Course Content

#1 Responsible Beverage Service Training

Terms & Definitions

“ABC” means the Department of Alcoholic Beverage Control.

“ABC On-premises license” or “on-sale license” means an ABC license that grants the privilege to serve alcoholic beverages to patrons on a specific licensed premises.

“ABC on-premises licensee” means the owner of an ABC on-premises license.

“ABC licensed premises” means a location where an ABC on-premises licensee uses the privileges granted by an ABC on-premises license.

“Accreditation agency” means a business entity the department has given the authority to approve RBS training courses and training providers according to the standards of the RBSTPA and this article.

“Alcohol server certification exam” means an exam given to alcohol servers after they complete an RBS training course to test the alcohol server’s knowledge of the required curriculum.

“Data Security Protocols” means an electronic system with functionality and protocols designed and intended to prevent any unauthorized user, application, service, or device to access personal identifying information and other confidential data stored within that electronic system.

“Initial employment” means the date an employee signs an employment contract or employee tax and identification documents, whichever is sooner.

“Interactivity element” means a portion of an RBS training course that reasonably requires alcohol servers to be engaged in the training, demonstrate their knowledge of the curriculum, and develop an understanding of how to apply course material to their employment.

“Manages or supervises” means any person who, directly hires, oversees alcohol servers at an ABC licensed premises, or trains alcohol servers how to perform the service of alcohol for consumption for an ABC on-premises licensee, including but not limited to, when to check identification or when to refuse service to a patron. This definition specifically excludes an employee
or contractor of another separate ABC licensee who is training alcohol servers for marketing or distribution purposes.

“Onsite” for the purposes of Business and Professions Code § 25682(c) means being engaged and directly overseeing the service of alcohol for consumption by any persons on behalf of the nonprofit organization licensee. This includes, but is not limited to, creating and imparting responsible beverage service policies to the other persons serving alcoholic beverages for consumption at the event.

“Online certification system” means an electronic online database maintained by the department that alcohol servers, training providers, ABC on-premises licensees, law enforcement agencies, and the department will use to establish the validity of issued alcohol server certifications.

“Owners and officers” include any owner, director, or officer of a business entity that has at least a ten percent interest or control of a business entity.

“RBS” means responsible beverage service.

“RBS trainer” means an owner, contractor, or employee of a training provider that delivers an RBS training course to alcohol servers either in-person or online.

“Serving / server of alcoholic beverages” means performing any of the following actions when interacting with a patron of an ABC licensed premises:

- checking patron identification
- taking patron alcoholic beverage orders
- pouring alcoholic beverages for patrons
- delivering alcoholic beverages to patrons

“Valid Fingerprint Record” means a fingerprint copy where the identity of the person fingerprinted has been verified by a notary, governmental agency, or an electronic fingerprinting service at the time of fingerprinting.

**Lesson 1: Social Impacts of Alcohol**

a. The general positive impact of alcohol sales on the community.

1. Alcohol consumption and sales are steadily increasing across the U.S. every year; it is a stable and growing industry.

   A. Revenue from beer sales in 2019 was ~$35 billion, while spirits were ~$29 billion (Sherman 2020).
B. Nationally in 2019, 69.5% of adults aged 18 and over reported having consumed alcohol in the past year.
   i. Alcohol makes up about 6 percent of the average American's food budget.
   ii. Drinking is a common activity and customers expect to be able to do it at many establishments; if you do not provide alcohol, you may lose business.

C. Consumption of alcoholic beverages grows approx. 1% every year in California.

2. Selling alcohol can generate significant revenue for your business.
   A. The labor involved in mixing and serving drinks is much lower than preparing food in the kitchen.
   B. There is less waste in storing materials for alcoholic drinks than in food – meat and produce can spoil, but alcohol is shelf-stable.
   C. Selling alcohol is on average 20-25% of a restaurant’s income (Sherman 2020).
   i. It is standard to charge customers 4x the costs of the materials gotten from wholesalers.
ii. Greater revenue can be gotten from higher markup, by selling wine by the glass or using inexpensive popular ingredients for cocktails (like vodka).

iii. Staff can upsell an extra drink or two more easily than they can get a customer to buy more food.

D. You can generate more money from events and specific situations, like holidays, birthdays, and happy hour.

i. Although happy hour is just 15 hours during the Monday to Friday period, it accounts for 60.5% of bars' and restaurants' business-week revenue.

ii. You can keep a bar open later than regular meal times.

3. Selling alcohol can keep business active and provide jobs in a community.

A. Nationally, the alcohol industry provides nearly 4.4 million jobs.

i. More jobs than active U.S. military service members (1.3 million), or the total number of firefighters, police officers, physicians, and lawyers combined (2.5 million) in the U.S.

ii. Beer industry alone supports 1.75 million jobs.

iii. Range of occupations -- from the farmers harvesting the grapes for wine, to the beer truck driver, to your local bartender.

B. Allowing more store types – restaurants, bars, package stores, etc – can help fill vacant storefronts.

C. Having alcohol available for purchase in a community encourages people to shop locally, rather than going to neighboring counties/states.

4. Selling alcohol provides important tax revenue to states and localities (Duffin 2020)

A. Alcohol sales and licensing are often self-sustaining.

i. The licensing fees for alcohol can offset the costs for administering those licenses and additional police monitoring.

B. In 2019, national U.S. revenue from alcohol tax amounted to $9.99 billion; this is approx. 0.28% of the total revenue of the U.S. government in 2019.

C. In 2018, California collected $376 million in alcohol taxes.

i. California collects 7.25% retail sales tax on alcohol, and localities are free to add local sales tax to that.

ii. California levies an excise tax on distributors of beer, wine, and distilled spirits.
D. This money is used for general state services, to support overseeing liquor licensing, to fund alcohol prevention and treatment programs, childcare, environmental, and public safety programs.
The Economy of Alcohol

The beverage alcohol industry (including beer, wine and spirits) sustains 4.4 million jobs in the U.S. and generates a combined $69 billion in tax revenue at the federal, state and local levels. Let's put those numbers in perspective.

Taxes

$70 billion
Cover Children’s Health Insurance Program for 8 years

$69 billion
Annual tax revenue from beverage alcohol industry

$68 billion
Federal budget shortfall for 4 years

$57 billion
Child tax credits

$51 billion
Cover uninsured, add 36 million uninsured

$50 billion
Federal government assistance to low-income households, annually

$41.2 billion
Department of Homeland Security annual budget

$38.1 billion
Cost of police salaries, annually

$34 billion
Half grants awarded to 44 million students in 2002

$33 billion
Free U.S. meals for 47 million schoolkids, 1998

$32 billion
National Institutes of Health, annual budget for medical research

$20 billion
Federal government aid to low-income children, annually

$17.5 billion
NIAID, annual budget

$14.9 billion
Cost of all forgiveable student loans

$7.4 billion
National Science Foundation, annual budget

$5.2 billion
National Cancer Institute, annual budget (part of NIH)

Jobs

5.5 million
Teachers, K-12 public and private

5.4 million
Other total jobs

4.4 million
Jobs sustained by beverage alcohol industry

3.6 million
Food truck jobs

3 million
Knead staff jobs

2.7 million
Bakers

2.4 million
Wine growers (fruit plus)

