



National Liquor Law Enforcement Association

NLLEA

**FINAL REPORT**

# Increased Alcohol Law Enforcement Involvement in Impaired Driving Crackdowns

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## LIST OF ACRONYMS

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<b>ABC</b>	alcohol beverage control
<b>ALE</b>	Alcohol Law Enforcement
<b>BAC</b>	blood alcohol concentration
<b>DUI</b>	driving under the influence
<b>LCSO</b>	Lancaster County Sheriff's Office
<b>NHSLC</b>	New Hampshire State Liquor Commission
<b>NHTSA</b>	National Highway Traffic Safety Administration
<b>NLLEA</b>	National Liquor Law Enforcement Association
<b>NTSB</b>	National Transportation Safety Board
<b>PIRE</b>	Pacific Institute for Research and Evaluation
<b>POLD</b>	place of last drink
<b>RBS</b>	Responsible Beverage Service
<b>RFP</b>	request for proposals
<b>RSVP</b>	Responsible Sellers and Servers: Virginia's Program
<b>SIP</b>	sales to intoxicated persons
<b>SLED</b>	South Carolina Law Enforcement Division, Alcohol Enforcement
<b>SOP</b>	standard operating procedure
<b>VA ABC</b>	Virginia Department of Alcoholic Beverage Control

## **EXECUTIVE SUMMARY**

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The National Highway Traffic Safety Administration (NHTSA) funded the National Liquor Law Enforcement Association (NLLEA) through a cooperative agreement to increase Alcohol Law Enforcement (ALE) agencies' involvement in impaired driving crackdown enforcement. The project was funded for a 24-month period between September 1, 2013 and August 31, 2015. During that time, NLLEA awarded contracts to three funded law enforcement agencies to increase their involvement in the National Impaired Driving Crackdowns by increasing the number of impaired driving operations they conducted; collaborating with other State and local law enforcement and community partners on their impaired driving crackdown initiatives; and working with the media to raise awareness of increased efforts to reduce impaired driving.

In addition to providing technical assistance on impaired driving crackdowns to the three selected agencies, NLLEA created a comprehensive impaired driving crackdown toolkit and launched a campaign to increase ALE involvement in impaired driving operations. As an in-kind contribution to the field, NLLEA also collected information from ALE agencies across the country to measure their level of involvement in impaired driving crackdown operations in 2012 and in 2014 to determine whether ALE involvement in crackdowns was increasing.

NLLEA found that all three agencies increased their impaired driving crackdown efforts, strengthened collaborative partnerships with community groups and other enforcement agencies, and built a stronger presence in the community during the impaired driving crackdown periods. Through the project, NLLEA identified a need for a universal data collection system for ALE agencies to track impaired driving crackdown initiatives; increased ALE involvement in impaired driving crackdowns is needed; and that ALE agencies need to continue to reach out to other local and State enforcement agencies to collaborate on impaired driving crackdown efforts.

## INTRODUCTION

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State- and local-level Alcohol Law Enforcement (ALE) agencies are in a unique position to enhance impaired driving crackdown efforts and mobilization operations that focus on reducing alcohol-related driving incidences. Historically, there has been limited information collected about the effectiveness of increasing ALE participation in impaired driving crackdown efforts. The National Highway Traffic Safety Administration (NHTSA) funded the National Liquor Law Enforcement Association (NLLEA) to increase ALE agencies' involvement in impaired driving crackdown enforcement and demonstrate the importance of ALE agents working collaboratively with other State and local law enforcement agencies to reduce the prevalence of alcohol-impaired driving.

To support this effort, NLLEA measured the level of involvement of State ALE agencies in impaired driving crackdowns prior to the start of the project; developed a crackdown strategy campaign to increase ALE agencies involvement in crackdowns conducted during the funding period; created a toolkit and technical assistance materials to assist three selected law enforcement agencies in conducting crackdown-related enforcement operations during two crackdown periods; and evaluated the effectiveness of the crackdown strategy campaign to increase ALE involvement in crackdown efforts in the three agencies. The three ALE enforcement strategies that NLLEA focused on for this project were—

1. Enforcing sales to intoxicated persons (SIP) laws;
2. Collecting place of last drink (POLD) data and using it for targeted educational and enforcement efforts; and
3. Licensed premise inspections.

## RESEARCH BACKGROUND

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### REVIEW OF LITERATURE RELATED TO ALE ENFORCEMENT OPERATIONS

The Pacific Institute for Research and Evaluation (PIRE), under contract with NLLEA, conducted a literature review of peer-reviewed articles as well as other public documents relevant to the three enforcement strategies in this project: enforcing SIP laws; collecting and using POLD data to target enforcement and educational interventions; and licensed premise inspections.

#### Enforcement of Sales to Intoxicated Laws

Licensed drinking establishments have long been recognized as high-risk locations for contributing to alcohol-related problems, including impaired driving. Recent studies that examined compliance rates found that 65 to 79 percent of alcohol establishments will serve alcohol to patrons who appear obviously intoxicated (Lenk, Toomey, & Erickson, 2006; Toomey et al., 2004).

Graham et al. (2013) identified enforcing over-service laws at on premise licensed establishments as a key strategy for preventing alcohol-related tragedies. The authors propose that adoption of key principles from successful impaired driving interventions (e.g., a mix of general deterrence and specific enforcement) could be applied to the field of alcohol law enforcement initiatives to prevent over-service. Almost all state ALE agencies report conducting enforcement activities designed to prevent over-service at licensed establishments (Lenk, Toomey, Nelson, Jones-Webb, & Erickson,

2014), and the research literature indicates that these efforts can be successful in preventing alcohol-related harm, although there is limited research evidence (Guide to Community Preventive Services, 2010).

A study that directly examined enforcement of alcohol control laws was conducted in Washtenaw County, Michigan. Compliance was observed before and after the implementation of a publicized campaign to enforce laws directed at sales to intoxicated individuals. Enforcement included the issuing of warnings to businesses that violated the law, followed by enforcement visits and citations. These actions were conducted in conjunction with education and training of bar and restaurant staff. Compliance with the law was measured before and during the enforcement program by the rate at which patrons simulating intoxication were refused service. Refusals of service rose from 17.5 percent before the enforcement program to a peak of 54.3 percent after the first three months of the enforcement intervention. Significantly, the percentage of impaired drivers arrested after leaving bars and restaurants declined from 31.7 percent to 23.3 percent during the same period. While refusals of service to pseudo-intoxicated people declined from the initial peak of 54.3 percent to 47.4 percent after six months, and 41.0 percent after one year of the program, these later refusal rates remained significantly higher than the baseline, indicating that the intervention had an enduring effect on server compliance with no-sale-to-intoxicated laws (McKnight & Streff, 1994).

### **Place of Last Drink Data**

Ideally, an alcohol beverage control data system would have information about retail establishments and social locations where the most drinking occurred prior to alcohol-related incidents, such as assaults, motor vehicle crashes, and non-traffic injuries (Holder, Humphrey, Conway, & Field, 2002). However, such information is more likely to be available in incidents involving police or hospitalization and is subject to the ability of police or medical personnel to gauge alcohol involvement. In the absence of this data, POLD data are a component of an alcohol beverage control data system that enables local authorities to gauge current and historical levels of problems in an area. POLD data can enable communities to know the retail establishments and social locations where drinking occurred prior to alcohol-related incidents, thus helping to identify and efficiently target potential problem establishments where alcohol service policies may not comply with the law. For example, in an evaluation of police strategies for alcohol-related crime in an entertainment district in Canberra, Australia (Smith, Morgan, & McAtamney, 2011), POLD data revealed that around half of all incidents recorded in the area occurred in the vicinity of one establishment and a few premises were identified as the most common locations of incidents as well as the POLD. Further, the POLD was also shown to be the site of the majority of alcohol consumption for the vast majority of respondents surveyed in the district. Thus, targeting this small number of establishments could result in large reductions in alcohol-related incidents involving police. Given the utility of POLD data for the efficient use of police resources, the National Transportation Safety Board (NTSB) has recommended that law enforcement officers in the United States be educated about the value of POLD data and also that they routinely collect POLD data as part of any arrest or crash investigation involving an alcohol-impaired driver (NTSB, 2013).

POLD data can inform communities' alcohol control policies and also guide retail establishments in their beverage service operations with beneficial effects on youth access and impaired driving (EVALCORP, 2010). In another qualitative study of community interventions, POLD was

included as a component of a Responsible Beverage Service (RBS) initiative to lower the risk of intoxication among patrons at establishments serving alcohol (Moore & Holder, 2003). In the Southern California intervention communities, some establishments that were named as POLD in quarterly letters from the police sent servers for additional RBS training. Similarly, the Washington State DUI Reduction Project used POLD data as part of its enforcement directed at bars and restaurants to reduce sales to intoxicated persons. Specifically, driving-under-the-influence (DUI) arrest data—including information on POLD and BACs of arrestees—was used to create a list of “worst offender” establishments that were associated with the highest number of DUI arrests or the highest BACs among arrestees. These establishments were randomly assigned to intervention and comparison groups. Intervention establishments were subsequently provided with information about their identification as the POLD in DUI arrests and high BACs, given offers of RBS training, and targeted with unannounced checks, as well as undercover operations and punitive actions, if necessary (Carmona, Ramirez, Nguyen, Cannon, & Freisthler, 2007). The intervention resulted in a significant reduction in the number of DUI arrests in which arrestees listed an intervention establishment as the POLD. There was also a reduction in the BACs of arrestees associated with intervention establishments.

