



Lane County Coalition to Prevent Substance Abuse

Prevent substance abuse in Lane County by coordinating, collaborating and linking people to effective resources.



The Minor in Possession Process: How Well is it Implemented in Lane County, Oregon? Executive Summary

It is unlawful in Oregon for anyone under age 21 to purchase, acquire, possess or consume alcoholic beverages and other alcoholic products. The only exception to Oregon Revised Statute 471.430 (Minor in Possession violation or MIP) is when a minor is in a private residence accompanied by his or her parent or guardian and the parent or guardian gives consent for the minor to consume and/or possess alcohol in the private residence.

What happens in Lane County then, when youth ages 17 and below (minors) break this law and consume or possess alcohol¹?

The members of **Lane County Coalition to Prevent Substance Abuse** (*the Prevention Coalition*) collected countywide law enforcement data on MIP for alcohol violations (see page 4). The Prevention Coalition noticed the widely varying numbers of young violators cited for MIP alcohol over different police jurisdictions and throughout the years. In response to those data, the Prevention Coalition began interviewing representatives of agencies to assess agency protocol for MIP alcohol citations. Here are the questions asked of them:

- A. Which agencies have a role in working with Lane County youth cited for MIP;
- B. What are the policies and implementation guidelines for each agency operating within the MIP process;
- C. How does the MIP process work well;
- D. What (if any) improvements can enhance the efficacy of the MIP process.

The report that follows is a summary based on those interviews with police officers, alcohol and drug treatment providers, Peer Court representatives, Youth Services personnel, school administrators, and a circuit court judge. The report contains process, opinions, perceptions, facts and ideas of people who play a part in this MIP process, as well as general agreements and policy suggestions to enhance the MIP process.

¹ Youth between ages 18-20 are cited into municipal court where they have a unique set of requirements from which to follow through. This report shall focus only on criteria aimed at youth ages 17 and under.

General Agreements about Minor in Possession Policy and Implementation:

The prevention coalition and many of those interviewed generally agree:

- A prompt response to a youth cited for MIP sends a powerful message that underage drinking is unacceptable. The Minor in Possession process, enacted quickly and thoroughly can be a powerful deterrent to underage drinking among Lane County minors.
- A strongly enforced MIP process can help change community's general acceptance and tolerance toward minors' drinking alcohol.
- It is strongly recommended that evidence-based research, practices and philosophy be implemented to best impact minors cited for MIP.
- There is an increasing problem of middle school youth (ages 11 – 14) who are coming to school either already intoxicated or possessing alcohol. Threatening to take away drivers' licenses has little meaning to this age group. There is a dearth of meaningful consequences as well as a dwindling number of resources (personnel, programs) to help such children. Researching and implementing effective strategies for this age group is of great importance.
- The majority of youth cited for MIP (alcohol) rarely re-offend. For the minority numbers of youth who do re-offend, they typically began using alcohol, tobacco and/or marijuana at a younger age.
- Youth who begin drinking alcohol early and often prior to age 15 are 40% more likely to become addicted to alcohol or other drugs.
- A diversion program that includes a comprehensive alcohol and other drug assessments for cited youth could interrupt a developing cycle of alcohol misuse.

Key Policy Recommendations:

These recommendations are offered to strengthen interagency collaboration and commitment to intervene promptly when young people possess or consume alcohol. These recommendations could also help to create a community expectation that underage consumption and possession of alcohol is unacceptable.

- Convene meetings of all agency representatives (both leaders and staff) who have protocol to address youth cited for MIP. The purpose of such meetings would be to address the real and perceived interdepartmental barriers that prevent effective implementation of this process.
- Investigate and invest in evidence-based and appropriate and effective sanctions for youth ages 15 and below.
- Create collaborative working partnerships among law enforcement personnel, so that municipal, state and county law enforcement departments can consistently cite MIPs throughout incorporated and unincorporated Lane County.
- Increase funding to Peer Courts to better serve youth cited for MIP.
- Increase the numbers of School Resource Officers (SROs) to serve Lane County's elementary, middle and high school campuses.
- Increase capacity for treatment providers to provide evidence based services and curricula for parents and minors.

