

Alcohol Safety in 2022

A webinar series focused on traffic safety and law enforcement

Summary

The COVID-19 pandemic created unique challenges for alcohol sales and consumption. The Center for Alcohol Policy has been a national leader in examining these issues and bringing together experts to discuss commonsense solutions to oftentimes complex problems.

During the pandemic, traffic deaths rose to historically high levels. In 2019, there were a total of 36,355 deaths. In 2020, the number rose to 38,824 and in 2021, fatalities are projected to be 42,915. This would be an 18% increase over 2 years. Unfortunately, first quarter estimates for 2022 already show an increase of 7% over the first quarter of 2021.¹

Most causes of death and injury, like speeding, distracted driving, and not wearing a seatbelt also increased during this time. From 2020 to 2021, NHTSA estimates that fatalities increased by 5% due to alcohol.²

Law enforcement has also experienced tremendous challenges during the pandemic. A 2021 Center [white paper](#)³ found police retirements up 45 percent, an 18 percent increase in resignations, and a 5 percent decrease in hiring new officers.⁴

In 2022, the Center hosted a webinar series that focused on these two topics: [traffic safety](#)⁵ and [law enforcement](#)⁶. The webinars are available on the Center's website for on-demand streaming and feature expert panels discussing the issues at hand.

This paper shares the highlights from these webinars including causes, challenges, and possible solutions moving forward.

¹ **NHTSA Traffic Safety Facts** September 2022 DOT HS 813 337 Early Estimate of Motor Vehicle Traffic Fatalities for the First Quarter of 2022.

² <https://www.nhtsa.gov/press-releases/early-estimate-2021-traffic-fatalities>

³ <https://www.centerforalcoholpolicy.org/wp-content/uploads/2021/08/JT-Griffin-DUI-Report-2021.pdf>

⁴ Police Executive Research Forum June 21, 2021 [Survey on Police Workforce Trends](#)

⁵ <https://youtu.be/oYqw4Ca6UUI>

⁶ <https://www.youtube.com/watch?v=LZtEA5LppE&t>

Traffic Safety & Alcohol Webinar

On June 17, 2022, the Center hosted a panel discussion featuring experts on traffic safety and alcohol policy. The discussion was moderated by Kelly Roberson, Executive Director of the Center for Alcohol Policy, and J.T. Griffin, Principal of Griffin Strategies.

Speakers on the panel were:

- Cassie Tourre, Director of Public Policy, National Alcoholic Beverage Control Association
- Matt Stemple, Assistant Special Agent in Charge, North Carolina Alcohol Law Enforcement
- Jeff Michael, EdD, Distinguished Scholar, Johns Hopkins University

Because traffic deaths increased at such rapid rates, the topic of traffic safety has remained a hot topic. A [report](#) from the Center found that 90% of Americans believe drunk driving is the most serious alcohol-related problem.⁷

The expert panel shared their thoughts on this issue.

Cassie Tourre

The National Alcohol Beverage Control Association (NABCA) represents alcohol control state jurisdictions that directly control the distribution and sale of beverage alcohol within their borders. NABCA provides research and analysis on alcohol regulatory information and acts as liaison to federal, state, and local governments, research groups, public health associations, and media and other organizations interested in alcohol policy.

During the webinar, Cassie Tourre of NABCA discussed trends in alcohol consumption. According to Tourre, “Pre-Pandemic (2000-2016), we were seeing historic trends in drinking.” Data from this period showed a net increase of 3% in alcohol consumption and a 7.5% increase in binge drinking. Increased consumption was greatest among women, African Americans, and adults over 50.⁸

During the early pandemic (April-June 2020), retail alcohol sales increased by 34%.⁹ Retail is often a proxy to show trends in alcohol consumption.

In mid pandemic (March 2020-Jan 2021) a 42-week survey found moderate drinkers increased consumption but then stopped, while other groups increased consumption and sustained. During this time data indicated white males are drinking more.¹⁰

⁷ https://www.centerforalcoholpolicy.org/wp-content/uploads/2021/04/CAP-2021-Survey-Report_4-30-21-2.pdf

⁸ <https://www.centerforalcoholpolicy.org/2022/06/22/traffic-safety-webinar-roundup/>

⁹ Ibid

¹⁰ Ibid

Prior to pandemic, alcohol harm trends were increasing. Emergency room visits were on the rise and drunk driving progress had stalled. From 2019-2020 alcohol related deaths increased 26%.

