are preliminary data from key informant interviews for Project ImpacTeen Tobacco Possession Ordinance Feedback Module:

- ✓ Local PUP enforcement data include responses from enforcement officials in 95 community sites for 2000 and 2001

(Each community site may have multiple communities)

- ✓ Respondents were police chiefs and police officers in communities

PUP Local Enforcement Index: LEI

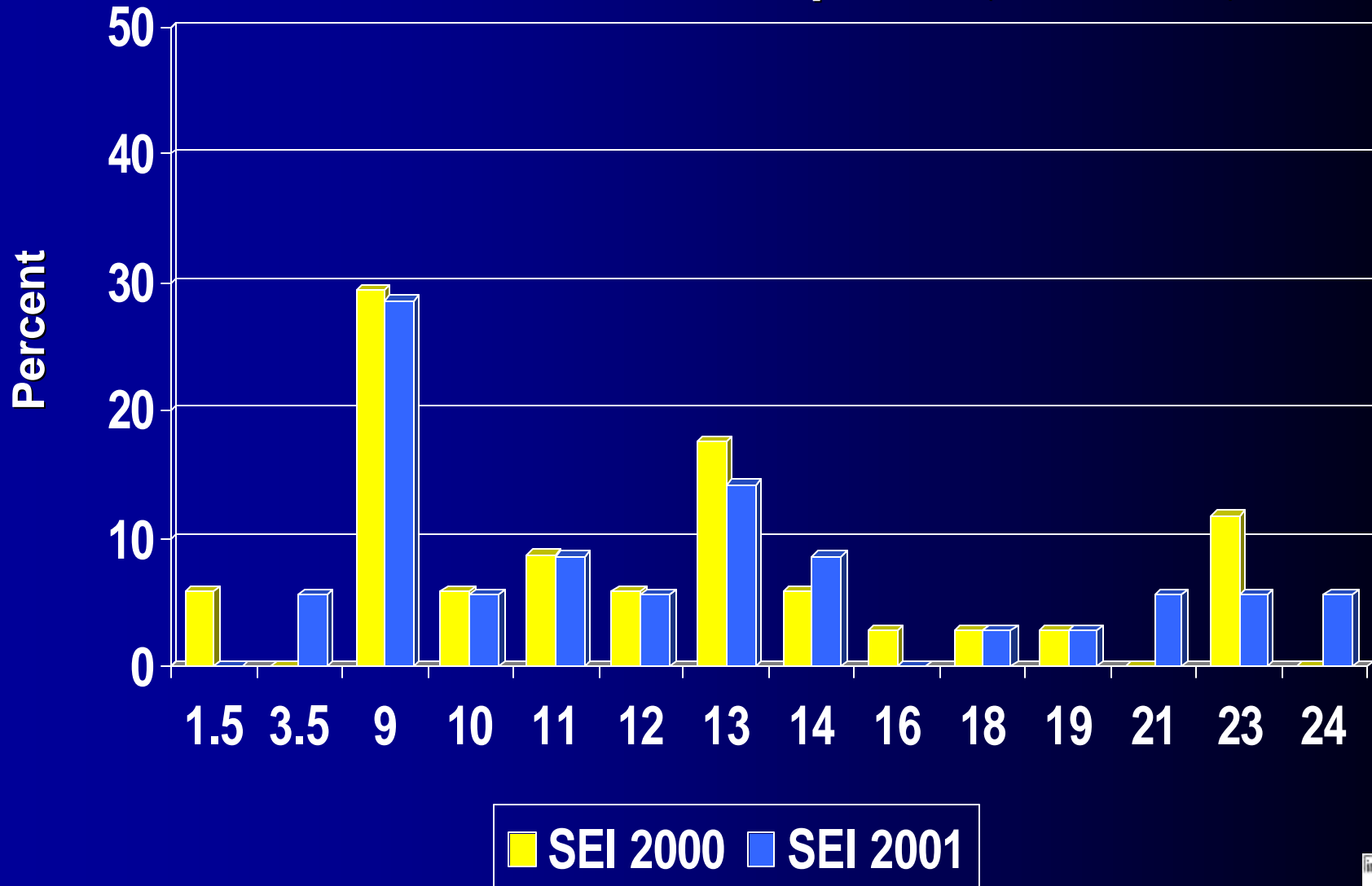
Max total score – 15 pts.