- Have alcohol and other drug assessments conducted by Department of Youth Services. DYS would then make referrals to appropriate treatment services in town.
- Take a look at civil and/or criminal social host ordinances and other policy ideas to systematically address issues related to underage drinking

See Page 14 for additional suggestions and ideas.

General Overview of MIP Process:

Lane County's Department of Youth Services (DYS) manages all MIP cases. Case management begins at the time of citation by any Lane County law enforcement officer. From that citation date, DYS has six months in which to file a petition to bring a youth to court. If the MIP is a first offense for the minor, DYS often assigns the youth to diversion. Diversion is an opportunity for a minor to (a) bypass Circuit Court, (b) receive a drug and alcohol assessment, and (c) participate in programs to help the minor make healthy choices in the future. If all of the diversion requirements are satisfied, the citation is expunged from the youth's record². If the requirements are not satisfied, DYS files a petition for the minor to go to court to receive sanctions and no expungement occurs.

There are two types of diversion programs:

1. Minors are assessed for drug or alcohol dependence and are required to act on recommendations from approved alcohol and drug treatment centers. Once the recommended steps are achieved within a six month time frame, the minor, once he or she turns 18 may apply to have his or her record expunged or erased.
2. Minors may have an opportunity to participate in Peer or Teen Court. Lane County currently has four operating Teen Courts where the cited youth is tried and sentenced by a jury of youth peers. The minor must be assessed for drug or alcohol problems and also comply with all sentencing requirements within a six month time frame. The youth may apply to have his or her record expunged or erased upon successful completion of his or her requirements.

Note: If the youth does not comply with the diversion terms, then DYS files a petition with juvenile Circuit Court. If the petition is 'true' or shows that the diversion terms were not met by the youth, then stronger sanctions apply.

Description of the Prevention Coalition

The **Lane County Coalition to Prevent Substance Abuse** (Prevention Coalition) is a countywide group of concerned individuals and agency representatives whose mission is "Prevent substance abuse by coordinating, collaborating and linking people to effective resources." The goals of the coalition are to: (1) Reduce risk factors

² Immediate expungement only occurs in Peer Court, when the youth has successfully completed the requirements. In all other successfully completed cases in Lane County, the youth must apply to have their cases expunged when they reach age 18.

associated with substance abuse; (2) Increase protective factors that minimize risk of youth substance abuse; and (3) Increase citizen participation to reduce substance abuse among youth.

The prevention coalition supports evidence showing that youth who begin drinking before age 14 are five times more likely to develop alcohol dependence compared to people who wait until age 21³. The prevention coalition seeks to change the conditions that allow young people to feel that it is acceptable to drink alcohol. Lane County data from the 2005 Oregon Healthy Teens survey show that within the last thirty days, 28% of Lane County's 8th graders has already drunk alcohol and that 12% of Lane County 8th graders binge drank (drinking five or more alcoholic drinks in one setting).

LIQUOR VIOLATIONS* OF LANE COUNTY YOUTH

Law Enforcement Agency**	CY 2003	CY 2004	CY 2005
Eugene Police Department - ages 18-20 (ages 17 and under)	1206 (338)	1645 (308)	1178 (271)
Springfield Police Department - ages 18-20 (ages 17 and under)	80 (118)	88 (122)	188 (199)
Junction City Police Department - ages 18-20 (ages 17 and under)	14 (15)	7 (8)	15 (15)
Oakridge Police Department - ages 18-20 (ages 17 and under)	11 (22)	14 (18)	24 (17)
Cottage Grove Police Department	Data not provided		
Florence Police Department - ages 18-20 (ages 17 and under)	26 (23)	14 (12)	14 (7)
Coburg Police Department	Data not provided		
Lane Co. Sheriff's Office - ages 18-20 (ages 17 and under)	69 (31)	93 (31)	59 (31)
Total of Liquor violations ages 18-20 (Total liquor violations ages 17 & under)	1406 (547)	1861 (499)	1478 (540)
Numbers of youth (ages 17 and under) cited for MIP who have completed requirements	Data not provided		

* Only Furnishing and MIP alcohol for ages 17 and below (codes 2220 and 2230)

** These numbers are subject to many variables including: priorities among each police department, what communities want their law enforcement departments to prioritize, officer discretion to cite MIP, whether citations occur (on or off school properties), numbers of law enforcement officers per population, etc.

