

# Addressing Violence and Disorder around Alcohol Outlets



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## Reducing Violence in Bar and Entertainment Districts

There is a substantial literature around violence and alcohol outlets. Roman et al. (2008) studied block groups in Washington, DC and found that increased densities of on-and off-premise liquor outlets increase disorder and violence, but that each type of outlet affects only a specific kind of violence: the presence of on-premise alcohol outlets predict increases in aggravated assault, while off-premise outlets predict increases in domestic violence. In response to violence and disorder, particularly around on-premise alcohol outlets, effective programs have been developed to address this problem by combining several strategies. The common thread between these policies is that each addresses at least one of the five key factors contributing to assault, social disorder, and domestic violence in or closely linked to entertainment districts: the availability of alcohol, the time of day at which drinking takes place, the protective or risk-creating physical factors of the area, the social and legal fabric of the neighborhood, and the presence of motivated offenders. This report summarizes the literature on the effectiveness of interventions targeting these five key factors.

### The Relationship between Alcohol Outlets and Violence

In their Washington, D.C. study, Roman et al., 2008 found that the density of on-premise alcohol outlets is highly predictive of violence, particularly aggravated assault (interestingly, these results do not hold for the density of off-premise outlets). The study also found that on-premise outlet density is a strong predictor of violence on weekends and weekend nights, but not on weeknights (Monday through Thursday), while the density of off-premise alcohol outlets is associated with more violence during the weekday period. When disaggregated by type of on-premise alcohol outlets, the density of taverns is positively associated with both more violence and more disorder. However, the densities of nightclubs and alcohol-serving restaurants are not associated with either more disorder or more violence; to the contrary, the density of nightclubs is associated with less disorder.

The impact of off-premise liquor outlets on violence is weaker (Roman, et al., 2008), though there are positive relationships between off-premise liquor outlets and all types of violent crime (Toomey, et al., 2012), and there are associations with higher incidence of overnight hospital stays (Gruenewald & Remer, 2006). A law change in New Mexico allowing off-premise liquor sales on Sundays created a natural experiment to test the effect of off-premise sales on several measures of crime and disorder. The study found increases in violence and increases in traffic fatalities. However,

#### Types of Liquor Outlets

While numerous fine distinctions exist between different types of liquor outlets, this paper uses the distinctions drawn in Roman et al.'s (2008) Washington D.C. study of alcohol outlets:

**On-Premise:** Outlets that sell liquor with the expectation that it will be consumed largely or entirely on the physical premises of the establishment. Examples include bars, taverns, night clubs and restaurants.

**Off-Premise:** Outlets that sell liquor with the expectation that it will be consumed largely or entirely off the

localities in New Mexico that maintained or quickly reinstated their bans of off-premise sales on Sundays saw fewer fatalities than the ones that lifted the ban permanently (McMillan & Lapham, 2006).

These findings have been replicated in other sites. In Australia, Norway, and Los Angeles, areas with higher concentrations of alcohol outlets and liquor stores have higher concentrations of criminal violence (Norstrom, 2000; Yu et al., 2008). In the Australian study, it was found that as the number of liquor licenses increased, the number of assaults *per license* also increased, suggesting the possibility of a tipping point past which the addition of another bar to the area has a disproportionate effect on violent crime (Livingston, 2008).

### Alcohol Availability

Several different policies have been proposed to reduce the availability of alcohol. The state or local licensing process can be modified to target high-risk bars. Increasing the cost of alcohol will reduce demand. And, reducing the amount of alcohol available for consumption can also decrease demand.

Effective use of the licensing authority can also give a municipal government better control over the activities of drinking establishments. Even if licensing is not used to close problem bars or prohibit the opening of new establishments, it can be used to regulate their activities. Fresno, California uses conditional liquor licenses to regulate how alcohol is served and displayed. This licensing scheme also allows authorities to more easily revoke the licenses of non-compliant businesses (Sampson & Scott, 1999). This relationship between density of alcohol outlets and violent crime, holds for both on-premise and off-premise liquor outlets.

