# POLICIES TO REDUCE COMMERCIAL ACCESS TO ALCOHOL

#### **COMPLIANCE CHECKS**

## What are compliance checks and how do they work?

A compliance check is a tool to identify alcohol establishments that sell alcohol to underage youth. The practice of conducting compliance checks can be:

- Mandated by a local ordinance that outlines standards for conducting the checks, persons or agencies responsible for conducting the compliance checks, and penalties for establishments, servers and sellers who illegally sell or serve alcohol to underage youth.
- Voluntarily implemented by law enforcement or licensing authorities.

Compliance checks can be used for two purposes:

- Enforcement: To enforce state criminal statutes, local administrative ordinances, or both.
- Educational: To identify, warn, and educate alcohol establishments that serve or sell alcohol to underage youth.

For guidelines on implementing compliance checks see <u>Alcohol Compliance Checks: A Procedures Manual for Enforcing Alcohol Age-of-Sale Laws</u>

## Why compliance checks are important for your community

- Studies show that compliance checks are effective. Several studies have found that after compliance checks were conducted, sales to underage patrons reduced 1, 2
- Compliance checks encourage alcohol licensees to "police" themselves.
   Naturally, neither alcohol licensees nor their employees want to be caught selling alcohol to underage persons. Because compliance checks can be used to hold both licensees and servers accountable for illegal sales to youth, these checks encourage alcohol licensees to adequately train, supervise, and back up their employees.
- Compliance checks can motivate citizen participation and support. Collaborating with police to conduct compliance checks is a productive and effective method for local citizens to become actively involved in underage alcohol use prevention efforts.

#### Considerations for passing this ordinance in your community

**ISSUE:** Community members and public officials may perceive that compliance checks require too many resources (time, personnel, and money).

**RESPONSE:** To cover the costs of compliance checks, a local ordinance could require that a percentage of the fines collected from non-compliant merchants be dedicated to cover the expenses of the compliance checks. In some states, communities can also increase the cost of alcohol license fees to cover the costs of enforcing age-of-sale laws. To limit the time required by police to conduct checks, community action groups can take responsibility for planning the checks and coordinating young people's involvement.

**ISSUE:** Owners and managers of alcohol establishments may organize to oppose compliance checks and other enforcement activities.

**RESPONSE:** Alcohol prevention groups and other community organizations may be able to minimize alcohol licensees' opposition to compliance checks by working with merchants to create good establishment policies and practices that, in turn, will decrease the chance that servers and sellers illegally sell alcohol to underage persons.

**ISSUE:** Owners and managers may argue that their employees are selling to underage people and thus, the employees, not the owners and managers, should face penalties. **RESPONSE:** Compliance checks that are used just to penalize individual servers and sellers may not result in long-term establishment-wide changes to reduce alcohol sales to underage youth. Furthermore, employees may not be able to comply with alcohol laws without support and training from management. Alcohol owners and managers should have ultimate responsibility for what occurs in their establishments. Compliance checks, when combined with administrative penalties, encourage management to train servers and sellers of alcohol and to develop and enforce establishment policies that discourage sales to youth.

**Note**: Community members are strongly urged to consult with a local attorney to learn about state law requirements before attempting to pass a local ordinance on compliance checks.

### **Considerations for implementation**

- If compliance checks are not conducted properly, they may be challenged in court by alcohol licensees or employees who claim illegal entrapment. Successful compliance checks avoid tactics that can be considered "entrapment." For example, youth who conduct the checks can request alcohol but they cannot try to pressure or persuade the server or seller into making a sale. Buyers should be instructed to refrain from attempting to look older, lying about their age, and drinking any of the purchased alcohol. In addition, buyers must show their identification when requested by the server/seller. Buyers should not use false identification because they may be accused of attempting to "trick" the server/seller.
- One-time compliance checks may not result in long-lasting compliance with ageof-sale laws. Compliance checks should be done frequently and on an unscheduled basis. Compliance checks should also be conducted at all alcohol establishments. <u>1</u> <u>2</u> Checking all alcohol licensees helps avoid complaints that some establishments are being arbitrarily or unfairly targeted
- Penalizing non-compliant alcohol licensees through the court system can be expensive and time-consuming. Police and other city officials may be more likely to conduct compliance checks that are used to enforce administrative penalties targeted at the alcohol license holder rather than state statutes targeted at the individual seller or server. Prosecuting individuals for age-of-sale laws through the court system is time-consuming, expensive, and requires the involvement of law enforcement personnel. Interviews with police indicate that criminal court judges often resist clogging the court with alcohol sales violations. Administrative penalties bypass the criminal court system, and are therefore less expensive and faster to enforce.
- Compliance checks can be conducted at community festivals and sport stadiums. Compliance checks are more likely to be conducted at alcohol establishments (i.e., bars, restaurants, and liquor stores) than other alcohol venues

