

ALCOHOL SERVICE POLICY

It is the company's policy that no minor or intoxicated person shall be served alcoholic beverages. Employees who willfully violate this policy will be terminated immediately. Any employee who negligently serves a minor or an intoxicated person will be counseled on proper service technique and will be terminated on the second violation of this policy.

Employees must card anyone ordering an alcoholic beverage who does not appear to be well over the age of 27. When attempting to illegally purchase alcohol, minors usually exhibit behavior that should be easily identifiable by the astute server or seller. As with anyone who is attempting a dishonest act, minors may appear anxious or nervous; stutter, stammer or confuse their words; avoid eye contact with the seller; or, appear overly or inappropriately friendly, confident, bolsterous or outgoing.

When serving alcohol to our customers, you should take reasonable precautions. Taking steps to prevent alcohol abuse in our establishment can help protect the public from harm, and keep you from being named in a liquor liability suit.

As an alcohol server, you should know the laws and regulations concerning the serving and consumption of alcohol within licensed premises. Serving under-aged and intoxicated persons is unlawful and can have criminal penalties. Furthermore if an intoxicated person, after leaving our establishment, should be involved in an accident the injured parties may file a lawsuit against you.

Follow some simple guidelines when serving alcohol and prevent this from happening to you. Serve one drink at a time; never bring two or three drinks at once to a single person.

One method for safe alcohol service follows the same basic sequence of a traffic signal. The levels of intoxication are organized into the red, yellow and green colors.

GREEN = GO. Everything seems normal. It is OK for this customer to drink at a safe pace.

YELLOW = CAUTION. The customer is showing signs that the alcohol is beginning to affect them.

RED = STOP. The customer is obviously intoxicated and no alcohol should be served.

If you observe a customer reaching the **YELLOW** level, you need to take steps so they don't reach the **RED** level. The following are some steps you may take when a customer is in the **YELLOW** zone.

- Refill their glass at a slower rate.
- Offer or suggest the sale of protein food or appetizers. Do not offer coffee or other caffeinated drink; this may cover the true extent of the patron's intoxication.
- Suggest low alcohol content or filling drinks such as ice cream drinks.
- Serve water or fruit juices with all straight drinks.

Despite all your good efforts, a customer may become intoxicated and should not be served additional alcohol. When a customer reaches the **RED** level, every effort should be made to stop alcohol service. Here are some suggestions to use when "cutting off" a customer.

- Avoid a confrontation.
- Do not attempt any physical confrontation.
- Make the manager and all personnel aware of the problem.
- Bring menus to the table or casually suggest an appetizer.
- Suggest an alternative form of transportation. If the patron insist on driving report this to your supervisor at once.

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DISCLAIMER: The sample "house policy" described in this document is intended only to serve as a suggestion based on the experiences of other similar business owners. The Department is not providing legal advice in this document; we strongly recommend that you consult your attorney when creating and implementing your business' policies. This document does not in any way supersede or augment the statutes and administrative rules that apply to alcoholic beverage licensees. Your choice to use this document does not in any way mitigate or excuse any violations and will not reduce any penalty or liability your business may face for any such violation. The State of Montana, including the Department of Revenue, will not in any way be liable for any damages of any kind that may result from your decision to use this document.

**Alcohol Sales and Service
SUPPORT PACKET FOR :
RETAILERS AND EVENTS**

Alcohol Sales Committee

ASC

WE WORK FOR YOU!

Reference Numbers:

