Place of Last Drink (POLD)
Case Study: Plymouth, MN

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Introduction

Place of Last Drink (POLD) is a strategy to reduce illegal service of alcohol to obviously intoxicated customers ("overservice") at licensed establishments such as bars and restaurants. Place of last drink can be asked about and recorded for alcohol-related incidents such as drinking and driving, underage drinking, assaults, etc. POLD uses these data to identify establishments that demonstrate a pattern of overservice. When these establishments are identified, it is possible to then intervene to prevent future overservice of alcohol.

Plymouth Minnesota – the Community
The city of Plymouth, Minnesota is located twelve miles northwest of Minneapolis in Hennepin County. The population from the 2020 Census was 81,026, making Plymouth Minnesota's seventh largest city. According to the 2015-2019 American Community Survey, 74% of the population identified as white, 11% as Asian, 6% as Black, and 4% as Hispanic/Latinx. Over 98% of Plymouth residents had a high school education or greater and the median household income was $106,000.[1]

POLD Components

As part of this case study, we collected information related to the four components of POLD: (1) Startup—how POLD began in the community, (2) Data Collection & Review—how POLD data are collected and whether the data are regularly reviewed, (3) Stakeholder Awareness—which and how often stakeholders are informed about POLD and results of POLD, and (4) Follow up—whether and how POLD data are used to prevent future overservice.

Component #1: Startup
The city of Plymouth began implementing their POLD program in 2014. The decision to implement the program was made by the Plymouth Police Department (PD), which identified a need for better data about the last place alcohol was consumed by persons involved in police calls and the role of alcohol in incidents in the community. While the PD had anecdotal information on issues related to overservice of alcohol at some local alcohol establishments, the department did not have a strategic and organized way to connect that information to problems related to the overservice. The PD was interested in figuring out a systematic method to determine where impaired drivers were drinking before they drove. The POLD program was a good fit for that need.

The police chief and other members of the PD became aware of POLD through their relationship with Partnership for Change (PFC), a substance-use prevention coalition that serves Plymouth and eight other communities in northwestern Hennepin County. PFC staff were involved in the

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[1] Metropolitan Council Community Profiles; retrieved October 7, 2021.
https://stats.metc.state.mn.us/profile/detail.aspx?c=02396242

development of the Minnesota POLD initiative and presented information about the initiative to law enforcement leaders in Plymouth. The Plymouth police chief was supportive and instructed the PD's Community Relations Officer (CRO) to work with PFC to determine how to implement POLD in Plymouth, and to gather relevant information from nearby cities that were already implementing the program.

As the Plymouth PD made the decision to implement a POLD program, they sought buy-in from key stakeholders, including elected officials, City administrators, and their own officers. Stakeholders were given the opportunity to provide feedback and were made aware of the program before implementation began.

Transparency with alcohol licensees: Once elected officials and City administrators were informed and expressed their support, the PD felt it was very important to inform licensed alcohol establishments about the POLD program so establishments could understand the overall goal of the program. As one member of the PD explained, open communication with licensees is important "to minimize the 'us versus them' with restaurants, or places that would serve alcohol, to maybe give them a heads-up ahead of time…so they don't feel like they're being improperly targeted." The CRO sent a letter to all establishments explaining that officers would be collecting POLD information for incidents that involved alcohol consumption and that the goals of the program are to identify patterns of overservice and reduce alcohol-related incidents. While no licensees responded or took the opportunity to provide feedback, the PD wanted establishments to understand that the POLD program is designed to identify and address issues early on and not to target an individual establishment or location.

Communication and training with officers: A strong communication plan for officers was essential for start-up. Department leadership communicated the rationale for collecting POLD data, explained how they could be used and why they would be a valuable tool for officers. As a department representative said,

> "The program's success really hinges on the officers' participation. They input the data. So, I mean, that's clearly the most important piece of that puzzle. So, to best get that buy-in or communication, and especially police officers, they always want to know the 'why', make sure you're telling them the why beforehand so they understand."

Coalition partner support: PFC staff were a supportive partner for the Plymouth PD and were available to answer questions and offer guidance as Plymouth began implementing the POLD program. Since PFC serves multiple communities, it has facilitated information sharing between law enforcement agencies that implement the POLD program. PFC staff attended City Council meetings to offer support and information when the POLD program was discussed.

