



# OREGON LEGISLATIVE POLICY, RESEARCH, & COMMITTEE SERVICES

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## Basics about . . .

### **MINOR DECOY ENFORCEMENT OPERATIONS**

Oregon law prohibits persons under the age of 21 from purchasing or being in possession of alcoholic liquor. Offenders may receive a maximum fine of \$250 and, if the violation occurred through misrepresentation of age, lose his/her driver's license for a year. However enforcement of the law varies across the state: in some counties minors ignore alcohol citations without fear of reprisal, while other counties consistently suspend driving privileges and require alcohol evaluations for the same offense.

Recent studies uniformly indicate that the underage use of alcohol is increasing in Oregon and that alcohol consumption is a major contributor in the four leading causes of death of teens: highway crashes, homicides, suicides and drowning. Minor alcohol consumption is also linked to other crimes. The Oregon Liquor Control Commission (OLCC) and local law enforcement agencies have undertaken programs to reduce the unlawful sale of alcoholic beverages to minors in Oregon. Programs that use individuals between the ages of 18 and 20 as decoys to attempt to purchase alcohol are sometimes referred to as "minor decoy" or "sting" operations and have proved to be the most effective enforcement tool in the effort to curb underage drinking.

OLCC uses minor decoys to test OLCC licensees when one of seven qualifying criteria are met, which generally means that the licensee has been the subject of a complaint or a previous violation, or that OLCC is conducting random checks of licensees in a particular area. Before OLCC sends a minor decoy to a business, the licensee is given written notice and the opportunity to participate in employee training. OLCC continues to check a licensee until the business refuses to sell alcohol to decoys on two consecutive visits.

Minors who participate in the OLCC enforcement program look underage and, when asked, they show their own identification that states their actual age. The minors do not state that they are 21 or try to convince the clerk to sell them alcohol. Clerks who sell alcohol to a minor are charged with a Class A misdemeanor; licensees are subject to a fine and/or suspension or cancellation of their license.

While local police departments may coordinate efforts with OLCC when conducting minor decoy operations in an area, there is no requirement to do so, nor is there a requirement that all such programs conform to the same policies and procedures. The absence of standardization may result in a concentration of decoy operations in areas where law enforcement officials and OLCC are both actively conducting programs. Legislation may be introduced during the 1999 legislative session to require uniform standards and procedures for all minor decoy operations conducted by OLCC and law enforcement agencies in Oregon.

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