

# Are we bartenders or babysitters?

by James E. Peters

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The DWI issue is here to stay. Owners must learn new ways to protect themselves and their patrons from the dangers of drunk driving.

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The retail alcohol beverage industry is faced with one of its greatest challenges in recent years. Public outcry over drunk driving and alcohol abuse is forcing the industry to promote its most profitable item in a way which emphasizes responsible use without allowing excess.

In recent months, many owners and managers have initiated awareness programs designed to inform employees of their social and legal responsibilities. Although many walk away from these programs asking "Are we bartenders or babysitters?," most realize that they have a duty to protect their customers. Alcohol servers are often unable to recognize when someone is "legally" intoxicated, and they may not know how to control intoxicated behavior. Additional information is needed.

Intoxication may be directly controlled by a server who recognizes its symptoms and refuses service to someone who shows signs of inebriation. The server's attitude can also act indirectly to discourage excessive drinking.

Alcohol is a depressant drug; its primary effect is to slow down the nervous system. Behavioral changes are related to the concentration of alcohol in the blood, and usually follow a recognizable pattern beginning with loss of inhibition, progressing to slurred speech, loss of coordination and aggressiveness, and culminating in loss of consciousness. Driving ability is impaired in



most people with a blood alcohol concentration (BAC) of 0.10, which in most states defines legal intoxication.

BAC is determined by how much a person drinks, their weight, and the rate at which alcohol is consumed. Whether a person eats or not before or while drinking, their sex, mood, the strength of the drink, and basic physiological differences between people can also affect BAC. Alcoholics and experienced drinkers can often consume large quantities of alcohol without displaying obvious signs of intoxication. These people might not appear intoxicated with a BAC of 0.10, but their driving ability will still be impaired.

The most simple and reliable way to monitor a person's degree of intoxication is by counting drinks; only a carefully monitored breath analyzer will be more accurate. A certain number of drinks will signal

that an intervention is necessary.

During an intervention, a person's behavior can be more easily changed if they are provided with positive alternatives. Showing concern for the patron will lessen the chance of confrontation.

Managing the intoxicated person requires skill, alertness and patience; every situation is different. Role playing and reenactments of problem situations can become a regular part of staff meetings, developing greater confidence and perception among the staff. It can also be helpful to bring in a counselor or nurse from a community detoxification center or a local police officer to discuss the techniques they use when dealing with intoxicated persons.

As a server making an intervention, it is important to remain calm; one must be quiet but firm, and not become defensive. The person will often not remember the encounter the next day. What someone who is inebriated will say should not be taken personally, and a server, manager or owner should not get into a shouting match. Keep statements simple and direct; repeating statements can help reduce the chance of an aggressive escalation. Remember that the more complex behaviors, such as judgment, learning and reasoning, are the first to be affected by alcohol. Trying to be rational and reasonable with an intoxicated person can become quite frustrating.

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ILLUSTRATION BY DAVID MELLMAN

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## Controlling environmental factors such as lighting, music, dancefloor space and decor can reduce the rate of intoxicated behavior.

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Be assertive, and deal with issues at hand; do not let the person sidetrack you. Making a statement such as "I am concerned about you and want to be sure you get home safely" is much less threatening than "You have had too much; you are drunk and cannot drive."

A server must always be prepared to deal with aggression. An intervention must be handled carefully in order not to escalate the encounter. Try to distract the person from the source of anger, but beware of statements which can be misinterpreted such as "Let's step outside and talk about this." Shifting the focus of responsibility can help reduce tension. "It's the law," or "house policy," or "I'll lose my job," will make you seem less threatening. Do not touch the person without a prior explanation; if a person attacks you, use only enough force to restrain the person. If you need help, get it! Establishing a positive, open relationship with local law enforcement agencies is extremely important. If they are aware of your standard operating procedures, and know you only call them in emergencies, they will respond appropriately.

A confrontive situation can be avoided by offering positive alternatives. Inviting someone to your establishment, letting them drink until they are intoxicated, and then asking them to leave is not only irresponsible, but bad business.

Encourage people to try alternative non-alcoholic beverages. Appealing, profitable "mocktails" are successfully sold by many operators, and there are also many non-alcoholic and low-alcoholic types of beer and wine available. Lounge menus, tent cards, and chalkboards are all being used to promote these beverages. The health-conscious, responsible drinking public is becoming tired of "club soda with a twist of lime" as their only alternative. Be creative and imaginative. Fifty-five million American adults do not

drink alcoholic beverages at all.

An increasing number of restaurants and taverns are keeping their kitchens open later in the evening. The public has become more aware of drinking and driving, and people are choosing to order a late-night snack rather than a last drink "for the road." Encouraging your customers to stay later for something to eat will allow the one cure for intoxication to work—time.

Try to encourage intoxicated customers to take a cab or go home with a friend. Free ride services supported by local drinking establishments or community groups are available in many communities. Reasonable care must be exercised in preventing a customer from driving. Wrestling with them in the parking lot to get their keys or tying them to a chair is not only dangerous, but can lead to a lawsuit for violation of civil rights and false imprisonment. Letting the air out of the tires or calling the police are safer alternatives for the customer and for others on the road.

The most important strategy in controlling intoxication is preventing it from happening. Some studies have shown an establishment's decor and environment to be directly related to the number of aggressive acts and incidents of intoxication. Jim Schaefer of the University of Minnesota has discussed how controlling such factors as lighting, music, dance floor space and decor can reduce intoxicated behavior.

Table arrangements, seating and capacity are other factors to consider. Placing tables and seats to allow a free flow of traffic and good supervision of all areas is a way to reduce risk. Limiting the number of people in a room will reduce crowding and anxiety in customers. Being "three deep at the bar and not able to get a drink" does not increase sales; it only prevents courteous and efficient service.

For example, one restaurant in a large college community had the

most popular "happy hour" in town. But, after a dram shop lawsuit, some of their policies were changed. The number of people in the lounge was limited, and a "two-fer" munchie menu with a variety of bar foods was created. Lounge sales soon began to drop off, but a change in clientele was noticed. The customers in the lounge began to stay later than the happy hour, and dinner sales began to increase. Old customers returned, pleased they were again able to get a parking space previously taken by the "happy hour" crowd. An alternative beverage menu was designed, and the staff was trained to recognize intoxicated behavior and to refuse service. Management supported the judgment of the staff, and alternative transportation was offered when necessary.

Their income statements began to show a reduction in costs for the replacement of glassware, repair of furniture, vandalized bathrooms and walls, and general maintenance. Although lounge sales were reduced, beverage sales in the dining room offset the losses.

Finding and keeping lounge service staff had always been a problem. Now there is a waiting list. A more controlled drinking environment allows staff to pay more attention to customers, thereby increasing tips and creating a more enjoyable workplace.

Controlling intoxication is a challenge the retail alcohol beverage industry must meet if it is to continue to maintain the respect of the public. Training staff to recognize intoxication and to intervene in a nonconfrontive manner is one alternative, but preventing intoxication by creating a safe, responsible drinking environment is clearly the most sensible and cost effective solution. □

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