³ *Archives of Pediatrics & Adolescent Medicine* (volume 160, pages 739-746).

INTERVIEW SUMMARIES

The information in this portion of the report appears as follows: (a) The box outlines basic organizational roles of each agency. (b) The “how the process works well” section showcases how the MIP process works well from the agency representative’s perspective. (c) The section entitled “Key Questions and Perspectives”, addresses perceived and/or real barriers that dilute the efficacy of the MIP process from the interviewee perspective.

LAW ENFORCEMENT OFFICERS' ROLES WITH MINORS IN POSSESSION (MIP)
All law enforcement officers have discretion to cite a youth.
Law enforcement officers can cite for possession and/or consumption of alcohol, in addition to possession of tobacco and less than one ounce of marijuana.
The officer writes a citation and sends it to the sergeant who signs off on it.
The citation is sent to police department “records” for computer entry. The citation is routed via courier to Lane County’s Department of Youth Services (DYS).
The citation goes to (DYS) Supervision Services, where all MIP reports from Lane County go. The data is entered into a” J-JIS (a juvenile justice data base).

LAW ENFORCEMENT - How the process works well:

- School resource officers (SROs) are sworn law enforcement officers assigned to school properties. They deal with MIP, teach crime prevention and substance-abuse classes, monitor and assist troubled students, and build respect and understanding between law enforcement and students. They also assist in the identification of physical changes and policy procedures that may reduce crime. They often serve as mentors. Those SROs who are assigned to a small geographic area, are able to have a very visible presence and positive effect on campus and the immediate vicinity.
- Once students recognize the roles and duties of SROs, most of interactions between SROs and students are positive.
- When SROs combine consistent law enforcement with educating students about the law, they are effective in reducing MIPs.
- With some SROs, the turn around time from citation to superiors to DYS is 'just a couple of days.'
- Schools that have SROs who understand their role and capacity, are generally very pleased with the preventative and law enforcement services that the SRO provides.

LAW ENFORCEMENT - Key questions and perspectives

- Anywhere along this process from writing a citation to having it entered into the J-JIS data system, there are many possibilities for (institutional) delays.
- Unlike SROs, some law enforcement officers minimize the seriousness of MIPs.
- Within Lane County, there is an under representation of sworn officers to properly enforce MIP violations.
- There is an opportunity for all branches of law enforcement to forge collaborative relationships between, so that officers can uniformly cite MIP within all law enforcement jurisdictions. (This includes: municipal police departments, the Sheriff's Office, State Police, and US Forest Service).
- Some officers believe the MIP process is clogged with too many cases or that there is not enough substance abuse treatment for youth. These perceptions delay or even prevent some officers from citing youth for MIP.
- Some law enforcement officers say if the community wanted law enforcement to cite young people, then law enforcement would cite more young people for MIP.
- Some law enforcement officers note that when there are many MIPs, (e.g.: at an underage drinking party), youth scatter when law enforcement shows up. It is difficult to keep many youth present during the citing and writing of the MIP face sheets.
- Some law enforcement officers believe that schools ought to have a heightened role in teaching children about alcohol, tobacco and other drugs.
- In rural unincorporated Lane County, some law enforcement officers believe it is the school's job to deal with MIPs on school property.
- Many adults believe it is a right of passage for young people to drink alcohol. This community norm of tolerance for youth drinking alcohol is dangerous, especially since most youth drink to get drunk.

DYS INTAKE COUNSELOR'S ROLE OF MIP PROCEDURE

All law enforcement agencies throughout Lane County, including the Sheriff's Office, send all MIP citations to DYS. The citation is couriered to DYS receptionist.

The receptionist date stamps the citation and enters the information into J-JIS (a juvenile justice data base).

If the youth does not already have a file, the DYS receptionist creates a new file which includes a 'blue sheet' with pertinent information. The receptionist places the blue sheet into the receptionist basket where staff from intake control picks it up to make a file. At this time, if the youth is eligible for diversion, DYS sends a letter to the parent/guardian.

