



## The Extra Mile

Advocating for evidence-based policies and practices to prevent and reduce alcohol-related harms

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### Going the Distance: A Diverse Group of Community Leaders Urges Legislature to Embrace Science to Prevent Alcohol-Related Harms in Nebraska



A law passed earlier this year to make cocktails-to-go and alcohol sales in a motor vehicle permanent has raised concerns among community leaders across the state about the adequacy of liquor law enforcement. These leaders sent a letter to legislators last year to outline their concerns with the expanded availability of alcohol and provide evidence-based solutions.

The letter emphasized the Legislature's role in preventing premature death and excessive costs from excessive alcohol consumption, and called for increased funding for liquor law enforcement given that the state only has six officers in the entire state that are required to spend a majority of their time enforcing the Nebraska Liquor Control Act. Our state has

5,176 total retail licenses spread across large geographic areas resulting in a single officer responsible for covering between 300 to nearly 1,900 businesses.

Research has shown that evidence-based alcohol policies lead to significant decreases in underage drinking, binge drinking, impaired driving, and other negative health outcomes like sexually transmitted infections. The letter sent by coalitions, health departments, and churches can be viewed by [clicking here](#).

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### Miles to Go: Nine Mega Savers in Omaha Sold Alcohol Through Drive-Thru Windows to Drivers

*Measures designed to prevent impaired driving ignored but only amounted to minimum penalty*

As the COVID-19 pandemic took hold in early 2020, many governors, including Gov. Pete Ricketts, temporarily relaxed liquor laws to accommodate businesses facing capacity restrictions to prevent the spread of the virus. In March 2020, Nebraska began to permit cocktails-to-go and the sale of alcohol to an

individual in a motor vehicle. In May 2021, these temporary rules were made permanent by the Legislature with few enforceable safeguards to ensure public health and safety. The bill passed with an emergency clause, meaning that the law took immediate effect.



On June 23, 2021, the Nebraska Liquor Control Commission (LCC) communicated the new laws to alcohol retailers in an [Industry Advisory](#), which included that the alcohol be placed in the trunk of the vehicle while the vehicle was parked. Despite these facts, at least nine Mega Saver locations in the Omaha area continued to sell alcohol directly through drive-thru windows to a person in the driver's seat of a vehicle – a clear violation of the law. [According to Mega Saver's attorney](#), the businesses were unaware the governor's executive orders were no longer valid.

Thanks to a citizen complaint, the Nebraska State Patrol was made aware that Mega Savers were breaking the law and were able to investigate further, resulting in the citations that led to hearings at the LCC last month.

Given the emphasis on businesses being required to place the alcohol in the trunk during legislative debate in order to prevent drinking and driving as well as the communication by the LCC in June, these violations were the perfect opportunity for the Commission to send a stronger message on these illegal sales by deviating to a higher penalty than what their guidelines suggest (5-10 days of suspension or pay a fine at \$50-100 per day). Law enforcement are reporting a sharp increase in DUIs last year, making it even more important for our state, which ranks as the [second-worst state in the nation](#) for self-reported alcohol-impaired driving, to devote more resources to solving this problem – especially if our state continues to move away from proven strategies (increase alcohol taxes and reduce availability of alcohol). Instead, the LCC gave each location the bare minimum 5 days of suspension.

If you see violations of the law at alcohol-selling establishments, please feel free to contact the NLCC and [submit a complaint](#) that will be investigated. If you, your organization, or community are interested in learning more about the liquor licensing process, violations, or other topics involving alcohol, please contact us at [info@projectextramile.org](mailto:info@projectextramile.org).

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## 28 Omaha Area Businesses Sold Alcohol to Minors

### *It was the highest failure rate in 6 years*

OMAHA, NEB -- As students begin their holiday breaks and others return from college, youth will be increasingly trying to get their hands on alcohol. In order to discourage unhealthy behaviors and prevent underage drinking tragedies, five law enforcement agencies conducted compliance checks at restaurants, bars, and convenience stores in the Omaha metro area this past weekend.