- ✓ **Ordinance enforced in community:** (Max: 1 pt.)
- ✓ **Priority of enforcement:** (Max: 4 pts.)
- ✓ **Resources for effective enforcement:** (Max: 2 pts.)
- ✓ **Predominant pattern of enforcement:** (Max: 2 pts.)
- ✓ **Typical enforcement action(s) in community when youth is caught for tobacco possession:** (Max: 4 pts.)
- ✓ **Parents routinely notified if youth are cited for tobacco possession:** (Max: 2 pts.)

STATE ENFORCEMENT INDEX: POSSESSION

Year 2000: 1.5 to 23 points (N=34 states)

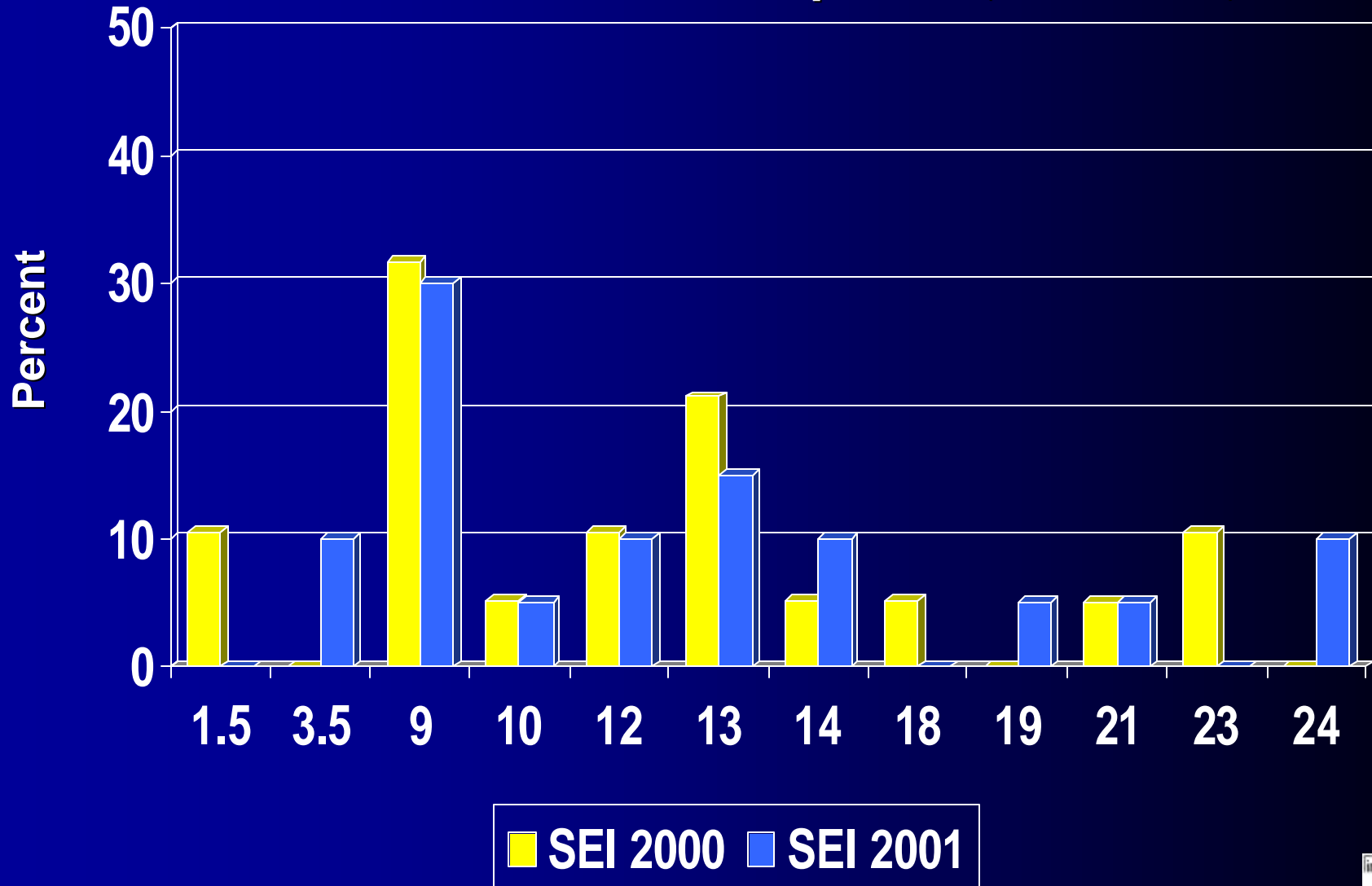
Year 2001: 3.5 to 24 points (N=35 states)