Decreasing the availability of alcohol by raising the cost of liquor is a controversial tactic that has been proposed in the United Kingdom as a way of reducing drinking violence. Meta-analysis of the variation in alcohol prices has demonstrated that increasing liquor prices reduces consumption (Wagenaar, Salois, and Komro, 2009). Reduced consumption, in turn, lowers various types of violence, including domestic abuse and numbers of college students involved in violence (Markowitz, 1999; Markowitz & Grossman, 1996; Grossman & Markowitz, 2001). In England, it was estimated that a £0.50 pence (\$0.80) minimum per unit price on alcohol would reduce violence crimes by 2.1 percent, translating to 10,300 fewer violent crimes (Meier et al., 2008). These approaches are particularly effective with young adults, who have an elastic demand for alcohol and thus are very sensitive to price increases. However, raising the price of liquor has provoked opposition from both liquor manufacturers and British political figures, who have resisted attempts to implement the plans. Opponents argue that such changes would not alter the most dangerous drinking behaviors, would unfairly penalize the poor, and could run afoul of competition laws (Owen, 2011).

Far less protest has been provoked by proposals to reduce the serving size of alcohol rather than the price, to reduce violence associated with off-premise alcohol outlets. In 1992, Portland, Oregon focused on 40 and 32 oz. size containers of malt liquor after the effects of a previous ban on fortified wine led many street drinkers to substitute large-container malt liquor drinks. After initial retailer

resistance and an attempt by the alcohol industry to circumnavigate the ban by selling 22 oz. containers, an agreement was reached with most retailers where no beverage larger than 16 oz. would be sold; eventually many retailers even voluntarily pulled 16 oz. bottles from their shelves. Since the inception of this program, Portland has seen a significant decrease in drinking related incidents; from 1992 to 1996 disorderly conduct charges decreased by 25 percent, and detoxification holds decreased from more than 3,000 in 1992, to less than 1,500 in 1996. (Sampson & Scott, 1999).

### Time of Day

Changes to closing times can have significant impacts on violence in bar districts. Studies on bar violence in inner city areas have found that instances of assault at drinking establishments were generally concentrated late at night or early in the morning (Briscoe & Donnelly, 2001). These findings about the relationship between alcohol-related crimes and time have also been replicated in Australia (Briscoe & Donnelly, 2003). Some cities have built policies on findings like these to restrict liquor access during the most “dangerous” hours. In the city of Diadema, Brazil, prohibiting the sale of on-premise liquor after 11 p.m. led to a decrease of almost nine murders a month (Duailibi et al., 2007). In Britain, a high percentage of drinking-based violent crime occurs between 9 p.m. and 3 a.m., peaking at around 11 p.m. (the typical closing time for a British pub) and especially on the weekends (Jayne, Holly, and Valentine, 2006). However, when the British Licensing Act of 2003 removed limits on drinking establishment hours, alcohol consumption actually fell, though this could be because few pubs extended their hours significantly (Hough & Hunter, 2008). Furthermore, when considering changing laws on hours, policymakers should consider the effects of such changes on patron behavior. For example, with a uniform closing it is possible that some patrons will drink heavily just before closing as they will not be able to legally purchase more alcohol (Scott & Dedel, 2006). Changes to operating hours can be combined with changes and improvements to the entertainment district itself to reduce physical risks and strengthen buffers against criminal activity.

Managing crowds leaving the bar can control would-be offenders without targeting specific individuals. The presence of large crowds lingering outside after bars close is associated with larger numbers of assaults as groups compete for transportation or incompatible social groups are forced to mingle (Berkley & Thayer, 2000). Part of the Derbyshire police’s “Peaks and Dales Safer Pubs and Clubs” program involved liaising with local taxi companies to ensure transportation would be available to quickly break-up crowds at closing time. Bar owners were also informed about the plan to make clubs safer by actively prompting dispersal at the end of the night and were encouraged to direct their staff to assist in this process (Torkington, 2002). One way to prevent the creation of large crowds is to stagger the closing of bars so that the entire population of the entertainment district is not deposited on the street at the same time (Tuck, 1989). By reducing the number of people on the street at any given time, the possibility of motivated offenders coming into contact with other motivated offenders or potential victims is greatly reduced.

## Buffers and Risk Factors

When addressing the risk factors that may increase crime, and the buffers that protect against it, liquor licensing laws prove to be a powerful policymaking tool. In conjunction with law enforcement, a campaign of liquor license registration can be used to encourage code and best practice management compliance from owners of drinking establishments and if necessary, to shut down the most egregious violators, targeting the most serious place-based risks in a district (Sampson & Scott, 1999). In Green Bay, Wisconsin, police and the city attorney created a “points” system, which were assessed to bars convicted of an alcohol-related offense; municipal courts were able to automatically suspend a license and close a bar for a designated period of time after 12 points were accumulated. As a result, five of the most persistently negligent bars were closed. Subsequently, calls for police service to the neighborhood fell and investment in the area has increased (Wexler et al., 2000). Closures are the most assertive method for targeting place-based risks, but changing the design of the venue and the activities offered at a drinking establishment, a less dramatic method, can also reduce risk and improve safety.