The letter addressed to parents or guardians, advises them that their child received an MIP (and perhaps other violations of the law) and outlines the process to deal with the DYS related consequences of possession or consumption. The information contained in the form letter is only as good as the information collected by the police. Most of the time (90%), the

information is correct. Some of the time, the information is not correct (e.g.: faulty information to police, no address given, etc.).
If the youth already has a file, the citation goes into the file, which generates the same form letter described above. If the youth already has an open case with a juvenile counselor the new report goes to that counselor to manage.
From citation to sending out letters: the process can be short (a few days) to long (a week or longer)
At this point, the Intake Counselor gets the files from reception or Intake Control. The Intake Counselor's job is to manage the process and progress of each client. The counselor enters all of the data into an excel spreadsheet to track the progress of the youth. The information collected includes the following: name, date of offense, treatment provider, outcome of treatment, expiration date for DYS case management, number of reminder letters sent, whether individual and family are or are not following through with DYS criteria. The counselor does this only for youth who are eligible for diversion.
The counselor currently works 15-20 hours per week. As of early February 2006, she was managing 124 open cases (even though this case load is difficult to effectively manage, the Intake Counselor says this is a low number of cases).
If the minor does not comply with the diversion criteria within the 6 month time frame, then the counselor drafts a petition for that youth to go to court.
The Counselor spends a lot of time on the phone checking in with parents, treatment agencies, and others to assess where the youth is with his/her consequences of being caught as a minor possessing or consuming alcohol.

DYS - How the process works well:

- DYS relies upon best practices to guide their policies. For example, research has shown that diverting a youth to get a treatment assessment is more effective at deterring repeat offenses than sending than youth to court.
- Most families are open to the MIP process
- Those youth who want to do well (the majority of youth cited) follow the process
- Many law enforcement professionals are citing youth.
- Many parents are concerned about their youth
- The Intake Counselor has good working relationships with treatment providers
- DYS has created and maintains a staffing position to deal with youth cited for MIP

DYS - Key questions and perspectives:

- More dedicated staff time within DYS to deal with MIP-related violations is needed. Currently, there is .37 to .5 FTE dedicated to the MIP process. This person must manage on average about 140 open cases at a time.
- The Intake Counselor has strong relationships with members from the treatment agencies who manage the assessments and treatment plans for youth with the

MIP. However, timely communication is important to speed up the process for youth and families. Additionally, HIPAA (Health Insurance Portability and Accountability Act) requirements and procedures slow down the communication process between DYS and treatment providers. HIPAA regulates (among other things) the security and privacy of health data as well as establish national standards for electronic health care transactions.

- The information contained in the form letter is only as good as the information collected by the police. 90% of the time, police data are accurate. 10% of the time, it is not and letters get sent back to DYS.
- Sending letters to parents or guardians weeks after the alleged violation is not an effective consequence for the youth. Perhaps a youth can be arraigned to a community accountability board so that the youth gets a more immediate consequence for his/her actions of possessing and consuming.
- DYS works as diligently as possible to tell youth cited for MIP and their parents that the youth must receive an assessment from an Alcohol and other Drug Treatment agency to establish problem use (if any).
- It would be helpful for DYS to have a listing of evidence based parenting classes that are occurring throughout Lane County that the Intake Counselor can refer parents to take.
- There is a need for more resources for the MIP process to be more effective. Given that DYS handles violations as well as criminal offenses, the misdemeanors get overlooked in order to concentrate efforts on more serious criminal offenses.
- Increase appropriate school interventions and responses to youth cited for MIP so youth can get prevention services while remaining in school.
- Increase collaborative relationships between schools and DYS so that interventions with students are collaborative and evidence based to be effective and good for the student.

TEEN COURT ROLE WITH MIP PROCESS

Some Teen Court officers look for Police Department's reports of citations to find eligible youth to participate in Peer or Teen Court.

Within a few days, Teen Court officers send letters of invitation to qualified youth and parents to participate in Teen Court. If the family does not approve participation in Teen Court, the citation goes to DYS.

