



Understanding the Role of Alcohol Regulatory Enforcement in Order to Form Community Partnerships

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INTRODUCTION

By working together, community coalitions and Alcohol Regulatory Enforcement (ARE) agencies can create safer and healthier communities for all.

Understanding the various regulations and laws governing the production, distribution, and sale of alcohol can be challenging. ARE can assist by sharing their knowledge, experience, and expertise in navigating the complexities of alcohol regulation. In turn, community coalitions can support and lead the mission of ARE compliance through a myriad of prevention and intervention programs and initiatives that promote public health and safety.



ALCOHOL REGULATORY ENFORCEMENT

What are ARE Agencies?

Alcohol Regulatory Enforcement (ARE) also referred to as Alcohol Law Enforcement (ALE) is a specialized division within law enforcement or alcohol control agencies that is responsible for regulating and enforcing laws related to the sale, purchase, and consumption of alcoholic beverages. The term ARE is more encompassing of the role and responsibilities of alcohol enforcement in ensuring compliance of alcohol laws and regulations because it includes all regulatory typologies.

The term typology in reference to ARE agencies refers to the structure or framework of that agency. ARE agencies are responsible for a diverse array of license types. States administer and enforce their alcoholic beverage code laws with a variety of levels of state, local, or combined authority. The authority of ARE among states varies from officers and agents that have full arrest powers to those whose authority focus encompasses specifically alcohol related offenses.

The primary goal of ARE is to ensure public safety by preventing under-age drinking, enforcing laws related to drunk driving, and combating illegal alcohol possession and sales. ARE agents also work closely with other law enforcement agencies to investigate crimes related to alcohol, such as illegal firearms, drug trafficking and human trafficking.

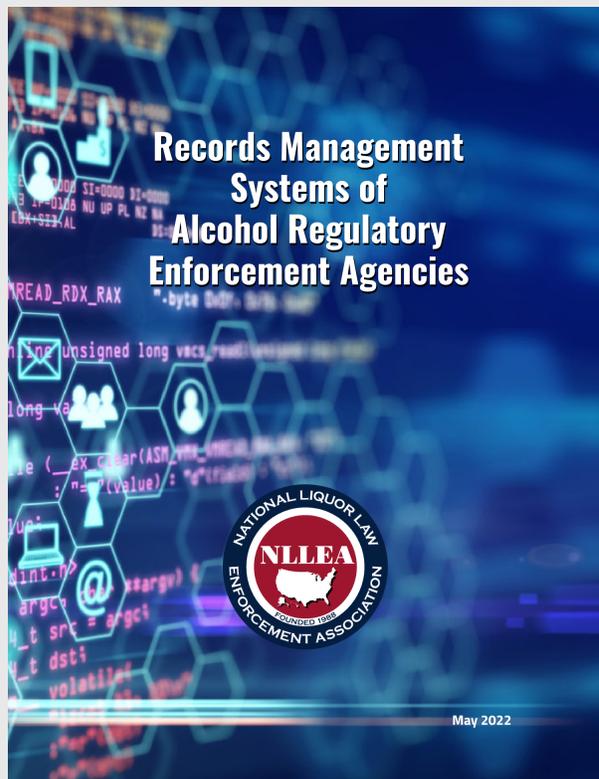


ALCOHOL REGULATORY ENFORCEMENT

What are AREs?

Understanding the role of ARE is important for both businesses and individuals to ensure compliance with alcohol laws. It is also important for Community Coalitions to understand the role of ARE in their state to plan and implement alcohol prevention initiatives.

In 2022 the National Liquor Law Enforcement Association (NLLEA) in collaboration with the National Alcohol Beverage Control Association (NABCA) with the assistance of an Advisory Committee put together a guide on the Records Management Systems of ARE. The research team on this project developed six ARE typologies to better categorize agencies for data analysis. These six typologies can also be used to help determine the structure of your state agency. They can be used as a guide on how to best approach ARE for collaboration and implementation of alcohol awareness, education, and compliance initiatives.



