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| *May 4, 2007* |

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[**I. NATIONAL NEWS.**](#I)

**1.** **The Accidental Binge Drinker: How Much We Really Pour**

Tara Parker-Pope *Wall Street Journal*May 1, 2007

Chances are you're drinking far more alcohol than you think.

The reason? Wine, beer and spirits glasses are surprisingly deceptive, and most of us -- even professional bartenders -- are over-pouring the alcohol we serve.



Varying glass sizes can make it hard to gauge how much alcohol you are pouring.

Does a man need to engage in risky behavior in order to live a 'full life'? Read the answer in Tara Parker-Pope's Mailbox.While too much alcohol obviously adds calories to your diet, other consequences of supersizing alcoholic beverages are even more worrisome. The health benefits of alcohol disappear and risk increases when you drink more than a few servings a day. And because over-pouring can double or even triple a standard serving size, many of us are technically "binge" drinking without knowing it, wreaking havoc on our livers and overall health.

A standard "serving" for an alcoholic beverage is 5 fluid ounces of wine, 12 ounces of regular beer or 1.5 ounces of distilled spirits, according to the Centers for Disease Control and Prevention. All three portions contain 0.6 ounce of alcohol. But glasses today come in so many different shapes and sizes -- tall "highballs," wide tumblers, bowl-shaped wine goblets and now the new popular stemless wine glasses -- it's virtually impossible to estimate the right serving amount. Although a traditional wine glass holds about 7 ounces, many wine glasses today hold 16 ounces or more. Beer glasses often hold 20 ounces.

"Often my clients think they are just having one or two drinks, when really they're having more like three or four," says Lisa R. Young, a New York University nutritionist.

Varying glass sizes can make it hard to gauge how much alcohol you are pouring.

Try this experiment at home. Take your favorite wine or beer glass and use water to estimate drink size. Pour the contents into a measuring cup to see how close you come to the standard 5-ounce wine portion or 12-ounce beer portion.

I did this myself, and was stunned by the result. I filled my favorite wine glass just half full. But I still ended up with 300 milliliters or 10.14 ounces -- double the standard serving size. I tried again -- this time with a smaller wine glass and then again with a large bowl-shaped goblet. But each time I still poured 200 milliliters or 6.76 ounces -- 35% too much.

The British Medical Journal published a study of 196 college students and 86 bartenders, asking them to pour drinks into different-size glasses. The study used 355-milliliter glasses, but one was a tall, thin highball glass and the other was a short, wide tumbler.

Study participants were asked to pour a serving of alcohol (1.5 ounces or 44.3 milliliters) needed to mix a gin and tonic or other popular drinks. They over-poured by 33% when using the short glass, but came close to the right serving with the tall, thin glass, pouring just 3% too much. Even the bartenders, who had an average of six years experience, poured 25% too much when using the tumblers.

Another Duke University study also found college students over-poured shots by 26%, mixed drinks by 80% and beer by 25%. And the bigger the cup, the more the students overestimated a serving size.

Pouring too much clearly adds calories. Each additional ounce of beer contains about 12 calories while an ounce of wine contains about 20 calories. But the bigger worry is that the maximum health benefits of alcohol come with just less than one serving a day for women and up to two servings for men. At that level, heart protection is high but risk for other alcohol-related health problems is at its lowest, studies show.

People who drink somewhat more -- for women, two to three drinks a day; for men, three or four -- aren't getting any extra benefit. Their overall risk, balanced with the benefits, is the same as people who don't drink at all. But once women go above three drinks and men go above four drinks, they put themselves at far higher risk for other alcohol-related problems.

Binge drinking is defined by the National Institute on Alcohol Abuse and Alcoholism as four drinks for a woman and five drinks for a man over a two-hour time frame. "People do not know how to assess how much they are drinking, and when they have two drinks on a Friday night, it is really four or five because there are multiple doses in one giant cup," says Julia Chester assistant professor of psychological sciences at Purdue University.

Dr. Young says that a solution is for drinkers at restaurants to count each glass of wine, beer or spirits as two servings. And at home, conduct practice pourings with a measuring cup to see what a real serving looks like in your own wine goblet or drinking glass. And avoid short, wide glasses that increase your risk of over-pouring.

<http://online.wsj.com/services/article/SB117797544301787472-search.html?KEYWORDS=accidental&COLLECTION=wsjie/6month>

**2.** **High-End Beverages to Continue to Do Well in So-So Economy**

*Beverage News Daily*
May 2, 2007

You can expect high-end beverages – including those single-malt scotches and single-barrel bourbons – to continue to do well, even though the U.S. economy isn’t doing as well as a year ago, and is more susceptible to shocks and recession.

That’s the opinion of Martin Regalia, vp and chief economist, U.S. Chamber of Commerce yesterday. We asked Regalia about luxury products during a media briefing about the U.S. economy.

He said he expects the luxury market to continue to do well. “Overall incomes are doing well as higher educated, highly skilled workers are getting richer. They are individual consumers, just like everyone else. High-end scotches and high-end bourbons are doing well and will continue to do well.”

Regalia wasn’t quite as positive about the U.S. economy as a whole.

**Slugflation?**

For the past year, Regalia said, the economy has been growing “significantly below 3%.” You can expect another six to nine months of subpar economic growth, he said, adding: “We don’t normally see a ‘pause’ last a year to a year-and-a-half.” He put the risk of a recession at about 33%, saying the “even money bet is for the economy to continue to grow modestly.”

