

Engaging youth in alcohol policy: The Lee Law Project

James F. Mosher and Maia E. D'Andrea

Alcohol Policy Consultations, Felton, CA, United States

Abstract

Aims: (1) Conduct a pilot project to test the effectiveness of a youth development “toolkit” designed to reduce youth exposure to signage on liquor store windows; (2) Highlight the disparity in violation rates of a state law limiting window signage on liquor store windows between low income communities of color and higher income, predominantly Anglo communities.

Design: Pilot project/case study. Participating young people, working with adult coaches, photographed liquor store windows in three communities and determined level of compliance with state law limiting liquor store window signage to 33 percent of total window area and requiring clear view of cash register area in the store.

Setting: Three communities in Santa Cruz County, California, with diverse income and racial/ethnic compositions.

Participants: 71 liquor stores.

Measures: Compliance rates of participating liquor stores with state law limiting the amount and placement of window signage.

Findings: Low income, predominantly Latino community had significantly lower compliance rates than two nearby higher income, Anglo communities. Youth participants successfully engaged community organizations and policy makers in advocating for voluntary compliance.

Conclusions: The toolkit provides a promising model for engaging youth in alcohol policy reform and reducing youth exposure to liquor store signage.

Recent research has documented the impact of youth exposure to alcohol advertising on underage drinking. Babor et al. (2010) conducted a detailed review of this research literature and concluded:

The evidence reviewed has suggested that exposure of young people to alcohol marketing speeds up the onset of drinking and increases the amount consumed by those already drinking. The extent and breadth of research available is considerable, utilized a range of methodologies, and is consistent in showing effects with young people. (p. 96)

Two other research reviews reached similar conclusions (Anderson, de Bruijn, Angus, Gordon, & Hastings, 2009; British Medical Association Board of Science, 2009). This impact is of particular concern because of the serious public health and safety toll associated with underage drinking and the fact that early onset of youth consumption increases the risk of alcohol problems later in life (United States Department of Health and Human Services, 2012).

One source of youth exposure involves outdoor alcohol advertising, including billboards and signage on retail establishments and motor vehicles (e.g., public

transportation, trucks, and taxis). Research suggests that outdoor advertising is associated with the same effects as other forms of advertising (Kuo, Wechsler, Greenberg, & Lee, 2003; Parker, McCaffree, Alaniz, & Cartmill, 2013; Pasch, Komro, Perry, Hearst, & Farbaksh, 2007; Tobler, Komro, & Maldonado-Molina, 2009). Young people cannot be shielded from such advertising since it is located in public spaces that they are likely to observe in the course of everyday tasks and recreation. Several studies have documented that outdoor alcohol advertising is more common in low-income communities of color, raising issues of social and economic justice (e.g., Alaniz, 1998; Alaniz & Wilkes, 1995; Parker, McCaffree, Alaniz & Cartmill, 2013; Pasch, Komro, Perry, Hearst, & Farbaksh, 2009).

Project Overview

The Lee Law Project engages high school students in both research and action to reduce a particular form of outdoor alcohol advertising: signage on off-sale alcohol outlet (“liquor store”) windows. Liquor store signage is a substantial contributor to youth exposure to alcohol advertising, particularly in distressed neighborhoods, where high concentrations of problematic liquor stores are more likely to exist (Parker, McCaffree, Alaniz, & Carmill,

2013). Liquor store window signage also contributes to crime and community blight. Liquor stores may be “hot spots” for crime and violence (Parker, McCaffree, & Alaniz, 2013; Campbell et al., 2009), and window signage that blocks clear visibility into the store makes it more difficult for law enforcement personnel to observe for problems and intervene as necessary. Youth exposure to tobacco and unhealthy food advertising is another problem associated with liquor store windows, a topic beyond the scope of this project.

In recognition of these and other problems associated with liquor store operations, California enacted the “Lee Law” in 1994, named after Barbara Lee, the chief sponsor of the legislation (California Business and Professions Code § 25612.5). It provides in part:

- No more than 33% of liquor store window space can be covered with any forms of advertising or signage;
- Window signage must be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store, including the cash registers.

