

**LAW ENFORCEMENT OFFICER
ATTITUDES TOWARD TEXAS TOBACCO
LAWS & TOBACCO ENFORCEMENT
ACTIVITIES**

**ANNUAL REPORT PRESENTED TO THE
TEXAS DEPARTMENT OF HEALTH:
OFFICE OF TOBACCO PREVENTION AND
CONTROL**

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Executive Summary

The purpose of this study was to evaluate the attitudes toward tobacco issues and tobacco enforcement activities of law enforcement departments throughout the state of Texas. Seven sites within the Texas Tobacco Prevention Initiative were designated as enforcement areas. Law enforcement departments within these areas were contracted by the Texas Department of Health to conduct tobacco-related education, retailer compliance checks, and controlled-buy (sting) operations. Surveys were administered to officers within each contracted law enforcement department. Non-contracted police departments within the pilot study area and departments outside the pilot study area were also administered the same survey instrument and thus acted as comparison groups.

Results indicate that law enforcement departments within the enforcement study area are two to three times more likely to be engaged in tobacco enforcement activities than non-contracted departments. Officers in the enforcement area were much more likely to have issued a citation to a retailer for tobacco law violations than non-contracted officers. However, officers outside the enforcement study area were much more likely to have cited minors for tobacco law violations.

Officers in the enforcement study area had more positive attitudes about enforcement activities and their department's role in those activities. Specifically, they were much more likely to believe that tobacco laws are enforceable and that the tobacco settlement will have a positive impact on reducing smoking in Texas. Officers outside the enforcement study area also had fairly positive attitudes about enforcing tobacco laws. This indicates to us that officers throughout the state would be receptive to tobacco enforcement initiatives.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	II
PURPOSE OF THE STUDY	1
PREVIOUS TOBACCO ENFORCEMENT EFFORTS.....	2
TEXAS STATEWIDE TOBACCO EDUCATION AND PREVENTION (S.T.E.P.) 3	
<i>Tobacco Laws</i>	<i>4</i>
<i>Compliance Education.....</i>	<i>7</i>
<i>Compliance Inspections</i>	<i>8</i>
<i>Controlled-Buy/Sting Operations</i>	<i>8</i>
METHODS	9
LAW ENFORCEMENT SURVEY RESULTS.....	10
<i>Background Characteristics</i>	<i>10</i>
<i>Knowledge of Texas Tobacco Laws.....</i>	<i>11</i>
<i>Perception of Tobacco as a Problem in Officer’s Community</i>	<i>13</i>
<i>Perception of Influences on Youth to Start Smoking</i>	<i>15</i>
<i>Perceptions of Government Roles.....</i>	<i>19</i>
<i>Perceptions Concerning Tobacco Companies.....</i>	<i>20</i>
<i>Obstacles to Enforcing the Tobacco Laws.....</i>	<i>25</i>
<i>Merchant Compliance Inspections</i>	<i>29</i>
<i>Controlled-Buy (Sting) Operations.....</i>	<i>31</i>
DISCUSSION	35
RECOMMENDATIONS.....	42
REFERENCES.....	44

Purpose of the Study

The primary purpose of this study was to establish a comprehensive tracking support system for evaluating tobacco control by law enforcement departments in the state of Texas. Tobacco enforcement is one component of a multifaceted prevention program developed by the Texas Department of Health, Office of Tobacco Prevention and Control and implemented in eighteen different sites in southeast and eastern Texas. Other interventions included low-level media, intensive media, cessation programs, and school and community youth programs.

Survey and interview data were collected from law enforcement agencies receiving funding from the Tobacco Education Program of the Safe and Drug Free Schools Program in seven sites designated as enforcement study areas from the eighteen intervention sites. Additionally, the same surveys were administered among a comparison group of law enforcement agencies throughout the state of Texas.

The Texas Department of Health, Office of Tobacco Prevention and Control were interested in answers to the following questions related to law enforcement agencies:

- 1) How well are enforcement activities being implemented? Are law enforcement agencies conducting merchant and community education, compliance checks on local merchants, and citing minors caught using, possessing, or purchasing tobacco products?
- 2) What are the attitudes of law enforcement officers toward the state tobacco laws?
- 3) What barriers do law enforcement agencies face in enforcing the laws?
- 4) What methods are being used to enforce the laws?

- 5) Are these methods balanced in their approach to enforcing laws related to minors and merchants?
- 6) How consistently are the laws being enforced by the different law enforcement agencies?

Previous Tobacco Enforcement Efforts

The federal Synar Amendment passed by congress in 1989 requires states to develop and enforce state-level laws restricting minors' access to tobacco products. The rate of sells to persons under the age of 18 must be less than 20 percent. States must also conduct annual statewide inspection surveys that accurately measure the effectiveness of their enforcement efforts. States that do not achieve these performance targets could lose federal block grant funds.

There have been few studies conducted concerning the impact of enforcement activities on youth access to tobacco. However, the small body of evidence that exists suggests that enforcement activities are an essential component of a comprehensive effort to reduce youth access to tobacco (Chaloupka and Pacula, 1998; Rigotti et al., 1997).

In Minnesota, seven intervention communities participated in a 32 month community organizing effort to mobilize citizens and community leaders to change ordinances, merchant policies and practices, and enforcement practices to reduce youth access to tobacco. Each intervention community passed a comprehensive youth access ordinance. Adolescent daily smoking was significantly lower in the intervention sites relative to the control sites. Also, tobacco purchase attempts decreased more in the intervention sites than the control sites.

A recent study by Chaloupka and colleagues (1997) found that tobacco control policies such as higher smokeless tobacco taxes, higher minimum legal purchase ages for tobacco products, strong tobacco licensing provisions, restrictions on the distribution of free samples of tobacco products, and the posting of minimum purchase age signs are effective in reducing adolescent male tobacco use.

Finally, a recent study conducted in Cook County, Illinois examined the effectiveness of a venter education program. Attempts to purchase cigarettes were made by 21 teens aged 14 to 17 from over-the-counter merchants and vending machines. The teens were successful in their attempts 37 percent of the time. Information was sent to each vendor about state tobacco laws. Minors made follow-up attempts to purchase cigarettes from each vendor that allowed a purchase in the initial visit. The number of vendors willing to sell to minors was reduced by 50 percent (McDermott et al., 1998).

Texas Statewide Tobacco Education and Prevention (S.T.E.P.)

The Texas Statewide Tobacco Education and Prevention (S.T.E.P.) program was developed by Southwest Texas State University to train law enforcement officers regarding tobacco laws, effective enforcement methods, retailer, youth, and community education, and health issues related to tobacco use. S.T.E.P. conducted one-day training sessions for law enforcement officers in each pilot study area. Law enforcement departments that contracted with the Texas Department of Health had one or more officers attend the training session held in their area. Evaluators from Prairie View A&M University, School of Juvenile Justice & Psychology attended the first training session held in Port Arthur and the last session held in Houston.

S.T.E.P. staff included full-time trainers from Southwest Texas State University who covered material on the pilot study and its purpose, tobacco health issues, and federal and state tobacco laws. S.T.E.P also utilized regional trainers, most of whom were licensed peace officers with years of experience in enforcing tobacco laws. These officers shared their experiences in enforcing the laws and trained officers on conducting compliance education, compliance inspections, and controlled buys or stings.

Contracts with the departments required that officers frequently conduct compliance inspections, controlled-buy/sting operations, and compliance education for retailers, children, parents, community members, and municipal judges and justices of the peace. Thus, S.T.E.P. staff used much of their time discussing the tobacco laws, how to enforce them, and how to conduct tobacco education.

Tobacco Laws

Officers were introduced to the Synar Amendment; an anti-tobacco bill passed by Congress in 1989. Some of the key provisions of this bill impacting officers in Texas include the following:

- States must have laws which ban the sale of tobacco to persons under eighteen years of age;
- States must enforce these laws in a manner that can be expected to reduce the availability of tobacco to minors;
- States must use “random, unannounced inspections” of retailers selling tobacco products to determine if the laws are being adhered to;

- States must develop a strategy and time frame for achieving an inspection failure rate of less than 15 percent of outlets accessible to youth; and
- Health and Human Services is authorized to withhold up to 40 percent of a state's federal substance abuse funds if it is determined that states are not enforcing their laws regarding tobacco sales to minors.

Texas State Senate Bill 1, passed in 1995, was discussed as well. It restricts tobacco use on school property and includes the following provisions:

- Smoking or using tobacco products at a school-related or school sanctioned activity on or off school property is prohibited;
- Students are prohibited from possessing tobacco products at a school-related or school sanctioned activity on or off school property; and
- School personnel must enforce these policies on school property.

Finally, S.T.E.P. staff discussed the major provisions of Senate Bill 55, commonly called the Texas Tobacco Law, which took effect in 1997 and 1998. This law mandates the following:

- Minors are prohibited from buying, using, or possessing tobacco products except in the presence of the minor's parent, guardian, or adult spouse;
- Minors that violate the law are required to attend an eight hour tobacco awareness program, perform tobacco-related community service, or pay a fine of up to \$250;
- Minors that fail to attend the tobacco awareness program or perform tobacco-related community service may have their driver's license suspended;

- Parents of minors may also be required to attend a tobacco awareness program;
- The sale of “kiddie packs” containing fewer than 20 cigarettes is prohibited;
- Free samples and coupons to anyone under 18 years of age is prohibited;
- Outdoor advertising of tobacco products within 1,000 feet of a church or school is prohibited;
- Cigarette vending machines and other self-service sales are prohibited in all places open to minors;
- Retailers who sell tobacco products are required to ask for proof of identification from anyone purchasing tobacco who appears to be under 27 years of age;
- Retailers that sell tobacco products to minors are guilty of a Class C misdemeanor punishable by a fine up to \$500;
- Tobacco retailers are subject to penalties upon failure to adequately inform employees of the current law (\$500 fine for the 1st offense, \$750 fine for the 2nd offense, \$1000 fine for the 3rd offense, and permit revocation for a 4th offense);
and
- Existing signage is amended to include that it is both illegal to sell to minors and illegal for minors to buy tobacco products (the state comptroller sends an official warning sign to tobacco retailers to be posted when they pay their tobacco permit fee).