like festivals and stadiums. Compliance checks may be needed wherever alcohol is sold to prevent illegal sales to minors.

### How compliance checks fit into a larger context

Compliance checks have been shown to be an effective method of limiting commercial availability of alcohol to underage youth. Compliance checks may be more likely to be pursued and conducted if they are coupled with administrative penalties that allow local governments to impose sanctions on non-compliant licensees. In addition, compliance checks combined with administrative penalties may encourage alcohol establishments to adopt their own policies to reduce sales to youth. These policies could include:

- Responsible beverage server training programs (see <u>responsible beverage service</u> training)
- Secret shopper programs
- Warning posters
- Checking age identification of all customers (see <u>checking age identification</u>)

Comprehensive efforts to reduce teen access to alcohol must also include strategies that reduce social sources of alcohol for youth, such as keg registration and enforcement of social host provider laws.

#### References:

- 1. Wagenaar AC, Toomey TL, Erickson DJ. Preventing youth access to alcohol: Outcomes from a multi-community time-series trial. *Addiction*, 100(3):335-45, 2005.
- Community Preventive Services Task Force. Preventing excessive alcohol consumption: Enhanced enforcement of laws prohibiting sales to minors. Available online at: <a href="http://www.thecommunityguide.org/alcohol/lawsprohibitingsales.htm">http://www.thecommunityguide.org/alcohol/lawsprohibitingsales.htm</a>

#### **ADMINISTRATIVE PENALTIES**

# What are administrative penalties and how do they work?

An administrative penalty is:

- A legal mechanism that allows a local governing body to penalize alcohol license holders for failing to comply with state laws or local ordinances relating to sales of alcoholic beverages
- Usually a monetary fine or the suspension or revocation of an alcohol license
- Administered by a local governing body (city council, county board), rather than the court system
- Imposed upon the license holder (in contrast to state laws that target the behavior of individual sellers and servers of alcohol)
- Intended to provide an alternative enforcement mechanism that is more cost-effective, timely, and practical than prosecuting servers and sellers through the court system
- Provides an alternative to criminal prosecution, but does not necessarily replace criminal prosecution (some communities pursue both prosecution and administrative penalties)
- Can be written and passed as a local ordinance or state law

### Why administrative penalties are important for your community

- The time and expense associated with prosecuting alcohol-related laws through the court system may discourage some communities from enforcing them. Because prosecuting servers and sellers may be a long and expensive process for district attorneys, judges may not want to spend time on these cases. Hence, some violators may never be penalized. Administrative penalties are less cumbersome to impose than are criminal violations, and therefore may be more likely to be enforced by local officials. In addition, enforcement of an administrative penalty may seem less harsh than court proceedings; therefore, it may be more acceptable to a community.
- An administrative penalty ordinance allows a local government to establish and enforce standards of behavior among alcohol licensees within its jurisdiction. A license to sell alcohol is a privilege, rather than a right, granted by state or local governments. Local governments can use an administrative penalty to revoke this privilege, thereby setting and upholding standards of health and safety related to alcohol.
- Administrative penalties may encourage alcohol licensees to create
   establishment policies and practices that discourage the sale of alcohol to
   underage youth. If alcohol licensees are held accountable for the actions of their
   employees, they may be more likely to adequately train and supervise their employees
   through server training programs and other policies and practices that encourage
   employees to comply with age-of-sale laws.

