



# NLLEAGRAM

National Liquor Law Enforcement Association

Volume 11, Issue 1

Summer, 2001

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## *Message from the President*

Greetings to all Members and Friends of NLLEA:

This has been a very busy year for the National Liquor Law Enforcement Association. Following our successful Denver meeting so graciously hosted by David Reitz and his fine staff, the association has taken a giant leap forward in enhancing our relationships with other organizations, thus creating a greater awareness of our association and what we represent.

We have partnered with the Pacific Institute for Research and Evaluation (PIRE) in Calverton, Maryland. Pacific Institute is one of the nation's preeminent independent, non-profit organizations merging scientific knowledge and proven practice to create solutions that improve the health, safety and well-being of individuals, communities, nations and the world. This relationship with Bob Reynolds, Johnnetta Davis and their dedicated staff at PIRE has resulted in several exciting things to NLLEA. NLLEA, with the help of PIRE, has established a permanent national office in Calverton, Maryland, a suburb of Washington DC. Housed in PIRE's handsome headquarters, this gives NLLEA a permanent national office with support functions.

Another exciting news item is that NLLEA, assisted by PIRE, has been awarded a \$200,000 work order from the National Highway Traffic Safety Administration

(NHTSA) with two objectives. The first objective is to identify, organize, synthesize, promote and distribute the research and practical knowledge of the National Liquor Law Enforcement Association to national, state, provincial, regional, and local law enforcement personnel and organizations. The second objective is to assemble best practice enforcement strategies, develop an inventory of state alcohol laws and violation penalties, and establish training standards and performance measures in order to motivate, encourage and enhance local community enforcement of alcohol laws and regulations. NHTSA officials Sue Ryan and Jim Wright have really shown their support to NLLEA on this project and its award, and we sincerely appreciate their efforts.

PIRE has appointed Jim Fell, formerly with NHTSA, to head up the project for NLLEA and PIRE. Jim has been working very hard to put the finishing touches on the tasks that will need to be accomplished and is in contact with me several times a week to discuss those issues.

Another important new partnership is with the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP). The work that OJJDP does to reduce youth access to alcohol and enforce underage drinking laws is aligned with our work, and Bob Hubbard, from the OJJDP, has proven to be a big supporter of the NLLEA. OJJDP has agreed through its

Underage Drinking Enforcement Training Center to support NLLEA efforts, and we are excited about this new collaboration and learning opportunity. We hope to see Bob at our meeting in Maine, and we look forward to hearing his comments on our future joint endeavors.

I would like to thank the following members, some of whom traveled long distances, who worked hard to participate in discussions at our NLLEA National Office in May:

Executive Board:

Asst. Chief Roger Johnson, Vice President, Wisconsin (Due to other commitments, Roger was unable to attend this meeting)

Director David Wilson, Secretary / Treasurer, Mississippi

Asst. Director Tommy Marvell, Sgt. at Arms, Oklahoma

Chief Greg Hamilton, Past President, Texas

Members:

Director David Reitz, Past President, Colorado  
Exec. Director Dennis Theoharis, Past President, Montgomery County, Maryland

Director Chris Curtis, Past President, Virginia  
Chief Aidan Moore, Regular Member, New Hampshire

Director Linda Ignowski, Regular Member, Oregon

Lt. Holly Pomelow, Regular Member, Maine  
Senior Agent Susan Blaker, Associate Member, Washington

Getting the word out about NLLEA to different groups and organizations is important to our mission of professional liquor law enforcement. Your President has had several opportunities to speak about NLLEA over the past year. Conferences and meetings included the Office of Juvenile Justice and Delinquency Prevention Annual Alcohol Leadership Conference in Reno, Nevada, the Executive Working Group for Leadership to Keep Children Alcohol Free Coalition (NLLEA is now a permanent member), MADD National Executive Working Group, and the National Crime Prevention Council Working Group. In June, Jim Fell with PIRE presented

information about the NLLEA at the IACP Highway Safety Committee meeting in Chicago and held discussions about NLLEA at the MADD Board of Directors Meeting in Washington DC. As a consequence, Jim was asked to organize a workshop on liquor law enforcement at the 108th Annual Conference of the IACP in Toronto, Canada in October and to give a presentation on NLLEA at the MADD National Conference in Dallas, Texas in September. There are many more conferences and meetings to be held in the remaining months of 2001 and into 2002 where NLLEA has been asked to participate either in workshops or formal presentations on our association.