It was clear to us during the training sessions attended by Prairie View staff that most officers were unaware of the existence of the vast majority of these tobacco laws.

Compliance Education

S.T.E.P. staff defined compliance education as “a prevention process consisting of presentations, training, events, and activities that are provided to the community-at-large, or retail tobacco retailers, regarding youth access to tobacco issues and laws.” A long list of different types of activities and educational ideas was included in training materials. A sample of these educational activities includes: media coverage by local news media during inspections, public service announcements, television interviews, school lectures, DARE lessons on tobacco, Boys and Girls Scouts meetings, Citizens Police Academy Training, and Regular Police Academy.

S.T.E.P. staff also listed the Texas Department of Health, the Texas Commission on Alcohol and Drug Abuse, the American Cancer Society, the American Lung Association, and the American Heart Association for distribution of brochures and other educational materials. Many of the officers copied a toll free number to order a video on the health effects of tobacco targeted toward youth that was presented to the officers at the end of the training session.

STEP staff emphasized the importance of bringing retailers together in a classroom setting to educate them about the tobacco laws and to inform them that officers will be conducting compliance inspections and sting operations. Finally, the training discussed the importance of providing in-service training to other officers in their agency so that they might also become involved in enforcing tobacco laws.

Compliance Inspections

S.T.E.P. training staff defined compliance inspections as “an enforcement process consisting of law enforcement officers conducting inspections of retail establishments, checking for display of appropriate warning signs, possession and display of tobacco permits, checking methods of access to tobacco products, and display of outdoor advertising.” Trainers covered a number of different scenarios and had officers complete inspection reports based on the information they received.

Controlled-Buy/Sting Operations

STEP staff defined a controlled-buy as “an enforcement process consisting of an undercover officer accompanying a minor decoy into a retail establishment to test for sale to minor law adherence.” The protocol that training officers suggested included the following: 1) arrival at the store; 2) a plainclothes officer enters the store; 3) a volunteer minor enters the store; 4) the volunteer minor attempts to purchase tobacco products; 5) a tobacco sale is made or not made; 6) the volunteer minor exits store; 7) the plainclothes officer makes a note of the clerk’s physical description and a name off a badge if possible; 8) the plainclothes officer exits the store; 9) and a uniformed officer issues citations after a sweep of all stores are made.

S.T.E.P. staff also provided suggestions on selecting minors to act as decoys. They made the following suggestions: 1) find youth between the ages of 14 and 16 so as to not skew the results and choose youth that look like minors (emphasizing that the goal is not to trick the retailer); 2) choose children that do not live near the selected stores; 3) do not use current DARE students, or volunteers from Scouts and Explorer groups; 4) do

not choose youth with previous law enforcement contacts; 5) do not attend organizational meetings to recruit minors; and 6) make sure that parents give their written consent for their children to participate.

Training staff urged officers to properly train minors by using role-play scenarios. They reminded officers that minors would be nervous initially and they must rehearse possible scenarios such as hostile clerks and the recognition of other people in the store. According to S.T.E.P. staff, minors should be aware of exactly which product to attempt to purchase, they should be instructed to never lie to clerks, and if a sale is refused to simply pick the money up and leave the store.

Methods

Surveys were sent to all 248 law enforcement departments in the pilot study area and 328 departments from 23 counties randomly selected and stratified by population size outside the study area. Officers were asked about their attitudes about the health effects of tobacco, advertising of tobacco products, and the enforcement of tobacco laws. Finally, officers were asked about their personal enforcement activities and the enforcement activities of their department in the past year (See Appendix for survey instrument).

One complication was that many departments had received contracts by the Texas Department of Health to enforce the state's tobacco laws both inside and outside the pilot study area. Thus, survey results are displayed by study area and by contracted and non-contracted departments.

Law Enforcement Survey Results

Background Characteristics

Slightly more than half the officers surveyed had ten years or less law enforcement experience in the enforcement, pilot study, and control areas (See Table 1). Officers in the enforcement area and those contracted to enforce the tobacco laws tended to have more experience, though the differences were not statistically significant. There was also no statistical difference in the age of the officers between the study areas. However, officers in the law enforcement study area and those officers contracted to enforce the tobacco laws tended to be slightly older. The vast majority of officers responding to the survey were male, but there was no statistical difference between study areas in the gender of officers.

There was a statistical difference between study sites in the race of officers. There were significantly more African Americans and fewer Hispanics in the enforcement study area than in the other study areas. There appears to be a fairly large number of officers in Texas that use some form of tobacco products. However, those officers participating in tobacco enforcement efforts are much less likely to use tobacco products (26% compared to 47% and 40% in the pilot and control study areas respectively). From the interviews of contracted officers, the majority have been non-users for some time before their involvement in the tobacco prevention project.

Table 1: Law Enforcement Background Characteristics

		Study Area			Tobacco Contract	
		Enforcement N = 27	Pilot N=307	Control N=542	Yes N=154	No N=722
Years of law enforcement experience	10 years or less	52%	53%	52%	46%	54%
	11 to 20 years	26%	33%	35%	37%	33%
	More than 20 years	22%	14%	13%	18%	13%
Age	21 to 30	26%	25%	24%	20%	25%
	31 to 40	30%	37%	41%	40%	39%
	41 to 50	37%	24%	24%	28%	24%
	51 and over	7%	14%	11%	12%	12%
Gender	Male	89%	91%	91%	90%	91%
	Female	11%	9%	9%	10%	9%
Race	Caucasian	74% ^b	85%	76%	75% ^a	80%
	African American	19%	5%	5%	9%	5%
	Hispanic	4%	8%	18%	12%	14%
	Other	4%	3%	2%	4%	2%
Do you smoke cigarettes?	Everyday	11%	22%	15%	14%	18%
	Some days	4%	5%	8%	5%	7%
	Not at all	85%	73%	78%	81%	76%
Do you use other tobacco products?	Everyday	7%	14%	12%	8%	13%
	Some days	11%	15%	11%	11%	13%
	Not at all	82%	71%	76%	81%	74%
Use any tobacco products	Yes	26% ^a	47%	40%	34% ^a	44%
	No	74%	53%	60%	66%	56%

a = p. < .05; b = p. < .001

Knowledge of Texas Tobacco Laws

Officers were asked seven questions testing their knowledge of tobacco laws in the state of Texas (See Table 2). The questions were not designed to be particularly difficult, but it was immediately apparent that officers in the pilot and control areas, or officers not contracted to enforce tobacco laws, tend to lack knowledge about the laws. Less than fifty percent of officers in the pilot (49%) and control (44%) study areas knew the maximum fine for youth caught in possession of tobacco. Just over half of the officers in the pilot (52%) and control (56%) areas knew that a minor's driver's license could be suspended for purchasing tobacco if they did not attend a tobacco awareness class.

Table 2: Knowledge of Texas Tobacco Laws

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
What is the maximum fine for youth caught possessing tobacco?	\$50	0% ^a	4%	4%	2%	4%
	\$100	4%	7%	7%	8%	7%
	<i>\$250^c</i>	78%	49%	44%	52%	46%
	\$500	19%	41%	45%	38%	43%
A minor's driver's license may be suspended for purchasing tobacco products if....	2 nd Offense	4%	20%	18%	18%	18%
	3 rd Offense	7%	12%	8%	6%	11%
	<i>Do not attend tobacco awareness class</i>	78%	52%	56%	61%	54%
	No provision for suspending a minor's license	11%	16%	18%	15%	18%
What is the maximum fine if clerks sell tobacco to minors?	\$50	0%	2%	2%	1%	2%
	\$100	0%	2%	1%	1%	1%
	\$250	4%	8%	9%	10%	8%
	<i>\$500</i>	96%	89%	88%	88%	88%
Can any law enforcement officer enforce the state's tobacco laws?	<i>Definitely Yes</i>	93% ^a	92%	84%	89%	87%
	Probably Yes	7%	6%	12%	8%	10%
	Probably No	0%	1%	1%	2%	1%
	Definitely No	0%	1%	3%	1%	3%
Anyone appearing under what age must show identification?	18	7% ^a	26%	26%	18% ^a	27%
	21	4%	12%	13%	12%	13%
	24	0%	6%	4%	3%	5%
	<i>27</i>	89%	56%	56%	68%	55%
What is the penalty (1 st offense) if a retailer does not inform employees about current tobacco laws	\$250	22%	26%	30%	30%	28%
	<i>\$500</i>	67%	51%	48%	50%	50%
	\$750	4%	4%	3%	3%	3%
	Suspension of permit	7%	19%	19%	17%	19%
All states must use "random, unannounced inspections" of tobacco retailers to determine if tobacco laws are being adhered to?	<i>Definitely Yes</i>	63%	45%	43%	52%	43%
	Probably Yes	26%	31%	32%	25%	33%
	Probably No	11%	18%	19%	20%	18%
	Definitely No	0%	6%	6%	4%	6%
Percent of officers that missed 3 or more		22% ^b	56%	61%	52%	63%

a = p. < .05; b = p. < .001

c = The italicized and bolded item denotes the correct answer.