2.1 million
Agriculture

1.3 million
Active U.S. military service members

778,000
Lawyers

708,300
Bartenders

653,000
Police officers

318,000
Firefighters
b. The general negative impact of alcohol sales on the community.
   1. Numerous studies have examined community indicators of alcohol use and related harms.
      A. Community indicators = measures that communicate information about a given dimension of a community’s well-being.
      B. Data from a wide variety of sources – surveys of individuals, economic info from taxes, police & emergency services reported numbers, etc.
      C. Alcohol use has been identified as a major risk factor for acute and chronic health harms and imparts economic, health, and social costs to individuals, communities, and societies.
   2. Communities with a high concentration of alcohol outlets experience a greater number of alcohol-related problems.
      A. Disproportionately, they experience higher incidences of:
         i. Drug dealing.
         ii. Public drunkenness.
         iii. Drunk driving.
         iv. Underage drinking.
         v. Assaults.
         vi. Excessive complaints and calls for service to emergency services & law enforcement.
      B. For example, a study in California in 2009 suggested that alcohol outlets are concentrated in disadvantaged neighborhoods and can contribute to adolescent drinking (Truong and Sturm 2009)
         i. Alcohol availability, measured by mean and median number of licenses, was significantly higher around residences of minority and lower-income families.
         ii. Binge drinking and driving after drinking among adolescents aged 12 to 17 years were significantly associated with the presence of alcohol retailers within 0.5 miles of home.
   3. Licensees are strictly liable for all activities that occur at the licensed business and for the acts of their agents/employees.
      A. This can result in monetary fines, suspension or revocation of license, community service, or time in jail.
   4. To prevent this, studies examining incidence rates over several decades suggest that higher minimum legal drinking ages, greater monopoly controls over alcohol sales, lower outlet numbers and reduced outlet densities, and limited hours and days of sale can effectively reduce alcohol sales, use, and problems.
c. Specific costs to the community for overuse of alcohol:
   1. Alcohol-related crimes:
      A. Driving under the influence (Lipari et al. 2016)
         i. Driving under the influence (DUI) is the offense of
driving, operating, or being in control of a vehicle
while impaired by alcohol or other drugs, to a level
that renders the driver incapable of operating a
motor vehicle safely.
         ii. In 2018, there were a little over 1 million
(1,001,329) arrests of ‘driving under the influence’
nationally.
            a. 127,250 of those were in California.
               1. 474 of those were under 18 years old.
         iii. In 2018, there were 10,511 total alcohol-impaired
driving fatalities nationally, which accounts for
28.8% of total driving fatalities in the U.S. (NHTSA
2019)
            a. Of those, 1069 of them were in California
(30% of total deaths in CA).
            b. In California, 28.8% of those deaths were of
people under 21 years old.
            c. This has almost tripled in California over a 10-
year span (2009-2018), whereas nationally the
rate has fallen.
         iv. In California, almost 70% of alcohol-impaired driving
fatalities involved drivers with a high B.A.C. (.15+).
            a. B.A.C. = Blood alcohol concentration, refers to
the percent of alcohol (ethyl alcohol or
ethanol) in a person's blood stream.
            b. In California, a person is legally intoxicated if
he/she has a BAC of .08% or higher.
         v. Those who drink excessively are likely to do so
repeatedly -- for fatalities that involved repeat
offenders (those who had previously been charged
with DUIs), most of them (78%) had a high BAC
(.15+) –
         vi. The rate of alcohol-involved fatal and severe injuries
was much higher at night (between 9pm and 3am),
especially on weekends, and over half occur in urban
areas.
      B. Domestic violence;
         i. Domestic violence (also referred to as intimate
partner violence (IPV), dating abuse, or relationship
abuse) is a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship.

a. includes behaviors that physically harm, intimidate, manipulate or control a partner, or otherwise force them to behave in ways they don’t want to, including through physical violence, threats, emotional abuse, or financial control.

ii. Alcohol is statistically more likely to be involved in cases of domestic violence (Laqueur et al. 2019)

   a. *Note: Studies have demonstrated that alcohol does not “cause” people to abuse their partners; it is an overlap of two separate social problems.

   b. The World Health Organization (WHO) estimates that roughly 55% of domestic abuse perpetrators were drinking alcohol prior to assault.

   c. Two-thirds of victims of spousal abuse report that the perpetrator had been drinking at the time of the incident(s).

   d. Women who are abused are 15 times more likely to abuse alcohol.

   e. In one study examining the relationship between firearms, alcohol, and intimate partner violence, people with prior DUI convictions (and no other criminal history) at the time of a firearm purchase had close to three times the risk of subsequent arrest for an intimate partner violence offense compared to those with no criminal history at all at the time of the purchase (Laqueur et al. 2019)

   f. Research studies have shown a link between parents who abuse alcohol and the risk of child neglect and abuse. Roughly four in ten child abusers have admitted to being under the influence of alcohol during the time of the offense.

C. Assault, including sexual assault;

   i. Alcohol abuse is statistically more likely to be involved in cases of assault and homicide.
a. About 27 percent of aggravated assaults are committed by individuals who have used alcohol.
   1. Aggravated assault means causing serious injury, such as bodily harm to another person.
   2. Alcohol abuse can cause irritability, extreme mood swings, and impaired judgment. Because of this, some individuals turn violent after an episode of heavy drinking.

ii. Sexual assaults in particular are exacerbated by the presence of alcohol.
   a. An estimated 37 percent of sexual assaults and rapes are committed by offenders who were under the influence of alcohol.
      1. For perpetrators, drinking may intensify their aggressive behavior.
   b. The Bureau of Justice Statistics (BJS) estimates that 39 percent of sexual assaults in the United States from 2005-2010 were linked to a victim being under the influence of alcohol or drugs at the time of the incident (Ropero and Bynum 2018)
      1. For victims, intoxication can inhibit their ability to give consent or resist.
   c. This can be a particularly significant issue for college-age students (ages 18-24).
      1. Each year, 696,000 students ages 18 to 24 are assaulted by another student who has been drinking.
      2. Each year, 97,000 students ages 18 to 24 report experiencing alcohol-related sexual assault or date rape.
2. Increased calls to first responders:
   A. Emergency medical technicians & ED (emergency department) visits (Joseph et al. 2018)
      i. Compared to 9-1-1 calls that do not involve alcohol, alcohol-related calls are more likely to involve male patients, traumatic injuries, advanced monitoring, and medications for sedation.
      ii. The rate of all alcohol-related ED visits increased 47 percent between 2006 and 2014, which translates to an average annual increase of 210,000 alcohol-related ED visits.
      iii. Compared with people who did not binge drink, people who engaged in high-intensity drinking level 2 were 70 times more likely to have an alcohol-related ED visit, and those who engaged in high-intensity drinking level 3 were 93 times more likely to have an alcohol-related ED visit.
         a. High-intensity drinking = consumption higher than binge drinking. Level 2 is at 2 times the amount for binge drinking: 8 or more drinks per occasion for women, 10 or more for men. Level 3 is at 3 times the amount for binge
drinking: 24 or more drinks for women, 30 or more for men.

iv. The increase in calls represents a significant burden on the emergency system.
   a. A study for the Metro Denver area alone from 2012 to 2014 estimated that costs to the EMS system during that time due to alcohol intoxication exceeded $14 million dollars and required in excess of 37 thousand hours of paramedic time (Joseph et al. 2018).

B. Law enforcement;
   i. Law enforcement responds to the majority of calls involving alcohol.
      a. Licensees who make constant calls for service (to local law enforcement), need to look closely at their business operation and make changes.
   ii. On average, roughly 40 percent of inmates who are incarcerated for violent offenses were under the influence of alcohol during the time of their crime. Many of these criminals had an estimated blood alcohol content (BAC) level of more than three times the legal limit at the time of their arrest.
   iii. Numerous law enforcement programs have been developed to counter alcohol-related issues (like catching underaged drinking), and these come at a significant cost.
      a. Programs include: I.M.P.A.C.T., Trap Door, Shoulder Tap, T.R.A.C.E., etc
   iv. In 2018, there were 173,152 arrests for violations of liquor laws nationally.
      a. 5,948 of those were in California.
      b. Failing to check an ID can cost an individual server up to $1000 in CA.
      c. If the service of alcohol can be characterized as reckless conduct, the drinker (minor or adult) can recover monies from the establishment/server for self-inflicted injuries.
         1. Reckless conduct = when a person has intentionally done an act of an unreasonable character, has disregarded a risk they should have known of, and it was highly probable that harm would follow. Often accompanied by a
conscious indifference to the consequences.

C. Fire departments.
   i. In many areas, Fire Department crews, capable of providing Basic Life Support capabilities, are often co-dispatched to highest priority calls, including many involving alcohol abuse.
   ii. Since alcohol use can diminish motor coordination, balance, perception, and judgment, it is a leading risk factor for unintentional injuries, and fires are the fourth leading cause of unintentional injuries in the U.S.
      a. Alcohol is involved in 40% of all residential fire deaths (where the majority of fire fatalities occur).
      b. Smoking is often combined with alcohol abuse, which increases the risk of fires.
      c. Escape time from buildings on fire increases if the subject has been impaired due to drinking, resulting in a higher likelihood of fire injury.
      d. Source: USFA-NFDC 2003
   iii. Chronic alcohol use has been shown to disrupt the immune system response to a significant burn.
      a. Burn victims who had been drinking are three times more likely to die than burn victims with no alcohol present in their blood streams.

3. Neighborhood quality of life:
   A. Noise;
      i. Most cities have ordinances restricting excessive noises that ‘disturb the peace’, which include music & yelling that may result from social gatherings involving alcohol.
         a. These involve fines, usually $500 or more per incident.
      ii. If as a business owner, you decide it is not important to work with the community, the community members might take action against you to resolve perceived problems.
         a. Includes: filing complaints with local law enforcement or the ABC regarding noise/litter/crime, documenting illegal acts at/around the premises, picketing/boycotting, etc.
   B. Litter;
i. Most cities have ordinances against littering, defined as loose trash or other debris left openly in a private or public place; this is a common issue from social gatherings involving alcohol.
   a. Many cities also have open container laws, restricting the consumption or holding of open containers of alcohol in public areas, in an attempt to curb these problems.
   b. These involve fines, usually $200 or more per incident.

ii. The most common litter related to alcohol use is glass from broken bottles.
   a. Plastic bottles and cans from alcohol use are increasing in frequency in litter.
   b. Nips (small 50ml containers of alcohol) are most commonly found discarded as litter.

iii. Bottle deposits and recycling incentives only slightly reduce the amount of alcohol-related litter.

