POLICE
EVERETT

RECEIVED
MAY 16 2016
Liquor Control Board
Board Members

May 10, 2016

Washington State Liquor and Cannabis Board
Attention: Board Chair Jane Rushford
Board Members Ruthann Kurose and Russ Hauge
PO Box 43076
3000 Pacific Avenue SE
Olympia, WA 98504

SUBJECT: PETITION REQUESTING MANDATORY RESTRICTIONS IN ALCOHOL IMPACT AREA

Dear Board Members:

In accordance with WAC 314-12-215, the City of Everett requests the Washington State Liquor and Cannabis Board (the "Board") formally recognize the Core Commercial Areas Alcohol Impact Area in Everett Washington (the "Core Commercial Areas AIA" or the "AIA").

Pursuant to Ordinance No. 3430-15 (effective May 5, 2015) the City established the Core Commercial Areas AIA. The Core Commercial Areas AIA was and is an effort to reduce levels of chronic public inebriation and illegal activity associated with alcohol sales or consumption. Within the AIA the City requested the voluntary cooperation of businesses engaged in off-premise liquor sales to, in part, stop selling inexpensive, high alcohol content products associated with chronic public inebriation. After six months the City has not had significant voluntary participation by businesses, nor has it seen a substantial decrease in the effects of chronic public inebriation in the AIA. On December 30, 2015, pursuant to Ordinance No. 3475-15, the City Council directed the Chief of Police to request the Liquor and Cannabis Board formally recognize, and place mandatory restrictions on the sale of alcohol in, the Core Commercial Areas AIA.

Now, the City petitions the Board to formally recognize the Core Commercial Areas AIA, and place mandatory restrictions on the sales of off-premise alcoholic beverages within the AIA, including without limitation, prohibiting the sale of products on the City's Restricted Product List.

Enclosed please find the City's Petition Requesting Recognition of the Alcohol Impact Area, including supporting appendices such as, the City's Restricted Product List, and Ordinance No's: 3430-15 (establishment of the Core Commercial Areas AIA) and 3475-15 (City Council direction to Chief of Police to request formal recognition of AIA).

Sincerely,

DAN TEMPLEMAN
Chief of Police

CITY OF EVERETT
Everett Washington

Petition Requesting Recognition of
Core Commercial Areas Alcohol Impact Area

May 10, 2016

Submitted by:

Dan Templeman
Police Chief, Everett Police Department

INTRODUCTION

The City of Everett (the "City") participates in the Everett Community Streets Initiative. The Initiative is aimed at solving street level social issues, including chronic public inebriation. It is a comprehensive approach to complex street level social issues that includes addressing housing, social services, crime, and emergency services.

One goal of the City and the Streets Initiative is to reduce chronic public inebriation and its effects such as blight, crime, and the burden it places on social and public safety services. These effects negatively affect the health, safety, and welfare of the community and its visitors. The City established the Core Commercial Areas Alcohol Impact Area (the "Core Commercial Areas AIA" or the "AIA") in an effort to reduce chronic public inebriation where its effects are most strongly felt – in the core commercial areas that run through the center of the City from its northern boundaries and down through the south end of the City.

Following the establishment of the Core Commercial Areas AIA the City requested the AIA community participate in efforts to reduce chronic public inebriation and its effects. The six months following the establishment of the AIA has not seen strong participation from AIA businesses, and has been largely unsuccessful in reducing chronic public inebriation and its effects.

Therefore, the City requests the Washington Liquor and Cannabis Board formally recognize the City's Core Commercial Areas AIA and impose mandatory restrictions on the sale of high-alcohol content products within the AIA in an effort to reduce chronic public inebriation and its effects.

THE CORE COMMERCIAL AREAS AIA

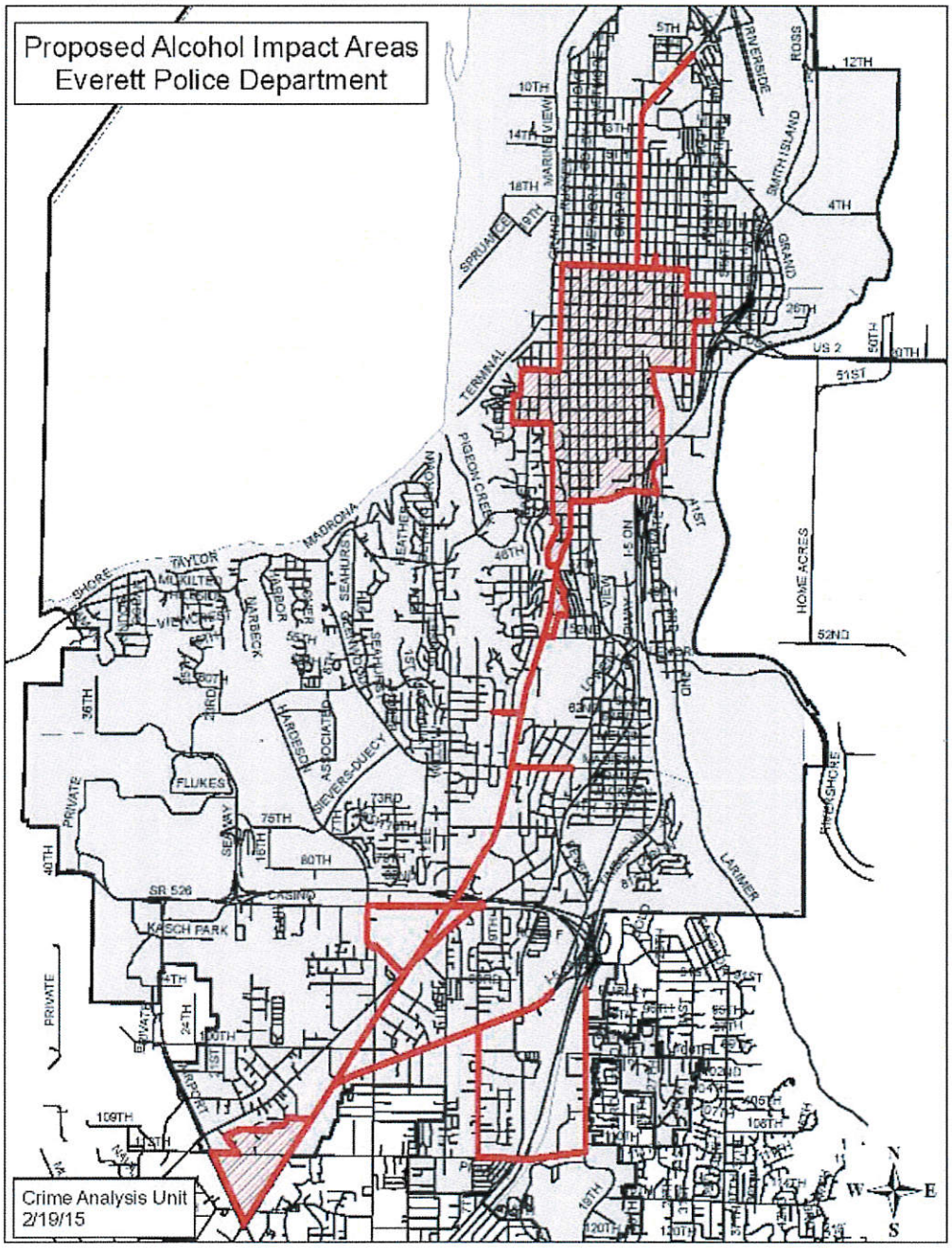
In 2015 the City established the Core Commercial Areas AIA to combat chronic public inebriation. The AIA is one tool in a comprehensive approach aimed at identifying and addressing street-level social issues, and promoting a safe and desirable environment for the City's residents and visitors.