Considerations for passing an administrative penalties ordinance in your community ISSUE: Alcohol licensees may argue that they should not be held responsible for illegal acts of individual servers or sellers.

**RESPONSE:** When management is not held accountable for complying with laws relating to the sale of alcohol, they may directly or indirectly pressure servers and sellers to focus on maximizing sales rather than avoiding illegal sales. Administrative penalties ensure that management and individual servers and sellers are equally accountable for complying with

the laws and are both working toward the same goal. Without management support and training, it may be impossible for servers and sellers to comply with the laws.

**ISSUE:** Alcohol licensees may perceive administrative penalties as unnecessarily harsh. **RESPONSE:** Administrative penalties should be set up so that initial offenses result in fairly minor penalties, but multiple violations result in increasingly serious consequences. An initial administrative fine should neither be so modest that it is not taken seriously by offenders, nor so harsh that its enforcement is resisted. With increasing violations of alcohol-related laws, the penalty should be increased, with the maximum penalty being suspension or revocation of the establishment's alcohol license. While license revocation may seem extreme, it is important to remember that an alcohol license is a privilege, rather than a right, granted by the community and communities have the right to withdraw that privilege.

Note: Community members are strongly urged to consult with a local attorney to learn about state law requirements before attempting to pass a local ordinance on administrative penalties.

### **Considerations for implementation**

- To apply administrative penalties, communities must identify the alcohol
  establishments that illegally sell alcohol to underage youth and/or obviously
  intoxicated patrons. To implement an administrative penalty, mechanisms should
  exist for identifying alcohol licensees that do not comply with alcohol sales laws. For
  underage sales, compliance checks may be the most effective method for identifying
  non-compliant alcohol establishments (see compliance checks).
- Enforcement of administrative penalties should include a public hearing. Public
  hearings of accused violators give the local governing body and community members
  opportunities to publicly declare that the sale of alcohol to underage youth is not
  acceptable in the community.

# How administrative penalties fit into a larger context

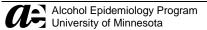
Administrative penalties are an important and viable method for reducing the commercial availability of alcohol to youth and sales to intoxicated patrons. While an administrative penalty ordinance gives local government the power to enforce state and local laws, alcohol licensees can and should police themselves through internal policies and practices that ensure employees' compliance with alcohol-related laws. These policies and practices can include:

- Responsible beverage server training programs (see <u>responsible beverage service</u> <u>training</u>)
- Internal compliance checks (see <u>compliance checks</u>)
- Warning posters

Comprehensive efforts to reduce teen access to alcohol must also include strategies to reduce other sources of alcohol for youth, such as keg registration policies that penalize adults who buy beer kegs for youth (see keg registration).

#### **Additional resources**

For sample ordinances to reduce the supply of alcohol to teens and young adults under age 21 see Appendix B of Alcohol Compliance Checks: A Procedures Manual for Enforcing Alcohol Age-of-Sale Laws..



#### MINIMUM-AGE-OF-SELLER

What are minimum-age-of-seller policies and how do they work? (for more information see: http://www.alcoholpolicy.niaaa.nih.gov/)

- Age of seller policies require that servers and clerks at alcohol establishments be of a minimum age in order to serve or sell alcohol.
- State laws specify a minimum age for employees who sell or serve alcoholic beverages in a licensed establishment.
- In most states, seller/servers of alcohol must be at least 18 but younger employees
  may be allowed to stock coolers with alcohol, bag purchased alcohol, or clear alcoholic
  beverages from tables.
- In some states where the minimum age of server/seller is lower than the legal minimum drinking age (21), a city or town can pass a local ordinance that requires sellers and servers to be at least 21.

### Why age-of-seller policies are important for your community

• Several studies indicate that younger employees are more likely than older employees to sell to underage youth and intoxicated patrons. 2-3 Minimum-age-of-seller policies may reduce the likelihood that underage people will obtain alcohol from peers working at alcohol establishments.