Missoula Underage Substance Abuse Prevention Coalition *MUSAP*

Phone : 406.258.3798 www.MissoulaForum.org

Montana's Dept. of Revenue's RASS Training

Responsible Alcohol Sales/Service Training

Lonie Hutchison, Coordinator

Phone: 406.258.3880 hutchisonl@ho.missoula.mt.us

Missoula contact for State of Montana Liquor Control Board

Jason Schilling 406.444.0710

State of Montana Dept. of Revenue Call Center Ph: 406.444.6900

Missoula Police Department

Emergency Phone: 911 Non-emergency Phone: 406.552.6300

Alcohol Sales Committee

Kari Watkins

Phone: 406.214.1221 karikain@bresnan.net

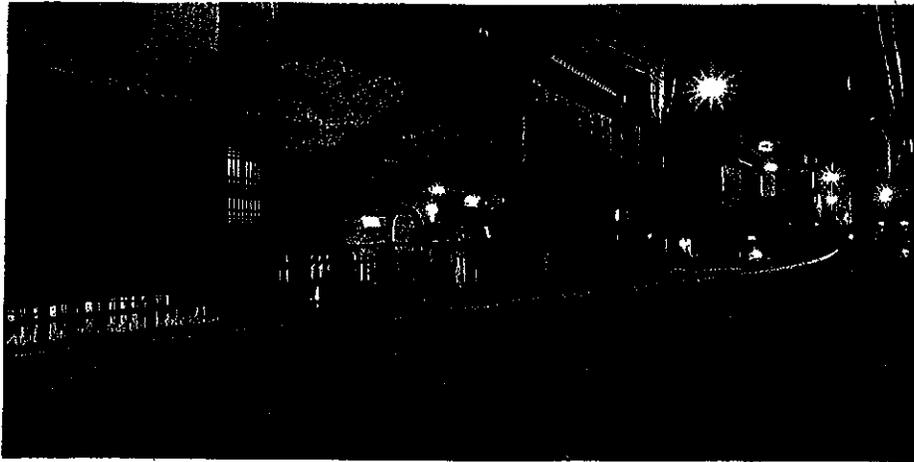
**ALCOHOL SALES
COMMITTEE**



MISSOULA FORUM
FOR CHILDREN & YOUTH

Alcohol Sales Committee

Missoula Underage Substance Abuse Prevention Coalition

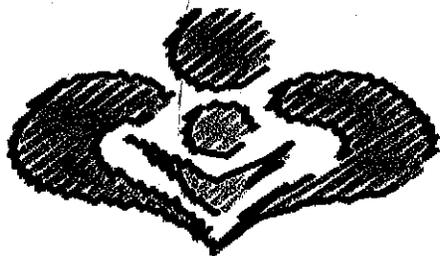


Recommendations for:

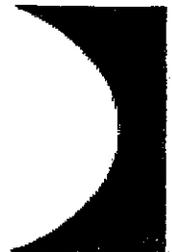
“Best Practices” in Missoula Montana

FOR

Alcohol Sales and Service Policies



MISSOULA FORUM
FOR CHILDREN & YOUTH



INTRODUCTION

Your business is very important to you, your employees, your community and to the State's economy.

You have invested your time, energy and financial resources to create a business or event that offers a place where people can meet and enjoy themselves, as well as providing jobs in our area.

The best way to protect your valuable business is through responsible business practices.

(This can help reduce your risk of criminal charges and civil lawsuits.)

Because each employee may have his or her own idea about what the rules are, what they mean and when they should be applied,

documentation of your responsible, best business practices in the form of

Written "Business Policies"

will create clarity and consistency.

These policies that the Missoula Underage Substance Abuse Prevention (MUSAP) Coalition's Alcohol Sales Committee (ASC) members have compiled for you, are an attempt to assist you in developing and catering policies to fit your needs.

The ASC is a resource for your business. (Please consider

Becoming an active member of our team!)

In the long term, the responsible business will build a strong and loyal customer base.

RECOMMENDED POLICIES FOR:

SELLING ALCOHOL ON PREMISE

In an effort to protect your business and your customers, MUSAP recommends the strategy of implementing these policies into your workplace. The expectation would be that these "best practices" will help reduce the potential of a liability lawsuit.

Policy 1: HAVE WRITTEN POLIICIES AVAILABLE TO ALL STAFF.

This establishment will provide all employees with a written copy of its policies. All policies will also be kept in the establishment. All employees will sign the "Employee Responsibility Statement", indicating that the employee has read and agrees with your Company's Best Practices.

Policies 2-4 Preventing Sales To Underage Customers:

Policy 2: ALWAYS CHECK AGE IDENTIFICATION.

This establishment will check the identification of customers appearing to be under the age of 30 years old. (Suggested best practices would be to have prevention materials on display, such as "WE I.D." clings and signs, etc.).

Policy 3: KNOW HOW TO CHECK IDENTIFICATION CARDS EFFECTIVELY.

This establishment recognizes these forms of acceptable I.D. as proof of legal drinking age:

- | | | |
|--------------------------------|--------------------------|--|
| 1. Tribal I.D. cards | 4. Passport | ****These must be current to be valid! |
| 2. Valid Driver's License | 5. Military I.D. | |
| 3. State Issued Identification | 6. Travel Identification | |

Policy 4: KKNOW WHO IS GETTING EACH DRINK.

This establishment will not bring a drink for anyone who is not present.

When selling pitchers, we will request an I.D. from each person who receives a glass.

We will use separate types of glassware to tell alcoholic drinks from non-alcoholic drinks., or differentiate by colored straws.

When an underage patron moves from one place to another, servers will make each other aware of it.

Policies 5-9: Preventing Sales to Intoxicated customers and Lowering Intoxication Levels

Policy 5: NO SALES TO INTOXICATED CUSTOMERS

This establishment will, under no circumstances, serve an alcoholic beverage to anyone appearing obviously intoxicated.

Policy 6: INCIDENT REPORT FORM

This establishment requires all staff to record all questionable incidents (e.g. cutting off an intoxicated customer; violent behavior in the establishment), in the Incident Log provided.

Policy 7: MEASURE ALL DRINKS.

This establishment will only serve measured drinks. (i.e., no "free pouring").

Policy 8: DRINK PROMOTIONS

We will not use promotions that encourage intoxication. (i.e. drinking contests and excessively low alcohol prices to promote sales).

When we promote a special cocktail, wine or beer, we will offer a comparable non-alcoholic drink.