In accordance with WAC 314-12-215, the City of Everett's City Council, passed City Ordinance 3430-15 on April 15, 2015. See Appendix G – Ordinance No. 3430-15. The Ordinance established the Core Commercial Areas AIA (See Map 1 – Core Commercial Areas AIA) based on high levels of chronic public inebriation within its boundaries and associated impacts including crime, blight, and the use of social and public safety services. Supporters of the AIA ordinance include the Office of Neighborhoods, The Downtown Everett Business Association, Skotdal Real Estate, Providence Health & Services, The Everett Clinic, The Everett Public Library, The Everett Public Schools, The Everett Fire Department, The Everett Parks and Recreation Department, and the Everett Police Department.

The Core Commercial Areas AIA primarily consists of government buildings, retail stores, schools, medical facilities and residential neighborhoods. Within the AIA there are 101 retail

locations licensed for off-premise sales of beer and wine. Public drinking behaviors occur in close proximity to these locations.

Map 1 – Core Commercial Areas AIA (boundaries in red)[1]:



[1] Based on data showing concentrations of alcohol related incidents in the center of the City extending from its northern borders through the southern borders and through consultation with the Liquor and Cannabis Board the City settled on AIA that is long and narrow. Although the AIA does not make a traditional geographic shape, it is still easy to identify because it follows City streets, and in many places only encompasses both side of one street.

CHRONIC PUBLIC INEBRIATION IN THE CORE COMMERCIAL AREAS AIA

Chronic Public Inebriation Prior to the Establishment of the AIA

The City of Everett has a large population of Chronic Public Inebriates ("CPI's") in the AIA. There are several geographic characteristics that lead to the increase of CPI's within this area. Areas such as freeway overpasses and bridges, wooded areas, dense business landscaping, and narrow urban alleyways. These areas provide locations for drinking in public because they are out of line of sight of most of the general public allowing CPI's to easily hide their behavior. The effects of chronic public inebriation, however, are strongly felt everywhere within the AIA.

In 2014, prior to the establishment of the AIA the Everett Fire Department ("EFD") compiled alcohol related statistics, as they related to emergency response. The data captured included incidents with the following codes:

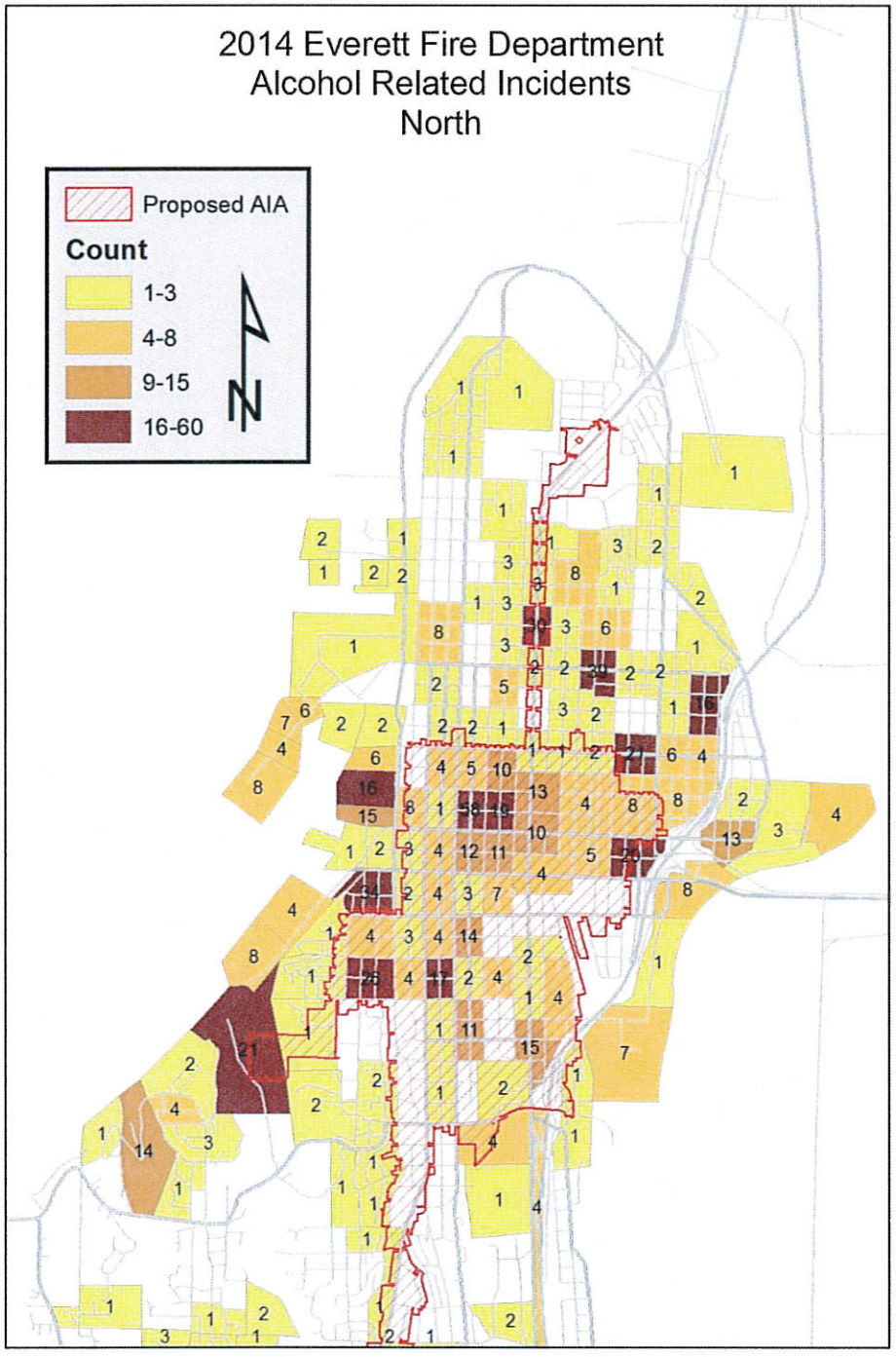
- OD - Acute alcohol and/or drug, responsive (2014)
- OD - withdrawal symptoms (2014)
- OD - Acute alcohol and/or drug, non-responsive (2014)
- OD - seizure secondary to alcohol and or drugs (2014)
- Unconscious – unconfirmed
- Unconscious - no verifiable info from reporting party
- Unconscious - acute alcohol/drug intoxication (2014)
- Unconscious - responsive to verbal (2014)
- Unconscious - slumped over wheel (2014)

The data showed concentrations of alcohol related incidents in what is now the Core Commercial Areas AIA. From April 1 – October 31, 2014, there were 1,121 alcohol related incidents in the City requiring emergency responses. Of those incidents 809 occurred in the area that has now been designated the Core Commercial Areas AIA. Therefore, almost 72% of all alcohol related responses occurred within the proposed AIA. See Maps 2.1-2. Additionally, repeat calls for alcohol related incidents occurred almost entirely within the AIA. See Maps 2.3-4.

Everett Fire Department Alcohol Related Incidents April 1 to October 31, 2014	
Inside Proposed AIA	809
Outside Proposed AIA	312
Total Incidents	1121

Map 2.1

ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2014 (North Everett)