#### Considerations for passing this ordinance in your community

**ISSUE**: In some states, cities and towns may be prohibited by state law from passing ordinances that raise the minimum-age-of-seller in their communities.

**RESPONSE**: In these states, communities can put pressure on the state legislature to remove restrictions on age-of-seller laws. In addition, communities can work with individual alcohol merchants to establish internal age-of-seller policies for their establishments as permitted by law.

**ISSUE**: Young people ages 18 to 20 make up a significant part of the work force. Retailers may oppose age-of-seller policies because they may limit the pool of potential employee, and community members may oppose these policies because they don't want to limit jobs for young people.

**RESPONSE**: An establishment may benefit from hiring only persons 21 or older because this group may be more responsible and reliable, thus reducing an establishment's potential liability.

**ISSUE**: Some states allow sellers/servers of beer to be of a younger age than seller/server of wine or spirits.

**RESPONSE**: Policies should prohibit persons under the minimum seller age from selling or serving any alcoholic beverages. It is important to prevent underage access to beer, as well as wine and spirits.

**ISSUE**: Even employees who are 21 or older may sell to their underage friends. **RESPONSE**: In addition to minimum-age-of-seller policies, it is important that employees receive responsible beverage service training and are monitored for compliance with laws prohibited sales to underage patrons. **Note**: Community members are strongly urged to consult with a local attorney to learn about state law requirements before attempting to pass a local ordinance on minimum age of seller.

## How age of seller policies fit into a larger context

Policies that set or raise the minimum-age-of-seller should be combined with other policies aimed at reducing the availability of alcohol to underage youth and reducing sales to intoxicated patrons, such as:

- Age identification policies (see checking age identification)
- Bans or restrictions of home deliveries (see <u>home delivery restrictions</u>)
- Responsible beverage server training programs (see <u>responsible beverage service</u> <u>training</u>)
- Internal compliance checks (see <u>compliance checks</u>)

#### References:

- Forster JL, Murray DM, Wolfson M, Wagenaar AC. Commercial availability of alcohol to young people: Results of alcohol purchase attempts. *Preventive Med*, 24:342-347, 1995.
- 2. Forster JL, McGovern PG, Wagenaar AC, Wolfson M, Perry CL, Anstine PS. The ability of young people to purchase alcohol without age identification in northeastern Minnesota, USA. *Addiction*, 89:699-705, 1994.
- 3. Wolfson M, Wagenaar AC, Hornseth GW. Law officers' views on enforcement of the minimum drinking age: A four-state study. *Public Health Reports*, 110(4):428-438, 1995.

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#### CHECKING AGE IDENTIFICATION

## What are age identification policies and how do they work?

Age identification policies are written guidelines at stores, bars and restaurants that provide employees instructions on checking age identification of customers attempting to buy alcohol. These guidelines may reduce illegal sales of alcohol to underage youth by:

- Encouraging employees to refuse to sell alcohol to any customer who does not have a valid ID showing he/she is 21 or older.
- Increasing employees' detection of fake IDs.

The ID-checking policy of an alcohol establishment may include the following guidelines:

- Follow the same procedure when checking each ID; don't be distracted by conversation with the customer.
- Check the ID of anyone who looks under the age of 30.
- Check the birth date to see that the person is over 21.
- Check the ID photo and the recorded height for resemblance with the attempted buyer.
   Compare the hairline, eyebrows and chin shape on the photo-these are the most difficult features to change.
- Check the expiration date. If it is expired, it is not a valid ID.
- Check the date the ID was issued. The issue date is usually in 4-year increments from the age of 16.
- Check the IDs of all people at the counter or table if they all look of questionable age. For example, if a 21-year-old buys a pitcher of beer, check the ID of everyone at the table who appears younger than age 30.
- If a customer is using a license from another state, compare the license to a representative license from that state. You can usually obtain a copy of "United States Driver's Licenses" from your state's liquor control board.
- If the word "duplicate" is stamped on the license, someone else may have the original. Ask for another form of identification.

