

**Place of Last Drink (POLD):  
Opportunity for Expanding POLD Investigations  
to Alcohol-Involved Violent Crime Incidents**

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# Introduction & Background

The mission of the Vermont Department of Liquor and Lottery (Vermont DLL) Division of Liquor Control is to serve the public by preventing the misuse of alcohol and tobacco through controlled distribution, enforcement, education, and by providing excellent customer service by operating efficient, convenient liquor agency stores. The Office of Compliance and Enforcement (OCE) is charged with investigating possible violations of liquor laws and regulations and carrying out enforcement activities related to those incidents.<sup>1</sup>

Vermont DLL is partnering with the National Liquor Law Enforcement Association (NLLEA) and the National Highway Traffic Safety Administration (NHTSA) in a five-year evaluation of some of its initiatives. This report is the fourth in a series of case studies and continues examination of Place of Last Drink (POLD), an initiative that seeks to identify a licensed alcohol establishment where someone involved in an alcohol-involved incident consumed their last alcoholic beverage.<sup>2</sup> This report builds on the previous three years of evaluation. The year one study examined the project R.A.B.I.T. data dashboard. Years two and three focused on examining POLD, looking at implementation of POLD in year two and examining implementation of POLD based on a University of Minnesota framework,<sup>3</sup> outlet density and POLD incidents, and staffing capacity of Vermont compared to national averages (based on a capacity study conducted for the Maine Bureau of Alcoholic Beverages and Lottery Operations, BABLO).<sup>4</sup>

The current case study continues examination of POLD, looking at investigator time required to implement POLD, investigator perceptions of implementation strengths and challenges, and examining potential staffing resources that would be necessary to expand POLD investigations to other alcohol-involved incidents.

## Background of POLD Implementation in Vermont

Since 1987, Vermont law enforcement officers have been required to attempt to determine if crashes involving alcohol involved a licensed establishment that served or furnished alcohol to the driver:

### **§ 1817. Reports of law enforcement officer; accidents involving alcohol**

“Any law enforcement officer who, upon investigation of a motor vehicle accident or other incident involving the use of alcohol, shall inquire whether the person involved in

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<sup>1</sup> Vermont Department of Liquor and Lottery website, <https://liquorcontrol.vermont.gov/>

<sup>2</sup> Cotti, C; Dunn, RA; and Tefft, N. (2014). Alcohol-impaired motor vehicle crash risk and the location of alcohol purchase. *Social Science & Medicine*. Vol 1098, pp 201-209. <https://doi.org/10.1016/j.socscimed.2014.03.003>.

<sup>3</sup> Toomey, TL, et al., Alcohol Epidemiology Program, <https://aep.umn.edu/tools/place-last-drink-pold/what-place-last-drink-pold>

<sup>4</sup> Maine Bureau of Alcoholic Beverages (BABLO) and Lottery Operations. Alcohol Compliance and Capacity Assessment: A Maine Spotlight. November 2022. [https://www.maine.gov/dafs/bablo/sites/maine.gov.dafs.bablo/files/inline-files/MAINEREREPORT\\_Final.pdf](https://www.maine.gov/dafs/bablo/sites/maine.gov.dafs.bablo/files/inline-files/MAINEREREPORT_Final.pdf)

the accident or incident was served or furnished alcoholic beverages at a licensed establishment and, if the officer determines that a person was served or furnished alcoholic beverages at a licensed establishment, the officer shall so inform the appropriate licensee or licensees in writing. A law enforcement officer shall not be subject to civil liability for an omission or failure to comply with a provision of this section.” (Added 1987, No. 103, § 6; amended 2017, No. 83, § 149.)<sup>5</sup>

This statute only addressed *crashes* that involved alcohol. In recent years, the state of Vermont has made an effort to identify licensed establishments where a driver may have potentially been over-served alcohol for Driving Under the Influence (DUI) violations, not only crashes.

POLD is a strategy that can identify establishments that may be over-serving alcohol, creating the opportunity to intervene to change their behavior in an effort to decrease drinking and driving and related crashes. Law enforcement officers collect data on a driver’s Place of Last Drink in DUI incidents. The arresting officer collects data on if the incident involved a licensed alcohol establishment as the place where the driver had their last drink. This data is then used to investigate factors that contributed to a person being over-served, and allows the opportunity for investigators at the Vermont DLL to be able to work with the licensed establishment owners, managers, and staff to correct or improve establishment practices.

