



Place of Last Drink (POLD) Case Studies: Wisconsin

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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.

Background of POLD programs in Wisconsin

This case study examines implementation of POLD programs in **Dane County** and **Rock County**, Wisconsin. The Wisconsin Alcohol Policy Project (WisAPP) has played an integral role in promoting use of POLD data collection and enforcement in several counties in Wisconsin. Along with the WisAPP, local coalitions and health/public health departments played a key role in working with law enforcement agencies to compile POLD data. WisAPP had well established relationships throughout the state which brought credibility to POLD efforts. WisAPP is a resource for information on alcohol policy and strategies and has been able to share information for many counties in Wisconsin that seek to utilize POLD data.

The public health community in Wisconsin learned about POLD at conferences and through its relationships with alcohol policy researchers and advocates. Seeing the potential value of utilizing POLD data, staff from WisAPP approached one of their police chief partners about the concept and learned that Wisconsin law enforcement agencies were already collecting POLD data for all OWI (operating while intoxicated) incidents. All Wisconsin law enforcement agencies collect POLD data using a State Police form called the SP-4005. But unlike other data collected at an incident that is entered into the statewide Traffic and Criminal Software Application (TraCS) system using laptops in police vehicles, the SP-4005 is a PDF form and has to be filled out separately. Thus, the POLD data are not integrated into a system where they can be easily accessed for use. While law enforcement had been collecting POLD data, they had rarely seen the data used. "It was data collected, and then it died," the Wisconsin Alcohol Policy Project coordinator said.

Dane County, Wisconsin

The Community

Dane County is the second most populous county in the state of Wisconsin and is home to Madison, the capital of the state as well as the county seat. The county is also home to the University of Wisconsin-Madison, Edgewood College, and Madison College. Dane County includes more than 60 cities, villages, and towns as well as agricultural areas. As of the 2020 Census, the county population was 561,504. Based on the 2015-2019 American Community Survey, 85% of the population identified as white (79% as white non-Hispanic or Latino), 7% as

Hispanic/Latino, 6% as Asian, and 6% as Black/African American. The median household income was \$73,893 and 96% of residents had a high school education or higher.¹

Component #1: Startup

WisAPP has led POLD efforts in Dane County, Wisconsin. In 2014, community advocates in Dane County secured an agreement with the Madison Police Department to allow the Wisconsin Alcohol Policy Project to enlist an intern from a criminal justice program to review SP-4005 forms and compile POLD data for the entire previous year. After the data were compiled, patterns of overservice were evident. Notably, the establishments with higher incidents of POLD were *not* necessarily the ones they would have predicted prior to examining the data. Seeing the value of this information, the WisAPP coordinator began contacting the 23 law enforcement jurisdictions in Dane County to secure permission to access their POLD data.

Component #2: Data Collection and Review

As in the rest of Wisconsin, in Dane County POLD data are only collected for OWIs and not for other violations that may involve alcohol such as assaults, domestic violence, or emergency department admissions. In a typical OWI incident, officers begin by asking, “Where are you coming from?” Often this is when POLD information is obtained.

All local law enforcement jurisdictions in Dane County and the University of Wisconsin Police Department allow their POLD data to be assessed and compiled to identify patterns of overservice (currently the State Highway Patrol does not participate in POLD data compilations in Dane County but their participation is anticipated in the near future). It has been important to make the data sharing process as easy as possible for law enforcement. The data compilation is done by criminal justice student interns who are recruited by the Wisconsin Alcohol Policy Project. The interns gain valuable experience working with law enforcement agencies. Compiling the data requires an intern to go to the Madison Police Department in person to access data from the SP-4005 forms. Before sharing the data, personally identifiable information is removed but names of the alcohol establishments remain. The interns record POLD locations of all OWI incidents including private residences and public parks, but only POLD incidents at alcohol establishments are compiled for reports. These efforts had previously been coordinated by WisAPP, but in 2021 Public Health Madison & Dane County began to lead the coordination of POLD efforts.

