

Collaborative Problem Solving with Liquor Stores

Sharon Chamard

This is the story of a successful community-based collaborative problem-solving process that serves as an example of the power that communities have to effect change, even in the face of sharp divisions.

This article appears exclusively in the online edition of the Alaska Justice Forum.

I tell this story both as a participant — a member of the leadership of the Fairview Community Council, and as an academic and researcher with an expertise in using community partnerships to address public safety concerns.

The community in question is Fairview, a small neighborhood on the eastern edge of downtown Anchorage, and the problem was crime and disorder associated with two liquor stores — Spirits of Alaska at 12th and Gambell and Oaken Keg (part of the Carrs/Safeway grocery store) at 13th and Gambell.

Within a mile of the liquor store locations are many nonprofit services for the chronically homeless, such as the Brother Francis Shelter, Beans soup kitchen, the Anchorage Safety Center, and the Mental Health Consumer Web, as well as housing and old budget motels catering to low income persons. These conditions, combined with daily activities of chronic public inebriates, and an existing open-air drug market and prostitution stroll, made the area around the liquor stores a hub for crime and disorder.

As early as 1995, community activists worked with the Anchorage Assembly to place additional operating conditions on the liquor stores to reduce crime. In 1995, when Spirits of Alaska's conditional use permit was up for review, and in 2001, when Oaken Keg's license was up for review new operating conditions required the stores to open later than other liquor stores, have on-site security to make hourly perimeter rounds, and pick up trash in the surrounding neighborhood.

In 2007, community members raised concerns at a large public meeting organized by the Fairview Community Council (FVCC). In response, the Anchorage Police Department (APD) created a new problem-oriented policing unit called the Community Action Policing Team (CAP Team). The CAP Team worked closely with the FVCC's Public Safety Committee to determine the neighborhood's public safety priorities and began to implement proactive policing strategies.

Despite additional conditions and the positive impact of CAP Team activities, for many in the community the liquor stores continued to be a focus of frustration over a seemingly intractable public disorder problem.

► Angry Residents Demand Closure of Liquor Stores

In November 2013, a group of angry residents and business owners came to the FVCC monthly membership meeting with a resolution demanding the immediate closure of the two liquor stores. The FVCC leadership (of which I am a member) proceeded cau-

The FVCC team made a proposal to the liquor stores. Would they be willing to engage in a collaborative problem-solving process with the community, with the goal of reducing public safety problems associated with their facilities?

tiously. It had to balance the interests of those opposed to the liquor stores, the interests of the store owners, and the interests of residents who appreciated local access to the stores.

Negotiations began between FVCC and the liquor stores to develop a plan to move forward. Two members of the FVCC leadership team (I was one) met with representatives from both liquor stores and the Anchorage Police Department's CAP Team. The CAP Team described what they had observed, including sales to inebriated persons and on-site consumption of alcohol. Representatives of the liquor stores took note of the illegal activities and made assurances that they would work to prevent them in the future.



Sharon Chamard, Associate Professor, UAA Justice Center

The FVCC team made a proposal to the liquor stores. Would they be willing to engage in a collaborative problem-solving process with the community, with the goal of reducing public safety problems associated with their facilities? The process, roughly outlined, would include an action plan de-

veloped by all the parties, implementation of the plan, and a method for assessing compliance and effectiveness. Failure to comply or implement in good faith would result in the FVCC opposing the renewal of the liquor store's license.

Representatives from both stores agreed. Although initiators of the request to close the liquor stores objected to the proposed process, the FVCC Public Safety Committee approved the process.

Representatives from the FVCC, the two stores, and stakeholders from businesses around 13th and Gambell met to develop a framework for the collaboration. The stores reported on progress they had made since the first meeting where they had been pre-



Spirits of Alaska liquor store in 2015. Photo courtesy Anchorage Press. Leif Ramos, photographer.

sented with evidence of chronic public inebriates being served on their premises.

► **FVCC Adopts Collaborative Process**

In February 2014, the general membership of the FVCC approved, by a vote of 17 to 1, a resolution supporting a collaborative process with five elements.

- The community council had a responsibility to hold liquor stores accountable for their actions, or lack thereof.
- The commitment of the community council to work collaboratively with the owners and/or managers of both Spirits of Alaska and Oaken Keg and the Anchorage Police Department to develop an action plan within two months for immediate implementation. The collaboration would include but not be limited to revisions of existing conditions attached to CUPs, potential proposed amendments to Anchorage Municipal Code 10.50.045 "Area conditions for land use by licensed premises," creation of a strategy to prevent the sale of alcohol to certain chronic public inebriates, and a methodology for assessing the effectiveness of the action plan.
- The expectation that the two liquor stores would implement the action plan no later than April 1, 2014.