Vermont institutionalized implementation of POLD in 2020 after participating in an initial pilot project administered by NLLEA. During the pilot period, two police departments in Vermont participated. In each department, officers collected data, which was compiled by NLLEA. Simultaneously, while participating in the pilot program, Vermont looked at how it might implement POLD beyond the pilot. One challenge identified during the pilot period was the need for an officer at the local level to enter a second database to record and document some of the POLD information. To institutionalize POLD, Vermont began looking at how it could facilitate a more efficient way to collect the data. DLL collaborated with other state partners to add a custom question to the DataMaster system to collect information on if a POLD was a licensed alcohol establishment.

As POLD implementation has continued, DLL continues to examine strengths and benefits of implementation, how its implementation incorporates best practices, and to identify areas for improvement or expansion. To date, POLD data and investigations have focused on DUI, alcohol-involved crashes, or driving incidents involving underage persons. There is interest in exploring applying POLD to other alcohol-involved incidents, such as assaults, domestic violence, or other crimes. To inform that discussion, this study examined the amount of staff time that current POLD investigations have taken, investigator feedback on strengths and challenges of investigations, and an examination of potential investigator staff time that might be required to expand POLD to additional criminal incidents.

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<sup>5</sup> Vermont General Assembly Statutes Online. <https://legislature.vermont.gov/statutes/section/20/111/01817>

## Methods

This study employs a case study method to assess the implementation of Place of Last Drink (POLD) and continues the evaluation of POLD in Vermont in years two and three. A planning team consisting of the evaluator, NLLEA Executive Director Carrie Christofes, and key DLL staff (Lt. Brandon King, Executive Officer; Sgt. Melani Gaiotti; and Sgt. Michael Welch) met regularly throughout the study to make key decisions about its focus, and design. This group helped identify stakeholders for key informant interviews, provided access to enforcement data, and provided input and review on findings.

Methods included:

*Examination of time required to investigate POLD cases:* In the original pilot of POLD, investigators documented the amount of time it took to investigate POLD cases. Current data was collected by having investigators document time spent on POLD investigations in March 2024. Both time periods were assessed to identify total cases, average hours per case, and range of hours devoted to investigating POLD.

*Examination of violent alcohol-involved crimes to estimate staff time necessary to expand POLD investigations beyond DUI incidents:* DLL provided a report of criminal incidents involving alcohol for the period of January to April, 2024. The evaluator identified violent incidents from this data that could potentially be a focus of future POLD investigations. To calculate an estimate of the investigation time necessary to expand POLD to these incidents, the average number of incidents per month was multiplied by the average time to investigate POLD cases in the pilot time period and a second estimate was calculated for the average time to investigate POLD cases in March 2024. This calculation was used to predict potential time needed for expanding POLD investigations to alcohol-involved violence incidents.

*Key informant interviews with DLL investigators:* The evaluator conducted interviews with six (n=6) DLL investigators to identify their perceptions of how POLD investigations fit into their workload, as well as the benefit of POLD, and challenges or recommendations. Investigator names and contact information were provided to the evaluator, and a sergeant notified the investigators that the evaluator would be contacting them to interview them about POLD implementation. Interviews were conducted by telephone, recorded (with permission of the investigators), transcribed, and analyzed for common and unique themes.

# Findings

## POLD Cases

**March 2024 POLD cases:** In March 2024, investigators documented time spent on each POLD case they handled. Six POLD cases were investigated by three investigators. The total time spent on investigations was 15.6 hours. Time per investigation averaged 2.6 hours and ranged from a low of 1.1 hours to a high of 5.5 hours.

**March 2024 POLD cases summary**

Total Cases	6
Investigators with cases	3
<b>Total Hours (for all 6 cases)</b>	<b>15.6</b>
<b>Average hours per case</b>	<b>2.6</b>
Range of hours per case	1.1
	1.1
	1.5
	2.8
	3.8
	5.5

Activity included collecting information, reviewing evidence (including video footage and reports), contacting licensees by phone and in-person, interviewing licensees and personnel, writing reports, travel time, and issuing a written warning.

**Pilot POLD data (July 31, 2020 to September 28, 2021):** Vermont conducted a pilot of POLD implementation and collected data from July 31, 2020 to September 28, 2021 (approximately 14 months). During this period, 61 cases were investigated. The average time per investigation during this period was 6.7 hours. Time per investigation ranged from a low of 0.3 hours to a high of 35.3 hours. During the pilot period, there were an average of 4.4 cases per month.