ALCOHOL REGULATORY ENFORCEMENT

TYOLOGY

Agency Typologies	Definition
State Alcohol Regulatory Agencies	Agencies that have primary responsibility for licensing of retail alcohol establishments, enforcement (criminal and/or administrative), and adjudication of administrative violations of alcohol laws
State Alcohol Enforcement Agencies	Agencies that have responsibility for enforcement only (criminal and/or administrative) but no authority over licensing of retail alcohol establishments or adjudication of administrative violations
State Alcohol Regulatory Agencies with Local Authority Options	Agencies that have primary responsibility for enforcement (criminal and/or administrative) and issue state licenses for retail alcohol establishments, but require dual licensing (some form of local licensing by local boards/councils, etc. beyond recommendations for approval/denial), and may share adjudication responsibilities with local boards/councils, etc. as well
County Alcohol Regulatory Agencies	Local alcohol beverage regulatory agencies that issue the retail licenses (no state retail license approval process), have administrative enforcement authority, and adjudication responsibilities
Local Law Enforcement Agencies	Local police departments, sheriff agencies, campus police departments that have primary responsibility for all criminal codes in their jurisdiction but may or may not have retail licensing or adjudication responsibilities over alcohol establishments
Other	Non-profit agencies, government agencies, or state-level law enforcement agencies without primary authority for alcohol enforcement

WHY SHOULD COMMUNITIES WORK WITH ALCOHOL REGULATORY ENFORCEMENT

Alcohol Regulatory Enforcement (ARE) agencies have the necessary expertise to enforce regulations related to the sale and consumption of alcohol. They can conduct compliance checks, investigate complaints, and take legal and administrative action when a violation occurs. The goal is voluntary compliance, but when that does not happen ARE have several options available to hold businesses and/or individuals who violate the law accountable. While ARE may have the necessary expertise, they may not always have the necessary resources. By collaborating with these agencies, communities can help to provide those resources and ensure that alcohol-related activities are conducted safely and legally.

In 2020 the National Liquor Law Enforcement Association (NLLEA) released the Best Practice Guidance for Alcohol Sales and Deliveries During and After the COVID-19 Pandemic. This document not only provided best practices for compliance of alcohol delivery, but also shed light on enforcement capacity challenges faced by ARE regarding increased access to alcohol with no increase in ARE support. As states are still debating alcohol access policy changes put in place to alleviate COVID-19 restrictions, it is paramount to also discuss the structure and capacity of ARE agencies.



Best Practice Guidance for Alcohol Sales and Deliveries During and After the COVID-19 Pandemic

A National Liquor Law Enforcement Association Guidance Document

December 2020

This document is intended to provide background and guidance on best practices for the enforcement of laws related to sales and delivery of alcohol both during and after the COVID-19 pandemic.¹

State alcohol policies during the COVID-19 pandemic have been temporarily² – and in some cases permanently³ – changed to expand consumers' access to and ability to acquire alcohol through drinks-to-go, home delivery, and curbside delivery. Some of these policies are being implemented by local jurisdictions, making the policy landscape more complicated.⁴

The pandemic is creating unprecedented shifts and changes in the alcohol marketplace adding additional challenges for Alcohol Law Enforcement (ALE).⁵ In 2005, there were an average of 54 ALE agents per state tasked with monitoring 14,112 alcohol outlets. This problem has only worsened over the years.⁶ The harms from alcohol have been further exacerbated by recent shifting policies⁷ in the U.S., which have made alcohol more accessible and available.⁸

Making alcohol more widely available and accessible increases alcohol consumption and related harms.^{9,10} This may occur when there is an increase in the hours¹¹ or days of sale,¹² an increase in outlet density,¹³ or – as is the case during the COVID-19 pandemic – an expansion of home delivery laws.¹⁴

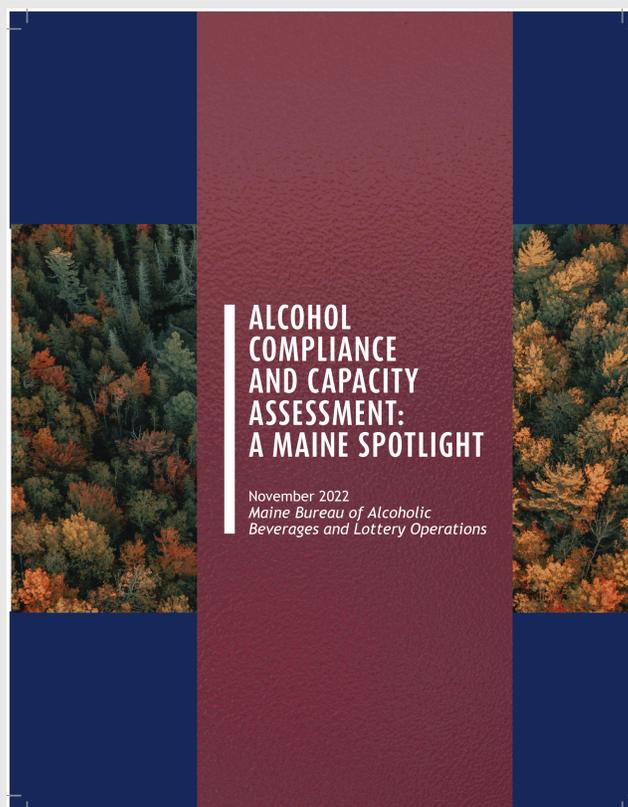
Drinks-To-Go	Home Delivery	Curbside Delivery
		