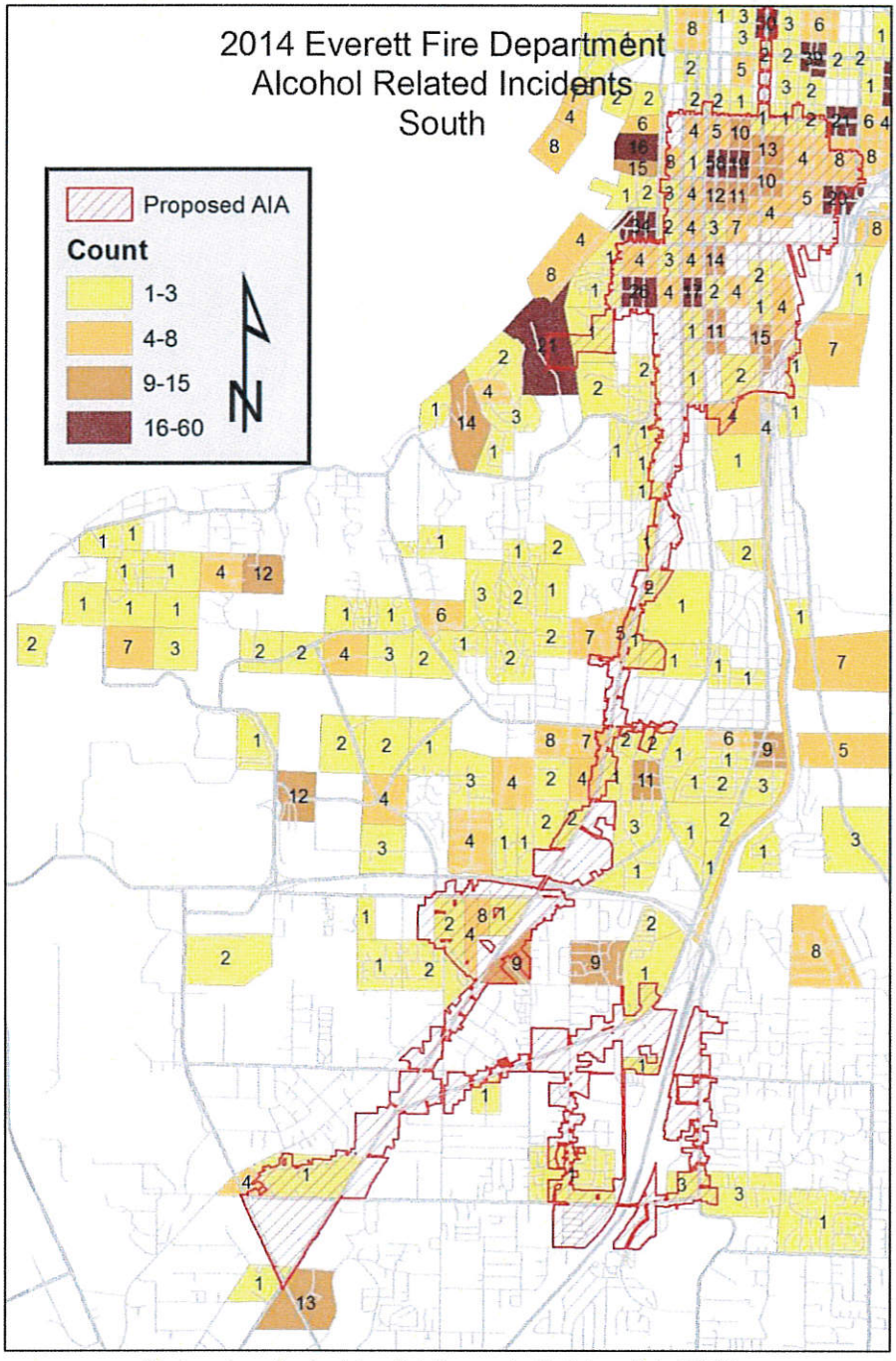


Dataset collected April 1 through October 31, 2014

Map 2.2

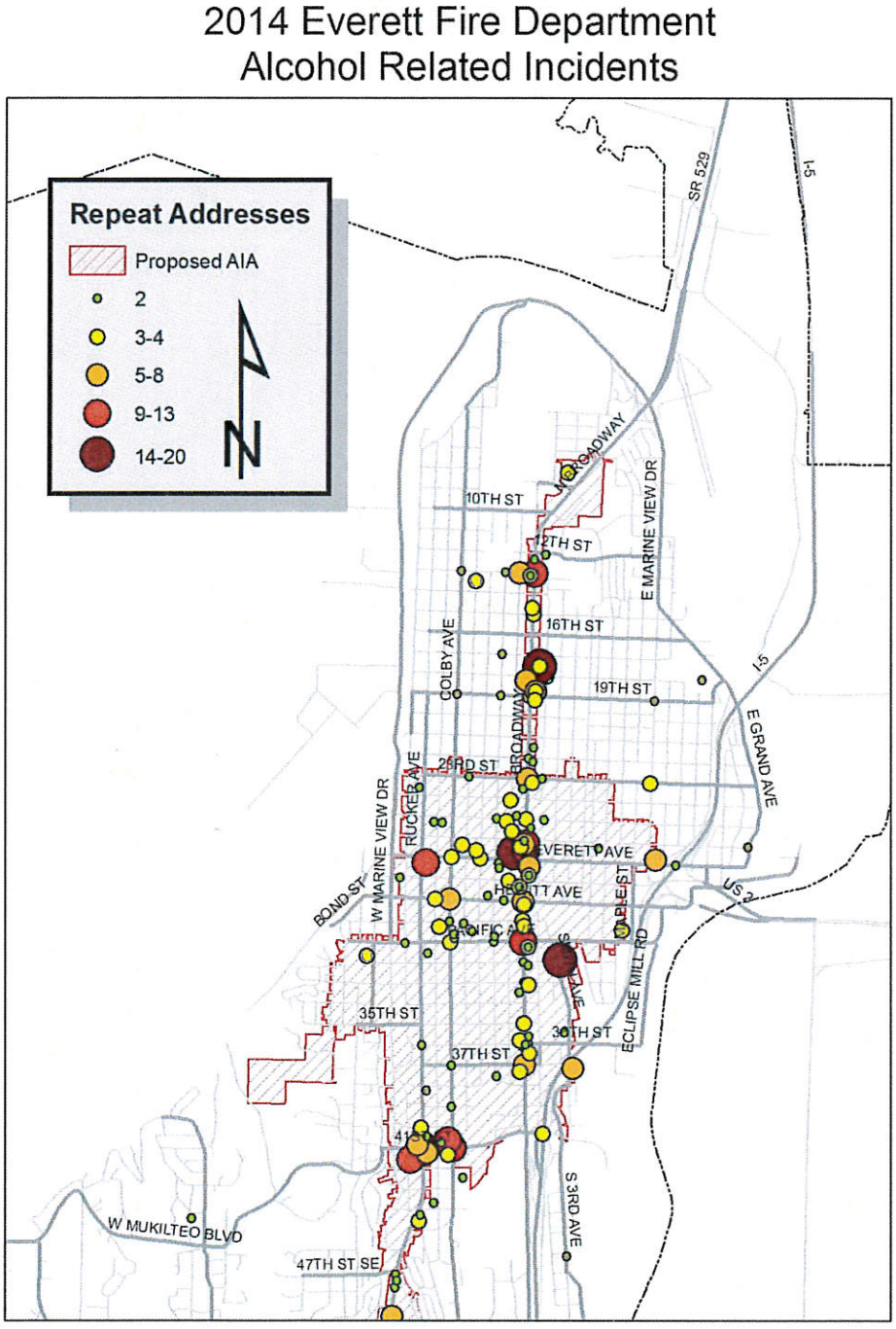
ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2014

(South Everett)