## Why age identification policies are important for your community

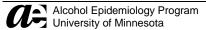
Selling alcohol to people under the age of 21 is illegal. Yet underage youth can easily purchase alcohol with either no age identification or with poor quality fake IDs. There are several sources of fake IDs, including:

- Alteration of one's own ID.
- Use of someone else's ID, either stolen or borrowed.
- Applying for another person's ID using that person's birth certificate.
- Creating one's own fake ID.
- Purchasing an ID from professional counterfeiters.

Servers, clerks, and managers of alcohol establishments face the risk of criminal and civil liability if they serve or sell alcohol to an underage person. Checking IDs decreases the potential liability a server or seller could face for selling alcohol to an underage person. An ID-checking policy also reduces the potential liability of the owners of establishments, who could be sued for illegal alcohol sales that result in an injury to a third party.

#### Considerations for establishing this policy in alcohol establishments

**ISSUE:** Some alcohol merchants may not establish age identification policies unless pressured to do so by the community.



**RESPONSE**: Concerned community members can contact alcohol establishments to inquire about their written alcohol-related policies. If the establishment doesn't have ID-checking policies, the community should encourage the owners/mangers to adopt appropriate ones (see above). In addition, compliance checks and administrative penalties can be put in place to increase the pressure on merchants to use ID-checking procedures (see <u>compliance</u> checks and administrative penalties summaries).

## **Considerations for implementation**

**Community support:** If police and parents do not think youth drinking is a problem, merchants will be less likely to uphold strict rules concerning alcohol sales to minors. Merchants need support from the community and local law enforcement for ID-checking policies to be successful.

**Difficulty of judging age**: Merchants may claim that it is difficult to tell when a person is underage because some underage youth can look very mature. Every business that sells or serves alcohol should have a written policy stating that all employees should check the age identification of anyone who appears younger than 30 years old.

**Technology:** Electronic ID scanners are also available and can be mandated by law or voluntarily used by an establishment or chain of establishments. Scanners may help employees determine if someone is of age; however, employees still need to check the ID to make sure it matches the person presenting the ID.

**Other policies needed**: The presence of an ID-checking policy alone is unlikely to reduce illegal sales to underage youth. In addition to an ID-checking policy, other establishment policies are needed:

- Each manager and alcohol server or seller should receive training on how to check IDs and identify fake IDs. This training can be included in responsible beverage service training programs (see <u>responsible beverage service training</u>).
- Establishments should post signs stating that proper identification is required to purchase alcohol. This reminds employees and clearly informs patrons of the establishment's ID-checking policy.
- Communities may work with a group of alcohol establishments to help create establish compliance checks. (see compliance checks).
- Policies should also include instructions on what an employee should do if he/she identifies a fake ID. Guidelines may include:
  - Be polite yet firm in refusing the sale to the customer
  - Call a manager
  - Confiscate the fake ID when appropriate
  - Contact local law enforcement when appropriate
- Establishments may also want to reward employees who confiscate a fake ID, such as giving a small monetary reward for each ID confiscated.

#### How age identification policies fit into a larger context

Age identification policies should be part of a larger group of policies aimed at decreasing underage youth's access to alcohol. Communities can also conduct regular compliance checks and impose fines or other penalties against establishments that fail to comply with age-of-sale laws. (see <u>compliance checks</u> and <u>administrative penalties</u>). Policies that reduce non-commercial (social) sources of alcohol, such as getting alcohol from family members or friends are also needed (see <u>social host liability</u>).

## **ALCOHOL HOME DELIVERY RESTRICTIONS**

### What are alcohol home delivery restrictions and how do they work?

Home delivery restrictions regulate liquor stores that offer delivery of alcoholic beverages to personal residences. A home delivery policy may:

- Prohibit or ban the delivery of alcohol to residential addresses.
- Place restrictions on home deliveries.

Banning or restricting home deliveries may be part of a local ordinance or a state law. Communities that do not want to completely ban home deliveries can impose the following restrictions:

- Require that delivery personnel be age 21 years or older.
- Restrict the amount of alcohol that can be delivered.
- Require delivery people to verify, via a legal age identification card, that the buyer is
   21 or older, and also require the delivery person to document:
  - 1. The name of the purchaser
  - 2. The purchaser's address and driver's license or state identification card number
  - 3. The time, date, place of delivery
  - 4. The quantity and brand of alcohol delivered
  - 5. The name of the delivery person
- Prohibit sales of alcohol through the Internet by banning direct shipments of alcohol to personal residences.