28 (16%) out of 176 businesses checked in Douglas and Sarpy counties were cited for selling alcohol to minors during these operations. The percentage of businesses cited nearly doubled from the last checks in August and was the highest rate of failure since 2015. A summary sheet of the enforcement results and a full list of businesses checked are available by [clicking here](#).

19 minors participated in the enforcement effort with an average age of 18 years. Even though these minors are years away from the legal drinking age, 57% of non-compliant businesses did not even ask for their IDs.

"The Omaha Police Department takes underage drinking and the safety of our youth very seriously. Our department is committed to working with our community partners to reduce

the devastating effects of alcohol consumption within our juvenile, " said Lt. Steve Fornoff with the Omaha Police Department. "ID's are vertical and have bold red text indicating that the minor is under 21. Businesses need to ask for the ID but then verify that the person presenting the ID is at least 21 prior to selling. We want youth and their families to have a safe holiday season."

Seven of the businesses cited are facing enhanced penalties due to prior sales to minors within the last four years -- the time frame used by the Nebraska Liquor Control Commission (LCC) to assess penalties. One business, Dinah Mart in Bellevue, was cited for its third sale to minor within the last two years. If found guilty, these businesses will face mandatory days of closure (no alcohol sales allowed) and days of suspension, the latter of which can be paid off as a fine at \$100 per day according to the [LCC's penalty guidelines](#). Those businesses include:

- Casey's General Store 3206, 210 W Reichmuth Rd, Valley (4/21) -- facing up to 2 days of mandatory closure and 50 days of suspension;
- Dinah Mart, 1007 Galvin Rd S, Bellevue (7/20, 4/21) -- up to 12 days of mandatory closure and 40 days of suspension;
- Kwik Shop 675, 502 W Mission Ave, Bellevue (4/21) -- up to 2 days of mandatory closure and 50 days of suspension;
- Mega Saver, 5444 Center St, Omaha (4/21) -- up to 2 days of mandatory closure and 50 days of suspension;
- Petromart, 6508 John J Pershing Dr, Omaha (4/21) -- up to 2 days of mandatory closure and 50 days of suspension;
- Twisted Vine, 123 N Washington St, Papillion (8/18) -- up to 2 days of mandatory closure and 20 days of suspension;
- Verdict Bar & Grill, 1901 Harney St, Omaha (5/18) -- up to 2 days of mandatory closure and 20 days of suspension.

The other 21 businesses are facing their first sale to a minor violation within the last four years. If found guilty by the LCC, these businesses could be facing 15-25 days of suspension that they could choose to pay off as a fine at \$50 per day in lieu of suspension. The two businesses listed below had previous sales to minor violations; however they fell outside of the four-year window that the LCC uses for determining progressive penalties:

- Outback Steakhouse, 2414 S 132nd St, Omaha (10/10, 7/14)
- Sullivan's Steakhouse, 222 S 15th St, Omaha (9/12)

30 officers from the Bellevue, Omaha, and Papillion Police Departments, the Douglas County Sheriff's Office, and the Nebraska State Patrol participated in the two-day, enhanced underage drinking enforcement effort.

To report underage drinking or adults providing alcohol to minors, call the statewide tip line at 1-866-Must-B-21 (687-8221). The tip line is anonymous, and it's the right call. Individuals are urged to call 911 to report an underage drinking party in progress. Heightened enforcements are supported by the Nebraska Department of Transportation - Highway Safety Office as well as the Strategic Prevention Framework - Partnerships for Success and the Substance Abuse Prevention and Treatment Block grants from SAMHSA through the Nebraska Department of Health and Human Services and Region 6 Behavioral Healthcare. NDOT-HSO also funds the tip line. Project Extra Mile helped to coordinate the enforcement efforts.

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## Did you know: New SMART City Data & Rankings

The Centers for Disease Control and Prevention (CDC) has various tools to gauge health outcomes of communities at a state level, however their [Selected Metropolitan/Micropolitan Area Risk Trends \(SMART\)](#) dives deeper and examines health behaviors and outcomes at a city level. This data is intended to help public health practitioners identify health problems, plan and evaluate local responses, and allocate resources to address those needs.