Four other states (Kansas, Missouri, Texas, and Virginia) place restrictions on liquor store window signage (Center on Alcohol Marketing and Youth, 2013). Other states and many localities may impose restrictions on window signage that apply to all retail outlets, not just liquor stores.

Anecdotal reports suggest that violations of the two Lee Law provisions are common, particularly in low-income communities of color, but no systematic study has been undertaken. The California Alcoholic Beverage Control (ABC) Department, which has primary responsibility for enforcing the Lee Law, reduces the law’s effectiveness by using a narrow and technical interpretation of the relevant legal provision that results in three exceptions (termed “loopholes” for the purposes of this project):

1. Signage that is not actually attached to the window should not be counted in calculating the 33% limitation (e.g., banners in front of the windows or signs posted on shelving visible through the windows);
2. The calculation must include all windows of the establishment without regard to whether they are visible or accessible to the public; and
3. The clear space within signage (e.g., neon signs with lettering) should be excluded from the calculation.

The Lee Law Project involves both research and action components to engage youth in understanding and improving the Lee Law. In the research component, young people determine the level of compliance with the Lee Law provisions, comparing compliance rates across neighborhoods with differing income and racial/ethnic makeup. During the action component, young people take a leadership role in translating the research findings into a campaign to promote enactment of local ordinances that strengthen the Lee Law provisions and promote effective enforcement. Building youth leadership in alcohol policy research and advocacy is thus a core goal of the project.

Methods/Project Description

Collaborating Organizations

Two organizations, California Friday Night Live Partnership (CFNLP) and Alcohol Policy Consultations (APC), collaborated in the project. CFNLP’s mission is to build partnerships for positive and healthy youth development that engage youth as active leaders and resources in their communities with programs focused on preventing underage drinking. It has chapters with both high school and junior high school students in almost all of California’s 58 counties and has developed a wide variety of youth development programs, including ones that engage youth in alcohol policy advocacy. APC is a private consultancy firm with expertise in alcohol policy research, implementation, and evaluation.

The Lee Law Project Toolkit

CFNLP develops “toolkits” for its local chapters that provide step-by-step instructions for CFNLP adult coaches and mentors to guide the implementation of specific programs, including those involving alcohol policy advocacy. CFNLP commissioned APC to develop a toolkit for the Lee Law Project, which is available on CFNLP’s website (California Friday Night Live Partnership [CFNLP], 2013). It is divided into four components:

Component #1: Assess resources and establish timelines

CFNLP encourages its local chapters to assess resources and establish timelines for all of their projects, and the Lee Law toolkit tailors these general principles to this particular endeavor.

Component #2: Conduct research on compliance rates among local liquor stores

1. **Site and Liquor Store Selection:** The toolkit provides guidelines for selecting the cities/neighborhoods/regions to be included in the study. At least two areas should be chosen with disparate racial/ethnic compositions, and all stores within the areas chosen should be included in the study. Procedures for identifying and mapping liquor stores, schools, and other youth-sensitive locations are also provided. Including schools and other youth-sensitive locations in the maps highlights the extent to which retail signage contributes to youth exposure to alcohol advertising.
2. **Data Collection, Variables, and Coding:** The toolkit provides step-by-step instructions for the participating young people and adult coaches to take pictures of all windows and doors at each liquor store included in the project and organize them in preparation of coding. Three variables were selected for coding:
 1. Does the store comply with the 33% Lee Law window coverage requirement when the ABC Department loopholes described above are applied?
 2. Would the store be in compliance if the loopholes are not applied?