C. Crime;
   i. Alcohol use is strongly associated with an increase in crime, including but not limited to: abuse, assault, robbery, and homicide.
   ii. Approximately 15% of robberies can be linked to alcohol use.
      a. Alcohol can intensify a robber’s feelings of desperation and embolden them to steal someone’s money or property.
   iii. Homicides frequently involve alcohol use by the offender as well as the victim (Darke 2010; Norstrom 2011)
      a. A half or more of offenders are intoxicated by a psychoactive substance at the time of the homicide, with alcohol the most commonly reported substance.
      b. About 40 percent of convicted murderers had used alcohol before or during the crime.
      c. Among both offenders and victims, levels of substance abuse (including alcohol) far exceed population use.

D. and Public indecency.
   i. In 2018, there were 328,772 arrests for drunkenness nationally (note: drunkenness is not considered a crime in some states).
      a. 58,286 of those were in California.
ii. Most cities have ordinances against public intoxication, as well as public nudity and public urination, both which often occur in conjunction with alcohol use.
   a. This can result in fines and even jail time.

4. Public health risks:

A. The cost of excessive alcohol use in the United States reached $249 billion in 2010, or about $2.05 per drink (CDC-APH 2020; Sacks et al. 2015).
   i. Further, 2 of every 5 dollars were paid by federal, state, and local governments, demonstrating that we are all paying for excessive alcohol use.
ii. In California in 2010, excessive alcohol use cost the state an estimated $35 billion, or about $940 person ($2.44 per drink).

iii. What are these costs?
   a. losses in workplace productivity (72% of the total cost).
   b. health care expenses for treating problems caused by excessive drinking (11% of total).
   c. law enforcement and other criminal justice expenses (10%).
   d. losses from motor vehicle crashes related to excessive alcohol use (5%).

iv. This still underestimates the cost of excessive drinking because information on alcohol is often underreported or unavailable, and may not include other costs, such as pain and suffering due to alcohol-related injuries and diseases.

v. Most (77%) of these costs were due to binge drinking.

B. Binge drinking;

i. Binge drinking is a pattern of drinking that brings BAC levels to 0.08g/dL or higher; this typically occurs when drinking four or more alcoholic beverages per occasion for women or five or more drinks per occasion for men.
ii. Nationally, 25.8% of adults aged 18 and over had at least one heavy drinking day that qualified as binge drinking.
   a. 6.3% reported engaging in heavy alcohol use in the past month.

iii. Heavy alcohol use = binge drinking on 5 or more days in the past month.
   a. Heavy drinking is associated with an increased risk of alcohol use disorders, suicide, interpersonal violence, traffic injuries, liver disease, certain cancers and infectious diseases, and adverse birth outcomes in pregnant women.

Figure 2. Percentage of adults who engaged in heavy drinking in the past year, by select demographic characteristics: United States, 2018.

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>5.2</td>
</tr>
<tr>
<td>Men</td>
<td>5.0</td>
</tr>
<tr>
<td>18–29</td>
<td>5.2</td>
</tr>
<tr>
<td>30–44</td>
<td>5.2</td>
</tr>
<tr>
<td>45–64</td>
<td>5.6</td>
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<tr>
<td>65 and over</td>
<td>4.1</td>
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<tr>
<td>Hispanic</td>
<td>2.6</td>
</tr>
<tr>
<td>Non-Hispanic white</td>
<td>2.9</td>
</tr>
<tr>
<td>Non-Hispanic black</td>
<td>2.0</td>
</tr>
<tr>
<td>Non-Hispanic Asian</td>
<td>2.0</td>
</tr>
</tbody>
</table>

*Significant quadratic trend by age group (p < 0.05).
*Significantly different from Hispanic, non-Hispanic black, and non-Hispanic Asian adults (p < 0.05).
NOTES: Heavy drinking is the average consumption of more than 7 drinks per week for women and more than 14 drinks per week for men in the past year. Estimates are based on household interviews of a sample of the civilian noninstitutionalized population. Access data table for figure 2 at: https://www.cdc.gov/nchs/data/ahcd/ahcd14_spreadsheets-0508.pdf
C. Alcoholism; AUD = alcohol use disorder
   i. According to the 2019 NSDUH (National Survey of Drug Use and Health), 14.5 million people ages 12 and older (5.3 percent of this age group) had AUD (SAMHSA 2020).
      a. In this group, 62% are men & 38% are women.
      b. Only 7.2 percent of people ages 12 and older who had AUD in the past year received any treatment for their condition in the past year.
      c. People with AUD were more likely to seek care from a primary care physician for an alcohol-related medical problem, rather than specifically for drinking too much alcohol.
   ii. Approximately 10.5% (7.5 million) of U.S. children ages 17 and younger live with a parent with AUD, according to a 2017 report.
   iii. According to the 2019 NSDUH, an estimated 414,000 adolescents ages 12 to 17 (1.7 percent of this age group) had AUD.
      a. Research indicates that alcohol use during the teenage years can interfere with normal adolescent brain development and increase the risk of developing AUD. In addition, underage drinking contributes to a range of acute
consequences, such as injuries, sexual assaults, alcohol overdoses, and deaths—including those from motor vehicle crashes (Harding et al. 2016).

D. Diseases, including cancer and cirrhosis;
   i. Research has shown that people who drink excessively have a greater risk of liver disease, heart disease, depression, stroke, and stomach bleeding, as well as cancers of the oral cavity, esophagus, larynx, pharynx, liver, colon, and rectum. These individuals may also have problems managing conditions such as diabetes, high blood pressure, pain, and sleep disorders.

<table>
<thead>
<tr>
<th>Alcohol-related disease/death impact</th>
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</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>Chronic causes</td>
</tr>
<tr>
<td>Alcohol abuse</td>
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<tr>
<td>Alcohol cardiomyopathy</td>
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<tr>
<td>Alcohol dependence syndrome</td>
</tr>
<tr>
<td>Alcohol polyneuropathy</td>
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<tr>
<td>Alcoholic gastritis</td>
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<tr>
<td>Alcoholic liver disease</td>
</tr>
<tr>
<td>Alcoholic myopathy</td>
</tr>
<tr>
<td>Alcoholic psychosis</td>
</tr>
<tr>
<td>Alcohol-induced acute pancreatitis</td>
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<tr>
<td>Alcohol-induced chronic pancreatitis</td>
</tr>
<tr>
<td>Atrial fibrillation</td>
</tr>
<tr>
<td>Cancer, breast (females only)</td>
</tr>
<tr>
<td>Cancer, colorectal</td>
</tr>
<tr>
<td>Cancer, esophageal</td>
</tr>
<tr>
<td>Cancer, laryngeal</td>
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<tr>
<td>Cancer, liver</td>
</tr>
<tr>
<td>Cancer, oral cavity and pharyngeal</td>
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<tr>
<td>Cancer, pancreatic</td>
</tr>
<tr>
<td>Cancer, prostate (males only)</td>
</tr>
<tr>
<td>Cancer, stomach</td>
</tr>
<tr>
<td>Chronic hepatitis</td>
</tr>
<tr>
<td>Coronary heart disease</td>
</tr>
<tr>
<td>Degeneration of nervous system attributable to alcohol</td>
</tr>
<tr>
<td>Esophageal varices</td>
</tr>
<tr>
<td>Fetal alcohol syndrome</td>
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<tr>
<td>Fetus and newborn affected by maternal use of alcohol</td>
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<tr>
<td>Gallbladder disease</td>
</tr>
<tr>
<td>Gastroesophageal hemorrhage</td>
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<tr>
<td>Hypertension</td>
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<tr>
<td>Infant death, low birthweight</td>
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<tr>
<td>Infant death, preterm birth</td>
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<td>Infant death, small for gestational age</td>
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<tr>
<td>Liver cirrhosis, unspecified</td>
</tr>
<tr>
<td>Pancreatitis, acute</td>
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<tr>
<td>Pancreatitis, chronic</td>
</tr>
<tr>
<td>Pneumonia</td>
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<tr>
<td>Portal hypertension</td>
</tr>
<tr>
<td>Stroke, hemorrhagic</td>
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<tr>
<td>Stroke, ischemic</td>
</tr>
<tr>
<td>Unprovoked seizures, epilepsy, or seizure disorder</td>
</tr>
</tbody>
</table>
ii. Nationally in 2019, there were 24,110 alcohol liver disease deaths.
   a. This is approx. 43% of the total liver disease deaths that occurred.
   b. From 2010 to 2016, alcohol-related liver disease was the primary cause of almost 1 in 3 liver transplants in the United States, replacing hepatitis C virus infection as the leading cause of liver transplantation due to chronic liver disease.

iii. In one study, 9.5% of pregnant women ages 15 to 44 in the U.S. had used alcohol in the past month (SAMHSA 2020).
   a. An NIAAA-supported study of more than 6,000 first graders across four U.S. communities estimated that as many as 1–5 percent of first-grade children have fetal alcohol spectrum disorders (FASD).
E. and Alcohol poisoning and death.