### **Licensed Premise Inspections**

Berkley and Thayer (2000) conducted 30 police-manager interviews in Southern California to identify issues that could aid law enforcement in entertainment districts nationwide. Among the strategies to reduce the public nuisance factor associated with such areas, proactive foot patrols early in the evening were seen as effective for heading off trouble. Another useful strategy was collaboration between undercover police in bars and Alcohol Beverage Control Officers, who often have specialized equipment (e.g., miniaturized cameras) and may speak multiple languages. Since respondents reported that problem establishments often had multiple violations relating to noise, overcrowding, and use permits, a combined team approach to inspections and enforcement was often warranted, with input from fire and health departments for code violations. Police department or alcohol beverage department training for alcohol servers was perceived as effective, with remedial training indicated for establishments with frequent violations or problems.

Studies from other countries echo the U.S. experience. In a survey of inspection practices in New Zealand, Hill and Stewart (1996) highlighted the usefulness of a combined team approach between inspection officers and public health personnel, with more frequent visits and a proactive approach to licensees combined with a unified response to incidents. The inspections regime appeared to be more useful in areas where the inspection team was focused on alcohol-related work; this was more the case in larger jurisdictions that could afford specialized personnel. Hill and Stewart concluded that, overall, the increase in the number of licensed establishments appears to have exceeded the capacity of enforcement officers charged with monitoring host responsibility practices. Thus, problems were recognized mostly after the fact, and most problems centered on disorderly conduct.

Schelleman-Offermans, Knibbe, Kuntsche, and Casswell (2012) evaluated an intervention in two Dutch communities aimed at reducing adolescent drinking by increasing inspections for alcohol retailers and withdrawing licenses when retailers were fined two or more times in a year for violations. Results from the longitudinal, quasi-experimental study revealed that compared with the comparison group, the intervention increased the number of inspections but not the number of sanctions received. There were no significant differences in initiating weekly adolescent drinking.

However, among weekly adolescent drinkers, the intervention reduced the odds of intoxication, which could potentially impact impaired driving rates.

## PROJECT OVERVIEW

This cooperative agreement project was funded over a 24-month period between September 1, 2013 and August 31, 2015. To create a baseline understanding of the involvement of ALE agencies in crackdown periods prior to the agreement and as an in-kind contribution to the field, NLLEA collected data from all State alcohol law enforcement agencies evaluating their level of involvement in impaired driving crackdown operations and initiatives during 2012.

NLLEA use the information collected to then issue a request for proposals (RFP) via their Web site and through correspondence with members to award up to \$25,000 to three State or local ALE agencies up to increase their involvement in the 2014 National Impaired Driving Crackdowns. During the 8-month funding period—June 1, 2014 to January 31, 2015—awardees were to develop programs and protocols for strategies to increase involvement in the two National Impaired Driving Crackdowns, such as collecting and using POLD data; conducting undercover operations to enforce laws prohibiting SIP; providing education and enforcement surrounding licensed establishments and their role in preventing impaired driving; and working with other law enforcement agencies during traditional impaired driving crackdown operations. Three awardees were selected to receive funding:

1. Lancaster County Sheriff's Office in South Carolina;
2. New Hampshire State Liquor Commission, Division of Enforcement and Licensing; and
3. Virginia Department of Alcoholic Beverage Control.

NLLEA developed a comprehensive toolkit that addressed conducting SIP operations, collecting POLD data, conducting licensed premise inspections, and working with the media. The toolkit was made available via the NLLEA Web site to be used as a comprehensive document or in sections, to best meet the needs of ALE agencies. NLLEA used the toolkit to provide technical assistance to the three funded enforcement agencies.

As an in-kind contribution, NLLEA collected post campaign data from all State ALE agencies, evaluating the level of their involvement in impaired driving crackdown operations and initiatives for the 2013 to 2014 crackdown period. NLLEA evaluated this data and compared it with the data collected for 2012 to determine whether increased involvement in impaired driving crackdown operations occurred.

## ALE INVOLVEMENT IN IMPAIRED DRIVING CRACKDOWNS

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### TOOLKIT AND TECHNICAL ASSISTANCE

To increase involvement of ALE agencies in impaired driving crackdown operations, NLLEA developed a comprehensive toolkit designed to help interested ALE agencies coordinate and implement crackdown strategies. The toolkit was created in consultation with ALE agents who had extensive professional experience in conducting enforcement operations, including collecting POLD data; working with media to raise awareness of impaired driving operations taking place in a particular jurisdiction; working with licensed establishments to educate servers and bartenders on over-service; conducting undercover operations to enforce laws prohibiting service to intoxicated

persons; and instructions on preparing an administrative and/or criminal case focused on SIP charges.

The impaired driving crackdown toolkit is available through the NLLEA Web site ([www.nllea.org/IDC/idc.asp](http://www.nllea.org/IDC/idc.asp)) and is broken into four sections:

1. Sales to Intoxicated Persons (SIP);
2. Place of Last Drink (POLD);
3. Licensed Premise Inspections; and
4. Appendices.

The **SIP section** includes—

- ▶ An overview and definition of SIP;
- ▶ Steps to developing a SIP standard operating procedure (SOP), including a sample SOP;
- ▶ Ways to obtain support of your agency to conduct SIP operations;
- ▶ SIP training materials;
- ▶ Steps for writing a SIP report; and
- ▶ How to set up a SIP data collection system.

The **POLD section** includes—

- ▶ An overview and definition of POLD;
- ▶ Ways to collect and use POLD data; and
- ▶ How to work with the media to promote POLD results.

The **Licensed Premise Inspections section** includes—

- ▶ A list of steps for a licensed premise inspection;
- ▶ A list of possible violations that may be observed during an inspection; and
- ▶ A timeframe for conducting steps needed to complete an inspection.

The **Appendices** contain—

- ▶ A sample undercover SIP SOP;
- ▶ An undercover SIP operations training PowerPoint presentation;
- ▶ Sample interview questions to ask licensed establishments in a SIP investigation;
- ▶ A sample checklist of the characteristics of intoxicated persons;
- ▶ A sample SIP data collection template;
- ▶ A sample media event checklist;
- ▶ A sample SIP media advisory;
- ▶ An overview of POLD PowerPoint presentation;
- ▶ A sample POLD letter to establishments;
- ▶ A sample POLD data collection form;
- ▶ A sample POLD press release;
- ▶ A premise inspections training PowerPoint presentation; and
- ▶ A sample premise inspection form.

The toolkit was created in sections to allow ALE agencies to customize it to best meet their needs. The toolkit can be printed in its entirety or sections can be used individually to provide additional training materials and standardized forms for each type of impaired driving crackdown operation.

As part of the campaign to encourage increased ALE involvement beyond the three funded agencies, NLLEA has created printed brochures outlining the different impaired driving crackdown strategies and steps ALE agencies can take to engage in them (see Appendix A). Information about working with the media during impaired driving crackdowns has also been made available via internet and printed materials. Additionally, NLLEA has promoted impaired driving crackdown operations that have received media coverage to ALE members via Facebook postings, news clips, and email blasts.

NLLEA staff and consultants provided technical assistance to the three funded agencies using the toolkit components, providing them the printed materials, training materials, and technical advice on all aspects of impaired driving crackdown operations. NLLEA's media consultant worked with the three awardees to create media outreach plans, provide templates for letters to editors and press releases, and identify the best media outlets within each region for coverage of upcoming impaired driving crackdown initiatives.

NLLEA staff and a NLLEA consultant traveled to the three funded sites to provide additional, in-person technical assistance and to join in media events. At each location, NLLEA staff accompanied agents on an impaired driving crackdown operation. In Virginia, NLLEA staff also attended a media press conference, which was attended by multiple local media organizations, to promote awareness of upcoming impaired driving crackdown operations and emphasize the importance of not driving while intoxicated.

## **SITE SELECTION OVERVIEW**

NLLEA put out a RFP to fund up to three State or local alcohol law enforcement agencies up to \$25,000 each to increase their involvement in the 2014 National Impaired Driving Crackdowns using the toolkit and technical support from NLLEA. The RFP was made available via the NLLEA Web site, and notification of the RFP was included in email correspondence with NLLEA members and on NLLEA's Facebook page. Interested applicants had between March 15 and April 18, 2014 to submit a proposal, and within that time period, NLLEA received twelve applications for funding.

The review committee looked at the five areas outlined in the RFP, which applicants were to address in their proposals:

1. Problem statement and data, including a description of their current approach to preventing impaired driving, their ability to use the Fatality Analysis Reporting System data, and a description of their jurisdiction;
2. Program plan and timeline, including an outline of how the applicant plans to increase their involvement in impaired driving crackdowns and how they will identify State and local enforcement agencies already involved in crackdowns and how to collaborate with them and how they will develop programs and protocols for crackdown strategies, such as POLD, SIP operations, and premise inspections;
3. Past experience and capacity, including a description of the role of each officer that will be involved with the crackdowns and appropriate statutory or regulatory language that permits the agency to conduct undercover operations, bar inspections, or any other enforcement strategies proposed;

4. Partnerships and collaborations, including evidence of partnerships they have developed with other law enforcement agencies in their jurisdiction as well as local prosecutors, advocacy groups, and media outlets; and
5. Budget and budget justification, outlining how the applicant will use up to \$25,000 to increase their involvement in impaired driving crackdown operations within their agency.

