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Alcohol Liability Concerns Rising Among Bar & Restaurant Owners

Faced with greater exposure to liability lawsuits and more public scrutiny, the Chicago Sun Times recently reported that bar and restaurant owners across the country are increasing their server training to prevent alcohol service to intoxicated patrons.

"It's such a litigious society, if someone so much as trips, there's a lawsuit," said Ted Lanzi, a New York restaurateur who has sent 120 of his 200 employees to ServSafe Alcohol programs in the past year -- at a cost of \$85 each. The course teaches employees how alcohol affects the body, the signs of intoxication and how to prevent it, and tactics for denying service to drunk customers.


Besides the threat of lawsuits, bars and restaurants also are seeing insurance premiums rise and, in some cases, insurers denying liquor liability coverage to sellers who don't conduct server training.

"I would say that beginning five to 10 years ago, people started asking the question [about server training]. More recently, in the past three to five years, more companies have made it a requirement, and now, it's a widespread requirement," said Neil Owens, Vice President of insurance brokers Elias B. Cohen & Associates of New Jersey.

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The DWI Resource Center is a 501(c)3 tax-exempt New Mexico organization formed to reduce the social and economic impact of DWI in New Mexico through public awareness, education, prevention programs and research. The Center also provides assistance to victims and serves as a central clearinghouse for information on DWI and victims' rights.

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Law-enforcement officials also are paying more attention to alcohol service, and penalties for offenses like serving alcohol to minors are rising. "Things that used to be misdemeanors are felonies, and they can serve jail time," said Debbie Fox, director of training for the Palm Restaurant Group, which developed the ServSafe program.

"There is a growing societal awareness of drinking because of MADD [Mothers Against Drunk Driving] and SADD [Students Against Destructive Decisions]," added Stephen Greger, loss-control director for commercial business at Fireman's Fund Insurance Co. "There also seems to be a movement in the country against drinking in excess. You see that on college campuses. There seems to be a little more conservative outlook in many areas, and this is one of them."

Server training is mandatory in 11 states, while another 21 states offer special benefits to employers who provide training to employees.

Honor DWI Victims During Natl. Crime Victims' Rights Week

April 22 to 28 is National Crime Victims' Rights Week -- a time for all Americans to learn about victimization, reflect on the cost of crime to our society, and promote laws, policies, and programs to help victims of crime rebuild their lives. The week's theme, *Victims' Rights: Every Victim, Every Time*, envisions a strengthened national commitment to the nearly 24 million Americans harmed by crime each year.

In the last five years, thousands of New Mexico residents have been victims of drunk drivers. Between 2001 and 2005, 1,048 people were killed by drunk drivers, and 13,287 more were injured. During National Crime Victims' Rights Week, the DWI Resource Center honors these victims, and encourages businesses, community organizations, and public interest groups to promote victims' rights and help raise awareness of the many legal, financial, and personal challenges faced by crime victims each year.

During the past three decades, the United States has made dramatic progress in securing rights, protections, and services for victims of crime. In November 2006, the DWI Resource Center, dba the New Mexico Victims' Rights Project, won an important victory for crime victims in the New Mexico Supreme Court. In a landmark case, the court granted crime victims legal standing to assert the rights guaranteed to them by the New Mexico State Constitution.

However, despite this progress, each year the legal rights of many crime victims in New Mexico are violated. Only a fraction of victims report the crimes against them and participate in the criminal justice system. Not all legal rights are enforced in the judicial system, or enforced unequally across the state. Services are sometimes unavailable, or they may not meet the physical, financial or psychological needs of victims or their families. Particularly vulnerable populations--the elderly, disabled, ethnic minorities, rural residents, and children--may not receive the support they need to rebuild their lives.

"We are all diminished when victims go without the protections and help they need," said John W. Willis, director of the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. "Anytime a crime is not reported, a witness intimidated, or an order of restitution is not enforced, we are all less secure. Achieving justice means repairing the harm suffered by all victims of crime."

Community members are encouraged to join in the week's activities and get involved in helping victims of crime. For additional information about National Crime Victims' Rights Week and ideas on how to better serve crime victims in your community, please contact the DWI Resource Center at (505) 881-1084.

National Crime Victims' Rights Week
APRIL 22-28 ★ 2007

EVERY
RIGHT TO PROTECTION ★ RIGHT TO RESTITUTION

VICTIM ★
RIGHT TO BE HEARD ★ RIGHT TO ENFORCEMENT

EVERY
RIGHT TO COMPENSATION ★ RIGHT TO DIGNITY

TIME ★
RIGHT TO ATTEND ★ RIGHT TO RETURN OF PROPERTY

RIGHT TO A SPEEDY TRIAL ★ RIGHT TO BE INFORMED

VICTIMS' RIGHTS