i. An estimated 95,000 people die from alcohol-related causes annually, making alcohol the third-leading preventable cause of death in the United States. The first is tobacco, and the second is poor diet and physical inactivity.
   a. In this group, ~71.5% were men, and 28% were women.

ii. Nationally in 2019, there were 39,043 alcohol-induced deaths, excluding accidents and homicides.

iii. Most of these alcohol-attributable deaths involved males, and approximately four in five deaths
involved adults aged ≥35 years. The number of alcohol-attributable deaths among adults aged ≥65 years was nearly double that among adults aged 20–34 years.

iv. Between 2011 and 2015, the leading causes of alcohol-attributable deaths due to chronic conditions in the United States were alcohol-associated liver disease, heart disease and stroke, unspecified liver cirrhosis, upper aerodigestive tract cancers, liver cancer, supraventricular cardiac dysrhythmia, AUD, breast cancer, and hypertension.

v. Can we estimate how many years of potential life (YPLL) were lost due to alcohol-related deaths?
   a. During 2011–2015, excessive drinking was responsible for an average of 95,158 deaths (261 per day) and 2.8 million YPLL (29 years lost per death, on average) in the United States each year.
   b. In California, the annual average number of alcohol-attributable deaths (estimate from 2011-2015) is 11,026 deaths per year.
      1. and 308,831 YPLL (28 years lost per death, on average).

d. Alcohol servers bear a responsibility to the community: they are the gatekeepers of people obtaining alcohol in public establishments
   1. Responsibilities are actions that you are legally required to take under specified circumstances.

Lesson 2: The Impact of Alcohol on the Body

a. Physiology of alcohol on the human body.
   1. Alcohol’s path through the human body.
      A. Alcohol doesn’t require digestion in the same way food does to absorb.
      B. Alcohol is soluble — it dissolves evenly in water — and for this reason, it is easily absorbed into the bloodstream.
         i. This also allows it to cross some important membranes like the “blood brain barrier”, allowing it to affect the neurons in the brain.
      C. As alcohol passes through the digestive system, most is absorbed in three areas:
i. Mouth: 2–4%
   Alcohol is already starting to be absorbed through the soft membranes of the mouth before it is even swallowed.

ii. Stomach: 20–25%
   Alcohol flows down the esophagus to the stomach, but does not stay here long. It quickly flows through the pyloric valve and into the small intestine.
   a. “pyloric valve” = this ring of muscle determines how much of the stomach’s contents can pass into the small intestine.

iii. Small Intestine: 75–80%
   The small intestine absorbs alcohol faster than either the mouth or stomach.

D. Most consumed alcohol is absorbed quickly through the small intestine.

   A. Most alcohol must be processed by the liver to remove it from the body.
      i. After 20 minutes, the liver begins processing alcohol.
      ii. Most of the alcohol that enters the body (90%) is metabolized by the liver to acetic acid.
      iii. The remainder is eliminated by:
         a. Perspiration
            1. This is why heavily-intoxicated people sometimes smell of alcohol, as it is being released through the pores.
         b. Urination
            1. This is why drinking alcohol may result in dehydration.
         c. Respiration
            1. Police breathalyzers detect the quantity of alcohol being eliminated by breathing, and use it to calculate the likely concentration of alcohol in the blood.
   B. The liver metabolizes approximately one alcoholic drink equivalent or standard drink per hour.
   C. The liver does not speed up metabolism when the bloodstream has excessive alcohol.
   D. Alcohol in the blood stream causes intoxication.
      i. Alcohol reaches the brain in only five minutes, and immediate effects can appear within 10 minutes.

3. Common myths about sobering up.
A. You have probably heard someone suggest that a cold shower, cup of coffee, or glass of water can help “sober up” someone who is intoxicated. None of this is true.
   i. while these things may help someone feel more awake, they will still be intoxicated until their liver has processed the necessary amount of alcohol.

B. The only thing that sobers the human body is time.

4. Alcohol’s effect on the human body.
   A. Alcohol depresses the central nervous systems’ functions, including judgment, inhibitions, and reaction times.
   B. Alcohol depletes the body’s fluids and causes thirst and dehydration.
      i. Drinking alcohol tends to increase both the frequency and quantity of urination.
   C. The liver normally maintains the body’s blood-sugar levels, but when alcohol is present the liver ceases normal functions to metabolize the alcohol from the bloodstream.

b. Alcohol-impaired driving -- Alcohol intoxication unquestionably impairs driving ability in a number of ways:
   1. Slows reaction times.
   2. Reduced or decreased vision.
   3. Impaired judgment.
   4. Reduction in concentration and coordination.
      A. In California, nearly a third (~30%) of all traffic fatalities are related to driving while intoxicated, about 1,000 every year.

c. Blood Alcohol Concentration (BAC) levels and associated symptomologies.
   1. The definition of intoxication by alcohol.
      A. Blood alcohol content / concentration (BAC) is a measurement of alcohol intoxication used for legal and/or medical purposes.
         i. BAC refers to the percent of alcohol in a person's bloodstream.
      B. A BAC of .10 indicates that a person’s blood contains 1/1000 parts alcohol (a tenth of one percent).
         i. That might sound like a very small percentage, but keep in mind that it is illegal to drive under the influence with a 0.08% BAC of higher.
   2. Intoxication can be defined as: the condition of having physical or mental control markedly diminished by the effects of alcohol or drugs (Merriam-Wester Dictionary 2021)
   3. Intoxication can occur in as little as one alcoholic drink equivalent or standard drink.
d. Potential signs of intoxication.
   1. Physical reactions
      A. Slurred and varied speech
      B. Slow and deliberate movement
      C. Decreased alertness
      D. Loss of coordination while sitting or standing
   2. Physical appearance
      A. Red or watery eyes
      B. Sweating
      C. Droopy eyelids
      D. Face appearing flushed or red
      E. Disheveled clothing
      F. Lack of eye focus
      G. An odor of alcohol
   3. Lowering of inhibitions
      A. Overly friendly
      B. Use of foul language
      C. Increased volume of speech
      D. Increased rate of alcohol consumption
   4. Loss of judgment
      A. Complaints about the strength of the alcoholic beverages being served
      B. Carelessness with money
      C. Increasingly argumentative
      D. Makes irrational statements

e. Factors affecting the severity of intoxication: There are a number of personal factors that can directly affect someone’s level of intoxication and BAC. Some of these factors you will be able to see, while others may be unknown to you. As a server or manager, you should keep all of these factors in mind while trying to determine a customer’s level of intoxication.
   1. Amount and speed of consumption of alcohol.
      A. Food in the stomach can slow the rate of intoxication.
         i. Eating causes the pyloric valve to close until the food is digested in the stomach. This prevents alcohol in the stomach from moving into the small intestines, where it would be most quickly absorbed. This significantly slows the rate of intoxication.
         ii. After the stomach’s digestion, the valve opens, and the intestines receive a mixture of food and alcohol. The body absorbs alcohol from this mixture more slowly than it would alcohol alone.
         iii. Carbonated drinks mildly irritate the stomach, causing the pyloric valve to open and moving the
stomach’s contents to the small intestine. For this reason, customers drinking carbonated alcoholic beverages like champagne tend to become intoxicated at a somewhat faster rate.

B. The higher the amount of alcohol consumed the more alcohol is found in the blood stream.
   i. With the liver only processing one drink per hour, this fixed processing speed means that BAC changes according to how many drinks someone consumes over a given period of time.

2. Drinking alcohol rapidly, like binge drinking, can quickly lead to higher levels of intoxication.
   A. If alcohol is consumed more quickly than one drink per hour, BAC continues to rise.
      i. For instance, a person who consumes two drinks very quickly will have a higher BAC than if they had consumed three drinks over the course of several hours.

