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# Moving Forward: Policies and Strategies to Prevent and Reduce Excessive Alcohol Use in Wisconsin



## Analysis and Recommendations for Addressing and Reducing Excessive Alcohol Use in Wisconsin

**DECEMBER 2021**

Wisconsin State Council on Alcohol and Other Drug Abuse  
Prevention Committee  
Alcohol Prevention Ad-Hoc Workgroup



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State Council on Alcohol and Other Drug Abuse  
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## Charge to the Alcohol Prevention Ad-Hoc Workgroup

Excessive alcohol use remains a significant threat to the health, safety, and prosperity of Wisconsin's residents. Despite decreases in underage drinking, Wisconsin's rate of underage drinking remains above the national average. Early alcohol use creates a vulnerability to later opiate misuse and dependence among our children, a risk that should trouble all residents. Unhealthy and dangerous drinking among Wisconsin's adult population remains disturbingly high. Recent research suggests that even moderate alcohol use among the elderly carries more health and safety consequences than previously known. Given the broad scope of alcohol-related concerns in Wisconsin, this is a public health and safety concern that must be addressed at the population level.

There is a need for effective individual and population level interventions that can be implemented throughout Wisconsin. Since the 2010 release of the State Council on Alcohol and Other Drug Abuse's (SCAODA) report on *Alcohol, Culture and Environment*, municipal interest and experience in implementing evidence-informed policies and practices that reduce alcohol misuse has increased dramatically. In the intervening decade, research into effective policies and practices has refined earlier options and suggested new interventions and policies. In addition, the increasing range of retailing options and alcohol products creates issues unanticipated by current statutes.

Across Wisconsin, communities are working to meet the three alcohol-related objectives in *Healthy Wisconsin*; 1) reducing underage drinking, 2) reducing heavy and binge drinking among adults and, 3) reducing alcohol-related deaths. These three goals will improve the quality of life in Wisconsin and can reduce the financial burden excessive alcohol consumption places on municipalities responsible for emergency services and law enforcement.

Accordingly, the Alcohol Prevention Ad Hoc Committee will review and recommend evidence-based and evidence-informed alcohol policies that support the objectives and strategies listed in *Healthy Wisconsin* and can be effectively implemented under Wisconsin's alcohol policy framework.

The Ad Hoc Committee will:

- ❖ Identify barriers that slow progress towards the alcohol objectives in *Healthy Wisconsin*.
- ❖ Identify gaps in Chapter 125 statutory language that limit or prevent effective alcohol regulation.
- ❖ Identify the groups, organizations and professions that have roles in the adoption and implementation of identified strategies.
- ❖ Identify under-recognized alcohol-related health issues and the appropriate agency, organization, or profession best able to fill those gaps.
- ❖ Identify gaps in data collection that limit the ability of law enforcement, health care providers and educators to identify and implement effective policy or program options.
- ❖ Consider how all levels of government can support individuals in addiction recovery in their communities.



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*\*Workgroup members and staff listed were contributors to this report. Individual recommendations in this report are not necessarily endorsed by the committee members, staff, or their employers.*



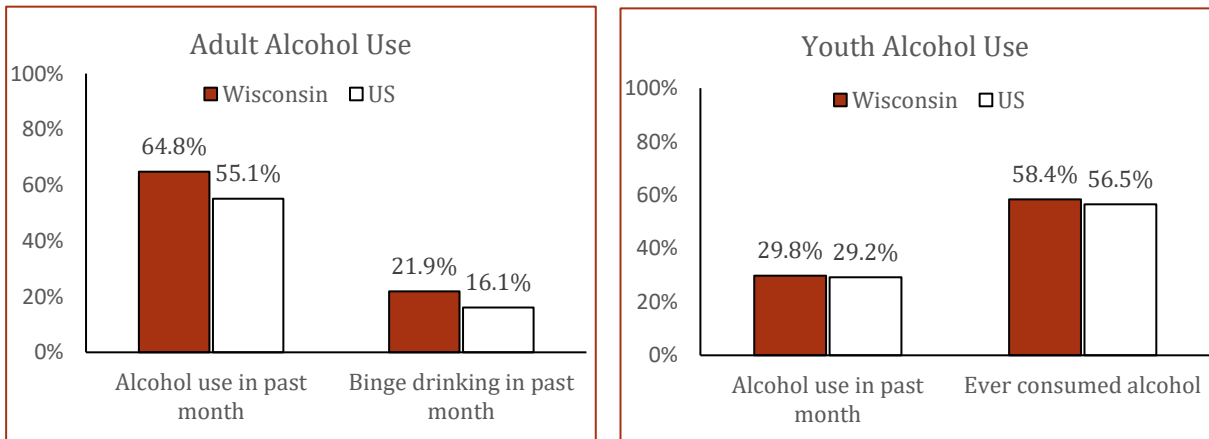
## Background

The State Council on Alcohol and Other Drug Abuse’s 2010 report on *Alcohol, Culture, and Environment* created statewide interest and action towards reducing excessive alcohol use in Wisconsin through evidence-based and evidence-informed practices. Since 2010, Wisconsin has seen improvements in youth drinking behaviors that are comparable to the national trends. Between 2011 and 2019, the number of Wisconsin youth who had ever consumed alcohol decreased. In addition, the number of Wisconsin youth who consumed alcohol in the past month prior to answering the survey decreased by 24%. Wisconsin has also seen improvements in adult awareness about binge drinking; between 2013 and 2018, awareness of great risk of harm from weekly binge drinking increased 11%. Yet, this remains lower than the national average and behaviors of alcohol use and binge drinking by Wisconsin adults did not change significantly during 2013-2018. Alcohol-attributable deaths in Wisconsin have also increased 30% over the same period of time, and increased another 18% in 2020 during the Covid-19 pandemic. (Wisconsin Department of Health Services [WI DHS], 2019)

Healthiest Wisconsin 2020, the community-driven Wisconsin State Health Plan, designated alcohol as one of the five priority health issues that Wisconsin communities need to continue to address due to high rates of use (WI DHS, 2019). The use of alcohol by Wisconsin adults and youth (ages 12-18) consistently remains higher than the national average. According to WI DHS’ data dashboards, in 2019:

- ❖ 64.4% of adults in Wisconsin indicate they used alcohol in the past month compared to 55.1% of adults in the United States (US).
- ❖ 21.9% of adults in Wisconsin indicate binge drinking in the past month compared to 16.1% of adults in the US.
- ❖ 58.4% of youth in Wisconsin indicate they have ever consumed alcohol compared to 56.5% of youth in the US. 29.8% of youth in Wisconsin indicate they have used alcohol in the past month compared to 29.2% of youth in the US. That means that over approximately 150,000 high school students in Wisconsin had used alcohol in the past month.

**Figure 1. Adult and Youth Alcohol Use in Wisconsin and the United States, 2019**



Source: WI DHS Alcohol Adult Consumption Module and WI DHS Alcohol Youth Consumption Module. Available at <https://www.dhs.wisconsin.gov/alcohol/index.htm>. Accessed on 9/15/2021.

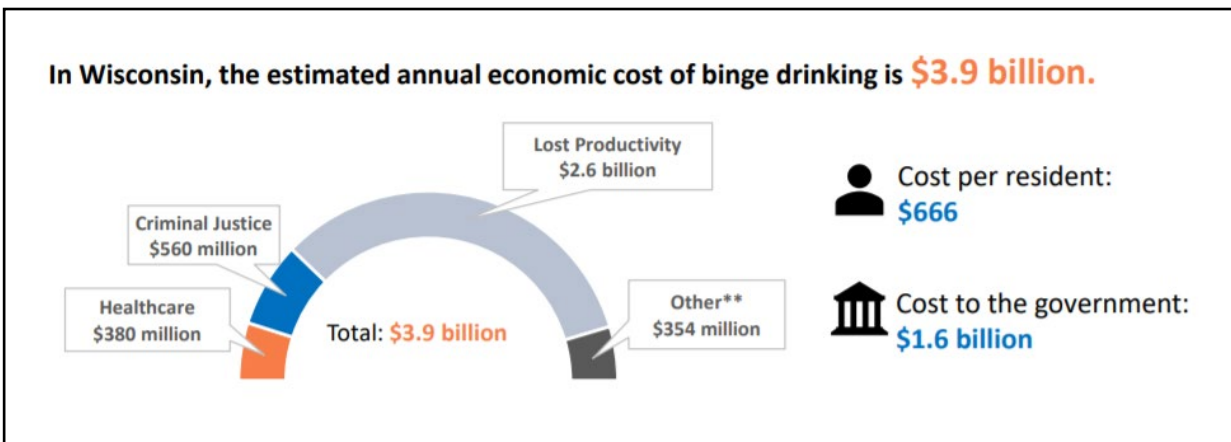


The high prevalence of unhealthy drinking behaviors negatively impacts individual disease and death. The most recent data in Wisconsin show that:

- ❖ Estimated deaths attributed to alcohol have increased each year since 2014. Most recently in 2020, there were an estimated 3,099 deaths attributed to alcohol (WI DHS).
- ❖ There were 36,925 emergency room visits in 2019 due to chronic alcohol use conditions (WI DHS).
- ❖ Alcohol is the most commonly found substance among suicide deaths between 2014-2017 (Prevent Suicide Wisconsin, 2020).
- ❖ Alcohol was the most common substance for individuals seeking substance use services in 2020. About 12,095 (46.9%) of individuals were served for alcohol related services (WI DHS).
- ❖ Drinking alcohol can increase a person’s risk for at least seven types of cancer and Wisconsin is above the national average of cases for three of them, including mouth and throat, larynx, and esophagus cancer (American Cancer Society, 2016).

In addition to individual burden, we know that the collective costs of health care, criminal justice involvement, lost productivity, and other factors due to excessive alcohol use create a large economic burden. Excessive alcohol use, which includes binge drinking, heavy drinking, and alcohol consumption by pregnant women and those under 21, is responsible for \$249 billion in economic costs (Sacks, Gonzales, Bouchery, Tomedi & Brewer, 2015). In Wisconsin, binge drinking specifically accounts for about 76% of the economic cost of excessive alcohol consumption. The graphic below shows how the estimated costs for binge drinking add up for Wisconsin’s residents and the government (Linnan, Paltzer & Skalitzky, 2019).

**Figure 2. Economic Costs of Binge Drinking in Wisconsin**



Source: The Burden of Binge Drinking in Wisconsin. Available at: <https://uwphi.pophealth.wisc.edu/publications-2/evaluation-reports-2/burden-of-binge-drinking/>. Accessed on 9/15/2021.

Alcohol remains a significant threat to the health, safety, and prosperity of individuals, communities, and society as a whole. Local governments, state agencies, organizations, and businesses have a role in preventing unhealthy alcohol use by enacting population-level changes to make Wisconsin a healthier place for all.





## Using This Report

This report is designed to help the user find how they can be impactful regarding Wisconsin's alcohol environment in order to create a safe and healthier Wisconsin for all. The intent is the recommendations provided in this report will be used in your community, with coalitions looking to reduce harm of excessive use of alcohol; with healthcare systems, and providers; with municipalities, counties, and state government officials; and with decision makers and lawmakers of all types and levels of government so they all can make informed decisions to create safer and healthier communities.

The 61 recommendations in this report are listed under the organizations that should consider the recommendation. When a recommendation should be considered by multiple implementing organizations, the recommendation will appear in all appropriate sections and will have a note indicating where it is cross-listed. The report includes recommendations for the following implementing organizations:

1. **Local Government** (Counties; Tribes; Municipalities including Cities, Villages, and Towns; and their various departments, such as law enforcement, etc.)
2. **State Government and State Agencies**
3. **Civic, Community, Educational and Religious Organizations**
4. **Healthcare Systems and Providers**
5. **Alcohol Industry**

Each recommendation will also have a listed purpose. The purposes describe the methods in which the recommendation seeks to change the environment. Some recommendations will have multiple purposes listed. The purposes are defined below:

1. **Modify the drinking environment** - Recommendations focused on reducing the acceptability of underage, heavy and binge drinking
2. **Increase cost of alcohol** - Recommendations focused on the true cost of excessive alcohol use as well as evidenced-based recommendations that will also reduce youth consumption as well as reducing heavy and binge drinking.
3. **Reduce promotion of alcohol to youth** - Recommendations are focused on limiting attractiveness and advertising of alcohol to reduce excess consumption.
4. **Reduce availability of alcohol** - Recommendations are focused on reducing availability of alcohol to reduce consumption.
5. **Support evidence-based alcohol education** - Recommendations include evidenced-based policy and programming for educators and staff, k-12 education, school districts, higher education, and community groups especially for youth and parents.
6. **Engage in preventive health care** - Recommendations are focused on reversing alcohol-related disease and death trends.
7. **Enact laws and regulations** - Recommendations are focused on filling voids in the current alcohol regulatory system.
8. **Monitor and evaluate** - Recommendations are focused on improving data collection systems.

If you have questions about any of these recommendations, please contact: Maureen Busalacchi, [mbusalacchi@mcw.edu](mailto:mbusalacchi@mcw.edu).



## Executive Summary

The goal of this report is to provide evidence-based research regarding policies to keep the health, safety, and prosperity of Wisconsin's residents in good stead. Unhealthy and dangerous drinking among Wisconsin's adult population remains disturbingly high. These actions create an environment that too often, our children and youth will model. It is critical we all work towards providing a safer environment for our families, friends, and neighbors. This is a public health and safety concern that must be addressed at the population level in order to create healthy and safe communities for all.

Wisconsin's alcohol policy framework is framed around local control, though every level of government plays a role in how alcohol is made, distributed, sold and where it may be consumed in public. Wisconsin's framework of policies in some communities has not been effective enough to create safer roads, downtowns, or neighborhoods. The more we know how evidence-based policies create better environments, the better Wisconsin can do as a whole to reduce the number of rankings that find Wisconsin on the wrong end of the scale (Bentley, 2021; Stebbins, 2021). Some aspects of Wisconsin's approach to alcohol regulation has had the unintended consequence of encouraging excessive alcohol consumption. However, we can change this trend by adopting policies and practices in our community that do not contribute to alcohol environments that encourage vast overuse of alcohol. Localities everywhere in our state are working to develop economic growth; but success for every business does not necessarily include a license to sell alcohol (Centers of Disease and Control, 2019). Additional locations selling or serving alcohol can mean private profit at a social cost that inherently increases the tax levies in our local and state governments due to the damage done by overconsumption of alcohol for our employers, hospitals and clinics, law enforcement, and criminal justice system. It also increases violence in public and private homes (Linnan, Paltzer & Skalizky, 2019). Many Wisconsin communities are creating safer, healthier communities by implementing policies and practices that reduce excessive alcohol consumption. By doing, they are ensuring that families, friends and neighbors can have fun and be safe while still having opportunities to enjoy alcohol socially and have their communities thrive.