If the family agrees to participate, Teen Court officers have the parent(s) and youth in their offices to conduct a Teen Court intake form, which captures data such as: their account of the story leading to a citation, the skills and interests of the youth, transportation possibilities, etc. This intake form helps with sentencing guidelines.

All youth must receive an Alcohol and Drug assessment from one of three alcohol and drug treatment agencies in Lane County prior to going to Court.

The jury is comprised of 6-8 youth peers. A judge is an attorney. The case presenter is a student. Not all youth participating have been cited by the police department. In fact, there is great youth volunteer participation in these Teen Courts. In some courts, a case presenter provides information to the jury about the offense and the defendant. Under oath, the defendant answers questions and may make a statement or present other information for the jury's consideration.

The Teen Court jury determines appropriate and constructive sentencing consequences

Teen Court - How the process works well:

- Department of Youth Services conducted an in-depth evaluation of Lane County's Teen Courts. The evaluation results show that a larger percentage of youth who have participated in Teen Courts had significantly fewer crimes and a lower recidivism rate than a comparison group. The study also found that at the two-year follow-up period the youth courts group was ten percent more effective at reducing crime. This impact produced more than \$325,000 in cost savings when looking at the probability of re-offending.
- There are four Teen Courts operating throughout Lane County (Eugene, Cottage Grove, Oakridge, and Florence/Mapleton)
- Many School Resource Officers are good about citing kids when they know about Teen Court
- DYS has protocol set in place to deal with MIPs. This policy allows for consequential action to take place.
- Many School administrations are good about working with Teen Courts.

Teen Court - Key questions and perspectives:

- DYS has a six-month jurisdiction in which to deal with the youth cited. Given there are at times institutional delays in the police report going to DYS, DYS assigning the case and reaching the family, a six month jurisdiction can end quickly. When the six months is up, the case is either closed or sent to court for further action. The Peer Court perspective is that *under current practices*, the six-month jurisdiction is not long enough to have youth fairly meet their criteria set forth by MIP process.
- Families have a choice of going to one of three alcohol and drug treatment agencies within Lane County that conduct treatment assessments for youth cited for MIP. Each agency conducts an assessment, and then assigns a treatment plan for the youth that only that treatment agency can conduct. Some parents see this as a conflict of interest.
- *Some* parents who have no insurance and are trying to access treatment for their child, feel that the only option is to pay the full out-of-pocket expenses. For some families, this is cost prohibitive.
- At times, there is a misunderstanding of treatment providers when Peer Court staff try to ascertain information about their clientele. Peer Court does NOT want to know about diagnosis. It seeks to ascertain whether a youth followed through with treatment recommendations. This is a challenge for Peer Court staff to maintain good records for their clientele.
- Some law enforcement officers, who may not be as aware of Peer Courts or the MIP process are less likely to cite youth.
- Peer Courts exist only in four Lane County communities and are not adequately funded.

Alcohol and Other Drug Treatment (AOD) Providers

There are three alcohol and drug treatment facilities in Lane County. They are all located in the Eugene-Springfield Metro area. The treatment agencies provide assessments for Lane County youth cited for MIP.

ALCOHOL AND DRUG TREATMENT PROVIDERS' ROLE WITH MIP PROCESS

The youth and/or their parents set up an appointment with a recommended treatment agency where certified alcohol and drug counselors complete a thorough 2⁺ hour long Biological-Psychological-Social Assessment of the youth.

Assessment fees generically cost about \$110 for an individual. Insurance or Oregon Health Plan can be billed where applicable. Family income levels are taken into consideration for billing. Sliding scale fees are available. The majority of MIP clients pay through the Oregon Health Plan, private insurance, use an available treatment slot paid for by public dollars, or pay out of pocket for treatment services.