3. Tolerance to alcohol, drugs, and other toxic substances can build up over time as the human body adapts.
   A. Varies from person to person.
      i. Body Weight: Larger people will have lower BAC than others after drinking the same amount.
      ii. Body Type: Muscle absorbs alcohol from the bloodstream. For this reason, it will take more alcohol to increase BAC for muscular individuals. In contrast, fat does not absorb alcohol, allowing it to stay in the bloodstream.
      iii. Biological Sex: On average, the BAC of men is raised more slowly than women. This is not only because men tend to be larger, but because women typically have fewer enzymes required by the liver to metabolize alcohol.
      iv. Age: Older adults have a higher sensitivity to alcohol than young adults. As people age, their ratio of fat to lean body mass increases. Because lean muscle is denser than fat, people essentially lose body volume as they age, which increases the distribution of alcohol throughout the body.
      v. Health: Some individuals have physical conditions that impair the function of the liver. Others have nutritional deficiencies that may impact how alcohol affects their bodies.
B. Increased tolerance lessens the effects of alcohol on the central nervous system.
   i. Long-term exposure to alcohol can also make people less susceptible to its effects for two reasons.
      a. Adaptations in the liver produce more enzymes used to metabolize alcohol.
      b. Adaptations in the brain reduce alcohol’s depressant effects on neurotransmitters.
C. A person with high tolerance can hide effects of intoxication while still being impaired.
   i. Adaptations do not lower BAC, but rather mask its outward signs.
4. Medications or recreational and illegal drugs can have very harmful effects when mixed with alcohol.
   A. Medications, and recreational and illegal drugs, can themselves impair the human body in similar ways to alcohol intoxication.
   B. Combining alcohol with medications or recreational and illegal drugs can lead to side effects from discomfort to death.
C. Caffeine and Energy Drinks
   i. In 2010, a survey from the University of Florida (Pease 2010) showed that caffeine and other stimulants in energy drinks can mask a drinker’s perception of their own intoxication. In that study, a group of college-age drinkers who mixed alcohol and caffeine at bars were:
      a. 3 times more likely to leave a bar highly intoxicated
      b. 4 times more likely to intend to drive after drinking than bar patrons who drank alcohol only
   ii. Signs of apparent intoxication may become more difficult to recognize when someone is consuming alcohol and caffeine together. If a customer mixes the two, it is best practice to be more attentive to how many drinks they have consumed.
5. A study conducted by American psychologist R. A. McFarland concluded that altitude can make alcohol intoxication nearly twice as potent on the human body.
   A. However, this information comes from a small study done in the 1930s. Recent studies done by the Federal Aviation Administration concluded that there was no correlation between elevation and alcohol potency. Drinking at high
altitudes does, however, exaggerate and enhance the dehydration many feel when they increase their elevation. This can affect one's physical and cognitive well-being and may add to alcohol intoxication symptoms.

6. Additional factors:
   A. Anxiety: A customer’s state of mind can directly affect the way their body processes alcohol. Anxiety and anger can cause the stomach to secrete a mucus coating, which slows down absorption of alcohol.
   B. Dehydration: Sweating reduces the overall volume of blood in the body (by removing water through the pores). For this reason, a drink makes up a greater percentage of the person’s blood than usual, and the dehydrated individual will gain BAC more quickly than usual.
Lesson 3: State Laws and Regulations

a. ABC licensing & alcohol server certification requirements -- Beginning July 1, 2022:
   1. ABC licensees shall not employ or continue to employ any alcohol server without a valid alcohol server certification
      A. They must ensure that each alcohol server it employs has a valid alcohol server certification.
      B. The licensee shall maintain records of certifications for inspection, upon request, by the department.
   2. Any alcohol server and their manager must have a valid Responsible Beverage Service (RBS) certification from an ABC-accredited training provider and pass an online exam within 60 calendar days from initial employment.
      A. Servers who were employed prior to July 1, 2022, must pass the RBS certification exam by August 31, 2022.
   3. A nonprofit organization that has obtained a temporary daily on-sale license or a temporary daily off-sale license from the department must designate one or more people to receive RBS training prior to the event. Someone who has received training must remain during the entire event.

b. There are many specific terms used by the state of California regarding what constitutes servers, licensees, etc – you must be familiar with these terms, and can find them in the “Terms & Definitions” at the beginning of this course.

c. A person shall not perform duties that include the sale or service of alcoholic beverages for consumption on licensed premises, and shall not manage that person, without a valid alcohol server certification.

d. The failure of a licensee to comply with Article 4 (The Responsible Beverage Service (RBS) Training Program Act of 2017) shall be grounds for disciplinary action. A violation of this article shall not be grounds for any criminal action, pursuant to this division, against a licensee or an agent or employee of a licensee.
   1. In other words, licensees must comply with having the proper certification and training for themselves and their employees!

e. California sentencing law generally defines three categories of crime:
   1. An **infraction** is the least serious offense and is generally punishable by a maximum fine of $250. Most motor vehicle violations—such as exceeding the speed limit—are considered infractions.
   2. A **misdemeanor** is a less serious offense, for which the offender may be sentenced to probation, county jail, a maximum fine of $1000, or some combination of the three. Misdemeanors include crimes such as assault, petty theft, and public drunkenness.
3. A **felony** is the most serious type of crime, and an individual convicted of a felony may be sentenced to state prison under certain circumstances. It can include a maximum fine of $1000. Individuals convicted of felonies who are not sentenced to state prison are sentenced to county jail, supervised by the county probation department in the community, or both.

f. Liability occurs when you are held responsible for injury and damage that either occurs to your patrons or is caused by them. This could include injury and damage from things such as slips and falls, fights, or drunk driving collisions.

<table>
<thead>
<tr>
<th>Type of Liability</th>
<th>Arena</th>
<th>Results</th>
</tr>
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<tbody>
<tr>
<td>Criminal</td>
<td>Court</td>
<td>Fine, Community Service, Jail</td>
</tr>
<tr>
<td>Administrative</td>
<td>ABC</td>
<td>Fine, Suspension, Revocation</td>
</tr>
<tr>
<td>Civil</td>
<td>Lawsuit</td>
<td>Money Judgment</td>
</tr>
</tbody>
</table>

1. Criminal liability
   A. Committing a criminal act.
      i. Court against the Server.
      ii. Individual seller/server held responsible for crime observed by law enforcement officer.
   B. Penalties include monetary fines, community service, and jail time.

2. Administrative liability
   A. Action against the license.
      i. ABC against the Licensee.
      ii. Licensee may accept penalty recommendation or request a hearing.
      iii. Type of violation, facts of case and licensee’s past taken into account.
   B. The purpose of penalties is not punishment, but to deter licensee’s using license privileges in ways contrary to law and that puts the community’s health, safety, and welfare at risk.
      i. Administrative disciplinary action protects the public welfare and morals.
   C. Penalties include the suspension of license privileges, the imposition of conditions, and revocation of a license.
      i. Fines range from $750 – $20,000.
      ii. Suspension of license.
iii. Revocation of license.
iv. Penalties decided on a case-by-case basis.

3. Civil liability
   A. The potential civil legal liability of licensees and their seller/servers for injuries caused by their intoxicated patrons.
      i. Under California statutes, liability exists only:
         a. when the patron was obviously intoxicated and under age 21 at the time of the sale or service.
         b. when the sale or service of the alcohol is the proximate cause of the personal injury or death sustained by that person.
   B. General negligence and reckless conduct.
      i. Under common law, a licensee has a duty to exercise reasonable care for the safety of his or her patrons. When a licensee is negligent, a common law action may be filed in court and civil damages may result. Therefore, if the service of alcohol is negligent, common law liability may result under common law duties of care, regardless of the customer’s age.
      ii. Reckless conduct may also give rise to a lawsuit under common law. Reckless conduct goes beyond mere negligence. Reckless conduct is when a person has intentionally disregarded a risk that he knew or should have known of and it was highly probable that harm would follow. It usually is accompanied by a conscious indifference to the consequences.
         a. If the service of alcohol can be characterized as reckless, the drinker – whether a minor or an adult – can recover for self-inflicted injuries. A wrongful death suit may potentially be filed by their beneficiaries.
   C. Monetary liability includes payments to victims who bring civil lawsuits.

4. One situation that could potentially result in all three types of liability is the sale of alcohol to a minor.

5. The state of California has a number of recommendations for reducing the risk of liability:
   A. Promote food and non-alcoholic drinks.
   B. Promote safe rides.
   C. Implement no drinking on duty policy.
   D. Have responsible promotions.
   E. Provide training for staff.
   F. Maintain adequate staffing.
G. Have written policies.
H. Hire qualified employees.
I. Support employees’ decisions.
g. Laws related to the service of alcohol for consumption in California.
   1. Twenty-one is the minimum age for a person to legally purchase or consume alcoholic beverages in California.
      A. Any person who sells or in any way furnishes an alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor.
      B. Any person under 21 years of age who purchases or consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor.
      C. Any person who furnishes any alcoholic beverage to a person under 21 years of age, and the person under 21 years of age thereafter consumes the alcohol and thereby proximately causes great bodily injury or death to themselves or any other person, is guilty of a misdemeanor.
      D. Any on-sale licensee who knowingly permits a person under 21 years of age to consume any alcoholic beverage in the on-sale premises, whether or not the licensee has knowledge that the person is under 21 years of age, is guilty of a misdemeanor.
   2. Any licensee who permits a person under the age of 21 years to enter and remain in the licensed premises without lawful business is guilty of a misdemeanor.
      A. The person under 21 is also guilty of a misdemeanor; the punishment is a fine of $200+ and cannot be suspended (removed or reduced).
   3. Every person who provides (in any way) an alcoholic beverage to any habitual or common drunkard or to any obviously intoxicated person is guilty of a misdemeanor.
   4. When any person is found in any public place under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of these AND:
      A. is in a condition that they are unable to exercise care for their own safety or the safety of others, OR
      B. interferes with or obstructs or prevents the free use of any street, sidewalk, or other public way.
      C. they are guilty of a disorderly conduct misdemeanor.
   5. Servers under 21:
      A. Any person between 18 and 21 years of age at an on-sale licensed establishment may serve alcoholic beverages to consumers only under the following circumstances:
i. service occurs in an area primarily designed and used for the sale and service of food for consumption on the premises.

ii. Serve or service includes the delivery, presentation, opening, or pouring of an alcoholic beverage.

iii. the primary duties of the employee is the service of meals to guests, with the service of alcoholic beverages being incidental to meals.

