

# Memo

To: Mayor and Council  
From: Shari Coughenour, City Clerk  
CC: City Administrator, City Attorney  
Date: 12/23/2009  
Re: ***Iowa Pledge*** / Our performance

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Attached is the State's 2009 Tobacco Compliance Data, showing the compliance rates for 2008, 2009 and specific numbers for 2009 for all of Iowa's 99 counties. The goal is 100% compliance with the law.

At a glance, tobacco compliance rates (reporting sales to minors) for our geographic area:

- Marshall County's retailers, in 2008, received a complaint grade of 89%. This means 14% of the retailers that were checked sold tobacco products to a minor.
- In 2009, the grade for Marshall County was 69%. A decrease of 22%.
- **In 2009, by retailers in the City of Marshalltown, out of 65 retailers checked, only 44 were compliant. Compliant rate: 68%.**
- In 2009, our surrounding counties fared better: Grundy – 83%, Hardin – 85%, Jasper – 93%, Story 94%, Tama – 92%.

The City of Marshalltown, through the Police Department, partners with the State of Iowa to administer and oversee enforcement of Iowa's tobacco laws and education of Iowa's tobacco retailers through the ***Iowa Pledge*** Tobacco Education and Enforcement Program. Funding for the ***Iowa Pledge*** program is provided by a monetary settlement between the state of Iowa and a number of tobacco companies.

The Police Department conducts compliance checks at all tobacco retail outlets located within the City of Marshalltown and reimbursement is made by the Iowa ABD for each check conducted. Retailers have the opportunity to educate their sales clerks to comply with the law and thus avoid the retailer's civil sanction should an illegal sale occur. They may take advantage of this "affirmative defense" provision once every four years.

While enforcement of Iowa's tobacco laws is an important goal of the ***Iowa Pledge*** program, education of both law enforcement and the state's tobacco retailers is the primary focus of the program. Through a series of program initiatives, the ***Iowa Pledge*** program has traveled across the state to educate the law enforcement and the retail communities, ensuring that tobacco products are not sold to minors and that the state's tobacco laws are properly enforced. Please contact the Division toll-free at 866.IowaABD or e-mail [IAPledge@IowaABD.com](mailto:IAPledge@IowaABD.com) for additional information regarding the ***Iowa Pledge*** program.

# IOWA TOBACCO COMPLIANCE DATA

## FY 2009 END of YEAR REPORT

92% Compliant

6368 Checks Compliant

8% Non-Compliant

564 Checks Non-Compliant

7710 Checks Conducted

778 Unable to Complete

	COUNTY	FY08	FY09	NET CHANGE	RETAILERS	COMPLIANCE		
		COMPLIANCE	COMPLIANCE			CHECKS	VIOLATIONS	COMPLIANT
1	Adair County	96%	100%	4.17%	12	19	0	16
2	Adams County	100%	100%	0.00%	8	13	0	10
3	Allamakee	92%	83%	-9.78%	31	58	6	29
4	Appanoose County	83%	87%	4.82%	27	51	6	39
5	Audubon County	92%	75%	-18.48%	4	8	2	6
6	Benton County	83%	93%	12.05%	38	69	4	54
7	Black Hawk County	93%	91%	-2.15%	181	323	23	244
8	Boone County	98%	90%	-8.16%	26	52	5	45
9	Bremer County	91%	93%	2.20%	25	43	3	37
10	Buchanan County	93%	91%	-2.15%	35	58	4	41
11	Buena Vista County	80%	90%	12.50%	31	63	6	56
12	Butler County	100%	89%	-11.00%	19	33	3	23
13	Calhoun County	100%	100%	0.00%	14	27	0	27
14	Carroll County	93%	97%	4.30%	41	79	2	74
15	Cass County	100%	96%	-4.00%	23	46	2	44
16	Cedar County	82%	88%	7.32%	30	54	6	44
17	Cerro Gordo County	94%	96%	2.13%	60	115	4	100
18	Cherokee County	88%	91%	3.41%	17	34	3	31
19	Chickasaw County	90%	97%	7.78%	23	43	1	32
20	Clarke County	88%	94%	6.82%	17	33	2	29
21	Clay County	91%	94%	3.30%	23	46	3	43
22	Clayton County	95%	86%	-9.47%	33	63	8	48
23	Clinton County	93%	92%	-1.08%	86	155	11	125
24	Crawford County	96%	98%	2.08%	27	54	1	51
25	Dallas County	92%	91%	-1.09%	44	83	7	74
26	Davis County	91%	92%	1.10%	6	12	1	11
27	Decatur County	96%	100%	4.17%	15	30	0	29
28	Delaware County	98%	95%	-3.06%	31	54	2	38
29	Des Moines County	89%	98%	10.11%	45	88	2	82
30	Dickinson County	93%	96%	3.23%	42	78	3	74
31	Dubuque County	93%	94%	1.08%	139	279	17	256
32	Emmet County	88%	100%	13.64%	11	22	0	22