Restaurants or bars selling a single serving of alcoholic beverages (usually distilled spirits) for consumption off the premises.	Restaurants, bars, or retailers delivering alcohol to consumers' homes through either the use of their own employees or through a third-party delivery service.	Consumers purchasing alcohol from a restaurant, bar, or retailer and having the business bring it to the consumers without them having to leave their car.

A list of all of the references cited in this document can be found on the NLLEA website: www.nllea.org

WHY SHOULD COMMUNITIES WORK WITH ALCOHOL REGULATORY ENFORCEMENT

Maintaining a fair and balanced alcohol marketplace requires regular and proactive monitoring of the alcohol licensee community. Without adequate ARE capacity, reactive efforts are often the only feasible option and little consideration has been given to enforcement capacity by states discussing these alcohol policy changes. This is where community coalitions and public health professionals can work with and support their ARE agencies to gather and analyze ARE capacity data to show the big picture and tell the story of their states' capacity to provide monitoring and compliance of alcohol access expansion.

A study was completed in 2022 by the state of Maine to assess their ARE capacity to adequately monitor increased access to alcohol through channels like direct-to-consumer shipping. This report can be used as a template for other states to assess their own capacity of alcohol monitoring and enforcement for other strategies as well.



HOW CAN COMMUNITY COALITIONS CONNECT WITH **ALCOHOL REGULATORY ENFORCEMENT**

Community coalitions can play a critical role in reducing alcohol-related harms by working with alcohol law enforcement agencies. By partnering with these agencies, coalitions can develop effective strategies to prevent underage drinking, reduce alcohol-impaired driving, and promote responsible alcohol consumption. A few examples of these strategies conducted by ARE are: age compliance checks, licensee inspections, undercover operations and place of last drink investigations.

Community Coalitions can support these strategies by working with ARE to help recruit underage age buyers for compliance checks, by providing education and awareness programming for licensed establishments on responsible beverage service and through grant funding initiatives that support reduced access to alcohol.

Here are some tips for community coalitions looking to connect with alcohol law enforcement:

- **Start by researching your state and/or local alcohol law enforcement agencies and identifying key contacts. Use the ARE typology definitions to guide this process and determine the structure of your ARE and their capacity to collaborate.**
- **Reach out to these contacts and introduce your coalition and its mission. Be specific about how your coalition can support their mission as well.**
- **Invite ARE representatives to attend coalition meetings and events. Include them as speakers and trainers at your meetings. Also have speakers and trainers relevant to their mission.**
- **Collaborate with ARE agencies to develop and implement evidence-based strategies to reduce alcohol-related harms in your communities. It is important for ARE to have a seat at the table in the planning stage.**
- **Maintain open communication with ARE representatives to ensure ongoing collaboration and success.**

BACKGROUND

NLLEA

The National Liquor Law Enforcement Association (NLLEA) aims to bring together law enforcement agencies from across the country to collaborate and share best practices in the enforcement of liquor laws and to enhance understanding of the overall importance of liquor law enforcement in preventing crime and community problems. The NLLEA serves as a platform for networking, training, and the exchange of knowledge to ensure effective implementation and enforcement of liquor regulations.

Through the NLLEA, law enforcement agencies have access to resources, training programs, and information-sharing platforms. This enables them to stay updated on the latest trends, techniques, and legal developments in liquor law enforcement. Additionally, the association facilitates collaboration among agencies, fostering a sense of camaraderie and promoting the exchange of ideas and strategies.

The NLLEA recognizes the importance of upholding liquor laws to promote public safety, reduce alcohol-related crimes, and protect the well-being of communities. By uniting law enforcement agencies at a national level, NLLEA enhances enforcement efforts and addresses the challenges faced in regulating the liquor industry.

The NLLEA also works towards promoting awareness and education regarding responsible alcohol consumption. By partnering with community organizations, advocacy groups, and public health stakeholders, to develop initiatives to prevent underage drinking, drunk driving, and other alcohol-related issues.