3. Can you clearly see the cash register, as required by the Lee Law?

Each variable is assigned one of three codes: Yes (in compliance); No (not in compliance); or Uncertain. For the purposes of analysis, the Uncertain code was treated as a yes—in compliance. (See below for discussion). The toolkit recommends that youth participants conduct the coding as a group with an adult coach guiding the process. Yes and No codes are assigned when there is group consensus; the Uncertain code is used in all other cases. Coders were instructed to use the Uncertain code when there was any doubt regarding compliance to ensure that violation rates were not inflated. It was used most frequently when there were multiple windows with differing levels of coverage, making estimates difficult. Illustrations of 33% coverage are provided to the youth coders to guide the process. The toolkit provides an Excel spreadsheet template for inserting data using the variables and codes described above in preparation for analysis.

Project staff recognized that the coding methodology had weaknesses in terms of inter-coder reliability and standard measurement of the variables. The coding procedures were developed in consultation with the students to ensure their active participation and promote leadership development.

Data Analysis

The toolkit provides instructions for calculating the compliance rates for each region by dividing the number of stores in compliance (with either a Yes or Uncertain code) by the total number of stores. Participants are then instructed to address the following three questions in preparation for developing dissemination materials:

1. Overall, how well do stores comply with the requirements of the Lee Law?
2. How much impact do the loopholes have on the compliance rate?
3. Are there variations in compliance rates across your regions? If so, how do the variations correspond with the income, population, and racial/ethnic demographic data?

Component #3: Publicize results and promote voluntary compliance with alcohol retailers

The toolkit recommends seeking voluntary compliance among liquor store operators before initiating a campaign to enact local ordinances that will strengthen the Lee Law provisions. This anticipates the likely argument by retailers that a new law should not be enacted because they are willing to comply with existing restrictions. It provides step-by-step guidance for preparing the participants' message, developing effective dissemination tools, making presentations to local constituency groups, conducting media advocacy, and preparing for the action campaign described in Component #4. As discussed in the introduction, the results are likely to show that liquor stores in low-income communities of color are more likely to be in violation of the Lee Law provisions. The toolkit encourages highlighting this finding, should it apply.

A key step in the process is preparing a letter to liquor store operators that describes the problem, summarizes the key provisions of the Lee Law (without identifying individual violators), provides an overview of the research results, and urges voluntary compliance. The toolkit recommends having the letter be sent jointly by the CFNLP chapter and a local governmental agency (e.g., the police or planning department). This requires meetings with local officials and offers additional opportunities for youth development and leadership.

Following these dissemination activities, the toolkit instructs the CFNLP chapters to reassess the compliance rates for the same stores selected in Component #2 using the identical procedures used in the initial research phase. The reassessment should take place between 30 and 90 days after the first assessment. The level of voluntary compliance resulting from the public information campaign can then be determined.

Component #4: Implement a Local Ordinance to Strengthen the Lee Law Provisions

The fourth component assumes that the results of the research support the enactment of a local ordinance, i.e., the findings demonstrate (1) extensive youth exposure to alcohol advertising; (2) large numbers of liquor stores that lack of adequate visibility into the cash register area; and (3) lack of adequate voluntary compliance. The toolkit provides a model ordinance with following key components:

- Reduces allowable window coverage to 15% and applies the limitation to each window and clear door (rather than having it apply for the aggregate window and door area);
- Closes the loopholes found in the Lee Law;
- Imposes appropriate penalties for violations, with fines increasing when violations are not corrected (CFNLP, 2013).

The toolkit provides step-by-step guidelines for conducting a local policy advocacy campaign to enact the model ordinance. The guidelines are drawn from other policy advocacy campaigns and are tailored to the specific policy goal of this project and the youth advocates involved (CFNLP, 2012; Community Anti-Drug Coalitions of America, 2011).

Pilot Project

APC launched a pilot program in Santa Cruz County, California, to test the toolkit instructions and guidelines. Three communities were selected: Watsonville, with a large, lower-income Latino population (47 stores), and Aptos (14 stores) and Scotts Valley (10 stores), with primarily Anglo populations and higher income levels. A CFNLP chapter in Watsonville volunteered as participants, with six to ten students participating through the course of the program.

