



Brattleboro, Vermont

A Case Study in Responsible Retailing

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In 2011, the Vermont Department of Liquor Control (DLC) and the Responsible Retailing Forum (RRForum) launched an innovative project in the town of Brattleboro to achieve greater compliance with the state's underage alcohol sales laws and regulations.

RRForum, a national non-profit organization that develops and field tests underage sales prevention programs, collaborated with us in order to test a new model for promoting responsible retailing and underwrote the project. This project also gave the DLC an opportunity to engage with new community partners.

We selected Brattleboro – located very close to the borders of Massachusetts and New Hampshire and with a population of approximately 12,000 – to be the study site. Brattleboro has more than 29 locations that sell alcoholic beverages for off-premises consumption and approximately 46 on-premises serving establishments.

Vermont's DLC investigators have conducted tobacco and alcohol compliance checks since the mid-1990s. DLC's compliance checks involve sending in underage buyers who attempt to purchase alcohol or tobacco. If that attempt is successful, then both the person making the sale and the licensee are sanctioned by the State Liquor Control Board. In Brattleboro, compliance rates for refusing underage alcohol sales had been relatively high but remained stagnant for many years

RRForum has developed a program that provides licensees with responsible retailing resources (e.g., a self-assessment tool, "best practices" documents for on- and off-premises licensees, a store-specific alcohol policy, materials on how to work with staff effectively) and employs "mystery shoppers" to give the retailers ongoing feedback on staff ID-checking.

The mystery shops are performed by legal-age persons who are young enough to trigger the licensee's ID-checking policy, which generally calls for anyone who appears to be younger than 30 years

to be carded. If the server or seller asks for identification, then the mystery shopper hands the employee a Green Card (“Pass”) that congratulates the clerk or server for correctly checking ID. If the employee takes steps to sell or serve alcohol without first examining an ID, then the mystery shopper gives the employee a Red Card (“Fail”) that cites the lapse in age verification. Note that because the mystery shopper is 21 or older, there is no violation or legal exposure for the staff, the establishment, or the mystery shopper. The owner or manager receives a report from RRForum regarding whether the outlet passed or failed, plus additional material designed to educate and motivate the staff to do a better job.

The Brattleboro project gave the Vermont DLC the opportunity to test whether alcohol industry and community stakeholders could be brought together into the same project. Our steering committee—with representatives from public health and law enforcement, a beer manufacturer, a wholesale distributor, and eventually the retailers themselves—involved a diverse group with varying priorities and perspectives. These stakeholders had not worked together previously, but Vermont DLC was committed to helping them realize that, when it came to preventing the illegal sale of alcohol to minors, they shared the same goals and could work in partnership.

Initially, we sent a letter to 50 Brattleboro-area licensees inviting them to participate in the program, but only three responded favorably. Learning this, Jerry Couture from Baker Distributing (MillerCoors) explained that, because the owners and managers are extremely busy, a mailed letter was unlikely to get their attention. Instead, he said, each retailer needed to be visited in person.

The regional sales representative for Baker Distributing and I teamed up to visit the owners and managers individually. The sales rep visited the retailers each week, while my presence as a liquor control investigator underscored the program’s importance.

We kept the meetings short and provided a snapshot overview of what would be expected of them if they participated in the program, what they could expect to achieve, and how much their participation would cost—in this case \$0. In May 2012, we went to 22 establishments, and in July we visited an additional 26. Every owner or manager agreed to sign up. At the end of 2013, out of the 48 establishments that were visited, 44 establishments participated in the program, two were closed for business, one did not receive corporate approval, and other one was licensed but not yet serving alcohol.

The personal contact was key, but also keep in mind that it was highly unusual for liquor control investigators and a beer wholesaler to work hand-in-hand on a project, which the retailers found to be surprising but also intriguing. Several times when we walked into an establishment together, the owner or manager would look me and then at the sales rep and say, “What are you two doing together?” Once the licensees learned about the program, all were strongly in favor.

It is important to note that neither the steering committee nor the State Liquor Control Board ever found out who passed and who failed a mystery shop. Instead, RRForum distributed a community-level report with aggregated mystery shop results. In this way, the retailers got feedback on whether their establishment would be likely to pass or fail a law enforcement compliance check, but without being fined or subject to other penalties. At the same time, the quarterly reports let the steering committee know how well the program was working.

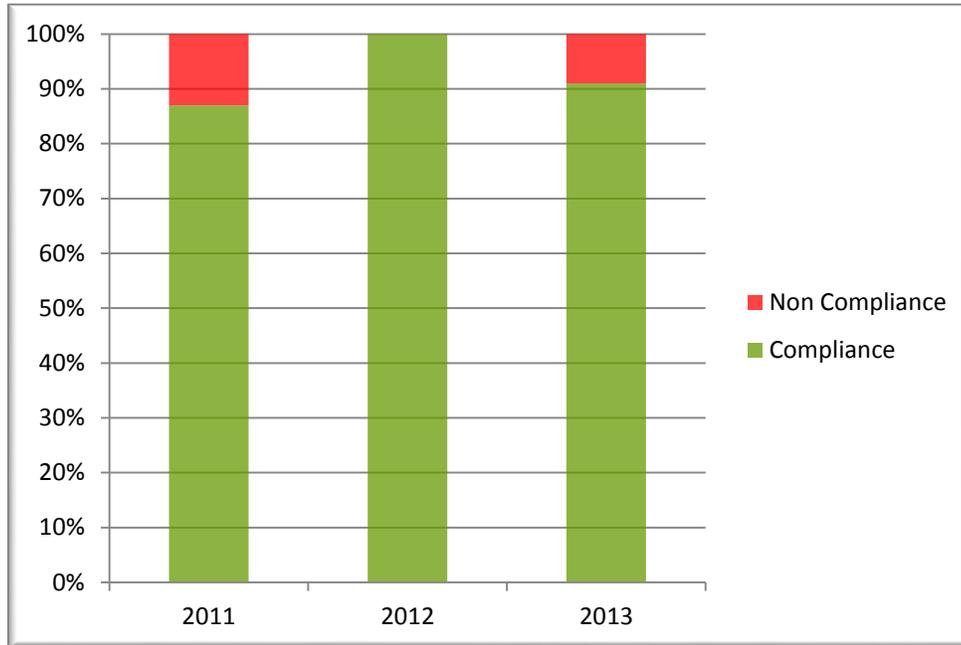
Here are the results. As shown in the figure below, the long-term results of those mystery shops revealed about an 80% pass rate over a 12-month period, with some quarter to quarter variation.



During this time the Vermont DLC continued to conduct law enforcement compliance checks. As shown in the next figure, prior to the program, the law enforcement compliance rate was at 87%, which was consistent with prior years. After the program commenced, the compliance rate went up to 100% and stayed at that level until the mystery shops were discontinued, after which the compliance rate

stabilized at 91%. These results not only demonstrate the benefits of the program, but also the importance of maintaining the mystery shops longer term.

Enforcement Compliance Checks



The mystery shops were viewed by licensees as an opportunity to find out whether their staff were carding customers of questionable age as required by law. Then, based on the mystery shop results, the licensee owner or manager could take the steps necessary to ensure they were checking ID and following the law before another state law enforcement compliance check was conducted.

With the prevention community so intimately involved, our coalition was able to make certain that the “best practices” for responsible retailing are an integral part of Brattleboro’s alcohol licensing requirements. For their part, the alcohol retailers know they are part of an important community effort, with the beer industry, state regulators, local law enforcement, and public health officials, as well as their competitors, now supporting their ongoing commitment to sell alcoholic beverages responsibly.