STATE ENFORCEMENT INDEX: USE

Year 2000: 1.5 to 23 points (N=19 states)

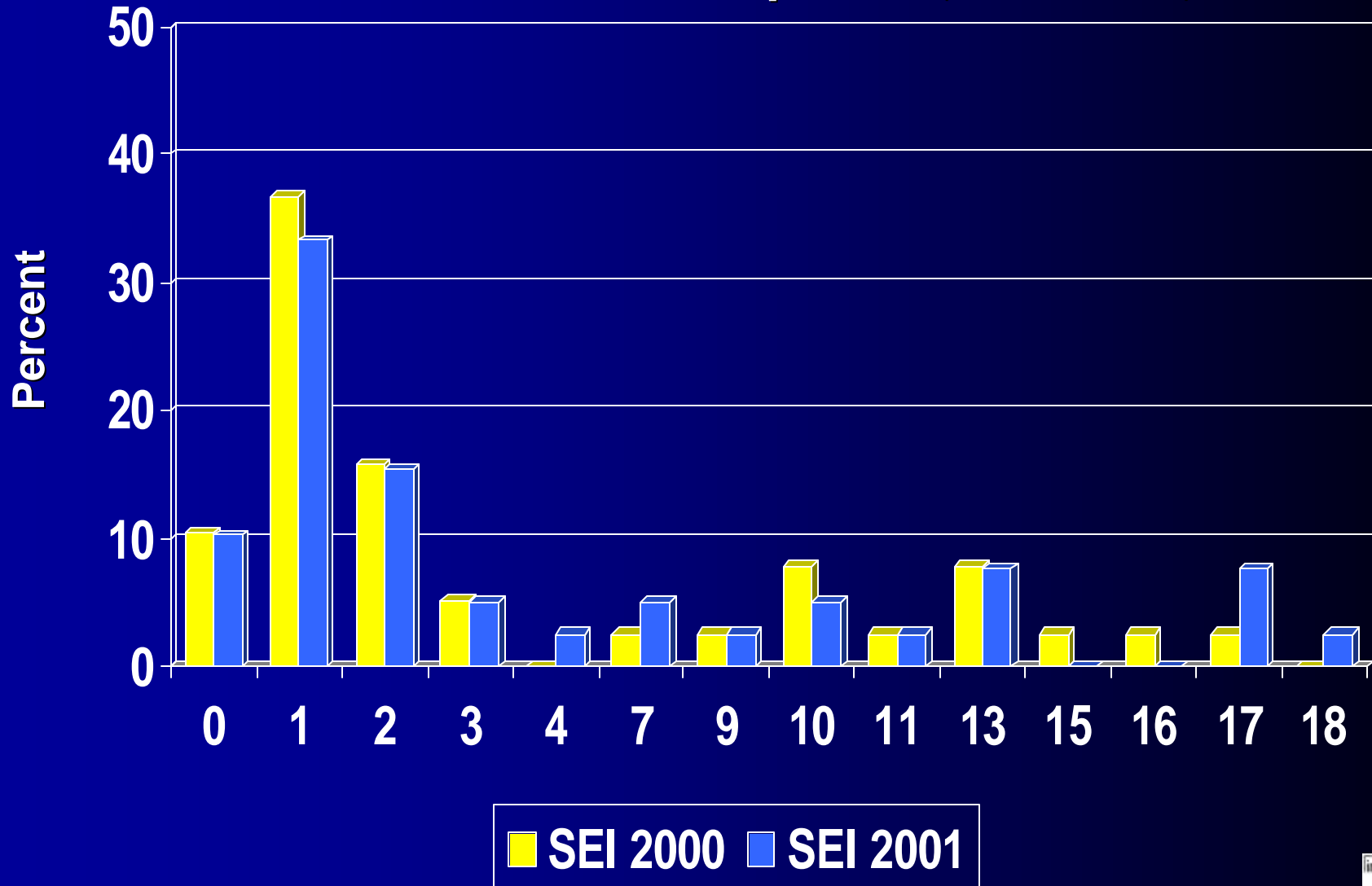
Year 2001: 3.5 to 24 points (N=20 states)