In terms of policy, lots of new license categories were recently created. New home delivery services and direct shipping/Direct-To-Consumer (DTC) created new ways of purchasing alcohol. In addition, new sales were generated from local breweries.

Products have been changing too. Ready-to-drink (RTD) and canned cocktails have become more popular, and many are spirits based. There has been an effort to change the RTD category into a wine and beer category because they are sold in more locations. Changing the category also puts these products in a lower tax bracket.

Finally, non-traditional licenses are emerging. Food trucks and drive-thru alcohol sales are catching favor with the public. Now some local parks are licensed for alcohol sales. This includes parklets as people shifted to eating outdoors during the pandemic. Home delivery by third party has increased.

Matthew Stemple

From 2018 to 2019, the North Carolina Alcohol Law Enforcement conducted a compliance check study of alcohol delivery services. The study looked at deliveries from third party entities. GrubHub, Postmates, Amazon, and Drizly were the companies used in the study to conduct compliance checks. In total, three compliance checks were conducted from August 2018 through January 2019. The study attempted to conduct 20 attempted deliveries and ended up with 18. The goal of the compliance checks was to educate, discover violations, and educate individuals.

The process used to develop the compliance checks was thorough. Email accounts and surveillance technology was used to gather information. The compliance checks were done in an apartment complex and used video, recording devices, and bank accounts were setup to purchase the alcohol. The underage purchasers were required to use real birthdates and answer truthfully if asked their age.

During the webinar, Stemple showed several videos of the compliance checks. All were compelling. One delivery person scanned the ID which showed that the person was underage, and yet they still sold them the alcohol. Another delivery person scanned the ID, said "you're underage" and used her own ID to provide the alcohol.

Results from the study were eye opening. Of the 18 compliance checks, there were five sales to underage buyers, meaning 27% of sales failed the compliance checks. In half of the instances, the courier handed the underage buyer the beverages and then took them back once the age was identified.

ID was requested in 16 of the 18 compliance checks.

Dr. Jeff Michael

With the proliferation of deaths and injuries on the roadways, many in the traffic safety community have turned to a concept called the Safe Systems Approach to reduce traffic crashes. Michael is a leading expert on traffic safety and shared how the Safe Systems Approach works.

He commented that highway fatalities were up to 42,915 in 2021 equaling almost a 20 percent increase. This is more than anyone has seen in the past. According to Michael, this is not a temporary situation. He believes the U.S. is returning to traffic death levels pre-Recession of 2006. That recession led to a 25% decline in traffic deaths.

Safe Systems has five components:

- Safe Roads
- Safe Speeds
- Safe Road Users
- Post-Crash Care
- Safe Vehicles

The program works by the following approach:

- Intervene Upstream
- Anticipate Error
- Reduce Energy

Michael observed that conventional methods to improve safety are not working as well as they once did. Strong laws and strong enforcement have massive yet- unrealized potential. For example, *Click it or Ticket* is a national seatbelt safety campaign that has had an enormous impact on improving seatbelt usage. High-visibility DUI enforcement campaigns have helped to cut drunk driving deaths in half. But now law enforcement demand far exceeds supply. Enforcing laws is the most effective way to reduce bad behaviors

The Safe System approach does not throw out what works, but rather it shifts the focus to upstream prevention. Michael noted that humans simply are not good drivers because they tend to mistakes. Safe Systems designs the environment in such a way to reduce the possibility for those mistakes. **With** conventional methods, law enforcement tends to intercept and arrest about one out of every 100 drunk drivers.¹¹ The Safe Systems approach envisions drunk driving technology that would stop drunk drivers from even starting their vehicles.