B. Every person who employs a server under the age of 21 years in the portion of the premises primarily designed and used for the service of alcoholic beverages (behind a bar, for example) is guilty of a misdemeanor.

6. If a retail licensee has knowingly permitted the illegal sale, or negotiations for the sales, of controlled substances or dangerous drugs upon his or her licensed premises, their on-sale license will be immediately revoked.

A. Successive sales, or negotiations for sales, over any continuous period of time is considered evidence of “permission”.

7. Vehicles & Alcohol in California

A. It is unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle.

B. It is unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

i. percent, by weight, of alcohol in a person’s blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

ii. it is presumed (but can be contested) that if a person tests at 0.08% or more in a chemical test taken within three hours after driving, then they had that BAC or more at the time of driving.

C. It is unlawful for a person who is under the combined influence of any alcoholic beverage and drug to drive a vehicle.

8. Hours of Sales & Service.

A. Any licensee or employee of that licensee who sells, gives, or delivers to any persons any alcoholic beverage or any person who knowingly purchases any alcoholic beverage between the hours of 2 o’clock a.m. and 6 o’clock a.m. of the same day, is guilty of a misdemeanor.

B. Any retail licensee or their employee who permits an alcoholic beverage to be consumed by any person on the licensee’s premises during any hours in which it is unlawful
to sell alcoholic beverages for consumption is guilty of a misdemeanor.

   A. While California has passed legislation largely decriminalizing marijuana, it is important for licensed establishments to remember that it is still unlawful to:
      i. Smoke or ingest cannabis or cannabis products in a public place (unless they have been specifically licensed to do so, such as for a temporary special event).
      ii. Smoke cannabis or cannabis products in a location where smoking tobacco is prohibited.
      iii. Smoke cannabis or cannabis products within 1,000 feet of a school, day care center, or youth center while children are present at the school, day care center, or youth center.
         a. except in or upon the grounds of a private residence or in a specifically licensed place/situation AND only if such smoking is not detectable by others on the grounds of the school, day care center, or youth center while children are present.
         b. “Youth center” means any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.
   B. “Smoke” means:
      a. to inhale, exhale, burn, or carry any lighted or heated device or pipe, or any other lighted or heated cannabis or cannabis product intended for inhalation, whether natural or synthetic, in any manner or in any form.
      ii. includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in a place.
   C. These laws do NOT amend, repeal, affect, restrict, or preempt laws pertaining to the Compassionate Use Act of 1996.

10. Licensing for alcohol & marijuana.
A. A licensee shall not, at its licensed premises, sell, offer, or provide cannabis or cannabis products.
   i. This includes any alcoholic beverage that contains tetrahydrocannabinol (THC) or cannabinoids, regardless of source.
      a. Cannot sell OR manufacture.

11. Establishments that are licensed to sell cannabis products must also be aware of all other specific cannabis-related prohibited products.
   A. The department will take disciplinary action against a licensee that violates this, including, but not limited to, suspension or revocation of the license.

h. Regulation of alcoholic beverages.
   1. Alcohol-related laws are enforced by state and local law enforcement agencies.
      A. At the Federal level, the Bureau of Alcohol, Tobacco and Firearms (ATF), the Food and Drug Administration (FDA) and the Alcohol and Tobacco Tax and Trade Bureau (TTB) all regulate alcohol in different ways.
      B. BUT each state has its own laws, with some controlling the sale and distribution more tightly than others.
   2. Role of the department (ABC).
      A. In California, the Department of Alcoholic Beverage Control regulates all sales of alcohol. The stated mission of the ABC is to “provide the highest level of service and public safety to the people of the State through licensing, education, and enforcement”.
         i. Businesses wishing to sell alcohol must apply to ABC for a license, which may be approved or denied.
         ii. If the license is denied, or if its issuance is protested, the applicant is entitled to a hearing before an Administrative Law Judge.
      B. ABC agents are sworn peace officers.
         i. ABC agents are fully sworn peace officers in the state of California and have all the investigative authority of any other state law enforcement agency.
         ii. ABC Agents primarily work plainclothes investigation of criminal and administrative violations of the state’s alcoholic beverage laws.
         iii. Agents also work undercover investigating vice violations including narcotics, gambling, human trafficking, receiving stolen property, and alcohol-related crimes.
iv. By California law, peace officers are permitted to use persons under 21 years of age as decoys to apprehend licensees, or employees or agents of licensees, or other persons who sell or furnish alcoholic beverages to minors.

C. Definition of a sworn peace officer in California – peace officers include (but are not limited to) the following:

i. Any sheriff, undersheriff, or deputy sheriff of a county.

ii. Any chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency that performs police functions.

iii. Any police officer of a city.
   a. employed in that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency.

iv. Any chief of police, or police officer of a district authorized by statute to maintain a police department.
   a. including police officers of the San Diego Unified Port District Harbor Police.

v. Any marshal or deputy marshal of a superior court or county.

vi. Any port warden or port police officer of the Harbor Department of the City of Los Angeles.
   a. or any inspector or investigator employed in that capacity in the office of a district attorney.

vii. Any member of the Department of the California Highway Patrol.
   a. Whose primary duty is enforcement re: vehicles.

viii. A member of the University of California Police Department.

ix. A member of the California State University Police Departments.

x. Any member of the Office of Correctional Safety or the Office of Internal Affairs of the Department of Corrections and Rehabilitation.
   a. Whose primary duty is investigation, apprehension, transportation, etc of inmates, parolees, etc.

xi. Marshals and police appointed by the Board of Directors of the California Exposition and State Fair.

xii. Employees whose duties are law enforcement of:
a. the Department of Fish and Game.
b. the Department of Parks and Recreation.
c. the Department of Forestry and Fire Protection.
d. the Department of Alcoholic Beverage Control.
e. the Bureau of Cannabis Control.

   i. The T.R.A.C.E. unit investigates alcohol-related incidents involving alcohol and minors.
   ii. Any crime involving someone under the age of 21, with victim(s) or suspect(s) under the influence of alcohol and/or drugs, resulting in great bodily injury or death will initiate a T.R.A.C.E. investigation.

i. Role of local law enforcement officers.
   1. Local law enforcement is required to enforce alcohol laws.
   2. Local law enforcement officers are required to send the department all arrest reports and calls for service at ABC licensed locations.
   3. Inspection rights and peace officer authority.
      A. Any sworn peace officer, whether in uniform or in plain clothes, has the right to visit and inspect any licensed premises at any time during business hours.
      B. The right to inspect is not dependent on probable cause or obtaining a warrant.
      C. The right to inspect extends to the bar, back bar, storeroom, office, closed or locked cabinets, safes, kitchen, or any other area within the licensed premises.
      D. The right to inspect also extends to licensee records required to be kept (like incident logs and license paperwork).
      E. Interfering in any way with a peace officer’s right to inspect is grounds for arrest and license revocation.

j. Local jurisdictions may have additional laws, ordinances, or provisions that apply to an ABC licensed location in their area in addition to the statewide laws.
   1. In most states, cities and counties may make their own regulations even more strict than the state standards!
   2. It is your responsibility to make sure you know your local laws and ordinances!

k. Upon notice from a district attorney, city attorney, county counsel or ABC, licensees have the responsibility to take reasonable steps to correct objectionable, nuisance conditions on or about the licensed premises and on abutting public sidewalks up to 20 feet from the
premises, within a reasonable period of time. Some of these objectionable conditions include:

1. Disturbing the peace.
2. Loitering.
3. Drinking or drunk in public.
4. Urinating.
5. Harassing passersby.
7. Loud music.
8. Prostitution.
9. Lewd conduct.
10. Gambling.
Lesson 4: Checking Identification

a. Checking identification (ID) of patrons prior to serving alcohol:
   1. Twenty-one is the minimum age for a person to legally purchase or consume alcoholic beverages in California.
   2. If prior to serving alcohol an alcohol server diligently inspects a patron’s ID and reasonably concludes it is legally acceptable (even if it turns out to be a fake ID), and the appearance of the minor indicates the minor could be twenty-one years of age or older, the alcohol server has a defense to a charge of selling to a minor.

b. A legally acceptable ID should always:
   1. Be issued by a government agency.
   2. Contain the name, date of birth, photograph, and physical description of the ID holder.
   3. Have a valid expiration date.

c. Legally acceptable IDs include:
   1. State issued driver’s licenses and identification cards.
   2. Military IDs.
      A. Note: even without a physical description of the ID holder.
      A. Note: even without a physical description of the ID holder.

d. Unacceptable IDs:
   1. Expired ID.
   2. School or Work ID.
   3. Obviously altered ID.
   4. ID belonging to someone else.
   5. Interim or temporary state issued driver licenses.
   6. Licenses of persons under 21 years old.
      A. Californians under the age of 21 are issued vertically-oriented driver’s licenses. Receiving a vertical license is an instantaneous indicator that the individual should not be served.
Elements of a valid California REAL ID.
1. A REAL ID is a driver’s license or identification card that is also a federally accepted form of identification.
2. REAL ID cards are marked with a gold bear and a star.
3. This is valid for purchasing alcohol in the state of California.