**POLD Pilot Cases 7/31/2020 to 9/28/2021**

Total Cases (pilot)	<b>61</b>
<b>Total Hours (all pilot cases)</b>	<b>409.8</b>
<b>Average hours per case</b>	<b>6.7</b>
Range-low	0.3
Range-high	35.3
Average cases per month	4.4

Just over half (n=33) of the pilot cases were investigated in 5.0 hours or less; 10 investigations took between 5.1 and 10.0 hours; 11 cases took over 10.1 to 15.0 hours to investigate. Just 7 cases took over 15 hours to investigate.

Over two-thirds (70%) of POLD cases took 10 hours or less to investigate (n=43), and the vast majority (89%, n=54) took 15 hours or less to investigate.

**Distribution of Range of Hours per Case**

Hours per case	# of Cases	Range of cases	# of cases
1.0 hours or less	11	5.0 hours or less per case	33
1.1 to 2.0 hours	10		
2.1 to 3.0 hours	5		
3.1 to 4.0 hours	6		
4.1 to 5.0 hours	1		
5.1 to 8.0 hours	7	5.1 to 10.0 hours per case	10
8.1 to 10.0 hours	3		
10.1 to 15.0 hours	11	10.1 to 15.0 hours per case	11
15.1 to 20.0 hours	4	10.1 hours or more per case	7
20.1 to 30.0 hours	2		
30.0 hours or more	1		
<b>Total Pilot Cases</b>	<b>61</b>		<b>61</b>

The following table shows the number of hours per investigation for all 61 cases in the pilot.

**All POLD Cases/Hours per Investigation**

5.0 hours or less per case (n=33)	5.1 to 10.0 hours per case (n=10)	10.1 to 15.0 hours per case (n=11)	15.1 or more hours per case (n=7)
0.3 1.3 2.5	5.7	10.1	16.2
0.3 1.3 2.7	6.0	10.1	16.3
0.3 1.5 3.0	6.3	10.4	18.3
0.5 1.5 3.0	6.6	10.5	18.7
0.5 1.7 3.1	6.7	11.0	21.2
0.5 1.8 3.1	6.9	11.3	25.6
0.5 1.9 3.3	7.6	11.5	35.3
0.7 1.9 3.3	8.3	11.6	
0.8 1.9 3.8	8.5	12.0	
1.0 2.0 3.9	9.0	12.5	
1.0 2.1 5.0		14.0	

## Alcohol-Involved Incidents

Alcohol cases were examined to determine current number of alcohol-involved incidents. There is a question in the Valcour reporting system that requires officers to identify if an incident involves alcohol. We examined cases from January to April 2024 that the reporting officer identified as involving alcohol. Vermont law enforcement handle a large volume of calls that involve alcohol. **For all types of incidents, there were 2,585 that involved alcohol from January through April, as shown in the table below.**

**Total Number of Alcohol-Involved Incidents (January to April 2024)**

Month	JAN	FEB	MAR	APR	TOTAL
<b>Total of all alcohol-involved crimes</b>	<b>592</b>	<b>618</b>	<b>678</b>	<b>697</b>	<b>2585</b>

(A table of all incident is provided at the end of this report in the Appendix.)

### Alcohol-involved incidents that may already include some POLD inquiry by the arresting officer

Some alcohol-involved incidents may already have a POLD investigation component. Motor vehicle issues, traffic stops, and crashes may already prompt an officer to ask about the place of last drink. Other incidents in the table below explicitly engage licensees: bar checks, compliance checks, and liquor license violations. A total of 684 cases were identified that might already have some POLD investigation, as the table below shows. Note that 18 current POLD investigations were identified during this time.

**Alcohol-Involved Cases that may Already Involve POLD questions**

Call Types	JAN	FEB	MAR	APR	TOTAL
Alcohol	9	5	1	8	23
Bar Checks	0	0	1	0	1
Compliance Check	0	1	0	0	1
Crash	27	30	30	35	122
DUI	60	72	68	61	261
Liquor License Violation	3	3	2	5	13
Motor	12	11	15	20	58
<b>POLD</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>3</b>	<b>18</b>
Traffic	40	56	52	39	187
<b>Total</b>	<b>155</b>	<b>182</b>	<b>176</b>	<b>171</b>	<b>684</b>

## Alcohol-involved violence incidents that potentially could be investigated for POLD

Currently, POLD information is not collected for incidents such as assaults or violent crimes. Officers noted that 321 such incidents involved alcohol from January to April, 2024. The table below shows types of violent crimes that involved alcohol, that potentially could be investigated for POLD.