The support of interns has been essential for compiling POLD data because the data come from several different law enforcement agency systems and must be hand-transferred to a spreadsheet for analysis. As the project coordinator said, “If we didn’t have the internship sort of position, we could not do POLD.” In addition to hand-transferring the data from the various law enforcement data systems, the interns also clean the data. For example, officers might write the name of an establishment slightly differently, or misspell a name, so the intern cleans the data to be sure

¹ United States Census Quick Facts. <https://www.census.gov/quickfacts/danecountywisconsin>

spelling and addresses are consistent and can be searched through queries. The data are tabulated by location and by law enforcement jurisdiction. One challenge in determining POLD locations has been that chain establishments have multiple locations in an area; the officer may not record which location in which city the POLD incident refers to.

WisAPP prepares a countywide report every six months that is given to every law enforcement agency in the county. During the second year of compiling POLD data, the timing of the report was adjusted so it is available shortly before establishments apply for the annual renewal of their licenses. Preparing the report at the county level allows each jurisdiction to see their POLD data and also allows POLD information to be shared across the county. Hence, if someone is stopped for an OWI in one city but they report their POLD was in another city, the information from all cities is available. The WisAPP coordinator looks for patterns among licensed establishments when compiling the data:

“We look for a pattern. We’re not looking to go out and accuse anyone. With those patterns, the police will take that and then go out and talk to those licensees and say, ‘This is problematic.’ We’ve had licensees that went back in their personnel files to see who was serving on that day... We had one place that had what they called their artisan cocktail...they didn’t realize there were about six shots in some of them.”

Component #3: Stakeholder Awareness

Wisconsin law enforcement officers are supposed to record POLD data at every OWI incident but some incidents are missed. To educate officers on the value of collecting POLD data, WisAPP created an informational fact sheet on the benefits of POLD data collection and how the data are being used to help prevent overservice of alcohol. This information has been shared with all the police chiefs in Dane County, who are encouraged to read it periodically at roll call to reinforce the value of collecting the data. Prior to compilation of POLD data, the SP-4005 was primarily used by prosecutors in court if an OWI arrest was contested. Sharing information with officers about how POLD data are collected and reviewed emphasizes that the data are being used to address public safety issues. As the coordinator explained, “This is not an idle exercise. This is really for something very specific that benefits the community.”

In Dane County, it has been invaluable to compile the data county-wide, not just by jurisdiction. There are numerous small jurisdictions in the county, so a person who is stopped for OWI in one jurisdiction may indicate that their POLD was in another jurisdiction; to be able to see patterns, the information across jurisdictions has been essential. The coordinator emphasized, “You need that centralized data to get a full picture of how your licensee is actually operating ...POLD lets you look at the impact for the entire community in the Metro area.”

WisAPP staff emphasized the importance of involving and collaborating with stakeholders. They aim to not just provide information to the establishments but to offer assistance on how to avoid repeat problems, such as training staff and improving service practices and policies. The coordinator said:

“If you come in very hard line and punitive, no one’s going to talk to you...I think having public health involved in the continuity of that work, we can provide a little more technical assistance to those law enforcement departments and see what we can do collaboratively and [take] it to the next step beyond just a feedback loop of information to the retailers...Relationship-building is key, and the key to that is transparency...the transparency of knowing what our role is, what law enforcement’s role is, and then when there are opportunities to work together.”

Component #4: Follow up

The goal for using POLD data in Dane County is to provide law enforcement with information on their local establishments—“we don’t name and shame.” Every law enforcement jurisdiction in Dane County receives a report indicating the number of times each establishment has been named as a POLD. It is left up to each individual police department to decide if or how to use that information, as the project coordinator described:

“We send it directly to the chief of police because that was our deal to [obtain access to] the data... I know that they share it with their officers. Some share it with their city council, not all... [Each police department] decides if it’s something that should be elevated or made aware of it at the city council level. Those decisions are made locally.”

Many departments inform an establishment if it has four or more POLD incidents in a six-month period. Officers think the POLD is a useful tool to have candid conversations with establishments. It changes the conversation with an establishment when they can provide a specific example on a specific date and time including the patron’s BAC. The intention has never been to close businesses, a WisAPP staff member explained:

“Our goal is to make sure that the licensees know when they’re over-serving and that the police know which licensees are over-serving. Because if the police know which licensees are over-serving, they will talk to them.”