Also, just over half of the officers in the pilot and control study areas (56% in both areas) correctly answered that anyone appearing under age 27 must show identification when purchasing tobacco products. About half of the officers in the pilot

(51%) and control (48%) study areas knew the penalty against retailers for failing to notify their employees about current tobacco laws. Fewer than half of these officers were aware that all states must use random, unannounced inspections of tobacco retailers to determine if tobacco laws are being followed (45% in the pilot and 43% in the control area). Finally, fifty-six percent (56%) of the officers in the pilot study area and sixty-one percent (61%) of officers in the control study area missed three or more of the questions compared to only twenty-two percent of the officers in the enforcement study area. Thus, there were large differences between officers in the three study areas concerning knowledge of these laws.

Perception of Tobacco as a Problem in Officer's Community

Surveyed officers generally perceived that tobacco use was a problem in their community (See Table 3). Seventy-eight percent (78%) of officers in the enforcement area of the study agreed with that statement compared to sixty-five percent (65%) in the pilot study area and sixty-six percent in the control area. Those departments that received a contract to enforce tobacco laws perceived the problem of tobacco use to be a bigger problem (35% agreed that it was a serious problem) than non-contracted departments (25% agreed that it was a serious problem).

Surveyed officers also generally agreed that it was a problem that kids could obtain tobacco products in their community. However, there was no statistical differences between surveyed officers on this item. Forty-one percent (41%) of officers in the enforcement study area agreed that it was a very serious problem compared to twenty-

Table 3: Perception of Tobacco as a Problem in Officer's Community

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
How closely have you followed the issues of tobacco use and public efforts to regulate and control it in Texas?	Very closely	22% ^b	9%	6%	14% ^b	6%
	Somewhat closely	67%	41%	44%	53%	42%
	Only a little	11%	44%	41%	31%	43%
	Not at all	0%	7%	10%	3%	9%
How serious a problem would you say tobacco use is in your community?	Very serious	37%	25%	27%	35% ^a	25%
	Serious	41%	40%	39%	40%	40%
	Somewhat serious	19%	30%	29%	23%	30%
	Not at all serious	4%	5%	5%	1%	6%
How serious of a problem is it that kids can get tobacco products in your community?	Very Serious	41%	28%	31%	33%	30%
	Serious	30%	38%	36%	36%	37%
	Somewhat Serious	26%	30%	27%	29%	28%
	Not at All Serious	4%	4%	5%	2%	5%
How serious of a problem is it that non-smokers breathe in other people's smoke in your community?	Very Serious	37%	30%	32%	35%	30%
	Serious	30%	26%	27%	29%	26%
	Somewhat Serious	22%	36%	27%	25%	31%
	Not at All Serious	11%	9%	14%	10%	13%
How serious of a problem is it that tobacco products are advertised in many areas of your community?	Very Serious	19%	12%	12%	20% ^b	10%
	Serious	33%	23%	26%	26%	24%
	Somewhat Serious	30%	39%	36%	39%	36%
	Not at All Serious	19%	26%	27%	15%	29%

a = p. < .01; b = p. < .001

eight percent (28%) and thirty-one percent (31%) in the pilot and control study areas respectively.

There was less agreement that breathing in others' tobacco smoke was a problem. Sixty-seven percent (67%) of officers in the enforcement area agreed that this was a problem or serious problem compared to fifty-six percent (56%) in the pilot study area and fifty-nine percent (59%) in the control study area. Tobacco advertisement was considered even less of a problem in the officers' communities. A little over half (52%) of the officers in the enforcement study area agreed with this statement, but only thirty-five percent (35%) of officers agreed in the pilot study area and only thirty-eight percent (38%) agreed in the control area. Officers in departments contracted to enforce tobacco

laws were significantly more likely to believe that tobacco advertising was a problem in their community. Twenty-five percent (25%) of contracted officers stated it was a very serious problem compared to ten percent (10%) of non-contracted officers.

Officers in the enforcement study area were significantly more likely to have followed the issues of tobacco use and efforts to regulate tobacco in Texas. Eighty-nine percent (89%) followed the issues closely or somewhat closely compared to only fifty percent (50%) in the pilot and control study areas. Officers contracted to enforce tobacco laws were also much more likely to have followed the issues very closely or somewhat closely.

Perception of Influences on Youth to Start Smoking

Officers were asked five questions concerning their perceptions of influences on youth to start smoking (See Table 4). In rank order, officers believed that peer influences played the largest role, than parents, illegal sales of tobacco, tobacco advertising, and the price of tobacco. Eighty-nine percent (89%) of officers in the enforcement area believed that peers influence youth to start smoking a lot compared to seventy-nine (79%) and eighty three percent (83%) in the pilot and control study areas. Seventy percent (70%) of officers in the enforcement area believed that parents had a lot of influence on youth smoking compared to seventy-three (73%) and seventy-six percent (76%) in the pilot and control study areas.

Only forty-one percent (41%) of officers believed that the illegal sale of tobacco had a lot of influence on youth to start smoking and the percentages were similar in the other two study areas. Even fewer officers in the three study areas believed that

Table 4: Perception of Influences on Youth to Start Smoking

How much do you think ... influences a child or teenager to start smoking?		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Illegal sale of tobacco products to youth	A lot	41%	33%	38%	43%	35%
	Some	37%	38%	38%	36%	38%
	A Little	19%	24%	20%	18%	22%
	None	4%	7%	5%	3%	6%
What about peer-influence of other young people	A lot	89%	79%	83%	87%	81%
	Some	11%	18%	14%	10%	16%
	A Little	0%	3%	3%	2%	3%
	None	0%	1%	0%	1%	4%
What about tobacco advertising and promotion	A lot	26%	27%	31%	36% ^a	28%
	Some	33%	42%	42%	46%	41%
	A Little	26%	24%	22%	13%	25%
	None	15%	7%	5%	5%	6%
What about parents smoking	A lot	70%	73%	76%	78%	74%
	Some	26%	21%	18%	16%	20%
	A Little	4%	5%	5%	4%	5%
	None	0%	2%	2%	2%	2%
What about the price of tobacco	A lot	7%	13%	13%	15%	12%
	Some	33%	30%	27%	31%	28%
	A Little	22%	25%	33%	27%	31%
	None	37%	31%	27%	27%	29%

a = p. < .01

advertising played a significant role in influencing youth to start smoking (26% in the enforcement area, 27% in the pilot area, and 31% in the control area). There was a significant difference between contracted and non-contracted departments on this item. This was the only item where there was a statistically significant difference in the perceptions of officers about influences on youth to start smoking. Officers from contracted departments were much more likely to agree that advertising played a significant role in influencing youth to start smoking. Officers from each study area believed that the price of tobacco does not play a major role in influencing youth to start smoking.

Perceptions of Tobacco Legislation and Proposals

Officers from all the study areas, as well as contracted and non-contracted officers, tended to support a wide variety of tobacco enforcement proposals, but indicated on a few items that some proposals go too far (See Table 5). For example, there is widespread agreement that storeowners should have a license to sell tobacco and youth should have to pay fines for buying tobacco products. The majority of officers agree that tobacco advertising in stores should be banned, and the Texas legislature should adopt a statewide ban on smoking in work places and public buildings. There is less support for some of the more controversial policy issues such as banning smoking in public outdoor areas and the sponsorship of sporting events by tobacco companies.

There were statistically significant differences between officers from contracted and non-contracted departments on three items. Contracted officers were much more likely to agree that storeowners should have a license to sell tobacco products. Seventy percent (70%) of contracted officers strongly agreed with this item compared to fifty-four percent (54%) of non-contracted officers. Contracted officers were also much more likely to believe that sting operations increase compliance with youth tobacco access laws. Finally, contracted officers were significantly more likely to agree that tobacco advertising in stores should be banned.

Table 5: Perceptions of Tobacco Legislation and Proposals

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Store owners should have a license to sell cigarettes and other tobacco products, just like alcoholic beverages	Strongly agree	78%	56%	57%	70% ^a	54%
	Somewhat agree	7%	20%	21%	14%	22%
	Neither agree nor disagree	15%	15%	14%	12%	15%
	Somewhat disagree	0%	4%	5%	3%	5%
	Strongly disagree	0%	6%	4%	2%	5%
Youths under 18 should be made to pay fines if they are caught buying tobacco products	Strongly agree	59%	75%	77%	76%	76%
	Somewhat agree	22%	16%	17%	14%	17%
	Neither agree nor disagree	11%	6%	4%	7%	4%
	Somewhat disagree	4%	2%	2%	1%	2%
	Strongly disagree	4%	1%	1%	2%	1%
Police “sting” operations increase compliance with youth tobacco access laws	Strongly agree	78%	61%	57%	75% ^b	56%
	Somewhat agree	22%	27%	33%	21%	33%
	Neither agree nor disagree	0%	8%	7%	2%	8%
	Somewhat disagree	0%	2%	3%	2%	2%
	Strongly disagree	0%	2%	1%	0%	1%
Tobacco advertising in stores should be banned	Strongly agree	44%	38%	34%	46% ^a	34%
	Somewhat agree	33%	17%	21%	25%	19%
	Neither agree nor disagree	11%	28%	28%	18%	29%
	Somewhat disagree	4%	9%	11%	7%	11%
	Strongly disagree	7%	8%	6%	5%	7%
Smoking in outdoor public areas like parks should be banned	Strongly agree	15%	21%	23%	25%	21%
	Somewhat agree	19%	15%	15%	14%	15%
	Neither agree nor disagree	30%	22%	21%	26%	21%
	Somewhat disagree	11%	22%	18%	15%	20%
	Strongly disagree	26%	21%	23%	21%	23%
The Texas Legislature should adopt a statewide smoke-free law banning smoking in work places and public buildings	Strongly agree	40%	47%	54%	54%	50%
	Somewhat agree	15%	21%	17%	16%	19%
	Neither agree nor disagree	15%	10%	10%	13%	10%
	Somewhat disagree	15%	7%	9%	7%	9%
	Strongly disagree	15%	15%	11%	10%	13%
Kids under age 18 should be prohibited from wearing or bringing to school items that have a tobacco brand name or picture on them	Strongly agree	70%	62%	54%	72% ^b	54%
	Somewhat agree	15%	16%	22%	13%	21%
	Neither agree nor disagree	4%	12%	12%	7%	13%
	Somewhat disagree	4%	4%	6%	3%	6%
	Strongly disagree	7%	5%	6%	5%	6%
Tobacco companies should not be allowed to sponsor sporting events, fairs, or community events	Strongly agree	22%	31%	32%	37%	30%
	Somewhat agree	15%	17%	19%	18%	18%
	Neither agree nor disagree	33%	22%	21%	21%	21%
	Somewhat disagree	11%	12%	13%	9%	13%
	Strongly disagree	19%	19%	16%	14%	18%