Through a standardized review process conducted by a committee of six members, including non-applying NLLEA current and past board members and NLLEA staff, NLLEA selected three agencies for funding:

1. Lancaster County Sheriff's Office (LCSO) in South Carolina;
2. New Hampshire State Liquor Commission (NHSLC), Division of Enforcement and Licensing; and
3. Virginia Department of Alcoholic Beverage Control (VA ABC).

As part of the funding, the agencies agreed to continue the program for a minimum of one year after the initial project period. The funding sought to help LCSO, NHSLC, and VA ABC conduct or improve some or all of the following operations:

- ▶ Identify existing impaired driving crackdown initiatives within their State and collaborate with the agency organizing the campaign;
- ▶ Partner with organizing agencies on press events related to the two specific crackdown periods (in August and December) during the funding period,
- ▶ Establish a POLD data collection system and use the data collected to strengthen impaired driving crackdown enforcement operations;
- ▶ Create an SOP for conducting undercover operations to enforce laws prohibiting SIP;
- ▶ Strengthen administrative and/or criminal cases focused on the essential elements of the SIP charge;
- ▶ Educate establishment owners and servers on the laws surrounding over-service to visibly intoxicated persons; and
- ▶ Conduct additional licensed premise inspections during impaired driving crackdown periods.

## DATA COLLECTION

As part of the agreements, each of the three funded agencies was required to collect quantitative data that related to impaired driving crackdown efforts and operations conducted during the funded period. The quantitative data collected for SIP operations included—

- ▶ Number of operations;
- ▶ Date of operation;
- ▶ City in which the operation took place;
- ▶ Number of officers working the operation;
- ▶ Number of establishments visited during the operation;
- ▶ Total time in the establishment;
- ▶ Any violations found;
- ▶ BAC, if applicable;
- ▶ Whether criminal charges were filed against the server;
- ▶ Reason, if no charges filed;
- ▶ Whether administrative charges filed against the licensed establishment;
- ▶ Final disposition of case, if available; and

- ▶ Obstacles encountered during the investigation.

The quantitative data collected for POLD operations included—

- ▶ City in which POLD information was collected;
- ▶ How the data was collected and by whom;
- ▶ Number of POLD data that were collected during each operation;
- ▶ Number of individuals/drivers that were asked to provide POLD data;
- ▶ Number of POLD reports that listed a licensed establishment as POLD; and
- ▶ Follow-up action taken.

The quantitative data collected for licensed premise inspections included—

- ▶ Date of the operation;
- ▶ City in which the inspection(s) took place;
- ▶ Number of officers in the operation;
- ▶ Number of establishments visited during the operation;
- ▶ Total time spent in each establishment;
- ▶ Types of violations; and
- ▶ Final disposition of each case.

In the case of the LCSO, who requested that some of the funds be used for saturation patrols and compliance checks, the quantitative data collected for saturation patrols was—

- ▶ Date of the operation;
- ▶ City in which the operation took place;
- ▶ Number of drivers stopped;
- ▶ Number of DUI arrests;
- ▶ BAC levels; and
- ▶ Follow-up actions taken.

The quantitative data collected for compliance checks was—

- ▶ Date of the operation;
- ▶ City in which the operation took place;
- ▶ Number of establishments visited;
- ▶ Number of establishments that were compliant;
- ▶ Number of establishments that were non-compliant; and
- ▶ Follow-up actions taken.

In addition to quantitative data, each site also provided written monthly reports about the impaired driving crackdown operations they conducted during the funded period. These reports included accomplishments and interim results and information; funding expended; problems, issues, and proposed solutions; and plans for the next month.

In addition to collecting data each month from the funded sites, NLLEA also provided each of the three awardees technical assistance using the toolkit, and media advocacy through NLLEA's media consultant. NLLEA staff and media consultant held conference calls with each site, discussing media strategies that included press releases, letters to the editor, tweets, messages for Facebook, automated call messages to residents, and messages for local marquee and billboards. How to interact with the media and encourage them to attend press conferences and media events was also discussed.

NLLEA funded PIRE to evaluate if the mobilization campaign and technical assistance provided to the three funded agencies during the project contributed to increased involvement of the funded ALEs in impaired driving crackdowns. The evaluation looked at resources expended, activities conducted, barriers encountered, and results accomplished. Such information was helpful for understanding how impaired driving crackdown initiatives were conducted in each funded agency (i.e., process evaluation) and whether the program improved the agency's level of involvement. The evaluation also considered whether additional funding helped the agencies improve collaboration with other departments, amplified the role of the media coverage of the crackdowns, and encouraged the agencies to adopt specific policy concerning impaired driving crackdowns.

## RESULTS

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### LANCASTER COUNTY SHERIFF'S OFFICE

#### Agency Background

Lancaster County, SC, is located two hours from the coast and two hours from the North Carolina Blue Ridge Mountains. Lancaster County covers 549 square miles and has nine State highways, two U.S. highways, and hundreds of rural, two-lane roads. According to U.S. Census data, it is estimated that there were 80,458 residents living in Lancaster County in 2013. The LCSO has 108 officers. The command staff is made up of the sheriff, a chief deputy, and three captains. The remaining officers are patrol officers, investigators, narcotic agents, judicial officers, and school resource officers. While the LCSO is the primary law enforcement agency in Lancaster County, in terms of alcohol establishments, they work with the lead state agency, the South Carolina Law Enforcement Division (SLED) – Alcohol Division who has primary authority for licensing, administrative enforcement, and adjudication of alcohol laws.

From 2010 to 2012, the LCSO conducted very few saturation patrols and checkpoints and was therefore unable to make any significant impact on traffic safety concerns, particularly DUI-related incidences. The LCSO did actively participate in the Law Enforcement Network for their region (there are 16 networks across the State), which is a network of local and state traffic enforcement officers, members of Federal law enforcement agencies and prosecutors from the region. The networks meet regularly to provide information and training to the attending officers and are used to efficiently mobilize law enforcement statewide for traffic enforcement initiatives. The LCSO has also developed several partnerships with prevention partners throughout the county. In 2012, the LCSO received a grant from the South Carolina Department of Public Safety to hire two officers and form a DUI team. They made 22 DUI arrests in 2012 and 104 in 2013. Between June 2013 and March 2014, the LCSO conducted three compliance checks, four sobriety checkpoints, five saturation patrols, and participated in a media event with their prevention partners.

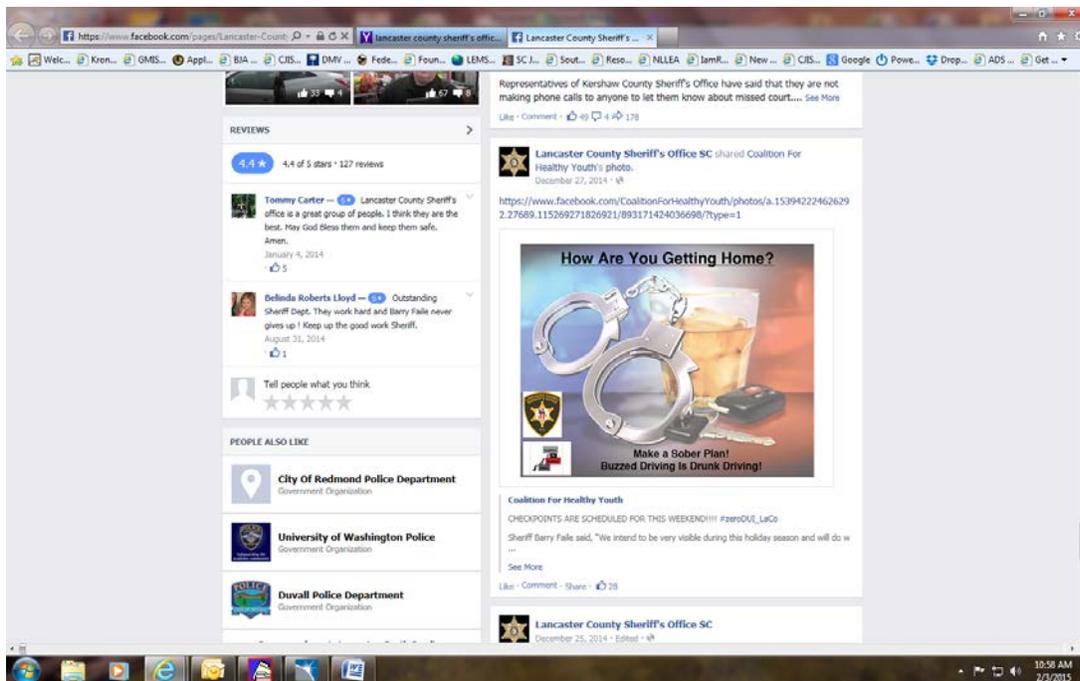
#### Activities and Results

Between June 2013 and March 2014, the LCSO conducted three compliance checks, four sobriety checkpoints, five saturation patrols, and participated in one media-related event with their prevention partners. Prior to the project, the LCSO had not collected POLD data. During the funding period, the LCSO increased their impaired driving crackdown operations to 7 compliance checks, 7 sobriety checkpoints, and 14 saturation patrols, and added 6 party patrols and 2 licensed premise inspections. In addition, the LCSO introduced a POLD data collection process and

## Increased Alcohol Law Enforcement Involvement in Impaired Driving Crackdowns

requested POLD information during all sobriety checkpoints and saturation patrols. During the funding period, 11 individuals were asked to provide information about the location of their last drink, 6 during saturation patrols and 5 at sobriety checkpoints, and 2 of the 11 requests identified licensed establishments. During these operations, 13 arrests for DUIs were made, including 9 by LCSO and 4 from the South Carolina State Highway Patrol during a joint sobriety checkpoint operation.