In Hayward, California, the number of calls for service was significantly reduced after the owner eliminated live music and dancing on weekends as part of a bargain to retain his bar’s liquor license (Sampson & Scott, 1999). However, outcomes depend strongly on what type of activities are being removed or added to the environment; the research on best practices in this domain is inconclusive. Certain types of live music and dancing, as well as games have been found to decrease consumption rates; while aggressive music and entertainment, as well as unregulated betting on bar games, have been found to stimulate violent encounters and disagreement (International Center for Alcohol Policies, 2002). Food service has been associated with reduced aggression because food slows the absorption of alcohol, bars that serve food tend to attract less aggressive clientele, and these bars may promote an atmosphere that is not exclusively centered on drinking (Deehan, 1999). A program initiated by the Merseyside Police promoting the use of plastic cups and bottles has also proven effective in reducing injuries from glass; police later convinced the city council to allow them to seize glass containers found outside bars (Merseyside Police, 2001).

Other innovations that can reduce violence target the physical structure of drinking establishments and the neighborhoods they inhabit. In Green Bay’s entertainment district, police, in coordination with other city agencies, trimmed foliage that concealed illegal activity, modified benches so that people could not lie on them, eliminated access to the unsecured buildings that people used as hiding places, cleared litter build-up, improved lighting in the rear areas of drinking establishments, and modified the rear doors of such places to permit egress only (Wexler et al., 2000). Poor placement of bathrooms, phones, entry and exit doors, dance floors, and bathrooms, as well as generally smaller venues, lead to crowding, which is, in turn, related to aggressive incidents (Macintyre & Homel, 1997). Merseyside police had an architectural liaison officer create a checklist of safe design features that was circulated to bar owners, who then paid for the required changes; compliance was ensured by visits from the liaison officer (Torkington, 2002). An example of such changes is the provision of adequate lighting, without which it becomes easier for patrons to conceal their activities (Scott & Dedel, 2006).



All these policies can reduce violent offending, but one of the best buffers against disorder and violence at a bar is the presence of a well-trained staff. Wells, Graham and West (1998) found that a large number of incidents in bars as clubs are the result of interaction with untrained, aggressive or unfair bar staff. Homel and Clark (1994) focused on the problem of untrained bouncers who are “frequently employed straight off the gym floor and have minimal skills in conflict resolution and non-violent communication.” For this reason, improving training among bouncers is a top priority for any program of violence reduction in bars. In addition to training bouncers in non-violent conflict resolution, staff-focused programs of violence prevention should encourage the development of formal policies regarding who is to be permitted entry and the spotting of and denial of service to intoxicated clients (Miller, Holder, and Voas, 2009); these policies have been found to reduce aggression in bar settings, especially physical violence (Haurtiz, et al., 1998). Evidence for the effect of training on service staff is more mixed, with varying reports on the effect of server training on over-serving patrons; bouncers are a more logical focus point if resources are limited (Delewski & Saltz, 1990; Stockwell, 2001). Increasing the number of staff is also an effective measure as it reduces patron frustration and the competition for service, and increases staff opportunities to monitor the levels of intoxication and aggression (Scott & Dedel, 2006). Where server training is effective, it is generally because of the adoption of better practices by bar management that support the enforcement of existing serving liquor to an intoxicated person (SIP) laws.