I am proud to announce that another successful NLLEA National Training Academy was held in April. North Carolina's Alcohol Law Enforcement Division, under the leadership of Director John Smith III, hosted the academy again this year. NLLEA National Training Coordinator, Chuck Conkling, and his staff did an excellent job as usual with the academy. In attendance were 46 students representing 17 states. West Virginia gets the "Greatest Number Attended Award" with the West Virginia ABC sending 11 of their staff including their new Enforcement Director, David Platz, and Deputy Commissioner, Keith Wagner. A special thanks to Commissioner Wagner for his support and interest in our academy and NLLEA. We look forward to his agency's membership and participation in our association.

A special thanks also goes out to Chuck Conkling for his dedication to NLLEA and for taking on the National Training Coordinator position again this year. Chuck is a retired Asst. Supervisor with the North Carolina Alcohol Law Enforcement Division and for the 2<sup>nd</sup> year in a row he has volunteered his time to NLLEA, taking time away from his private investigator duties to coordinate NLLEA training for the academy. Thank you, Chuck, and also to your lovely wife Wanda for all you both have done these past two years for NLLEA.

In closing, don't forget our conference in Maine hosted by Lynn Cayford and the Maine Bureau of Liquor Enforcement. Lynn and his staff are working hard to put on a memorable conference this year, and I hope each and every one of you are able to attend. We have a lot of work ahead to keep the organization sound and growing, and we need your participation. Also, if you know of someone who is not a member, please encourage him or her to join. We need our membership to continue to grow. We want all 50 States and every Province in Canada participating in the association—united with one voice.

Again, thank you for allowing me the opportunity to serve as your President for 2001, and I look forward to seeing all of you in Maine in September.

With Warmest Regards,



William B. Patterson Jr.  
2001 President - NLLEA

## *What's New*

### **2001 NLLEA Conference**

The annual meeting of the National Liquor Law Enforcement Association will be held September 15-19, 2001 at the Sebasco Harbor Resort in Sebasco Estates, Maine. Located on scenic Casco Bay, the resort offers 600 acres of natural beauty and a variety of activities. Hosts Lynn Cayford, Holly Pomelow, and the Maine Bureau of Liquor Enforcement have developed a training agenda and social calendar that will meet your needs from arrival to departure. Some of the areas to be covered during the conference include the role of liquor enforcement in community policing, an update on direct shipment issues, and information on gambling devices and enforcement techniques among others. See the NLLEA website ([www.nllea.org](http://www.nllea.org)) for more information on the conference, including the agenda and registration information, or call Holly Pomelow at 207-624-8973.

### **NLLEA Partnership with NHTSA and PIRE**

As many of you may know, the NLLEA and the Pacific Institute for Research and Evaluation (PIRE) have joined forces, in a contract sponsored by NHTSA, to promote and distribute the research and practical knowledge of the NLLEA to national, state, provincial, and local law enforcement personnel and organizations. Two of the main objectives in this effort are to assemble best practice enforcement strategies and develop an inventory of state alcohol laws and violation penalties. In order to achieve these objectives, PIRE is planning to conduct phone interviews with NLLEA members and alcohol law enforcement agencies in every U.S. State and Canadian Province. The interview will cover a variety of topics that pertain to the enforcement of liquor laws, but the main focus will be on laws and penalties and best practice enforcement strategies that relate to sales and service to minors and obviously intoxicated individuals.