Component #2: Data Collection and Review
Data collection: Officers follow a data collection protocol where the officer(s) at the scene of an incident asks where the person(s) involved had their last drink and documents the response in

their report. Officers ask about POLD for any alcohol-involved incidents, including drinking and driving, assaults, medical situations, and disorderly conduct. This information is recorded in the police report using a check box added to the department's records system. An officer explains,

> "It's just as simple as clicking this box that says POLD on it, and then it gives you a box for some free text so you can just enter the location…So there is very limited training involved with that piece because we were able to utilize our reporting system that we have in place already, to really just add that check box."

Data review: Once POLD data are documented in an incident report, the officer designates it as a "custom attribute", which is how the officer signifies in the report that they have captured POLD data. This custom attribute designation then automatically copies the report to the CRO, who regularly reviews the report and records the POLD information.

The CRO tracks and assesses the data to identify patterns that indicate an establishment may be over-serving customers. A PD member explained,

> "It's really not sophisticated. It goes back to, the officers ask the question, it's captured in the report, the reports are forward on to [the CRO], he tabulates where the last drink was had. And he puts that together in a report that's available to anyone who wants it whenever they need it. And then we review it at the end of each year as we prepare for liquor license renewals."

Locations other than licensed establishments such as private residences or parks are noted as "non-retail locations". If a pattern is identified as a non-retail location, such as a park, lake, or beach, the PD may look at other prevention or enforcement options such as increased lighting or conducting additional patrols of that location.

Ongoing emphasis on data collection: The CRO meets with new officers to explain the rationale for POLD and demonstrate how to collect and document POLD data. The CRO will follow up with an officer if something in a report seems unclear or missing, and officers' supervisors also routinely review reports. As a supervisor noted

> "There's a couple of levels of redundancy in at least checking those mistakes or forgetfulness on the point of our officers to follow up and make sure that they're done…. They understand the importance of making sure it's complete and accurate data so that we can accurately respond and use that data to help us."

Addressing data collection challenges: Sergeants periodically need to remind officers to document POLD information. POLD data collection must be done by the officer at the scene of the incident, which is not always possible or feasible. It's "officer-dependent"-data collection may be overlooked occasionally or simply may not be possible to obtain (e.g., when a person refuses to provide information). Officer buy-in is an ongoing challenge. Some officers document

POLD regularly while others do not. "We're not capturing nearly what we probably could…[but] we do gather a fair amount," a PD representative said.

One Plymouth PD interviewee acknowledged that some establishments have questioned the validity of the data, noting, "You can't say with a hundred percent certainty that the place of last drink was the problem. Were they drinking beforehand someplace else? Or is the information you're getting back from the subject that you're having contact with accurate?" Managers may also give excuses such as a patron having a sizable bar tab not proving the customer consumed all the drinks—the person may have been purchasing drinks for others. Officers can respond to such concerns by asking for receipts and surveillance video of incidents, and interviewing staff on duty at the time.

Component #3: Stakeholder Awareness
The Plymouth PD has found that community awareness of POLD is important, not only in the start-up phase but ongoing, so that establishments, stakeholders, and community members understand the rationale and goals of the program. As a PD representative explained, "Communicate the program to the greater community, so if they are going to drink and somehow come to law enforcement's attention in the community, that certain questions that are going to be asked. Whether they choose to answer it is another story, but that we are interested in knowing where people are finishing off their typical night and how that is causing us to send resources to combat whatever issues they've created."

The PD takes several steps to increase awareness of POLD in the community:
- City Council and City staff: The PD presents an annual report of POLD activity to the City Council and City staff, including the City Clerk who processes liquor license renewals. The report identifies any establishments that have had POLD incidents, if corrective action or restrictions have been recommended, and progress they have made, so the council can consider this information during the license renewal.
- Community members: The CRO presents information on POLD data collection at numerous community meetings as part of a Citizens Academy that the Plymouth PD sponsors.
- Community partners: PFC shares POLD information annually with its members and has conducted evaluations of POLD implementation in Plymouth and the other communities in its service area that collect POLD data.
- Police departments in neighboring cities: The Plymouth PD shares information on POLD implementation with their law enforcement colleagues in neighboring cities.