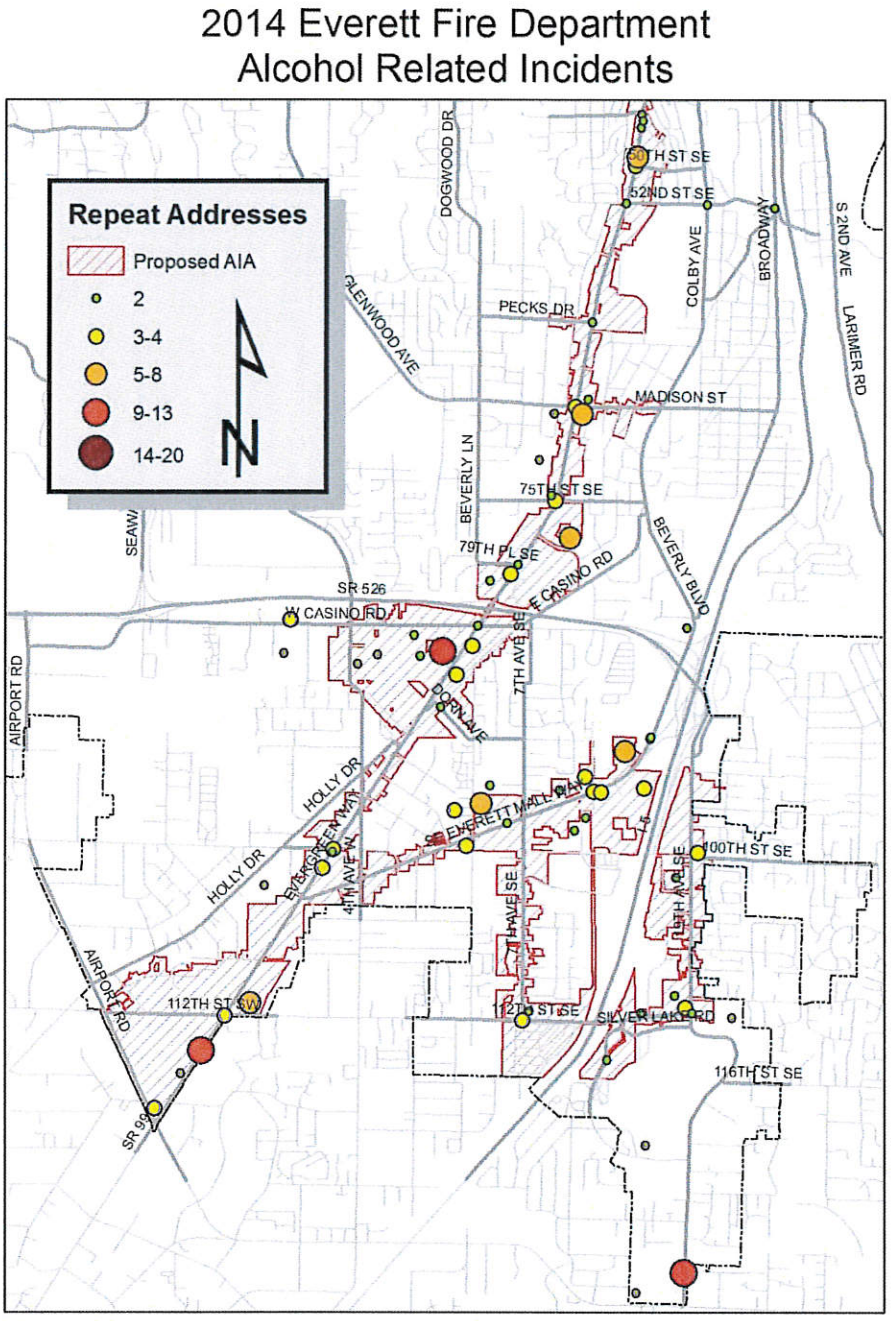
Dataset collected April 1 through October 31, 2014

Map 2.3
ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2014 (North Everett)
REPEAT ADDRESSES



Map 2.4

ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2014 (South Everett)
REPEAT ADDRESSES



Other evidence of the chronic public inebriation in the area included litter and nuisance activity such as vandalism and graffiti. The litter showed that the most popular alcohol products consumed in the AIA were inexpensive, high alcohol content beverages. See Appendix A - Pictures dated February/March 2015. High alcohol content products found littered throughout the AIA were documented through photographs and reports from Everett police officers. These products became the basis for Everett's Restricted Product List. The Restricted Product List is a list of products the City requested retailers of off-premise liquor products in the AIA to voluntarily stop selling.

Additionally, prior to the establishment of the Core Commercial Areas AIA community members complained of the effects of chronic public inebriation within AIA area. The most common types of complaints were of CPI's confronting citizens while inebriated, including students at a local middle school, a general loss of feeling safe in neighborhoods, and litter left behind by CPI's. An example of the problems experienced by Everett's business community was outlined by Mr. Mike Mantei, the Chief Operating Officer with the Everett Clinic. Mr. Mantei stated, "Public inebriates can become loud, verbally abusive and threatening; some commit more serious crimes and inflict harm on others. We see the impact of public drunkenness all the time in the garbage and other residue left behind on the streets, alleys, lawns and garden areas of our Clinic. It has become necessary for us to install costly signage, fencing, and camera systems in order to keep our property safe and secure." Community members supported the establishment of the AIA and communicated this to the City. See Appendix C - Community Support Letters.

Chronic Public Inebriation After the Establishment of the AIA

After the establishment of the Core Commercial Areas AIA, the Everett Police Department (the "EPD") contacted all 101 businesses selling off-premise alcohol products in the AIA. EPD sent a letter to each business on May 28, 2015. See Appendix D - the AIA Business Letter. The letter outlined the City's goal of reducing chronic public inebriation and its effects in the AIA, and invited businesses to two separate public meetings to explain the AIA process and to ask for business and community participation in the efforts to reduce chronic public inebriation. Participation, the letter explained, included asking businesses to voluntarily stop selling the inexpensive, high alcohol content products identified on the City's Restricted Product List. See Exhibit E - Restricted Product List. Because only 6 of the 101 businesses showed an interest in attending a meeting, the EPD forewent the public meetings and instead met with the interested businesses individually.

After six months of seeking voluntary community participation in the Core Commercial Areas AIA goals, particularly from the 101 businesses selling off-premise alcohol products, the EPD reassessed the levels of chronic public inebriation and its effects in the AIA. From September 3 - 4, 2015 the EPD made personal contact with all 101 businesses in an effort to determine who voluntarily complied with the AIA sales restrictions. The Everett Police Department found that:

- 70.4% of the businesses still sold the restricted products
- 15.4% of the businesses voluntarily stopped selling the restricted products
- 14.2% of the businesses never sold the restricted products.