Elements of a valid California Federal Non-Compliant ID.
1. Identification cards that do not qualify as REAL ID are lacking these marks, and usually have the words “Federal Limits Apply” in their place.
2. This is valid for purchasing alcohol in the state of California.
g. Indicators of a false ID:
   1. Photograph appears raised or altered.
   2. Thickness of the card, too thick or too thin.
   3. Lumps, bumps, or creases on the surface of the card.
   4. The card can be peeled apart.
   5. Alterations of the birthdate.
6. Signature written in ink.
7. UV images not present.
8. Laser perforation image of bear is not present on back.

h. Techniques for checking ID:
1. Physically hold the ID.
2. Look at the front and back of the ID.
3. Compare the photograph to the ID holder.
4. Compare the physical description to the ID holder.
5. Verify the information on the card by asking questions of the ID holder.
   A. What's your zip code?
   B. What's your address?
   C. How old are you?
   D. What year did you graduate high school?
   E. How do you spell your middle name?
   F. What month were you born (specifically NOT the number)?
6. Compare the signature on the ID to a fresh signature given by the ID holder.
7. Check for security features visible by UV light or flashlight.
   A. Both the REAL ID and the valid California Federal Non-
      Compliant ID must have images of the Golden Gate Bridge
      and Coit Tower that become visible under UV light.

i. Refusing Service & Seizing ID:
1. Any server or employee of a licensed premises may refuse to sell
   or serve alcoholic beverages to any person who is unable to
   produce adequate written evidence that he or she is over the age
   of 21 years.
2. A server or employee may choose to seize any identification
   presented by a person that shows the person to be under the age
   of 21 years or that is false, so long as:
   A. a receipt is given to the person from whom the identification
      is seized, AND
   B. the seized identification is given within 24 hours of seizure
      to the local law enforcement agency that has jurisdiction
      over the licensed premises.

j. Avoiding service to obviously intoxicated patrons:
1. Use effective listening and visual cues to determine when patrons
   have become obviously intoxicated.
2. Do not advocate for continued drinking when one patron attempts
   to buy a beverage for another patron who no longer wants a
   beverage.
3. It's your responsibility (including legally!) to stop alcohol service
   to customers who are visibly intoxicated.
A. walking the line between good customer service and refusing to serve a customer entirely can be tricky.
B. No one enjoys cutting someone off, but the potential consequences are much more inconvenient than a brief, awkward conversation.

k. When to refuse service:
   1. If a patron’s ID is invalid.
   2. If the patron becomes belligerent.
   3. If a patron is obviously intoxicated either by alcohol, medication, or recreational or illegal drugs.
   4. If a patron requests service outside the hours of operation.
   5. If a server has any doubts about any of the preceding factors.

l. Techniques for an alcohol server refusing service to a patron:
   1. Be courteous but firm in telling patrons they can no longer be served.
      A. Stay Friendly.
         i. Keep a friendly voice.
         ii. If the customer feels condescended to, they are more likely to become angry.
         iii. Avoid using aggressive phrases like “cut off” or “drunk”.
      B. Let the customer know that you care about their well-being, and you want them to get home safely.
         i. Offer to call a cab or other ride service.
   2. Be quiet and discrete.
      A. When possible, speak to the customer directly and quietly, rather than cutting them off loudly in front of others.
      B. The more inconspicuous the conversation is, the less likely the customer is to be embarrassed, or feel the need to “save face” by being aggressive or challenging.
   3. Be assertive in the decision to stop alcoholic beverage service.
      A. Thank them for their patronage, genuinely apologize for the inconvenience – but be firm in your decision.
   4. Focus on statements about the alcohol server’s duty and liability not to serve.
      A. The customer should know by your tone and words that your decision is not a personal attack, and that you don’t look down on them.
      B. It is okay to explain the law to the customer, and let them know that you could personally be prosecuted for over-serving them.
      C. You can also explain that the establishment would be endangering its own license.
   5. Do not bargain with the patron.
A. If the customer objects remind them that the decision is out of your hands.
B. After cutting someone off, it can help to move on to other customers and tasks immediately afterward -- this indicates that your decision is final and can prevent intoxicated customers from pressing the issue any further.
   i. When serving in a restaurant environment, simply not visiting the table as often is usually an option, especially after customers have finished their food.
   ii. Take your time with other tasks.
   iii. Help other customers first to stay productively occupied while stalling.
6. The server should inform managers and co-workers of the decision, identity of the person, and reasons the person should no longer be served alcohol.
   A. Your management team should be aware that you’ll be cutting someone off. This allows them to keep an eye on the situation, act consistently, and step in if needed.
7. Inform other members of the patron’s group, if any.
   A. If none of these techniques are working, you can speak with someone accompanying the customer and explain that you’re cutting off service.
   B. Friends are often willing to help by encouraging the group to settle up tabs, calming or distracting the intoxication patron, have a round of water or juice, etc.
8. Offer a glass of water, non-alcoholic beverage, or food item.
   A. As we’ve learned, food slows the absorption of alcohol in the system, and can delay its effects.
   B. You can always offer the customer water, juice, soda, or tea to help delay the consumption of more alcohol.

m. Identifying persons under the influence of medication or recreational or illegal drugs.
1. Depressants:
   A. Depressants, also called “downers”, are drugs that lower neurotransmission levels, reducing arousal or stimulation in various areas of the brain. They are used therapeutically to induce sleep, relieve anxiety and muscle spasms, and prevent seizures.
   B. Some common depressants include Valium, Xanax, Halcion, Ativan, Klonopin, Restoril, AND ALCOHOL!
   C. Signs of a patron being under the influence of a depressant:
      i. For most people:
         a. low doses of alcohol tend to reduce personal and social anxiety while producing a mild euphoria.
b. in higher doses, it can produce stupor, coma, and even death.

ii. reaction time, mental function, and thought processes may be slowed.
   a. they may seem confused.
   b. people who abuse depressants by combining them with other drugs and/or alcohol may come across as very relaxed and mentally distant.

iii. the muscle relaxant effect may make limbs move unusually.
   a. may stumble or stagger as they walk.

iv. Blood pressure and breathing typically decrease.
   a. occasionally enough to lull the person to sleep.

v. may have dilated pupils and a slow pupillary response.

2. Stimulant:
   A. Stimulants are the polar opposite of depressants, speeding up neurotransmission and most other bodily functions. They typically make a user feel more awake, aware, alert and confident. They are used therapeutically to treat attention deficit hyperactivity disorder and narcolepsy.
   B. Common stimulants include Dexedrine, Adderall, Ritalin and Concerta.
   C. Signs of a patron being under the influence of a stimulant:
      i. tend to have heightened feelings of well-being and confidence or even euphoria.
         a. can detect this in their demeanor and conversations.
         b. increased talkativeness.
         c. Repeated misuse of prescription stimulants, even within a short period, can cause psychosis, anger, or paranoia.
      ii. increased alertness, heart rate and blood pressure.
         a. At high doses, prescription stimulants can lead to a dangerously high body temperature, an irregular heartbeat, heart failure, and seizures.
      iii. Appetite is usually reduced.

3. Hallucinogenic (psychedelics):
   A. Hallucinogens are a diverse group of drugs that alter a person’s awareness of their surroundings as well as their own thoughts and feelings. As the name implies, they can also induce hallucinations, from minor distortions of lights and patterns to a fully-imagined reality.
   B. Hallucinogens are commonly split into two categories:
i. classic hallucinogens.
   a. include drugs like LSD and magic mushrooms.
ii. dissociative drugs.
   a. include PCP and ketamine.
   b. in addition to hallucinations, can make users feel out of control or disconnected from their body and environment.

C. Signs of a patron being under the influence of a hallucinogenic:
   i. almost always dilate the pupils.
   ii. increased heart rate.
   iii. increased body temperature & profuse sweating.
   iv. may display problems with coordination, numbness, & dizziness.

