

Preventing Excessive Alcohol Consumption: Overservice Law Enforcement Initiatives

Task Force Finding and Rationale Statement

Intervention Definition

Overservice law enforcement initiatives are proactive community efforts to increase the enforcement of laws that prohibit the service of alcoholic beverages to intoxicated customers in alcohol outlets. Alcohol Beverage Control personnel or plainclothes or uniformed police carry out enforcement, which may include fines or licensing actions.

Overservice law enforcement initiatives often involve two more components. The first is to notify alcohol beverage outlets of enforcement plans in order to foster the awareness essential for effective deterrence. The second is to provide information or training to help outlet managers and staff comply with overservice laws by learning how to better recognize intoxicated customers and by providing strategies to prevent overservice. Because overservice laws are not actively enforced in many communities, overservice law enforcement initiatives often involve increases in enforcement from low baseline levels.

Not all U.S. states provide definitions of intoxication in their overservice regulations, and the definitions in use are inconsistent. Law enforcement officers and servers may recognize patron intoxication by tracking the number of alcoholic beverages served or by looking for physiological and behavioral characteristics that become more apparent as alcohol consumption increases (e.g., bloodshot eyes, flushed face, slurred speech, lack of balance and coordination).

Task Force Finding (March 2010)

The Community Preventive Services Task Force concludes there is insufficient evidence to determine the effectiveness of overservice law enforcement initiatives as a means to reduce excessive alcohol consumption and alcohol-related harms, because of the small number of available studies and inconsistent findings.

Rationale

The Task Force finding is based on the availability of only two published studies of proactive overservice enforcement. Both of these studies compared the effects of increased and proactive enforcement of overservice laws in one region to comparison regions in which enforcement practices were unchanged. Both studies assessed the effect of enhanced enforcement on the likelihood that pseudo-intoxicated pseudo-patrons would be served in on-premise retail alcohol outlets; and on DUI arrests linked to study outlets as a place where the arrestee had recently consumed alcohol. One study found substantial benefits of the overservice enforcement initiative on all of the outcomes assessed; the second study, which had extremely small sample sizes, found inconsistent and statistically nonsignificant results between outcomes assessing overservice and those assessing DUI.

Although the enforcement of laws prohibiting alcohol overservice is a time-consuming task for law enforcement agencies, if effective, it has the potential to be a cost-effective way to reduce problems related to excessive alcohol consumption that directly affect the workload of law enforcement personnel, for example in domestic violence and alcohol-impaired driving. For example, researchers have found that more than half of persons who drive after binge drinking had consumed their alcohol in a bar, restaurant or club. Enforcement of overservice laws has the potential to reduce the harms from this behavior.

Apart from the resource requirements for implementing enhanced enforcement programs, no harms were identified in the literature or by the review team. One potential benefit beyond those due to any effects on excessive alcohol consumption involves the effects of “community policing” on vandalism and other unwanted behaviors in and around drinking establishments. Improving the enforcement of overservice laws could also help create an environment that supports responsible beverage service by not placing law-abiding retailers at an economic disadvantage.

Further research is needed to evaluate the effectiveness of initiatives to enhance enforcement of overservice laws, to test new methods for conducting enforcement activities, and to assess the cost-effectiveness of this intervention for reducing excessive alcohol consumption and related harms.

Publications

Rammohan V, Hahn RA, Elder R, Brewer R, Fielding J, Naimi TS, Toomey TL, Chattopadhyay SK, Zometa C, Task Force on Community Preventive Services. Effects of dram shop liability and enhanced overservice law enforcement initiatives on excessive alcohol consumption and related harms: two Community Guide systematic reviews. *Am J Prev Med* 2011;41(3):334-43.

Task Force on Community Preventive Services. Recommendations on dram shop liability and overservice law enforcement initiatives to prevent excessive alcohol consumption and related harms. *Am J Prev Med* 2011;41(3):344-6.

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