Results

The Watsonville CFNLP chapter successfully completed Components #1 and #2 and portions of Component #3 of the toolkit. Feedback from their efforts has been incorporated into the toolkit, which has been posted online and is now available to other CFNLP chapters as well as other youth groups across the country (CFNLP, 2013).

Figure 1 provides the compliance rates for the three communities. Overall, Watsonville liquor stores had much lower rates of compliance with the two Lee Law provisions (38.3%) than Aptos (71.4%) and Scotts Valley (70%). Focusing just on the 33% window signage requirement, the results show that the Lee Law loopholes had a significant impact on compliance rates. When the loopholes were applied (i.e., the window coverings exempted by the loopholes were ignored for the purposes of estimating the 33% requirement) the compliance rates were similar for the three communities: 72.3% (Watsonville), 73.3% (Aptos), and 80% (Scotts Valley). When the loopholes were not applied (and all window coverings were included in the estimate) the compliance rates dropped to 48.9%, 57.1%, and 60%, respectively.

A striking aspect of the findings is the lower levels of compliance with the requirement that the signage should not block a clear view into the cash register area of the store. Watsonville’s rate of compliance with this provision

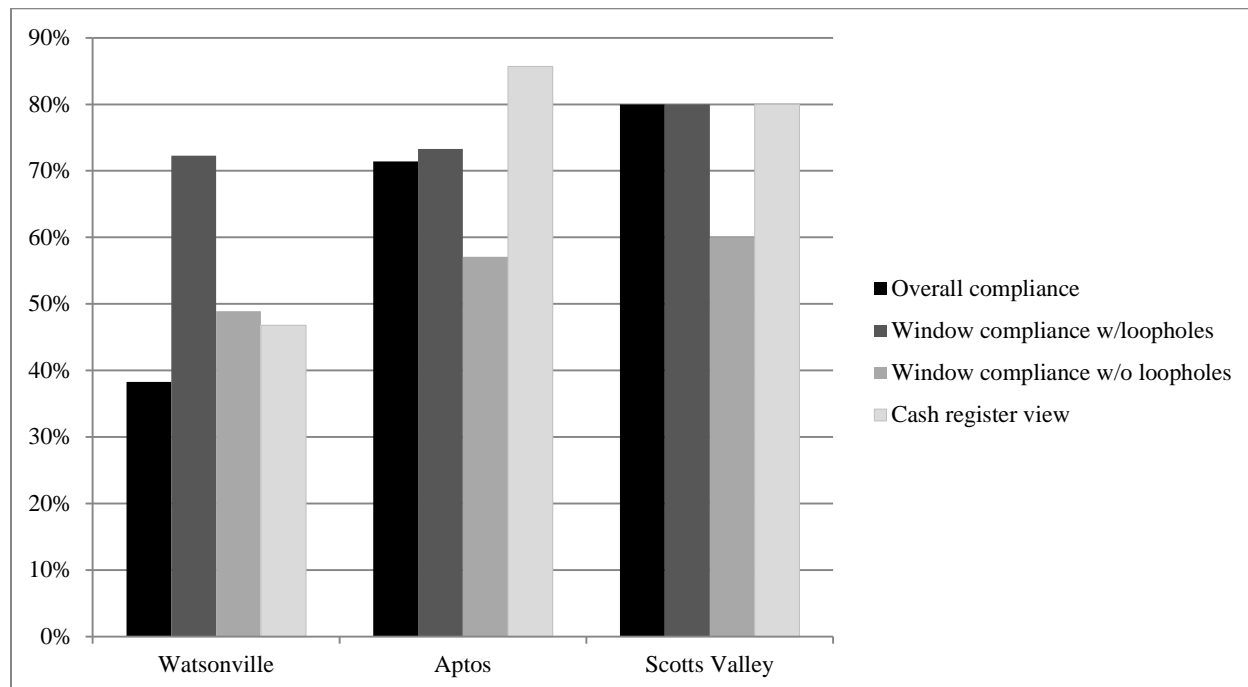
was 46.8%, compared to 85.7% and 80% for Aptos and Scotts Valley, respectively. Seventeen percent of the Watsonville stores complied with the window coverage requirements when loopholes were applied but failed to provide adequate view into the cash register, compared to 4% of the stores in the other two communities.