a = p. < .01; b = p. < .001

Perceptions of Government Roles

The vast majority of surveyed officers felt that it is important for the government to spend money on efforts to reduce tobacco use (See Table 6). Although the difference was not statistically significant, forty-eight percent (48%) of the officers in the enforcement study area strongly agreed with this assertion compared to thirty-three percent (33%) in the pilot area and thirty-four percent (34%) in the control area. When examining responses from officers in contracted departments, the belief that the government should spend money on tobacco prevention was stronger and statistically significant.

There was much less agreement on whether the tobacco settlement would have an impact on reducing smoking in Texas. Only four percent (4%) and six percent (6%) of officers in the pilot and control study areas felt the settlement would have a great deal of impact. Officers in the enforcement area were much more likely to believe the settlement funds would have an impact on smoking use in Texas. Additionally, contracted officers were much more likely to agree with this statement.

Regardless of study area or contract status, officers were more likely to agree than disagree that the government should not interfere with an individual's decision about tobacco use. Finally, regardless of study area or contract status, officers generally believed that tobacco control laws should be either at the state level or a combination of state, county, and local levels of government.

Table 6: Perceptions of Government Roles

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
The advertising of tobacco products outdoors should be banned	Strongly agree	30%	37%	37%	45% ^a	35%
	Somewhat agree	41%	20%	20%	23%	20%
	Neither agree nor disagree	11%	21%	21%	17%	22%
	Somewhat disagree	11%	12%	13%	8%	13%
	Strongly disagree	7%	10%	9%	7%	10%
The government should not interfere with an individual's decision about tobacco use	Strongly agree	22%	21%	22%	19%	22%
	Somewhat agree	26%	26%	25%	26%	25%
	Neither agree nor disagree	11%	23%	18%	19%	19%
	Somewhat disagree	19%	16%	18%	14%	18%
	Strongly disagree	22%	14%	19%	22%	16%
It is important that the government spend money on efforts to reduce tobacco use	Strongly agree	48%	33%	34%	44% ^c	32%
	Somewhat agree	30%	33%	34%	38%	33%
	Neither agree nor disagree	15%	18%	15%	12%	17%
	Somewhat disagree	0%	8%	9%	3%	10%
	Strongly disagree	7%	9%	7%	4%	9%
How much of an impact will the settlement with tobacco companies have on reducing smoking by Texans	A great deal	19% ^b	4%	6%	9% ^c	5%
	Some	41%	24%	24%	36%	22%
	Only a little	15%	38%	35%	33%	36%
	None at all	22%	29%	29%	18%	31%
	Not sure	4%	4%	7%	4%	6%
Where should laws and controls on the sale and use of tobacco be made	State level	37%	47%	51%	44%	50%
	County level	7%	2%	2%	3%	2%
	Local community	7%	7%	5%	5%	6%
	All of the above	41%	37%	36%	42%	35%
	None of the above	4%	4%	3%	3%	3%
	Not sure	4%	4%	4%	3%	4%

a = p. < .05; b = p. < .01; c = p. < .001

Perceptions Concerning Tobacco Companies

The vast majority of officers agreed that tobacco companies have attempted to mislead youth in order to get them to purchase tobacco products (See Table 7). Fifty-six percent (56%) of officers in the enforcement area agreed with this assertion compared to thirty-eight percent (38%) in the pilot study area and forty-two percent (42%) in the

Table 7: Perceptions Concerning Tobacco Companies

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Tobacco companies should have the same right to market their products as other companies	Strongly agree	22%	20%	17%	14% ^a	19%
	Somewhat agree	22%	34%	31%	29%	33%
	Neither agree nor disagree	22%	16%	16%	18%	15%
	Somewhat disagree	15%	15%	19%	16%	18%
	Strongly disagree	19%	16%	17%	24%	15%
Tobacco companies have tried to mislead youth or teens to get them to buy their products	Strongly agree	56%	38%	42%	56% ^c	38%
	Somewhat agree	22%	28%	30%	23%	31%
	Neither agree nor disagree	7%	19%	16%	12%	18%
	Somewhat disagree	11%	10%	8%	7%	10%
	Strongly disagree	4%	5%	3%	2%	4%
Tobacco companies use advertising to attract young people	Strongly agree	37%	38%	45%	54% ^b	39%
	Somewhat agree	41%	36%	33%	31%	35%
	Neither agree nor disagree	15%	16%	14%	10%	15%
	Somewhat disagree	4%	9%	7%	4%	8%
	Strongly disagree	4%	3%	2%	1%	2%

a = p. < .05; b = p. < .01; c = p. < .001

control area. Contracted officers were much more likely than non-contracted officers to believe that tobacco companies have practiced deception to attract youth.

A similar type of relationship exists concerning the use of advertising by tobacco companies to attract youth. There was little difference on this item between study areas, but contracted officers were much more likely to agree that tobacco companies use advertising to attract youth (54% strongly agreed) than non-contracted officers (39%). Officers were much less likely to oppose the marketing of tobacco products. Roughly half of the officers in the three study areas either agreed or strongly agreed that tobacco companies should have the same right to market their products as other companies. However, officers contracted to enforce tobacco laws were significantly more likely to strongly oppose the marketing of tobacco.

Perceptions of Police Officers' Role in Enforcing Tobacco Laws

Nine questions were asked of officers concerning their perceptions of their role and their department's role in enforcing tobacco laws (See Tables 8 and 9). A surprising number of officers indicated that their department supports tobacco enforcement and prevention efforts and that officers should do more to further those goals. The vast majority of officers agreed or strongly agreed that enforcing the state's tobacco laws is an important function within their department. Officers from contracted departments were significantly more likely to agree with that statement. Similarly, there was widespread agreement among officers that their department supported tobacco enforcement efforts. Again, contracted officers were significantly more likely to agree with this statement.

While officers agree that their departments are being supportive of enforcement efforts, an overwhelming majority in each study area believes officers should do more to enforce laws against youth and merchants for tobacco law violations. Sixty-seven percent (67%) of officers strongly agreed that officers should do more to enforce tobacco laws against youth in the enforcement study area, compared to fifty-one percent (51%) in the pilot area and forty-five percent (45%) in the control area. Contracted officers were significantly more likely to strongly agree with this statement than non-contracted officers. Ninety-three percent (93%) of officers in the enforcement area either agreed or strongly agreed that officers should do more to enforce tobacco laws against merchants compared to eight-three percent (83%) in the pilot area and eight-five percent (85%) in the control area.

Officers also strongly supported doing more to educate youth about tobacco use and being more involved in community efforts to reduce tobacco use among youth.

Table 8: Perceptions of Police Officers' Role in Enforcing Tobacco Laws

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Enforcing the state's tobacco laws is an important function within this department	Strongly agree	41%	34%	33%	46% ^b	31%
	Somewhat agree	33%	38%	39%	33%	39%
	Neither agree nor disagree	19%	16%	15%	10%	17%
	Somewhat disagree	7%	8%	9%	9%	9%
	Strongly disagree	0%	5%	4%	3%	5%
My administration has been supportive of tobacco enforcement efforts	Strongly agree	56%	43%	43%	56% ^b	41%
	Somewhat agree	37%	34%	32%	29%	34%
	Neither agree nor disagree	0%	15%	17%	8%	17%
	Somewhat disagree	7%	5%	5%	5%	5%
	Strongly disagree	0%	3%	3%	1%	3%
Police officers should do more to enforce laws against youth illegally using or possessing tobacco products	Strongly agree	67%	51%	45%	60% ^a	45%
	Somewhat agree	22%	31%	38%	27%	37%
	Neither agree nor disagree	7%	12%	12%	8%	13%
	Somewhat disagree	0%	4%	3%	3%	4%
	Strongly disagree	4%	2%	1%	1%	1%
Police officers should do more to enforce laws against merchants licensed to sell tobacco products	Strongly agree	67%	52%	48%	58%	48%
	Somewhat agree	26%	31%	37%	27%	36%
	Neither agree nor disagree	4%	13%	11%	12%	12%
	Somewhat disagree	0%	3%	3%	1%	3%
	Strongly disagree	4%	2%	1%	3%	1%
Police officers should do more to educate youth about the dangers of tobacco use	Strongly agree	63%	40%	38%	49% ^a	38%
	Somewhat agree	19%	27%	30%	29%	28%
	Neither agree nor disagree	7%	18%	18%	12%	19%
	Somewhat disagree	4%	9%	7%	4%	8%
	Strongly disagree	7%	6%	7%	5%	7%
Police officers should become more involved in community efforts to reduce tobacco use among youth	Strongly agree	48%	39%	33%	42% ^a	34%
	Somewhat agree	33%	32%	35%	38%	33%
	Neither agree nor disagree	7%	18%	18%	14%	19%
	Somewhat disagree	4%	7%	8%	2%	8%
	Strongly disagree	7%	5%	6%	3%	6%
Time and manpower in a police department spent enforcing tobacco laws could be better used elsewhere	Strongly agree	4%	12%	12%	7% ^b	13%
	Somewhat agree	7%	27%	25%	20%	26%
	Neither agree nor disagree	37%	27%	30%	26%	30%
	Somewhat disagree	30%	20%	22%	27%	21%
	Strongly disagree	22%	15%	11%	20%	11%

a = $p < .05$; b = $p < .01$

Table 9: Perceptions of Police Officers' Role in Enforcing Tobacco Laws (Continued)