- The commitment of the community council to assess the compliance of the liquor stores with the action plan and the effectiveness of the plan in collaboration with the liquor stores and APD.
- If the FVCC determined that a liquor store was not collaborating in the design of the action plan in good faith, had failed to comply with the implementation of the action plan, or was uncooperative in efforts to assess the effectiveness of the action plan, the FVCC would seek the revocation or denial of renewal of the store's liquor license.

► **Action and Assessment Plan**

As chair of the FVCC Public Safety Committee, I coordinated and led four public meetings between February and August 2014, to develop action and assessment plans. At the initial meeting many attendees wanted to talk about the problems created in the neighborhood by the liquor stores, or alcohol in general. Others were angry that the FVCC leadership was even engaging in a collaborative, problem-solving process. Still, by the end of the second meeting, tentative agreement regarding a draft action plan was reached between the FVCC and both stores. At the third meeting, the Action Plan and

an Assessment Plan, which detailed how effectiveness of the changes the stores made would be measured, continued to be developed. The Action and Assessment Plans were finalized at the fourth meeting in August 2014.

► **APD Monitors Liquor Stores**

APD CAP Team continued to monitor the two liquor stores and documented noticeable reductions in crime and disorder around the Oaken Keg. The CAP Team also saw that the environment around Spirits of Alaska was not changing, despite the store owner's agreement to comply with the Action Plan. The police observed known chronic public inebriates and drug dealers hanging around the store, straw purchases (when someone buys alcohol for a third party), and a suspected drug deal involving a store employee.

After learning of these observations by the CAP Team, the FVCC general membership voted 28-2 in February 2015 to oppose the renewal of Spirits of Alaska's liquor license citing lack of a good faith effort and failure to comply substantively with the agreed-upon Action Plan.

► Opposing Liquor License

The State of Alaska Alcohol Beverage Control Board (ABC) has the power to issue, renew, and deny liquor licenses. The ABC Board may deny the renewal of a liquor license if it is opposed by a local governing body, such as the Anchorage Assembly. AS 04.11.470.

The FVCC leadership prepared a packet of information for the Anchorage Assembly supporting its request that the Assembly op-

pose the renewal of Spirits of Alaska's liquor license because the store was a detriment to the community. They documented their request with written reports from meetings with representatives from Spirits of Alaska, the Action and Assessment Plans, the record of attendance at FVCC general membership for the owner of Spirits of Alaska, and relevant FVCC resolutions.

presentation that included still photos and video taken during a one-year long period of regular surveillance of Spirits of Alaska. Despite some opposition, the Assembly voted 6-5 to protest the renewal of Spirits of Alaska's liquor license before the ABC Board.

The ABC Board hearing lasted two hours. At issue was whether the protest of Spirits of Alaska's license renewal was "arbitrary, capricious, and unreasonable." AS 04.11.480 (a).

This story is a good example of the "co-production of public safety," that is, residents actively working with police and others to solve neighborhood problems, rather than passively waiting for the police or other government officials to do it.

On April 14, 2015, the Anchorage Assembly held a public hearing regarding action it would take on Spirits of Alaska's liquor license. Members of the FVCC and stakeholders testified. The commander of the CAP Team showed snippets of a 20-minute DVD

A dozen people, including the APD Chief, the Deputy Municipal Attorney, the FVCC President and Fairview business owners and residents testified to the reasons why Spirits of Alaska's license should not be renewed, demonstrating that their request was not "arbitrary, capricious or unreasonable."

Two people—the owner of Spirits of Alaska and her attorney —testified in favor of the liquor store license renewal.

The ABC Board concluded by a 3-1 vote that the renewal protest lodged by the Municipality of Anchorage was not arbitrary, capricious, or unreasonable. Spirits of Alaska ceased operation immediately.

► Co-Production of Public Safety

It took nearly 18 months from the moment angry community members presented a resolution demanding immediate closure of Fairview's two liquor stores, to the last day of operation of Spirits of Alaska on April 29, 2015. Almost a year was spent in an effort on the part of the FVCC and APD to work collaboratively with the liquor stores to bring about changes in their management practices to reduce crime and disorder presumed to be associated with their businesses. One store did what it had agreed to do, and their demonstrated commitment to this compliance has continued. The other store failed to do what it said it would do. Documentation of the community-driven collaborative problem-solving process and evidence provided by the police of continuing troublesome behavior associated with Spirits of Alaska made it possible to successfully protest the renewal of its license.

This story is a good example of the "co-production of public safety," that is, residents actively working with police and others to solve neighborhood problems, rather than passively waiting for the police or other government officials to do it.

Sharon Chamard is an Associate Professor at the UAA Justice Center.