The PD finds that the tone and focus of communication with licensed alcohol establishments and the community is important. In all communication, the PD stresses that the POLD program is a tool to help establishments identify issues, and allows for law enforcement and the City to support establishments in efforts to correct any problems. A PFC staff member said in retrospect, she wished they had developed a fact sheet of talking points for establishments, to help explain the program's potential benefits to their businesses and to help them reduce liability, noting

"This database is purely for helping law enforcement work positively with restaurants, not against them." Police personnel agree: "We're in the business of trying to get people to change their behavior. With these businesses, I don't want them to go out of business. I want them just to be a little more careful."

Component #4: Follow-up
The Plymouth PD manages all follow-up contacts with alcohol establishments. In almost all cases, a follow-up contact by the CRO is the only action needed. In only one situation has Plymouth needed to elevate a situation to the City Council, which is the licensing authority. The CRO assesses all POLD data and determines if they should result in a contact to the establishment. Generally, if it is an isolated incident, no contact is made. The typical first contact about POLD incidents is a phone call or letter from the CRO. Some establishments respond defensively, but others appreciate the information so they can take corrective action to avoid liability issues.

Specific follow-up practices with establishments include:

Providing timely information: POLD incidents are reported to establishments as soon as possible so the information is timely enough to be useful. As one establishment representative said, "as far as disseminating the information, [the CRO] does a good job with it. We get it in a timely manner. I think they're doing all the right things with this information."

Identifying patterns, not single incidents: Plymouth PD does not have a set protocol for how many POLD incidents trigger a contact or intervention from the police. Rather, they look for a pattern or for an unusual incident that warrants their involvement. A single incident seldom indicates that an establishment has overservice problems.

Educating and sharing information with alcohol establishments: If a review of data shows a pattern of multiple incidents of potential concern, the CRO will inform the establishment. This step is generally informal and educational, such as, "Hey, just so you know, we've seen X amount of POLD data related to your business." An establishment might be asked about its training procedures, policies for preventing overservice, or provided some tips for how to prevent such incidents. It is made clear that the establishment is expected to address such issues to prevent future problems.

Including POLD information in licensing renewal decisions: If the initial contact does not result in improvement, future meetings may be held. If the establishment continues to be identified as a frequent POLD, the police department would elevate the situation and bring it to the attention of the City Clerk and attorney. If the situation could not be resolved at this point, the issue is brought before the City Council. The City Council can decide to put parameters around the establishment's license, such as setting a limit for the number of POLD incidents allowed in the future before another hearing with the City Council is required. If problems worsen or continue

to go unaddressed, an establishment's license could be in jeopardy, although this has not happened to date in Plymouth.

Addressing unusual or high-risk situations: While generally the CRO does not contact an establishment over a single POLD incident, an unusual situation might warrant bringing it to the attention of the establishment. An example of this was an individual who slipped on the ice when leaving an establishment and suffered a life-threatening head injury. The CRO contacted the establishment to be sure they were aware of the incident, and to let them know that the person who was injured identified them as the place of last drink and reported that they had been served five shots in a half hour.

Examples of using POLD data
In most cases, discussions with an establishment's owners or managers lead to desired changes, but for less responsive establishments, having POLD data helps the City address challenges. The following two examples describe two scenarios: (1) an establishment that changed its practices after minimal contact from the PD, and (2) an establishment that required substantial attention and resources before making changes to its serving practices.

Example 1: Using POLD as an opportunity for training staff. In this example, the CRO noticed POLD incidents linked to one establishment and shared this information with the establishment manager. The response from management was resistant. The establishment manager said she had been in the restaurant business for decades and that the police could not tell her how to run her business.

About two months later, the establishment was identified as the POLD on a driving while intoxicated (DWI) incident. The CRO contacted the manager again to relay this information. The manager initially reacted negatively again but called the CRO the next day to say, "I kind of want to apologize. I went through our surveillance video and I saw the guy get up from his table, walk to the bathroom and he was drunk and he came back to the stool and he was served again. And I want to apologize and I'm using that video as a training opportunity." While initially resistant to the information, and annoyed at being contacted, the manager still investigated the allegation, and discovered an alcohol service issue in the case. That information is now used as an example in training with staff members to prevent similar incidents.