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Regardless of what the police department does, kids are able to get a hold of tobacco products anyway	Strongly agree	44%	50%	51%	44% ^b	52%
	Somewhat agree	44%	38%	39%	41%	38%
	Neither agree nor disagree	0%	7%	5%	4%	6%
	Somewhat disagree	8%	4%	4%	7%	3%
	Strongly disagree	4%	1%	1%	4%	1%
The state tobacco laws are largely unenforceable	Strongly agree	7% ^a	9%	8%	7% ^a	9%
	Somewhat agree	7%	23%	26%	18%	26%
	Neither agree nor disagree	11%	23%	23%	21%	23%
	Somewhat disagree	56%	27%	28%	32%	28%
	Strongly disagree	19%	18%	15%	23%	15%

a = p. < .05; b = p. < .01

Eighty-two percent (82%) of officers believed that they should do more to educate youth about tobacco use compared to sixty-seven percent (67%) and sixty-eight percent (68%) of officers in the pilot and control study areas respectively. Officers from contracted departments were more likely to strongly agree that officers should do more to educate youth. Similarly, eighty-one percent (81%) of officers in the enforcement area agreed that they should be more involved in community tobacco reduction efforts compared to seventy-one percent (71%) of officers in the pilot area and sixty-eight percent (68%) of officers in the control area. Again, contracted officers were significantly more likely to support community prevention efforts.

The majority of officers either disagreed or neither agreed nor disagreed with the statement that time and manpower in a police department spent on enforcing tobacco laws could be better used elsewhere. Officers from the pilot and control areas were more likely to believe manpower could be better spent on other endeavors. Officers from non-contracted departments were significantly more likely to agree with this statement.

A surprising number of officers from each study area agreed or strongly agreed that regardless of law enforcement efforts, youth would be able to obtain tobacco products. Eighty-eight percent (88%) of enforcement and pilot area officers agreed with this statement and ninety percent (90%) of control area officers agreed. Non-contracted officers were significantly more likely to strongly agree (52%) than contracted officers (44%) that youth could access tobacco regardless of enforcement efforts.

Officers in the enforcement area (75%) were significantly more likely to disagree or strongly disagree that the state tobacco laws are largely unenforceable than officers in the pilot study area (45%) and officers in the control study area (43%). Similarly, officers contracted to enforce tobacco laws were also more likely to disagree with this statement (55%) than non-contracted officers (43%).

Obstacles to Enforcing the Tobacco Laws

Officers were asked five questions concerning whether any obstacles existed in enforcing tobacco laws (See Table 10). Interestingly, officers in the enforcement area were more likely to cite lack of department support (30%) than officers in the pilot (19%) and control (18%) areas, though the difference was not statistically significant. There was no difference on this item between contracted and non-contracted officers.

Twenty-six percent (26%) of officers in the enforcement area stated that lack of community coordination was an obstacle compared to thirty-seven percent (37%) and thirty-six percent (36%) of officers in the pilot and control areas respectively. Only seven percent (7%) of officers in the enforcement study area believed that resistance by judges was an obstacle compared to sixteen percent (16%) in the pilot area and thirteen percent

Table 10: Obstacles to Enforcing the Tobacco Laws

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Lack of department support	Yes	30%	19%	18%	18%	18%
	No	70%	81%	82%	82%	82%
Lack of community coordination	Yes	26%	37%	36%	32%	37%
	No	74%	63%	64%	68%	63%
Resistance by judges	Yes	7%	16%	13%	19% ^a	13%
	No	93%	84%	87%	81%	87%
Complaints by citizens	Yes	22%	17%	19%	21%	18%
	No	78%	83%	81%	79%	82%
Resistance by merchants	Yes	52% ^b	20%	28%	32% ^a	25%
	No	48%	80%	72%	68%	75%

a = p. < .05; b = p. < .001

(13%) in the control area. However, contracted officers were significantly more likely to cite nonsupport from judges (19%) than non-contracted officers (13%). This inconsistency with the responses from the enforcement area suggests that officers contracted to enforce tobacco laws outside the enforcement study area have had different and more negative experiences with judges.

About one-fifth of all officers cited citizen complaints as an obstacle to enforcing tobacco laws. There were small differences on this item between study areas. Officers in the enforcement area were far more likely to refer to resistance by merchants as an obstacle (56%) than pilot area officers (20%) and control area officers (32%). The difference was less pronounced between contracted (32%) and non-contracted officers (25%). Resistance by merchants was the most frequently cited obstacle to enforcement efforts.

Tobacco Education Efforts

There were seven questions asked of officers concerning tobacco education efforts. There were large differences in the responses to these questions by study area and contract status. This was not a surprise because departments in the enforcement area and departments receiving a contract were specifically required to conduct tobacco education. Almost all (96%) of the officers in the enforcement area stated that their department had conducted tobacco education to youth compared to about half in the pilot area (52%) and control area (53%). Similarly, the vast majority of officers from contracted departments stated that their department conducted youth tobacco education (77%), while only about half (49%) had done so in non-contracted departments.

Another contractual obligation of departments was to conduct merchant education about the tobacco laws. Eighty-two percent (82%) of officers from the enforcement area had stated that their department had done so compared to only twenty-five percent (25%) and twenty-three percent (23%) in the pilot and control areas respectively. Contracted departments outside of the study area reported less merchant education (64%), but there continued to be a large difference on this item over non-contracted departments (18%).

The vast majority (70%) of officers, who stated that their departments conducted merchant education, also indicated that they distributed signs, brochures, and other information. Again, the frequency of this type of information sharing went down (51%) when including contracted departments outside the enforcement study area.

It was also a contractual obligation that departments be involved in educating parents and community members. Officers from both the enforcement area (42%) as well as contracted officers (38%) were far less likely to have reported that their department

Table 11: Tobacco Education Efforts

Has your department.....concerning the tobacco laws		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Provided in-service training	Yes	58% ^b	18%	16%	43% ^b	12%
	No	42%	82%	84%	57%	88%
Participated in tobacco education to youth	Yes	96% ^b	52%	53%	77% ^b	49%
	No	4%	48%	47%	24%	51%
Been involved in educating parents and community members	Yes	42% ^a	17%	16%	38% ^b	13%
	No	58%	83%	84%	62%	87%
Educating merchants/retailers	Yes	82% ^b	25%	23%	64% ^b	18%
	No	19%	75%	77%	36%	82%
If educating merchants, do you distribute signs, brochures, or other info	Yes	70% ^b	19%	17%	51% ^b	13%
	No	15%	28%	32%	25%	31%
	No training to merchants	15%	53%	51%	23%	56%
Met with local judges	Yes	39%	20%	24%	36% ^b	20%
	No	50%	71%	66%	51%	71%
	Don't know	11%	10%	10%	13%	9%
Met with local prosecutors	Yes	46% ^a	18%	20%	38% ^b	16%
	No	39%	72%	70%	50%	74%
	Don't know	15%	10%	10%	13%	10%

a = p. < .01; b = p. < .001

had done so. Nonetheless, parent and community tobacco education occurred far more frequently in the enforcement area than in the pilot (17%) and control (16%) areas.

It was not a contractual obligation that departments provide in-service to other officers about tobacco laws, but fifty-eight percent (58%) of officers from the enforcement area reported that their departments had done so. In-service training was far less common in the pilot (18%) and control study (16%) areas. Similarly, officers from contracted departments were far more likely to report in-service training occurred within their departments (43% compared to 12% in non-contracted departments).

Meeting with judges and prosecutors was a strong suggestion of staff from the STEP program. Officers from the enforcement area and contracted officers were more likely to do so. However, this was the least common type of tobacco law education that occurred during the study period.

Merchant Compliance Inspections

Nine items were included in the survey concerning conducting merchant compliance checks (See Table 12). In contrast to controlled-buy or sting operations, compliance checks are not an attempt to ascertain whether merchants are selling tobacco products to youth. The object of a compliance inspection is to determine if the merchant is in compliance with the state tobacco laws regarding signage, promotional items, accessibility of tobacco to youth, and notification to employees of these laws.

Almost all of the officers from departments in the enforcement area (93%) stated that their department is conducting compliance inspections compared to only twenty-six percent (26%) in the pilot and control study areas. Officers from contracted departments outside the enforcement area reported fewer compliance checks by their departments (74%).

In the enforcement area, compliance checks are conducted either monthly (67%) or more frequently (29%). If compliance checks were conducted in the other study areas it was far less frequently (34% and 36% reported once a year or less in the pilot and control study areas respectively). Officers from contracted departments outside the enforcement area conducted compliance checks far less frequently (only 48% had conducted them monthly or more often).

The vast majority of officers report targeting compliance checks near schools and there was little difference between study areas on this item. However, officers from contracted departments outside the enforcement study area were more likely than officers in the enforcement area and non-contracted officers to conduct them near schools.