<p>The assessment explores six specific dimensions based upon biology, psychological and social criteria. The certified alcohol and drug counselor then determines the level of difficulty each patient is experiencing within each dimension as well as which level of alcohol or other drug treatment (if any) the patient will need.</p>
<p>The treatment agencies notify DYS when youth show up for their appointment. However, for some agencies, there is a high 'failure to appear' rate.</p>
<p>For the youth who do not need treatment (most of the youth), treatment providers recommend that they and their family attend a class that addresses signs, symptoms, choice making, affects of alcohol on the developing adolescent brain and body, and consequences of use etc.</p>
<p>For the youth who need treatment on average, they need about 3 months of outpatient treatment.</p>

All treatment professionals agree that it is valuable to provide a comprehensive assessment to youth. All treatment professionals agree that they can conduct many more assessments for youth cited for MIP.

Alcohol and Drug Counselors - How the process works well:

- Parents and youth respond very well to rewards and strength based activities. These need to be part of the grounding philosophy of the entire MIP process.
- DYS has jurisdiction of the MIP process for six months. After six months, the case is either closed or sent to court.
- A large number of youth comply with the requirements.
- Many of the prevention and intervention classes offered by treatment providers give opportunities for adults learn parenting and communication skills. Youth classes address peer influence, family influence, choice making, functional families, accountability, prescriptive parenting tips, role plays, etc. Many families appreciate these classes.
- Most of the youth referred to treatment by peer courts do complete the assessment.

Alcohol and Drug Counselors - Key questions and perspectives:

- If families contact the treatment provider toward the end of that six-month window, there is less chance of client follow through within the six month time frame.
- After six months, DYS sends a letter to youth and families stating DYS no longer has jurisdiction over the youth. Some youth choose not to follow through with their treatment plans.
- In about 10-20% of the bio-psycho-social assessments conducted on the young client, some serious conditions are diagnosed ranging from chemical dependency to abuse/trauma histories, mental illness, major family substance use, dysfunction, learning disabilities, etc. DYS does not have jurisdiction to

mandate additional treatment for such clients nor is there additional funding to provide further assessments or treatment for this clientele.

- Parenting classes and youth education classes organized by the treatment facilities must be grounded in evidence based practices, per Senate Bill 267.
- For rural youth cited for MIP, it is exceedingly difficult to arrange transportation to Eugene-Springfield to have the youth assessed. Although some public transportation is available in some rural areas, the schedules are infrequent and the drops off points in town are still far away from the treatment facilities. Then the youth would need to still access transportation back home. These are significant barriers.
- Poverty and lack of coverage (Oregon Health Plan) are real barriers that prevent youth from following through with the diversion requirements.

SCHOOL'S ROLE WITH MIP PROCESS

Because each of the 16 school districts within Lane County has its own handbook that details how to handle alcohol and drug issues among students – both on and off school campus, this report does not summarize the school's role with MIP process.

Many schools have *Care Teams* consisting of counselors, administrators and teachers. The purpose of Care Teams is to support students with substance abuse issues (among other issues). Once a student is referred to a Care Team, the team develops an action plans for supporting the student with his/her particular issues.

Per ORS, schools are mandated to provide substance abuse prevention curricula to students. Although many schools have the evidence based curricula and the training, they are faced with many challenges including: large class sizes, too few teachers, not enough teacher preparation time and too many topics to address per year to dedicate the amount of time and energy needed to properly implement these curricula.

All schools have codes of conduct for athletes and students in school sponsored activity groups. These students are held to higher standards than other students. Most parents sign codes of conduct contracts for their student. Thus school administrators have additional tools and sanctions that they can impart if such students are caught possessing or consuming alcohol and other drugs. Codes of conduct can vary among school districts.

Schools: How the process works well.

- For those schools that have school resource officers (who know the importance of building relationships with students) or DYS employees based at the schools, MIP situations can be handled efficiently and more effectively. This greatly helps create clear standards and high expectations of healthy youth behavior and prevents substance use among students.

- All districts have athletic/activity codes that address student use of alcohol and other drugs. These codes give school administrators additional tools to utilize if athletes or students in school sponsored activities are cited for MIP.
- Many school districts have policies that require student to receive alcohol and other drug assessments from AOD treatment providers if they are caught drinking or possessing alcohol on school campus.
- It is the experience of some school administrators that girls are using alcohol and other drugs as much as boys are, but fewer MIPs for girls are written (anecdotal).