The LCSO increased their outreach to media sources, including two press events, one with local media and one in partnership with the South Carolina State Highway Patrol, the Lancaster City Police Department, the Lancaster City Fire Department, and Springs Memorial Hospital and EMS. The Lancaster County Sheriff also wrote a letter to the editor, which was published in the Lancaster News ([www.carolinagatewayonline.com/content/faile-colum-sheriff-urges-drivers-make-sober-plan-transportation](http://www.carolinagatewayonline.com/content/faile-colum-sheriff-urges-drivers-make-sober-plan-transportation)). In addition to traditional news outlets, the LCSO used social media, automated calls to residents, marquee signs, and a highway billboard to alert the community to upcoming saturation patrols and checkpoints.



The Lancaster County Sheriff's Office Facebook page with a post on December 27, 2014 promoting the "Make a sober plan" campaign as part of the impaired driving crackdown initiatives.

The LCSO developed and strengthened partnerships with the Coalition for Healthy Youth, the South Carolina State Highway Patrol, the State Department of Public Safety, local youth counseling services, and the SLED —Alcohol Enforcement. By developing relationships with other agencies and community groups, the LCSO was able to share resources and engage in more crackdown efforts, helping prevent impaired driving in Lancaster County during the crackdown periods. The LCSO reports a stronger partnership with SLED as a result of the funding, which allowed them to work collaboratively on an increased number of compliance checks and on the new POLD reporting. Through these operations, SLED issued four administrative charges against establishments (two for sales to minors and two for selling alcohol to non-members in a private

club) while LCSO issued eight criminal citations for sales to minors to the clerk/server and forwarded these cases to SLED for review for possible administrative charges as well.

POLD was added to the software that LCSO officers use for their reporting; there is now a checkbox prompting the officer to request POLD and track the request and response in the system. If a licensed establishment is identified, the LCSO alerts SLED to the POLD so they can follow up with the establishment. Additionally, the LCSO uses POLD information when identifying locations for future saturation patrols.

## NEW HAMPSHIRE STATE LIQUOR COMMISSION, DIVISION OF LICENSING AND ENFORCEMENT

### Agency Background

The New Hampshire State Liquor Commission, Division of Licensing and Enforcement, is responsible for licensing and enforcing the State's alcoholic beverage laws and has statewide jurisdiction. The New Hampshire State Liquor Commission adjudicates all administrative violations of the alcohol laws. U.S. Census data estimate that there were 1,322,616 New Hampshire residents in 2013. The division has 21 full-time and 5 part-time sworn positions, as well as 15 full-time and part-time civilian support personnel.

New Hampshire's statistical data for motor vehicle crash fatalities between 2007 and 2011 reveal a total of 595 fatalities, of which 189 (32%) were alcohol-related. In 2013, the NHSLC collected data on 107 potential POLD incidents from drivers at 20 sobriety checkpoints. Of the 107 surveyed, 43 (40%) were arrested for driving under the influence of alcohol; 72 of the 107 surveys (67%) indicated the subject had consumed their last drink at a licensed establishment.

The NHSLC has long standing collaborative partnerships with municipal and county law enforcement agencies from around the State, as well as the New Hampshire State Police. They have partnered with the New Hampshire Highway Safety Agency, the New Hampshire Attorney General's Office, and the National Alcoholic Beverage Control Association on various alcohol awareness programs. In addition, the NHSLC has worked with large sporting venues in the state, such as the New Hampshire International Speedway, Manchester Monarchs, New Hampshire Fisher Cats, and the University of New Hampshire Wildcats. When working on statewide awareness messaging, such as the State's Buyers Beware program, NHSLC has benefited from the positive relationship they have with WMUR Channel 9, WGIR FM Rock 101.1, Montagne Communications, and WEDU.

### Activities and Results

The NHSLC increased the number of high-visibility operations during the National impaired driving crackdown periods, focusing on both undercover SIP operations and licensed premise inspections. During the Labor Day weekend, the NHSLC conducted inspections in eight different New Hampshire cities. During Halloween weekend, the NHSLC conducted evening high-visibility operations in New Hampshire's three largest college and university towns, resulting in two arrests for unlawful possession of alcohol by a minor, two arrests for the possession of a fraudulent ID, three arrests for the unlawful transportation of alcohol by a minor, and two administrative notices issued to establishments for sales of an alcoholic beverage to an underage person. In November, the NHSLC conducted two undercover operations in three different communities and conducted high-visibility operations in eight different cities. During these operations, there was an emphasis on education and raising awareness of impaired driving crackdowns for the upcoming

Thanksgiving holiday. In December, the NHSLC conducted four high-visibility operations in 13 separate communities, involving 10 investigators visiting 111 establishments; six verbal warnings and an administrative notice resulted from the operations. The NHSLC also conducted four undercover operations focused on observing violations of the law prohibiting sales to intoxicated patrons in five communities with 14 investigations, visiting 19 licensed establishments and resulting in two verbal warnings.

The NHSLC collaborated with a number of other organizations and law enforcement agencies when conducting impaired driving crackdown operations. They worked with five local police departments from the cities of Bow, Conway, Merrimack, Portsmouth, and Manchester to obtain POLD information from all DUI arrests during the holiday crackdown periods. These sites were selected as they are areas within the state that are most densely populated and in some cases, are also popular tourist areas. All of the sites have interstate or state routes that go through their towns and therefore have heavier traffic patterns. The NHSLC partnered with the New Hampshire State Police, the New Hampshire Chiefs of Police Association, and the New Hampshire Highway Safety Agency on promoting the impaired driving crackdown initiatives, including holding a joint press conference at the Liquor Enforcement Headquarters with over 25 media outlets covering the story. (See Appendix B for an example of the print coverage.)

To better use POLD data collected throughout the State, the NHSLC used a portion of the impaired driving crackdown funding to purchase and install ArcGIS, a geographic information system software that uses geospatial technology to map areas where POLD locations have been specified. The software will allow the NHSLC to create, update, and provide their partners with maps and data that will better inform future operations.

## **VIRGINIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, BUREAU OF LAW ENFORCEMENT**

### **Agency Background**

The Virginia Department of Alcoholic Beverage Control has approximately 125 special agents with full police powers, charged with enforcing all alcohol beverage control (ABC) regulations in and around more than 17,000 licensed establishments statewide. The VA ABC is broken into eight regions. In 2013, there were a total of 14,959 DUI convictions across the State, made by all Virginia enforcement agencies; of the eight regions, the two regions with the highest DUI arrests were Chesapeake with 2,531 and Roanoke with 1,155. VA ABC decided that additional efforts were needed in these two regions to prevent impaired driving and focused the additional funding in those two jurisdictions.

Roanoke has a population of 97,469 residents and is 43 square miles. Roanoke's economy is supported by jobs in the railroad, coal mining, and health care industries. It is also host to various fairs, festivals, and cultural events each year, attracting visitors from outside the region. The city of Roanoke has approximately 145 on-premise ABC-licensed establishments. In Roanoke in 2013, there were 65 alcohol-related traffic collisions, 26 alcohol-related injuries, and one youth death connected with alcohol.

Virginia Beach, a city within the Chesapeake Region, has a population of approximately 448,479 residents and is 249.42 square miles. Both a beach resort and home to Navy, Marine, and Army bases, Virginia Beach is Virginia's most populous city and is a highly visited tourist destination. Virginia Beach has approximately 604 on-premise ABC-licensed establishments. In 2013, there were 63 alcohol-related traffic crashes and 19 alcohol-related injuries.

## **Activities and Results**

The VA ABC focused their impaired driving crackdown operations in two regions based on their high number of DUI arrests: the Chesapeake Region, specifically Virginia Beach, and the Roanoke region. In both areas, the VA ABC increased their undercover sales to intoxicated persons (SIP) operations and sobriety checkpoints as well as educational efforts about impaired driving with establishments and the community.

In Virginia Beach, the VA ABC conducted 10 SIP operations over the duration of the project. During those operations, five violations were cited for SIP, allowing an intoxicated person to loiter on premises, and records violations. During the operations, 76 licensed establishments were visited (some of the 76 may be the same establishment, revisited if it was an establishment with past violations or complaints against it). The number of officers on an operation ranged from five to eight per evening. The VA ABC also partnered with the Virginia Beach Police Department on New Year's Eve for a traffic safety checkpoint, and five persons were arrested for DUI, with three indicating their last drink was at a licensed establishment. The VA ABC is conducting follow-up investigations at the identified locations.