**Incidents Identified as Alcohol-Involved that could Potentially be Added to POLD**

Call Types	JAN	FEB	MAR	APR	TOTAL
Assault	25	12	16	20	73
Domestic	17	22	21	36	96
Family Fight/Domestic	38	40	24	29	131
Sex Offense	1	3	1	2	7
Sexual Assault	1	5	4	2	12
Simple Assault	0	0	1	1	2
<b>Total</b>	<b>82</b>	<b>82</b>	<b>67</b>	<b>90</b>	<b>321</b>

## Other alcohol-involved incidents that could potentially be investigated for POLD

An additional 585 incidents might have consumption connected to a licensed establishment, but would likely be a lower priority to investigate for POLD, as shown in the table below.

**Other Incidents Identified as Alcohol-Involved**

Call Types	JAN	FEB	MAR	APR	TOTAL
Citizen Dispute	14	23	16	21	74
Disorderly	7	13	13	6	39
Disturbance	19	17	30	23	89
Intoxicated	6	15	18	20	59
Intoxication	18	31	27	31	107
Suspicious	44	39	40	59	182
Threatening	6	7	5	0	18
Threats	1	7	4	5	17
<b>Total</b>	<b>115</b>	<b>152</b>	<b>153</b>	<b>165</b>	<b>585</b>

## Estimated time for POLD investigation for additional incidents

To calculate an estimate of how much investigation time would be required for expanding POLD investigations to violent alcohol-involved incidents, the average number of incidents per month for January to April 2024 was multiplied by the average time to investigate POLD cases in the pilot (6.7 hours), and a second estimate was calculated for the average time to investigate POLD cases in March 2024 (2.6 hours). **An additional 542.7 hours of investigation time at the pilot**



average or 210.6 hours at the March 2024 average would be required to investigate these cases for POLD.

**Estimate of Required Time for POLD Investigation of Violent Alcohol-Involved Incidents**

<b>Call Types</b>	<b>Average Cases Month</b>	<b>Pilot comparison: Estimated number of Hours/month required at average of 6.7 hours/case</b>	<b>March 2024 comparison: Estimated number of Hours/month required at average of 2.6 hours/case</b>
Assault	18	120.6	46.8
Domestic	24	160.8	62.4
Family Fight/Domestic	33	221.1	85.8
Sex Offense	2	13.4	5.2
Sexual Assault	3	20.1	7.8
Simple Assault	1	6.7	2.6
<b>Total</b>	<b>81</b>	<b>542.7</b>	<b>210.6</b>

These estimates do not take into consideration any criteria that might be developed to triage cases that are appropriate to refer for a POLD investigation, such as the criteria currently used to triage DUI cases as POLD.

## Investigator Perspectives and Experiences

Six investigators were interviewed to learn how typical POLD investigations unfold, things that contribute to success, areas for improvement, and their thoughts on expanding the types of incidents for POLD data collection and investigation.

### Quantity and Frequency of POLD cases

The quantity and frequency of POLD cases the investigators interviewed are responsible for varies. This is due in part to the regions they are assigned to, with more rural areas with more dispersed licensed establishments having lower frequency of investigations, while more densely populated areas had more cases. One investigator estimated they had handled two or three cases from the start of the year through May; another estimated they typically were assigned one case per month; an investigator in a more densely populated area estimated they could occur as often as once or twice a week. Though cases may be staggered, investigators also noted that they might have a period with several open POLD cases at the same time.

Despite not being able to predict when a POLD case might happen, investigators reported little difficulty fitting the cases into their workload. Most said it was not challenging to schedule POLD tasks into their other duties. One commented that they are already out in the field, visiting establishments in their region, and said, “It’s just time management.” If they have a POLD case, one investigator said it is possible to schedule other inspections in the same area to facilitate meeting with the establishment identified as a POLD. Another said, “Our supervisors do a good job of assigning the cases out so as not to overwhelm any specific investigators.”

The complexity of a case, or challenges obtaining needed information can require more time. Another factor for investigators in more rural areas is the travel time to drive to an establishment.