The percentage of establishments with multiple POLD incidents in Dane County has decreased since compiling and examining POLD data began. In each six-month reporting period, fewer than 10% of establishments have *any* POLD incidents and less than 1% have had more than four POLD incidents. According to the WisAPP coordinator, data show it is *not* the same Dane County establishments with multiple incidents each six-month period: “It’s not that there are bad bars and good bars. It seems to be one of those things that [there] needs to be surveillance because a location can slip into becoming a problem and nobody really knows it.” Collecting POLD information enables local law enforcement to work from actual data, rather than labeling an establishment as a problem: “It’s better that we can work from data and say, ‘We know this isn’t like you, but look what happened.’...This just brings [licensees] into the problem solving.”

While local advocates are not tracking sanctions or actions taken with establishments, anecdotally they know some establishments investigate POLD incidents to see if they can problem-solve what happened. In one case, an establishment was able to determine that a single employee was consistently overserving patrons; once that employee was no longer working at the establishment, overservice issues stopped. Another establishment was able to identify a drink special promotion on a specific night as a problem, and made adjustments to reduce overservice.

The POLD program allows public health agencies to focus their efforts strategically. There are limited resources available for all countywide substance use issues so it is valuable to allocate inspection and enforcement resources based on data. The POLD program also helps facilitate sharing information from various agencies that interact with establishments. For example, neighboring residents might have information on trespassing, vandalism, and graffiti near an establishment, and police may have information on fights or violence, but the licensing committee may not have any of that information, or only a piece of it. As one partner said:

“So, putting all of that together...I think it’s incredibly valuable in terms of taking action to make sure a community is safer...It’s a partnership. It’s law enforcement working with public health, working with the community, to make changes where it needs to be made and not spinning the wheels in areas that [aren’t needed].”

Rock County, Wisconsin

The Community

Rock County, Wisconsin is located in southern Wisconsin and home to Janesville (the county seat), Evansville, Beloit, and Edgerton as well as several smaller communities and agricultural areas. Rock County is located near the larger metropolitan areas of Madison and Milwaukee in Wisconsin and Rockford in Illinois. In 2020, the population of Rock County was 163,687. According to the 2015-2019 American Community Survey, 90% of the population identify as white (82% as white non-Hispanic or Latino), 9% as Hispanic/Latino, 5% as Black/African American, and 1% as Asian. The median household income was \$57,875 and 91% of residents had a high school or higher education.²

Component #1: Startup

Rock County implements POLD countywide. Their process is driven by the four Drug Free Communities coalitions that make up the Rock County Prevention Network and the Health Equity Alliance. A countywide community needs assessment showed that reducing problems related to alcohol use was a priority for the county. A coalition representative observed, “In Wisconsin especially, we are just a culture of binge drinking, so I think this is useful information,” and said one of Rock County’s cities was recently listed in a list of the “top 20 drunkest cities in America.” Coalition staff learned about POLD through state alcohol policy

² United States Census Quick Facts.

<https://www.census.gov/quickfacts/fact/table/rockcountywisconsin/AGE135219>

conferences and decided they wanted to bring POLD to Rock County. The coalitions have strong relationships with their police chiefs and departments, and found they were open to compiling and using POLD data.

One coalition coordinator noted that Rock County has high OWI rates and said, “We can’t control the actions of the drunk driver, but [we can look] at that root cause of maybe going back to the place of last drink to provide a little more additional education and resources to prevent the over-serving from occurring in the first place.”

POLD has strong support from law enforcement in Rock County. Local law enforcement, the Sheriff’s Department and the State Patrol all agreed to allow the coalitions to compile and use POLD data. The coalitions were already working with the Rock County Health Department’s Health Equity Alliance, which has a focus on adult drinking and driving, so there were several partners interested in examining the data. The coalitions’ relationships allowed them to get buy-in from law enforcement partners. The Prevention Network asked for time on the agenda at the monthly meeting of the police chiefs in the county and were able to present information about POLD to their law enforcement partners. Rock County has also been able to obtain State Patrol data, although they have not yet been able to provide training to State Patrol officers. Coalition staff note that all four coalitions in the county “have really good relationships with their police departments, so we were able to really get them on board.”