## Why alcohol home delivery restrictions are important for your community

- Home delivery sales are unsupervised. Delivery persons may have less incentive to check purchasers' age identification when they are away from the licensed establishment and cannot be watched by a surveillance camera, the liquor store's management, or other customers. A home delivery ban would eliminate these types of unsupervised alcohol sales. Also, an age requirement for delivery persons may decrease sales to youth because an older person may be less likely to sell alcohol to underage people.
- An invoice system may discourage people age 21 or older from providing alcohol to teens. Buyers may be discouraged from providing alcohol to underage people when they cannot do so anonymously. Purchasers could also be required to sign a statement indicating that they are aware of the criminal and civil liability for injuries and damage that result from providing alcohol to an underage person. In the event that an underage youth injures him/herself or others as result of the delivered alcohol, the purchaser can be traced and prosecuted via the invoice system.

#### Considerations for passing this ordinance in your community

**ISSUE**: Alcohol establishments may oppose home deliveries laws because it would limit their business opportunities.

**RESPONSE**: Because home delivery regulations may decrease alcohol sales to youth, regulating home deliveries may ultimately protect alcohol establishments from criminal and civil liability. Furthermore, the invoice system provides alcohol establishments with a mechanism for monitoring their employees when they are off the premises making a home delivery.

**ISSUE**: Municipal governments may oppose home delivery regulations if they require additional resources to enforce.

**RESPONSE**: To offset the financial costs of enforcing home delivery regulations, a portion of the revenue from home delivery fines or alcohol licensing fees could be dedicated to enforcing home delivery regulations. In addition, alcohol license fees could be increased. To offset the personnel time required to review home delivery invoices, it may also be possible to give community volunteers the authority to review invoices.

### **Considerations for implementation**

- If home delivery restrictions only apply to one particular community, people may order alcohol from establishments located in nearby communities that don't have such regulations. A state- or county-level policy regulating home deliveries would help eliminate this problem.
- Delivery personnel should be trained on how to check IDs and on other responsible service practices.
- Home delivery policies must be enforced. Regulations will be more successful if the process of enforcing policies is monitored by police or other authorized personnel. For example, a local ordinance could require that authorized personnel conduct invoice checks two times per year. Police could also do "reverse compliance checks" in which police cadets who are younger than age 21 order alcohol to be delivered to their homes and then identify the delivery people who do not comply with the regulations. This strategy may not work in small communities where people recognize each other. In these places, police officers may need to collaborate with cadets or officers from nearby cities.

# How alcohol home delivery policies fit into a larger context

Policies on home delivery will be most effective if combined with other strategies, such as:

- Responsible beverage service training. (see <u>responsible beverage service training</u>).
- Checking the age identification (see checking age identification).
- Warning posters indicating that alcohol servers and sellers check the age identification
  of all customers.
- Policies aimed at reducing non-commercial (social) sources of alcohol among youth such as keg registration and social liability laws (see <u>beer keg registration</u> and <u>social</u> host liability).

#### RESPONSIBLE BEVERAGE SERVICE TRAINING

What is Responsible Beverage Service Training (RBST) and how does it work?

RBST, also known as "server training," refers to educating owners, managers, servers and sellers at alcohol establishments about strategies to avoid illegally selling alcohol to underage youth or intoxicated patrons. Training can be required by local or state law, or a law/ordinance may provide incentives for businesses that undergo training. In addition, some individual establishments may voluntarily implement training policies in the absence of any legal requirements or incentives.

The goal of RBST is to decrease the number of illegal alcohol sales to underage youth and intoxicated patrons through education programs that:

- Help owners, managers and servers/sellers understand state, community, and establishment-level alcohol policies and potential consequences for failing to comply with such policies (e.g., criminal or civil liability, job loss).
- Provide the necessary skills to comply with these policies.