Personal consumption, which accounts for two-thirds of the economy, is relatively strong, despite well publicized weakness in the housing industry. He called the industry “still a drag, but less of a drag each quarter.” “Housing has deteriorated this year, but the drag in the last half of 2006 was quite dramatic,” he said.

Regalia said he doesn’t think subprime loans will be enough to pull down the economy, but they will impact how quickly the regular housing market bounces back. “Unsold inventory will remain elevated for some time,” he said, adding housing “won’t see positive numbers until later this year.”

Housing matters, he added, “because wealth is a driver for consumption.”

**Business Investment a Problem**

Business investment “bothers me more than housing,” he said. A significant decline in business investment caused the 2000-2001 recession, and, “as business rebuilt its balance shet, they didn’t resume investing in plant, equipment and software. We stimulated a big investment with tax breaks. There’s no real reason not to invest” in plant, equipment and software, he said, “but business is being quite hesitant to invest.”

This time, he said, it’s unlikely Congress and the Administration will produce a pro-growth tax cut.

While the job market is tight, “manufacturing is producing more than ever before, but doing it with fewer workers.

While gas prices are high, Regalia said he didn’t expect them to get out of hand. “OPEC hasn’t any interest in killing the Golden Goose. They want to continue to milk the goose,” he said.

Long-term bond rates are expected to increase gradually, he said, while short-term rates remain flat.

**Economic Cycle Likely to End in 2010**

Looking ahead, he said the economic cycle is likely to end in 2010, the same time most of the Bush tax cuts will expire. That sets up a perilous challenge for policymakers: “What will happen to an economy suffering from old age that gets hit with a $600 billion tax increase?” That’s about the time that Social Security is likely to start paying out more than it takes in.

As for calls by former Clinton Administration officials for tax cuts, Regalia said “Clinton got away with tax increases because the economy and productivity just exploded. Productivity in the early 1990s grew at a pace slightly under 19% a year. In the late 1990s, productivity increased just 3.6% to 4% a year.

**3.** **Management Changes at Anheuser-Busch Confirmed**

*Just-Drinks.com*
April 30, 2007

Anheuser-Busch has announced changes in four key management positions.

 Two new executives, Thomas Santel and Stephen Burrows, will be tasked with expanding the company's global presence and growing international sales. Joseph Castellano, meanwhile will head up the company's information technology and systems and John Farrell will direct corporate human resources.

Santel, who has served as vice president of the company's corporate planning for the past 11 years, has been named as president and CEO of Anheuser-Busch International. He was previously a member of the board of the Mexican brewer Grupo\_Modelo and has managed A-B's import business into Mexico for the Budweiser and Bud Light brands.

In his new role, Santel will assume overall responsibilities for the UK Europe, South America and Asia operations, in addition to his current international responsibilities for Mexico. Burrows will be responsible for the company's expansion and long-term growth in China through its Budweiser and Harbin businesses and its investment in the Chinese brewery, Tsingtao.

Burrows, who has been with A-B for 28 years and serves on the company's strategy committee, serves on the boards of Anheuser-Busch International, Tsingtao Brewery, Harbin Brewery Group and Crown Beers India.

Anheuser-Busch president and CEO, August A. Busch IV, said: "Tom's guidance will continue to drive our international growth, which is critical to our overall success. Steve has deep experience in the complex and fast-changing Chinese beer industry, and has led A-B's success in what has become the largest beer market in the world."

The company has also announced changes in technology and human resources positions with the appointment of Joseph Castellano as vice president and chief information officer, with responsibility for the company's information technology and systems.

Busch added: "Over the past 24 years, Joe has served the company in roles ranging from human resources and retail marketing to wholesaler operations. His diverse background and experience in so many areas of our business enable him to bring a unique perspective of the evolving technology needs of our organisation."

John Farrell will replace Castellano as vice president, corporate human resources. Farrell joins A-B's strategy committee and will direct human resource strategy, staffing, training, development, compensation, benefits and security for the company. Prior to his current role, Farrell spent 11 years as vice president of employee benefits.

Last week, the US-based brewer reported a 3.7% year-on-year lift in Q1 net income, which hit US$518m. Net sales for the three-month period edged up 2.7%, reaching $3.8bn.

# grapes<http://www.just-drinks.com/article.aspx?ID=90128&lk=dm>4. Anheuser-Busch Introduces Fruit-Infused Novelty Beers

##### Associated PressApril 27, 2007****ST. LOUIS**** --

Anheuser-Busch on Thursday rolled out fruit-flavored versions of its Michelob Ultra brand as the nation's largest brewer continues to branch out from its line of traditional beers.

The fruit-infused beers are available only through Labor Day and come in three flavors -- Pomegranate Raspberry, Lime Cactus and Tuscan Orange Grapefruit.

The St. Louis-based company is promoting the beers as perfect for backyard grilling and summertime picnics. They are sold in 12-bottle packs featuring all three varieties, and in single-flavor six-packs.

"Anheuser-Busch has had great success with Michelob Ultra and Michelob Ultra Amber and we wanted to provide consumers with a refreshing summertime offering," said Eduardo Pereda, director of the Michelob family of beers. He called the beers "ideal for those who prefer a light beer with exotic flavors."