STATE ENFORCEMENT INDEX: PURCHASE

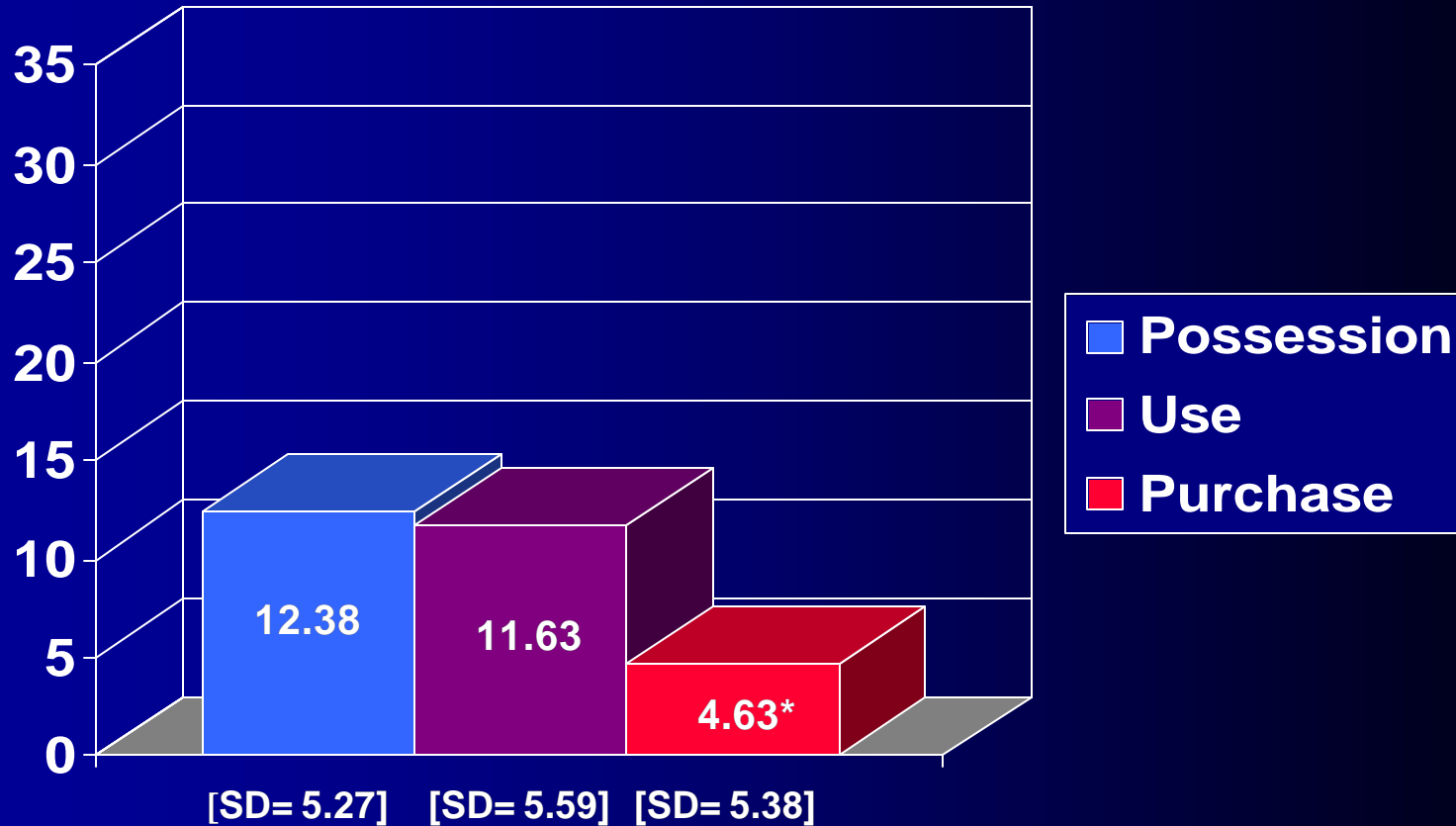
Year 2000: 0 to 17 points (N=38 states)