One common tactic in dealing with problematic bars and nightclubs is to encourage compliance with good serving practices through utilization and enforcement of existing liquor laws and licensing rules. While many jurisdictions (including the District of Columbia), criminalize serving liquor to an intoxicated person, multiple studies have found that these laws are rarely enforced, either formally by police or informally by bar management (Homel & Clark, 1994). A report from the National Highway Traffic Safety Administration (Mosher et al., 2009) found that SIP enforcement was rare due to lack of will, resource limitations, and statutory provisions that made enforcement difficult. When Washtenaw County, Michigan (where the University of Michigan is located), engaged in dedicated SIP enforcement, refusals of service rose from 17.5 percent to 54.3 percent, and DWI arrest from bars and restaurants declined from 31.7 percent to 23.3 percent (McKnight & Streff, 1994). However, aggressive enforcement of SIP laws requires political willpower and significant resources, as well as a well-written code with clear evidentiary standards, such as a non-inclusive list of behaviors that can be submitted as evidence in legal proceedings. Without these in place, SIP enforcement efforts face significant problems; in 2010, officials in St. Paul Minnesota attempted to enforce SIP laws in bars, but gave up after calling the cases “unwinnable” (Brown, 2010). These laws can work in concert with the creation of liability laws that make it easier for the community and individuals to obtain legal sanctions against irresponsible liquor outlets and drinking establishments.

One key factor in encouraging self-policing by drinking establishments has been the adoption by some states of server liability or “dram shop” laws. Dram shop laws allow people who suffer harms from an inebriated person to seek damages from the party that caused the intoxication, including bars. The District of Columbia does not currently have dram shop legislation, though it is a part of District of

Columbia common law per *Jarrett v. Woodward Bros.* While dram shop laws have been reduced in their effectiveness as a result of damages caps and the imposition of higher standards of evidence (Mosher, 2011), the implementation of these laws remains an effective method for altering work practices in the liquor industry and has encouraged bars to adopt server training programs. An advantage of dram shop legislation is its self-enforcing nature: there are significant incentives for bar owners to comply without the need for police monitoring because penalties are applied through civil proceedings (Ireland, 1993). Another method of encouraging self-policing, implemented by Redondo Beach, California, is requiring monetary deposits, much like surety bonds, from businesses with high volumes of calls for service to offset the high cost of police services provided to these establishments (Sampson & Scott, 1999).

### Neighborhood Structure

Although dram shop legislation encourages self-enforcement among establishments, it does not diminish the need for a well deployed police presence in entertainment districts. Increasing police patrol in high crime areas, or “hot spots,” is a commonly applied police tactic that has important applications for reducing crime and disorder in bars. Hot spot policing has been found to reduce crime in targeted areas (National Research Council, 2004), and, in some cases, to diffuse the benefits of reduced crime to a broader area (Clarke & Weisburd, 1994); such tactics can be readily applied to problem areas in entertainment districts. However, for crimes occurring in the drinking establishments themselves the research on the efficacy of police presence is mixed. In two studies, it was found that the presence of uniformed officers in bars actually increased the rate of reported assaults, though this is likely because with a police presence in the bar, crimes that were previously unreported were detected by law enforcement (Stockwell, 1997). Additionally, it is important to note that the policies of the police department and local laws are important in determining the efficacy of police patrols in entertainment districts. Some departments discourage or prohibit uniformed officers from inspecting bars, while others make it a central part of their crime control plan in the district; the police in the Charlotte-Mecklenburg area of North Carolina had to lobby for legislative changes to allow their officers to inspect licensed premises (Scott & Dedel, 2006). Outside of law enforcement, the police can improve outcomes by engaging the community in violence prevention and reduction schemes, reducing neighborhood disorganization, and promoting collective efficacy.

In many of the most effective violence prevention schemes, one key facilitative measure has been the creation of public-private partnerships that decrease resistance to the implementation of proposed initiatives and generate positive momentum for reform. Sampson, Raudenbush and Earls (1997) defined collective efficacy as the ability of a neighborhood to maintain common values and effective social controls. Increasing collective efficacy has been a key component of some of the most effective alcohol-related violence prevention strategies. Green Bay’s efforts included soliciting the support of public works agencies to improve the physical environment in targeted areas, citizen’s groups to encourage municipal authorities to modify their liquor license granting patterns, the media to pressure problem drinkers, and pressuring bar owners to encourage them to adopt best practice service procedures and to exclude problematic customers from their establishments. Community activism at



the city council level led to the closure of several businesses that contributed to criminal activity in one of the central entertainment districts (Wexler et al., 2000).

Businesses can also be potent collaborative partners. These groups have the resources to help sponsor studies and interventions and by doing so, reduce the need to commit public safety resources (Ireland, 1993; Torkington, 2002). Pressure applied by community partnerships can also be effective in encouraging bars to accept a city-approved code of conduct. In Queensland, Australia, a citizen committee met to discuss community standards for entertainment districts and to mediate conflicts over practices between liquor licensing authorities, the police, and drinking establishments. The group was able to preside over a reduction in intoxication through successful reductions in the practice of giving out free drinks and extreme price discounts, as well as generating an improvement in professionalism among security at drinking establishments. Citizen mobilization is an uncontroversial tactic for reducing alcohol-related violence, while other tactics have been met with more resistance.