Anheuser-Busch in recent years has branched out to different brews aimed at attracting drinkers in their 20s -- drinks that include so-called "malternatives" such as the Bacardi Silver line of flavored malt beverages.

Eric Shepard, executive editor of the industry publication Beer Marketer's Insights, said it's hard to track how successful the alternatives have been.

"I think they're aimed at getting other stuff on the shelves, possibly crowding out some other brands, and hoping that maybe something clicks," he said.

Some critics contend the flavored beverages attract underage drinkers. Earlier this month, National Center on Addiction and Substance Abuse chairman Joseph Califano Jr. criticized an Anheuser-Busch product called Spykes, a flavored malt beverage sold in 2-ounce bottles meant to be mixed with beer or other drinks, or consumed as a shot.

Califano is also critical of the fruit-flavored beer.

"Coming on the heels of Spykes, to me it smells of a policy directed at making beer more attractive for underage drinkers," Califano said. "What 25-, 30-year-old guy or even gal drinking beer is going to flavor it? I don't think so."

In a statement, Francine Katz, Anheuser-Busch's vice president of communications and consumer affairs, said no company has done more to fight underage drinking. She noted that adults have consumed fruit-flavored alcohol for decades.

"These professional critic groups need to stop the fear mongering and focus on reality," Katz said. "The flavor of a drink is not what stands between a teen abiding by the law or willfully breaking the law."

<http://www.belleville.com/102/story/21040.html>



**5.** **Zodiac Spirits Files Suit Against Moet Hennessey**

Keith Nix *WebWire.com*
April 26, 2007

Zodiac Spirits, Inc has announced that it has filed a suit against Moet Hennessey in US District Court for the Eastern District of Michigan claiming false and misleading advertising of their Chopin Vodka brand. Chopin's current advertising and related marketing materials prominently feature Chopin as "The World's Only Luxury Potato Vodka". Zodiac Spirits, Inc. owns the Zodiac Vodka brand which has been marketed as a "Luxury Potato Vodka" since 1999. Zodiac is a uniquely positioned, small batch potato vodka, produced and bottled in Idaho, USA to the highest quality standards.

In connection with the filing, Zodiac Spirits released the following statement: "Moet Hennessey is a major force in the distilled spirits marketing industry. They have aggressively marketed their Chopin Vodka brand, and in doing so continue to falsely make the claim that Chopin is 'The World's Only Luxury Potato Vodka'. Zodiac directly competes with Chopin both at retail and in licensed establishments in a number of markets.

After Chopin's refusal to honor Zodiac's request that it cease making this false claim, we feel that our only alternative now is to turn to the courts to prevent Chopin from further benefiting and causing additional confusion through these misleading advertising and marketing tactics."

Please refer to \www.zodiacspirits.com for additional information on Zodiac Vodka.

<http://www.webwire.com/ViewPressRel.asp?aId=34221>

**6.** **McCormick Announces Eco-Friendly Vodka Brand**

*Just-Drinks.com*
May 1, 2007

McCormick Distilling Company has announced the introduction of a new brand of premium vodka in the US that aims to be environmentally friendly.

The Kansas-based distiller yesterday (30 April) unveiled '360 Vodka', which will come in eco-friendly packaging and a bottle using 85% recycled glass with a view to supporting environmentally friendly groups.

McCormick chairman Ed Pechar said: "We are proud to introduce a totally All American product that will be distributed in a totally environmentally friendly package."

The McCormick portfolio currently includes brands such as McCormick Vodka, and Tequila Rose.

<http://www.just-drinks.com/article.aspx?ID=90139&lk=dm>

**7.** **Stolichnaya Vodka Opens First Stoli Hotel in Hollywood**
**New Mecca For Tinseltown's A-List Makes Summer Debut**

Duane Wells
*Connexion*
April 30, 2007

Vodka lovers all over the land will have a reason to rejoice this summer when the Stoli Hotel hits Hollywood. Now Tinseltown's biggest stars will have a place to stay both pre and post rehab! True genius isn't it?

The rumors are indeed true. Stolichnaya vodka, the best- selling Russian vodka in the United States, has announced the May 2, 2007 grand opening of the inaugural Stoli Hotel, Los Angeles. Known for innovative marketing, the Stoli Hotel will bring to Los Angeles a month-long entertainment space, boasting a cutting-edge design that promises to rival the world's most fashionable hotels.

Inspired by the Hotel Moskva, the iconic hotel on Stoli's label, the 10,000 square-foot Stoli Hotel will be located in heart of Hollywood and comes complete with all of the amenities one would expect from a luxury hotel.

Invited guests will be greeted by a full-service concierge as they enter the hotel to view the especially designed bar or visit the integrated spa. A series of individually designed guest rooms, inspired by Stoli's flavorful vodka portfolio, will host a range of events, while the elit Suite, which pays homage to Stoli's ultra-luxury vodka, Stolichnaya elit, will be open to VIPs only.