Year 2001: 0 to 18 points (N=39 states)



PUP State Enforcement Index

MEAN SEI: 2000
(Max total score – 35 pts.)

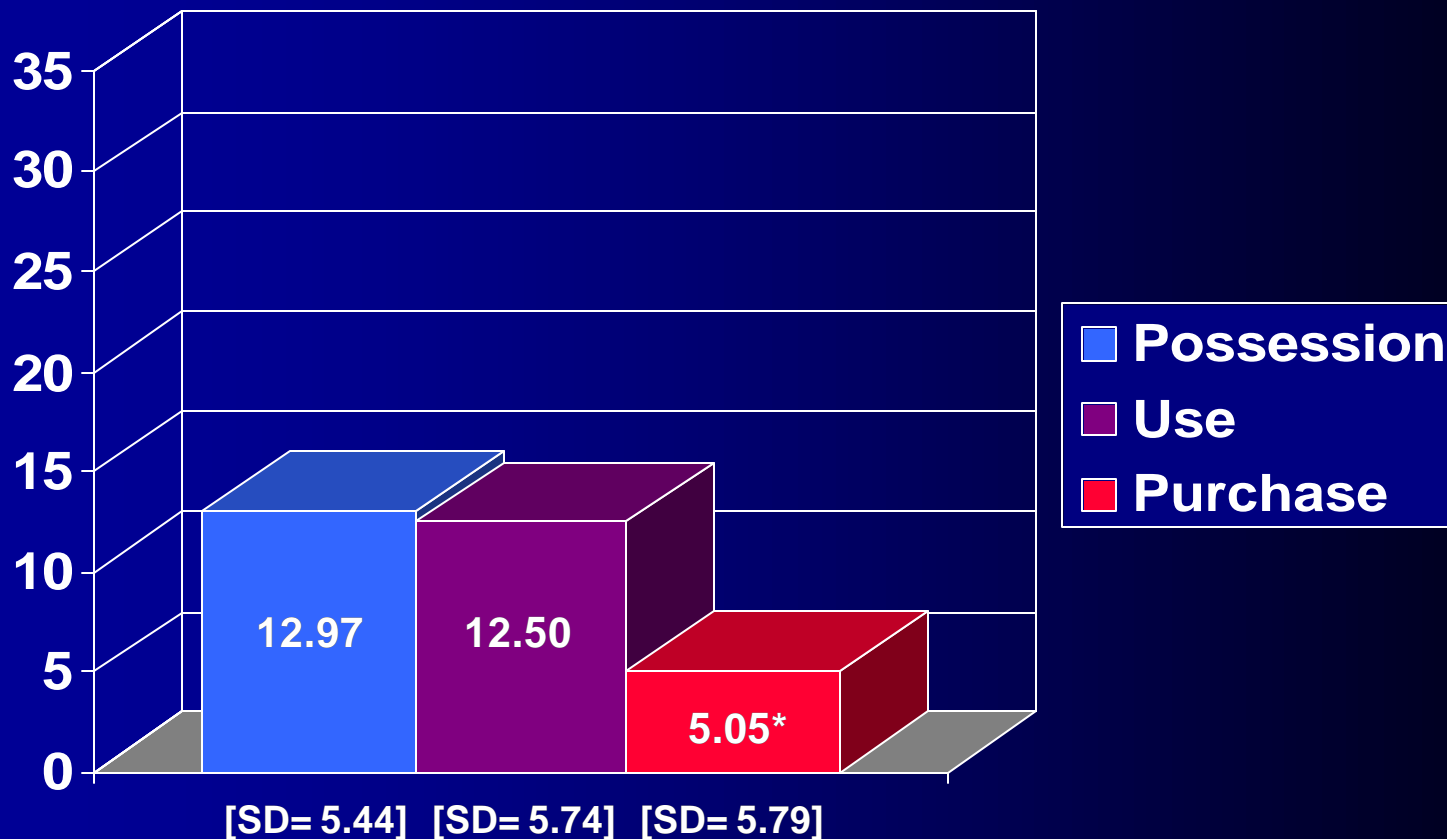


MEAN SEI: Year 2000

* The mean purchase SEI and mean possession SEI are significantly different at $p < 0.05$. The mean purchase SEI and mean use SEI are significantly different at $p < 0.05$.

PUP State Enforcement Index

MEAN SEI: 2001
(Max total score – 35 pts.)