We will promote "alternative beverages" such as coffee, juices waters, etc.

Policy 9: PROMOTE FOOD

This establishment will encourage the promotion of food and non-alcoholic beverages. If free appetizers or snacks are available, we will not discriminate against non-drinkers of alcohol.

Policies 10-12 Staffing and Training:

Policy 10: NO DRINKING or ILLEGAL DRUG USE ON THE JOB

Drinking on the job is prohibited. It is a violation of company policy to use or be under the influence of illegal drugs at any time on the job. It impairs your ability to perform your duties. You are more likely to make a mistake in judgment such as serving underage or obviously intoxicated patrons.

We will not tolerate illicit drug use or sales by patrons or employees.

Policy 11: REQUIRED ALCOHOL SALES AND SERVICE TRAINING

All staff will complete the Responsible Server training course. A schedule of Server training classes will be made available to all staff. ***It is recommended that each employee complete a three hour Server Training course at least once every three years.

Policy 12: MAKE EFFORTS FOR SAFE TRANSPORTATION

All employees will make an effort to provide alternative transportation to an impaired patron. This may result in phone calls to the patron's family member, a friend, a bar-paid cab ride, or, possibly police intervention if necessary.

Employee Responsibility Statement

Employee: Read and Sign

I understand that our business is dedicated to the safe and responsible sale and service of alcohol.

I will not knowingly serve alcohol to an underage or obviously intoxicated person.

I will report any signs of illegal drug activity to management.

I have read and understand our policies. I understand that if I follow these policies, management will fully support my decisions.

I also recognize that my failure to follow these policies may result in job probation, suspension, loss of hours, or termination from this employment.

Employee Signature

Date

INCIDENT LOG

Instructions: Complete an Incident Log for each patron involved.
If you see a drunk driver, call 9-1-1

Incident Date

Incident Time

PATRON INFORMATION

1. Patron's Name (First, Middle, Last)		Patron's Phone Number	
Address (Street number and name, City, State, Zip code)		Patron's Employer	
2. Patron was injured <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, On what part of Body?	Medical attention was given <input type="checkbox"/> Yes <input type="checkbox"/> No	Hospitalization required <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Patron was a minor <input type="checkbox"/> Yes <input type="checkbox"/> No	Identification was checked <input type="checkbox"/> Yes <input type="checkbox"/> No	Description of identification shown	
4. Where was patron before your place?			
5. How did patron contribute to his/her injury?			

EMPLOYEE INFORMATION

6. Employee's Name (First, Middle, Last)		Employee's Phone Number	
Address (Street number and name, City, State, Zip code)			
7. Employee's Name (First, Middle, Last)		Employee's Phone Number	
Address (Street number and name, City, State, Zip code)			

INCIDENT INFORMATION

8. Alcoholic beverage related incident <input type="checkbox"/> Yes <input type="checkbox"/> No		9. Drinks served (Number and kind)		
10. Police were notified <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, By whom	What police agency	Date of call	Time of call
11. How was incident brought to your attention?				
12. Describe incident (Including action you took to prevent or control the incident)				

WITNESS INFORMATION

13. Witness' Name (First, Middle, Last)		Witness' Phone Number		
Address (Street number and name, City, State, Zip code)		Witness' Employer		
14. Witness' Name (First, Middle, Last)		Witness' Phone Number		
Address (Street number and name, City, State, Zip code)		Witness' Employer		
Signature of person making report		Person's title		Report Date

RECOMMENDED POLICIES FOR:

SELLING ALCOHOL at SOCIAL EVENTS

In an effort to protect your business/Event proceeds/volunteers/employees and your customers, MUSAP recommends the strategy of implementing these policies as you conduct your event in your community. The expectation would be that these "best practices" will help reduce the potential of a liability lawsuit.

Policy 1: HAVE WRITTEN POLIICIES AVAILABLE TO ALL STAFF.

This establishment/Group/Club will provide all employees/volunteers with a written copy of its policies. All policies will be available from person in charge of the event. . All employees/Volunteers, etc will sign the "Employee/Volunteer Responsibility Statement", indicating that the employee /volunteer has read and agrees with your Best Practices for preventing and fighting underage drinking and over-intoxication of legal-aged drinkers.

Policies 2-4 Preventing Sales To Underage Customers:

Policy 2: ALWAYS CHECK AGE IDENTIFICATION.

This establishment /Event will check the identification of customers appearing to be under the age of 30 years old. (Suggested best practices would be to have prevention materials on display, such as "WE I.D." clings and signs, etc.).

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This establishment recognizes these forms of acceptable I.D. as proof of legal drinking age:

- | | | |
|--------------------------------|--------------------------|---|
| 1. Tribal I.D. cards | 4. Passport | *****These must be current to be valid! |
| 2. Valid Driver's License | 5. Military I.D. | |
| 3. State Issued Identification | 6. Travel Identification | |

Policy 3a. *****Once I.D. proves that the patron is of legal drinking age, **WRISTBAND** those that will be consuming alcohol, no wristband, no drink!