The Watsonville CFNLP chapter developed a PowerPoint presentation, poster, fact sheet, and merchant letter. The young people also made a well-received community presentation, highlighting the social justice aspect of the results. Adult coaches conducted a meeting with the city’s police chief, a deputy city planner, and others from the police and planning departments (students were not available for the meeting). Plans for distributing the merchant letter are now being developed.

During the dissemination process, city officials alerted project staff that the city had an existing local ordinance that limited window signage coverage to 20% for all retailers, including liquor stores. APC determined that such local ordinances existed in several other California cities and counties, with varying window coverage requirements. The Watsonville Police and Planning Departments agreed to review the ordinance and develop strategies for enforcing it. The toolkit was revised to alert users to possibility that local signage ordinances may exist that can impact the project’s policy goals.

Figure 1

Lee Law Compliance Rates, 2013, Watsonville, Aptos, Scotts Valley, California



Discussion

The Santa Cruz County pilot program demonstrated that the first two components of the Lee Law toolkit are feasible, promoting youth leadership in engaging in alcohol policy research that has significant policy implications. Portions of the third component were successfully implemented, although challenges remain for completing the rest of the process. Most importantly, the pilot program has struggled with youth turnover in the Watsonville CFNLP chapter, as well as with scheduling key aspects of the components to coordinate with school schedules. Timetables have had to be adjusted and recruitment of new participants is underway. As a result, the remaining toolkit action steps have not been tested.

Still, intangible benefits of the project are evident. The students gained important research and advocacy skills, organizing data, coding, and conducting data analysis, disseminating the results, and engaging in public speaking. A project goal was to highlight the disparity in compliance rates and relate this disparity—that liquor stores in low-income communities of color are more likely to be in violation of the law without legal consequence—to social justice concerns. This goal was achieved among the student participants, who understood the goal and the importance of documenting it as part of a project to promote social change.

The compliance rates results in the Santa Cruz County pilot study should be viewed with caution. Sample sizes are small, coding procedures had weaknesses, and the data analysis lacked scientific rigor. As discussed in the introduction, the project's goals involved building youth leadership in both research and advocacy, with opportunities to learn the important links between the two activities. The preliminary results suggest that these goals were met. The project used a conservative coding design to limit the possibility that liquor stores in compliance were mistakenly coded as out of compliance, and, in any event, the results were not used, nor were they intended to be used, to determine the actual violations of particular stores.

At least six additional CFNLP chapters have begun implementation of the program and are at various stages in the process. The toolkit's guidelines have had to be adjusted to address the particular circumstances of each geographic area. For example, rural communities have a limited number of liquor stores and nearby communities with differing demographic characteristics may not be available. Further refinement of the toolkit is anticipated as these additional chapters report results and experiences.

A Massachusetts youth group is also initiating the project, suggesting that it can be adapted to states other than California. Project organizers will need to determine whether any state or local law exists that restricts window signage on retail windows that would apply to liquor stores. If there are no existing laws, the project will need to replace the compliance calculations used in the toolkit with a best-practices compliance calculation (e.g., the 15% standard used in the model ordinance). The findings can then be

used to promote the adoption of a new state or local law that incorporates the best-practices standard.

In sum, the Lee Law Project provides a methodology for engaging youth in a public policy research and advocacy effort focused on three important alcohol policy issues: youth exposure to alcohol advertising, the impact of liquor stores that fail to comply with window signage requirements, and the heightened exposure to alcohol advertising experienced by youth in low-income communities of color. Preliminary results of a pilot project suggest that the project can build youth leadership skills, resulting in community alcohol policy reform.