Table 12: Merchant Compliance Checks

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Has your department been involved in conducting compliance inspections	Yes	93% ^c	26%	26%	74% ^c	18%
	No	7%	74%	74%	26%	82%
How often are they conducted?	Less than once a year	0% ^c	20%	14%	4% ^c	23%
	Once a year	4%	14%	22%	14%	20%
	Twice a year	0%	37%	43%	34%	39%
	Monthly	67%	21%	12%	32%	11%
	More than once per month	29%	9%	9%	16%	7%
Are they targeted near schools?	Yes	72%	72%	73%	87% ^c	63%
	No	28%	28%	27%	13%	37%
Do you check for state comptroller's warning sign?	Yes	100%	87%	82%	97% ^c	76%
	No	0%	13%	18%	3%	24%
Do you check for display of a state tobacco permit?	Yes	96%	82%	80%	95%	72%
	No	4%	18%	20%	5%	28%
Do you check for direct access to tobacco products?	Yes	96%	88%	84%	95% ^c	81%
	No	4%	12%	16%	5%	9%
Do you check for outdoor advertising less than 1000 ft. from a church or school?	Yes	79% ^b	64%	49%	72% ^c	45%
	No	21%	36%	51%	28%	55%
Do you check for distribution of promotional items?	Yes	88% ^c	62%	48%	75% ^c	41%
	No	12%	38%	52%	25%	59%
Do you check for accessible vending machine?	Yes	92% ^a	75%	68%	83% ^c	65%
	No	8%	25%	32%	17%	35%

a = p. < .05; b = p. < .01; c = p. < .001

All officers in the enforcement area reported checking for the state comptroller's sign when conducting compliance inspections. Officers from the pilot (87%) and control areas (82%) were also quite likely to check for these signs.

Officers from each study area were also likely to check for a state tobacco permit while conducting compliance checks as well as direct access to tobacco products. There was a significant difference on checking for direct access to tobacco among contracted and non-contracted officers (95% compared to 81%).

Officers from the enforcement area were much more likely to check for distribution of tobacco promotional items (88%) compared to pilot (62%) and control area officers (48%). Similarly, contracted officers were much more likely to check for promotional items (75%) than non-contracted officers (41%).

The vast majority of officers from the enforcement area also checked for vending machines accessible to youth (92%) compared to officers from the pilot area (75%) and control study area (68%). Again, contracted officers were also much more likely to have checked for youth accessible vending machines (83%) than non-contracted officers (65%).

The least common item checked by officers was outdoor advertising within 1000 feet of a church or school. Seventy-nine percent (79%) of officers in the enforcement area checked for this violation compared to sixty-four percent (64%) in the pilot area and forty-nine percent (49%) in the control area.

Controlled-Buy (Sting) Operations

Controlled-buy or sting operations are conducted by having a plainclothes police officer accompany a youth in a store as the youth attempts to purchase tobacco products (See Table 13). The plainclothes officer attempts to look inconspicuous in the store when the attempted purchase occurs. They are there to act as a witness to the transaction so that the youth does not have to testify against merchants at a later time. If a retailer makes an illegal sale to the youth, a uniformed officer comes in to the store at a later time to cite the merchant.

Table 13: Controlled-Buy (Sting) Operations

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
Has your department conducted stings in the last 12 months?	Yes	85% ^c	26%	24%	70% ^c	18%
	No	15%	74%	76%	30%	82%
How often are stings conducted?	Less than once a year	0% ^c	15%	14%	4% ^c	20%
	Once a year	4%	20%	23%	14%	26%
	Twice a year	13%	46%	47%	44%	43%
	Monthly	61%	15%	11%	26%	10%
	More than once per month	22%	4%	4%	12%	2%
Have you conducted stings near schools?	Yes	65%	78%	81%	86% ^b	72%
	No	35%	22%	19%	14%	28%
How are minors recruited for stings?	DARE students	4% ^c	37%	17%	30%	18% ^a
	Boy Scouts/Explorers	41% ^b	17%	37%	29%	31%
	Minors with previous law enforcement contacts	36%	33%	24%	26%	30%
	Children of officers	77% ^b	39%	54%	65% ^c	39%
Do you receive parental consent for minors?	Yes	100%	88%	93%	96% ^a	88%
	No	0%	12%	7%	4%	12%
How are your minors trained?	Role play different scenarios	77%	68%	59%	73% ^b	57%
	Inform minor never to lie about age	100%	90%	86%	94% ^c	84%
	Inform minor that if sale is refused, leave	100%	94%	88%	97% ^b	87%
	Inform minor to leave if clerk argues with them	96% ^c	91%	80%	95% ^c	78%
Are minors accompanied by a plains-clothes officer?	Yes	100% ^a	86%	93%	93%	89%
	No	0%	14%	7%	7%	11%

a = p. < .05; b = p. < .01; c = p. < .001

Similar to compliance inspections, the vast majority of officers from departments in the study area have conducted sting operations (85%) while officers in the pilot (26%) and control areas (24%) were much less likely to have done so. Officers from contracted departments were also much more likely to have conducted tobacco stings (70%) compared to non-contracted officers (18%).

Officers in the enforcement area conducted stings quite frequently (83% report conducting stings monthly or more often). If officers from departments outside the study area conducted stings, they were far less frequent. Contracted officers outside the enforcement area conducted stings less frequently than enforcement area officers. The most common response was twice a year.

Interestingly, enforcement area officers were not more likely to have conducted stings near schools (65%) than officers from the pilot area (78%) and control area (81%). The reason for that is likely due the fact that officers in the enforcement area attempted to conduct stings throughout their entire enforcement jurisdiction. The limited number of stings conducted by officers in other areas may have been due to complaints by school officials or parents. Contracted officers outside of the enforcement area tend to conduct stings near schools (86% stated that they did so).

By far the most common source for recruiting minors for stings was from the children of fellow officers (77% among the enforcement officers and 65% among contracted officers). Against the advice of STEP training staff, a number of officers in the enforcement area (36%) recruited youth from previous law enforcement contacts. All of the officers from the enforcement area and the vast majority of officers from the other study areas received parental consent before employing minors in stings.

STEP training staff strongly urged officers to train minors on what to expect and how to conduct themselves during a sting. Officers from the enforcement area and officers contracted to enforce tobacco laws were more likely to train minors by role playing different scenarios, informing minors not to lie, and to leave if a sale is refused or a clerk begins arguing with them. The least common training method employed (and

perhaps the most important according to STEP staff) was role-playing different scenarios. All of the enforcement officers and the vast majority of officers from the other study areas had plain clothes officers accompany a minor on sting operations.

Citations to Youth and Merchants

Interestingly, officers from the enforcement area were less likely to state that they would cite a youth for using, possessing, or purchasing tobacco products (52%) compared to officers in the pilot (63%) and control study areas (73%). They were more likely to lecture the youth about the dangers of tobacco use or do nothing (See Table 14). In fact, enforcement area officers appear to have issued fewer citations in the last twelve months than officers in the other study areas.

In the case of citing merchants for tobacco law violations the picture is quite different. About half of the officers in the enforcement area had cited at least one merchant while ninety percent (90%) of officers in the other two study areas have never cited a merchant for a tobacco law violation.

Table 14: Citations to Youth and Merchants

		Study Area			Tobacco Contract	
		Enforcement N=27	Pilot N=307	Control N=542	Yes N=154	No N=722
If you suspect a minor is using, possessing, or purchasing tobacco, how would you respond?	Give the youth a citation	52% ^a	63%	73%	70%	69%
	Give the youth a warning	22%	27%	15%	18%	20%
	Lecture the youth about dangers of tobacco use	19%	10%	11%	11%	11%
	Nothing	7%	1%	1%	2%	1%
How many citations have you personally issued to youth in the last 12 months?	None	48%	42%	34%	40%	37%
	1 to 5	37%	30%	37%	34%	34%
	6 to 10	11%	13%	14%	15%	14%
	11 to 15	4%	5%	5%	7%	5%
	16 to 20	0%	2%	3%	3%	3%
	More than 20	0%	7%	7%	3%	8%
How many citations have you personally issued to merchants in the last 12 months?	None	44% ^a	90%	90%	68% ^a	93%
	1 to 5	19%	6%	7%	19%	4%
	6 to 10	7%	3%	2%	6%	1%
	11 to 15	15%	1%	0%	3%	1%
	16 to 20	0%	0%	0%	1%	0%
	More than 20	15%	1%	1%	5%	1%

a = p. <.001

Discussion

At this time we will address the research questions outlined at the beginning of this report.

How well are enforcement activities being implemented? Are law enforcement agencies conducting merchant and community education, compliance checks on local merchants, and citing minors caught using, possessing, or purchasing tobacco products?

At this time, law enforcement agencies contracted to enforce tobacco laws in the enforcement study area have only recently begun full implementation of all enforcement activities. This was due to a delay in contracts being in place until recent months. Despite

this setback, survey results indicate that contracted agencies have been far busier in tobacco enforcement activities than non-contracted departments.

There were vast differences in the survey responses concerning tobacco education efforts. Almost all officers from the enforcement study area indicated that they were conducting youth and merchant tobacco education. In contrast, only about half of officers from the comparison sites had conducted youth tobacco education despite the proliferation of D.A.R.E. throughout the state. Only about one-quarter of officers from comparison study areas indicated that their departments had conducted retailer education. What may be most impressive is that almost sixty percent of officers from the enforcement areas stated that their departments had been conducting in-service training concerning tobacco law enforcement. Enforcement area departments have not engaged local judges or prosecutors at the rate that would be expected. This is an educational area that may need to be addressed, or TDH may consider conducting a similar type of training program for judges and other judicial officers (i.e., prosecutors and probation officers).

Almost all the enforcement area departments have begun tobacco compliance inspections (93%) and almost all of these checks are conducted either monthly or twice a month. Only about one-quarter of officers from agencies outside the enforcement study area are currently conducting compliance inspections and usually at a rate of twice a year or less. Enforcement area officers were attentive during their training sessions evidenced by their checking for proper display of warning signs, tobacco permits, direct access to tobacco, promotional items, youth accessible vending machines, and outdoor advertising near churches and schools.