Combining glamour, music, film and fashion within a range of authentic, invitation-only events, the Stoli Hotel, promises to be one of the most desirable venues in the City of Angels during its month-long summer stay. Planned DJ nights with DJ AM, Samantha Ronson, Kid Millionaire and That 70's Show's Danny Masterson will only add luster to the non stop calendar of events at the Stoli Hotel which include celeb-studded film premiere after-parties, concerts and magazine parties. "

<http://victory.connexion.org/newsstory.cfm?id=9518&returnurl=news.cfm>

**8.** **North Korean Liquor to Hit U.S. Markets for First Time**

*Servihoo*
May 3, 2007

North Korean-made liquor "Pyongyang Soju" are displayed at a store in Seoul. The North Korean-made soju liquor is reportedly about to go on sale in the United States for the first time despite Washington's trade restrictions with the communist state.

 North Korean-made soju liquor is about to go on sale in the United States for the first time despite Washington's trade restrictions with the communist state, a news report said Thursday.

South Korea's Hankook Ilbo newspaper, quoting the importer, said the first shipment of "Pyongyang soju" left last month.

The main ingredient of Korea's traditional drink is rice, almost always in combination with other ingredients such as wheat, barley or sweet potatoes. It is clear-coloured and typically varies in alcohol content from 40 to about 90 proof.

US-North Korean trade is rare as Washington imposes sanctions on Pyongyang, which it lists as a state sponsor of terror. Imports need approval from the US Treasury's Office of Foreign Assets Control.

But Steve Park, 59, the Korean-American importer, told Hankook he secured the office's approval last July.

Park said a cargo ship carrying 2,520 boxes of soju, or some 60,000 bottles, left the North's western port of Nampo for the United States on April 9.

"If the customs procedures go as scheduled, the soju will be sold at US stores, marketplaces and restaurants as early as late this month or early next month," Park was quoted as saying.

# grapes<http://servihoo.com/channels/kinews/afp_details.php?id=160690&CategoryID=47>9. The Château Mouton Lockdown

**Wine-Theft Fears Turn Cellars into Fortresses; Home Retina Scanners**

Christina S.N. Lewis*Wall Street Journal*May 4, 2007

When the wine bandits come, David Dorman will be ready for them. The former chairman and chief executive of AT&T has equipped the three-room wine cellar in his home outside San Francisco with video surveillance, infrared alarms and motion sensors. He keeps his most valuable bottles in a separate vault with its own five-number combination door.

"I wanted to be able to both ward off the professional who's looking for some kind of a score as well as the amateur who's trying to make a quick buck," he says.

**Knock Knock:** Gil Shapiro's wine collection (left) is secured with alarms, a hidden camera, body-heat sensor, and an antique wrought-iron door (right).

A little paranoia is seeping into the wine world. At a time when a single bottle of new French Bordeaux can cost as much as $750 and some rare vintages sell at auction for more than $125,000, serious oenophiles aren't taking any chances. While insurers say thefts are still very rare and are most often committed by opportunistic housekeepers or even the resident teenagers, some wealthy collectors are spending as much as $50,000 to install locks that open only at the sound of the owner's voice and affix radio tags that trigger silent alarms when a bottle is removed. One cellar-maker now offers a $5,000 door that's disguised as a fireplace.

The gadgetry is getting so advanced that some collectors say the security bubble around the cellar provides just as much ego gratification as the wine. During tours of his 1,400-bottle wine collection in Briarcliff Manor, N.Y., Gregg Marks, a 54-year-old executive for Jones Apparel Group, says he always makes a point to show off the biometric fingerprint-scanner he had installed on the cellar door. "You could have a million dollars worth of wine in there," Mr. Marks says, "but the lock is what guests remember."

Security peddlers are doing a brisk business. Los Angeles-based Cellar Masters, which builds about 100 new cellars a year (average cost: $26,000) says a quarter of its recent projects include video surveillance, alarmed doors or motion sensors. Manhattan-based cellar-designer Lee Zinser says more than half of his new clients now ask for alarm systems, compared with almost none three years ago. Wine Enthusiast, an online retailer, says sales of its eSommelier product -- an inventory system that allows collectors to place bar codes on their wines and link them to their home alarm systems -- rose 30% last year.

These measures are a reflection of the booming wine market and the growing number of serious collectors, many of whom view wine more as an investment than a comestible. According to an estimate by Fireman's Fund, an insurer, as many as 10% of the nation's most affluent households have wine collections worth at least $100,000. Chubb Group, an insurer that focuses on wealthy clients, says the number of new policies covering wine collections doubled last year, according to Laura Clark, a vice president. Most collectors "think of wine as an asset on par with their homes, art collections, jewelry and cars," she says.

Gregg Marks at his cellar door, which has a biometric lock

Veteran collector Gil Shapiro started his collection about 25 years ago when he began buying "cult" California Cabernets from vineyards such as Abreu and Dunn. After years of steady buying, Mr. Shapiro, 63, the owner of Urban Archaeology, a New York architectural salvage and reproduction company, had amassed some 8,000 bottles of rare California wines, many of them in the basement of his weekend home in Sagaponack, N.Y. When he built his first cellar in the mid-1990s for $125,000, he invested in the best security he could find: a wrought-iron door with a motion-sensitive alarm and reinforced concrete walls with sensors that would trip an alarm if someone hit them with a sledgehammer.

But as his collection grew in size and value in recent years, and as more delivery people set eyes on it, Mr. Shapiro says he started to get "more and more paranoid." He added a body-heat sensor to the basement entrance and a hidden camera inside the wine room that sends a live feed to a monitor in his New York apartment. "I'm from Brooklyn," Mr. Shapiro says, "I'm always looking over my shoulder."