Treatment for alcohol use disorders is not addressed in this report. This report contains recommendations relating to identifying and addressing alcohol misuse before alcohol use disorders come into play or before behavioral and or medical interventions are needed. With nearly one-quarter of Wisconsin's adult population meeting the federal definition of binge drinking weekly, improving the alcohol environment is important not only for adults, but for our children who grow up in this environment of overconsumption. It will improve their health, safety, and well-being.

The bottom line is that this report recommends the strategies that have been found to work in Wisconsin, across the country and even in other parts of the world. While all recommendations have a place in reducing the burden of excessive alcohol use, the key recommendations are:

- ❖ Raising the price of alcohol (reduce youth consumption and binge, heavy drinkers);
- ❖ Reducing density of alcohol outlets;
- ❖ Alcohol Compliance checks to ensure outlets aren't selling to children;
- ❖ Place of Last Drink (POLD) to help communities understand where excessive alcohol drinking is happening within their communities; and
- ❖ Screenings and brief interventions as evidence shows it can help reduce those who are binge drinking and also those who should be referred to treatment.





The Alcohol Prevention Ad-Hoc Workgroup would like to thank the following individuals and organizations for their assistance, guidance, and expertise in developing these recommendations:

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## Local Government

The main responsibility for alcohol licensure and control falls on local governments in Wisconsin. Local governments can improve the alcohol environment through adoption and implementation of evidence based practices. This report recommends these specific changes in municipal policy that are proven to reduce excessive alcohol use including binge drinking, heavy drinking, and underage drinking. The definition of local government includes municipalities, counties, and tribes. For the purpose of alcohol beverage regulation, the Wisconsin Statutes define a municipality as “a city, village, or town.” Municipalities may license and regulate retail alcohol beverage sales. Only a municipality (city, village, or town) may grant an alcohol license. Counties do not have any power to grant alcohol licenses. Tribes may impose licensing requirements, but any alcohol beverage retailer operating on tribal land and selling to nonmembers must also be licensed by the applicable municipality. Municipalities, counties, and tribes may enact local laws (e.g. ordinances) for public safety purposes, and may enforce their laws within their boundaries against people who violate them.

### **Recommendation 1: Map alcohol outlet density.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol; Monitor and evaluate*

Wisconsin has an excessive number of locations that sell and serve alcohol contributing to Wisconsin’s high rate of heavy and binge drinking. Wisconsin is the only state where the excessive drinking rate in every county exceeds the national average. The combination of readily available low-cost alcohol has unintentionally created circumstances that enable underage drinking, excessive consumption with the injuries, violence, disease and death that follow.

For years, municipal leaders operated under the now disproven belief that increasing the number of locations that sold or served alcohol would benefit the community. Within the last decade it has become clear that clusters and areas with an overconcentration of alcohol outlets increase the likelihood of alcohol related disorder and crime even when all the licensees are obeying the law. The Centers for Disease Control and Prevention recommend limiting alcohol outlet density to reduce and prevent alcohol-related problems.

Every Wisconsin community should map alcohol outlet locations, then working with law enforcement, public health and local leaders determine which areas of the community have too many alcohol outlets and which areas have developing clusters. Municipalities should use the Centers for Disease Control and Prevention’s methods that reveal outlet clusters simply and economically. Community leaders should consider enacting a moratorium on new alcohol outlets in areas with significant clusters and revise their alcohol licensing process to reduce the stress on these communities.

Given the research on alcohol outlet density and its relationship to alcohol-related disorder, crime, the number of adverse childhood experiences, and binge drinking, Wisconsin should suspend further increases in the permitted number of “Class B” licenses a municipality is allowed to issue based on population growth alone.

Alcohol outlet mapping has exposed equity issues in many communities. Related research has indicated that alcohol outlet location and even the products stocked in different branches of the



### **Local Government (continued)**

same store vary with the ethnic, racial and economic makeup of each area. Municipal leaders can address these concerns with careful mapping to ameliorate clusters and thoughtful alcohol license conditions prior to licensing to include concerns about products and their marketing.

*\*Cross-listed in: State Government and State Agencies (Recommendation 1)*

#### **Recommendation 2: Municipalities work with post-secondary schools.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should work collaboratively with local post-secondary schools to limit the number of alcohol outlets near campuses, provide care for dangerously intoxicated individuals and take steps to reduce alcohol-related harassment of marginalized racial, ethnic and other minority groups.

*\*Cross-listed in: Civic, Community, Educational, and Religious Organizations (Recommendation 1)*

#### **Recommendation 3: Universities and colleges work with the local government.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol*

Because alcohol licensing is a municipal issue in Wisconsin, the leaders of Wisconsin's colleges and Universities should commit to working with local governments to limit the number of alcohol outlets near campus and enforce the minimum legal drinking age. Joint campus-community efforts to fund and deploy evidence-informed and evidence-based interventions including regular alcohol age compliance checks are both effective and sustainable.

*\*Cross-listed in: Civic, Community, Educational, and Religious Organizations (Recommendation 2)*

#### **Recommendation 4: Compile and utilize place of last drink (POLD) data.**

*Lead implementing organizations: Counties, Municipalities (cities, villages and towns); Law Enforcement*

*Purpose: Reduce availability of alcohol; Monitor and evaluate*

In the absence of a state coordinated Place of Last Drink (POLD) initiative, law enforcement agencies should regionally collaborate, with support from prevention professionals (public health, human services, and/or community coalitions) to compile and utilize POLD data. Place of Last Drink information is a valuable tool enabling law enforcement to monitor overserving by local licensees and work with those licensees to identify and remediate issues that may contribute to overserving. Originally compiled from OWI/DUI reports although expanded to include all arrests in some jurisdictions outside of Wisconsin, compiling POLD data provides useful information on licensees, their selling or serving policy and the proportion of police calls that are alcohol related. While most effective when compiled at the regional level, even small municipalities can benefit from compiling this data.



### ***Local Government (continued)***

#### **Recommendation 5: Fund, train, and conduct Minimum Legal Drinking Age compliance checks.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns); Police Departments; Sheriff's Office*

*Purpose: Reduce availability of alcohol; Monitor and evaluate*

Wisconsin's rate of underage drinking is perennially above the national average. Medical research has revealed the serious long-term consequences of underage drinking including, higher rates of alcohol and other drug use throughout life, the causal relationship of alcohol consumption to seven different cancers and the possibly permanent loss of cognitive and analytical ability. In addition, alcohol use among youth is a significant factor in accidental injuries, drownings, sexual assault and gun violence.

To combat underage drinking by reducing youth access to alcohol, Wisconsin should designate the Department of Justice, Bureau of Training and Standards as the lead agency for enforcement of Minimum Legal Drinking Age (MLDA) establishing clear lines of authority and accountability in future efforts to reduce the illegal sale or provision of alcohol to underage youth. The biennial budget for the Wisconsin Department of Justice should include sufficient annual GPR funding for alcohol age compliance checks conducted by a certified law enforcement agency with citations issued for failures to comply. These funds must be administered by a certified law enforcement agency, with regional and multi-jurisdictional efforts encouraged.

Unlike many other states, Wisconsin does not provide any state funding for alcohol age compliance checks to reduce youth access to alcohol. The failure of that policy is clear, Wisconsin is the only state in the nation where every county has an excessive drinking rate higher than the national average.

- ❖ Wisconsin should designate the Department of Justice, Bureau of Training and Standards as the lead agency for training and enforcement of Minimum Legal Drinking Age (MLDA) for the purpose of establishing clear lines of authority and accountability in all efforts to reduce the illegal sale or provision of alcohol to underage youth.
- ❖ The Wisconsin Department of Justice should distribute funding for officer and staffing expenses to reduce the illegal sale or provision of alcohol to underage youth through alcohol age compliance checks. These funds should be awarded annually to Sheriff Departments and local law enforcement agencies for alcohol age compliance checks conducted by a certified law enforcement agency with citations issued when appropriate.
- ❖ All licensed alcohol retailers in Wisconsin should have alcohol age compliance checks conducted by a law enforcement agency twice annually until their county achieves a failure rate of 20%, or less. When achieved, annual compliance checks are sufficient.
- ❖ Both on-premises and off-premises licensees should have compliance checks.
- ❖ Compliance checks can be conducted by local law enforcement, Sheriff Departments or regional agreements.
- ❖ The Department of Justice, Bureau of Training and Standards should develop protocols and provide training for law enforcement agencies on the primary modes of retail alcohol sale including new modes as they are allowed or occur in the future.
- ❖ The Department of Justice should prepare a report annually indicating the number of jurisdictions conducting alcohol age compliance checks, the state failure rates, and listing the individual failure rates by county.

*\*Cross-listed in: State Government and State Agencies (Recommendation 5)*



### ***Local Government (continued)***

#### **Recommendation 6: Regulate alcohol delivery.**

*Lead implementing organizations: Counties and Municipalities (cities, villages, and towns); Police Departments; Sheriff's Offices*

*Purpose: Reduce availability of alcohol*

Wisconsin's statutory requirement for face-to-face alcohol sales requires the retailer to interact with the customer, establish they are age 21 or older and not intoxicated. Proposals that allow for retailer delivery or third party delivery of alcohol remove this requirement and may not provide effective controls or a replacement. The experience of other states indicates allowing alcohol to be delivered increases the risk of underage drinking. It is imperative to carefully enumerate the responsibilities of all parties involved and to support local enforcement of those policies.

- ❖ The retailer and the delivery service are both separately responsible for determining that alcohol is only delivered to individuals who are age 21 or older and not intoxicated.
  - Either or both parties may be cited if IDs are not checked, or other required actions are not taken regardless of the means used to determine a violation.
  - Failure by either the retailer or delivery personnel to fulfill their responsibilities may be cited under 125.07.
  - Multiple failures by a licensee to package alcohol correctly or failing to indicate orders that contain alcohol are individual violations.
- ❖ The retailer must place a fluorescent-colored sticker, at least four inches in length or diameter that is readably visible on the exterior packaging of every box or bag containing alcohol. With the wording in all capital letters: *CONTAINS ALCOHOL: SIGNATURE OF PERSON AGED 21 YEARS OR OLDER REQUIRED FOR DELIVERY.*
  - Failure to place this required sticker is a violation of the alcohol license, multiple failures may constitute cause for non-renewal, suspension or revocation.
  - A purchaser's assertion that they are age 21 or older does not absolve the retailer from other required steps.
- ❖ The delivery service is responsible for the conduct of its employees and contractors, including but not limited to requiring every delivery including alcohol must verify the age of the recipient by physically checking a government issued ID that also confirms the individual in the photo is the same person accepting delivery, the name on the credit card and ID are the same, and the individual is age 21 or older.
  - A signature following the ID check is required for every delivery with alcohol.
  - Delivery personnel must visually confirm the individual is not intoxicated.
- ❖ Packages with the fluorescent "Alcohol" sticker must be delivered to the named individual on the order. They may not be left on steps, porches or other exterior locations or otherwise unattended regardless of the instructions submitted by the customer.
  - Delivery firms and retailers may assess a reasonable fee to any order returned due to a failed ID check or failure to present an ID.

*\*Cross-listed in: State Government and State Agencies (Recommendation 12); Alcohol Industry (Recommendation 1)*





### **Local Government (continued)**

#### **Recommendation 7: Ban alcohol advertising from municipal property.**

*Lead implementing organizations: Counties and Municipalities (cities, villages, and towns)*

*Purpose: Reduce promotion of alcohol to youth*

Wisconsin municipalities should join the many publicly owned transit systems and municipalities including Philadelphia, San Francisco, Los Angeles and New York City banning alcohol advertising from municipal property. As the manager of public assets, Wisconsin's municipalities can ban alcohol advertising on that property, acting not as a censor, but as the steward of public resources.

Municipalities should not allow alcohol advertising on any municipal property such as recreation centers, athletic facilities, parks or publicly owned buildings, and transit systems.

Youth exposure to alcohol advertising is a proven factor in alcohol initiation (the age youth begin to drink) and the amount of alcohol they consume (drinking intensity).

#### **Recommendation 8: Use sign codes to limit amount of advertising in windows.**

*Lead implementing organizations: Counties and Municipalities (cities, villages, and towns)*

*Purpose: Reduce promotion of alcohol to youth*

Municipal and County sign codes should limit the amount of advertising that covers a large portion of the window. Sign codes should provide an explicit formula for calculating the portion of the window covered for clarity. Some examples of useful wording for such an ordinance follow: The total area of all signs placed in or on a window shall not be greater than (community standard) percent of the window.

- ❖ For the purposes of this ordinance, the total area of a sign shall be the sum of the areas of all spaces, whether covered or uncovered, that are within the exterior perimeter of the sign. For example, a sign that has a height of 2 feet and a width of 3 feet shall be measured as having an area of 6 square feet, regardless of how much of that sign is perforated, clear, or empty space.
- ❖ The area of a rectangular window sign shall be calculated by multiplying the vertical distance of the sign by the horizontal distance of the sign, where the vertical distance is the distance from the bottom of the sign to the top of the sign and the horizontal distance is the distance from the left edge of the sign to the right edge of the sign.
- ❖ The area of a circular window sign shall be calculated as the area of a circle, where the radius is calculated by measuring the distance from the center of the sign to the edge of the sign.

#### **Recommendation 9: Prohibit placement of alcohol advertising on mass transit vehicles and property.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns); Local or Regional Public Transport Authority*

*Purpose: Reduce promotion of alcohol to youth*

Mass transit, whether municipal or regional, or privately owned, should have policies that prohibit the placement of interior or exterior alcohol advertising for the express purpose of reducing youth exposure to alcohol advertising in the area.



### ***Local Government (continued)***

#### **Recommendation 10: Prohibit sale of alcohol beverages at gas stations and vehicle charging stations.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol*

The sale of alcohol and gasoline at the same location is incompatible and continues to pose a serious threat to public safety. Municipalities should enact ordinances prohibiting the sale of alcohol beverages at gas stations, vehicle filling stations, and vehicle charging stations. Municipalities that chose to allow alcohol sales where gasoline and motor fuel is sold should require the licensed premises to be narrowly written to limit where within the store alcohol can be displayed and stored, refusing to approve licensees that simply list the address.