Only fifteen percent of officers from the enforcement area indicated that their departments were yet to engage in controlled-buy or sting operations and they are doing so either monthly or twice a month. Again, only about one-quarter of officers from other departments are currently conducting tobacco stings. Enforcement area officers are largely following the advice of S.T.E.P. training staff by receiving parental consent, properly training minors, and following the procedural guidelines of the actual sting operation. However, many officers indicated that they recruited minors from Boy Scout and Explorer organizations against the advice of S.T.E.P. trainers. Of even greater concern is the fact that many minors were recruited from previous law enforcement contacts. To many, this arrangement may lead to the appearance of a quid-pro-quo relationship.

Survey results indicated that officers in the enforcement area were actually less likely to give youth a citation for purchasing, possessing, or using tobacco products than officers in the other study areas. Almost half of the officers in the enforcement area had not personally issued a citation to any youth in the last year. No officer in the enforcement area responding to this study had issued more than fifteen citations to youth in the last year. By comparison, a small percentage of officers in the other study areas had cited youth more than twenty times.

While officers in the enforcement area were not more likely to cite minors, they were much more likely to cite merchants for tobacco law violations. Over half of the officers in the enforcement area had cited a merchant at least once in the last year compared to only ten percent in the pilot and control study areas.

What are the attitudes of law enforcement officers toward the state tobacco laws?

Because contracted enforcement activities have only recently begun and officers were introduced to only a one-day training session, we were not expecting any significant attitude differences between officers in the various study areas. However, there was tremendous evidence of differences in tobacco issue attitudes.

Officers contracted to enforce tobacco laws were more likely to have followed the issues of tobacco use and regulation, and they were more likely to believe that tobacco use was a problem in their community than officers in the pilot and control study areas. Enforcement area officers were also much more likely to believe that the tobacco settlement would have an impact on reducing smoking in Texas and that tobacco companies have misled youth in order to get them to buy tobacco. Finally, enforcement area officers were more likely to believe that the state tobacco laws are enforceable.

Almost without exception, officers contracted to enforce tobacco laws had more positive attitudes about enforcement activities and their department's role in those activities. They also had more negative attitudes toward tobacco companies than officers outside the enforcement study area. However, we were surprised to find that officers outside the study area, who have had little experience in tobacco law enforcement activities, also tended to have fairly positive attitudes concerning tobacco law enforcement and anti-tobacco proposals. To us, this is an indication that officers throughout the state would be receptive to tobacco enforcement initiatives.

What barriers do law enforcement agencies face in enforcing tobacco laws?

Both survey and interview responses indicate that whatever barriers exist to effective tobacco law enforcement, they do not appear to be overwhelming. The most common response from officers in the enforcement area concerning obstacles to tobacco law enforcement was resistance by merchants (52%). Obviously this is not a tremendous barrier to enforcing the law and it is not surprising that many merchants would resist enforcement efforts.

Almost one-third of officers in the enforcement area stated that their department did not support tobacco enforcement efforts. Follow-up interviews with enforcement area officers indicate that this lack of department support does not come from administrators as much as fellow officers. Many fellow officers believe that tobacco enforcement activities are a waste of department resources and that more time should be devoted to more serious crimes.

About one-quarter of interviewed enforcement area officers cite lack of community coordination and complaints by citizens as obstacles to enforcing tobacco laws. One enforcement area officer from a sheriff's department stated that complaints by citizens may actually have an impact on tobacco enforcement efforts during election years.

Finally, very few enforcement area officers (7%) stated that judges were resistant to adjudicating tobacco laws.

What methods are being used to enforce the laws?

As pointed out above, enforcement area departments are engaging in all the prescribed enforcement tactics including compliance education to merchants, tobacco education to youth, merchant compliance checks, and controlled-buys or sting operations. Departments outside the enforcement study area were much less likely to have engaged in these activities.

We had asked in our survey whether the respondent's department was engaged in any other anti-tobacco programs and policies other than those previously mentioned. One officer stated that his department developed a program titled "Everyone's Responsible". In this program the department's community service officers conduct alcohol and tobacco sting operations. Instead of conducting stings against merchants, they work with merchants to conduct stings against youth. Undercover officers dress and act as customers in stores where tobacco products are sold. When a minor attempts to purchase tobacco they are confronted by the undercover officer. The minor is usually cited and their parents are always notified.

One DARE officer teaches in the Boy and Girl Scouts about the effects of tobacco, is a facilitator for youth attending tobacco awareness classes, speaks to civic groups frequently about tobacco issues, and has been selected as officer of the year. Speaking of the youth and community members he has talked to, he states "they like the programs."

An officer from one department stated that they have received and used several videos from the Centers for Disease Control concerning the dangers of smoking and anti-smoking messages for youth. They have obtained many materials on how to prevent underage smoking.

One department conducted their own survey of school-aged children in their community and found that 9 out of 10 of the surveyed youth that used tobacco have divorced parents who smoked cigarettes and also used alcohol.

Finally, a department conducted sting operations on every store selling tobacco products in their community in previous years (perhaps when the Synar legislation had first been passed). Unlike many other departments, they had the results of their stings against merchants printed in the local newspaper.

Are these methods balanced in their approach to enforcing laws related to minors and merchants?

As already alluded to, it appears that enforcement area officers have been more likely to enforce laws against retailers than against youth. Perhaps there was more emphasis placed on retailer enforcement within S.T.E.P. training, or officers are depending on school officers and personnel to enforce minor in possession laws. It is currently unclear as to why there were such large discrepancies in enforcement activities. This is certainly a question that will be posed in future research.

How consistently are the laws being enforced by the different law enforcement agencies?

As already discussed, within the enforcement study area almost all the departments (96%) are currently conducting merchant compliance checks at least monthly. Only thirty percent (30%) of officers from the pilot study area and twenty-one percent (21%) from the control area are conducting compliance checks that frequently.

Similarly, eighty-three percent (83%) of enforcement area officers state that their departments are conducting sting operations at least monthly compared to only nineteen percent (19%) in the pilot area and fifteen percent (15%) in the control study area. Also, it appears that enforcement area officers are issuing citations infrequently to youth. Half of the officers in the enforcement area have not cited a single minor in the last year.

Recommendations

- Increase and expand the STEP training program statewide. It is clear from law enforcement survey and interview results that officers who completed this training were much more knowledgeable of tobacco laws and the negative health effects of tobacco use. They were also much more likely to approve of government efforts to prevent tobacco use among youth. We were not expecting large differences in attitudes among officers from different study areas. Thus, it was a surprise that a one-day training program and limited involvement in tobacco enforcement activities among enforcement area officers had a positive impact on attitudes about tobacco issues.

- Expand contracts to law enforcement departments throughout the state to enforce tobacco laws. Survey results indicate that officers are willing to enforce the laws, but at this time few are doing so without contracts from the state. This is due to constraints on manpower within law enforcement departments.
- The Texas Department of Health needs to attempt to put contracts with law enforcement departments in place in close proximity to when the actual training is being conducted. Not receiving a contract at the time of training likely negatively impacted momentum and the force of the message.
- Officers from the enforcement area have infrequently discussed enforcement efforts with local judges and prosecutors. We recommend that law enforcement departments make local judges and prosecutors aware of their tobacco enforcement efforts. However, we suggest the development of a separate training course for judges and prosecutors.
- We suggest reinforcing the message in officer training sessions that minors utilized for sting operations should never be recruited from previous law enforcement contacts.
- Currently, enforcement area officers are citing youth less frequently than officers in the other study areas. We suggest placing more emphasis on enforcing youth tobacco laws within training and in contracts with departments. One suggestion may be to conduct sting operations against youth with the help of merchants.

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Appendix

Law Enforcement Survey



TEXAS TOBACCO PREVENTION INITIATIVE LAW ENFORCEMENT SURVEY



School of Juvenile Justice & Psychology
Prairie View A&M University

The following questions ask for some background information about yourself.

How many years of law enforcement experience do you have? _____

What is your age in years? _____

What is your gender?

- Male ()
Female ()

What is your race or ethnicity?

- Caucasian ()
African American ()
Hispanic ()
Asian ()
Native American ()
Other _____

What is your rank or position within the department?

The next group of questions asks about tobacco use.

Do you now smoke cigarettes everyday, some days, or not at all?

- Everyday ()
Some days ()
Not at all ()

On the average, about how many cigarettes a day do you now smoke?

1 Pack = 20
cigarettes

Do you use other tobacco products, such as chewing tobacco, cigars, or pipes, everyday, some days, or not all?

- Everyday ()
Some days ()
Not at all ()

The next questions are about your knowledge of the state's tobacco laws.

According to Texas law, what is the maximum possible fine for youth under age 18 caught in possession of tobacco products?

- \$50 ()
\$100 ()
\$250 ()
\$500 ()

According to Texas law, a minor's driver's license may be suspended for purchasing tobacco products if....

it is a second offense ()

it is a third offense ()

they do not attend a tobacco awareness program or do tobacco related community service ()

There is no provision for suspending a minor's drivers license ()

What is the maximum possible fine for store clerks that sell tobacco products to a minor?

- \$50 ()
\$100 ()
\$250 ()
\$500 ()

According to Texas law, can any law enforcement officer enforce the state's tobacco laws?

- Definitely Yes ()
- Probably Yes ()
- Probably No ()
- Definitely No ()

Anyone appearing under what age must be asked for proof of identification?

- 18 ()
- 21 ()
- 24 ()
- 27 ()

According to Texas law, what is the penalty, for the first offense, if a retailer does not inform employees about current tobacco laws?