Other information can also be included in server training, such as:

- The importance of checking age identification of customers who appear under age 30.
- How to identify fake IDs and what to do once a fake ID is confiscated.
- How to recognize situations in which adults are buying alcohol for underage youth.
- How to refuse sales to individuals who may supply alcohol to underage youth.
- How to identify intoxicated customers.
- How to refuse service to underage youth and intoxicated customers.

### Why RBST is important for communities and alcohol establishments

In many states, under dram shop law, establishments can face potential financial liability for serving alcohol to an intoxicated or underage patron who later causes injury to a third party. Alcohol establishments that responsibly serve alcohol (i.e., do not sell alcohol to underage or obviously intoxicated persons) are less likely to face financial liability.

#### Considerations for establishing this policy

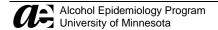
**ISSUE:** RBST programs may appear to be too costly for an establishment. **RESPONSE:** Some communities decrease the license fees for establishments that implement RBST programs, thereby partly offsetting the cost of training. In addition, insurance companies may give discounts on dram shop liability insurance for establishments with server training programs.

**ISSUE:** There are different types of RBST programs and the cost of training will differ depending on the type of program implemented.

**RESPONSE:** Training can be obtained through different sources. Training programs provided by professional companies, for example, will likely be more expensive than those provided through a local community college. When introducing a local server training ordinance, the city council should be given a summary of appropriate options for their community.

**ISSUE:** Content and quality of RBST programs varies.

**RESPONSE:** Good quality RBST programs will include information about preventing sales to both underage and obviously intoxicated patrons. To increase effectiveness, RBST programs



should focus on skill building (vs., just increasing knowledge) and actively engage participants.

**Note**: Community members are strongly urged to consult with a local attorney to learn about state law requirements before attempting to pass a local ordinance on responsible beverage service training.

## **Considerations for implementation**

- Without management training and support, changes in server or seller behavior
  are unlikely to be sustained. Managers of alcohol establishments should participate
  in RBST along with servers and sellers. Managers who support responsible beverage
  service provide an atmosphere that makes adhering to RBS rules easier for
  employees.
- Due to high staff turnover in many establishments, owners and managers need
  to develop an on-going system to train new employees. An establishment may
  want to employ an in-house trainer to reduce the costs of on-going server training. At
  the very least, an establishment should have in place the following practices to ensure
  that new employees have guidelines for responsible serving practices if they cannot be
  trained immediately upon being hired:
  - Managers who have received RBST.
  - Clear, written policies concerning serving/selling practices of which employees are made aware and which are consistently enforced.
  - A monitoring system to ensure that all employees are adhering to responsible serving/selling practices.
- Some communities may think that only certain establishments need to receive
  server training or that a one-time training session is adequate to learn
  responsible beverage service. All alcohol servers and sellers in a community should
  receive training, including those at on- and off-sale establishments (including
  convenience stores) and at community and other special events. In addition, training
  may need to be repeated on a systematic basis to obtain sustained effects.

#### How RBST fits into a larger context

Server training alone is not enough to reduce alcohol sales to underage youth or intoxicated patrons. For the effects of the training to be sustained, additional policies and practices need to be implemented and enforced. The message of responsible beverage service can be reinforced through internal compliance checks or "secret shopper" programs (see <a href="compliance checks">compliance checks</a>)

Other sources of alcohol among youth and adults must also be considered. Responsible beverage service and other strategies targeting alcohol merchants need to be complemented with strategies targeting other adults who illegally provide alcohol to underage youth and intoxicated persons

#### **Additional Resources:**

Community Preventive Services Task Force. Preventing excessive alcohol consumption. Responsible Beverage Service Training. Available online at: http://www.thecommunityquide.org/alcohol/beverage\_service.html

Mosher JF, Toomey TL, Good C, Harwood EM, Wagenaar AC. State laws mandating or promoting training programs for alcohol servers and establishment managers: An assessment of statutory and administrative procedures. *Journal of Public Health Policy*, 23(1):90-113, 2002.