

Responsible Beverage Service Training From Theory to Practice

Question-and-Answer Summary

On August 28, 2014, the Substance Abuse and Mental Health Services Administration (SAMHSA) hosted a webinar on responsible beverage service training. The webinar provided an overview of responsible beverage service training and its evidence base and identified challenges and best practices in implementing such programs at the county and community levels. This summary presents responses to the questions presented to the three speakers, who were:

- Michael Sparks, M.A., alcohol policy specialist and the President of SparksInitiatives;
- Kathie Durbin, Division Chief of Licensure, Regulation and Education for the Montgomery County (Maryland) Department of Liquor Control; and
- Ari Russell, Executive Director of GUIDE, Inc. (Gwinnett United in Drug Education, Inc.), a community-based substance abuse prevention agency in Metro Atlanta.

The speaker responding to the question is identified at the beginning of the answer. Please note that the content of this summary was prepared under a contract from the U.S. Department of Health and Human Services, SAMHSA. Responses to the questions do not necessarily represent the policy or views of SAMHSA, nor do they imply endorsement by the Department and Agency.

For additional information about this or other SAMHSA webinars on environmental prevention of underage drinking, please send an e-mail to info@stopalcoholabuse.net.

Questions and Answers

What is your definition of a mandatory state?

[Michael Sparks] A mandatory state is one that varies from state to state in terms of what mandatory looks like, but, generally, a key provision is that there is a requirement that the merchants in the state take some form of responsible beverage service [RBS] training in order to have an alcohol license. So again, it will vary in terms of what it looks like, but, generally, they have to take it.

Some states require all merchants, sellers, and managers to take it; some do not. But at the end of the day, if the licensee is going to be operating, someone in that establishment has to take the training. The amount of time varies from state to state in terms of what the curriculum, what the minimum requirement is for training.

There is a place you can go to get more information about your state, which is the Alcohol Policy Information System, APIS. You can go into that, you can click on RBS, and it does give you some information about what your state laws are specific to RBS.

What would be a good way to get the judicial system on board with consistency? They have mandatory training, but there isn't even a slap on the wrist for people who are not compliant, who are not in trouble for complying.

[Kathie Durbin] I alluded a little bit to Court Watch. If people aren't familiar with it, Court Watch is a great tool because you get a group of people, usually coalition members, together with folks that are working on the program—the police are usually part of the program, as well. And we actually go in and take note of what's happening during these hearings so that we can present it to the judges and say, "Look, it's all over the place."

We have a meeting set up with our State's Attorney's Office for next week between the State Attorney and our group because we do agree it's a slippery slope. It needs to be consistent, and we can't do it all ourselves through administrative hearings. That's why we're working with the police so that when they serve those criminal citations, we don't want it to be seen as a joke. We want this to be something that's very serious, and then we want other people to know that it's very serious and this is how we keep our community safe.

One of our challenges is that many small shop owners are immigrants who don't understand American attitudes about alcohol. In your training for Spanish and Korean retailers, have you added a section on American culture in regard to underage drinking?

[Ari Russell] There's not a section that relates specifically to that, but during the question-and-answer session at the end of the training, it's something that's come up time and time again. And in this particular city, we don't have a lot of Spanish-speaking folks getting licensed. This area has a very heavy Asian population, and so we talk a lot about the differences between Asian cultures and American cultures.

How was the ordinance a revenue maker for the establishments in Duluth, Georgia?

[Ari Russell] It's not for the establishment, it's for the city; it's a revenue maker for the city. And I'll give you an example. The local Walmart there, in the year before they started doing the training, had a total of 35 alcohol permits for their employees. And they were mostly the managers. After the managers took this training and they realized that all of their people who handled the alcohol in any way had to have a permit, they had 145 people trained and permitted. So, at 20 bucks a hit for an alcohol permit, you go from 35 permits to 145 permits; that's that much extra income that the city brought in.

And now that we're not doing the training for them anymore, now that they're taking it on themselves, they had the added revenue of the training cost, so it's an even more significant increase. But it's still small potatoes, because you're talking about \$15,000 to \$20,000 in the city that you know has a much higher budget than that. But every little bit helps.

On the RBS challenges slide, what does pregaming mean?