#### Targeting High-Rate Alcohol Offenders

Several cities have developed policies aimed at targeting problem drinkers to either encourage treatment or to remove their access to liquor. During the clean-up of Green Bay, Wisconsin the police identified a core group of habitual problem drinkers and distributed a “No-Serve” list to bar owners in the targeted area. The tactic drew protests from the ACLU, but the city attorney determined that the tactic was supported by Wisconsin statutes that stipulated that liquor not be supplied to “habitual drunkards.” The strategy proved to be one of the most effective in Green Bay’s bar district policing efforts; individuals who previously generated multiple calls for service had dramatic reductions in police contact (Wexler et al., 2000). Similar tactics are a common part of problem-oriented policing and have been successfully tested in a number of jurisdictions. The Alexandria, Virginia city attorney utilizes similar methods, legally restricting the chronically intoxicated from buying or possessing alcohol (Sampson & Scott, 1999). Bar-owners in Wahpeton-Breckenridge, Minnesota have established a private collaborative that works similarly; problem drinkers at one bar will be refused service from all the other bars in the collaborative (Roseth, 2012).

Cities have also used treatment programs to target problem drinkers. Cognitive behavioral therapy provided to problem drinkers in Australia reduced the chances of these drinkers committing assault (Sitharthan et al., 1997), while in the U.S., brief interventions and follow-ups with problem drinkers by doctors and nurses were associated with fewer arrests for assault, battery, and child abuse (Fleming et al., 2002).

#### Conclusion and Recommendations

These changes are most effective when implemented as part of a larger package of reforms that aim to generate improvements across each of the five contributing factors to violence and disorder. The hallmarks of successful programs are the promotion of collective efficacy among citizen groups to apply pressure to bars and generate support for changes, the formation of partnerships with drinking establishment owners themselves, and the use of these partnerships to facilitate changes to the physical

and operational nature of individual bars and the entertainment districts they inhabit. Addressing these elements through a single coherent policy has the potential to generate large reductions in assaults and other disorderly crimes, stimulate investment in a district, and reduce social and physical disorder in the community.

In Washington, D.C, specifically, there is a strong combination of policing and legislative options available to reduce violence in and around alcohol outlets. Moving to conditional liquor licenses can facilitate many of the other policies described here by giving city authorities significant control over the distribution of alcohol in the District. More control over liquor distribution provides a means by which to reduce the highest concentrations of alcohol outlets in the city and to encourage establishment owners to comply with best practices in management and maintenance. These practices include increasing the number of staff, training security staff in non-violent conflict resolution and mediation, and maintaining establishments with design features, like clear entry and exit lanes, that mitigate the risk of increased aggression. To further encourage owners to adhere to safe practices, D.C. could promulgate more easily enforceable SIP laws or more aggressive enforcement of existing laws.

Given that D.C. has just increased the amount of time bars are permitted to remain open, it is worth undertaking research on what the effect of this will be. While later closing times are often associated with more violence, some D.C. bar owners suggested at the inception of the law that many establishments will not remain open until the 5 a.m. closing time. Because of this, D.C. may have naturally-facilitated staggered closing times and the prevention of heavy drinking at last call in response to a city-wide closing time. If concerns about the effect of late drinking on alcohol prevalence remain, D.C. could reduce the availability of alcohol by either increasing the price of liquor, or decreasing the serving size of alcoholic beverages allowed in D.C.

These city-wide measures could be combined with the targeting of specific problem drinkers for treatment services. Addressing the behaviors of chronic drinkers could provide broadly diffused benefits; restricting these individuals' access to liquor by encouraging bar owners to refuse problem clients service could be similarly effective. Creating public-private partnerships with bar owners and citizen's groups would facilitate both this and other efforts by generating popular support for enforcement and providing a safer experience for D.C. consumers.

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DCPI is a nonpartisan, public policy research organization focused on crime and justice policy in Washington, D.C. DCPI connects a diverse team of prominent scholars and policy experts. With funding from the Justice Grants Administration (JGA) in the Executive Office of the District of Columbia Mayor (EOM), DCPI was established at the Urban Institute in 2009.

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