Policy 4: KKNOW WHO IS GETTING EACH DRINK.

This establishment/Event will not sell/serve a drink for anyone who is not present.

When selling pitchers, we will request an I.D. (wristband) from each person who receives a glass.

We will use separate types of glassware to tell alcoholic drinks from non-alcoholic drinks., or differentiate by colored straws.

Policies 5-9: Preventing Sales to Intoxicated customers and Lowering Intoxication Levels

Policy 5: NO SALES TO INTOXICATED CUSTOMERS

This establishment /event will, under no circumstances, serve an alcoholic beverage to anyone appearing obviously intoxicated.

Policy 6: INCIDENT REPORT FORM

This event will record all questionable incidents (e.g. cutting off an intoxicated customer; violent behavior at the Event), in the Incident Log provided.

Policy 7: MEASURE ALL DRINKS.

This establishment will only serve measured drinks. (i.e., no "free pouring").

Policy 8: DRINK PROMOTIONS

We will not use promotions that encourage intoxication. (i.e. drinking contests and excessively low alcohol prices to promote sales).

We will promote "alternative beverages" such as coffee, juices waters, etc.

Policy 9: PROMOTE FOOD

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All staff will complete the Responsible Server training course. A schedule of Server training classes will be made available to all staff. ***It is recommended that each employee complete a three hour Server Training course at least once every three years.

Policy 12: MAKE EFFORTS FOR SAFE TRANSPORTATION

All employees/Volunteers will make an effort to provide alternative transportation to an impaired patron. This may result in phone calls to the patron's family member, a friend, a bar-paid cab ride, or, possibly police intervention if necessary.

Policy 13 : PPROVIDE ADEQUATE SECURITY

This Establishment /Event will have adequate security to monitor for underage drinking and to prevent over-consumption of patrons.

Policy 14: MONITOR EVENT/FESTIVAL GROUNDS FOR SUSPICIOUS ACTIVITY.

This Event will monitor parking and /or surrounding property for suspicious activities.

The Event area and its perimeters will be well lit/marked for the safety of its attendees and will be Patrolled regularly, throughout the event.

Policy 15 : DESIGNATED AREA FOR ALCOHOL

This Event/Festival will either restrict alcohol sales to a designated location where underage youth are not allowed, or

Will wristband (after proper I.D. check) patrons who will be consuming alcohol.

**Thank you for your efforts in keeping
Our Community Events, Festivals
And Gatherings safe ones !!!**

**The Alcohol Sales Committee for
Missoula Underage Substance Abuse
Prevention Coalition**

Montana Department of Revenue's
Responsible Alcohol Sales/Service Training
"Let's Control It!"

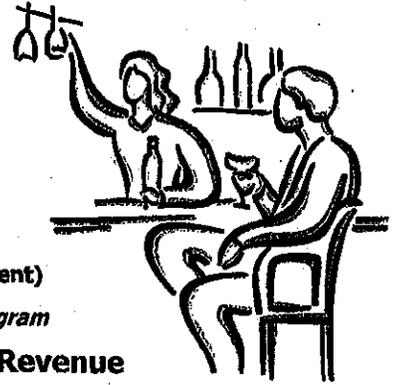
Participants MUST register – Call 258-3880

Cost: \$10 Registration Fee:

checks payable to "MCCHD – SAFE KIDS" (Missoula City-County Health Department)

The registration fees are used to promote and support Missoula's Designated Driver Program

Certificates are issued to participants by Montana Department of Revenue



Location: Missoula City-County Health Department, 301 West Alder,
Health Promotion Conference Room (basement)

**No classes scheduled
for October 2007**

November 2007

Wednesday, November 7, 6-9 p.m.
Tuesday, November 13, 6-9 p.m.

December 2007

Wednesday, December 5, 6-9 p.m.
Tuesday, December 11, 6-9 p.m.

January 2008

Wednesday, January 9, 6-9 p.m.
Tuesday, January 15, 6-9 p.m.

February 2008

Wednesday, February 6, 6-9 p.m.
Tuesday, February 19, 6-9 p.m.

March 2008

Wednesday, March 5, 6-9 p.m.
Tuesday, March 11, 6-9 p.m.
Sunday, March 16, 6-9 p.m.

April 2008

Wednesday, April 9, 6-9 p.m.
Tuesday, April ~~15~~ 22, 6-9 p.m.

May 2008

Wednesday, May 7, 6-9 p.m.
Tuesday, May 13, 6-9 p.m.

June 2008

Tuesday, June 10, 6-9 p.m.
Wednesday, June 18, 6-9 p.m.

July 2008

Monday, July 7, 1-5 p.m. (exclusive for Blue Canyon staff)
Thursday, July 10, 6-9 p.m. (exclusive for Hooters staff)
Friday, July 11, 1-4 p.m. (exclusive for Hooters staff)
Tuesday, July 15, 6-9 p.m.