There is a mutual benefit to both the local law enforcement agency and VA ABC in participating in traffic safety checkpoints. VA ABC benefits by being able to learn first-hand the locations where impaired drivers last consumed and may be able to gain information regarding the description or identity of the provider of the alcoholic beverages. This information can lead to an immediate investigation of the establishment and the server where appropriate. Further, once the licensed establishments in the community are aware that there is a sharing of information from the traffic safety checkpoints, it can have a deterrent effect and may reduce the likelihood the servers will serve patrons to the point of obvious intoxication. The local law enforcement agencies benefit by having additional resources on scene to deal with issues peripheral to impaired drivers, such as possession of alcoholic beverages by minors.

In Roanoke County, the VA ABC conducted 11 SIP operations through the NLLEA funding. While no administrative charges were filed, the officers did arrest one patron for being intoxicated in public, one patron for drinking an alcoholic beverage in a public location, and one patron for using narcotics, who is now under investigation; one of the officers on the operation also witnessed a hit-and-run and apprehended the driver, who was under the influence, had been drinking at a licensed establishment, and is now under investigation. The VA ABC made 60 visits to establishments throughout Roanoke County. The number of officers on an operation ranged from three to six per evening. The VA ABC also collaborated with the Roanoke County Police Department, the Town of Vinton Police Department, the Roanoke County Sheriff's Office, the Roanoke City Police Department, the Salem City Police Department, the Virginia State Police, and the Virginia Department of Motor Vehicles on a multi-jurisdictional sobriety checkpoint. While this was not the first time that VA ABC worked with these individual departments in conducting traffic safety checkpoints, it was the first time that a comprehensive effort was initiated with all the local law enforcement agencies in the Roanoke Valley to coordinate these efforts.

The VA ABC used funding to reach out to the community and licensed establishments and educate them on impaired driving and on the operations to crackdown on driving under the influence. Meetings were held with the Roanoke and Abingdon Retail Advisory Committees to improve the relationship between retailers and enforcement. The VA ABC attended a roundtable about social host laws and underage drinking that was hosted by the Roanoke Area Youth Substance Abuse

Coalition. The VA ABC worked with the Roanoke Prevention Alliance on a joint effort to disseminate printed reminders of signs of intoxication and over-service, and 30,600 drink coasters with “Choose Your Ride” messaging were distributed to Roanoke area licensees during the holiday season, with a letter addressing bartenders, wait staff, managers, and hosts about over-service. Additional RSVP licensee training classes were held in the Chesapeake regional office.

The VA ABC increased outreach to the media to gain support in reaching the community about upcoming impaired driving crackdown operations. In September, the Roanoke region participated in an interview with television station WSLs 10 to discuss over-service and to promote the increased number of responsible seller and server training sessions available. In November, an agent from the Chesapeake regional office was interviewed by television station WAVY 10 about the efforts of the VA ABC and licensees preventing over-service of alcohol during the holidays. In December, the VA ABC partnered with the Blue Ridge Transportation Safety Board, the Prevention Council of Roanoke County, the Roanoke County Police Department, the Roanoke Police Department, and the Roanoke Prevention Alliance and held a joint “call to action to help reduce drinking and driving crashes” press conference. WSLs Channel 10 featured a story about the impaired driving crackdown efforts. NLLEA staff was also in attendance and interviewed by a WFIR radio reporter. The VA ABC Communications Division was recognized by the Public Relations Society of America with the “Virginia Public Relations Award” for their media coverage of the impaired driving crackdown operations (see Appendix C).

## COMMONALITIES AND DIFFERENCES BETWEEN THE THREE FUNDED AGENCIES

All three funded agencies—LCSO, NHSLC, and VA ABC—increased their impaired driving crackdown operations but chose to focus on different enforcement strategies. The LCSO increased a variety of different operations—compliance checks, sobriety checkpoints, saturation patrols—and even introduced POLD as a new strategy to their enforcement approach. The NHSLC focused on high-visibility operations, primarily SIP and licensed premise inspections. They also chose to focus efforts on making POLD a long-term, sustainable effort by purchasing a software program designed to map data, increasing the benefits of POLD data collection. The VA ABC focused their efforts in the two regions within their State that had the highest rates of impaired driving. Similar to the NHSLC, the VA ABC focused their enforcement efforts on SIP and licensed premise inspections. The VA ABC put their additional resources into education; with partners such as the Roanoke Prevention Alliance, the VA ABC distributed printed information and provided training to licensees, bartenders, wait staff, and managers in over 80 restaurants and establishments.

Each agency dealt with its own unique challenges during the funded period. One of the biggest challenges the LCSO faced was working with the media since they don’t have a television station specifically focused on their county, and are therefore included with larger media markets. Therefore, with the help of NLLEA’s consultant, they used other, nontraditional outlets to publicize their impaired driving efforts: Twitter, Facebook, a billboard, a marquee, and a letter to the editor from the Sheriff. The NHSLC’s biggest challenge was weather; with unusually cold temperatures in December and January, a mean of 18.9 degrees, and snow or sleet on 15 out of 31 days in January, it was difficult to conduct all scheduled operations. The VA ABC’s most difficult challenge was securing the proper staffing during the holiday periods in order to meet the objectives of the operation. The VA ABC human resources policy dictates certain criteria in order to accrue overtime during holiday time that would require any person to reach their standard work hours prior to receiving overtime compensation. For example, during the Thanksgiving Holiday,

the standard 80 hour work cycle would be reduced by 20 hours because of the mandatory time off, making it a 60 hours work cycle. Therefore, in order to accrue any overtime an agent would need to make up the 20 hours at a straight rate prior to being compensated at the designated overtime rate. This program was offered as a voluntary operation, thus creating the challenge.

Table A. Percentage of Total Funded Operations by Location

Type of Operation	New Hampshire	Virginia	Lancaster County, SC
Licensed Premise Inspections	67%	0%	7%
Sales to Intoxicated Persons Undercover Operations	33%	91%	0%
Sobriety Checkpoints	0%	9%	23%
Saturation Patrols	0%	0%	47%
Compliance Checks	0%	0%	23%
Party Patrols	0%	0%	20%

Note - When total is greater than 100%, operations may have consisted of more than one type of operation, e.g., one night of operations may have included party patrols and compliance checks.

Table A shows the impaired driving crackdown operations conducted by the three funded agencies and the percentage they engaged in each type of operation.

## IMPAIRED DRIVING CRACKDOWN DEBRIEFING MEETING

While the experience of the three funded agencies was positive and beneficial overall, there are still areas for expanded involvement with impaired driving crackdowns by LCSO, NHSLC, and VA ABC and by the broader ALE community. To learn from the project’s successes and discuss new strategies for addressing limitations, NLLEA hosted a debriefing meeting about impaired driving crackdown operations for LCSO, NHSLC, VA ABC, NLLEA consultants and staff, and a select number of key ALE professionals who are engaged in impaired driving initiatives or have expressed an interest in expanding their involvement. The group discussed ways to uniformly implement the three impaired driving crackdown strategies: the enforcement of SIP laws, collecting and using POLD data, and conducting licensed premise inspections. The meeting was attended by NLLEA staff, Executive Director Rebecca Ramirez and Project and Training Coordinator Lara Morford; by NLLEA consultant Chris Curtis; by two representatives from the three funded agencies, Director James Wilson and Lieutenant Valerie Smith from NHSLC, Grant Administrator Kristal Stroud and Captain Jeff Hilton of LCSO, and Special Agent in Charge Joseph Cannon and Assistant Special Agent in Charge Stephan Brown from VA ABC; and by Chief Deputy Director Lori Ajax of California Department of Alcoholic Beverage Control; Chief of Investigations Donia Amick from Colorado Department of Revenue Liquor and Tobacco Division; Deputy Director Rich Cologie of the Ohio Investigative Unit; Lieutenant Tim Kincaid and Captain Tyler Kotter of Utah State Bureau of Investigation; Sergeant Wes Kuhl of Arizona Department of Liquor Licenses and Control; Chief Frederick Mahony of Massachusetts Alcoholic Beverages Control Commission; Chief Justin Nordhorn of Washington State Liquor and Cannabis Board, Enforcement and Education Division; and Director John Yeomans of the Delaware Division of Alcohol and Tobacco Enforcement.

The three funded agencies reported to the larger group about their successes, challenges, and the ongoing progress they are making in increasing their involvement in their States’ impaired driving crackdown initiatives. By reporting on the different approaches and outcomes, the broader group was able to discuss what is working across the country and compare similarities and differences between strategies and involvement in impaired driving crackdowns.

VA ABC strategically chose to work with one urban area and one rural area to concentrate their efforts to reduce impaired driving in two of their worst problem locations from across the State. They found that their rural location had a stronger relationship with the area coalitions and, therefore, were able to garner support more quickly than their urban setting, where there was less trust between the local police department and the VA ABC. By learning from the rural setting, the urban location, Virginia Beach, worked to strengthen their relationship with the local police department and had better results during the winter holiday crackdown versus the Labor Day crackdown period.