#### **Recommendation 11: Establish procedural guidelines for granting alcohol licenses that reflect community goals.**

*Lead implementing organizations:*

*Purpose: Reduce availability of alcohol of alcohol*

Municipalities should establish procedural guidelines for awarding alcohol licenses that consider the municipality's long-range goals, citizen engagement and transparency in decision making. When the process is transparent and criteria for approval are followed, denied applicants are unlikely to litigate the decision and licensees are aware of the expectations for operation.

- ❖ Establish a set of guidelines that reflect the long-term goals of the community. Use the guidelines when evaluating every new applicant, even if the location was previously licensed.
  - Guidelines should identify areas that have a cluster or near cluster of alcohol outlets and direct applicants to underserved portions of the community.
  - Establish the type of outlet, what it will serve, when it is open, who is the target customer, and if it is compatible with the surrounding area.
- ❖ Require applicants to provide all the information required to evaluate applicants under local guidelines. That could include floor plans, business plans, marketing plans, security plans, menus, requested maximum occupancy and a brief description of the business and evidence of funding/capitalization.
  - Procedural guidelines should provide for advance notification of any new applications or a change in ownership, definition of premises or removal of any license condition.
  - Residents, neighborhood groups and customers in the general area should be made aware of the proposed changes by providing information on where additional information is available and when public comments on the change or application will be heard, well in advance of a vote.
  - Use municipal zoning ordinances to regulate the location and operation of outdoor licensees such as patios attached to Class B licensees and outdoor beer gardens.
  - Larger municipalities or groups of municipalities with shared boundaries should consider requiring a health or alcohol license impact statement that evaluates the alcohol outlet density of the immediate area and the likely consequences of another licensee.
- ❖ Use municipal zoning ordinance to regulate the location and operation of outdoor licensees such as patios attached to Class B licensees and outdoor beer gardens.



### **Local Government (continued)**

- ❖ Create a system that:
  - Prioritizes citizen engagement with early notification through multiple communication channels.
  - Provides neighborhood groups and immediate neighbors with the opportunity to comment on the proposed application.
  - Determines the proposed licensee will most probably contribute to the social and economic goals of the community.
  - Determines that the licensee has the background, experience, and financial resources to operate the proposed establishment as presented.

#### **Recommendation 12: Permit judges to order SBIRT.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)*

*Purpose: Enact laws and regulation; Engage in preventive health*

The State Legislature should amend Wis. Stat. sec. 125.07(4)(e)2. to permit judges to order a defendant to submit to SBIRT (Screening, Brief Intervention, and Referral to Treatment) by a healthcare provider, school, or other trained professional. The Director of State Courts should provide judges (both circuit court and municipal) with training on evidence-based or evidence-informed interventions for youth with underage drinking or other alcohol-related citations and encourage municipal judges to limit reductions in sanctions or dismissal to youth who participate. Local Human Services Departments should provide municipal judges with updated lists of local evidence-based or evidence-informed educational opportunities appropriate for youth with underage drinking and other alcohol-related citations.

*\*Cross-listed in: State Government and State Agencies (Recommendation 9)*

#### **Recommendation 13: Adopt and enforce the social host statute as an ordinance.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should adopt the social host statute WI.125.07(1)(a)3 as an ordinance and enforce forfeitures for adults (age 18+) who provide a location for underage drinking.

#### **Recommendation 14: Regulate alcohol tasting in “Class A” establishments.**

*Lead implementing organizations: Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol*

Municipalities should regulate alcohol tasting in “Class A” establishments as allowed by state law.

The scope of regulations may include:

- ❖ Cordoned, attended sampling area.
- ❖ Require ID check
- ❖ Limiting sampling to persons aged 21 & older.
- ❖ Locating the sampling area away from child-oriented products.
- ❖ Require interior alcohol promotions related to tasting events to be at least 36 inches off the floor.
- ❖ Presence of licensed operator within the sampling area.



### **Local Government (continued)**

#### **Recommendation 15: Append license conditions to all temporary licenses.**

*Lead implementing organizations: Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should append the following license conditions to all Class “B” Temporary [picnic] licenses (temporary tents, beer gardens, festivals, etc.) to reduce alcohol related injuries, disturbances and, prevent underage drinking.

Four practices that prevent and reduce underage drinking are:

- ❖ I.D. checks at the entrance to serving area.
- ❖ Wrist bands to identify attendees aged 21 or older.
- ❖ A secure perimeter (fence) around the serving area.
- ❖ Distinguishable cups that allow for easy identification of alcohol vs alcohol-free beverages.

Seven policies and practices that prevent and reduced excessive (binge) drinking are:

- ❖ Limiting the number of beverages that can be purchased at a time.
- ❖ Servings sized 12 oz. or smaller.
- ❖ No discount alcohol pricing.
- ❖ No sales to obviously intoxicated individuals.
- ❖ Prohibiting servers from drinking.
- ❖ Ending alcohol sales one hour before closing.
- ❖ Food and alcohol-free beverages available where alcohol is sold. (Alcohol Epidemiology Program, n.d)

#### **Recommendation 16: Require best practice license conditions for all public events where alcohol is served.**

*Lead implementing organizations: Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol*

Municipalities should require the same “best practices” required of “Class B” Temporary licensees at all public events where alcohol is served. At public events such as concerts, plays or similar performances attended primarily by adults, alcohol sales are often handled by a licensee or permittee or the venue holds a retail license that may have special conditions attached.

#### **Recommendation 17: Prohibit consumption-based drink specials.**

*Lead implementing organizations: Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should prohibit by ordinance consumption-based drink specials such as time limited pricing, specials which increase drink volume without increasing the price, and all-you-can-drink flat fee specials.

#### **Recommendation 18: Adopt beer keg registration ordinances.**

*Lead implementing organizations: Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol*

Municipalities where retailers sell beer by the keg, barrel or half-barrels to the public should adopt beer keg registration ordinances as an effective tool to apprehend adults who provide alcohol to underage youth and to deter such purchases in the future.



### **Local Government (continued)**

#### **Recommendation 19: Designate alcohol-free recreational areas and parks.**

*Lead implementing organizations: Counties and Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol; Modify drinking environment*

Municipalities should designate specific recreational areas and parks within the community as alcohol-free areas that families, individuals in recovery, or those that simply do not want to be around alcohol can enjoy.

#### **Recommendation 20: Require license conditions for all new Class A licenses.**

*Lead implementing organizations: Municipalities (cities, villages and towns)*

*Purpose: Reduce availability of alcohol*

New Class A licenses should include license conditions that prohibit alcohol tasting events, requiring ID scanners, requiring separate coolers for alcohol beverages, forbidding the sale of single serving containers of alcohol, multi-serving single use cans (e.g., crowler) and other products identified by local law enforcement as a problem in the community, and making it clear that end caps or free-standing racks of alcohol beverages are not allowed.

#### **Recommendation 21: Define and regulate the use of growlers.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Enact laws and regulation; Reduce availability of alcohol*

Wisconsin should adopt a comprehensive definition of a “growler” that includes requirements for cleaning, labelling and sealing by licensees.

A growler is a metal, plastic, glass or ceramic container holding a maximum of 128 ounces having a lid or stopper that can be secured with a tamper proof seal, to be filled with fermented malt beverages at the time of sale at Class “B” licensees for off-premises consumption.

- ❖ A growler that has been filled in advance of sale is a bottle and must meet all state and federal tax and labeling requirements.
- ❖ Retailers may sell one-time use disposable growlers or multiple use growlers that conform to the definition.
- ❖ Any fermented malt beverage may fill a customer’s growler without regard for the brand or logo on the exterior of the container.
- ❖ After filling and capping with the lid or other stopper, the licensee must place a seal that will be visibly broken or torn when the container is opened.
- ❖ Cellophane tape, even if unique to the licensee, that can be removed and reapplied, is not a tamper proof seal.
- ❖ The licensee must apply a tag or sticker that provides the name and address of the brewer for the beverage filling a growler.
- ❖ Refillable growlers must be washed by the licensee prior to filling.
- ❖ A licensee may refuse to fill any growler they cannot seal or sanitize.
- ❖ A municipality may prohibit off-premises sales of growlers.

*\*Cross-listed in: State Government and State Agencies (Recommendation 15); Alcohol Industry (Recommendation 3)*



### **Local Government (continued)**

#### **Recommendation 22: Adopt a sober server ordinance.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should adopt ordinances requiring those who sell or serve alcohol to be unimpaired and have a BAC under 0.04 while working. See Appendix A.

#### **Recommendation 23: Apply license conditions to pharmacy alcohol licenses when possible.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol*

Wisconsin communities should carefully consider the potential community concerns before granting an alcohol license to a pharmacy. If it appears a pharmacy will be licensed, the location and amount of space allocated to alcohol sales should be limited. Currently licensed pharmacies should have regular alcohol age compliance checks and failure to comply should trigger license conditions on the location of alcohol within the store, the amount of space allocated for alcohol sales and similar limitations.

#### **Recommendation 24: Prevent party and nuisance houses and unruly gatherings.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns); Law Enforcement*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Law enforcement agencies in municipalities with post-secondary education campuses should establish ongoing liaison with the owners and managers of rental property to prevent party or nuisance houses, establish a protocol for securing and dispersing unruly gatherings and evicting tenants in violation of the lease for alcohol-related problems.

#### **Recommendation 25: Apply and enforce license conditions to address problems.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should consider using detailed license conditions to address specific issues, especially location specific amenity concerns such as trash disposal, staggered closing times, and drink specials that encourage excessive consumption.

When citations are issued to licensees, municipal authorities should consider whether acceptance of license conditions addressing the problem are more beneficial to both the licensee and community than a monetary forfeiture.

When license conditions are imposed or accepted, the municipality should be prepared to enforce those conditions if they are not respected by the licensee with suspensions, nonrenewal or revocation.





### **Local Government (continued)**

#### **Recommendation 26: Operate saturation patrols.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)*

*Purpose: Enact laws and regulations*

Municipalities individually, or as part of a multi-jurisdictional task force, should operate well publicized saturation patrols to discourage drunk driving.

#### **Recommendation 27: Ban beer bong and drinking competitions.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce Availability of Alcohol; Enact Laws and Regulations; Modify the Drinking Environment*

Municipalities should adopt ordinances banning the use of beer bong and similar devices or competitions and games in licensed establishments. These devices and events are designed to force the rapid consumption of alcohol and can lead to dangerous levels of intoxication.

#### **Recommendation 28: Provide municipalities with authority to assess application fees.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Enact laws and regulation; Increase cost of alcohol*

The legislature should enact a statute providing clear authority for municipalities to assess application fees. This allows municipalities to recoup costs associated with processing alcohol license applications. Municipalities should be allowed to enact ordinances prescribing reasonable and proportional application fees for licensing activities related to issuing a new alcohol retail license or making a change to an existing alcohol retail license.

*\*Cross-listed in: State Government and State Agencies (Recommendation 19)*

#### **Recommendation 29: Regulate brewer's retail outlet and condition approval on conformity with all applicable law, including municipal.**

*Lead implementing organizations: Municipalities (cities, villages, and towns)*

*Purpose: Reduce availability of alcohol*

A brewer may operate an offsite retail outlet to sell and serve fermented malt beverages for on and off-premises consumption. The brewer may apply to the DOR to change its offsite location as frequently as once a day. The brewer can fully operate the outlet as a tavern or a restaurant, can serve beer from taps in a movable truck, or can sell cans or bottles out of a cooler. The brewer can also provide free taste samples, without any limit as to quantity, at either of its retail locations. Currently nothing in the law ensures municipal notice or input into the process, although the DOR may consult with municipalities to determine whether the proposed location violates any ordinances.

The Wisconsin legislature should add a subsection to Wis. Stat. §125.29 to provide for more state and local control of a brewer's offsite retail outlet, addressing the following issues:

- ❖ The brewer should only be allowed to establish and operate one off-site retail outlet on any day, regardless of the number of permits that the brewer has.
- ❖ The brewer should be required to describe the premises for both its on-site retail outlet and off-site retail outlet at the time that the brewer applies for a brewer's permit.



### ***Local Government (continued)***

- ❖ The brewer should be required to apply to the DOR for a change to its off-site retail outlet location at least 30 days prior to operating at that location.
- ❖ The brewer should be required to provide a copy of the application to the municipality where the proposed off-site retail outlet will be located, at least 30 days prior to operating at that location.
- ❖ The municipality should be provided at least 10 business days to respond to notice of the application before any approval is granted, and approval should not be granted if the proposed premises fail to conform with all applicable federal, state, and local law, including all local ordinances and the comprehensive plan of the municipality where the brewer proposes to locate the off-site outlet.

*\*Cross-listed in: State Government and State Agencies (Recommendation 17)*

### **Recommendation 30: Conduct mandatory ethics code trainings for all who make government decisions on alcohol matters.**

*Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)*

*Purpose: Enact laws and regulation*

The state, counties, and municipalities should conduct mandatory annual trainings for their elected and appointed government officials and committee members in the relevant ethics code from Wis. Stats. sec 19.45 (state public officials) or sec. 19.59 (local officials, employees & candidates), and in any applicable local ordinances. This training should not be limited to elected and appointed officials, but should also be given to all committee members of any committees making decisions on alcohol related matters, including licensing, permitting, and law-making.”

*\*Cross-listed in: State Government and State Agencies (Recommendation 21)*



## State Government and State Agencies

The Wisconsin State Legislature and Governor can approve action promoting public health and safety by ensuring a safer and improved alcohol environment. Wisconsin Statute Chapter 125 sets a framework for how alcohol is regulated in Wisconsin. It contains the laws that govern the 3-tier system for alcohol beverages production, distribution, and sales in Wisconsin. In addition, several state agencies play an important role in ensuring compliance with laws, providing information to the public, training and education to law enforcement and setting an appropriate regulatory environment

### **Recommendation 1: Map alcohol outlet density.**

*Lead implementing organizations: State of Wisconsin; Department of Revenue*

*Purpose: Reduce availability of alcohol*

Wisconsin has an excessive number of locations that sell and serve alcohol contributing to Wisconsin's high rate of heavy and binge drinking. Wisconsin is the only state where the excessive drinking rate in every county exceeds the national average. The combination of readily available low-cost alcohol has unintentionally created circumstances that enable underage drinking, excessive consumption with the injuries, violence, disease and death that follow.