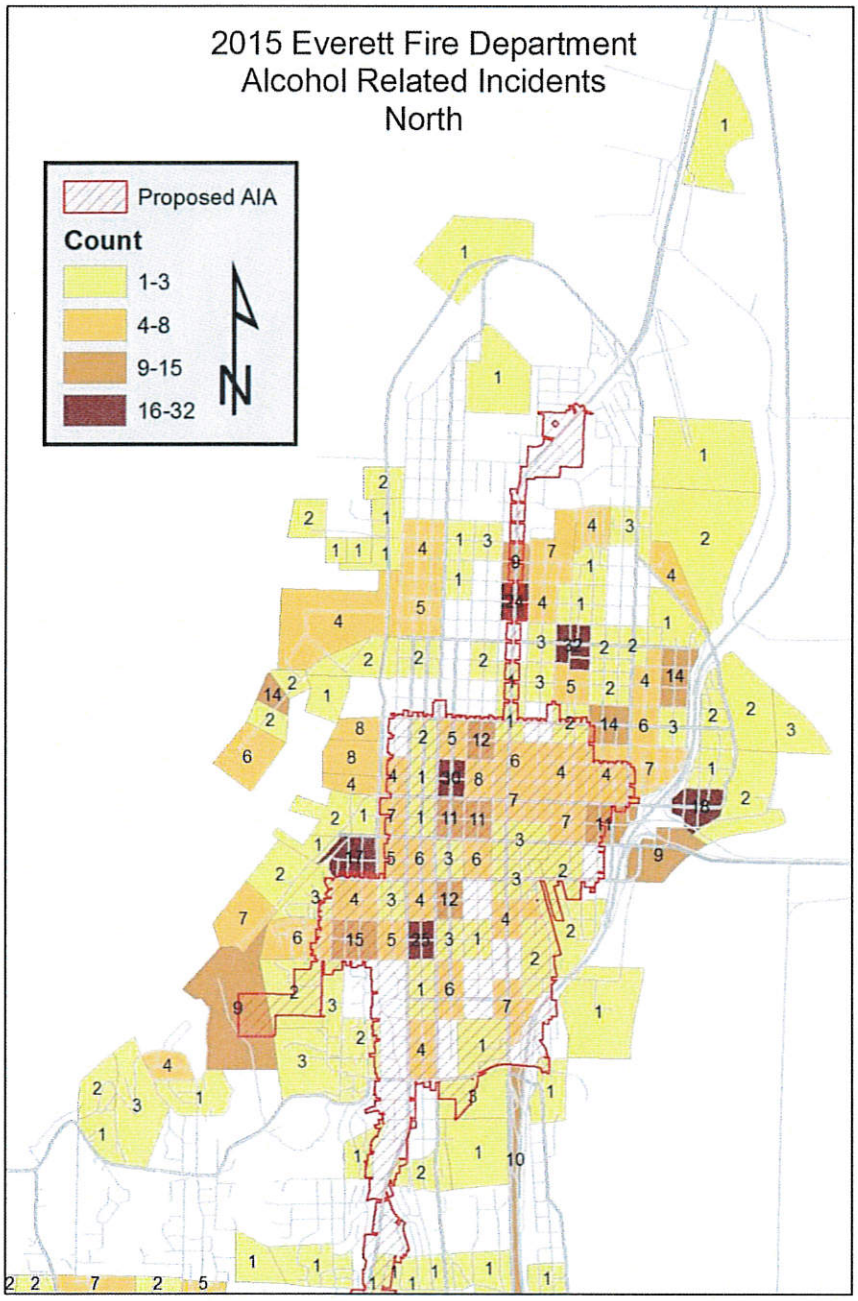
Everett Fire Department again compiled alcohol related statistics for the same time period for 2015 (April 1 – October 31), the majority of this time frame occurring after the establishment of the AIA. The data captured during the 2015 time frame included incidents coded in the same manner as the first set of data in 2014. Alcohol related emergency responses by the Everett Fire Department dropped from 1,121 to 1,031 incidents citywide, for a 10% decrease in incidents. Nonetheless, alcohol related emergencies within the AIA constituted almost 69% of the total alcohol related emergencies within the entire City. See Maps 3.1-2. Additionally, addresses to which EFD made repeat trips for alcohol related emergencies were again concentrated in the AIA. See Maps 3.3-4. The Fire Department data demonstrates that chronic public inebriation remains a significant problem within the AIA diminishing quality of life and exhausting City resources.

Everett Fire Department Alcohol Related Incidents April 1 to October 31		
	2014	**2015**
Inside Proposed AIA	809	707
Outside Proposed AIA	312	324
Total Incidents	1121	1031

Map 3.1

ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2015

(North Everett)

