

Oregon Liquor Control Commission

Government – to – Government Annual Report 2013

In 2013, the Oregon Liquor Control Commission (OLCC) has continued to work with its tribal partners to promote the public interest. Agency staff continued to provide information and technical support to the tribes regarding liquor regulatory issues at licensed tribal businesses. The focus of that work has ensured that changes to licensed businesses and that compliance activities performed by OLCC and tribes support the public interest and safety.

OLCC's Public Safety Program continues to connect with tribes and tribal entities through its programs. Although most of these interactions occur through licensed alcohol activity at tribal casinos, some tribes possess liquor licenses at other tribal enterprises including hotels, golf courses, travel centers and RV facilities.

Enforcement and Compliance

This agency division operates 14 offices throughout Oregon and is responsible for supporting liquor law compliance and performing enforcement duties when needed. OLCC's focus is on graduated enforcement that begins with licensee education, but may include Warnings and Notice of Violation Tickets. When these efforts are performed on tribal properties and with tribal businesses, OLCC coordinates these activities with tribal law enforcement, gaming commissions, and casino and business management. This training is available to tribal law enforcement and tribal license holders.

False Identification Training Course

The enforcement and compliance division offers instruction to help licensees and their employees recognize false or altered identification. The course provides training that highlights steps that a licensee's employees can take to recognize false or altered identification, and what to do when staff suspects that a patron may be using false identification. This might include how to safely confiscate identification and what is important to law enforcement agencies for follow up on the use of that identification.

Minor Sales Checks

The minor decoy program is designed to reduce underage drinking, and encourages businesses to develop best practices to check identification. In this program, the enforcement and compliance division uses volunteers who are between the ages of 17-

20 and who look their age to test businesses on their identification checking practices. All businesses that sell or serve alcohol are subject to a decoy visit. Typically, businesses are selected at random. This ensures, to the greatest extent possible, that each licensed business has an equal chance of being selected. Businesses may be targeted if there are documented issues with compliance with alcoholic beverage sale and service laws and rules. These issues include:

- Failure to check, or properly check identification;
- Allowance of minors in prohibited areas;
- Allowance of minors to consume alcohol;
- Sale of alcohol to minors;

When first licensed, businesses receive notice that they may be subject to minor decoy operations, and receive subsequent notices annually. Notifications include offers of how to best prevent alcohol sales to minors and a free ID checking course offered at all OLCC offices. OLCC also issues formal tickets of appreciation to alcohol servers and sellers who use extra efforts to refuse to sell alcohol to minors.

The enforcement and compliance division cooperates with tribal governments and law enforcement in performing compliance checks.

Licensing Division

When a tribal business applies for a liquor license, Licensing Division Investigators review the applications and work with applicants to identify and determine the appropriate rules and laws that govern the operation of proposed businesses. In processing liquor license applications, the OLCC will make a determination to approve, deny, restrict or make recommendation to agency Commissioners regarding the granting of a license. When applications are approved, the Licensing Division will collect the appropriate license fee and issue the license. If an application is denied or restricted, applicants are given the opportunity to contest the decision through the administrative process.

Licensing Division Investigators work closely with tribal businesses when changes are made either to the management or operation of licensed businesses to ensure that these operations are consistent with liquor laws governing the sale and service of alcoholic beverages.

Public Safety Program Regional Office Activity

Eugene Regional Office

OLCC's Tribal Key Contacts work in the Eugene Regional Office and support other OLCC regional offices to provide services to tribes in Oregon.

The Eugene Regional Office worked with the Confederated Tribes of Siletz Indians concerning reported issues of intoxication at Chinook Winds Casino.

The Eugene Regional Office performed a Minor Compliance Check at a licensed business by the Umpqua Indian Development Corporation – a tribal enterprise of The Cow Creek Band of Umpqua Tribe of Indians. The tribe's license at its RV Resort was suspended as a result of the violation.

The Eugene Regional Office worked with the Confederated Tribes of Grand Ronde to allow improved minor access at Spirit Mountain Casino. As a result of these efforts, OLCC is looking at how to amend minor posting rules concerning tribal casino resorts.

Portland Office

The Portland Licensing Division worked with the Confederated Tribes of the Warm Springs Indian Reservation to expand its license to include an entertainment area at the Kahneeta Resort and Spa.

Bend Regional Office

The Bend Regional Office worked with the Confederated Tribes of the Warm Springs Indian Reservation at the Cottonwood Restaurant to expand the hours that minors are allowed in the restaurant.

Medford Regional Office

The Medford Regional Office consulted with the Coquille Indian Tribe's Gaming Commission regarding the Gaming Commission's enforcement of alcohol laws concerning minors and intoxication.

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