W. Taylor Franklin's 450-bottle collection is only four years old, and at about $50,000 in value, not quite large enough to put him in collecting's big leagues. But the 25-year-old real-estate developer isn't taking security lightly. The 3,000-bottle cellar he's building at his new home in Norfolk, Va., will have a keypad lock for his wine-tasting room and a fingerprint scanner for his cellar, which will be encased in shatterproof glass. When it's finished, the $40,000 cellar will be worth nearly as much as the wine inside. "We looked into doing a retina scanner, but that got a little pricey," Mr. Franklin says.

**Online Oenophiles**

There is some evidence that wine collections are becoming a more popular burglary target. In California, the Napa County Sheriff's Department says it has investigated about seven wine thefts from private homes in the past year -- crimes that Capt. John Robertson says were "pretty rare" five years ago. Earlier this year in Atherton, Calif., police arrested a house cleaner and her boyfriend and charged them with stealing $140,000 in wine from a collector.

Police say the growing popularity of collecting has made it easier for crooks to operate. Free wine-valuation sites like WineSearcher and WineZap allow thieves to check labels or bone up on the going rate for a 1982 Pichon-Lalande, for instance. And sites like eBay and Craigslist make it easier for them to unload bottles anonymously.

But by most accounts, the security measures collectors are using are more intense than the threat. According to Fireman's Fund, only about 7% of all insurance claims involving wine are related to theft -- a number that's remained flat over the last decade. The biggest threats to wine collections, insurers say, are fires, floods, improper handling and any power failure or cooling-system glitch that causes cellar temperatures to fluctuate. Stephen Bachmann, chief executive of Vinfolio, a collector services firm, says "the best thing anyone can do to protect their wine is store it at the right temperature." (Many collectors spend thousands of dollars on anti-mold insulation, alarms that ring if a cellar door is left open too long and underground "wine caves" that don't require electricity to stay cool.)

The secret door to a wine cellar looks like a built-in wine rack.

When wine is stolen, experts say the thefts usually take place outside the owner's home while the wine is being moved or delivered -- or are perpetrated by insiders rather than organized professional thieves. Two of the recent heists in Napa, like the recent Atherton job, were pulled off by household workers. Chris McGoey, a Los Angeles-based security consultant who works for celebrities and corporations, says the average home invader wouldn't know a rare Burgundy from a bottle of mouthwash. "They're not sophisticated enough to know what a good label is," he says.

**High School Capers**

All of the security in the world might not have helped Susanna Kelham. When the vintner from Oakville, Calif., discovered that 47 cases of George de Latour private reserve, now worth about $175,000, had been removed from her cellar more than 10 years earlier, there wasn't much she could do. The culprits were her two teenage sons, Ronald, now 33, and Hamilton, now 30, who confessed to smuggling bottles out of the house throughout high school. "My father almost disinherited me," says Ronald, who claims it was only 20 cases.

As values soar, wine merchants and police are setting up informal networks to recover stolen bottles. Collectors are not only keeping better track of their inventory, they will notify auction houses and major sellers when unique wine goes missing. Some wineries are exploring the idea of embedding microtransmitters in corks. And police in Napa have organized a vintner email alert system to notify vineyards of burglaries and to catalogue the pilfered goods, Capt. Robertson says.

Despite all this commotion, some collectors say they're not ready to turn their homes into the Imperial Fortress of Leipzig. Three years ago, burglars broke into the home of Adam Belsky, a 44-year-old San Francisco lawyer, and stole his $15,000 collection -- 250 bottles of mainly French Bordeaux and Italian Tuscan. He later installed a house alarm and a better lock, but hasn't bothered to take it any further.

"It's a little bit silly to get attached to expensive wine," Mr. Belsky says. "Especially when you think about the fact that you drink it and it's gone."

<http://online.wsj.com/services/article/SB117823723282491580-search.html?KEYWORDS=the+chateau&COLLECTION=wsjie/6month>

**10.** **Rye on the Rise
Bourbon is No. 1 in Ky., but another spirit getting sips in**

Chuck Martin
*Cincinnati Enquirer*
May 4, 2007

The world will be awash in bourbon Saturday , as thousands sip frosty mint juleps to celebrate the 133rd running of the Kentucky Derby in Louisville. But while corn-centric bourbon may be the libation of the day, there is growing buzz in Kentucky and elsewhere over a whiskey based on another grain - rye.

Rooted well north of the Mason-Dixon Line, rye whiskey is spicy and edgy compared to its mellow Southern cousin. If bourbon is soft and genteel, rye - the original mixer for the Manhattan, old-fashioned and other classic cocktails - is assertive and brash. And it's turning heads.

+

Tim Hudnall rolls barrels of whiskey soon to be bottled at Buffalo Trace Distillery. It is one of several Kentucky distilleries promoting its rye whiskey.

But Kentuckians need not choke on their julep straws over this startling rye fascination. While rye whiskey was made first in Pennsylvania and Maryland and was popular in the bars and taverns of the Northeast, most rye is distilled in Kentucky.

"I'd say the volume of interest in rye whiskey has gone up exponentially in the last two years," says Larry Kass, communications director of Heaven Hill Distillery near Bardstown, which has made rye whiskey since the end of Prohibition.