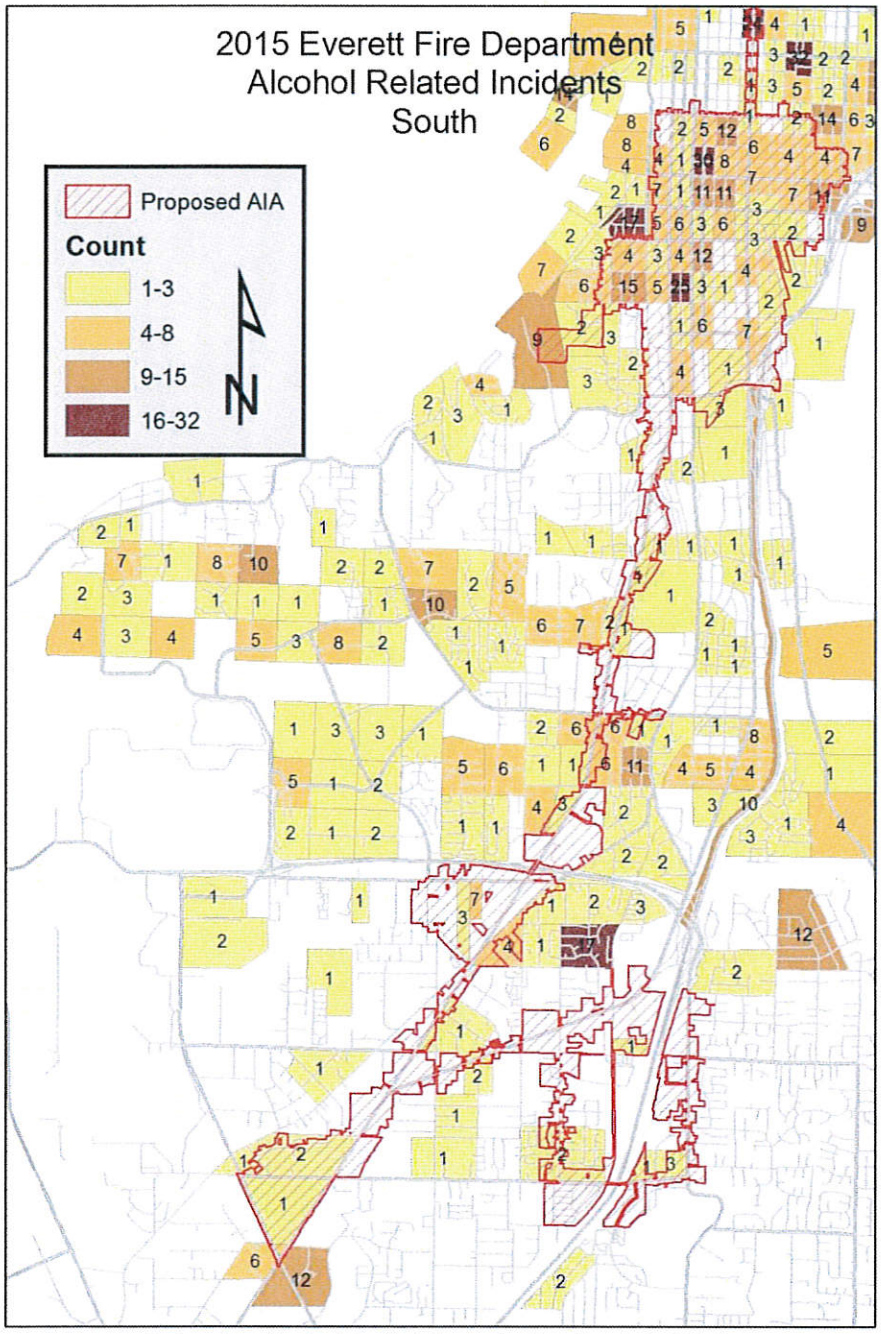


Dataset collected April 1 through October 31, 2015

Map 3.2

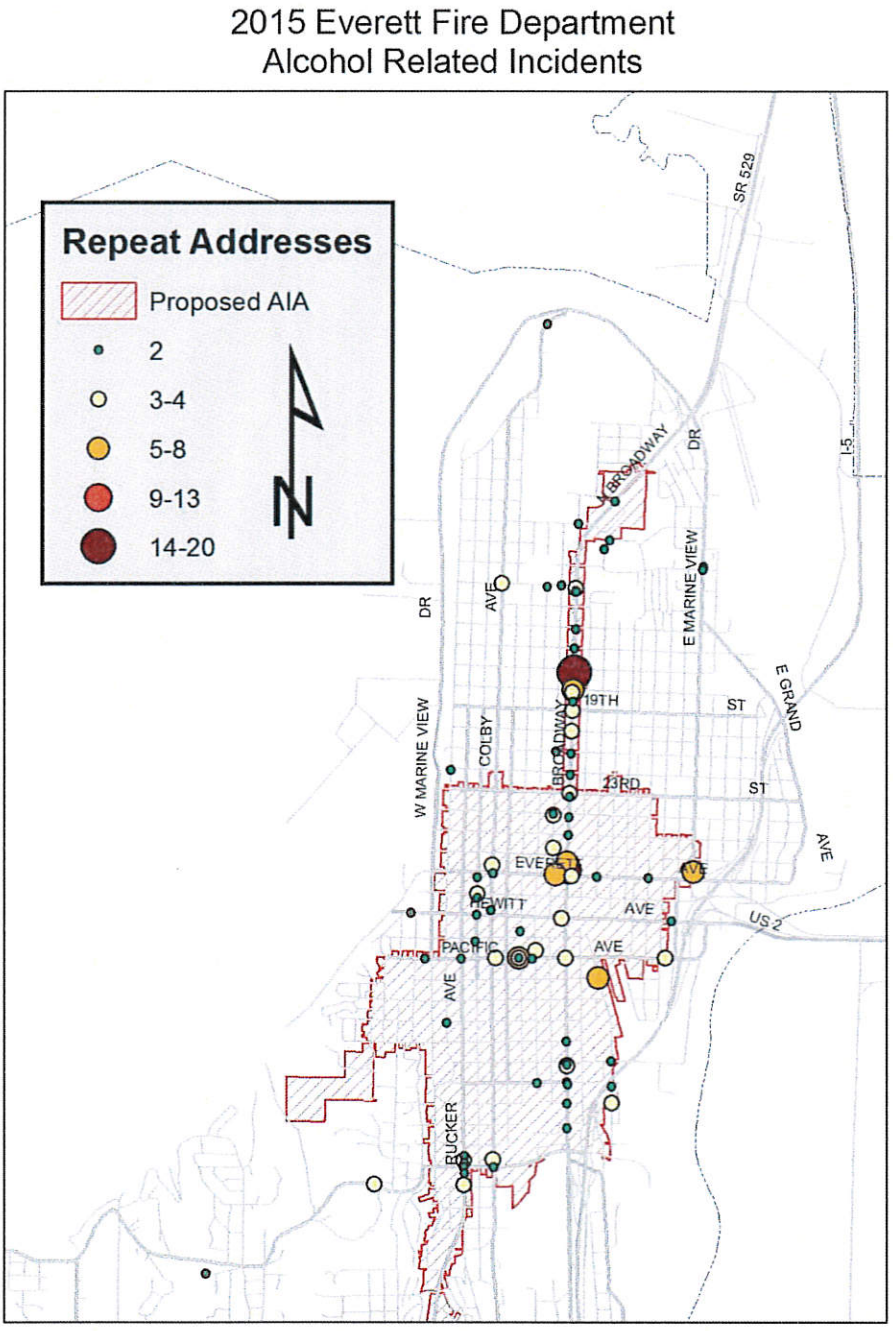
ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2015

(South Everett)