Component #2: Data Collection and Review

As previously mentioned, all Wisconsin law enforcement agencies are expected to collect place of last drink data on the SP-4005 form. POLD location types include the following four categories: (1) establishment, (2) social (at events, festivals, weddings, private residences), (3) non-descriptive (downtown or a vague description), or (4) no data (which can indicate that either the officer did not complete the information or the person refused to provide the POLD location). After the first year of examining data from the SP-4005 forms, it became evident that some Rock County data were missing or not collected. If the SP-4005 was not completed or uploaded to the database, an intern called the police department to try to track down the form. To address the problem of data collection, the coalitions educate officers about how the data are used and encourage them to complete the form. “We educate the police departments to make sure that they are asking those questions...so we’re making sure our officers are collecting that information,” according to Coalition staff, who feel it motivates officers to hear that someone is using the data and that the information is put to good use to try to reduce alcohol-related problems in their community. They added, “But it has to be a continual reminder.” Since these efforts began, data collection has improved.

During the first year of POLD in Rock County (2017), the four coalitions pooled funds to support an intern to compile the POLD data. The original intern was in a law enforcement program and was familiar with the county software system.

Component #3: Stakeholder Awareness

The POLD program in each Rock County municipality is set up for its own needs and conditions. In one community, the police chief is supportive of the program and allows coalition representatives to attend roll calls to explain the POLD program. Every year when the annual POLD report becomes available, coalition staff attend each roll call to present the report findings and remind officers to collect POLD data. This is a substantial commitment for coalition staff because there are three shifts to reach. All four coalitions share information at meetings and in their communities to increase awareness of the POLD program.

The role of Rock County coalitions has been essential for the POLD program. The coalitions have developed relationships with the health and police departments. As one coalition staff person said,

“All of it is relationship-based. And if we didn’t have those coalitions, we wouldn’t have those relationships...coalition work, it’s all community organizing and how successful you are, your outcomes are based on the relationships that you can build in the community.”

Component #4: Follow Up

The coalitions developed plans for how the data are used after they are compiled. The action steps are specific for three groups including law enforcement, local government, and alcohol establishments. The coalitions presented these recommendations to each group.

Law enforcement. For law enforcement, the initial follow-up step is to have discussions with establishments that have three or more POLD incidents in the previous year (or four or more in some cities). If an establishment is not responsive to those discussions, some jurisdictions recommend further investigation to learn why over-serving is happening at that establishment, followed by developing a mitigation plan with the establishment.

Coalition staff feel offering assistance and solutions enhances their credibility with establishments. They say it is important not to point fingers but approach the discussion as an opportunity for improvement. A staff member explained

“It’s a great opportunity to do some training to businesses. When you get that information, it’s a tool, it’s not going to solve the problem, but it’s definitely good to have that data so that you can make sure that business owners are aware that this is happening and tips to reduce it, prevent it from happening.”

Once the annual report is complete, coalition staff distribute it to their police chiefs. Each chief reviews the report and identifies establishments with three to four POLD incidents and decides how to reach out to those establishments. Emphasis from both law enforcement and the coalitions is that they want to educate, not penalize. Police chiefs have been clear they do not want to punish establishments.

Coalition staff also present the report findings to the police chiefs and review data for establishments for the entire county. In addition, the coalition staff developed a presentation that can be tailored to individual police departments in each community that explains the rationale and implementation of POLD. Staff also present the report findings to their coalition members and provide updates on progress. Staff perform the primary coordinating functions; however, the coalition members are also engaged and supportive of the POLD program.

Local government. Each community takes ownership of how they share the POLD information with the local governmental bodies that oversee establishment-related issues. In Janesville, data are presented to the Alcohol Licensing Advisory Committee (ALAC) after license renewals occur. They present data after the renewal process because they do not want to connect the POLD program to the licensing process or have the program impact the renewal process. The coalition in Evansville presents POLD data to the Public Safety Committee. These governmental entities in both cities include city council representatives.

Alcohol establishments. Follow-up with establishments includes education on how to recognize signs of intoxication and strategies to prevent overservice such as limiting happy hours or discontinuing bottomless pitchers. For some establishments, the POLD information is a “wake up call”. Some businesses will ask for more details about the POLD incidents and dates. This has enabled establishment management to address service issues with staff. In Janesville, training is offered for establishments that exceed four POLD incidents in a one-year period but training is not mandatory. They have been able to offer this training through their Drug Free Communities grant, although no establishments to date have chosen to participate in the training. Janesville has seen reductions in numbers of POLD incidents for several establishments; some have reduced their POLD incidents to zero and the number of incidents at another establishment dropped by half since POLD data have been collected.