For years, municipal leaders operated under the now disproven belief that increasing the number of locations that sold or served alcohol would benefit the community. Within the last decade it has become clear that clusters and areas with an overconcentration of alcohol outlets increase the likelihood of alcohol related disorder and crime even when all the licensees are obeying the law. The Centers for Disease Control and Prevention recommend limiting alcohol outlet density to reduce and prevent alcohol-related problems.

Every Wisconsin community should map alcohol outlet locations, then working with law enforcement, public health and local leaders determine which areas of the community have too many alcohol outlets and which areas have developing clusters. Municipalities should use the Centers for Disease Control and Prevention's methods that reveal outlet clusters simply and economically. Community leaders should consider enacting a moratorium on new alcohol outlets in areas with significant clusters and revise their alcohol licensing process to reduce the stress on these communities.

Given the research on alcohol outlet density and its relationship to alcohol-related disorder, crime, the number of adverse childhood experiences, and binge drinking, Wisconsin should suspend further increases in the permitted number of "Class B" licenses a municipality is allowed to issue based on population growth alone.

Alcohol outlet mapping has exposed equity issues in many communities. Related research has indicated that alcohol outlet location and even the products stocked in different branches of the same store vary with the ethnic, racial and economic makeup of each area. Municipal leaders can address these concerns with careful mapping to ameliorate clusters and thoughtful alcohol license conditions prior to licensing to include concerns about products and their marketing.

*\*cross-listed in: Local Government (Recommendation 1)*



## **State Government and State Agencies (continued)**

### **Recommendation 2: Suspend increases in “Class B” licenses.**

*Lead implementing organizations: State of Wisconsin; Legislature; Department of Revenue; Department of Administration*

*Purpose: Increase cost of alcohol; Reduce availability*

Given the research on alcohol outlet density and its relationship to alcohol-related disorder, crime and the number of adverse childhood experiences and binge drinking, Wisconsin should suspend further increases in the permitted number of “Class B” licenses a municipality is allowed to issue based on population growth alone.

### **Recommendation 3: Increase alcohol tax.**

*Lead implementing organizations: State of Wisconsin; Legislature*

*Purpose: Increase cost of alcohol*

Wisconsin’s excessive drinking costs residents approximately \$6.8 billion annually. Binge drinking alone is estimated to cost Wisconsin’s residents \$3.9 billion annually. Alcohol taxes do not begin to cover the financial cost alcohol abuse inflicts on individuals, families and communities. The effects of price on reducing underage drinking, college drinking, and binge drinking (including drinking among youth who show signs of alcohol use disorders) are considerable. There are also significant effects on youth traffic crashes, violence on college campuses, and crime among people under 21 (SAMHSA, 2018). State Performance and Best Practices for the Prevention and Reduction of Underage Drinking. In addition, increasing taxes on alcohol is the most effective regulatory policy to reduce excessive drinking and related harms. (Tobacconomics, 2020)

Wisconsin should increase the state levied tax on beer, wine and distilled spirits to the median tax level to reduce the burden alcohol abuse places on the average citizen. Alcohol is taxed by volume, not price. In addition, alcohol taxes should be indexed to the consumer price index so that the tax increases at a rate commensurate with the increased cost of living.

Tax estimate based on Facts & Figures 2021 published by the Tax Foundations 2021. The median amount is approximately \$5.98 per gallon for spirits, \$0.87 for Wine and \$0.26 per gallon of beer or \$8.02 per 31-gallon barrel.

### **Recommendation 4: Maintain 21 as Minimum Legal Drinking Age.**

*Lead implementing organizations: State of Wisconsin; Legislature*

*Purpose: Reduce availability of alcohol*

The 21 Minimum Legal Drinking Age (MLDA) has effectively reduced youth access to alcohol and traffic fatalities among young adults. This effective public policy should not be repealed or amended.

### **Recommendation 5: Fund, train, and conduct Minimum Legal Drinking Age compliance checks.**

*Lead implementing organizations: State of Wisconsin; Legislature; Department of Justice*

*Purpose: Reduce availability of alcohol; Monitor and evaluate*

Wisconsin’s rate of underage drinking is perennially above the national average. Medical research has revealed the serious long-term consequences of underage drinking including, higher rates of opiate and alcohol dependence throughout life, the causal relationship of alcohol consumption to



### *State Government and State Agencies (continued)*

seven different cancers and the possibly permanent loss of cognitive and analytical ability. In addition, alcohol use among youth is a significant factor in accidental injuries, drownings, sexual assault and gun violence.

To combat underage drinking by reducing youth access to alcohol, Wisconsin should designate the Department of Justice, Bureau of Training and Standards as the lead agency for training regarding Wisconsin's Minimum Legal Drinking Age (MLDA) establishing clear lines of authority and accountability in future efforts to reduce the illegal sale or provision of alcohol to underage youth.

The biennial budget for the Wisconsin Department of Justice should include sufficient annual GPR for grant funding, administration, and reporting regarding alcohol age compliance checks conducted by a certified law enforcement agency with citations issued for failures to comply. These funds must be administered by a certified law enforcement agency, with regional and multi-jurisdictional efforts encouraged.

Unlike many other states, Wisconsin does not provide any state funding for alcohol age compliance checks to reduce youth access to alcohol. The failure of that policy is clear, Wisconsin is the only state in the nation where every county has an excessive drinking rate higher than the national average.

- ❖ Wisconsin should designate the Department of Justice, Bureau of Training and Standards as the lead agency for training regarding Wisconsin's Minimum Legal Drinking Age (MLDA) for the purpose of establishing clear lines of authority and accountability in all efforts to reduce the illegal sale or provision of alcohol to underage youth.
- ❖ The Wisconsin Department of Justice should distribute grant funding for officer and staffing expenses to reduce the illegal sale or provision of alcohol to underage youth through alcohol age compliance checks. These funds should be awarded annually to Sheriff Departments and local law enforcement agencies for alcohol age compliance checks conducted by a certified law enforcement agency with citations issued when appropriate.
- ❖ All licensed alcohol retailers in Wisconsin should have alcohol age compliance checks conducted by a law enforcement agency twice annually until their county achieves a failure rate of 20%, or less. When achieved, annual compliance checks are sufficient.
- ❖ Both on-premises and off-premises licensees should have compliance checks.
- ❖ Compliance checks can be conducted by local law enforcement, Sheriff Departments or regional agreements.
- ❖ The Department of Justice, Bureau of Training and Standards should develop protocols and provide training for law enforcement agencies on the primary modes of retail alcohol sale including new modes as they are allowed or occur in the future.
- ❖ The Department of Justice should prepare a report annually indicating the number of jurisdictions conducting alcohol age compliance checks, the state failure rates, and listing the individual failure rates by county.

*\*Cross-listed in: Local Government (Recommendation 5)*



## **State Government and State Agencies (continued)**

### **Recommendation 6: Revise Wis. Stat. sec. 125.07(1)(b)1.**

*Lead implementing organizations: State of Wisconsin*

*Purpose: Enact laws and regulation*

Wis. Stat. 125.07(1) provides for enforcement of the Minimum Legal Drinking Age law against persons who provide alcohol beverages to underage persons. The penalty part of the law includes an escalating punishment scheme. While a first offense within 30 months may be only an ordinance violation, any additional offenses within 30 months are crimes, with fines and jail time increasing depending on the number of previous violations within the past 30 months. As written, the statute counts all violations by an individual at one time as a single violation, even if multiple underage people are involved. To encourage compliance with the Minimum Legal Drinking Age law and to make enforcement of the Social Host statute stronger, each violation should be counted as a prior violation for purposes of the escalating penalty scheme. The Legislature should repeal the last sentence of 125.07(1)(b)1., which currently reads: “For the purpose of determining whether a previous violation has occurred, if more than one violation occurs at the same time all those violations shall be counted as one violation.”

### **Recommendation 7: Repeal language allowing licensees to sell to persons under the Minimum Legal Drinking Age in presence of a parent, guardian, or spouse.**

*Lead implementing organizations: State of Wisconsin; Legislature*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Wisconsin should repeal existing language allowing a licensee to sell alcohol to individuals younger than the minimum legal drinking age if a parent, guardian or legal aged spouse is present in WI.(125.07(1)(a).

### **Recommendation 8: Test and evaluate effectiveness of SBIRT in schools.**

*Lead implementing organizations: State of Wisconsin; Department of Public Instruction*

*Purpose: Support evidence-based alcohol education; Engage in preventive health care*

Wisconsin’s SBIRT Implementation Study indicated SBIRT is a flexible, cost effective tool for identifying youth substance abuse. Where barriers to implementation are identified, efforts should be made to resolve those issues.

Wisconsin should continue to support efforts to evaluate the value of SBIRT in schools using the Global Appraisal of Individual Needs Short Screen.

The Department of Public Instructions should support further testing and evaluation of SBIRT as part of co-curricular screening and student discipline.

### **Recommendation 9: Permit Judges to order SBIRT.**

*Lead implementing organizations: State of Wisconsin; Legislature; State Courts*

*Purpose: Enact laws and regulation, Engage in preventive health*

The State Legislature should amend Wis. Stat. sec. 125.07(4)(e)2. to permit judges to order a defendant to submit to SBIRT (Screening, Brief Intervention, and Referral to Treatment) by a healthcare provider, school, or other trained professional. The Director of State Courts should provide judges (both circuit court and municipal) with training on evidence-based or evidence-





### **State Government and State Agencies (continued)**

informed interventions for youth with underage drinking or other alcohol-related citations and encourage municipal judges to limit reductions in sanctions or dismissal to youth who participate. Local Human Services Departments should provide municipal judges with updated lists of local evidence-based or evidence-informed educational opportunities appropriate for youth with underage drinking and other alcohol-related citations.

*\*Cross-listed in: Local Government (Recommendation 12)*

#### **Recommendation 10: Require medical providers to conduct SBIRT screens.**

*Lead implementing organizations: State of Wisconsin; Office of the Commissioner of Insurance; Department of Health Services*

*Purpose: Engage in preventive health care*

Screening, Brief Intervention and Referral to Treatment (SBIRT) is an effective approach to identifying individuals with alcohol use disorders and those at risk of developing a disorder. Research suggests SBIRT and training to conduct SBIRT can be effective by video link. As a widely adopted and covered practice we recommend that both forms of SBIRT be the required standard of care in every group health insurance plan offered in Wisconsin.

We further recommend:

- ❖ SBIRT should be incorporated into the treatment of all patients with alcohol-related injuries or illness, including those seen in the ambulatory, emergency department and hospital setting.
- ❖ Patients, age 12 and older, should be screened for alcohol use annually using SBIRT when visiting their primary care health professional.
- ❖ Remote administration of SBIRT by trained medical professionals should be expanded to reach underserved communities throughout the state.
- ❖ Emergency departments should incorporate SBIRT into treatment for patients with alcohol-related injuries or illness.
- ❖ Level 3, and 4 Trauma Centers should be encouraged (as Level 1 and 2 Trauma Centers are required) to screen all injured patients with a validated tool such as the AUDIT or CRAFFT for alcohol abuse. The anonymized data can be used as a further evidence or confirmation of public health surveillance surveys such as the NSDUH and BRFSS.
- ❖ The Wisconsin Department of Health Services, in collaboration with the Wisconsin Society of Addiction Medicine, should initiate a campaign to educate medical professionals on how to administer SBIRT, where it is effective and the available resources to support it.
- ❖ The Wisconsin Department of Health Services in collaboration with health care professionals should study and report on the efficacy of low cost SBIRT training for underserved areas.

*\*Cross-listed in: Healthcare Systems (Recommendation 1)*

#### **Recommendation 11: Permit pharmacists to conduct screenings for substance use.**

*Lead implementing organizations: State of Wisconsin; Office of the Commissioner of Insurance*

*Purpose: Reduce availability of alcohol; Enact laws and regulation*

A small-scale study suggests pharmacists may be able to effectively conduct brief screening for substance abuse within the store. If confirmed by additional research, appropriate reimbursement for pharmacy-based screenings for substance abuse should be established and covered as part of the standard of care in Wisconsin.

*\*Cross-listed in: Healthcare Systems (Recommendation 3)*



### ***State Government and State Agencies (continued)***

#### **Recommendation 12: Regulate alcohol delivery.**

*Lead implementing organizations: State of Wisconsin; Legislature; Department of Revenue*

*Purpose: Reduce availability of alcohol*

Wisconsin’s statutory requirement for face-to-face alcohol sales requires the retailer to interact with the customer, establish they are age 21 or older and not intoxicated. Proposals that allow for retailer delivery or third party delivery of alcohol remove this requirement and may not provide effective controls or a replacement. The experience of other states indicates allowing alcohol to be delivered increases the risk of underage drinking. It is imperative to carefully enumerate the responsibilities of all parties involved and to support local enforcement of those policies.

- ❖ The retailer and the delivery service are both separately responsible for determining that alcohol is only delivered to individuals who are age 21 or older and not intoxicated.
  - Either or both parties may be cited if IDs are not checked, or other required actions are not taken regardless of the means used to determine a violation.
  - Failure by either the retailer or delivery personnel to fulfill their responsibilities may be cited under 125.07.
  - Multiple failures by a licensee to package alcohol correctly or failing to indicate orders that contain alcohol are individual violations.
- ❖ The retailer must place a fluorescent-colored sticker, at least four inches in length or diameter that is readably visible on the exterior packaging of every box or bag containing alcohol. With the wording in all capital letters: *CONTAINS ALCOHOL: SIGNATURE OF PERSON AGED 21 YEARS OR OLDER REQUIRED FOR DELIVERY.*
  - Failure to place this required sticker is a violation of the alcohol license, multiple failures may constitute cause for non-renewal, suspension or revocation.
  - A purchaser’s assertion that they are age 21 or older does not absolve the retailer from other required steps.
- ❖ The delivery service is responsible for the conduct of its employees and contractors, including but not limited to requiring every delivery including alcohol must verify the age of the recipient by physically checking a government issued ID that also confirms the individual in the photo is the same person accepting delivery, the name on the credit card and ID are the same, and the individual is age 21 or older.
  - A signature following the ID check is required for every delivery with alcohol.
  - Delivery personnel must visually confirm the individual is not intoxicated.
- ❖ Packages with the fluorescent “Alcohol” sticker must be delivered to the named individual on the order. They may not be left on steps, porches or other exterior locations or otherwise unattended regardless of the instructions submitted by the customer.
  - Delivery firms and retailers may assess a reasonable fee to any order returned due to a failed ID check or failure to present an ID.