Rebecca Ramirez, from PIRE, will be contacting you over the next few months to arrange a time to complete the telephone interview. Although the interview may be somewhat time consuming, please set aside some time to speak with Rebecca. The information you provide will be invaluable in establishing best practice strategies throughout North America and will help identify strengths and weaknesses in liquor laws and penalties. For those of you eager to begin this project, feel free to contact Rebecca at 301-755-2761 to schedule an interview. Look for updates on this project in future NLLEA newsletters!

## *Hot Issues*

### **New Branch in the Kentucky ABC**

Commissioner Johnstone of Kentucky has created an Education Branch that is close to being fully staffed. The Branch is already teaching an alcohol server awareness program called S.T.A.R. (Server's Training of Alcohol Regulations). The Education Branch is also working with the Enforcement Division to create a lesson plan for law enforcement officers that will be taught by Enforcement Investigators who are Kentucky Law Enforcement Council certified.

The Kentucky State Police have expressed an interest in including this training in the basic academy training curriculum, and the training will be included in the Basic Training Academy in Richmond as well. The class will be available to all law enforcement agencies in the state. Consideration will be given to including this type of training at the NLLEA Training Academy as appropriate.

### **Budget Cuts in North Carolina**

North Carolina is facing a billion dollar shortfall this year, and budget cuts are hitting the North Carolina Alcohol Law Enforcement Division. Though the state's budget has not been finalized, the ALE faces more than a half million dollars in cuts. ALE is struggling to prevent cuts to ALE Supervisor and Assistant Supervisor positions. If anyone has sample letters or strategies to justify the continuation of liquor law enforcement agencies to legislators, please send or email them to Bill Patterson.

### **New Licenses in Kentucky**

The Kentucky Alcoholic Beverage Control Enforcement Division is busy trying to keep up with the ever-changing ABC laws. During the 2001 legislative session the Kentucky Legislature created two new types of liquor licenses. The newly created Golf Course License allows golf courses that are located in a moist county (a county that has alcohol sales in part of its boundaries) to have a precinct election to allow alcohol sales at specified golf courses. So far, four of these licenses have been issued. The law is unclear as to whether Sunday sales are allowed, and the Division expects that new legislation will be needed to address this issue.

A second type of license that has been created is the Restaurant Drink License. This license can be obtained by a majority vote in a particular city or precinct in a dry territory. A requirement of this license is that the restaurant must have seventy percent of their sales come from food purchases. Although the Division believes that large franchised restaurants will not have a problem meeting this requirement, there is concern that other restaurants may use this license illegally.

Currently, six previously dry areas have approved these types of licenses, and investigators are now required to cover areas that they did not have to cover before as part of their routine duties.

## *Policy Highlights*

### **Georgia**

During the 2001 legislative session, the Georgia General Assembly passed "Keg Registration" legislation. The legislation calls for the Division to issue tags or labels and forms to retailers statewide who sell kegs. The new law requires the seller to complete the form requesting his/her license number, name, address, the date of sale and the form of identification used by the purchaser. The new law requires the purchaser to sign a statement regarding the accuracy of the purchaser's name and address and the location where the contents of the keg will be consumed. In addition, the purchaser acknowledges that misuse of the keg may result in criminal prosecution, criminal liability or both, if the contents of the keg are made available to underage persons, or if the tag or label of the keg is removed. The registration number is recorded on the tag/label and the registration form at the time of the sale.

### **Oklahoma**

The Oklahoma 2001 legislative session produced several major changes to liquor enforcement statutes. Beginning November 1, 2001, identification stamps that are currently required to be affixed on each bottle of liquor or case of strong beer sold by a wholesaler to a mixed beverage, caterer, or mixed beverage/caterer combination licensee will no longer be required. It is anticipated that this new statute will increase the difficulty of tracking alcoholic beverages illegally purchased by licensees through either retail liquor stores or out of state purchases. On a positive note, after several previous failures, the legislature passed a bill lowering Oklahoma's legal BAC limit from 0.10% to 0.08%, effective June 8, 2001. The new standard places Oklahoma in compliance with Federal law and provides substantial incentive grant funds to the State.