¹¹ <https://www.centerforalcoholpolicy.org/2022/06/22/traffic-safety-webinar-roundup/>

Sweden originated and relies on the Safe System approach. Each year they conduct an annual progress report, and the most recent study still calls for more law enforcement. Like the U.S., enforcement in Sweden is not able to reach all rural areas.¹²

The recently passed U.S. infrastructure law contains specific recommendations for adoption of the Safe Systems Approach. There is a mandate for the administration to look at several vehicle technologies to prevent drunk driving.¹³

In the U.S., there are 400,000 drunk driving trips per day. As a country, we don't have the resources to deal with this, so controlling access to alcohol very much fits into the safe systems approach. In addition, vehicle technology is key to "upstream prevention" and the alcohol detection mandate included in the last highway reauthorization bill would help "upstream" to stop drunk driving.¹⁴

Michael quoted former Mothers Against Drunk Driving CEO Chuck Hurley, "The reason people drive drunk is because they can. If the car detects their impairment, they can't drive drunk."

Following the presentations from each of the speakers, Griffin asked each speaker a follow up question.

Cassie Tourre, "What are your thoughts and concerns on alcohol consumption during the pandemic?"

Alcohol consumption is increasing, and this means you're going to have harms increasing too. She cited one study that looked at 29 different alcohol policy categories in states. According to the study, there is a direct correlation from states that have more policies in place to stop alcohol harms resulting in fewer alcohol deaths and injuries. In addition, states have good laws across the board on drunk driving and underage drinking, but not good laws on overconsumption

Matt Stemple, "What would you tell lawmakers considering changes in alcohol regulations to allow for delivery?"

¹² <https://www.centerforalcoholpolicy.org/2022/06/22/traffic-safety-webinar-roundup/>

¹³ Ibid

¹⁴ Ibid

You are going from 18,000 establishments in North Carolina that serve alcohol, to allowing every single home to be an establishment that can serve underage drinkers. Especially with the small number of enforcement agents, it would be important to consider the number of enforcement officers.

Dr. Jeff Michael, “What advice would you give to lawmakers in the short term to deal with increases in traffic deaths and injuries?”

You need to do both what we are doing now, enforcement, and plan for the future with safe systems.

The event concluded with three key takeaways^{15,16}:

- 1. Look upstream and consider solutions that can prevent drunk driving from ever happening in the first place. Making sure alcohol is consumed safely and properly and that it is sold in a way that does not encourage excessive consumption.***
 - 2. Consider applying for funding through the [Safe Streets and Roads for All grant program](#).***
 - 3. Review the Center’s recent [national survey](#) on alcohol regulation where 56% of Americans want lawmakers to evaluate broader impact before implementing permanent changes to alcohol laws.***
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Law Enforcement Webinar

On August 10, 2022, the Center hosted the second webinar of the summer focused on law enforcement. As noted in last year’s paper on the [History of Drunk Driving](#)¹⁷, enforcement plays a critical role in removing drunk drivers from the road and deterring would be impaired drivers

¹⁵ <https://www.transportation.gov/grants/SS4A>

¹⁶ <https://www.centerforalcoholpolicy.org/2021/04/30/national-survey-despite-changing-behaviors-during-pandemic-americas-attitude-remains-the-same-the-alcohol-regulatory-system-works-and-americans-like-it/>

¹⁷ <https://www.centerforalcoholpolicy.org/2021/08/12/legislative-history-of-drunk-driving-in-america/>

from driving in the first place. Police retirements are down, resignations are up, and hiring has become difficult.

Enforcement not only impacts drunk driving, but it also impacts the ability to enforce alcohol regulations. Alcohol sales, underage drinking prevention, licensing, and other rules governing the uniqueness of alcohol all require enforcement to ensure that the public has access to a safe product.

Our panel of experts shed light on what is happening in the law enforcement profession and shared their thoughts on how we can improve and sustain enforcement to make sure that public health and safety is maintained.

The format for this webinar was a panel discussion.

Speakers

- Jerry Oliver, Center for Alcohol Policy Advisor, Former Chief of Police, Former Director of the Arizona Department of Liquor License and Control
- Mike Brown, Former Chief of Police, Alexandria Virginia
- Matthew Botting, California Alcoholic Beverage Control
- Dottie Taylor, Director Missouri Alcohol and Tobacco Control

To begin the webinar, Griffin asked each participant to share their thoughts on the current state of policing.

Jerry Oliver

Oliver discussed his role as a regulator and as an advisory member to the Center for Alcohol Policy. At the Center, Oliver helps to educate media, law makers, and policy makers about the need for alcohol regulation. Through his efforts, he has worked closely with industry stakeholders and public health groups as well. Oliver warned of forces today trying to weaken state-based alcohol regulatory systems and he is dedicated to ensuring people understand the importance of strong alcohol regulation.