Example 2: Using POLD data to address ongoing problems at an establishment. As Plymouth began collecting and reviewing POLD data in 2014, one establishment appeared more frequently than others, with a POLD incident occurring every seven to eight days. This establishment was known to law enforcement as a "last call bar"—while most establishments in the city close at 1:00 a.m., this was one of the few that remained open until 2:00 a.m. The establishment ran late night drink specials that started at midnight. As one PD contact said,

> "A lot of people would go out for a night of drinking and a place would close at one, then people would go to [establishment] to finish the night off, and they'd maybe have one drink and then they'd get themselves in trouble. Regardless, [POLD] helped as an

educational tool for us to tell them that regardless of if they're coming to you after a night of drinking somewhere else, you should have the wherewithal to identify the fact that they've been drinking before they got there and kind of screen those a little more carefully. So, it's been a good tool to work with them because we actually have some facts behind our concerns when we talk to them."

After reviewing the data, representatives of the PD met with the establishment's owners and legal representation. The PD presented the POLD data and explained, "We're collecting this (sic) data and you're appearing an awful lot. And we want you to know that we're taking this seriously. If it doesn't improve, we're going to bring you before the City Council." One participant described that first meeting, saying "It was not a good meeting." The establishment's representatives appeared unmoved and unconcerned.

Seeing no improvements, the issue was taken to a City Council meeting in early 2015. Of the 57 POLD incidents in Plymouth citywide, 43 were linked to this establishment. The average blood alcohol content (BAC) for POLD incidents among patrons of this establishment (0.172) were higher as well compared to other establishments (0.132). The police chief presented the POLD data to the Council. PFC staff also attended the meeting and provided fact sheets with background information. As one participant described, the City Council members were "fairly shocked" that there were so many incidents identifying this business as the place of last drink. The Council ruled that if the establishment had more than three incidents of POLD in the coming three months, it would be called before the Council again and the establishment could face a fine of $1,500 and/or a five-day suspension of their alcohol license. During this three-month time period, an additional violation would increase the fine to $2,000 and another five-day suspension of the license and a third violation would result in a $2,500 fine and license revocation.

The PD continued collecting POLD data, and the CRO and the district manager of the establishment agreed that the CRO would send via email any POLD incidents linked to their establishment. The manager often questioned the accuracy of the data. For example, in one instance the data indicated that a person stopped for DWI identified the establishment as the place of last drink. The driver had a 0.20 BAC and reported they had been served two vodka tonics at the establishment. The manager questioned whether the driver had drunk enough at his establishment to warrant the DWI and said the high BAC maybe was due to drinking elsewhere. Despite this pushback, the CRO saw a slight improvement, but the establishment continued to have issues.

The establishment was called before the City Council again two years later in early 2017. During this two-year time period, it was listed as a place of last drink 32 times. While this was an improvement from the previous time the establishment had been called before the Council, city leaders wanted the establishment to do better. This was not a punitive meeting—basically, the establishment was told that there was an improvement but that they could do better. As the CRO said, "They got like a pep talk in front of their City Council. They didn't come down on them that hard, but it made the news."

In the six months following this meeting, the establishment had 14 more POLD incidents, so the PD had a third meeting with the establishment management. The tone at this meeting was markedly different. The district manager of the establishment brought his supervisor to the meeting and they conceded that they had not been taking the issue seriously enough. The establishment announced several changes it was implementing to reduce late night consumption including closing one hour earlier on Sunday, Monday, and Tuesday nights, eliminating their late-night happy hours, and keeping the kitchen open until closing so customers could consume food with alcohol.

It seemed evident that the focus from the City Council and continued attention from the PD convinced the establishment's management that it needed to address this problem, and that it would not just go away. By the third meeting before the City Council, the establishment's management seemed to realize it needed to take these issues seriously or face severe consequences. The CRO has continued to notify the district manager when there is a POLD incident linked to their establishment, who has responded with a more cooperative tone. On several occasions, the establishment management has also called the police when they have had a customer they think is going to try to drive, asking for police to intervene to keep the person off the road. When the establishment has called in such a situation, these incidents were not counted against it, as the PD wants to encourage proactive reporting and for the establishment to feel it can call in such situations.

While the establishment still had occasional POLD incidents, the situation has definitely improved according to police personnel: "They've quieted down a lot. A lot."

Despite initial reservations, the manager says that if he is informed that an individual has identified the establishment as their place of last drink, he will investigate the issue with staff. Although the manager will still sometimes dispute a POLD report, the establishment seems to understand that it needs to address these things and the situation has improved.

Lessons Learned
Stakeholders in Plymouth think POLD has been an asset for their efforts to reduce alcohol-related problems in their community. Their experience provides several lessons for others considering collecting POLD data in their communities.