This trend is so recent, bars in Greater Cincinnati and Northern Kentucky rarely hear a call for rye whiskey. So far, the rye rage is relegated to larger cities and fueled in part by demand from whiskey collectors and connoisseurs.

"Cincinnati bars are quite conservative," says Jay Erisman, fine spirits manager at the Party Source in Bellevue.

Erisman says he's also seen rye whiskey sales increase, but patrons may have to demand their rye before the bars begin stocking it.

Heaven Hill, which also makes Evan Williams and Elijah Craig bourbons, introduced a 21-year-old Rittenhouse Rye for $140 a bottle in September, even before the New York Times validated the rye resurgence in the fall. Since then, Heaven Hill doubled its production for rye whiskey - albeit from only two to four days of distilling a year.

Last year, Heaven Hill's Rittenhouse Bottled-in-Bond Rye was named "Northern American Whiskey of the Year" at the San Francisco World Spirits Competition. This year, Buffalo Trace Distillery near Frankfort brought home the same prestigious award for its 6-year-old Sazerac Straight Rye Whiskey.

"Our feeling, even 10 years ago, was that there was opportunity in rye," says Mark Brown, president and CEO of Buffalo Trace.

That was when a manager told him about a cache of fine rye whiskey aging in his sprawling brick warehouses. The next year - in 1998 - Brown directed his distiller to start making more rye.

In addition to the Sazerac Straight Rye, Buffalo Trace makes a 12-year-old Thomas H. Handy Rye for $53 per bottle, and an 18-year-old Sazerac at the same price. Scarcely available, these premium whiskeys often sell out before they hit the shelves.

**‘The New Frontier’**

Why rye? To explain its growing popularity, Brown and others compare the trend to the explosion of single malt Scotch whiskeys in the 1990s. As American consumers became more sophisticated, they wanted to sample different, often rare and pricey whiskeys - small batch and single-barrel bourbons, and now, rye.

"(Until then) there was a perception that all American whiskey was the same," says Brown.

For some, rye is the "new frontier for American whiskey," says Kass. Others perceive it as "retro" and "classic."

Considering rye's history, it may be more surprising the whiskey actually had to make a comeback. Rye was an American favorite long before bourbon was born. In fact, rye whiskey distillers, who left Pennsylvania after the Whiskey Rebellion of 1794, are credited with creating bourbon before the turn of the 19th century. Upon arriving in Kentucky, these early craftsmen substituted corn for rye in their recipes simply because the yellow grain was more plentiful.

While bourbon soon became king in the South and much of the West, rye whiskey ruled the Northeast and upper Midwest until Prohibition. After 1933, Canadian rye whiskeys flooded the U.S. market. (Even today, some bartenders will pour a blended Canadian whiskey if a customer orders "rye.") Perhaps because corn was still cheaper after World War II, American rye whiskey largely disappeared from bar shelves and liquor cabinets.

**Not Better, ‘Different’**

Even then, it was easy for Kentucky distilleries to make small amounts of rye whiskey because they had the grain on hand. By law, bourbon must be made using at least 51 percent corn, but rye is usually an ingredient along with malted barley. Conversely, rye whiskey must be at least 51 percent rye. Corn and malted barley are also primary ingredients.

Distilling rye whiskey is much the same as bourbon, and like the corn-based whiskey, rye is aged in new, charred, oak barrels. This is why, at first look, sniff and taste, some might think bourbon and rye are identical. Their color is a golden amber, growing darker with age. The aroma and taste are similar, with nuances of vanilla and caramel notes from oak wood aging.

<http://news.enquirer.com/apps/pbcs.dll/article?AID=/20070504/LIFE01/705040339/1079>

**11.** **Crown Royal Creates Its Most Expensive Whisky Ever**Crown Royal Creates Its Most Expensive Whisky Ever to Commemorate Queen Elizabeth II's visit to the 2007 Kentucky Derby

*PRNewsWire.com*May 3, 2007

In an effort to create a memorable gift for Queen Elizabeth II's visit to the 2007 Kentucky Derby on Saturday, May 5, Diageo, the world's largest spirits company, blended the most expensive and rare Crown Royal Whisky ever created.

 After all Crown Royal Canadian Blended Whisky was originally made for the Queen's parents in 1939 to commemorate their Grand Tour of Canada. As a tribute, Joseph E. Seagram's & Sons Inc. ordered the preparation of a commemorative blend for King George VI and Queen Elizabeth. Placed aboard their private, cross-country train, Crown Royal was a special gift for the royal couple that was respected for their knowledge and appreciation of fine whiskies.

A fire at the Seagram's Waterloo Distillery in Ontario destroyed the facility, where a limited number of whisky barrels could be salvaged. Crown Royal blender Andrew MacKay, selected the rarest remaining barrels with some of the highest rye content and personally supervised production of what is now known as Crown Royal XR Extra Rare Heritage Blend. A truly priceless creation, if the whisky were to have a price tag, a suggested retail price would likely begin at $10,000. The blend has been made exclusively for Her Majesty.