NHSLC has had a 27% cut in personnel in the last five years, making any additional initiatives a challenge. They do not have an in-house public relations person and have to rely on an outside firm to help with their media and public information dissemination; the impaired driving crackdown funding helped NHSLC get their message out to the community and they received strong media coverage during the funded period. The NHSLC believes that the increased media coverage was a result of their extensive outreach to leverage media relationships through their contracted firm to increase public awareness related to the hazards of impaired driving. Due to the reduction in staffing, the NHSLC has had to rely more heavily on the New Hampshire State Police and their relationship has strengthened over the last few years. NHSLC continues to face resistance from local police departments in reporting POLD information to NHSLC in a timely manner that will allow them to follow up with the reported establishments.

The LCSO also faces challenges of understaffing, albeit more from collaboration with other agencies needed to take action on alcohol-related violations. The South Carolina Law Enforcement Division (SLED) has one agent covering three to eight counties, making a strong presence in Lancaster County difficult. Country versus State jurisdictional issues also present challenges to alcohol law enforcement as for example, local law enforcement cannot issue administrative charges to licensed establishments for violation of the alcohol laws. In addition, there have been struggles with establishments that are licensed as non-profit private clubs because they do not need to allow local enforcement access to their establishment, and LCSO then needs to rely on SLED to help enforce alcohol laws in those establishments. Administrative charges cannot be written on the county level, so LCSO must submit them to the State and then SLED writes the administrative violation, making collaboration vital to successfully enforcing alcohol laws. The law also limits what a law enforcement officer can ask at a checkpoint, and they are not allowed to ask if a driver has been consuming alcohol unless they smell alcohol. This makes collecting POLD information more challenging.

When discussing over-service operations being held across the country, the group agreed that server and manager training is still an important component to combating over-service. In Ohio, a judge drafted a letter to accompany a brochure that was sent to all permit holders inviting them to a server education training, and there was a strong turnout because the invitation came from a judge. In MA, when ALE agents visit an establishment with a visibly intoxicated person present, the agent uses the opportunity to educate management about the intoxicated person and discusses why that person should not be served. VA ABC gives incentives to licensed establishments to attend server training programs. In Delaware, a four hour training course is mandatory for all servers in licensed establishments; however the training has become costly so Delaware is trying to move to an online training to decrease the drain on resources. Washington State has successfully moved to an online training via YouTube. The server is required to sign a document that they have watched the online training, so that WA Liquor Control and Cannabis Board can track who has viewed the

training and if they still have violations after receiving training. This will allow them to measure the effectiveness of offering the training online versus in person.

The group discussed the challenge of conducting undercover SIP operations in more rural areas, because the agents are recognizable and brainstormed approaches, such as bringing enforcement officers from other jurisdictions to conduct the undercover portion of an investigation. Justifying the staffing required for SIP operations when it can be challenging to prove a person was visibly intoxicated was also discussed. The threshold to prove obvious intoxication is very high and without a required BAC or set definition of intoxication, it can be difficult to have positive results in court. The combination of drugs and alcohol in someone's system can make proving that someone is visibly intoxicated even more challenging, and the States that have legalized marijuana are finding this to be especially challenging. However, the group did agree that just by being in establishments, the presence of ALE agents creates a deterrence to serving someone intoxicated.

POLD has been effective when collected and utilized in many of the States across the nation. In Delaware, all State and municipal agencies are required to report POLD, collecting the location where the last drink(s) were purchased, the time of day, and if the drinker was underage. This information is reported quarterly from forensics to the Delaware Division of Alcohol and Tobacco Enforcement, who uses the information to follow up with the management of the establishments reported. Massachusetts and Washington both use the POLD data to create "the top 30 worst bars in the State" list to inform enforcement efforts and to be able to provide solid numbers to State commissioners. In California there are DUI coordinators in each area throughout the State that collect POLD data and report it back to the CA ABC, and they are considering initiatives to make this data collection more comprehensive and timely.

Everyone in attendance agreed that there needs to be more education to the public, other law enforcement, and to the legal system on the specialized role of ALE agencies. In Arizona, the Arizona Department of Liquor Licenses and Control presents at the Judges and Prosecutors Conference about the role of ALE agents, creating a better understanding and state buy-in of their importance. Other States have found ride-alongs with legislators on Friday or Saturday nights between 12 am – 3 am helps give a realistic understanding of alcohol in the community and the importance of enforcing alcohol laws. It was suggested that creating an infrastructure to disseminate information on the work agencies are doing and the difference they are making would be helpful. It is difficult to make the case that increased enforcement equals fewer fatalities, but having concrete examples and narratives of the work of ALE agents would be helpful in raising awareness of their role. Participants in the meeting agreed that a national marketing campaign of what ALE agencies do would also help inform partners and the community of the work being done, highlighting efforts such as successful source investigation programs.

National definitions that clearly describe the different types of operations employed during Impaired Driving Crackdown periods are needed to make comparisons between programs and initiatives State to State and nationwide. The group agreed that a universal software system for collecting POLD, provided to all States at no cost, would make collecting and sharing data smoother and beneficial. Continuing to bring key ALE professionals together on a regular basis to share ideas and brainstorm next steps is imperative to improving ALE involvement in crackdowns. State or regional meetings that include Chiefs of Police Association members, supportive coalition partners, State law enforcement representatives, and judges and prosecutors to discuss crackdowns and the ways ALE agents can be involved and collaborate with other key players would also help increase ALE involvement in Impaired Driving Crackdowns.

## NATIONAL DATA ON ALE INVOLVEMENT IN IMPAIRED DRIVING CRACKDOWNS

As part of NLLEA's annual data collection survey, key questions have been added since 2012 to elicit information about ALE agencies' involvement in impaired driving crackdowns. The NLLEA collected the data from state ALE agencies part of NLLEA's ongoing annual data collection effort. The annual survey instruments are emailed to each key contact in NLLEA's membership database for all state-level ALE agencies who are NLLEA members, and for the 2014 data, respondents were encouraged to complete the survey via Survey Monkey. The following questions were included in the 2012 and subsequent data collection instruments in relation to ALE involvement in impaired driving crackdowns:

- ▶ Did your agency participate in the National Highway Traffic Safety Administration's Impaired Driving Crackdown in 20xx?
  - If yes, did you work with other law enforcement agencies during this period?
- ▶ How many criminal and/or civil arrests/citations did your officers make during these mobilization periods?
- ▶ Did your agency conduct sales to intoxicated persons (SIP) enforcement?
- ▶ Did your agency conduct sobriety checkpoints?
  - If yes, was this in cooperation with state or municipal police?
- ▶ Did your agency conduct underage compliance checks?
- ▶ Did your agency conduct educational awareness/training to establishments on how to avoid over-service?
- ▶ Did your agency conduct any other operations? Please describe.

In 2012, a total of 41 states provided data for the NLLEA annual data collection effort. Of those that responded, 15 state ALE agencies reported participation in the National Impaired Driving Crackdown periods, or 36 percent of total states reporting data. Of these 15 states, all but one worked with other law enforcement agencies during the crackdown periods, including local police departments and community organizations. None of the 15 states reported the number of arrests made during this mobilization period, though it is not clear whether these data are not tracked or simply not available for reporting.

The operations conducted during these crackdown periods varied by state. Ten states reported conducting sales to intoxicated persons (SIP) enforcement (AZ, AR, ID, MA, NH, OH, OK, OR, VT, WA), and 11 conducted sobriety checkpoints (AL, AZ, AR, CA, FL, NH, NC, OH, OK, VT, WA), 10 of which were done in conjunction with state or municipal police. Eight states conducted underage compliance checks (AZ, AR, ID, OH, OR, VT, WA, WV), and eight conducted educational awareness/training on avoiding over-service to patrons (AZ, ID, NH, OH, OR, VT, WA, WV). Additional reported activities included working with the media and deploying mobile DUI units.

For the 2014 annual data collection, 31 states completed the survey. Of those who completed the survey, 13 state ALE agencies reported participation in the National Impaired Driving Crackdown periods during 2014, or almost 42 percent of total states reporting data.

Of these 13 states, all but one worked with other law enforcement agencies during the crackdown periods, including local police departments and community organizations, and only one state reported the number of arrests/citations made during this mobilization period.

In 2014, the operations conducted continued to vary by state. Six states reported conducting sales to intoxicated persons (SIP) enforcement (AZ, MA, NM, NH, UT, VA), and 5 participated in sobriety checkpoints (CA, NC, NH, OH, VA). Five states conducted underage compliance checks (AZ, NM, UT, WV, WY) and three conducted educational awareness/training on avoiding over-service to patrons (NM, UT, WY). Additional reported activities included training on source investigations and a mobile patrol.

It is important to note that five states that reported participating in the crackdown periods in 2012 have not yet completed their 2014 data surveys, while three states that reported no impaired driving crackdown activity in 2012 indicated that they had participated in crackdowns in 2014. Only one state changed their response from participation to non-participation from 2012 to 2014.