*\*Cross-listed in: Local Government (Recommendation 6); Alcohol Industry (Recommendation 1)*

#### **Recommendation 13: Amend Wis. Stat. sec. 125.32(2) and 125.68(2) to provide more effective supervision of unlicensed persons selling or serving alcohol to customers.**

*Lead implementing organizations: State of Wisconsin; Legislature; Department of Revenue*

*Purpose: Enact laws and regulations; Modify the drinking environment*

Currently, a member of a licensee’s or permittee’s family who is an adult under the age of 21 may be the only person supervising sales or service of alcohol beverages at a retail outlet. In addition,



### **State Government and State Agencies (continued)**

supervisory requirements are vague and not clearly defined. Two changes could address this. The first change would only affect those members of the licensee’s or permittee’s immediate family (living in the licensee’s or permittee’s home) who are adults under the age of 21. However, it would ensure consistency in requiring all licensed operators to be age 21. The second change would add a definition of “immediate supervision”, using language provided by the Department of Revenue, and including language reflective of the employment conditions. This would explain what “immediate supervision” means, and provide clear guidance as to minimal qualifications for meeting the legal requirements.

Wisconsin Statutes Sections 125.32(2) (for fermented malt beverages premises) and 125.68(2) (for intoxicating liquor premises) should be amended in two ways to provide more effective supervision of unlicensed persons selling or serving alcohol to customers:

- ❖ Require members of the licensee’s or permittee’s immediate family to have attained the legal drinking age to be considered the holder of an operator’s license; and
- ❖ Clearly define that “immediate supervision” means that the licensed operator is in the same room or area of the premises as the unlicensed person, close enough to see and talk with the unlicensed person, able to watch and supervise the unlicensed person and directly respond to the needs of the unlicensed person, and directly supervising the unlicensed person.

#### **Recommendation 14: Provide DOR with authority to require wholesalers to collect hazardous products from retailers.**

*Lead implementing organizations: State of Wisconsin; Department of Revenue*

*Purpose: Reduce availability of alcohol; Enact laws and regulation*

The state legislature should enact a statute to provide the Department of Revenue with the authority to require wholesalers to collect from retailers any alcohol products that are recalled by their producer, subject to a warning letter or enforcement action by the U.S. Food & Drug Administration (FDA), the Federal Trade Commission (FTC), or the Alcohol and Tobacco Tax and Trade Bureau (TTB), or subject to a finding of violating the Code of Responsible Practices or other voluntary standards of the alcohol industries, including, but not limited to, those of the Distilled Spirits Council of the United States, the Beer Institute, or the Wine Institute.

#### **Recommendation 15: Define and regulate the use of growlers.**

*Lead implementing organizations: State of Wisconsin; Department of Revenue*

*Purpose: Enact laws and regulation; Reduce availability of alcohol*

Wisconsin should adopt a comprehensive definition of a “growler” that includes requirements for cleaning, labelling and sealing by licensees.

A growler is a metal, plastic, glass or ceramic container holding a maximum of 128 ounces having a lid or stopper that can be secured with a tamper proof seal, to be filled with fermented malt beverages at the time of sale at Class “B” licensees for off-premises consumption.

- ❖ A growler that has been filled in advance of sale is a bottle and must meet all state and federal tax and labeling requirements.
- ❖ Retailers may sell one-time use disposable growlers or multiple use growlers that conform to the definition.
- ❖ Any fermented malt beverage may fill a customer’s growler without regard for the brand or logo on the exterior of the container.



### **State Government and State Agencies (continued)**

- ❖ After filling and capping with the lid or other stopper, the licensee must place a seal that will be visibly broken or torn when the container is opened.
- ❖ Cellophane tape, even if unique to the licensee, that can be removed and reapplied, is not a tamper proof seal.
- ❖ The licensee must apply a tag or sticker that provides the name and address of the brewer for the beverage filling a growler.
- ❖ Refillable growlers must be washed by the licensee prior to filling.
- ❖ A licensee may refuse to fill any growler they cannot seal or sanitize.
- ❖ A municipality may prohibit off-premises sales of growlers.

*\*Cross-listed in: Local Government (Recommendation 21); Alcohol Industry (Recommendation 3)*

#### **Recommendation 16: Create guidance and training for enforcement of alcohol delivery.**

*Lead implementing organizations: State of Wisconsin; Department of Revenue*

*Purpose: Reduce availability of alcohol; Enact laws & regulations*

The Wisconsin Department of Revenue should create or contract for the creation of a protocol, like alcohol age compliance checks, that guides the enforcement of delivered alcohol. The Department will create or cause to be created necessary training materials for law enforcement on this protocol that are available for reading, viewing or printing on the Department website.

#### **Recommendation 17: Regulate brewer's retail outlet and condition approval on conformity with all applicable law, including municipal.**

*Lead implementing organizations: State of Wisconsin; Department of Revenue*

*Purpose: Reduce availability of alcohol; Enact laws & regulations*

A brewer may operate an offsite retail outlet to sell and serve fermented malt beverages for on and off-premises consumption. The brewer may apply to the DOR to change its offsite location as frequently as once a day. The brewer can fully operate the outlet as a tavern or a restaurant, can serve beer from taps in a movable truck, or can sell cans or bottles out of a cooler. The brewer can also provide free taste samples, without any limit as to quantity, at either of its retail locations. Currently nothing in the law ensures municipal notice or input into the process, although the DOR may consult with municipalities to determine whether the proposed location violates any ordinances.

The Wisconsin legislature should add a subsection to Wis. Stat. §125.29 to provide for more state and local control of a brewer's offsite retail outlet, addressing the following issues:

- ❖ The brewer should only be allowed to establish and operate one off-site retail outlet on any day, regardless of the number of permits that the brewer has.
- ❖ The brewer should be required to describe the premises for both its on-site retail outlet and off-site retail outlet at the time that the brewer applies for a brewer's permit.
- ❖ The brewer should be required to apply to the DOR for a change to its off-site retail outlet location at least 30 days prior to operating at that location.
- ❖ The brewer should be required to provide a copy of the application to the municipality where the proposed off-site retail outlet will be located, at least 30 days prior to operating at that location.
- ❖ The municipality should be provided at least 10 business days to respond to notice of the application before any approval is granted, and approval should not be granted if the



### **State Government and State Agencies (continued)**

proposed premises fail to conform with all applicable federal, state, and local law, including all local ordinances and the comprehensive plan of the municipality where the brewer proposes to locate the off-site outlet.

*\*Cross-listed in: Local Government (Recommendation 29)*

#### **Recommendation 18: Create and require an alcohol delivery license/endorsement.**

*Lead implementing organizations: State of Wisconsin; Department of Revenue; Department of Transportation*

*Purpose: Reduce availability of alcohol; Enact laws & regulations*

An Alcohol Delivery license/endorsement should be created by the Department of Transportation. Every individual who delivers alcohol for either a delivery service or a licensed retailer must hold an Alcohol Delivery license/endorsement.

- ❖ This requirement does not include individuals working for a catering service that is licensed to sell/serve alcohol.
- ❖ This requirement does not include drivers for alcohol wholesalers licensed or permitted by the Wisconsin Department of Revenue.
- ❖ Alcohol Delivery licensing would appear as an endorsement on an individual's driver's license.
- ❖ Qualifications for an Alcohol Delivery license include:
  - Age 21 or older.
  - Completion of RBS within the previous two years as demonstrated by a certificate.
  - Criminal background check that does not indicate any inability to handle controlled substances in an irresponsible or illegal manner within the past five years.

#### **Recommendation 19: Provide municipalities with authority to assess application fees.**

*Lead implementing organizations: State of Wisconsin*

*Purpose: Enact laws and regulation; Increase cost of alcohol*

The legislature should enact a statute providing clear authority for municipalities to assess application fees. This allows municipalities to recoup costs associated with processing alcohol license applications. Municipalities should be allowed to enact ordinances prescribing reasonable and proportional application fees for licensing activities related to issuing a new alcohol retail license or making a change to an existing alcohol retail license.

*\*Cross-listed in: Local Governments (Recommendation 28)*

#### **Recommendation 20: Increase fee for “Class B” temporary license.**

*Lead implementing organizations: State of Wisconsin*

*Purpose: Increase cost of alcohol; Reduce availability of alcohol*

Wisconsin municipalities should be given the ability to increase the fee for a “Class B” temporary license to \$25 to partially cover the cost of processing the application.



**State Government and State Agencies (continued)**

**Recommendation 21: Conduct mandatory ethics code trainings for all who make government decisions on alcohol matters.**

*Lead implementing organizations: State of Wisconsin; Legislature*

*Purpose: Enact laws and regulation*

The state, counties, and municipalities should conduct mandatory annual trainings for their elected and appointed government officials and committee members in the relevant ethics code from Wis. Stats. sec 19.45 (state public officials) or sec. 19.59 (local officials, employees & candidates), and in any applicable local ordinances. This training should not be limited to elected and appointed officials, but should also be given to all committee members of any committees making decisions on alcohol related matters, including licensing, permitting, and law-making.”

*\*Cross-listed in: Local Government (Recommendation 30)*

**Recommendation 22: Require responsible beverage server training for all managers.**

*Lead implementing organizations: State of Wisconsin*

*Purpose: Reduce availability of alcohol; Modify the alcohol environment*

Wisconsin should amend Wis. Stat. sec. 125.18 to require Responsible Beverage Server training within the past two years as a requirement to receive a manager's license.

**Recommendation 23: Do not expand Direct to Consumer shipping.**

*Lead implementing organizations: State of Wisconsin; Legislature*

*Purpose: Reduce availability of alcohol*

The Wisconsin legislature should not enact any new legislation to expand Direct to Consumer shipping at this time because Direct to Consumer shipping weakens the 3-tier system, increases the availability and affordability of alcohol, removes the requirement for face-to-face sales, and increases the risk of alcohol sales to underage persons. The Wisconsin Legislature should not enact any legislation that would allow brewers, brewpubs, manufacturers, or rectifiers, to ship alcohol beverages directly to consumers.

**Recommendation 24: Repeal preemption preventing municipalities from requiring responsible beverage server training of all employees at licensed premises.**

*Lead implementing organizations: State of Wisconsin; Legislature*

*Purpose: Reduce Availability of Alcohol; Enact Laws and Regulation; Modify the drinking environment*

The Wisconsin Legislature should repeal language preempting municipalities from requiring more than one staff person who has completed responsible beverage server training be on the licensed premises while open and also limiting municipally required training to what the state requires.





### **State Government and State Agencies (continued)**

#### **Recommendation 25: Implement public awareness campaign about alcohol consumption’s link to cancer.**

*Lead implementing organizations: State of Wisconsin; Department of Health Services*

*Purpose: Support evidence-based alcohol education; Engage in preventative health*

The department of health Services should collaborate with the American Cancer Society, the Wisconsin Cancer Collaborative, Wisconsin’s health philanthropies and other related groups to create and implement a public awareness campaign about alcohol consumption’s link to cancer. A multi-year commitment is needed to create general awareness that the cancer risk increases with the amount of alcohol consumed. To complement that message, later efforts should include targeted information for identified at-risk groups including gender, ethnicity and age. Increasing public knowledge of the ways an individual can reduce their cancer risk enhances the impact of evidence-informed policies and practices at the municipal and state levels.

#### **Recommendation 26: Create a public awareness campaign of causal connection between alcohol consumption and chronic disease.**

*Lead implementing organizations: State of Wisconsin; Department of Health Services; State Advocacy Organizations*

*Purpose: Support evidence-based alcohol education*

The Wisconsin Department of Health Services shall convene a discussion of the related health voluntary philanthropies and similar organizations with the goal of creating a measurable increase in public awareness of the causal connection between alcohol consumption and chronic disease by 2030.

A long-term public education campaign to increase public awareness of the many risks of excessive drinking requires both time and multi-year funding. Creation of a multidisciplinary group supports the creation of effective messages for segments of the population that have unique risks, such as girls and women on the alcohol consumption-breast cancer link.

#### **Recommendation 27: Collect and utilize anonymized OWI arrest data.**

*Lead implementing organizations: State of Wisconsin; Department of Health Services; Department of Revenue; Department of Transportation; Department of Justice*

*Purpose: Enact laws and regulations; Monitor and evaluate*

The Department of Justice should initiate discussions with the Department of Transportation and the Wisconsin Department of Health Services to consider efficient, cost-effective methods to collect, store and utilize information gathered during OWI arrest, including Place of Last Drink information. A compilation of anonymized arrest data supports licensee training programs, provides support to law enforcement agencies and supports municipal efforts to control alcohol outlet density.



## ***State Government and State Agencies (continued)***

### **Recommendation 28: Compile comprehensive Alcohol-related statistics and make publicly available**

*Lead implementing organizations: State of Wisconsin; Department of Health Services; Department of Transportation; Department of Revenue; UW-Madison School of Medicine and Public Health; UW-Milwaukee Master of Public Health Program; Medical College of Wisconsin*

*Purpose: Enact laws and regulations; Monitor and evaluate*

Public health surveillance makes it clear excessive alcohol consumption is Wisconsin’s primary substance use problem, yet municipal and state leaders often lack sufficient information to implement effective interventions to reduce alcohol-related harms. The failure to compile comprehensive alcohol-related statistics blinds Wisconsin’s residents to the billions of dollars and years of productive life lost from excessive alcohol consumption annually and limits the ability to remedy the problem.

To remedy this gap in both medical and law enforcement data, we recommend:

- ❖ Wisconsin should set a 5-year goal for the creation and release of an alcohol dashboard with data from multiple state departments reported at the county level or more granular when possible. The dashboards should consolidate the alcohol-related statistics collected by the Departments of Health, Transportation, Revenue, Public Instruction, and Justice into a format like existing alcohol-related death and hospitalization dashboards. This allows public health and public safety professionals, local elected leaders, and citizens to consider the full impact of alcohol on the health, safety, and economic wellbeing of Wisconsin’s residents.
- ❖ Medical schools, medical examiners, and coroners should be provided with specific instructions on how to include alcohol as a primary, secondary, or tertiary cause of death, when appropriate. The Department of Health Services, Office of Health Informatics should monitor local compliance with reporting standards and privacy. The data should be compiled and released annually to the public facing dashboards.
- ❖ The Wisconsin Department of Health Services, Office of Health Informatics should work with the Wisconsin Hospital Association to create a reliable indicator of acute hospitalization for alcohol-related admissions that could be compiled by county of residence. Also, the Office of Health Informatics and the Office of Preparedness and Emergency Health Care should work together to compile, analyze, and create a public-facing data dashboard with alcohol-related emergency ambulance runs data.
- ❖ The records management systems (RMS) for all police departments and sheriffs should be amended so that every call for service, transport, arrest or incident is coded if alcohol was a factor. In the arrest or incident. This information can help local leaders make product alcohol licensing decisions. Wisconsin’s law enforcement agencies are not asked to indicate whether a call for service is alcohol-related or not. As a result, local elected officials may see the need for additional law enforcement without understanding the issues that led to the increase.
- ❖ Wisconsin’s TraCS system and law enforcement records management systems should permit the collection of “place of last drink” information when answering any alcohol-related calls for service. This information provides an early indicator of over serving or selling alcohol to underage or intoxicated customers allowing law enforcement to intervene early. It is also useful for early identification of an over-concentration of alcohol outlets.