## *Year in Review*

### **Fourteenth Annual NLLEA National Conference**

The fourteenth annual meeting of the National Liquor Law Enforcement Association was held on August 6-9, 2000 at the Sheraton Four Points Hotel in Denver, Colorado. Highlights of the conference included seminars on "Conducting Sale to Minors Compliance Checks", "Developing a Tobacco Enforcement Program", "Internet Enforcement Issues", "Public and Press Relations", and that unforgettable seminar "All You Wanted to Know About Strip Clubs, But Were Afraid to Ask". The conference was an exciting week of information exchanges, cultural exploration (dinner trip to Blackhawk), and true Western style hospitality against the backdrop of the Rocky Mountains. Again, thank you to David Reitz and the Colorado Liquor Enforcement staff for such a successful conference.

### **6th Annual NLLEA Training Academy**

The 6th annual training academy was conducted April 22-27, 2001 in Wilmington, North Carolina. As usual, the academy was comprised of three phases. Phases I and II had sixteen students each. Phase III had fourteen students. In addition to the academy coursework, the New Hanover County Law Enforcement Officer's Association sponsored a Bar-B-Q for the academy students and staff. Another added attraction was a private tour of the Battleship USS North Carolina.

A special thank you to all the Instructors from the NLLEA Membership and the Executive Board for your outstanding contributions and support of the NLLEA National Training Academy. You have increased the standard of excellence expected from the academy.

- n Chuck Conkling (Ret.), Coordinator, North Carolina Alcohol Law Enforcement
- n Roger Johnson, Instructor, Wisconsin, Alcohol & Tobacco Enforcement
- n Charles Sumner, Instructor, Mississippi Alcoholic Beverage Control
- n Susan Blaker, Instructor, Washington Liquor Control Board
- n Chris Champion, Instructor, Texas Alcoholic Beverage Commission

## **NHTSA Corner**

The National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation has long supported enforcement of alcohol beverage control (ABC) laws. The agency has a vested interest in preventing service to intoxicated patrons and keeping alcohol out of the hands of minors. Every state now has a "drinking age" of 21 in part because of the loss of federal highway construction funds if the age were lower. The age 21 laws are among the most effective countermeasures in highway safety. NHTSA estimates that these laws save almost 1,000 lives a year.

However, the federal law did not require compliance – just a law on the books. As a result, the level of enforcement is very uneven throughout the country. There are many factors that create this uneven enforcement including disparities in resources, lack of commitment to this issue among enforcement leaders, weaknesses in the laws and alcohol beverage control systems, and lack of training.

NHTSA supports the efforts of the National Liquor Law Enforcement Association (NLLEA) and recently awarded funding to expand these efforts. The NLLEA has addressed many of the factors that create reduced enforcement of beverage control laws and is in the unique position to do much more. With NHTSA funding support it is expected that the NLLEA will become a key organization in reducing the connection between alcohol and crime, particularly the crime of impaired driving. The NHTSA/NLLEA partnership will result in increased and improved training for local enforcement agencies, improved information about the critical issues surrounding alcohol beverage control, and expanded partnerships with other law enforcement agencies at the national, state and local levels.

- n Jeff Erb, Instructor, Florida Division of Alcoholic Beverage & Tobacco
- n Gary Holland, Instructor, Pennsylvania Bureau of Liquor Control Enforcement
- n David Huff, Instructor, Virginia Department of Alcoholic Beverage Control
- n Dennis McGowen, Instructor, Oklahoma Alcoholic Beverage Laws Enforcement Commission
- n Don Pace, Instructor, Colorado Liquor Enforcement Division
- n Lee Perry, Instructor, Utah DPS, Criminal Investigations Bureau
- n Joey Reynolds, Instructor, North Carolina Alcohol Law Enforcement
- n Shawn Walker, Instructor, Virginia Department of Alcoholic Beverage Control

- n Kenny Gavin, U.S. Drug Enforcement Agency
- n Cheryl Leonard, North Carolina Governor's Highway Safety Program

## *Law Corner*

### **Age 21 Drinking Laws Under Attack**

By Aidan Moore

Like the rhythm of a beating drum, opponents of the age 21 drinking laws are gathering momentum in an effort to lower the lawful age of alcohol consumption from 21 to 18 or 19. While antagonists suggest the age 21 drinking laws are outdated and discriminatory, proponents can draw upon statistical data showing the effectiveness of the drinking age in reducing the number of alcohol related fatalities for the under 21 age group.