[Kathie Durbin] Pregaming means a lot of things to a lot of people, but like in the college world, it's young people who put their game face on before the games; they might sit out in the parking lot and drink a lot of alcohol somewhere before they go into the game, especially if the stadium doesn't have any way of, they can't purchase alcohol in the stadium or use fake ID or whatever they're doing. In our community, we don't have a big stadium, but we do have businesses that have stepped up and are complying and have been pricing their drinks accordingly and not really having a lot of drink specials.

So, we have adults that are going out and meeting at a friend's house now before they go out, so they go out and drink a couple glasses of wine at a friend's house and then they go out to dinner. So, we're seeing more and more of that because it how they're doing it depends on their age. There's a couple of different terminologies for it, but it's people drinking alcohol before they go to the event or to whatever they're going to be doing.

The news reported one state [Maryland] just banned Everclear® because of its alcohol content. Do you think that ban will stand?

[Michael Sparks] There was a lot of legal research that went into the constitutionality of that ban before the legislature passed it. And I know a number of the Maryland Collaborative to Reduce College Drinking and Related Problems, which is a college collaborative working on alcohol issues, plus Johns Hopkins University, worked on this and had strong bipartisan support in the legislature. So, I actually think it will be upheld.

How do we know who are our local RBS leaders in such that we get action around these goals in Patterson, New Jersey?

[Ari Russell] The first thing I would suggest is, if you're going to work on a city level, is seeing if you have an alcohol review board and going to them and finding out what the ordinances were there. We had to do a lot of research when they wanted to have the RBS training tailored to the city of Duluth. We had to do a lot of research on what were the ordinances that applied to everyone, what applied within the county, and then what did Duluth have specifically. And we worked with the local alcohol review board to find out who were the players in the city, like who is it that actually gave out the licenses. And that's when we learned about having an alcohol officer who was responsible from the time somebody applied for a license, and then there are also the ones that responded to complaints. So, for Patterson, see if you have an alcohol review board, or at least go to the city clerk and find out how they deal with local alcohol licenses. Then you might have some local prevention providers that actually conduct RBS training. I'm not sure how you would go about that. If you have local coalitions, you might ask them if they know of anybody that is doing RBS training. You might be able to get in touch with some of the packaged programs like TIPS "[Training for Intervention Procedures] and RASS "[Responsible Alcohol Sales and Service] and ask them for recommendations for anybody who's in the area. They would have a listing, because you have to be certified through those programs to teach those courses.

[Michael Sparks] All your points are right on target. Another thing that I think each person considering a local ordinance mandating RBS needs to do is to make sure that they have the local authority to actually pass an ordinance that will require merchants to take the training. Each state has what we consider to be preemption laws in terms of how much authority they actually delegate to local communities around the regulation and service of alcohol. So, that's going to be a really important first step for each community thinking about this.

In the case of New Jersey, we have an attorney who's working with us. Within the next couple of weeks, we will have a preliminary reading of your state laws that will determine the extent to which RBS can be provided at the county or municipal level in New Jersey. So, my e-mail was in that long chat box, but I'm happy to forward that to New Jersey, to the folks from Patterson, once we have it, so I know at least whether they're allowed to do it.

Do you know of any incentives from insurance companies such as lower premiums for businesses that take RBS?

[Ari Russell] That's the question of the year. I think a lot of people have looked for an insurance company to partner with. And I haven't heard of anybody having success with that. There might be some out there, but I haven't heard of it.

[Michael Sparks] You know, I have heard that there are insurance companies that offer lower premiums. I'm sorry I can't give you the names of them. But I have heard through some other colleagues who work in this field that that's the case.

[Note from chat box: There are insurance companies that offer lower premiums in New York State.]

Is there any evidence that connects an increase in business or retail or profit in RBS training?

[Michael Sparks] I don't know of any. It doesn't mean it's not out there. I just haven't seen any journal articles that look at that particular angle. I think it could be an interesting question, particularly for the states that have the mandatory server training programs, to see whether or not in the legislative process of adopting those state laws they looked at that particular piece as part of their legislative due diligence.

Are there any RBS programs that exist that communities can use that have been researched or have evidence to support their effectiveness?