***State Government and State Agencies (continued)***

- ❖ Since Wisconsin repealed the law against public intoxication, disorderly conduct (D.C.) has become a surrogate for those arrests. By adding a category for alcohol-related offenses allows alcohol-related D.C. arrests to be separated, the value of this statistics is restored.
- ❖ The Wisconsin Department of Revenue should create and maintain an updated, public-facing data database of every permanent alcohol licensee and permittee that is updated monthly.
- ❖ The state should incentivize and support regional data sharing initiatives. In metropolitan areas, inability to see alcohol licenses in adjacent jurisdictions allows communities sharing boundaries to overlook developing clusters or overconcentration of outlets before they become problematic.
- ❖ Wisconsin should require every alcohol license to list the maximum number of individuals allowed within the establishment, based on the application for the license and not the building itself. This requirement would reduce the likelihood of a restaurant operating as nightclubs, a phenomenon known as “morphing” This enables a municipality to monitor sidewalk traffic, parking needs while allowing police and fire officials to readily identify dangerously overcrowded venues.

**Recommendation 29: Include data from the Wisconsin Ambulance Run Data System in DHS’s public alcohol dashboards.**

*Lead implementing organizations: State of Wisconsin; Department of Health Services*

*Purpose: Monitor and evaluate*

The Wisconsin Ambulance Run Data System should be included in the Wisconsin Department of Health Services public-facing alcohol data dashboards.



## **Civic, Community, Educational, and Religious Organizations**

The practices and policies of community groups are barometers of community norms. In some cases, an organization’s long-standing alcohol policies unintentionally contribute to community alcohol problems even as these groups dedicate themselves to community improvement. When civic groups and faith communities review and adopt policies to discourage alcohol misuse, they improve the quality of community life and make a significant contribution to improving Wisconsin’s alcohol culture. Civic and community organizations include non-profit and philanthropic organizations, bona fide clubs, lodges and societies, county and local fair associations, posts of veteran’s organizations, and chambers of commerce. Educational organizations and institutions include primary and secondary education, further and higher education. Religious organizations include, but are not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, and faith-based social agencies.

### **Recommendation 1: Municipalities work with post-secondary schools.**

*Lead implementing organizations: Post-Secondary Schools*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Municipalities should work collaboratively with local post-secondary schools to limit the number of alcohol outlets near campuses, provide care for dangerously intoxicated individuals and take steps to reduce alcohol-related harassment of marginalized racial, ethnic and other minority groups.

*\*Cross-listed in: Local Government (Recommendation 2)*

### **Recommendation 2: Universities and colleges work with the local government.**

*Lead implementing organizations: Post-Secondary Schools*

*Purpose: Reduce availability of alcohol*

Because alcohol licensing is a municipal issue in Wisconsin, the leaders of Wisconsin’s colleges and Universities should commit to working with local governments to limit the number of alcohol outlets near campus and enforce the minimum legal drinking age. Joint campus-community efforts to fund and deploy evidence-informed and evidence-based interventions including regular alcohol age compliance checks are both effective and sustainable.

*\*Cross-listed in: Local Government (Recommendation 3)*

### **Recommendation 3: Colleges, universities, and municipalities should discourage underage and high-risk drinking.**

*Lead implementing organizations: Post-Secondary Schools*

*Purpose: Reduce availability of alcohol; Modify the drinking environment*

Wisconsin’s colleges, universities, and the municipalities where they are located should take steps to create an environment that discourages underage and high-risk drinking, including adopting the policies and practices included NIAAA’s Alcohol Intervention Matrix for Colleges (CollegeAIM). Many campuses will find the need to support both individual and environmental policies and practices to address excessive and underage alcohol consumption.



***Civic, Community, Educational, and Religious Organizations (continued)***

**Recommendation 4: Schools should implement SBIRT program.**

*Lead implementing organizations: School Districts*

*Purpose: Support evidence-based alcohol education; Preventive health care*

Schools should implement an evidence-based or evidence-informed individualized screening and brief intervention (SBIRT) program that provides education, support, and guidance for teens and their parents/caregivers/guardians.

*\*Cross-listed in: State Government and State Agencies (Recommendation 8)*

**Recommendation 5: Schools should implement evidence-informed practices to prevent underage drinking.**

*Lead implementing organizations: School Districts*

*Purpose: Support evidence-based alcohol education*

Both public and private schools should implement long term evidence-informed and evidence-based practices and programs to prevent and reduce underage drinking.

**Recommendation 6: Avoid encouraging excessive alcohol consumption at celebrations and fundraisers.**

*Purpose: Reduce availability of alcohol; Modify the drinking environment; Reduce promotion of alcohol to youth*

Knowing the extensive health and safety risks posed by excessive alcohol consumption, community and philanthropic groups should avoid hosting celebrations and fundraisers with a link to alcohol or suggest excessive alcohol consumption. Community professional, religious and civic groups should model low-risk alcohol consumption as a contribution to improved community norms.

When organizing fundraisers, groups should consider strategies to limit alcohol consumption including:

- ❖ Using smaller glasses for individual servings of alcohol.
- ❖ Provide a wide selection of attractive nonalcoholic beverages.
- ❖ Use tickets or tokens to limit alcohol consumption to no more than 2 servings per individual.
- ❖ Post a sign where alcohol is served noting the maximum number of alcohol servings by for low-risk drinking.



***Civic, Community, Educational, and Religious Organizations (continued)***

**Recommendation 7: Schools should provide alcohol harms health effects information to parents, caregivers, and guardians.**

*Lead implementing organizations: School Districts*

*Purpose: Support evidence-based alcohol education; Reduce promotion of alcohol to youth; modify the drinking environment*

Schools should provide parents, caregivers and guardians with information on the long-term health consequences of underage drinking including, but not limited to: a higher lifetime risk of alcohol or drug abuse; a higher lifetime risk of developing one of the seven cancers linked to alcohol consumption; and the potential for permanent cognitive loss. While some of the acute consequences of underage drinking are well known, information on alcohol's relationship to drowning, falls, vehicular injury and death, alcohol poisoning, gun violence, suicide, and sexual assault should also be provided.

**Recommendation 8: Schools should conduct the Youth Risk Behavior Survey.**

*Lead implementing organizations: School Districts*

*Purpose: Monitor and evaluate; Support evidence-based alcohol education*

Schools are strongly encouraged to conduct the Youth Risk Behavior Survey (YRBS) to provide an accurate local measure of youth alcohol and other drug use.

**Recommendation 9: Principals, athletic directors, and guidance counselors should attend DITEP every 3 Years.**

*Lead implementing organizations: School Districts*

*Purpose: Support evidence-based alcohol education; Engage in preventive health care*

Wisconsin school principals, athletic directors, and guidance counselors should be required to attend Drug Impairment Training for Educational Professionals (DITEP) every three years and become familiar with local referral resources and providers for intervention and treatment services.





## Healthcare System

Healthcare systems have the capacity to screen large numbers of patients for problematic alcohol use, conduct brief interventions for persons at risk for excessive alcohol use, and refer persons with alcohol use disorder to treatment. Multiple disciplines of healthcare providers can be effectively trained in Screening, Brief Intervention and Referral to Treatment (SBIRT), as previously demonstrated (Sherwood, Kramlich, Rodriquez & Graybeal, 2019). Healthcare providers of all disciplines should also implement opportunities to screen and intervene to reduce excessive alcohol use and work to identify and prevent those at risk for developing alcohol use disorders.

Screenings and Brief Interventions for problem drinking or at-risk drinking are recommended for adults and adolescents by the United States Preventive Service Task Force, the American College of Surgeons Committee on Trauma, the American Academy of Pediatrics, and the American College of Emergency Physicians. These recommendations span the spectrum of patient care including ambulatory, emergency department, and inpatient settings.

### **Recommendation 1: Require medical providers to conduct SBIRT screens.**

*Purpose: Engage in preventive health care*

Screening, Brief Intervention and Referral to Treatment (SBIRT) is an effective approach to identifying individuals with alcohol use disorders and those at risk of developing a disorder. Research suggests SBIRT and training to conduct SBIRT can be effective by video link. As a widely adopted and covered practice we recommend that both forms of SBIRT be the required standard of care in every group health insurance plan offered in Wisconsin.

We further recommend:

- ❖ SBIRT should be incorporated into the treatment of all patients with alcohol-related injuries or illness, including those seen in the ambulatory, emergency department and hospital setting.
- ❖ Patients, age 12 and older, should be screened for alcohol use annually using SBIRT when visiting their primary care health professional.
- ❖ Remote administration of SBIRT by trained medical professionals should be expanded to reach underserved communities throughout the state.
- ❖ Emergency departments should incorporate SBIRT into treatment for patients with alcohol-related injuries or illness.
- ❖ Level 3, and 4 Trauma Centers should be encouraged (as Level 1 and 2 Trauma Centers are required) to screen all injured patients with a validated tool such as the AUDIT or CRAFFT for alcohol abuse. The anonymized data can be used as a further evidence or confirmation of public health surveillance surveys such as the NSDUH and BRFSS.
- ❖ The Wisconsin Department of Health Services, in collaboration with the Wisconsin Society of Addiction Medicine, should initiate a campaign to educate medical professionals on how to administer SBIRT, where it is effective and the available resources to support it.
- ❖ The Wisconsin Department of Health Services in collaboration with health care professionals should study and report on the efficacy of low cost SBIRT training for underserved areas.

*\*Cross-listed in: State Government and State Agencies (Recommendation 10)*



### ***Healthcare System (continued)***

#### **Recommendation 2: Alcohol screenings for adolescents.**

*Purpose: Engage in preventative health care*

All children aged 12 and older should be screened for alcohol use outside the presence of parents or guardians in all health care settings.

#### **Recommendation 3: Permit pharmacists to conduct screenings for substance use.**

*Purpose: Engage in preventative health care*

A small-scale study suggests pharmacists may be able to effectively conduct brief screening for substance abuse within the store. If confirmed by additional research, appropriate reimbursement for pharmacy-based screenings for substance abuse should be established and covered as part of the standard of care in Wisconsin.

*\*Cross-listed in: State Government and State Agencies (Recommendation 11)*



## Alcohol Industry

Alcohol Industry refers to those businesses and people involved in alcohol beverages production, distribution, and sale of beer and other fermented malt beverages, wine and distilled spirits. It includes a wide range of producers, manufacturers, rectifiers, distributors, wholesalers, and retailers.

### **Recommendation 1: Regulate alcohol delivery.**

*Purpose: Reduce availability of alcohol*

Wisconsin’s statutory requirement for face-to-face alcohol sales requires the retailer to interact with the customer, establish they are age 21 or older and not intoxicated. Proposals that allow for retailer delivery or third party delivery of alcohol remove this requirement and may not provide effective controls or a replacement. The experience of other states indicates allowing alcohol to be delivered increases the risk of underage drinking. It is imperative to carefully enumerate the responsibilities of all parties involved and to support local enforcement of those policies.

- ❖ The retailer and the delivery service are both separately responsible for determining that alcohol is only delivered to individuals who are age 21 or older and not intoxicated.
  - Either or both parties may be cited if IDs are not checked, or other required actions are not taken regardless of the means used to determine a violation.
  - Failure by either the retailer or delivery personnel to fulfill their responsibilities may be cited under 125.07.
  - Multiple failures by a licensee to package alcohol correctly or failing to indicate orders that contain alcohol are individual violations.
- ❖ The retailer must place a fluorescent-colored sticker, at least four inches in length or diameter that is readably visible on the exterior packaging of every box or bag containing alcohol. With the wording in all capital letters: *CONTAINS ALCOHOL: SIGNATURE OF PERSON AGED 21 YEARS OR OLDER REQUIRED FOR DELIVERY.*
  - Failure to place this required sticker is a violation of the alcohol license, multiple failures may constitute cause for non-renewal, suspension or revocation.
  - A purchaser’s assertion that they are age 21 or older does not absolve the retailer from other required steps.
- ❖ The delivery service is responsible for the conduct of its employees and contractors, including but not limited to requiring every delivery including alcohol must verify the age of the recipient by physically checking a government issued ID that also confirms the individual in the photo is the same person accepting delivery, the name on the credit card and ID are the same, and the individual is age 21 or older.
  - A signature following the ID check is required for every delivery with alcohol.
  - Delivery personnel must visually confirm the individual is not intoxicated.
- ❖ Packages with the fluorescent “Alcohol” sticker must be delivered to the named individual on the order. They may not be left on steps, porches or other exterior locations or otherwise unattended regardless of the instructions submitted by the customer.
  - Delivery firms and retailers may assess a reasonable fee to any order returned due to a failed ID check or failure to present an ID.

*\*Cross-listed in: State Government and State Agencies (Recommendation 6); Local Government (Recommendation 13)*



### ***Alcohol Industry (continued)***

#### **Recommendation 2: Voluntarily label containers with alcohol serving facts.**

*Purpose: Modify the drinking environment*

Manufacturers and rectifiers should voluntarily label alcohol beverage containers with truthful and accurate per serving alcohol serving facts information using a Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau prescribed format.

#### **Recommendation 3: Define and regulate the use of growlers.**

*Purpose: Reduce availability of alcohol*

Wisconsin should adopt a comprehensive definition of a “growler” that includes requirements for cleaning, labelling and sealing by licensees.

A growler is a metal, plastic, glass or ceramic container holding a maximum of 128 ounces having a lid or stopper that can be secured with a tamper proof seal, to be filled with fermented malt beverages at the time of sale at Class “B” licensees for off-premises consumption.