### Elements of a POLD Investigation

All investigators identified similar elements of a typical POLD investigation. A POLD case is identified initially by the law enforcement officer (either local police or state police) on the scene of a DUI in the report in the DataMaster. The DataMaster prompts the following question: “**Did your investigation determine that the place of last drink for this arrest was a licensed liquor establishment or permitted event?**”

If the officer answered “yes” to this question, the DLL supervisor determines if it meets one of three criteria for further investigation: 1) the Blood Alcohol Count is 0.18 or higher, 2) a crash is involved, or 3) a juvenile is involved. Cases that meet one of the triage criteria are then assigned to an investigator. This generally happens within a day or two of receiving the reports from the Vermont Forensics Lab.

Once a case is assigned to a DLL investigator, their first step is to access the police report and review it, looking at any statements, notes, and affidavits that are available. An investigator then contacts the arresting officer to ask any additional questions and to obtain any body-worn camera of any officers at the scene and/or cruiser video footage. This helps the investigator assess the demeanor of the arrestee, their level of intoxication, or how obvious the signs of intoxication were such as stumbling or unsteadiness.

In most cases, investigators attempt to speak with the individual who was arrested for DUI. These individuals may not always be cooperative but may provide additional details that are helpful to the investigation.

Investigators noted this information is important to familiarize themselves with prior to contacting the licensed establishment—it is helpful to have as much information as possible to share with the establishment to inform the case.

Next the investigator contacts the establishment, requests any video footage or receipts that are available, and attempts to interview the server and/or manager. Video is especially useful, as it can help determine if the person was served, and if they were showing signs of intoxication. One investigator said they also check to see if the establishment has any prior license violations or POLD cases, even ones that did not meet the triage criteria, to see if there are any patterns of over-service issues or if it appears to be an isolated incident.

The focus of meeting(s) with the establishment is to identify how over-service is occurring, to identify if it is inattention to how much alcohol is served to customers, a particular employee who over-serves, or if staff are unaware of the impact of alcohol and how to avoid over-serving customers. Investigators aim to correct issues to prevent reoccurrence—most noted that their goal is not to cite or close an establishment, but rather to bring them into compliance and support them in efforts to prevent over-service.

### **Follow-up with Licensed Establishments/Consequences**

Most investigations result in a combination of warnings, training, and recommendations for changes in serving practices. In some cases, a violation may be identified and a written citation and/or fine may be issued. The type of violation depends on the severity of the establishment's practices, establishment history, and the level of over-service. As one investigator said, most of their cases, "have been a written verbal warning so far, again, trying to hammer home the education piece. If it's a bar that's had multiple violations, we may step it up from a verbal to a written warning, or from a written to an actual fine or violation."

Often, the investigator will work with the licensed establishment to identify changes in practice—tracking how many drinks a customer has been served, offering food, or eliminating risky drink offerings or specials than encourage over-consumption. Often, an investigator will work with the establishment staff to provide additional training on signs of intoxication, alcohol

content of various types of products, the impact of alcohol on the body, and tips for cutting off a customer. Many investigators noted they try to be a resource to establishments, to help them avoid future problems. In some cases, an establishment has fired or disciplined a staff member who was identified as the source of over-service.

Most investigators said they see their role as not only enforcement, but to also be a resource to help establishments improve practices and provide information. But they also make clear, “Hey, if you don’t do it, this is what could happen.”

## **What Works Well**

Investigators identified several elements that facilitate the investigation.

*Documenting POLD in the DataMaster is essential:* Collecting POLD data in the DataMaster helps ensure that the information is recorded and makes it part of the arresting officer’s routine for a DUI. The information gets into the system so it can be flagged and referred to DLL in a timely manner.

*Timeliness:* It is essential to be assigned the investigation as soon as possible after the incident, to be able to access any video and while memories are clear. Investigators said many bars only keep video footage for a limited time, so if they are not able to request it within a few days, it may be erased or recorded over. Likewise, timeliness helps with obtaining receipts and interviewing employees and managers.

*Talk to establishments in person:* Investigators noted it is important to go to the establishment and talk to managers and staff in person, face-to-face. This is more effective than trying to call or email, and usually results in obtaining better information.

*Have as much information as possible on the case before meeting with the establishment:* It is helpful to have concrete evidence to share with the licensed establishment when meeting with them the first time. Video showing a patron who was clearly intoxicated or served many drinks in a short space of time demonstrates the severity of the incident.

*Relationships and communication with local law enforcement and state police:* Experience working with local and state police benefits the investigation—they value knowing they can enlist DLL’s help in efforts to reduce drunk driving and address issues with licensed establishments. They also value receiving follow-up information on the status of investigations.