Diageo commissioned Casey Hyland, a master glass designer at Louisville's Glassworks, to create a custom glass decanter, etched with 24 K gold leaf, as unique as the whiskey that will fill it. "We see this blend's special creation as a way to celebrate Crown Royal's distinct origin to North America," said David Tapscott, Brand Director for Crown Royal. "We have accomplished something unique and special with creating the most expensive Crown Royal whisky we have ever made, then using local craftsmen to express the very special message we wish to bestow upon Her Majesty to commemorate Her visit to Churchill Downs."

Diageo and Crown Royal have a long history in supporting equine events. On Friday, May 4, they will sponsor the Crown Royal American Turf Stakes just before the famed Kentucky Oaks at Louisville's legendary racetrack, Churchill Downs. The race is one and one-sixteenth miles, with a purse of $150,000. Both Thursday and Friday at Churchill, Crown Royal sponsors the "Festival in the Field" providing music by local and national acts. Kansas headlines Thursday's event.

The company has also created the Crown Royal Turf specifically for the Kentucky Derby, which uses 3 ounces of orange juice, 1 and 1/2 ounces of Crown Royal, garnished with a sprig of fresh parsley.

**About Crown Royal**

Crown Royal, the number one selling whisky in the U.S. by value, has a tradition as long and distinctive as its taste. Specially blended to commemorate a grand tour of Canada made by King George VI and Queen Elizabeth of Great Britain in 1939, Crown Royal's smooth, elegant style reflects its aristocratic origins and is considered the epitome of Canadian whisky. In addition to its motorsports sponsorships, the brand also sponsors The Crown Royal Bad Boys of Comedy Tour, the Crown Royal American Turf stakes race at Churchill Downs and a number of other major regional and national events. For more information on Crown Royal, visit.

<http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/05-03-2007/0004579799&EDATE>=

**[II. IOWA NEWS.](#II)** **12. Court: Alcohol Breath tests prove Reliable**

*Associated Press*
April 28, 2007

The Iowa Supreme Court on Friday rejected a challenge to a breath test used in suspected drunken driving cases, setting a standard for lower courts throughout the state.

The justices overturned a Hancock County District Court decision, which held that results of a DataMaster breath test were too unreliable to be used as evidence.

The challenge resulted from a 2004 case in which a state trooper stopped a car driven by Aaron Stohr. According to court records, police noticed a container of beer and indications that Stohr had been drinking.

Stohr failed a field sobriety test and was taken to the police station, where he was given a DataMaster breath test. The test indicated a blood alcohol level of 0.114 percent, exceeding the legal driving limit of 0.08 percent.

Stohr challenged the findings, and a district judge ruled that the testing device failed to meet reliability standards because of "uncertain internal standard and calibration methods."

"The district court concluded that the test results were, therefore, too unreliable to be admitted," the Supreme Court noted. "The Court of Appeals disagreed with this analysis and so do we."

Those charged with drunken driving can challenge the reliability of the breath tests in making an argument to jurors, but the results will be allowed into evidence.

[**Click here**](http://www.judicial.state.ia.us/Supreme_Court/Recent_Opinions/20070427/05-1107.pdf) **to view a copy of the recent Iowa Supreme Court Opinion referenced above.**

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=2007704280351>

**13.** **Starting Tuesday, no more Lighting up in city Garages**

*Des Moines Register*
April 30, 2007

WHAT: Smoking will be illegal in Des Moines parking garages beginning Tuesday.

WHEN: The City Council passed the ban in February at the behest of the American Lung Association and other anti-smoking organizations. The measure was also recommended by the city's parking advisory committee, made up largely of business representatives.

WHY: People who use the city's eight parking garages have increasingly voiced complaints about others who use the structures for smoking, city leaders have said.

FACT: The company that cleans the garages counted nearly 3,000 discarded cigarettes in two days. The count did not include those tossed on the floor.

LAW: According to the ordinance, " 'smoking' means to carry or exercise control over a lighted cigar, cigarette, pipe, or other lighted smoking equipment."

QUOTE: "There's also an expectation that we would work with business owners to establish, or perhaps help them establish, smoking areas around the facilities,"

City Manager Rick Clark said.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20070430/NEWS/704300334/1001/NEWS>

**14.** **D.M. Brewfest to Serve more than 100 Varieties of Beer**

*Des Moines Register*
April 27, 2007

Des Moines’ inaugural Brewfest will bring more than 100 varieties of beer from breweries across the country, including about 10 from Iowa, for a sudsy, beer-sampling celebration from 3-8 p.m., June 23.

The outdoor event at el Bait Shop, downtown at 200 S.W. Second St., will feature domestic and imported beers, plus live music from local favorites and barbecue specialties.

Those who aren’t traditional beer fans can compare the taste of a new low-carb beer or experience the new lemonades and other "malternative" beverages. Experts from the breweries will also be on hand to share their knowledge about their brews and to talk about upcoming releases.

Advance tickets are $20, available at www.iowatix.com or by calling (515) 277-3727. Tickets will also be available at the door the day of the event for $25, and an $8 designated driver ticket is also available.

Admission includes unlimited beer samples and live music from Mr. Baber’s Neighbors and Dr. Gonzo. A portion of proceeds from the event benefit Young Variety of Des Moines.

<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070427/ENT/70427010/1046/ENT>

**15.** **Former ISU Student Sentenced For Providing Alcohol To Minor**
**Campbell Will Serve Two Years Of Probation**

*KCCI TV*
April 30, 2007

Former Iowa State University student Kelly Campbell will serve two years of probation for providing alcohol to Shanda Munn at a party.