For a long time, the legal age for purchasing alcohol was 21 years old in most of the United States. Then, in the 1960s and early 1970s, many states lowered their minimum purchasing ages to 18 or 19 years old. Research on the consequences of this action indicated an increase in the number of drivers younger than 21 involved in nighttime fatal crashes. As a result of this and other studies with similar findings, a number of states raised their minimum alcohol purchasing ages — in some states back to 21 years old and in other states to 19 or 20. The Insurance Institute for Highway Safety (IIHS) evaluated this development in nine states in 1981, finding reductions in nighttime fatal crashes among young drivers. The average fatality reduction based on all nine states was 28 percent. A subsequent study by NHTSA in 26 states that raised minimum legal alcohol purchasing ages during 1975-84 estimated a 13 percent reduction in nighttime driver fatal crash involvement. In 1984, 23 states had minimum alcohol purchasing ages of 21 years old, and federal legislation was enacted to withhold highway funds from the remaining 27 states if they did not follow suit. Since July 1988, all 50 states and the District of Columbia have required alcohol purchasers to be 21 years old.

Many people under the age 21 support a reduction in the drinking age. The debate was fueled by the recent police action taken against Jenna and Barbara Bush in Austin, Texas. But the news is getting shrugs - and even laughs - from a number of college students who wonder why it's a big deal if a 19-year-old wants a margarita. Angela Quiram says Jenna and Barbara Bush are simply doing "what college students do." "It's a rite of passage," Quiram, a recent graduate of the University of Wisconsin-Madison, said as she sat with friends at a Chicago bar frequented by college students. Quiram marked her own passage into the adult world of drinking with the \$212 ticket she got two years ago, at age 20, for drinking on campus.<sup>1</sup>

But the under 21 group is not alone. Some members of the higher education community seem not only willing to entertain the concept of a drinking age reduction, but also advocate that colleges step in and accept the notion that college age kids drink and that we should teach them to do it responsibly. But data suggests delaying the onset of alcohol consumption in young people has a dramatic effect. According to Dr. Hoover Adger, professor and pediatrician at Johns Hopkins University in Baltimore, Md., children who start drinking before age 15 are five times more likely to be alcohol dependent as adults, ten times likelier to be involved in a fight after consuming alcohol, seven times likelier to be involved in car accidents and twelve times likelier to be injured.

Nevertheless, there are also young people who support the current laws - and who fear that lowering the drinking age would only lead to more deaths. Already, alcohol is a factor in a third of teen car crash deaths nationwide. Meagan Gaither, a member of Mothers Against Drunk Driving Youth in Action, helped federal officials plan a conference in Los Angeles in July aimed at lowering the number of teens who die in car crashes. The Youth in Action initiative is designed to help young people make significant changes in their community and state by focusing on policy-level changes that impact underage drinking and impaired driving.

<sup>1</sup> Associated Press, June 2, 2001 by Martha Irvine

Law enforcement professionals who enforce beverage alcohol laws have always found themselves with an uphill battle. With too little staff, resources and support, a difficult job has been made more difficult as the debate heats up on age 21. As NLLEA members, we must continue to move to the front of the pack as the correlation between social behavior and aggressive liquor law enforcement is debated. We need to partner with other law enforcement groups, health and prevention advocates and youth to beat back the surge and emphasize the obvious benefits of age 21.