Mike Brown

The discussion of law enforcement is a timely issue in the community. Brown mentioned a study from the Police Executive Research Forum that found police retirements are up 45 percent, there has been an 18 percent increase in resignations, and a 5 percent decrease in hiring new officers.¹⁸ What Brown is observing in the field is consistent with the study. He shared concerns about retirement, in particular that most are early retirements versus officers who have worked until the end of their career.

According to Brown, resignations are very troubling. Police departments have invested time and money to recruit and train officers only to have them leave. It takes a considerable amount

¹⁸ <https://www.centerforalcoholpolicy.org/2022/10/27/law-enforcement-webinar-roundup/>

of time and resources to replace police officers. New officers require background checks, extensive training, and time for them to feel comfortable in the role. Staffing shortages are felt across the board, and with fewer officers there is more work spread across a smaller workforce.

In addition to a drop in the number of police, many states and localities are in the process of reprioritizing their work. Now law enforcement is not responding to minor crimes and domestic calls are being reassigned. Minor crashes are not being responded to. No one knows where alcohol fits into these priorities. There is not good data nor a survey to see how this reprioritization is occurring.

How is mental health playing a role? Brown mentioned that alcohol is sometimes being consumed as a self-medication tool and is concerned by the lack of knowledge surrounding the correlation between alcohol and mental health issues.

In many communities there has been a statutory change in what they wish to see law enforcement focus their efforts on. For example, in Washington State, leaders and politicians reprioritized their key policing targets¹⁹. This affects engagement and when to initiate enforcement. These kinds of changes impact morale of law enforcement and have contributed to retirements and resignations.

Present day hiring incentives for police are staggering in comparison to past efforts. Some departments are offering up to \$25,000 signing bonuses to come on board. In the past, there were multiple people competing for one spot on the police force.

Matt Botting

During the COVID-19 Pandemic, California gave permission for some licensees to offer cocktails-to-go as a way to weather the downturn in business as normal. This included the expansion of delivery of alcohol and expansion of cocktails-to-go from restaurants. California allowed this by not enforcing laws that prohibited these activities.

Botting stated a call from the Washington Post caused his agency to take notice of the consequences of changing alcohol sales. The reporter asked about kids who were underage and obtaining alcohol.

The California ABC conducted decoy operations and were startled by what they found. They saw a near 80% failure rate in terms of underage alcohol sales. Botting said, **"we recognized we had a big problem with the expansion of alcohol off premise."** The ABC then initiated outreach with companies who were selling alcohol and focused on education to reduce the prevalence of alcohol sold to underage people.

¹⁹ <https://www.centerforalcoholpolicy.org/2022/10/27/law-enforcement-webinar-roundup/>

ABC conducted compliance checks again and still found a 40-50% failure range. Under California law, it was difficult to conduct compliance checks, so the agency worked to get an emergency regulation adopted to allow decoy compliance checks. Since then, California ABC has continued to work with companies on compliance.

Today, they still conduct compliance checks and are finding results more in line with traditional brick and mortar businesses. This means the failure rate is in the 18-20% range.

Currently there is legislation pending to have delivery companies permitted by ABC. However, the legislation would enshrine cocktails to go and expand the number of sales outlets. The original legislation permitting cocktails-to-go and alcohol delivery included sunset provisions to end the practice.

Dottie Taylor

Taylor observed that Missouri is not unique in its staffing issues for alcohol enforcement. In 2002, Missouri Alcohol and Tobacco Control had 84 full time employees. Of these, 55 were enforcement agents in seven district offices. The agency's total annual budget was \$4.1M. In 2016, the number of full-time employees dropped to 19. Shockingly there were only 5 enforcement agents. In Missouri, agents not only do enforcement, but they also are tasked with licensing. The budget dropped to \$1.2M and included only one district.

The industry took note of these resource shortcomings and helped get funding back up. A dedicated funding stream was created. By 2017 Missouri's ATC staff had grown 29 full time employees.

Today the agency has 40 full time employees. Fifteen are agents and they cover the entire state. They have four district offices and their annual proposed budget for next year is \$4.5M.