- ❖ A growler that has been filled in advance of sale is a bottle and must meet all state and federal tax and labeling requirements.
  - ❖ Retailers may sell one-time use disposable growlers or multiple use growlers that conform to the definition.
- ❖ Any fermented malt beverage may fill a customer’s growler without regard for the brand or logo on the exterior of the container.
- ❖ After filling and capping with the lid or other stopper, the licensee must place a seal that will be visibly broken or torn when the container is opened.
- ❖ Cellophane tape, even if unique to the licensee, that can be removed and reapplied, is not a tamper proof seal.
- ❖ The licensee must apply a tag or sticker that provides the name and address of the brewer for the beverage filling a growler.
- ❖ Refillable growlers must be washed by the licensee prior to filling.
- ❖ A licensee may refuse to fill any growler they cannot seal or sanitize.
- ❖ A municipality may prohibit off-premises sales of growlers.

*\*Cross-listed in: Local Government (Recommendation 21); State Government and State Agencies (Recommendation 15)*



## Conclusion

We have an environment in our state that promotes the harmful use of alcohol, but there are many opportunities laid out in these recommendations to continue to make population-level improvements in the alcohol environment in Wisconsin. Wisconsin has made many improvements in the alcohol environment, yet we can continue our efforts to create a safe and prosperous environment for all.

Enacting policies to prevent excessive use of alcohol is a cost-effective strategy and has many benefits to the community including creating safer neighborhoods, roads and downtowns while also reducing violence and cancer risk. It's the hope that communities, organizations, and local, tribal, and state government implement these policies and evaluate their effectiveness in creating safer environments for all of us. Rather than accept the current situation, we offer the following as a statement of our belief that excessive alcohol consumption can be reduced and prevented in Wisconsin and encourage all communities, organizations, and governments to center these goals in their efforts.

- ❖ All Wisconsin residents have the right to a family, community, and working life protected from injury, harm and other negative consequences of excessive alcohol use.
- ❖ All of Wisconsin's children have the right to grow up in an environment protected from the negative consequences of alcohol use including prolific alcohol advertising and high concentration of alcohol outlets.
- ❖ Wisconsin's residents have the right to complete, accurate and impartial information on the effects and consequences of alcohol use and excessive use beginning at an early age.
- ❖ Wisconsin residents also have a right to have information and data about the cost of alcohol harm, where licensed establishments are located and how excessive alcohol use impacts health.
- ❖ Wisconsin residents who choose not to consume alcohol, for any reason, have the right to have their decision supported without judgment or pressure to consume alcohol as well as have many places and spaces that are alcohol free.
- ❖ All Wisconsin residents experiencing the effects of dangerous drinking or alcohol use disorder should have access to treatment and care.



## Appendices

### Appendix A: Summary of Recommendations

This summary of recommendations contains each of the 61 recommendations and indicates the implementing organizations that they are listed under. It also provides the recommendation number for each category (e.g. (#1)).

Recommendations	Implementing Organizations				
	Local Govt.	State	Civic Orgs.	Healthcare	Alcohol Industry
Map alcohol outlet density.	✓ (#1)	✓ (#1)			
Municipalities work with post-secondary schools	✓ (#2)		✓ (#1)		
Universities and colleges work with the local government.	✓ (#3)		✓ (#2)		
Compile and utilize Place of Last Drink (POLD) data.	✓ (#4)				
Fund, train, and conduct Minimum Legal Drinking Age compliance checks.	✓ (#5)	✓ (#5)			
Regulate alcohol delivery.	✓ (#6)	✓ (#12)			✓ (#1)
Ban alcohol advertising from municipal property.	✓ (#7)				
Use sign codes to limit amount of advertising in windows.	✓ (#8)				
Prohibit placement of alcohol advertising on mass transit vehicles and property.	✓ (#9)				
Prohibit sale of alcohol beverages at gas stations and vehicle charging stations.	✓ (#10)				
Establish procedural guidelines for granting alcohol licenses that reflect community goals.	✓ (#11)				
Permit judges to order SBIRT.	✓ (#12)	✓ (#9)			
Adopt and enforce the social host statute as an ordinance and enforce it.	✓ (#13)				





Recommendations	Implementing Organizations				
	Local Govt.	State	Civic Orgs.	Healthcare	Alcohol Industry
Regulate alcohol tasting in Class A Establishments.	✓ (#14)				
Append license conditions to all temporary licenses.	✓ (#15)				
Require best practice license conditions for all public events where alcohol is served.	✓ (#16)				
Prohibit consumption-based drink specials.	✓ (#17)				
Adopt beer keg registration ordinances.	✓ (#18)				
Designate alcohol-free recreational areas and parks.	✓ (#19)				
Require license conditions for all new Class A licenses.	✓ (#20)				
Define and regulate the use of growlers.	✓ (#21)	✓ (#15)			✓ (#3)
Adopt a sober server ordinance.	✓ (#22)				
Apply license conditions to pharmacy alcohol licenses when possible.	✓ (#23)				
Prevent party and nuisance houses and unruly gatherings.	✓ (#24)				
Apply and enforce license conditions to address problems.	✓ (#25)				
Operate saturation patrols.	✓ (#26)				
Ban beer bongs and drinking competitions.	✓ (#27)				
Provide municipalities with authority to assess application fees.	✓ (#28)	✓ (#19)			
Regulate brewer's retail outlet and condition approval on conformity with all applicable law, including municipal.	✓ (#29)	✓ (#17)			



Recommendations	Implementing Organizations				
	Local Govt.	State	Civic Orgs.	Healthcare	Alcohol Industry
Conduct mandatory ethics code trainings for all who make government decisions on alcohol matters.	✓ (#30)	✓ (#21)			
Suspend increases in “Class B” Licenses.		✓ (#2)			
Increase alcohol tax.		✓ (#3)			
Maintain 21 as Minimum Legal Drinking Age.		✓ (#4)			
Revise Wis. Stat. sec. 125.07(1)(b)1.		✓ (#6)			
Repeal language allowing licensees to sell to persons under MLDA in presence of parent, guardian or spouse.		✓ (#7)			
Test and evaluate effectiveness of SBIRT in schools.		✓ (#8)			
Require medical providers to conduct SBIRT screens.		✓ (#10)		✓ (#1)	
Permit pharmacists to conduct screenings for substance use.		✓ (#11)		✓ (#3)	
Amend Wis. Stat. sec. 125.32(2) and 125.68(2) to provide more effective supervision of unlicensed persons selling or serving alcohol to customers.		✓ (#13)			
Provide DOR with authority to require wholesalers to collect hazardous products from retailers.		✓ (#14)			
Create guidance and training for enforcement of alcohol delivery.		✓ (#16)			
Create and require an alcohol delivery license/endorsement.		✓ (#18)			
Increase fee for Class B temporary License.		✓ (#20)			
Require responsible beverage server training for all managers.		✓ (#22)			



Recommendations	Implementing Organizations				
	Local Govt.	State	Civic Orgs.	Healthcare	Alcohol Industry
Do not expand direct-to-consumer shipping.		✓ (#23)			
Repeal preemption preventing municipalities from requiring responsible beverage server training of all employees at licensed premises.		✓ (#24)			
Implement public awareness campaign about alcohol consumption’s link to cancer.		✓ (#25)			
Create public awareness campaign of causal connection between alcohol consumption and chronic disease.		✓ (#26)			
Collect and utilize anonymized OWI arrest data.		✓ (#27)			
Compile comprehensive alcohol-related statistics and make publicly available.		✓ (#28)			
Include data from the Wisconsin Ambulance Run Data System in DHS’s public alcohol dashboards.		✓ (#29)			
Colleges, universities, and municipalities should discourage underage and high-risk drinking.			✓ (#3)		
Schools should implement SBIRT program.			✓ (#4)		
Schools should implement evidence-informed practices to prevent underage drinking.			✓ (#5)		
Avoid encouraging excessive alcohol consumption at celebrations and fundraisers.			✓ (#6)		
Schools should provide alcohol harms health effects information to parents, caregivers and guardians.			✓ (#7)		
Schools should conduct the Youth Risk Behavior Survey.			✓ (#8)		
Principals, athletic directors, and guidance counselors should attend DITEP every 3 years.			✓ (#9)		
Alcohol screenings for adolescents.				✓ (#2)	
Voluntarily label containers with alcohol serving facts.					✓ (#2)



## Appendix B: Wausau’s Sober Server Ordinance

### 5.64.034 Restriction on Servers.

- (a) Prohibition. It shall be unlawful for a licensee or an agent or employee of the licensee to serve or supervise the service of alcohol beverages in a licensed premises while under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of an intoxicant, a controlled substance and a controlled substance analog. Controlled substance and controlled substance analog shall have the meaning as these terms are defined in section 9.04.026. Under the influence means not only all the well-known and easily recognized conditions and degrees of intoxication, but any abnormal mental or physical condition which is the result of indulging to any degree in alcohol beverages and which tends to deprive a person of the clearness of intellect and control of himself or herself which he or she would otherwise possess.
- (b) Presumption. A test of the person’s breath, blood, or urine, including a preliminary breath test, that shows the person has an alcohol concentration of 0.04 or more is prima facie evidence that he or she is under the influence. Law enforcement officials shall be allowed to ask for a preliminary breath test upon reasonable suspicion. Refusal to submit to a requested test may be considered by the Common Council as grounds for revocation, non-issuance, or non-renewal of the server’s operator’s license.
- (c) Effect of Violation on Premises. If the principal business of the licensed premises is the sale of alcohol beverages, law enforcement officials will order it closed until such time as another licensed server or the licensee who is not in violation of this section shall take charge of such premises. It shall be a violation of this subsection for any licensed premises to be open contrary to such order of law enforcement officials.



## Glossary of Terms

Alcohol policy and prevention strategies often use terms from several professional and academic disciplines that each have a set of terms and abbreviations. In Wisconsin, our reliance on municipal alcohol control contributes another set of terms to the list. As a result, advocates face a confusing array of terms and abbreviations. This can sometimes hinder understanding or block progress. This glossary is not comprehensive; it is an introduction to frequently used terms with definitions taken from well-recognized sources as noted. Sections of the Wisconsin State Statutes are referenced as appropriate.

**Alcohol age compliance checks:** Alcohol age compliance checks are a cost-effective way to measure youth access to alcohol from retail outlets. They involve the use of underage buyers by law enforcement agencies as “agents” to test retailers’ compliance with laws regarding the sale of alcohol to minors. (Moore, 2011)

**Alcohol and Tobacco Tax and Trade Bureau (TTB):** A bureau of the U.S. Department of Treasury, the TTB’s mission is to collect Federal excise taxes on alcohol, tobacco, firearms, and ammunition and to assure compliance with Federal tobacco permitting and alcohol permitting, labeling, and marketing requirements to protect consumers. For more information, visit <https://www.ttb.gov/about-ttb>.

**Alcohol beverage:** Wisconsin Statutes use the term “alcohol beverages” and not the more commonly heard term “alcoholic beverages” to refer to fermented malt beverages, such as beer, and “intoxicating liquor” which includes distilled spirits, hard liquor and wine. 125.02(1) See also fermented malt beverage, intoxicating liquor, and distilled spirits.

**Alcohol Outlet:** A retail location licensed to sell alcohol for consumption at another location or on-site including grocery stores, liquor stores, convenience stores, restaurants, bars, taverns, festivals that sell alcohol beverages, and other outlets.

**Alcohol outlet density:** The number of physical locations in which alcoholic beverages are available for purchase in a community by population, distance between outlets, or by municipality. Some areas may choose to include square footage or capacity in density calculations. The Centers for Disease Control and Prevention outlined three approaches to measurement in the CDC Guide for Measuring Outlet Density.

**Alcohol policy:** Alcohol policies govern the sale, serving and consumption of alcohol beverages. An alcohol policy is simply a rule or law adopted by government or non-governmental groups that regulates or dictates how alcohol may be used. For example, the minimum legal drinking age of 21 is a widely accepted policy that has reduced underage drinking. Alcohol policy has also been defined by academics as any purposeful effort on the part of governmental or nongovernmental organizations to minimize or prevent alcohol-related consequences. Policies can involve the implementation of a specific strategy regarding alcohol problems (e.g., age restrictions on alcohol sales) or the allocation of resources that reflect priorities regarding prevention or treatment intervention efforts. (Babor & Caetano, 2005)

**Beer:** A carbonated, fermented alcoholic beverage that is usually made from malted cereal grain (especially barley), and is flavored with hops.



**Barrel of beer:** A barrel of beer contains 31 gallons of beer. Beer is generally taxed by the barrel, regardless of the retail container (bottles, cans, half-barrel, etc.).

**Behavioral Risk Factor Surveillance System (BRFSS):** The Behavioral Risk Factor Surveillance System (BRFSS) is an on-going telephone health survey system, tracking health conditions and risk behaviors in the United States yearly since 1984.

**Beer Institute:** A trade organization that represents over 5,000 large and small domestic brewers, importers and industry suppliers. It hosts the website “Beer Serves America” that offers an estimate of the economic value beer brings to the states and congressional districts. The Beer Institute has adopted a Code of Good Practices that governs advertising and marketing.

**Binge drinking:** According to the CDC, “Binge drinking is the most common, costly, and deadly pattern of excessive alcohol use in the United States. Binge drinking is defined as a pattern of drinking that brings a person’s blood alcohol concentration (BAC) to 0.08 g/dl or above. This typically happens when men consume 5 or more drinks or women consume 4 or more drinks in about 2 hours. Most people who binge drink do not have a severe alcohol use disorder.

**Blood Alcohol Concentration (BAC):** BAC refers to the number of grams of alcohol in 100 milliliters of a person’s blood or the number of grams of alcohol in 210 liters of a person’s breath.

**Brewer:** Refers to a person who manufactures fermented malt beverages for sale or transportation. Wis. Stat. §125.02(2).

**Brewpub:** A brewpub is a location that manufactures and bottles no more than 10,000 barrels of fermented malt beverages in a single year at that location or by the brewpub group, has a restaurant on the premises and, holds a Class “B” license from the municipality where it is located. The definition is in the Wis. Stat. ch. 125.295.

**Cancer:** Drinking alcohol beverages has been shown to be a cause of seven different types of cancer: liver, breast, stomach, colon, oropharyngeal, laryngeal, esophageal, and rectal, “A” license authorizes the retail sale of beer and other fermented malt beverages for consumption off the premises. The “Class A” license authorizes the retail sale of liquor and wine for consumption off the premises. The placement of the quotation marks distinguishes between fermented malt beverages including beer (around the letter) and liquor including wine (around the entire phrase).

**Class B License:** The Class “B” license authorizes the retail sale of beer and other fermented malt beverages for consumption on or off the premises. The “Class B” license authorizes the retail sale of liquor and wine for consumption on or off the premises. The placement of the quotation marks distinguishes between fermented malt beverages including beer (around the letter) and liquor including wine (around the entire phrase).