Dataset collected April 1 through October 31, 2015

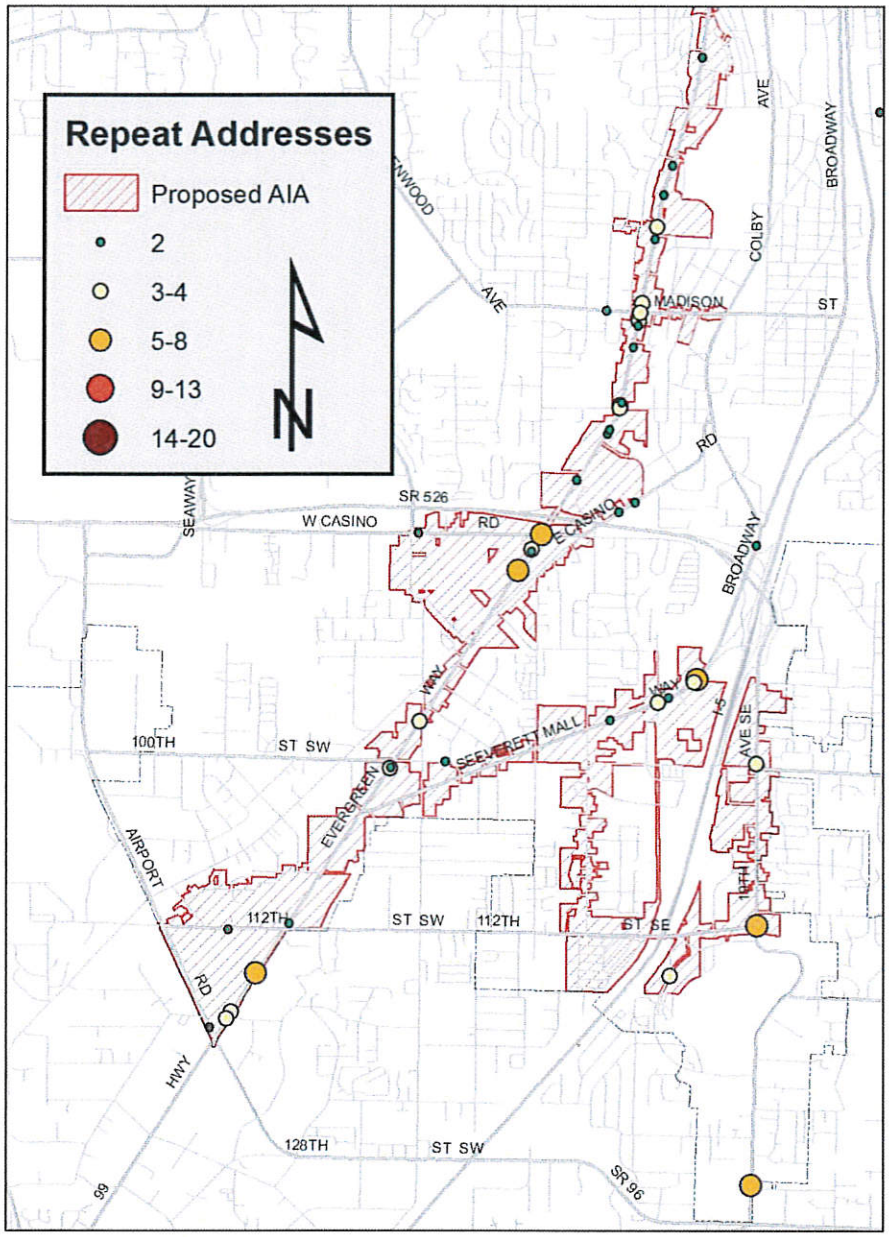
Map 3.3
ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2015 (North Everett)
REPEAT ADDRESSES



Map 3.4

ALCOHOL RELATED INCIDENTS – APRIL 1 – OCTOBER 31, 2015 (South Everett)
REPEAT ADDRESSES

2015 Everett Fire Department
Alcohol Related Incidents



Community members who supported the establishment of the AIA have reported that alcohol related crimes and nuisance activity, such as vandalism, graffiti, and theft have not improved or have gotten worse since the establishment of the Core Commercial Areas AIA. Again, litter in the AIA evidenced the consumption of inexpensive, high alcohol content products as a strong contributor to the chronic public inebriation. See Appendix B – Pictures dated December 2015, well after the establishment of the AIA.

Throughout this entire process, the City has attempted to quell the onslaught of refuse created by chronic public inebriation (as depicted in Appendices A and B). The City has utilized its Public Works Department in conjunction with the Police Department to clear, and haul away the overabundance of trash from areas within the AIA. This project continues today and currently the Public Works Department is cleaning up refuse within highly littered areas of the AIA three times a week. This has not been the only effort to clean up the AIA by the City. The City's Legal Prosecution Team has contributed to this effort by establishing a work crew program. The work crew is a form of community restitution where individuals who commit certain misdemeanor offenses can choose to perform volunteer work instead of having criminal charges filed in court. The focus and immediate emphasis of this program is the geographic boundaries of the AIA. (See Appendix F – Work Crew Program Summary)

Effect of the Establishment of the Core Commercial Areas AIA on Reduction of Chronic Public Inebriation within its Boundaries

The City was unsuccessful in truly reducing chronic public inebriation in the Core Commercial Areas AIA. Most AIA businesses refused to voluntarily remove inexpensive, high alcohol content products from their shelves, even though these products are littered throughout the AIA and are known contributors to chronic public inebriation within the AIA.

As a result of these unsuccessful efforts, the Everett City Council passed Ordinance No. 3475-15 directing the Chief of Police to request the Washington State Liquor and Cannabis Board formally recognize the Core Commercial AIA and place mandatory restrictions on sellers of off-premise alcohol in the AIA. See Appendix H – Ordinance No. 3475-15. Mandatory restrictions, including prohibiting the sale of the inexpensive, high alcohol content products that are easily purchased and quick to cause inebriation are necessary to reduce chronic public inebriation in the AIA. These are also the products that the City consistently sees strewn throughout the AIA in its litter surveys. See Appendix E – Restricted Products List.