		FY08	FY09			COMPLIANCE		
COUNTY		COMPLIANCE	COMPLIANCE	NET CHANGE	RETAILERS	CHECKS	VIOLATIONS	COMPLIANT
33	Fayette County	94%	94%	0.00%	38	75	4	67
34	Floyd County	90%	92%	2.22%	20	40	3	33
35	Franklin County	80%	92%	15.00%	17	29	2	22
36	Fremont County	94%	93%	-1.06%	16	30	2	26
37	Greene County	87%	92%	5.75%	12	24	2	22
38	Grundy County	100%	83%	-17.00%	20	40	6	30
39	Guthrie County	100%	100%	0.00%	22	43	0	39
40	Hamilton County	97%	96%	-1.03%	31	53	2	44
41	Hancock County	96%	87%	-9.38%	19	37	4	26
42	Hardin County	91%	85%	-6.59%	29	51	7	39
43	Harrison County	87%	94%	8.05%	31	62	4	58
44	Henry County	100%	98%	-2.00%	37	68	1	60
45	Howard County	85%	92%	8.24%	26	54	4	43
46	Humboldt County	98%	89%	-9.18%	21	40	4	33
47	Ida County	100%	92%	-8.00%	12	24	2	22
48	Iowa County	91%	94%	3.30%	32	56	3	47
49	Jackson County	99%	96%	-3.03%	42	79	3	68
50	Jasper County	81%	93%	14.81%	45	89	6	74
51	Jefferson County	100%	84%	-16.00%	15	32	5	26
52	Johnson County	91%	86%	-5.49%	121	234	28	175
53	Jones County	85%	100%	17.65%	30	53	0	46
54	Keokuk County	97%	92%	-5.15%	22	42	3	35
55	Kossuth County	95%	93%	-2.11%	37	68	4	49
56	Lee County	95%	86%	-9.47%	54	119	15	91
57	Linn County	92%	90%	-2.17%	200	366	30	276
58	Louisa County	100%	80%	-20.00%	14	26	5	20
59	Lucas County	94%	100%	6.38%	9	18	0	18
60	Lyon County	95%	93%	-2.11%	20	40	3	37
61	Madison County	100%	94%	-6.00%	16	32	2	30
62	Mahaska County	88%	96%	9.09%	29	54	2	48
63	Marion County	98%	89%	-9.18%	40	78	8	67
64	Marshall County	89%	69%	-22.47%	57	106	27	61
65	Mills County	92%	92%	0.00%	12	24	2	22
66	Mitchell County	93%	100%	7.53%	22	38	0	31
67	Monona County	91%	90%	-1.10%	22	43	4	37
68	Monroe County	79%	82%	3.80%	15	26	4	18
69	Montgomery County	92%	95%	3.26%	21	40	2	36
70	Muscatine County	85%	87%	2.35%	59	116	13	89
71	O'Brien County	98%	96%	-2.04%	24	48	2	44
72	Osceola County	88%	96%	9.09%	13	26	1	25
73	Page County	82%	97%	18.29%	20	38	1	37

	COUNTY	FY08	FY09	NET CHANGE	RETAILERS	COMPLIANCE		
		COMPLIANCE	COMPLIANCE			CHECKS	VIOLATIONS	COMPLIANT
74	Palo Alto County	100%	93%	-7.00%	23	46	3	41
75	Plymouth County	93%	95%	2.15%	28	55	3	52
76	Pocahontas County	93%	86%	-7.53%	13	22	3	18
77	Polk County	92%	90%	-2.17%	478	847	73	677
78	Pottawattamie County	93%	93%	0.00%	117	229	15	213
79	Poweshiek County	93%	81%	-12.90%	28	54	8	35
80	Ringgold County	95%	95%	0.00%	12	24	1	19
81	Sac County	98%	91%	-7.14%	22	44	4	40
82	Scott County	86%	92%	6.98%	207	399	25	301
83	Shelby County	85%	95%	11.76%	23	45	2	40
84	Sioux County	96%	94%	-2.08%	41	80	5	74
85	Story County	94%	94%	0.00%	89	170	9	145
86	Tama County	100%	92%	-8.00%	35	66	5	54
87	Taylor County	100%	100%	0.00%	13	22	0	18
88	Union County	90%	85%	-5.56%	18	35	5	29
89	Van Buren County	100%	86%	-14.00%	18	34	4	25
90	Wapello County	92%	95%	3.26%	43	83	4	77
91	Warren County	93%	97%	4.30%	40	78	2	72
92	Washington County	96%	98%	2.08%	33	62	1	49
93	Wayne County	94%	94%	0.00%	9	18	1	17
94	Webster County	94%	93%	-1.06%	66	118	6	85
95	Winnebago County	91%	94%	3.30%	27	54	3	49
96	Winneshiek County	92%	96%	4.35%	33	64	2	53
97	Woodbury County	91%	93%	2.20%	126	248	18	224
98	Worth County	89%	100%	12.36%	12	18	0	18
99	Wright County	86%	89%	3.49%	24	49	5	41