A tool in the toolbox: POLD is one element that can be part of a community's efforts to address problems related to over-service of alcohol:

> "I just think it's another tool. It's not a panacea. It's not going to resolve all of the problems in this world, within this realm, but it does give local law enforcement and community leaders a dashboard as to what is happening within their city or community. And with that information, it gives leaders an opportunity to formulate responsible plans

to help keep communities safe. So, I just think it's a worthwhile tool to have in the box."
(Plymouth PD interviewee)

An "early warning system": POLD data can identify potential problems before they may be evident to the establishment, creating an opportunity to have a discussion with the establishment management before problems become more serious.

"I see POLD being utilized as an early warning system in a way, to keep a track of that (sic) data as time goes on. And if you see you start to see the blip in the radar of one specific place maybe more than another starting to come through on those POLD notifications, it would give us a chance to reach out to those businesses well before there became even bigger issues. So, I think that's where the value of it will lie going forward."
(Plymouth PD interviewee)

Easy to implement: A POLD program is relatively easy to implement and administer. The investment is low but the payoff is high.

"I think it's a very effective program. It's been very easy, or it was very easy for us to roll out because we're not asking too much of our officers. And the valuable piece is just that information that we get back and the data that we get back, it helps us so much in the backend working with problem establishments, that it's kind of an invaluable thing for not that much work, which has been kind of nice." *(Plymouth PD interviewee)*

Using data to address problems: A POLD program is useful because it allows a police department to "quantify the information...Then the police department can work with the establishment to develop a game plan to address the issue."

"The biggest bonus and benefit of doing the POLD program is that we can actually put some real data behind what we may think is what we're seeing or experiencing from a police response standpoint. And you know, it just gives us a little more credence to really dig down into the actual root of some issues, and kind of takes that opinion out of it, which has been kind of nice, I think." *(Plymouth PD interviewee)*

Identifying establishments that consume a lot of resources: A POLD program enables the police department to get a handle on which retail alcohol establishments are consuming more city resources than other establishments. A POLD program also creates the opportunity for the police department to develop relationships with establishment owners or management to devise solutions to alleviate a situation.

Immediacy of data and plan how it will be used: It is important to try to capture place of last drink information at the time of the incident—if a department is considering collecting POLD data, they should consider how to immediately and accurately capture those data, and have a plan for how they will follow up in a timely way. Departments should consider how the data will be

used, and how to ensure the data are valid and actionable. Having someone specifically assigned to manage the data and follow-up as Plymouth does is critical to its success.

Be prepared for criticisms of POLD data from some licensees: Establishments may question the accuracy of a POLD report because it comes from a person who has been drinking and is interacting with a law enforcement officer. For example, establishments may argue that the person consumed most of their alcohol elsewhere, and just stopped for one "last drink" at their business. Even if an investigation shows a large bar tab, the licensee may argue the person was buying rounds for others, not consuming all of the drinks they paid for. Be prepared for such arguments and ready to respond to them.

POLD can alert an establishment to a potential issue or help identify patterns: The purpose of POLD is not to penalize an establishment for a one-time incident, but rather to use data to provide an opportunity to alert a licensee to a potential issue before it becomes a problem. It can also identify more problematic outlets when patterns of POLD incidents at an establishment become evident.

Be prepared to offer solutions: The goal of a POLD program is to identify areas to support and help alcohol establishments, not to put them out of business. Police departments should be prepared to offer potential solutions, such as training on recognizing signs of potential intoxication, eliminating happy hours, establishing earlier closing times, and placing greater emphasis on food sales.

Conclusion

The Plymouth Police Department has found that collecting POLD data is useful to identifying and addressing public safety issues related to overservice of alcohol at the licensed establishments in the community. In most cases, POLD data are used as an educational tool to share with licensees to alert them to potential issues. The department can work with an alcohol establishment to suggest areas for improvement, such as training, adjusting hours of service, adding food service, or eliminating drink specials that promote excessive consumption. In one case, POLD data were useful in addressing an ongoing issue with a licensee, enabling them to present evidence of overservice and monitor improvements as the establishment addressed issues. POLD is one tool that contributes to Plymouth's efforts to reduce alcohol-related problems in the community.

Additional Resources

For more information about POLD, please go to our website: aep.umn.edu

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