An advantage of POLD is that data are collected and reported on all establishments—when one bar owner raised the question of if specific bars were being targeted, coalition staff said, “We explained that we collect all the information, so we’re not just pinpointing one location. We collect the data countywide.”

Sustainability/Future

Institutionalization is a concern for the coalition coordinators as they look to the future. Because the coalitions are grant-funded, they are working towards POLD efforts being sustained and institutionalized beyond their current funding periods. They are exploring the possibility of having the Rock County Human Services or a government agency take over compilation of the data and the police chiefs taking ownership of the POLD program. Coalition staff said,

“I believe that as a county, that POLD would be more effective if we could get the County Health Department or the chiefs or the Rock County Sheriff’s Department to take over all of this project, including the training...Because the training for licensees, for

local government, and for police departments, it's not being implemented evenly...throughout all the municipalities, because they don't all have coalitions.”

Lessons Learned in Dane and Rock Counties

- *Coalitions, public health agencies, and community partners can be effective drivers of POLD programs:* When coalitions or community partners lead POLD efforts, relationships with law enforcement departments are essential.
- *Credibility of community partners is important:* Existing relationships that have a history of respect and reliability make it easier for police to agree to participate.
- *Law enforcement officers can be effective champions and spokespeople for POLD efforts:* Police partners can often help convince other police departments to support the program.
- *Compiling POLD data county-wide is useful to see a more comprehensive picture of where POLD incidents are occurring:* Wisconsin implements POLD by county rather than by city or town jurisdictions; because local jurisdictions issue alcohol licenses in Wisconsin, this enables local jurisdictions to see if their establishments are linked to POLD incidents that occur in a neighboring town/city.
- *Identify data that are already being collected:* Law enforcement agencies had been collecting POLD information on the SP-4005 form so Wisconsin advocates focused on how to access, compile, and use the data. If data are already being collected, advocates may also identify opportunities for streamlining or improving the data collection process that could benefit officers collecting data as well as end-users.
- *Identify patterns of overservice over time rather than focusing on individual incidents:* Dane County law enforcement follows up with establishments that have four or more POLD incidents in a six-month period while cities in Rock County follow up after either three or four or more in a one-year period (varies by city). Resources and staffing capacity determine how frequently data are reviewed, but the goal in both counties is to compile and assess their POLD data often enough to enable them to use them in a timely manner using the available resources and partnerships they have.
- *Educating and working with an establishment to address problems can help establishments correct problems without the need for punitive measures:* The goal of POLD in these counties is compliance and encouraging responsible service to reduce alcohol-related highway safety incidents. Follow-up with establishments focuses on education and problem-solving to prevent future incidents.
- *Periodically educate officers on the value of POLD data and how the data are used :* Both counties have found that they need to remind and encourage officers to collect POLD data, and give them feedback on how the data are being used.
- *It is important to have agreement up front on how data will be used and shared:* In Wisconsin, compiled POLD data are provided to law enforcement agencies, who own the data. Law enforcement agencies decide what kind of follow-up to do; coalitions can help with training/education.
- *Consider the needs and context of community partners:* The goal of POLD is to reduce problems related to overservice of alcohol. Implementation of POLD will vary somewhat from place to place, as different jurisdictions have different stakeholders who need to

come to a consensus on how the data will be shared and used. For example, some of the Wisconsin communities have local boards or committees that have oversight of license renewal and conditions. These communities may balance business/economic considerations and oversight differently than communities without these boards and committees.

- *Learning from other jurisdictions can help guide decisions:* Wisconsin advocates found it was helpful to have examples of POLD data collection and use from Minnesota when making decisions about using the data.
- *Consider how POLD implementation can be institutionalized and sustained over time:* Wisconsin community partners expressed concerns about how their initial compilation and use of POLD data continues in the long-term. The coalitions are grant-funded and key people may retire or take new positions. Consider housing POLD functions in either public health or police department to be sustained long-term.

Additional Resources

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

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