*Training on the DataMaster POLD question, and reminders of its importance:* The DLL investigators conduct training on the POLD DataMaster, which creates the opportunity to explain how that data is used, the type of information that is helpful in the investigation, and how local and state police can work with DLL to address issues at establishments.

*Developing working relationships with the licensed establishments:* Familiarity with licensed establishments facilitates addressing problems when they arise. One investigator described that they went to every licensee in their district when they started, to introduce themselves and explain their role. The investigator said,

*“It’s really good to have a good working relationships with my bars...they’ll text me and email me [to] ask me questions. So anytime I’m doing a DUI investigation for a POLD, they immediately will respond. They’ll be like, yep, I’ll have all that information ready for you, when do you want to meet? And they know already that I want to talk to the bartender who was working that night, the bar back who was working that night, and anyone who was working the door. They already know the criteria of what my expectation is.”*

## **Areas for Improvement**

Investigators identified several areas for improvement.

*Encourage arresting officers to provide as much information as possible and continue educating them on the type of information that is most useful.* The more information the arresting officer can provide, the sooner the investigator can obtain the information and continue the investigation, when memories and evidence may be more available.

*Assign cases as soon as possible:* One investigator said there can be a lag time between the POLD case and when it is assigned, which can create staleness in the investigation or video may already be gone.

*Explore ways to require businesses to retain video footage for a longer period of time:* Some establishments tape over surveillance footage within a few days, meaning that sometimes that footage is gone before the investigator can visit the bar.

*Enhance the content of required server training to include more information on over-service prevention:* Server training is required every two years in Vermont. Training should be improved to include more information on recognizing the signs of intoxication, steps to prevent over-service, how to discontinue service, and what steps a server can take to prevent someone who has consumed too much from driving. This should also include more in-depth information on alcohol content of different types of alcoholic beverages, impact on individuals based on gender and weight, and how it impacts Blood Alcohol Count.

*Improve the data flow in cases that involve fatalities:* It can take time to identify if an incident that resulted in a fatality was connected to a licensed establishment. By the time investigators know a licensed establishment was the place of last drink, evidence may be gone. The state should explore ways to improve collection of POLD related to fatalities.

*Build increased awareness among elected officials:* Most investigators have rarely or never had a POLD investigation that involved interaction with elected officials or community stakeholders. There may be little awareness of POLD investigations in the broader community. There is an opportunity for increased awareness to show the benefits and possibilities of POLD.

### **Expanding POLD beyond DUIs—Implications of Collecting and Investigating POLD for Other Violations**

Investigators are receptive to trying to expand POLD beyond DUI, to crimes such as domestic violence, assaults, and violent crimes. The main challenges identified are the logistics of collecting POLD data on other crimes in a manner that can systematically get that information to liquor investigators and providing necessary investigator resources to support the additional workload. Investigators report that some local law enforcement will report crime incidents related to a licensed establishment to them, so it can be investigated, but there is not a systematic process or procedures for this.

*Data collection of POLD on other crimes:* Several investigators suggested POLD data could be collected similarly to how the POLD question for DUIs is asked in the DataMaster, by adding a field/question to the Valcour system.

*Resources and staffing implications:* While DLL is currently able to manage the workload of investigating POLD for DUI, more investigator capacity would be necessary if additional crimes/violations were added. While agreeing it would be worthwhile, it is also important that any expansion include the necessary resources to support investigation staff.

### **Benefits and Value of POLD Identified by Investigators**

Investigators agree that POLD investigations are valuable and identified several benefits:

- POLD provides the opportunity to address problems that have occurred, and to prevent future issues.
- Establishments are held accountable but also provided information and strategies to prevent over-service in the future.
- Employees learn that preventing over-service is a priority for the business where they work.
- While serving as a resource, investigators also remind establishments that they are expected to maintain standards to safely serve and sell alcoholic beverages, and that their behavior is being monitored.

- POLD cooperation between liquor investigators and local/state police increases areas of cooperation and awareness of how DLL can support their efforts.
- POLD contributes to public safety and provides another tool for addressing drinking and driving.

## Implications

This examination showed that over two-thirds of POLD investigations took less than 10 hours to investigate per case, with over half of POLD cases requiring less than 5 hours to investigate. Only 11% required over 15 hours to investigate. Liquor investigators think investigating POLD cases is important and worthwhile. They do not view the current level of POLD case assignments as burdensome, and say they are able to incorporate them into their workflow. Investigators identify improvements in operations by licensed establishments, noting that most are amenable to taking corrective actions to reduce the likelihood of over-service.