August 2008

Wednesday, August 6, 6-9 p.m.
Tuesday, August 12, 6-9 p.m.

September 2008

Wednesday, September 10, 6-9 p.m.
Tuesday, September 16, 6-9 p.m.

FOR ADDITIONAL INFORMATION OR TO REGISTER CONTACT

Lonie Hutchison Coordinator

Missoula County DUI Task Force

Missoula County Safe Kids, Safe Communities Coalition

Public Health

Missoula City-County Health Dept.
301 West Alder Street
Missoula MT 59802

Phone: (406) 258-3880

FAX: (406) 258-3992

hutchisonl@ho.missoula.mt.us

Healthy Living program

Missoula City County Health Dept

Responsible Alcohol Server Training**"Let's Control It", the Montana Dept of Revenue's program**

A 3-hour workshop for retail sales or on-premise sale of alcohol that addresses prevention and intervention strategies.

Registration fee - \$10.00

Fees support Missoula Designated Driver Program

Classes are interactive, informative and fun, and include personal experiences and humor.

Participants learn:

- How to reduce exposure to alcohol liability lawsuits
- How to calculate BAC (blood alcohol content)
- How absorption rate factors affect BAC
- How to spot behavioral cues that indicate when you shouldn't sell or serve alcohol to a person
- How to spot a fake ID
- Underage warning signs
- How to handle difficult situations
- And more

Classes are conducted by Lonie Hutchison, Missoula City/County Health Department and Coordinator of the Missoula County DUI Task Force.

Pre-registration is required. Contact Lonie at 406-258-3880, or HutchisonL@ho.missoula.mt.us

Schedule of up-coming classes**Back to Health Department Home**

Return to Missoula City-Health Dept:

- [Admin](#)
- [Environmental Health](#)
- [Health Services](#)

**Support for Mandatory
Responsible Alcohol Sales/Service (RASS) Training**
Compiled from Training Evaluations Collected at Missoula RASS Classes

*Compiled by
Lonie Hutchison, Certified MDOR RASS Trainer/Sr. Community Health Specialist
Missoula City-County Health Department
406-258-3880*

In response to the question: "Should responsible alcohol sales/service training be mandatory? Yes or No

<u>Date of Class</u>	<u>No. of Participants</u>	<u>Number who responded yes to Mandatory RASS Training</u>	
2008			
01/09/08	9	8	
01/15/08	13	9	(two did not answer the question; one said no, and one did not fill out an evaluation)
02/19/08	11	10	(one said no)
02/23/08	12	12	
03/05/08	17	17	
03/11/08	7	5	(two said no)
03/15/08	11	11	
2007			
01/16/07	11	10	(one said no)
02/07/07	14	10	(four said no)
02/13/07	10	6	(one person did not fill out an evaluation & three said no)
03/07/07	10	8	(two people did not fill out an evaluation)
03/13/07	14	13	(one person did not fill out an evaluation)
03/20/07	19	17	(one person did not fill out an evaluation & one said no)
04/07/07	14	14	
06/13/07	6	6	
06/26/07	16	15	(one person did not answer the question)
09/05/07	2	2	
11/07/07	8	8	
11/13/07	10	10	
12/05/07	5	4	(one person did not fill out an evaluation)
11/07	1	1	
Total	220	196	89% support mandatory RASS training.

**Missoula Underage Substance Abuse Prevention (MUSAP)
Alcohol Sales Committee**

*******The following are excerpts from
the State of Montana's
"Alcohol Sales and Underage Drinking Laws in Montana"
Booklet.*******

**(This booklet, in its entirety, is available through the Montana State Department
of Revenue.)**

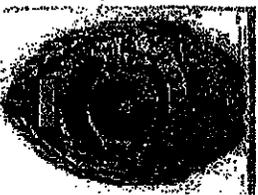
The Facts About Alcohol Sales

and

The Law in Montana

Summary of key laws regarding alcohol:

- ◆ It is unlawful for any licensee, and licensee's employee or employees, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away any alcoholic beverage to anyone under 21 years of age.
(16-3-301(3)(a)) MCA.



- ◆ If a person shows a server or licensee a false identification and depicts himself/herself as 21 year old, and that a responsible person would have believed to be a legal identification, then the server or licensee would be protected. (16-3-301(6)) MCA. (The server or licensee should consider the tips outlined on how to Reduce Liability for Licenseses within this document.)
- ◆ It is a crime for anyone under the age of 21 who knowingly attempts to purchase an alcoholic beverage. A person convicted of attempt-to-purchase-an-intoxicating-substance shall be fined an amount not to exceed \$150 if the person was under 21 years of age at the time the offense was committed and may be ordered to perform community service.
- ◆ It is against the law for any person (including parents) to invite a person under the age of 21 years into a public place where an alcoholic beverage is sold and treats, gives or purchases an alcoholic beverage for the person; permits the person in a public place where an alcoholic beverage is sold

to treat, give, or purchase alcoholic beverages for him; or holds out the person to be 21 years of age or older to the owner of the establishment or his or her employee or employees. (16-6-305(2)) MCA. (45-5-622(2)(a)(i)) MCA. Endangering the Welfare of Children (45-5-623) Unlawful Transactions with Children MCA. *Penalties for persons convicted of providing alcoholic beverages to a person under 21 years of age:*

1st Offense	Fined \$0-\$500 and/or	Jailed 0-6 mos.
2nd Offense	Fined \$0-\$1,000 and/or	Jailed 0-6 mos.