Lesson 5: Developing Management Policies

a. It is an ABC Licensee’s duty to ensure policies are created to guide employees in the service of alcoholic beverages for consumption in their licensed premises according to legal standards.
   1. If an administrative violation occurs on the licensed premises, the license for that premises is at risk for administrative penalties.
   2. The ABC is authorized to, at its discretion, suspend or revoke any license to sell alcoholic beverages if it shall determine for good cause that the continuance of such license would be contrary to the public welfare or morals.
      A. They may choose from a range of progressive and proportional penalties, from Letters of Warning to revocation of license.
      B. They may accept a Petition for Offer in Compromise (“POIC”) in lieu of the service of a suspension of 15 days or less.
   3. Higher or lower penalties may be recommended based on the facts of an individual case, especially when involving aggravating or mitigating circumstances, such as:
      A. Prior disciplinary history.
      B. Prior warning letters.
      C. Licensee involvement.
      D. Premises located in high crime area.
      E. Lack of cooperation by licensee in investigation.
      F. Appearance and actual age of minor.
      G. Continuing course or pattern of conduct.
H. Length of licensure at subject premises without prior discipline or problems.
I. Positive action by licensee to correct problem.
J. Documented training of licensee and employees.
K. Cooperation by licensee in investigation.

4. License Suspension:
   A. If an ABC license is suspended, the licensee may, before the operative date of the suspension, petition the department for permission to make a financial offer in lieu of serving the suspension.
   B. If the proposed suspension is for a period in excess of 15 days, no financial compromise may be requested.
   C. Upon the receipt of the petition, the department may stay the proposed suspension and cause any investigation to be made which it deems desirable and may grant the petition if it is satisfied that the following conditions are met:
      i. The public welfare and morals would not be impaired by permitting the licensee to operate during the period set for suspension and the payment of the sum of money will achieve the desired disciplinary purposes.
      ii. The books and records of the licensee are kept in such a manner that the loss of sales of alcoholic beverages that the licensee would have suffered had the suspension gone into effect can be determined with reasonable accuracy therefrom.

b. Benefits for an ABC on-premises licensee of having policies in place for the service of alcoholic beverages for consumption to the public:
   1. Policies ensure uniformity of responsible business practices.
   2. Policies ensure an ABC licensed premises is a safe and comfortable space for patrons and employees.
   3. Policies reduce the risk of criminal, civil, and administrative liability for the ABC licensee, its agents, and its employees.
   4. Effective policies increase profitability of the ABC licensed premises.

c. Guidelines for the effective development of policies for the service of alcoholic beverages for consumption to the public:
   1. Develop policies to enforce objectives like preventing alcohol service to minors and overly-intoxicated persons.
   2. Develop policies to comply with all state and local laws pertaining to the ABC on-premises licensed premises.
   3. Develop strategies for instructing and reinforcing policy implementation by management and employees.
d. Guidelines for the effective use of policies for the service of alcoholic beverages for consumption to the public:
   1. Written policies should be clear and specific.
   2. Policies should be reviewed for relevance and accuracy, especially if there are frequent incidents of violence or illegal activity requiring peace officer assistance.
   3. Policies need to be taught and enforced with each employee.
   4. Policies should be reinforced through regular training and meetings with employees.
   5. Feel free to use information from this course in developing your business’ policies!

e. Some of the most critical areas to develop RBS policies for are:
   1. Stopping alcoholic beverage service to a patron.
   2. Encouraging intoxicated patrons travel home safely.
   3. Handling patrons who arrive already intoxicated.
   4. Handling potentially violent situations.
   5. Handling illegal activities.
   7. How and when to check a patron’s identification.
   8. Handling emergency situations.
   9. Implementing an incident log.
  10. Prohibiting employees consuming alcohol while working.
  11. Prohibiting promotions that encourage intemperate consumption of alcoholic beverages or unlawful discrimination:
       A. Two for one drink specials.
       B. Ladies nights.
       C. All you can drink or ‘bottomless’ alcoholic drink specials.

f. Keep an Incident Log, recording as much information you can when the following events occur:
  1. When alcoholic beverage service was stopped for a patron.
  2. When alternate transportation has been arranged for a patron.
  3. Any seizure of an identification.
  4. A patron becoming ill due to over consumption of alcohol.
  5. Any injury, medical treatment, or hospitalization of a person on the ABC licensed premises.
  6. Any illegal or violent incidents occurring on the ABC licensed premises.
  7. Any calls for law enforcement assistance or other contact with peace officers.

g. Interacting with law enforcement:
  1. ABC licensees, their employees, and their agents are expected to cooperate with all sworn peace officers, including ABC agents and local law enforcement.
2. Frequent calls for law enforcement assistance at an ABC-licensed premises can be grounds for an administrative action to suspend or revoke the license.

3. Policy changes may be necessary to avoid frequent need for law enforcement assistance.
   A. Includes hiring more employees, closing earlier, hiring security guards, changing the type of music played, and increasing lighting on the premises.

h. No business establishment of any kind whatsoever may discriminate, with respect to the price charged for services of similar or like kind, against a person because of the person’s gender (but nothing prohibits price differences based specifically upon the amount of time, difficulty, or cost of providing the services).
   1. All licensees are subject to disciplinary actions if they:
      A. refuse to perform the licensed activity.
      B. aid or incite the refusal to perform the licensed activity by another licensee.
      C. or engage in any discrimination, or restriction in the performance of the licensed activity.

   based on the person’s sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.
   2. Prohibition includes discrimination by drink specials.
      A. In the state of California, a person’s gender cannot be the basis for receiving products or services at a different price.
      B. Drink specials that discriminate by gender (i.e. “Ladies’ drinks ½ off on Friday nights”) are illegal.

i. Hiring practices for alcohol servers:
   1. To pour and serve an alcoholic beverage, an employee must be 21 years or older.
   2. If incidental to food service, an employee who is at least 18 years old may serve an alcoholic beverage, but not pour
   3. ABC on-premises licensees’ employment and payroll records shall be kept for four years and made available for inspection by ABC agents upon request.

4. Important Dates:
   A. July 1, 2022 – AB 1221 (Responsible Beverage Service Training Program Act) goes into effect and RBS training for alcohol servers and the managers of alcohol servers for ABC On-Premises licensed establishments becomes mandatory!
B. ABC On-Premises Licensees have 60 days from July 1, 2022 to have their staff trained and certified by an approved RBS training provider. This includes the successful completion of an ABC administered RBS exam.

C. September 1, 2022 – Enforcement of AB 1221 begins!

5. Any person between 18 and 21 employed in any bona fide public eating place which is licensed for the on-sale of alcoholic beverages, may serve them to consumers ONLY under the following circumstances:
   A. such service occurs in an area primarily designed and used for the sale and service of food for consumption on the premises;
   B. AND the primary duties of the employee shall be the service of meals to guests, with the service of alcoholic beverages being incidental to such duties.
   C. This service includes: delivery, presentation, opening, or pouring of an alcoholic beverage.

j. Good hospitality policies for the service of alcoholic beverage for consumption by patrons at an ABC licensed premises:
   1. Offer or serve a glass of water with the service of alcohol.
   2. Serve one beverage per patron at a time.
   3. Slow beverage service if needed.
   4. Do not serve a beverage to anyone who does not want one.
   5. Offer alternative non-alcoholic beverages.
   6. Offer food promotions.
   7. Offer promotions for designated drivers.
   8. Advise managers and coworkers when ceasing service to a patron.
   9. Encourage all patrons have a safe ride to their next destination.

k. Monitoring patrons’ alcoholic-beverage intake:
   1. For the purposes of understanding BAC, the CDC and other medical organizations have defined a “drink” as a beverage containing 14 grams (0.6 fluid ounces) of alcohol per serving. Be aware that the size of an alcoholic drink equivalent is dependent upon the alcoholic beverage’s alcohol by volume (ABV). This is often expressed a “% alcohol” when referring to a drink. That is roughly equal to the following average drinks:
      A. 12 oz. beer or cooler, about 5% alcohol by volume.
      B. 8 to 9 oz. malt liquor, including some beers greater than 7% alcohol by volume.
         i. Note that many modern craft beers hover around 7%.
      C. 5 oz. table wine, 12% alcohol by volume.
D. 1.5 oz. 80 proof-distilled spirit, 40% alcohol by volume (often referred to as ‘one shot’).
2. Servers should use measuring devices to ensure standard drink sizes or alcoholic drink equivalents are used for all types of alcoholic beverages. The size of an alcoholic drink equivalent is dependent upon the alcoholic beverage’s alcohol by volume or ABV.
3. Mixed beverages may have multiple servings within one drink.
4. Using correct pours ensures profitability of the business and helps the alcohol server calculate how much a patron has consumed to comply with other policies against serving obviously intoxicated patrons.

I. Licensed establishments should develop policies for monitoring common behavior of minors seeking alcohol service. Be aware of the following activities that might indicate minors attempting to obtain alcohol service:
   1. One patron ordering alcoholic beverages for a large group that may include one or more minors.
   3. Finding secluded locations in the licensed premises where employees cannot monitor their activity.

m. Keep in mind best practices for building a hospitality that will increase patronage and income. Establishments should develop polices on providing quality hospitality service, such as:
   1. Having multiple interactions with patrons to evaluate their moods and needs.
   2. Listening to patron complaints, compliments, and suggestions for improvement of service.
   3. Sharing feedback with management.
   4. Recognizing that better service and patron engagement will help the establishment be more popular and more productive.