Schools - Key questions and perspectives:

Schools' MIP protocol generally state that if there is an MIP violation on school property, school officials must call law enforcement. In rural, unincorporated Lane County, law enforcement officials have a difficult time making it to the schools, due, in part, to low officer to resident coverage. When law enforcement officers do not come, schools have little other leverage to deal with the student who possess or have consumed alcohol. One of the unfortunate unintended outcomes of lack of follow through is that many students witness that nothing serious will happen if they consume or possess alcohol on school property.

- Schools recognize that law enforcement resources are stretched thin. In rural, unincorporated communities, where the Sheriff's Office has law enforcement jurisdiction, on average, MIP factors low on the priority list. There is 0.25 law enforcement officers per 1000 residents and only 2-3 on patrol responding to calls for all of Lane County. They either don't respond or take a long time to respond.
- Some rural school district administrators believe that some rural law enforcement officers believe that MIP on campus is a school district problem, not one for law enforcement.
- School administration is often not informed if its students were cited for MIPs off of school property. If schools were informed, schools could provide additional resources to help the student.
- Some rural school district administrators experience long delays from the citing of a student to any DYS involvement. This is a weak start to the whole process.

Report Conclusion:

The Prevention Coalition concludes that consistent enforcement and follow up for MIP Minor in Possession is a good standard practice to deal with young people who commit the unlawful violations of consuming or possessing alcohol. While many agencies are doing their part to implement their protocol, the comprehensive MIP process has the potential to be much stronger. The process loses its efficacy and strength in three distinct arenas: (a) weak interagency interactions (b) faulty interagency perceptions and (c) lack of agency resources.

To maximize the strength of this process, all of the agency leaders and staff must address and change these perceived and real barriers that are noted in this report.

This can happen through deliberate and authentic interagency cooperation coordination and collaboration. Once these barriers have been meaningfully and creatively addressed, then a look into needed resources would be a logical next step.

Additionally, the Prevention Coalition concludes that an investment in evidence based practices and services is crucial. This follows the 2003 decision that Oregon State Legislature made when it passed "Senate Bill 267". Programs intended to reduce the propensity of a person to commit a crime, reduce anti-social behavior leading to juvenile crime, or improve the mental health of a person to reduce the need for emergency mental health service should be evidence-based. This means that agencies⁴ receiving public dollars must provide services or programs that incorporates significant practices based on scientific research and is cost –effective. With regard to MIP violations, this guarantees that services and practices will be effective in promoting the most positive outcomes for the minors, their families and the community at large.

What follows below are additional ideas that the Prevention Coalition received from interviews. These ideas appear in random order.

Suggestions and Ideas to Enhance the Efficacy of MIP Process:

- Schools want stronger communication with law enforcement and DYS when a student is cited for MIP. Many if not all schools have "care teams" that can provide additional services for the students.
- Increase the numbers of School Resource Officers on school campuses – primarily in elementary and middle schools.
- Have law enforcement target MIP as an enforcement focus.
- Have the Oregon Schools Activities Association streamline and standardize policies about alcohol and other drug misuse among student athletes; based on best practices..
- Research the efficacy of deputizing school officials.
- Look at the 1991 Memorandum of Understanding entitled: Substance Abuse Intervention/Networking program and revitalize/update it.
- Research and implement age appropriate sanctions for younger youth. The current consequence of license revocation has little to no meaning for youth under age 15 cited for MIP.
- Poor rural youth who are cited for MIP may not have the resources, including: transportation, economic or parental supportive resources to follow through with the MIP criteria.
- Have law enforcement agencies and DYS prioritize the citing and processing of MIPs for young youth ages 14 and below. This would allow the MIP process to be utilized as a way to intervene in the life of young adolescents prior to their becoming dependent or addicted to alcohol or other drugs and/or prior to repeated appearances within the criminal justice system.

⁴ Department of Corrections, Oregon Youth Authority, State Commission on Children and Families, Oregon Criminal Justice Commission, and the parts of Department of Human Services dealing with mental health and the range of addictions issues.