- \$250 ()
- \$500 ()
- \$750 ()
- Suspension of permit to sale tobacco ()

All states must use "random, unannounced inspections" of retailers selling tobacco products to determine if tobacco laws are being adhered to?

- Definitely Yes ()
- Probably Yes ()
- Probably No ()
- Definitely No ()

The next questions ask about your beliefs regarding tobacco use, the health effects of tobacco, and advertising by tobacco companies.

How closely have you followed the issues of tobacco use and public efforts to regulate and control it in Texas?

- Very Closely ()
- Somewhat Closely ()
- Only a Little ()
- Not at All ()

How serious a problem would you say tobacco use is in your community?

- Very Serious ()
- Serious ()
- Somewhat Serious ()
- Not at All Serious ()

How serious of a problem is it that kids can get tobacco products in your community?

- Very Serious ()
- Serious ()
- Somewhat Serious ()
- Not at All Serious ()

How serious of a problem is it that non-smokers breathe in other people's smoke in your community?

- Very Serious ()
- Serious ()
- Somewhat Serious ()
- Not at All Serious ()

How serious of a problem is it that tobacco products are advertised in many areas of your community?

- Very Serious ()
- Serious ()
- Somewhat Serious ()
- Not at All Serious ()

How much do you think the following influence a child or teenager to start smoking?

Illegal sale of tobacco products to youth.

- A lot ()
- Some ()
- A Little ()
- None ()

What about peer-influence of other young people?

- A lot ()
- Some ()
- A Little ()
- None ()

What about tobacco advertising and promotion?

- A lot ()
- Some ()
- A Little ()
- None ()

What about parents smoking?

- A lot ()
- Some ()
- A Little ()
- None ()

What about the price of tobacco?

- A lot ()
- Some ()
- A Little ()
- None ()

To what extent do you agree or disagree that...

Store owners should have a license to sell cigarettes and other tobacco products, just like alcoholic beverages.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Youths under 18 should be made to pay fines if they are caught buying tobacco products.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Police "sting" operations increase compliance with youth tobacco access laws.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Tobacco advertising in stores should be banned.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Smoking in outdoor public areas like parks should be banned.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

The Texas Legislature should adopt a statewide smoke-free law banning smoking in work places and public buildings.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Kids under age 18 should be prohibited from wearing or bringing to school items that have a tobacco brand name or picture on them.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Tobacco companies should not be allowed to sponsor sporting events, fairs, or community events.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

The advertising of tobacco products on outdoor billboards, buses, and bus shelters should be banned.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

The government should not interfere with individuals' decisions about tobacco use.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

It is important that the government spend money on efforts to reduce tobacco use.

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

How much impact do you think the money Texas is receiving from the state's settlement with the tobacco companies will have on reducing smoking by Texans?

- A Great Deal ()
- Some ()
- Only a Little ()
- None at All ()
- Not Sure ()

Where do you think laws and controls on the sale and use of tobacco should be made?

- State Level ()
- County Level ()
- Local Community ()
- All of the Above ()
- None of the Above ()
- Not Sure ()

To what extent do you agree or disagree that...

People can get addicted to cigarette smoking just like they can get addicted to cocaine or heroin

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Tobacco companies should have the same right to market their products as other companies

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Tobacco companies have tried to mislead youth or teens to get them to buy their products

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Tobacco companies use advertising to attract young people

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

The next questions ask about your beliefs regarding the enforcement of tobacco laws.

To what extent do you agree or disagree that...

Enforcing the state's tobacco laws is an important function within this department

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

My administration has been supportive of tobacco enforcement efforts

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Police officers should do more to enforce laws against youth illegally using or possessing tobacco products

- Strongly Agree ()
- Somewhat Agree ()
- Neither Agree nor Disagree ()
- Somewhat Disagree ()
- Strongly Disagree ()

Police officers should do more to enforce laws against merchants licensed to sell tobacco products

- Strongly Agree ()
 Somewhat Agree ()
 Neither Agree nor Disagree ()
 Somewhat Disagree ()
 Strongly Disagree ()

To what extent do you agree or disagree that...

Police officers should do more to educate youth about the dangers of tobacco use

- Strongly Agree ()
 Somewhat Agree ()
 Neither Agree nor Disagree ()
 Somewhat Disagree ()
 Strongly Disagree ()

Police officers should become more involved in community efforts to reduce tobacco use among youth

- Strongly Agree ()
 Somewhat Agree ()
 Neither Agree nor Disagree ()
 Somewhat Disagree ()
 Strongly Disagree ()

Time and manpower in a police department spent enforcing tobacco laws could be better used elsewhere

- Strongly Agree ()
 Somewhat Agree ()
 Neither Agree nor Disagree ()
 Somewhat Disagree ()
 Strongly Disagree ()

Regardless of what the police department does, kids are able to get a hold of tobacco products anyway

- Strongly Agree ()
 Somewhat Agree ()
 Neither Agree nor Disagree ()
 Somewhat Disagree ()
 Strongly Disagree ()

The state tobacco laws are largely unenforceable

- Strongly Agree ()
 Somewhat Agree ()
 Neither Agree nor Disagree ()
 Somewhat Disagree ()
 Strongly Disagree ()

Place a check next to each category below that is an obstacle to enforcing tobacco laws in your department

- Lack of department support ()
 Lack of community coordination ()
 Resistance by judges ()
 Complaints by citizens ()
 Resistance by merchants ()
 Other () _____

The next questions are about your department's practices in the last 12 months concerning tobacco education.

Has your department provided in-service training on enforcing the tobacco laws?

- Yes ()
 No ()

Has your department participated in tobacco education to youth through DARE or other education programs?

- Yes ()
 No ()

Has your department been actively involved in educating parents and community members concerning the current Texas tobacco laws?

Yes ()

No ()

Has your department been actively involved in educating merchants/retailers concerning compliance to the current Texas tobacco laws?

Yes ()

No ()

If your department has been involved in educating merchants, did it distribute signs, brochures, or other information explaining the new tobacco laws?

Yes ()

No ()

Our department has not provided training to merchants ()

Has someone from your department met with local judges to discuss the enforcement of the state's tobacco laws?

Yes ()

No ()

Has someone from your department met with local prosecutors to discuss the enforcement of the state's tobacco laws?

Yes ()

No ()

The next questions are about your department's practices concerning compliance inspections. Compliance inspections are when officers enter retail establishments checking for proper warning signs, a license to sell tobacco

products, direct access to tobacco, outdoor advertising, and distribution of promotional items by tobacco companies.

Has your police department been actively involved in conducting compliance inspections in the last 12 months?

Yes ()

No ()

If so, approximately how often does your department conduct compliance inspections at this time?

Less than once a year ()

Once a year ()

Twice a year ()

Monthly ()

More than one time per month ()

If your police department has conducted compliance inspections, have they targeted areas near schools?

Yes ()

No ()

If your police department has conducted compliance inspections, place a check mark next to each category below that officers in your department typically looked for.

Display of appropriate warning signs from the state comptroller's office ()

Possession and display of a state tobacco permit ()

Whether or not there is direct access to tobacco products (tobacco products are not in a location where assistance is required by a clerk) ()

Whether or not outdoor advertising is displayed less than 1000 ft. from a church or school ()

Distribution of promotional items like coupons, kiddie packs, and T-shirts ()

Accessible tobacco vending machine in a business open to minors ()

The next questions are about your department's practices concerning controlled-buys or "stings". Controlled-buys are where officers accompany a minor who attempts to purchase tobacco products.

Has your police department been actively involved in conducting controlled-buys or "stings" in the last 12 months?

Yes ()

No ()

If so, approximately how often does your department conduct controlled-buys or "stings"?

Less than once a year ()

Once a year ()

Twice a year ()

Monthly ()

More than one time per month ()

If your police department has conducted controlled-buys or "stings", have they targeted areas near schools?

Yes ()

No ()

If your department conducts controlled-buys or "stings", what is the typical age of the minor? _____

How are minors recruited for controlled-buy scenarios?

DARE students ()

Boy Scouts or Explorer Groups ()

Minors who have had previous law enforcement contacts ()

Minors who are children of law enforcement officers ()

Other (Please specify) ()

Are minors required to have their parents' consent before engaging in controlled-buys in your department?

Yes ()

No ()

Place a check mark next to each of the following activities your department routinely conducts to train minors about their role in the controlled-buy/"sting" operations?

Role play different controlled-buy scenarios ()

Inform minor never to lie about their age ()

Inform minor that if the sell is refused, pick up the money and leave ()

Inform minor to leave if the clerk begins to argue with them ()

Are minors accompanied by a plains-clothes officer when attempting to purchase tobacco products?

Yes ()

No ()

The next set of questions are about your own personal enforcement activities as an officer.

In your normal duties as an officer, if you suspect a minor is using, possessing, or purchasing tobacco products, what would be your most likely response? (Choose only one)

- I would give the youth a citation ()
- I would give the youth a warning ()
- I would lecture the youth about the dangers of tobacco use ()
- I would do nothing ()

Approximately how many citations have you personally issued to underage youth for possessing, purchasing, consuming, or accepting tobacco products in the last 12 months?

- None ()
- 1 to 5 ()
- 6 to 10 ()
- 11 to 15 ()
- 16 to 20 ()
- More than 20 ()

Approximately how many citations have you personally issued to merchants for violating tobacco laws in the last 12 months?

- None ()
- 1 to 5 ()
- 6 to 10 ()
- 11 to 15 ()
- 16 to 20 ()
- More than 20 ()

If your agency has developed anti-tobacco programs or policies not already mentioned in this survey, please describe the program or policies below.

Thank you for your participation in this survey!