**Class “B” or “Class B” Temporary license (also called picnic licenses):** Licenses for a specific location for a specific period that are issued by the municipality to only community, service or civic organizations in existence for more than six months. The fee for this license is limited to \$10. A temporary license is required for “wine walks” and similar events.





**College Alcohol Intervention Matrix (CollegeAIM):** College Alcohol Intervention Matrix is a tool developed by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) to help schools identify and choose effective alcohol interventions. For more information, visit: <https://www.collegedrinkingprevention.gov/CollegeAIM/>.

**Compliance checks:** See “Alcohol Age Compliance Checks.”

**Dashboard:** The term for a single location, most often a website, where a variety of statistics is presented to provide an overview of an issue in a single viewing.

**Distilled Spirits Council of the United States (DISCUS):** The trade group that represents manufacturers to make or market distilled spirits (whiskey, rum, vodka etc.). This group has adopted a Code of Good Practice that governs advertising and marketing by member companies.

**Drink:** The U.S. Centers for Disease Control and Prevention define a standard drink as containing 0.6 ounces or 14 grams of pure alcohol. This is the amount of alcohol found in 12 oz. of beer (5% alcohol), 8 oz. of malt liquor (7% alcohol), 5 oz. of wine (12% alcohol) and 1.5 oz. or a “shot” of distilled spirits (80 proof).

**Drug Impairment Training for Educational Professionals (DITEP):** DITEP is derived from the national Drug Evaluation and Classification (DEC) Program. The training is intended to make high school nurses, principals, and school resource officers competent and confident in evaluating and documenting students suspected of abusing and being impaired by drugs. It was created in cooperation with the International Association of Chiefs of Police (IACP) and the National Highway Traffic Safety Association (NHTSA).

**Excessive alcohol Use:** Includes binge drinking, heavy drinking, and drinking by pregnant women or people younger than 21. Estimates conclude 90% of excessive drinkers do not meet the criteria for alcohol dependence, a common misperception. Excessive drinking is the baseline used to capture the cost of alcohol misuse in *The Burden of Excessive Alcohol Use in Wisconsin*.

**Evidence-based practices:** Evidence-based practices are approaches to prevention or treatment that integrate the best research evidence with practical expertise.

**Evidence-informed practices:** Evidence-informed practices are more flexible approaches that use the best available research and practice knowledge to guide program design and implementation while permitting innovation and flexibility to respond to local conditions.

**Excise Tax, Alcohol Excise Tax:** A frequently used, but incorrect term for the Wisconsin Occupational Tax on Alcohol wholesalers. Alcohol taxes are assessed at the state and federal level, and are beverage-specific (i.e., they differ for beer, wine and spirits). These taxes are usually based on the amount of beverage purchased (not on the sales price), so their effects can erode over time due to inflation if they are not adjusted regularly. Alcohol excise taxes affect the price of alcohol, and are intended to reduce alcohol-related harms, raise revenue, or both.

**Federal Trade Commission (FTC):** The FTC was created in 1914 to prevent unfair competition in commerce. It can enforce laws against unfair, anticompetitive, and deceptive trade practices.



**Fermented malt beverage:** Any beverage made by the alcohol fermentation of an infusion in potable water of barley malt and hops, with or without unmalted grains or decorticated and degerminated grains or sugar containing 0.5 percent or more of alcohol by volume. Wis. Stat. §125.02(6). Wisconsin uses this term in Chapter 125 instead of beer. The term includes beer, hard seltzers, and many so-called wine coolers.

**Food and Drug Administration (FDA):** The Food and Drug Administration is responsible for protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, and medical devices; and by ensuring the safety of our nation's food supply, cosmetics, and products that emit radiation.

**Growler:** A refillable container for fermented malt beverages for the sale of beer by the measure. Growlers allow customers of small craft brewers that lack a bottling facility to purchase a product for off-premises consumption although any Class "B" licensee may sell beer in a growler.

**Heavy drinking:** The Centers for Disease Control and Prevention define heavy drinking as 8 or more drinks per week for women and 15 or more drinks per week for men. Heavy drinkers may also be binge drinkers but may not meet the criteria for alcohol use disorder.

**Intoxicating liquor:** "All ardent, spirituous, distilled or vinous liquors, liquids or compounds whether medicated, proprietary, patented or not, and by whatever name called, containing 0.5% or more alcohol by volume which are beverages, but does not include 'fermented malt beverages'." [125.02(8) Wisconsin Statutes]. Intoxicating liquor is sometimes called "hard liquor" or "spirits," such as all whiskeys, gin, vodka; but does not include alcohol pops and flavored malt beverages such as Smirnoff Ice, Bacardi Silver, etc. In Wisconsin, the term "intoxicating liquor" includes wine.

**License:** The Wisconsin Statutes define an alcohol beverage license as "an authorization to sell alcohol beverages issued by a municipal governing body" under Chapter 125. Only a municipality (a city, village, or town) can grant and issue alcohol beverage licenses. The Wisconsin Department of Revenue cannot issue licenses, but does issue permits. Wisconsin has a classification scheme for licenses that does not apply to other states. Retail licenses are categorized by the type of alcohol beverages sold and whether the alcohol beverages are consumed on or off premises:

- ❖ "Class A" license authorizes the retail sale of liquor and wine for consumption off the premises.
- ❖ "Class B" license authorizes the retail sale of liquor and wine for consumption on or off the premises
- ❖ Class "A" license authorizes the retail sale of beer for consumption off the premises.
- ❖ Class "B" license authorizes the retail sale of beer for consumption on or off the premises.
- ❖ "Class C" license authorizes the retail sale of wine for consumption on the premises.

**Licensee:** A person who has received a license to sell alcohol beverages from a Wisconsin municipality.

**License conditions:** Specific restrictions or requirements placed on an alcohol license at the time it is issued by the municipality that address specific aspects of the operation, management or design of the licensed establishment. For example: license conditions may require a patio or deck to close at a specific time, prohibit certain types of entertainment, require a maintenance task such as nightly sidewalk and or parking lot maintenance or dress codes.



**License suspension, revocation & nonrenewal:** The most serious sanctions a municipality may impose on a retail (either on or off premises) alcohol outlet licensee. There are specific and different procedural rules for each sanction. An alcohol license may not be suspended, revoked or non-renewed without cause in Wisconsin.

- ❖ License suspension: License suspension requires the licensee to cease operation for the period of the suspension, up to 90 days.
- ❖ License revocation: Revocation withdraws the community license from the licensee.
- ❖ License nonrenewal: Nonrenewal is similar to revocation, must follow a procedure to revocation but occurs only during the annual renewal.

**Local Government:** Counties, tribes, and municipalities (cities, villages, and towns). Many alcohol policies are made and enforced at the local level. Only municipalities have state authority to grant alcohol beverage licenses. Local governments may enact ordinances for public safety purposes, and may enforce their laws within their boundaries against people who violate them. Tribes may need to work with the Bureau of Indian Affairs when enacting ordinances.

**Manufacturer:** A person, other than a rectifier, that ferments, manufactures or distills intoxicating liquor. Wis. Stat. §125.02(10).

**Minimum Legal Drinking Age (MLDA):** Since the National Minimum Drinking Age Act was passed in 1984, every state has adopted age 21 as the minimum legal drinking age. In Wisconsin, the phrase “legal drinking age” means 21 years of age. Wis. Stat. §125.02(8m).

**Municipality:** Chapter 125 of the Wisconsin Statutes defines a “municipality” as “a city, village, or town.” Only a municipality (city, village, or town) may grant an alcohol license. For the purposes of alcohol beverage law in Wisconsin, counties are not considered municipalities, and have no power to grant alcohol licenses.

**National Institute on Alcohol Abuse and Alcoholism (NIAAA):** NIAAA supports and conducts research on the impact of alcohol use on human health and well-being. <https://www.niaaa.nih.gov>

**National Survey on Drug Use and Health (NSDUH):** An annual national survey of a random sample of US residents (by household) age 12 and older to determine levels of alcohol, tobacco and illegal drug use and the consequences of that use. The survey is commissioned by the Substance Abuse and Mental Health Services Administration and conducted by a private contractor.

**Outlet density:** See **Alcohol Outlet Density**.

**Permit:** An alcohol beverage permit is “any permit issued” by the Wisconsin Department of Revenue under chapter 125 of the Wisconsin Statutes.

**Permittee:** A person who has received a permit from the Wisconsin Department of Revenue for alcohol beverages manufacture, distribution, or sales.

**Place of Last Drink (POLD):** The last location a driver that was arrested/cited for Operating While Intoxicated (OWI – also known as Driving under the Influence [DUI] in some states) names as the last location alcohol was sold or served to them. In Wisconsin, POLD data can be used to establish a pattern of over-serving. In 2012, the National Highway Transportation Safety Agency recommended collecting POLD data. In Wisconsin, POLD data is found on the SP4005 form completed as part of the OWI arrest procedure.



**Producer:** A person who produces alcohol beverages. This may be a brewer, brewpub, vintner, manufacturer, or rectifier.

**Records Management System (RMS):** Every law enforcement agency has a record management system enabling the online compilation of arrest and incident data. Several different commercial platforms are used by Wisconsin law enforcement agencies.

**Rectifier:** The term “rectifier” is defined in detail by Wis. Stat. §125.02(16), but basically refers to a person who bottles, mixes, purifies, rectifies or refines distilled spirits, but does not refer to the original distillation process.

**Responsible Beverage Server (RBS):** In Wisconsin, an approved course of study that trains sellers and servers how to avoid illegal alcohol sales to intoxicated or underage individuals. In Wisconsin, all licensed “operators,” licensed servers and bartenders, must be licensed. Not all servers or sellers need to be licensed. Training generally involves educating servers about state, local and sometimes establishment policies for serving alcohol and practicing the necessary skills to comply. A list of courses approved in Wisconsin is available at [www.revenue.wi.gov/training/index.html](http://www.revenue.wi.gov/training/index.html).

**Retailer:** A retailer is any person who sells, or offers for sale, any alcohol beverages to any person other than a person holding an alcohol beverage permit or license. Wis. Stat. §125.02(19).

**Saturation Patrols:** A saturation patrol is an enforcement tactic where many officers are concentrated into a small geographic area, increasing the perception of risk, thereby deterring criminal behavior.

**Screening, Brief Intervention and Referral to Treatment (SBIRT):** SBIRT is a comprehensive, integrated, public health approach to the delivery of early intervention and treatment services for persons with substance use disorders, as well as those who are at risk of developing these disorders. Primary care centers, hospital emergency rooms, trauma centers, and other community settings provide opportunities for early intervention with at-risk substance users before more severe consequences occur.

- ❖ Screening quickly assesses the severity of substance use and identifies the appropriate level of treatment.
- ❖ Brief intervention focuses on increasing insight and awareness regarding substance use and motivation toward behavioral change.
- ❖ Referral to treatment provides those identified as needing extensive treatment with access to specialty care.

For more information, visit: [www.samhsa.gov/sbirt](http://www.samhsa.gov/sbirt).

**State Council on Alcohol and Other Drug Abuse (SCAODA):** A state created committee of 16 designated members representing specific groups and agencies, six members selected from the public and 10 ex officio members that advise the Governor and Legislature on substance abuse, prevention and recovery issues. The group creates its own goals and strategic plan to reach those goals.



**Social Host Statute:** In Wisconsin, this phrase refers to a state law enacted in 2017 that makes it illegal to provide a location for underage drinking. Under state law, individuals aged 18 or older may not “knowingly permit or failing to take steps to prevent” underage drinking on property they control. This phrase has different meanings in different states based on state civil liability laws. Wis. Stat. §125.07(1)(3).

**TraCS:** Traffic and Criminal Software (TraCS) is a data system and reporting tool used by many police agencies. TraCS was developed by the state of Iowa in partnership with the Federal Highway Administration (FHWA). It is designed with modular architecture capable of sharing common data among forms and providing capability of incorporating crash, citation, OWI, commercial motor vehicle inspection and incident forms. Technologies such as bar code scanners, digital camera and Global Positioning Systems (GPS) enhance the use of TraCS. Wisconsin's version of TraCS is Badger TraCS. It is managed by the Wisconsin Department of Transportation. For more information, visit: <https://wisconsin.gov/Pages/safety/enforcement/agencies/tracs/forms.aspx>.

**Underage person:** An underage person is a person who has not attained the legal drinking age. Wis. Stat. §125.02(20m).

**Youth Risk Behavior Survey (YRBS):** The Wisconsin Youth Risk Behavior Survey (YRBS) is conducted as part of a national effort by the U.S. Centers for Disease Control and Prevention to monitor health-risk behaviors of the nation's high school students. The behaviors monitored by the Wisconsin YRBS include traffic safety; weapons and violence; suicide; tobacco use; alcohol and other drug use; sexual behavior; and diet, nutrition and exercise. The Wisconsin Department of Public Instruction (DPI) has administered the YRBS every two years beginning with 1993. The YRBS is administered to students in Wisconsin's public high schools. Survey procedures were designed to protect the privacy of students by allowing anonymous and voluntary participation. Local parent permission procedures were followed before administration, including informing parents that their child's participation was voluntary.

**Wholesaler:** A wholesaler is a person, other than a brewer, brewpub, manufacturer, or rectifier, who sells alcohol beverages to a licensed retailer or to another wholesaler. Wis. Stat. §125.02(21).

**Wine:** Products created by the normal alcohol fermentation of juice or must of sound ripe grapes, other fruits or agricultural products, imitation wine, compounds sold as wine, vermouth, cider, perry, mead and sake if such products contain not less than 0.5% nor more than 21% alcohol by volume.” (125.02(22) Wisconsin Statutes). Brand information may not reflect the type of beverage. Many so-called wine coolers are fermented malt beverages flavored to taste like a wine-based beverage, taxed as beer not wine.

**Wisconsin Epidemiological Profile on Drug Use and Health:** A summary produced every other year of statistics and charts showing current and past alcohol consumption and drug use, consequences of alcohol or drug use. Some shared and community risk factors are included, as well as sources and definitions of different indicators included. The Wisconsin Department of Health Services in collaboration with the University of Wisconsin Population Health Institute has historically produced the summary.

**Wisconsin Statutes Chapter 125:** The section of the Wisconsin State Statutes that governs alcohol sales in Wisconsin. It does not address all types of alcohol related violations; it creates the alcohol policy framework for licensing and sales.



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