## **DISCUSSION AND RECOMMENDATIONS**

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### **ACCOMPLISHMENTS**

Due to the impaired driving crackdown funding, all three funded agencies were able to increase their impaired driving crackdown strategies and therefore have more presence in the community; build awareness of enforcement efforts to decrease impaired driving; and educate establishment owners and servers on signs of intoxication and the importance of preventing over-service. Additionally, the agencies benefited from increased involvement in crackdown operations by collaborating with other organizations and law enforcement entities, strengthening their partnerships for future collaboration. By increasing SIP operations, two of the agencies identified patrons who were being served alcohol while already intoxicated, and by handling the situation through enforcement and subsequent investigations, they kept intoxicated persons from operating a moving vehicle and identified establishments that required either administrative citations or additional education, or both.

In all three funded locations, high-visibility operations created an enforcement presence that was an increase from previous holiday crackdown periods, deterring patrons from driving while intoxicated and encouraging servers to not serve visibly intoxicated persons. Traditional and social media also played an important role in spreading the word about increased enforcement in the area. While the LCSO expressed working with the media as a challenge, they still got their message out using Facebook, Twitter, and other nontraditional forms of communication.

### **RECOMMENDATIONS FOR FUTURE ALE INVOLVEMENT IN IMPAIRED DRIVING CRACKDOWNS**

Each ALE agency across the country approaches impaired driving crackdowns differently, making strategic decisions about the types of operations to conduct based on their resources, partnerships, and staffing. However, if there were a universal data collection system for all ALE agencies to track their activities, report best practices and challenges faced and collaborative efforts with other agencies or community groups, it would be beneficial for sharing information, strengthening initiatives, and tracking successes. By sharing the same data, ALE agencies could learn from one another, increase efforts, and discuss needed improvements or changes for future impaired driving crackdown activities.

In order to continue increased involvement with impaired driving crackdown operations, ALE agencies are in need of dedicated funding for crackdown initiatives. ALE agencies continue to see declines in funding and resources and are stretched in time and staffing resources. In order to

consistently stay involved with impaired driving crackdown operations, ALE agencies need additional funding that they can dedicate to staffing operations during the impaired driving crackdown periods. Without the proper financial resources, ALE agencies are often forced to focus on the day-to-day operations, unable to increase other worthwhile and crucial operations, such as impaired driving crackdowns.

One response to the challenge of limited resources is collaboration. The three funded agencies in this project benefited from partnering with other law enforcement agencies and community groups focused on preventing impaired driving. ALE agencies need to continue to develop relationships with other enforcement groups, public health professionals, community groups, state highway safety offices and support service groups to identify resources and take advantage of opportunities to work together on shared goals. By combining efforts, agencies can have a larger, more visible presence in the community and can make a larger impact on decreasing impaired driving.

Strengthening a positive working relationship with media outlets will help ALE agencies inform the community about their role in impaired driving crackdowns, the enforcement operations the community can expect during crackdown periods, and the importance of not driving while intoxicated. By taking the time to identify key media contacts and reaching out to them consistently, ALE agencies will increase the coverage and support they receive from the media. Fortunately, avenues for getting one's message to the community have expanded; ALE agencies need to use the cutting-edge ways to share their message through social media: Facebook, Twitter, and Instagram all provide messaging opportunities that reach varying age groups instantaneously.

Taking a proactive approach to enforcement can stop a situation before it happens. ALE agencies need to continue to work with establishment owners, managers, bartenders, and servers to understand the laws surrounding serving visibly intoxicated persons. Education and training, as well as partnering on delivering a proactive message about impaired driving through activities such as the VA ABC's "Choose Your Ride" coasters, will empower establishments to be a part of the solution. By keeping lines of communication open with servers, managers, and owners, ALE agencies benefit from a more collaborative approach to enforcing impaired driving.

## **NEXT STEPS**

While the experience of the three funded agencies was positive and beneficial overall, there are still areas for expanded involvement with impaired driving crackdowns by LCSO, NHSLC, and VA ABC and by the broader ALE community. NLLEA will continue the impaired driving crackdown campaign to encourage ALE agencies to increase their involvement in crackdown efforts. Printed materials about the different impaired driving crackdown operations will be sent to all NLLEA members; the impaired driving crackdown toolkit will continue to be available on the NLLEA Web site and the materials will be made available to all members via thumb drives; and impaired driving crackdown operations will continue to be highlighted during symposium trainings and conferences, including the NLLEA annual conferences. NLLEA will continue to promote the importance of impaired driving crackdown involvement through messaging to members via the NLLEA Web site, Facebook, and news clips.

NLLEA will continue exploring the development of a systematic and uniform data collection system for collecting POLD data and ways to best use the data when making strategic enforcement decisions. By providing ALE agencies with a uniform collection system, NLLEA can better understand what impaired driving crackdown strategies are working; areas for improvement; and

how best to use and allocate resources when working on future impaired driving crackdown initiatives. The data will also provide opportunities for ALE agencies to share feedback and results with the agencies and groups that have provided the POLD data, strengthening the collaboration and sharing of information between them.

NLLEA will continue to stress the importance of ALE involvement in impaired driving crackdowns, as the operations are more effective with ALE agencies involved; by being directly a part of the impaired driving operations, ALE agents learn firsthand about establishments that are overserving or directly witness violations as they happen. ALE agencies are in a unique position to engage establishments both by being proactive in working with them to prevent impaired driving and through enforcement when establishments are not in compliance. By being involved on the ground level, ALE agencies can be faster to respond and enforce the laws that help prevent impaired driving, having a direct impact on highway and community safety.

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## APPENDIX A

During impaired driving crackdown periods, law enforcement traditionally utilize enforcement strategies that focus directly on impaired drivers who are already on the road. Through the use of sobriety checkpoints, saturation patrols, and other enforcement strategies, law enforcement agencies are able to arrest impaired drivers and potentially prevent impaired driving crashes.



The National Liquor Law Enforcement Association (NLLEA) is a non-profit association of law enforcement personnel dedicated to the enforcement of liquor laws and regulations.

### Licensed Premise Inspections

The enforcement of alcohol beverage control laws that pertain to establishments licensed to sell and serve alcohol serve as another important intervention point. Enforcement of these laws by state and local law enforcement agencies can potentially prevent patrons who may have been over served at these establishments from driving altogether.

### Contact

For more information about licensed premise inspections, contact the NLLEA at 301-755-2795 or support@nllea.org.

[www.nllea.org](http://www.nllea.org)




Preventing Impaired Driving through Enforcing Alcohol Laws

## Licensed Premise Inspections

By conducting high-visibility licensed premise inspections, ALE agencies help the general public and the retail community understand that their compliance with the alcohol laws of your State are being monitored, thereby increasing the deterrent effect of violating these laws. The goal of these inspections is voluntary compliance by both the licensee and the patron.

**Regular premise inspections will help to:**

- Identify and address existing or potential issues;
- Develop positive working relationships with staff and educate them about their responsibilities; and
- Create an environment for the licensee to comply with laws and regulations governing the sale/service of alcohol.

**Generally, most premise inspections are looking for the following types of violations:**

- Sale/service to a minor;
- Sale/service to an intoxicated person;
- Failure to post required permits, licenses or notices;
- Failure to have approved manager on the premises;
- Health or fire code violations;
- Illegal gambling;
- Open containers leaving premises (on-premise);
- Drinking on the property (off-premise);
- Underage persons soliciting purchase of alcohol by adults;
- Fighting/disorderly conduct;
- Sales after legal hours; and/or
- Loitering.

The NLLEA has a sample training PowerPoint and examples of premise inspection forms available at [www.nllea.org/licensedPremise](http://www.nllea.org/licensedPremise)



- A reasonable time frame to conduct a premise inspection is usually about twenty minutes or less.
- Licensed premise inspections can be done either in uniform or as plainclothes officers.
- Premise inspections can also be conducted in partnership with other agencies (e.g., fire, building code inspectors, etc.) for increased compliance.



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## Place of Last Drink Data

The enforcement of alcohol beverage control laws that pertain to establishments licensed to sell and serve alcohol serve as another important intervention point. Enforcement of these laws by state and local law enforcement agencies can potentially prevent patrons who may have been over served at these establishments from driving altogether.

### Contact

For more information about starting POLD data collection, contact the NLEEA at 301-755-2795 or support@nleea.org.

[www.nleea.org](http://www.nleea.org)

**Preventing Impaired Driving through Enforcing Alcohol Laws**



**Preventing Impaired Driving through Enforcing Alcohol Laws**



## Place of Last Drink (POLD) Data: A Tool for Law Enforcement

The enforcement and prosecution of laws governing the responsible consumption and distribution of alcohol can have a significant impact on the reduction of injuries and fatalities resulting from the excessive consumption of alcohol.

Collecting POLD data is recommended by the National Traffic Safety Board as a strategy for preventing impaired driving. In 2012, the chairman of the National Traffic Safety Board said that "Better data leads to better interventions and results in more lives saved. Collecting information on the 'place of last drink' can serve as an incentive for alcohol-serving establishments to better train their employees in recognizing under-age or intoxicated patrons."

### Why collect POLD data?

- POLD data provides information on potentially problematic alcohol outlets that may be over serving individuals or violating other alcohol laws;
- State and local law enforcement agencies can use these data to target their enforcement operations on those establishments that are repeatedly reported as the last location where an impaired driver was served;
- POLD data can help local law enforcement and planning agencies improve internal oversight of high-risk drinking settings;
- POLD data can be used to promote improved serving practices and alcohol policies of retail alcohol establishments to reduce a variety of alcohol-related problems, including DUIs; and
- Having POLD data can help build broad public support for effective prevention and enforcement measures.