- ◆ An act restricting youth access to alcohol; and providing for registration of sales of kegs of beer. A licensee may not sell a keg of beer unless an identification tag is attached to the keg by the licensee. (16-3-321) MCA.
- ◆ It is unlawful for any licensee, his or her employee or employees, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away any alcoholic beverage to any intoxicated person or any person actually, apparently, or obviously intoxicated. (16-3-301(3)(b)) MCA. Unlawful Purchases, Transfers, Sales or Deliveries - Presumption of Legal Age
- ◆ It is further mandatory that all licensees display in a prominent place in their premises an age placard as issued by the Department of Revenue stating fully the consequences of violations of the provisions of this code by persons under 21 years of age. (16-3-301(5)) MCA. Unlawful Purchases, Transfers, Sales or Deliveries - Presumption of Legal Age

Liability for Licensees:

The license holder carries the primary legal responsibility for compliance with alcohol laws. However, individual staff members can also be charged and convicted when they violate these laws.

- ◆ When an underage person is served an alcoholic beverage, both the server and the licensee/owner can be held responsible.
- ◆ The server is subject to a criminal action within the county it took place.
- ◆ The licensee/owner is subject to an administrative action at the state level. Currently the violation for Sale to a Minor is:
 - 1st offense—\$250
 - 2nd offense—(within a 3 year period) - \$1000
 - 3rd offense—(within a 3 year period) - \$1500 and/or a 20 day suspension, and
 - 4th offense—(within a 3 year period) - revocation of license.
- ◆ If an accident occurs involving a person or an underage person because of negligence of the server or licensee/owner, the owner is responsible for the actions of the server, but both owner and server can be sued.
- ◆ Liability of a person or entity that furnishes an alcoholic beverage for injury or damage arising from an event involving the person who consumed the beverage. (27-1-710) MCA.

MUSAP'S ALCOHOL SALES COMMITTEE

Informative Past Meeting Notes as Follows:

- 1. Compliance Check Overview 1-22-08 Meeting**
- 2. Insurance Industry's Perspective 2-28-08 Meeting**

Missoula Underage Substance Abuse Prevention Coalition (MUSAP)

ALCOHOL SALES COMMITTEE (ASC)

Meeting Notes January 22nd, 2008

Compliance Check Overview of typical Procedure:

Casey Richardson and Arianna Bastedo from the Missoula Police Department:

The Police Department expect the Retailers in Missoula to "get caught doing good", in other words, they anticipate that the Retailers will pass the Compliance checks performed in Missoula.

The police Department is impressed that since the Compliance check program began in Missoula, to date, the success rate is up to **80% passing**.

Update: May 2008: **Up to 84 % success rate** in Compliance Checks. (As reported by Casey at the Missoula Underage Substance Abuse Coalition (MUSAP) meeting, June 4, 2008).

Update: June 2008: **down to 50% success rate**, after a doubling-up of Compliance Checks over a June weekend, 2008.

The Police Department is not out to "fool " or trick anyone! They typically send (into a Bar or Convenience Store), an **18 or 19 year old person** with a legitimate **Montana Driver's License** or ID.

The number one mistake by the Retailer's , in the Police's opinion, is the lack of complete scrutiny of the BIRTH DATE!!!!!!!

Employees, Managers, Owners for the most part, check for a valid I.D., match the photo and even look at the birth date, but many times **the birth year is overlooked**.

In closing, the final thoughts on Compliance Checks are that they appear to be effective in preventing and fighting underage drinking in that the process itself, provides a learning tool and consequences to the sellers and servers of alcohol, (i.e. potential sources of accessibility to minors).

Rod Gabriel, Hub International Insurance, Missoula Mt. Meeting Notes 2-28-08

Alcohol Sales Committee

The perspective from the Insurance Industry regarding an establishment that serves or sells alcohol, is, "that it basically will cost your company in the long run, if you don't properly train your Servers and Sales people for Responsible Server Training and if you don't have Liquor Liability Insurance", Rod explained.

Currently, 80% of bars in Montana carry Liquor Liability Insurance.

Under current laws, if your establishment served to an under-aged drinker and someone gets hurt, the Insurance company has to pay. Rod's concern is that unless we see some policy changes at a higher level, Liquor Liability Insurance is in jeopardy of ceasing to exist, because it will simply become cost-prohibitive. For example, the more violations an establishment has, the higher the likelihood that Liability Insurance would become unavailable to them because the cost of Insurance would rise in proportion to the increased risk. At this point, the establishment could no longer afford the astronomical expense.