The number of alcohol-involved crimes that occur is substantial. POLD cases currently only focus on DUIs; place of last drink is not systematically collected or investigated for alcohol-involved incidents. Thus, many criminal incidents that may have a connection to over-service at a licensed establishment are not detected or investigated. Just as drunk driving increases the risk of injury or death, alcohol-involved violence also leads to injury and potentially death in Vermont communities. If POLD investigations required similar amounts of time for these incidents as they currently do for DUIs, it might require as much as 542 hours of additional investigator time each month.

Several things should be considered as Vermont explores expanding POLD investigations to additional alcohol-involved incidents. They include:

1. *How can the state systematically and feasibly collect POLD data.* Careful consideration is needed to identify how POLD data can be collected and investigated.
2. *Is it possible to collect POLD through the Valcour system, and what related costs would need to be considered?* Some investigators suggested a POLD question could be added to the Valcour system. There may be other implications of making such a change, such as the cost and ease to change the system, needed training, how to ensure the POLD question is connected only to the identified incidents, and the reliability of collecting POLD data this way.
3. *Would investigating other alcohol-involved incidents require a similar amount of time as current DUI investigations?* Investigating assaults, domestic violence, and other alcohol-involved incidents may take more or less time than investigations of DUI POLD incidents. If the state moves forward, small scale pilots to investigate the amount of time



and resources necessary to investigate other crime should be explored, to ensure sufficient resources are allocated.

4. *Does the state have the resources to expand staffing capacity to investigate more types of incidents?* Adding more types of cases to the POLD workload will require additional staffing and resources. (Or alternatively, some current effort the Division undertakes would need to be reduced or cut, which may be undesirable.) Are resources available, and would decision-makers agree that the return on investment of expending the additional resources is worthwhile?
5. *Is it feasible and do local law enforcement agencies have the resources and staffing capacity necessary to collect POLD data?* This study estimated additional hours needed to conduct POLD investigations by liquor investigators. Any costs related to expanding tasks to local law enforcement agencies to collect and document POLD and cooperate with liquor investigations should be examined to ensure an expansion is sufficiently resourced throughout all departments.
6. *Which additional incidents should be prioritized?* There are many alcohol-involved incidents. Careful thought should be put into deciding which incidents would be added to the POLD protocol, and to be clear throughout all agencies which ones should be documented.
7. *What criteria should be used to determine when an alcohol-involved incident is investigated?* The state has clear criteria for when a DUI case is classified as a POLD investigation. It must meet one of three criteria: 1) driver has a BAC of 0.18 or over; 2) a crash is involved, or 3) a minor is involved. This criteria prioritizes more severe cases in which it is reasonable that a server would recognize signs of intoxication and not serve the person. A similar set of criteria should be developed for any new types of crimes added to POLD investigations.
8. *Which stakeholders need to be part of decision-making?* It will be useful to involve investigators, local law enforcement, Valcour technicians, and other stakeholders in discussions about planning and implementation of any additions, and to continue to obtain their feedback during implementation, to ensure decisions are well-informed and to obtain buy-in from those who will be responsible for making the expansion workable.

## Conclusion

Vermont DLL has developed a strong process for identifying and investigating POLD incidents for DUIs. DLL investigators feel investigating licensed establishments that are identified as a POLD is important and valuable work. They also find investigating POLD cases is manageable and that they can be incorporated into their current workload. The average time required to



investigate a POLD case during the March 2024 examination was 2.6 hours; during the earlier pilot period it was 6.7 hours. Based on these averages, expanding POLD investigations to include violent alcohol-involved incidents could require an additional 210.6 to 542.7 hours per month to DLL's investigative capacity. There may be additional costs and resources required for modifying incident reporting systems and for local law enforcement officer time, as well as training. Based on the positive experience DLL has had with its current POLD implementation process, it may be worthwhile to explore expansion of POLD to alcohol-involved violent incidents.