[Michael Sparks] Yeah, great question. I posted a link to the California State Department of Alcoholic Beverage Control. And there's a couple of people actually on this webinar who are part of the California Coordinating Council on Responsible Beverage Service, and one of the things that we were charged with was reviewing and certifying RBS programs that were being implemented in different communities across California.

Now, we have the best practice criteria for what we believe constituted best practice around the implementation of an RBS program in front of us as reviewers, and we would push each curriculum through that review process, both in terms of consistency with content with best practice as well as then actually observing the delivery of the RBS to see that the delivery was consistent with the training content.

These curricula certainly aren't all in the research literature, but at least you had a group of both retailers, you had state ABC, and you had prevention folks looking at these curriculum and certifying them. So that should give you some comfort. And for the local laws in California, we often see reference to the fact that any curricula that's going to be offered in a municipality, in a city or a county, has to be one of the California, what we call the C3RBS, California Coordinating Council on Responsible Beverage Service–approved curriculum. So that's a place to start. And there's a number on there. That will give you place to look and see what you find.

How do you recommend promoting that compliance checks will be happening? In their community, they usually do it as a surprise to get more stores and restaurants for their RBS training.

[Michael Sparks] That's a great question. It's a really, really important question, because there is often conversation and controversy within communities about how to do this. What we know about deterrence, partly why I put it in there, is that people have to believe that laws are being enforced in order for them to obey them. We know that from seatbelt laws; we know it from smoking laws.

And so part of the rationale is that if we let the retailers know that RBS compliance checks will be occurring on a regular basis, not necessarily what night, but that they are going to be occurring on a regular basis, they'll be happening at least four times a year. Ari is amazing in terms of the number of compliance checks that she's involved with. But letting merchants know that on any given night there could be a compliance check helps create the deterrence effect that we're looking for.

And if we're trying to stop merchants from underage sales or from overservice, then it's important that they know that they can be caught doing it. If we're trying to catch merchants, then it's important not to let them know. But I believe part of our goal here, particularly if we're partnering with the retail community, is to try and do this with as much transparency as possible. I'm not particularly interested in saying we're going to be going to these businesses on this night; that's not going to work.

But I think the larger goal is to keep the public awareness and the merchants, in particular, aware of the fact that compliance checks are a regular part of this community's culture and they're going to be happening and they can happen on any given night.

[Kathie Durbin] In our area, we always send out letters to the alcohol licensees to let them know that compliance checks are happening on a regular basis, and if a new city starts doing compliance checks, we send out letters to them for the same reasons that you said. And we feel like it's building a

relationship with them. There was another question about how do you pay for this when it's a small town and a small police force and they have other things that they consider more important to do.

We've actually used grant funding to pay overtime for law enforcement officers and underage decoys to do the compliance checks. We enter into memorandums of agreements between our Drug-Free Community coalitions and the local law enforcement or the county law enforcement to do the compliance checks. And some use the seized assets, forfeiture money, to pay officers overtime to do those.

[Michael Sparks] I'm glad you raised that point about the cost of the training because that's another one of those issues that gets discussed a lot, particularly in local communities—who's going to pay for it? And I know there's always pushback for us to pay for it, meaning us in the prevention field or law enforcement or, in Kathie's case, your state-level organization to do it. But I also think that it's important for the merchants themselves to have some skin in the game. And I personally believe that it's critical, and I don't know of any specific research that supports this, that at least part of cost of the training should be borne by the business themselves.

When you're paying for something and when you're paying money for your servers and sellers and handlers and managers to be at a training, I think the owners of the establishments expect them to absorb it and to take it to heart because you just put money in on the table. So you know that's a really important piece communities are going to have to struggle with is how to pay for it and who has the responsibility for that.

[Kathie Durbin] Our training is paid for by the vendors, the licensee. You're right. I was talking about the compliance checks. We use it to pay overtime for law enforcement officers.

[Michael Sparks] Right. That's the same principle to some extent. The compliance checks piece does cost money. And I think it's important to seed those efforts, maybe if we have grant funds or law enforcement dollars. At some point, though, if it's important to the community to have compliance checks—because we know the power of compliance checks when coupled with RBS—then it becomes a community priority for the law enforcement. And law enforcement needs to prioritize it appropriately and put the resources in to make it happen.