- Cite or mandate youth and parents into attending evidence-based parenting programs throughout Lane County.
- Have legislators create tax incentives for parents to attend evidence based parenting classes.
- The MIP process ought to weave strengths-based incentives for families and their children throughout the entire process.
- Treatment providers report that some youth stop attending treatment if the six-month jurisdiction of DYS has expired. Give providers an ability to send DYS letters to youth and their parents after the youth and/or parents completed their treatment protocol. The letter would state that that they satisfied their requirements for treatment and the case is closed.
- Have DYS continue to research evidence based practices on the efficacy of diversion programs for youth.
- Have DYS utilize dedicated volunteers to help with intake processes.
- When the minor is cited, tack a meaningful fine to that citation that will be waived upon youth/parent completion of all requirements within a given time frame.
- Provide other meaningful, helpful strength based incentives for parents and youth to contact treatment agencies within one month of the six-month window.
- Talk with auto insurance companies to assess the possibility of adjusting parents' car insurance after all of their youth's MIP provisions are met.
- Much attention is being drawn to the fact that college applicants are being denied financial aid if they admit to prior alcohol or drug offenses (such as an MIP). Our recommendation is to change the relationship between a youth having an MIP and their being denied federal student aid. As this policy is it is currently interpreted, it is (a) penalizing and (b) not grounded in evidence for its efficacy.

For more information about this report or this process, please contact Brinda Narayan-Wold with Lane County Health and Human Services 125 E. 8th Avenue, Eugene, OR 97401.
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ORS 471.430 Purchase or possession of liquor by person under 21; entry of licensed premises by person under 21; community service and suspension of driving privileges; assessment and treatment.

(1) No person under the age of 21 years shall attempt to purchase, purchase or acquire alcoholic liquor. Except when such minor is in a private residence accompanied by the parent or guardian of the minor and with such parent's or guardian's consent, no person under the age of 21 years shall have personal possession of alcoholic liquor.

(2) For the purposes of this section, personal possession of alcoholic liquor includes the acceptance or consumption of a bottle of such liquor, or any portion thereof or a drink of such liquor. However, this section does not prohibit the acceptance or consumption by any person of sacramental wine as part of a religious rite or service.

(3) Except as authorized by rule or as necessitated in an emergency, no person under the age of 21 years shall enter or attempt to enter any portion of a licensed premises that is posted or otherwise identified as being prohibited to the use of minors.

(4) Any person who violates subsection (1) or (3) of this section commits a Class B violation.

(5) In addition to and not in lieu of any other penalty established by law, a person under the age of 21 years who violates subsection (1) of this section through misrepresentation of age may be required to perform community service and the court shall order that the person's driving privileges and right to apply for driving privileges be suspended for a period not to exceed one year. If a court has issued an order denying driving privileges under this section, the court, upon petition of the person, may withdraw the order at any time the court deems appropriate. The court notification to the Department of Transportation under this subsection may include a recommendation that the person be granted a hardship permit under ORS 807.240 if the person is otherwise eligible for the permit.

(6) In addition to and not in lieu of any penalty established by law, the court:

(a) Shall order a person who is at least 18 years of age and not more than 21 years of age, who is convicted of violation of this section and who has been convicted of violation of this section at least once before when the person was at least 18 years of age, to undergo assessment and treatment as provided in ORS 471.432.

(b) May order a person who is at least 18 years of age and not more than 21 years of age and who is convicted of violation of this section to undergo assessment and treatment as provided in ORS 471.432.

(7) The prohibitions of this section do not apply to a person under the age of 21 years who is acting under the direction of the Oregon Liquor Control Commission or under the direction of state or local law enforcement agencies for the purpose of investigating possible violations of laws prohibiting sales of alcoholic beverages to persons who are under the age of 21 years.

(8) The prohibitions of this section do not apply to a person under the age of 21 years who is acting under the direction of a licensee for the purpose of investigating possible violations by employees of the licensee of laws prohibiting sales of alcoholic beverages to persons who are under the age of 21 years. [Amended by 1963 c.243 §2; 1965 c.166 §1; 1971 c.159 §6; 1975 c.493 §1; 1979 c.313 §8; 1991 c.860 §2; 1999 c.646 §1; 1999 c.1051 §186; 2001 c.791 §4]