# APPENDIX

Table of ALL crime categories (Jan through April, 2024)

Call Types	JAN	FEB	MAR	APR	TOTAL
911	4	4	8	11	27
Abandoned	0	1	0	0	1
Accident	11	9	9	9	38
Agency	13	18	21	26	78
Aggravated	1	1	0	0	2
Alcohol	9	5	1	8	23
Animal	1	0	1	0	2
Arrest	1	3	4	6	14
Arson	1	0	1	0	2
Assault	25	12	16	20	73
Assist	41	40	40	43	164
Attempt to Locate	1	0	0	0	1
Bar Checks	0	0	1	0	1
Burglary	1	0	2	0	3
Cancelled	0	0	1	0	1
Careless	0	0	1	0	1
Child	0	0	2	1	3
Citizen Assist	7	9	12	7	35
Citizen Dispute	14	23	16	21	74
CNU	0	0	1	0	1
Communications	1	0	0	0	1
Compliance	0	1	0	0	1
Condition of Release Violation	1	4	4	4	13
Court Order Violation - TRO/FRO/Other	0	1	0	0	1
Crash	27	30	30	35	122
Criminal	0	0	1	0	1
Custodial	0	1	1	0	2
DataMaster	0	0	0	1	1
Death	6	3	6	2	17
Departmental Operation	0	0	1	0	1
Directed Patrol	0	2	1	4	7
Disabled	0	2	0	2	4
Disorderly	7	13	13	6	39
Disturbance	19	17	30	23	89
DLS	3	0	1	1	5
Domestic	17	22	21	36	96
Drugs	0	1	1	0	2
DUI	60	72	68	61	261
Eluding	2	1	3	1	7

Encampment	0	0	0	1	1
ERU	0	0	1	0	1
Excessive	0	1	1	0	2
FALSE	1	0	0	0	1
Family Fight/Domestic	38	40	24	29	131
Field	2	0	1	1	4
Fire	0	1	1	0	2
Fish	0	0	3	2	5
Footpatrol	0	1	1	0	2
Found	1	0	1	0	2
Fugitive	2	0	0	1	3
GHSP	0	1	0	0	1
Hazing	0	0	1	0	1
Information	1	1	2	0	4
Inspection - MCSAP Level 1-6	0	1	1	0	2
Intoxicated	6	15	18	20	59
Intoxication	18	31	27	31	107
Juvenile	5	4	4	4	17
Kidnapping	1	0	0	1	2
Larceny	2	1	8	3	14
Lewd	1	1	1	0	3
Liquor License Violation	3	3	2	5	13
Litter	1	0	0	0	1
Loitering	0	0	0	1	1
Medical	10	13	16	23	62
Mental	23	16	24	17	80
Minor	0	1	1	0	2
Missing	2	0	1	1	4
Motor	12	11	15	20	58
Municipal Ordinance Violation	0	0	0	1	1
Noise	9	6	6	12	33
Ordinance Violation - Drinking in Public	0	0	0	0	0
Ordinance	2	2	4	5	13
Overdose	1	1	0	1	3
Parking	0	0	1	0	1
PMB 1	0	1	0	0	1
<b>POLD</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>3</b>	<b>18</b>
Police	0	0	0	1	1
Policy	0	0	1	0	1
Property	0	1	0	0	1
Public General Request	0	0	0	1	1
Public Speaking	0	0	0	1	1
Restraining	1	0	2	1	4

Retail Theft	7	7	2	6	22
Robbery	0	0	1	0	1
Runaway	0	0	0	2	2
Sale	1	0	0	0	1
Search	0	1	0	0	1
Service	4	3	4	0	11
Sex Offense	1	3	1	2	7
Sexual Assault	1	5	4	2	12
Simple Assault	0	0	1	1	2
Snowmobile	0	2	0	0	2
Social	0	0	1	0	1
Stolen	0	0	0	1	1
Suicide	2	2	2	1	7
Suspicious	44	39	40	59	182
TCNR	1	0	1	0	2
Theft	3	1	2	4	10
Threatening	6	7	5	0	18
Threats	1	7	4	5	17
Total Abstinence Post-Investigation	0	0	1	0	1
Traffic	40	56	52	39	187
Transport	2	2	1	3	8
Trespass	15	15	20	17	67
TRO	1	2	4	0	7
Unlawful Restraint	0	0	1	0	1
Untimely Death	1	0	1	1	3
Vandalism	1	2	4	3	10
VOCR	1	0	0	0	1
Wanted Person	3	3	5	2	13
Weapon	1	0	0	1	2
Welfare Check	32	6	25	24	87
Violation Conditions of Release	5	3	3	10	21
<b>Total</b>	<b>592</b>	<b>618</b>	<b>678</b>	<b>697</b>	<b>2585</b>