References

- Alaniz, M. (1998). Alcohol availability and targeted advertising in racial/ethnic minority communities. *Alcohol Health and Research World*, 22, 286–289.
- Alaniz, M., & Wilkes, C. (1995). Reinterpreting Latino culture in the commodity form: The case of alcohol advertising in the Mexican American community. *Hispanic Journal of Behavioral Sciences*, 17, 430–451.
- Anderson, A., de Bruijn, A., Angus, K., Gordon, R., & Hastings, G. (2009). Impact of alcohol advertising and media exposure on adolescent alcohol use: A systematic review of longitudinal studies. *Alcohol & Alcoholism*, 44, 229–243.
- Babor, T., Caetano R., Casswell S., Edwards, G., Giesbrecht, N., Graham, K., . . . Rossow, I. (2010). *Alcohol: No ordinary commodity* (2nd ed.). New York, NY, United States: Oxford University Press.
- British Medical Association Board of Science. (2009). *Under the influence: The damaging effect of alcohol marketing on young people*. London, England: British Medical Association Board of Science.
- Campbell, C., Hahn, R., Elder, R., Brewer, R., Chattopadhyay, S., Fielder, J., . . . Middleton, J. (2009). The effectiveness of limiting alcohol outlet density as a means of reducing excessive alcohol consumption and alcohol-related harms. *American Journal of Preventive Medicine*, 37, 556–559.
- Center on Alcohol Marketing and Youth. (2013). *State laws to reduce the impact of alcohol marketing on youth. Current status and model policies*. Baltimore, MD, United States: Center on Alcohol Marketing and Youth.
- Community Anti-Drug Coalitions of America. (2011). *Strategizer 55: Regulating alcohol outlet density – An action guide*. Alexandria, VA, United States: Community Anti-Drug Coalitions of America.
- California Friday Night Live Partnership. (2012). *Guide to engaging youth in policy change*. Retrieved from <http://www.fridaynightlive.org/wp-content/uploads/CFNLP-policy-toolkit-v3.pdf>
- California Friday Night Live Partnership. (2013). *Using the Lee Law to reduce youth exposure to retail outlet alcohol advertising*. Retrieved from http://www.fridaynightlive.org/wp-content/uploads/CFNLP-Lee-Law-toolkit-draft_v2.pdf

- Kuo, M., Wechsler, H., Greenberg, P., & Lee, H. (2003). The marketing of alcohol to college students: The role of low prices and special promotions. *American Journal of Preventive Medicine*, *25*, 1–8.
- Parker, R., McCaffree, K., & Alaniz, M. (2013). Alcohol availability and violence among Mexican American youth. In R. Parker & K. McCaffree (Eds.), *Alcohol and violence: The nature of the relationship and the promise of prevention* (pp. 31–37). Lanham, MD: Lexington Books.
- Parker, R., McCaffree, K., Alaniz, M., & Cartmill, R. (2013). Sexual violence, alcohol, and advertising. In R. Parker & K. McCaffree (Eds.), *Alcohol and violence: The nature of the relationship and the promise of prevention* (pp. 39–60). Lanham, MD: Lexington Books.
- Pasch, K., Komro, K., Perry, C., Hearst, M., & Farbaksh, K. (2007). Outdoor alcohol advertising near schools: What does it advertise and how is it related to intentions and use of alcohol among young adolescents? *Journal of Studies on Alcohol and Drugs*, *68*, 587–596.
- Pasch, K., Komro, K., Perry, C., Hearst, M., & Farbaksh, K. (2009). Does outdoor alcohol advertising around elementary schools vary by the ethnicity of students in the school? *Ethnicity and Health*, *14*, 225–236.
- Tobler, A., Komro, K., & Maldonado-Molina, M. (2009). Relationship between neighborhood context, family management practices, and alcohol use among urban, multi-ethnic, young adolescents. *Preventive Science*, *10*, 313–324.
- United States Department of Health and Human Services. (2012). *Report to Congress on the prevention and reduction of underage drinking*. Washington, DC, United States: Author.