Rod gave another example of a Bartender who over-served and though the bar itself was covered by Insurance, the bar-tender was NOT covered and the highest settlement he's ever seen in such a case was 3 million dollars!

He would like to see a more pro-active idea of creating a data-base of Bar Tenders – to protect the public from an establishment or individual that habitually over-serves.

Jori Frakie (Missoula Underage Substance Abuse Coalition Coordinator) would like to see stricter Liquor Laws implemented at a state level.

Rod said that 90% or better of the bars that he insures have completed Responsible Alcohol Server Training. He would like it to become an Insurance Policy requirement that all bars they insure have every employee/owner complete the 3-hour training course.

In conclusion, what's best for your business is to use "best practices", such as completing Server Training, carrying Liquor Liability Insurance and always provide food whenever alcohol is served.

Kari Watkins

From: Rod Gabriel [rod.gabriel@hubinternational.com]
Sent: Saturday, April 19, 2008 10:11 AM
To: karikain@bresnan.net
Cc: John Hayes
Subject: Alcohol consumption

Hi Kari,

The perspective from what we see in the Insurance Industry regarding an establishment that serves or sell alcohol, is "that it will cost you, your family, your employees in the long run, if you don't properly train your Servers and Sales people for the Responsible Server Training.

Alcohol sales are a big responsibility for the people who sell to the general public. As an insurance agent that deals with hundreds and hundreds of insured's in the beverage industry, the liquor claims are the most costly. We need to take every precaution possible to train our employees to fully understand what they are doing when they go beyond what the laws state. Management requirements of their employees make the biggest differences we see on claim settlements. The owner of an establishment can reduce the potential of a serious claim against their business if they have servers and bartenders trained properly. Being proactive will save you in the long run, so educate the employees that are on the front line. These people are your eyes and ears and represent your business. It is not easy to find good people to work for you that really care. This is why management must have a firm hand. Until the laws change and make the consumer more responsible, we will have to use our judgment and experience to head off any potential problems.

Under the current laws, if your establishment served an under-aged drinker and resulted in hurting themselves or someone else away from premises served in an auto accident the liquor liability carried will have to pay. Gabe's concern is that unless we see some policy changes at a higher level, liquor liability insurance could be in jeopardy as it will become cost-prohibitive.

I have seen where an establishment had a couple of liquor claims and could not purchase liquor liability and ended up selling the business. Most liquor claims are settled out of court. The largest award in Montana is 3,000,000 dollars do to a minor being served. We have probably have 10 plus liquor claims on an on going basis all the time.

The cost of liquor liability is a cost of doing business. It is expensive and the cost is not going down. We estimate that 80% of the bars in Montana carry liquor liability insurance. Gabe estimated 90% or better of the bars that they insure has completed Responsible Alcohol Server Training. Our compliance administrator John Hayes asked our insured's and lets them know how important this is. We would like 100% but some of the small town establishments have no employees and the owner has been running his business this way for decades. We can not make you do this but if you have a liquor claim you will wish you had it in hindsight.

A 3 hour training course for the owner and all employees that serve or sell alcohol could save a life.

In conclusion, what's best for your business is to use "best practices", such as completing Server Training, caring liquor liability insurance.

Thanks for inviting me.
Gabe



Retail Alcohol Sales Survey

Understanding that your Store/Bar/Event is serving alcohol to the public, we would like to ask you a few questions about how your store/bar /event keeps alcohol out of the hands of minors and overly intoxicated customers.

1. Do you believe that more training is needed on : (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Identifying fake I.D.'s | <input type="checkbox"/> Refusing alcohol sales |
| <input type="checkbox"/> Laws regarding alcohol sales | <input type="checkbox"/> Legal responsibility of Clerks and Retailers |
| <input type="checkbox"/> Crowd control at events | <input type="checkbox"/> Preventing over-serving |

2. Have you attended a Server Training certification through the Missoula County Health Department?

3. Does your store or bar/restaurant/casino have written policies available to employees? (Regarding the sale of alcohol.)

4. If Owner/Manager, how do you train your employees regarding responsible serving or selling of alcohol in your establishment?

5. What obstacles might prevent a server from attending a responsible- server training?

6. As for you, what would be the most convenient time to attend the three hour training?
(Provided by the Missoula County Health Department.)

We are a community based Alcohol Sales Committee, working towards these four goals:

1. Increasing the number of those who serve/sell alcohol to complete the Responsible Server Training Course
2. Increasing the amount of prevention materials in the community (such as wrist-banding at community events and "we I.D").
3. Recognizing retailers who have had their employees complete Server Training.
4. Working towards policy changes that promote "best practices" in their establishment
And community.

What do you think we could be doing to help accomplish these goals?

Can we keep you updated regarding the work of our committee through our email tree?

Thank You very much for your time.

Welcome and Thank you for attending!