### What partnerships are required to collect POLD data?

ALE agencies may work with the following groups to receive POLD data:

- State and local police officers;
- medical personnel;
- treatment and prevention centers;
- Department of Transportation; and
- District Attorney offices.

### Where can POLD data be collected?

- Sobriety checkpoints
- Roadside during motor vehicle stops
- Subsequent to arrest for DUI and/or other crimes
- At sentencing

Studies show that up to 50% of people driving under the influence had their last drink at licensed establishments.

The NLEEA has a wealth of information on collecting and utilizing POLD data at: [www.nleea.org/POLD](http://www.nleea.org/POLD) including:

- Research on POLD
- POLD training PowerPoint
- Sample POLD data collection forms
- Sample POLD letters for establishments





During impaired driving crackdown periods, law enforcement traditionally utilize enforcement strategies that focus directly on impaired drivers who are already on the road. Through the use of sobriety checkpoints, saturation patrols, and other enforcement strategies, law enforcement agencies are able to arrest impaired drivers and potentially prevent impaired driving crashes.



The National Liquor Law Enforcement Association (NLLEA) is a non-profit association of law enforcement personnel dedicated to the enforcement of liquor laws and regulations.

## Sales to Intoxicated Persons

The enforcement of alcohol beverage control laws that pertain to establishments licensed to sell and serve alcohol serve as another important intervention point. Enforcement of these laws by state and local law enforcement agencies can potentially prevent patrons who may have been over served at these establishments from driving altogether.

### Contact

For more information on starting SIP enforcement in your agency, contact the NLLEA at 301-755-2795 or [support@nllea.org](mailto:support@nllea.org).

[www.nllea.org](http://www.nllea.org)



## Preventing Impaired Driving through Enforcing Alcohol Laws



## Sales to Intoxicated Persons (SIP)

Nearly every state (47) and the District of Columbia prohibit the sale of alcohol to an obviously intoxicated person. Research shows that sales and service to intoxicated individuals are a significant problem and yet enforcement of SIP laws does not occur on a regular basis throughout the country. What steps can be taken to start SIP enforcement efforts in your agency?

**Develop or adapt a SIP standard operating procedure protocol that adheres to the standards of your agency.**

Law enforcement agencies that conduct undercover SIP enforcement operations should have a standard operating procedure (SOP) in place regarding these types of operations. A sample SIP SOP is available at: [www.nllea.org/SIPSOP](http://www.nllea.org/SIPSOP)

**Obtain the support of your agency to conduct SIP operations.**

If your agency chief or director is not familiar with SIP operations explain the program to them and the benefits of conducting these types of undercover operations. Research on the prevalence of intoxicated patrons is available here: [www.nllea.org/SIP](http://www.nllea.org/SIP) The NLLEA also has a cadre of experts in this area who are willing to speak to chiefs/directors about the importance of these operations.

Most investigations can be conducted during normal shifts, SIP operations should not cause a significant fiscal impact. However, if more funds are needed, you may wish to contact your State highway safety office to inquire whether State funds are available. Some States have been successful in securing funds through grants to support SIP operations.



**Ideal agents for conducting SIP operations should:**

- Have experience working on a variety of different investigations;
- Be comfortable working in an undercover capacity;
- Have a professional demeanor and good interviewing techniques;
- Possess strong report writing skills; and
- Have experience in testifying at administrative and/or criminal proceedings.

**Train identified officers to conduct SIP operations.**

It is important that each officer who conducts undercover SIP operations is trained in the SOP and general undercover techniques. Officers conducting SIP operations should be trained in:

- Steps for conducting an undercover operation in a licensed establishment;
- How to feign alcohol consumption;
- Signs of obvious intoxication;
- Safety issues for officers and patrons; and
- Report writing.

A sample training presentation is available at: [www.nllea.org/SIPTraining](http://www.nllea.org/SIPTraining)

**Writing a SIP report.**

Completing a SIP report should not be any different than completing other agency reports. Follow your department or agency's protocol or format when completing the report. If your agency does not have an established protocol or format in completing investigative reports, visit [www.nllea.org/SIPReport](http://www.nllea.org/SIPReport) for key elements to include in an investigative report.

**Set up a data collection system.**

It is important that you either set up a separate data collection system to track key data elements of each SIP operation or that you incorporate the key data elements into your existing case management system. These data are not the actual evidence and information collected during the investigation, but rather key information about the level of effort expended and the outcome of each investigation. A sample data collection form is available at: [www.nllea.org/SIPDataForm](http://www.nllea.org/SIPDataForm)

## APPENDIX B

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# CONCORD MONITOR

Published on the *Concord Monitor* (<http://www.concordmonitor.com>)

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Print this Page

## Liquor commission to crack down on drunken driving

By KATHLEEN RONAYNE

Associated Press

Saturday, December 13, 2014

(Published in print: Saturday, December 13, 2014)

The New Hampshire Liquor Commission is ramping up efforts to prevent drunken driving during the holiday season by increasing undercover monitoring of establishments serving alcohol and partnering with the state police to increase patrols.

A \$25,000 grant from the National Liquor Law Enforcement Association will help pay for the effort through Jan. 1. The money will help improve the state's ability to target bars and restaurants that serve already impaired patrons. Enforcement officers plan to visit bars and restaurants to speak with owners, employees and patrons about the dangers of drunken driving.

About 50 percent of impaired drivers have recently left a bar or restaurant, said James Wilson, director of the liquor commission's enforcement division.

Establishments and their employees who overserve customers are subject to fines or other penalties including criminal or civil prosecution and liquor license revocation. The state's been collecting "point of last drink" data since 2008, but hopes to make the system more robust by improving the ability to share data and map geographic trends.

"This data sharing is a crucial investigation tool," Wilson said.

For the undercover operations, the commission will send officers in plain clothes into bars and restaurants to observe serving practices. If enforcement is necessary, a uniformed officer will be called in.

Raising awareness about driving while impaired is a key piece of stopping accidents and fatalities, said Michael Milligan, deputy commissioner of the state liquor commission.

"To move the needle most significantly, we have to educate the licensees," Milligan said. "They need to

know their liability doesn't stop when they go home.”

Milligan said he hopes to continue getting funding for increased enforcement and more staffing through the upcoming state budget process. The liquor commission is asking for an additional \$21 million in the next budget.

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**Source URL:**<http://www.concordmonitor.com/news/localstate/14789570-95/liquor-commission-to-crack-down-on-drunken-driving>

## APPENDIX C

SharePoint Newsfeed OneDrive Sites Guild, Jennifer (ABC) -

# ABC Now

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Calendar

### Feature

## Communications Wins PR Award for Work on Enforcement Campaign

Virginia ABC's Communications Division was honored on May 21 with a prestigious Virginia Public Relations Award for its 2014 "Operation: Prevent Impaired Driving" media relations campaign.

The awards event, held at the Virginia Museum of Fine Arts in Richmond, drew a crowd of hundreds. Virginia ABC's external communications team, including Kathleen Shaw, Jennifer Guild and Valerie Hubbard, accepted the award on behalf of the agency. Communications Director Becky Gettings and Public Relations Manager Carol Mawyer also attended the event.

Virginia ABC Communications won an award of merit for its Capital Award entry in the media relations category.

The media relations campaign was developed in connection with the Bureau of Law Enforcement's 2014 National Liquor Law Enforcement Association (NLLEA) grant of up to \$25,000 to implement "Operation: Prevent Impaired Driving." The initiative focused on reducing alcohol-related crashes in Roanoke and Virginia Beach during Labor Day and the winter holidays.

Communications worked with special agents to raise public awareness about Virginia ABC's niche efforts to reduce DUIs by educating restaurant bartenders, waitstaff and managers to recognize intoxicated patrons and avoid over service of alcohol to those customers. The campaign also aimed to raise awareness among licensees of Virginia ABC's free training programs (RSVP and MART) which school restaurant employees on the signs and symptoms of intoxicated patrons, Virginia's alcohol laws and the illegality of over serving patrons.

The division's public relations efforts resulted in numerous television news stories in both Virginia Beach and Roanoke, as well as a print piece in the 2014 fall issue of *LICENSEE*. This outreach generated more than four million impressions in those two key areas.

Several Virginia ABC special agents did an outstanding job handling on-camera interviews with television stations in Roanoke and Virginia Beach, including Special Agent in Charge Tiffany Johnson and Assistant Special Agent in Charge (ASAC) Carl Williams (Roanoke), and ASAC Stephan Brown and Special Agent Rodney Perkins (Chesapeake). Communications also greatly appreciates Enforcement leadership's support throughout the campaign, with special thanks to Director Shawn Walker, Deputy Director Chris Goodman and SACs Joe Cannon, Leon Coleman and Johnson.

For nearly seven decades, the Virginia Public Relations Awards have been produced by the Public Relations Society of America (PRSA) Richmond, recognizing the best work in the public relations industry.



*From left, PR Specialist Valerie Hubbard, PR Manager Kathleen Shaw and PR Specialist Jennifer Guild pose with the award the Communications Division won for its work raising awareness for the agency's "Operation: Prevent Impaired Driving" campaign. The award is shown below.*