## *Technology News*

### **New Bulletproof Vests in Oklahoma**

The ABLE Commission is participating in the Bulletproof Vest Partnership Program funded through the Department of Justice. This program pays for as much as 50% of the costs of buying, fitting and shipping approved types of bulletproof vests for law enforcement officers. The Agency's application was approved, and the vests have been ordered through an authorized vendor. This program allows the Agency to replace existing vests after using them for seven years.

### **Updated Equipment in Kentucky**

This year the Enforcement Division provided all investigators with updated computers, printers and fax machines. The Division also replaced the worn out Preliminary Breath Testers and furnished investigators with surveillance tape recorders (Pearl Corder) for evidentiary purposes used routinely on Investigative Aide investigations (Operation Zero Tolerance). The in-car police radios were removed from the vehicles and everyone was issued new hand held radios. In addition, investigators were issued cell phones.

### **Surveillance Vans in North Carolina**

A grant from the Governors Highway Safety Program funded two fully equipped surveillance vans to be used in a covert capacity to target locations that may be selling alcohol to underage

and intoxicated persons. By working with programs such as "Booze It and Lose It" and "Cops in Shops" across North Carolina, the Alcohol Law Enforcement Division is targeting drunk drivers at the source-before they get out on the road.

### **Passive Alcohol Sensors**

Passive Alcohol Sensors (PAS) are becoming more widely used by law enforcement and school officials to passively detect alcohol on underage persons or those suspected of drinking and driving. In the form of a flashlight, clipboard, or hand held calculator, the PAS has an electrochemical fuel cell built into it which generates a voltage in response to alcohol vapor. As the subject speaks for about 4 seconds, a small powerful pump inside the sensor draws through the fuel cell a sample of the subject's exhaled breath. Within seconds, the presence and approximate amount of alcohol is registered in an easy-to-read coded display. The PAS has been field tested and is widely used in sobriety checkpoints and zero tolerance compliance by law enforcement agencies, schools and industries nationwide. For more information about PAS, contact PAS System International, PO Box 330, Fredericksburg, VA 22404-0330, 800-660-SNIF, or [www.sniffalcohol.com](http://www.sniffalcohol.com).

## *Contributions*

Contributors to the Summer 2001 NLLEAGRAM include:

- n Jack Blair
- n Jim Fell
- n Ronald Johnson
- n Tommy Marvell
- n Aidan Moore
- n William Patterson, Jr.
- n Rebecca Ramirez
- n Jim Wright

If you would like to submit an article for the Fall 2001 newsletter, please contact Tommy Marvell at 405-521-3484 or email him at [tmarvell@able3.able.state.ok.us](mailto:tmarvell@able3.able.state.ok.us).

# The History of the NLLEA

The idea for a national organization representing alcohol enforcement agencies in North America was born in North Carolina in 1987. The Director of the North Carolina Alcohol Law Enforcement Division at that time was Donald M. Murray who had the idea of bringing managers of State/Provincial Alcohol Law Enforcement organizations together annually to share ideas and exchange information related to professional enforcement of alcohol laws and regulations.

The first meeting was held during the summer of 1987 in Southern Pines, North Carolina. Representatives attended that first meeting from agencies in Montgomery County, Maryland, Washington, Oregon, Maine, Virginia, Pennsylvania, Ohio, Michigan, Mississippi and North Carolina. From that original meeting in North Carolina there was enthusiastic support to continue the meetings on an annual basis at different locations around North America.

In 1988, John Martin, the Director of Enforcement for the Maine Bureau of Liquor Enforcement, hosted our next conference in Rockport, Maine. From that conference, the National Liquor Law Enforcement Association was born and officially chartered in Maine with John Martin as our first President.

Since 1988 the National Liquor Law Enforcement Association has grown to over 115 members representing some 37 states, 4 counties, 4 cities, 1 Indian Reservation, 1 university and 2 Canadian provinces in North America dedicated to the highest ethical standards of professionalism in liquor law enforcement today.

## **National Liquor Law Enforcement Association**

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