Retailer Committee Meeting

Understanding that preventing and reducing the availability of alcohol to underage youth is a collective responsibility, our newly formed Retailer Committee will serve as change-agents, to work with Retailers and Wholesalers in the Missoula area; as we believe that responsible retailing practices are the key to preventing illegal alcohol sales.

Roughly, our Committee Goals that we will direct special efforts towards, are:

1. Increase the number of Retailers who put in place, **specific policies** that are "firm and clear", (for their patrons and employees), regarding the sale of alcohol. The hopeful outcome would be *more effective practices* that keep alcohol out of the hands of minors, (with the ultimate goal of saving lives and futures of teens). These practices help to ensure the preservation of the *Retailer's Liquor License*, because these policies should reduce improper sales (that would have caused penalty/penalties resulting in the loss of their license). Also, these policies should *improve employee satisfaction*, as they are able to enforce policies with conviction, (in that they could lose their job, for example, if they don't follow Company Policy, such as "we I.D.").

Other examples of good policy are: mandating a sales/server training course and I.D. wristbands.

2. Increase the number of Retailers who take **responsible beverage server training**. The result should be *informed employees* about the laws related to alcohol sales and the consequences of illegal sales. (Consequences not only to them, but to their company, its owners and the community. The training will help to *provide the skills necessary to prevent the sale of alcohol to underage youth*, among other things.
3. Increase the number of **prevention resources** to the Retailers. Examples of this might be "We Don't Serve Teens", "Prevent, Don't Provide" and "We I.D." signs, as well as distribution of the catalogue of State's Drivers Licenses, (for proper recognition of legitimate or fake I.D.'s). The result should be *reduced availability of alcohol to minors*.

(A more recent development in this field is encouraging the Retailers to purchase scanners, which immediately verify the state I.D. by the barcode on the back. An expensive but effective new strategy for Retailers, in an all-ages venue, is use of a scanner that is also capable of immediately printing out a wristband with the I.D. holder's name on it!)

4. **Rewarding Retailers** who:

1. Train their Employees
2. Pass compliance checks

An annual brunch or plaque or some type of on-going *recognition will serve to encourage Retailers and their employees as well*. It could also give the Retailer *recognition in the community*, from those who appreciate their efforts in preventing and fighting underage drinking.

MISSOULA FORUM FOR CHILDREN & YOUTH



HELPING MISSOULA
MAKE THE CONNECTIONS
FOR KIDS

406.258.3798
www.MissoulaForum.org

MUSAP

Missoula Underage Substance Abuse
Prevention Team

MISSOULA FORUM FOR CHILDREN & YOUTH

The Missoula Underage Substance Abuse Prevention team is a coalition of community leaders, agencies, and individuals working together to prevent youth substance use in Missoula County.

Why are we concerned about alcohol, tobacco, and other drug use by youth?

Underage substance use puts the well-being of individuals, families, and the community at risk. Injury, crime, sexual assault, school drop-out, and family conflict are just some of the problems associated with underage use.

We care about Missoula's kids and families.

Missoula suffers from some of the highest rates of underage substance use in the nation:

- Montana's illicit drug use rates are 2nd highest in the nation; Missoula's are among the highest in the state;
- Our underage drinking rates are 12-16% higher than the national average;
- 1 in 5 eighth graders in Missoula reports binge drinking at least once within the past 2 weeks;
- 40% of teens who begin drinking before the age of 15 will become addicted to alcohol or other drugs.

MUSAP brings teens, parents, and other caring adults together to implement effective, research-based prevention strategies. We are making Missoula a safer place for all children, youth, and families.

MUSAP

Substance abuse prevention is about delaying or stopping substance use before it becomes a problem. This means starting early & intervening immediately.

Tobacco, alcohol, and marijuana use by youth can cause immediate and long-term problems:

- Most teen smokers believe they can quit, but 6 years later, 75% are still smoking.
- 1 in 4 12th grade males in MT chews tobacco. 3 of 4 of them tried it before the 9th grade.
- The typical age of first alcohol use is 11 for boys and 13 for girls. Kids who drink before age 15 are 4 times more likely to become alcoholics.
- Underage drinking kills 5 times more teens than all other drugs combined.
- Alcohol use can damage developing brains, permanently.
- Marijuana is the #1 reason teens are admitted to treatment facilities and increases risk for suicide.



Each of us has a key role to play in Missoula's efforts to reduce alcohol and other drug problems.

Get involved. Join MUSAP.

Be a STAR (a significant, trusted, adult resource): The presence of caring adults in kids' lives reduces their risk of drug use and other risk behaviors.

Send clear and consistent messages. Youth are receptive to clear, no-use messages from the people who touch their lives. Be clear: underage use is unsafe, unhealthy and illegal.

Don't go it alone. Express your support for prevention efforts by schools, law enforcement, courts, businesses, policymakers, parents and teens. Preventing underage substance use is a community responsibility.

Talk with children and teens about alcohol and other drugs and listen to their concerns.

Be aware and educate others about the importance of preventing youth substance use.

www.MissoulaForum.org 406.258.3798 for details missoula.mt.us