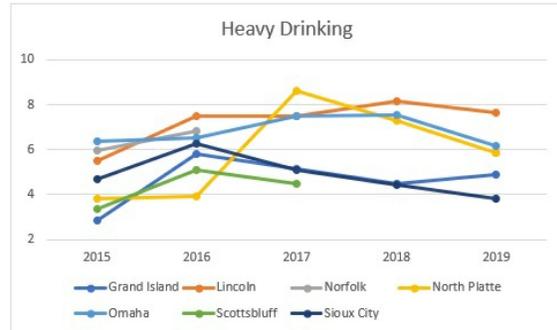
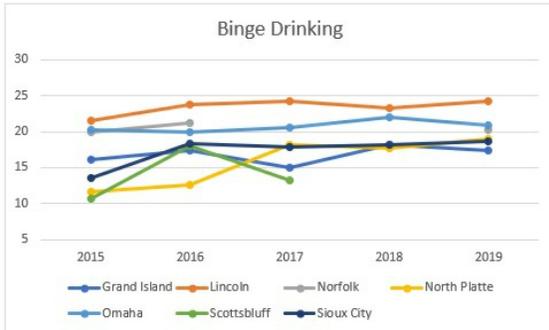
The data includes three types of alcohol

**Nebraska Binge Drinking Results, 2019**

	Rank	Value (%)
Lincoln	3	24.24
Omaha	16	20.87
Norfolk	24	20.28
North Platte	42	18.92
Sioux City	45	18.59
Grand Island	70	17.33

consumption: current use, binge drinking, and heavy drinking. In the 2019 data set, three Nebraska communities rank in the top 25 worst binge drinking cities, and five in the top 50 of the 136 communities evaluated.

The graphs below look at the percentage of the 18+ population in Nebraska reporting binge and heavy drinking over the past five years.



Evidence-based policies, supported by the [National Academies of Sciences, Engineering, and Medicine \(NASEM\)](#) and many others, to achieve this include:

- Significant increases in alcohol taxes;
- Reduction in availability, including the number of on- and off-premises alcohol outlets and the days and hours of alcohol sales;
- Adoption and/or strengthening of laws and dedication of enforcement resources to stop illegal alcohol sales, including sales to already-intoxicated adults and sales to those under 21;
- Frequent sobriety checkpoints with widespread publicity to promote awareness of these efforts;
- Health care systems and health insurers covering and facilitating effective evaluation, prevention, and treatment strategies for binge drinking and alcohol use disorders, including Screening, Brief Intervention, and Referral to Treatment (SBIRT).

**Please join us for our Coalition meeting on Wednesday, January 19th!**

Project Extra Mile’s next coalition meeting is scheduled for Wednesday, **January 19**, at 9 a.m. – *a week later than usual due to the legislative session*. Please plan to join us as we discuss bills introduced during the second regular session of the 107th Legislature.

The coalition will meet via [Zoom](#). You can join the meeting directly from Project Extra Mile’s website page located [here](#). For more information, please get in touch with us at 402-963-9047 or [info@projectextramile.org](mailto:info@projectextramile.org).



# Coalition Meetings

Please join us in 2022 to help protect our communities from alcohol-related harms.



## 2022 Meeting Dates

January 19th  
February 9th  
March 9th  
April 13th  
May 11th  
June 8th  
August 10th  
September 14th  
October 12th  
November 9th  
December 14th



*Help Us Celebrate 25 Years!*  
*Tuesday, May 10, 2022*

**projectextramile**  
PREVENTING ALCOHOL-RELATED HARM

Meetings are held via Zoom and when possible at the National Safety Council  
11620 M Circle, Omaha NE 68137

25  
years

## 2022 Recognition Dinner

Tuesday, May 10, 2022 • Champions Run  
6:00pm Welcome & Dinner • 6:30pm Program & Awards Ceremony

