



Tribal Control of Alcohol: A Tool For Wellness

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Introductions & Presentation Overview



- **Who are we & Why are we here**
- **Alcohol Policy: The Past, Present, & Possibility**
- **Alcohol Policy as a Tool for Wellness**
- **Policy Practice (breakouts)**

- **1st - Healthy Tribal Nations: current research project**

Healthy Tribal Nations Project



➤ **Juliet Lee, PhD (Project Co-Director)**

➤ **Rachell Tenorio, PhD, MSW**

Prevention Research Center of the Pacific Institute for Research & Evaluation

➤ **Myra Parker, PhD, JD, MPH (Project Co-Director)**

Director, Seven Directions, a Center for Indigenous Public Health at the University of Washington



HealthyTribalNations.org

Healthy Tribal Nations Project



- Five-year research project funded by NIH
- Comparing state and Tribal alcohol policies to health and safety outcomes
- Requesting research approvals from 52 Tribes collocated with 12 states
- Guided by a Tribal Advisory Board (CAB) with expertise in Tribal law, law enforcement, behavioral health, and research.



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Healthy Tribal Nations Project



➤ Data sources:

- Tribal law codes
- Tribal law and law enforcement survey with key leader/s (1 per Tribe)
- Follow-up interview with key leader/s (1 per Tribe)
- De-identified hospital records and fatal car crash reporting (federal)

➤ Goal: To provide Tribal Leaders policy briefs on wise practice in policymaking



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Alcohol Policy: Past, Present, & Possibility

The Past



- **Healthy & Well Tribal Nations**
- **Fermented Drink (alcohol) produced by some Tribal Nations.**
 - How many here? Other organic substances use?
- **Liquor Introduced – created dis-ease**
- **Colonial & Federal Laws**
 - Timeline in materials
- **State & Tribal Law Mirror**
 - 1161 & Rice V. Rehner. (“conforms to”)

The Present



- **Alcohol continues to add to dis-ease.**
- **Tribal Nation – Policy Preparation & Practice**
 - Becoming more common & complex
 - More Tribal Members involved
 - Tribal Nations have developed various alcohol policies, including Tribal Law
- **Healing to Wellness Court, 1 example** (some established by law, court rule, p & p's)
- **Tribal Nation law**
 - Criminal – Civil (alcohol ordinance, public intoxication, D.U.I, sales & tax, etc.)
 - Are they working? What affect do they have?
- **Policy Evaluation – Keeping & Telling Stories**

Possibility



- **Tribal Leaders & Citizens are Knowledgeable & Informed about Alcohol Policy.**
- **Comprehensive, Culturally Accordant, and Creative Policies Exist.**
- **Policy Assessments accomplished regularly.**
- **Back to: Healthy & Well Tribal Nations!**



Summary

- Commercial mass-produced alcohol came with colonization
- Tribal Nations can use policies to control alcohol and mitigate harms
- Policies can be supported with data





Alcohol Policy as a Tool for Wellness

State alcohol policies



- **NIH-funded study of US State alcohol policy environments**
 - 50 state scored by alcohol policy stringency
 - Compared to a wide range of outcomes, e.g.,:
 - Alcohol dependence, alcoholic liver disease
 - Child abuse and neglect, assaults
 - Driving under the influence
 - Underage drinking
 - More stringent policy environments yielded better outcomes
- **World Health Organization guidelines**
 - Controls on availability
 - State monopoly*

Example State alcohol policies



- **The most effective policies control alcohol sales:**
 - Minors; intoxicated persons
 - Price (specials; Minimum Unit Price; tax)
 - Density of licensed bars/restaurants (reduces competition)
 - Hours and days of sale (late night; Sundays)

- **The most common policies control alcohol use:**
 - Drivers under the influence
 - Publicly intoxicated people

Example State alcohol policies



- **Enforcement of alcohol availability controls:**
 - Licensing limits and operator standards
 - Taxes
 - Responsible Beverage Server training and stings: bars, stores
 - Underage sales & "shoulder tap" stings: stores

- **Enforcement of alcohol use controls:**
 - Sobriety checkpoints
 - Patrols
 - Complaints, tipline

Example State alcohol policies



➤ **Sanctions:**

- Penalties
- License suspended & revoked (sales; driver)
- Mandated treatment
- Incarceration

➤ **Supports:**

- Public education (media) to raise awareness and acceptability
- Community coalitions and meetings
- Affordable and accessible treatment
- Dedicated funding
- Grants

Tribal alcohol policy considerations



- **State alcohol policies affect Tribal health and safety**
 - Weak state policies affect Tribal citizens too
- **State alcohol policies may challenge Tribal sovereignty**
 - E.g., state alcohol monopoly; more stringent controls
- **PL 280 & 1161 conditions may challenge Tribal alcohol policymaking**
 - Federal law: Tribal alcohol laws must conform to ("mirror") state laws
- **States enable or control bordertown sales**
 - Challenge Tribes' abilities to control alcohol
- **Tribal law and practice may exclude alcohol**
 - Traditions, spirituality, treaties
- **Tribal ventures may include alcohol**
 - Tribal Enterprises or Tribal members' businesses

Alcohol policy evaluation data



➤ Quantitative Data

- Counts; compare by type (person, place), time, place
- E.g., arrests; adjudications; sobriety checks; Blood Alcohol Content (BAC)
- What information does your court or Tribe keep that can be counted?
- What resources do you have to work with these data; what do you need?

➤ Qualitative Data

- Narratives; stories; compare within or across cases
- E.g., arrest records; court reports; medical records; life histories
- What information does your court or Tribe keep as narratives?
- What resources do you have to work with these data; what do you need?



Summary

- The most effective alcohol policies control sales.
- Policies can be supported by public awareness, coalitions, and grants.
- State conditions may support or challenge Tribal alcohol policymaking and enforcement.
- Tribal data can show effects of policies and changes.





Policy Practice

Break-outs

Case studies



➤ Case 1

- For a Tribe that has banned alcohol, a referendum vote has legalized alcohol. The Tribe is considering how to do this. What do they need to do?

➤ Case 2

- A Tribe with a population of about 3000 people has 3 towns within the boundaries of the reservation. There are liquor stores and bars in these towns operated by non-Tribal members that are causing a lot of trouble. What does the Tribe need to think about in terms of regulating these problems?

➤ Case 3

- A Tribe that only allows alcohol to be sold and consumed at their casino is nearby a town that has many bars where Tribal members go to drink. There are a lot of alcohol-involved crashes on the road between. What can the Tribe do to reduce these problems?

➤ Case 4

- Discuss an alcohol issue that is affecting the planning, implementation or operation of your Wellness Court. What alcohol policies might your Tribe adopt to help?

Practice questions



- What policies could this Tribe develop, enforce, or strengthen?
- Who might need to get involved?
- When might the policy/ies be applied?
- Where might the policy/ies be applied
- How might policy/ies be evaluated?

Report back





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