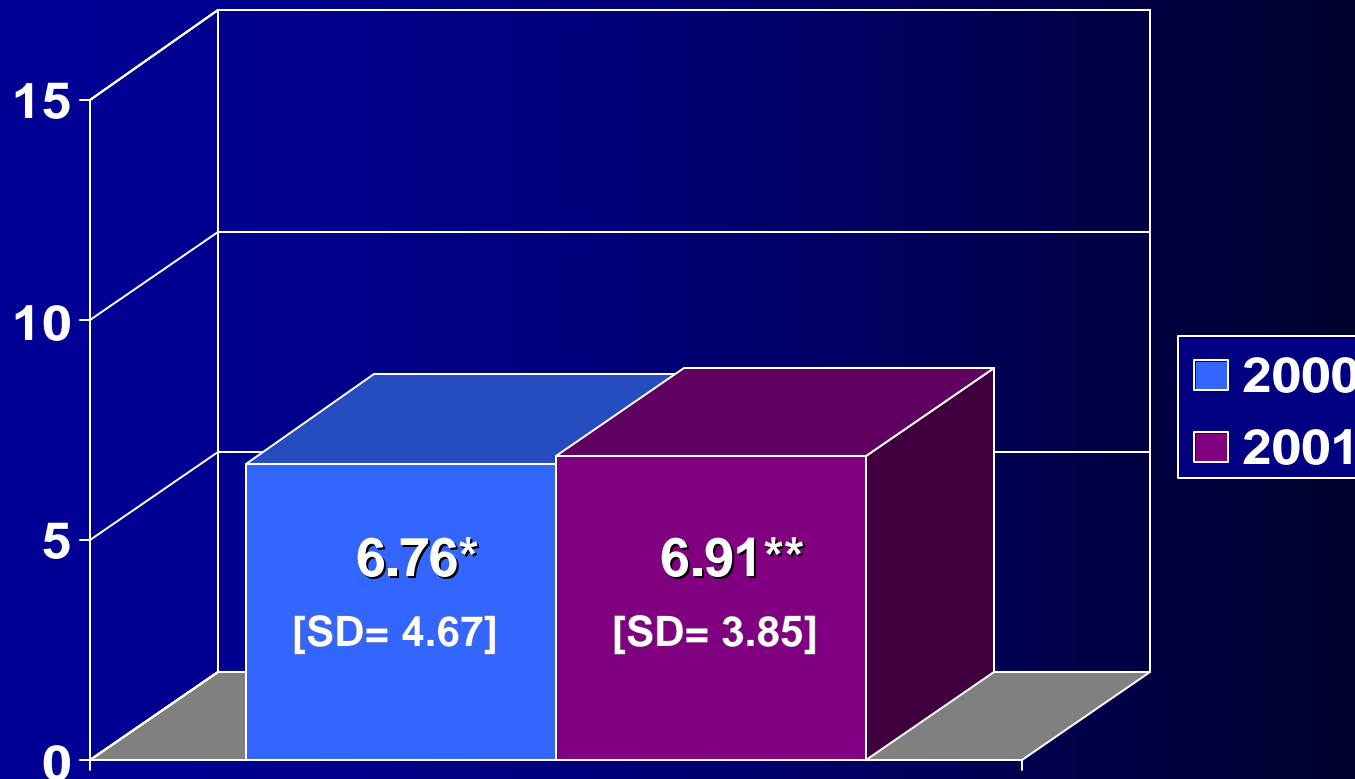
MEAN SEI: Year 2001

* The mean purchase SEI and mean possession SEI are significantly different at $p < 0.05$. The mean purchase SEI and mean use SEI are significantly different at $p < 0.05$.

Possession Local Enforcement Index

MEAN LEI: 2000, 2001

(Max total score – 15 pts.)



MEAN LEI: Years 2000, 2001

* MEAN LEI 2000: 0 to 14 points (N=45 community sites)

** MEAN LEI 2001: 0 to 13 points (N=40 community sites)

Results:

- ✓ **SEI and LEI possession scores were not highly or significantly correlated in 2000 or 2001:**

2000: (r =.24, p =.11)

2001: (r =.15, p =.31)

- ✓ **Local possession laws had higher enforcement scores than state possession laws (relative to their scales of enforcement):**

Possession Enforcement Scores: 50th Percentile or higher		
YEAR	SEI (>= 17.5 pts.)	LEI (>= 7.5 pts.)
2000	20.5%	50.6%
2001	22.9%	50.6%

Discussion:

State possession laws had the highest mean enforcement scores for both 2000 and 2001, while state purchase laws had the lowest scores:

- ✓ **Use laws had enforcement scores that were slightly lower, but very similar, to possession enforcement scores**
- ✓ **PUP laws are more easily enforced when youth are observed smoking**

Discussion:

There was no association between the strength of state and local possession enforcement:

- ✓ **State and local enforcement scores were not highly or significantly correlated**

Higher local enforcement scores suggest more PUP enforcement at the local level vs. the state level:

- ✓ **Local possession enforcement scores were higher than state enforcement scores for both 2000 and 2001**

Limitations:

More comprehensive local enforcement data are needed:

- ✓ Do not have local enforcement measures for use laws and purchase laws
- ✓ **2000 and 2001 LEI possession data reflect ImpacTeen community sites and communities**
- ✓ Local enforcement data for 2000 and 2001 are cross-sectional, not longitudinal

Limitations:

Standardized enforcement measures that could apply to both states and localities are needed:

- ✓ **State and local measures used different questions and data sources to develop enforcement indices**
- ✓ **State and local measures used different scales to develop enforcement indices** (*different maximum point values*)

Future Research:

The study of state and local PUP enforcement measures is ongoing:

- To assess the effects of PUP enforcement at both state and local levels
- To assess the separate and combined effects of state and local PUP enforcement on:
 - ✓ Adolescent smoking behavior
 - ✓ Adolescent attitudes toward smoking
 - ✓ Adolescent access to cigarettes

Future Research:

QUESTION...

Do tobacco PUP laws, INCLUDING MEASURES OF STATE AND LOCAL ENFORCEMENT, have an effect on youth smoking???

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