In terms of workload and value, last year Missouri Alcohol and Tobacco Control collected \$53M for the state, processed 26,000 licenses, and had one agent per 1000 licenses.

Missouri is also a state in which alcohol-to-go is a permanent permission. And while the agency asked for more officers, this request was not approved.

Taylor mentioned two top issues impacting the agency. First, agents are experiencing an increased amount of confrontation. This is coming from both minors and licensees. She gave an example of an agent who went to inspect a licensee that was expired. One of the individuals working in the establishment attempted to engage in a physical altercation with the agent. Second, agents are only authorized for alcohol and tobacco enforcement, meaning the agency must rely on other law enforcement officers for assistance. Because of the staffing challenges facing traditional law enforcement, it is difficult to get assistance in enforcing alcohol laws.

Q&A

What do we need to do as a country to fix these issues in order to keep us safe and enforce laws.

Mike Brown: “That is the big question. There is no magic fix. As a country we have to address how we feel about law enforcement. And we need to support them. Funding is an issue in many jurisdictions. A lot of agencies have had funding reduced. Some has been restored but a lot hasn't. When you take away funding, you're taking away people.

There has been a lot of discussion about reimagining policing. There is no real design or vision accepted by *all* communities. As an example, police officers in Portland are really struggling. In order to fix the problems in policing, it is going to take political courage and I'm not seeing it across the board.

The contentious piece is important to understand. Feelings within the community are reinforcing the notion that cops aren't respected. Whatever type of law enforcement you do, it is individual. Officers can steer a case or not take a case. When you have an engaged workforce, you have less opportunity for things to slip through the cracks. Traffic enforcement is a good example. A lot of cops are hurting in the field. It will take a long time to fix this.”

Jerry Oliver: “Law enforcement generally, and liquor enforcement especially, are left out of the loop on policy decisions. For example, states and jurisdictions have made decisions to expand bar times, and no one consults with police. The expansion of liquor available on sidewalks, parking lots, etc. makes it extremely difficult to prevent juveniles from getting liquor. Law enforcement needs to be in the conversation

Second, alcohol regulation agencies are over tasked, over assigned, and under resourced, especially post pandemic. New alcohol related laws are either under enforced or are ignored. In Arizona, we are struggling with alcohol enforcement officers. Currently there are 10 investigators responsible for 15,000 licensees in 15 counties. Underage drinking and over service can't be addressed. We are seeing a loss of vocal police departments. In the long term, fixes are more political.”

Dottie Taylor: “Agreed with Mike and Jerry. There are Three R's: Restore, Respect, and Resources. In Missouri, we partner with our licensees and try to show them the right way to sell alcohol. We work a lot with local law enforcement and prevention groups. Really important to combine forces.”

Matt Botting: “All it takes is one negative incident and all the good that law enforcement does is forgotten. Realistically there are bad apples, but the more light that is shown, the more bad actors get weeded out. It is good to have discussions about police getting asked to do more and more with less and less. Good to have discussions about mental health. But the conversation about defunding the police was stupid. You will lose police and the bad actors will take over.”

Any documented evidence of DUI's increasing with more alcohol to go laws?

Matt Botting: Lack of documentation and not good empirical input. Matt didn't know of any studies being done.

Dottie Taylor: "No specific statistics. What we do know about to go sales. Those that aren't following the laws are doing so dramatically outside of the rules put in place. For example, one rule is you have to by a meal in order to buy alcohol to go. One restaurant sold a shot of alcohol with an individual pizza roll."

Dottie talked about a case study in Missouri. One licensee in Missouri kept selling to minors and never checking IDs. During a 3-year period, they were cited 79 times. A 19-year-old minor hit another vehicle killing himself and the other driver and three kids in the other car.

The agency does not connect the licensee with the crash, but the trooper who worked the crash noticed that the driver/offender had an open bottle of alcohol, investigated, and discovered the illegal alcohol was purchased at this location, and was able to prosecute the licensee since they sold to him twice that day. The license was revoked.

The event concluded with three key takeaways

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- 1. Law enforcement is overtasked, over assigned, and underfunded.**
 - 2. State and local enforcement budgets are severely impacted, causing big shifts in how enforcement occurs, including traffic safety and alcohol enforcement.**
 - 3. Changing alcohol laws needs to be approached in a thoughtful manner.**
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