Campbell agreed to a plea deal with the Story County attorney. She must also pay nearly $900 in fines.

Munn was underage when she hit and killed Kelly Laughery while driving drunk.

<http://www.kcci.com/news/13226657/detail.html>

**16.** **Beer leads to Stabbing**

Tom Alex
*Des Moines Register*May 1, 2007

Des Moines police have released the names of a suspect and victim in a stabbing incident triggered by an argument over a beer.

The victim, Bryan Vandeboe, 40, was taken to Mercy Medical Center about 7 p.m., Monday.

The suspect, , 47, was being held in the Polk County Jail today on $13,000 bond, charged with assault with a weapon.

Both men list the crime scene, 3317 E. 15th St., as their address.

Police said they could hear the two men arguing when they arrived at the East 15th Street address. Beechum was standing in a front hallway and Vandeboe was standing in a back hallway clutching his abdomen.

Officers recovered a knife with a blade nearly 7 inches long.

Beechum said Vandeboe became angry because he believed he had taken one of his beers. While Beechum was sitting on the couch, Vandeboe grabbed a beer bottle and allegedly moved toward Beechum.

Police said Vandeboe then swung the beer bottle at Beechum, missing him. Beechum took the bottle from Vandeboe and grabbed a knife from beside a couch cushion and walked back to a bathroom.

Vandeboe was threatening Beechum as he walked through the hallway, police said. Beechum told him to stay away but Vandeboe continued toward him, officers said in a report.

Vandeboe reportedly swung at Beechum, who ducked the fist and then allegedly stabbed Vandeboe. Officers said Vandeboe went to a bedroom and called for help.

Police listed Vandeboe in "moderate to fair" condition.

<http://dmregister.com/apps/pbcs.dll/article?AID=/20070501/NEWS/70501016/1001>

**17.** **Dad Barely Responsive after son Injured in Crash**

Tom Alex
*Des Moines Register*
May 1, 2007

 The father of a 6-year-old Des Moines boy was seriously injured Monday in a traffic accident was barely responsive to questions by a police officer after the accident, according to a police report.

Kaleb Roberson was taken to Blank Children's Hospital following a crash at University Avenue and 60th Street. Officials said the child initially was believed to be in critical condition but later was listed as "stable."

Nicholas Roberson, 29, is charged with drunken driving, child endangerment, driving left of center, failure to have control, failure to secure a child and failure to show proof of insurance.

Police said Roberson, who was eastbound on University Avenue, turned in front of a westbound vehicle driven by Susan Morrissy of Urbandale. She suffered hand and neck injuries but declined a trip to a hospital by ambulance.

The crash occurred about 2:50 p.m.

While Kaleb was being loaded into an ambulance, officers went to Roberson's Nissan to question him.

Police Officer Stephen Strawser said in a report: "Suspect was sitting in his vehicle and I went to him to obtain his information. Once at the vehicle I could smell alcohol and his eyes were red and blood shot."

"I asked for his ID and registration and insurance. He attempted to look in his pocket. His movements were lethargic. He stopped looking for those items and starred at me. I again asked for those items. He started looking and stopped again. I asked for his name and he mumbled his name."

Roberson then gave two different dates of birth. Strawser said Roberson gave the same Social Security number all four times but it had too many numbers each time.

Roberson was taken to the Polk County Jail.

<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070501/NEWS/70501004/1001/NEWS>

**18.** **College Boozing may Lead to Problems Later**

Brittney Berget
*The Daily Iowan*
May 2, 2007

Next time UI students head to downtown Iowa City to spend the night drinking, they might want to think twice before consuming too many of their favorite cocktails.

More and more researchers are finding that heavy drinking can lead to a plethora of health problems, including increased risk of influenza and heart disease later in life, even for college-age students.

For instance, UI pathology Assistant Professor David Meyerholz found that excessive alcohol consumption has been linked with reduced ability for the body's immune systems to fight infection - a study presented at Experimental Biology 2007 on April 28 in Washington, D.C. By using mice, the researchers found that alcohol altered a body's ability to fight influenza.

"We currently have a large research group working to understand the effects chronic drinking can have on the immune system," Meyerholz said, adding that his research is more relevant regarding the recent public attention to bird flu.

More studies are being conducted at the UI Carver College of Medicine to see how alcohol affects one's immune system.

"What we've found could open the doors to understand how chronic alcohol use affects the immune-response system," Meyerholz said.

And alcohol can lead to even bigger problems than contracting the flu.

A study presented at the American Heart Association's eighth-annual conference found that heavy drinking among college students can increase the risk of heart disease - the No. 1 cause of death in the United States -later in life.

The research, conducted by Elizabeth Donovan, a senior at St. Benedict College in St. Joseph, Minn., studied 25 college-aged students. Donovan and her team found that heavy drinkers had higher levels of C-reactive protein, which can eventually lead to an increased risk of heart disease.

"I was really surprised by what we discovered," said Donovan, who conducted the study for her senior research project. "Finding that the same type of trend affects college-age students the same way it does older adults was unexpected."

Donovan said she separated the students in her survey into three categories: students who consumed little to no alcohol, students who consumed a moderate amount, and students who were heavy drinkers. Individuals with slightly lower levels of C-reactive protein were those who drank moderately - reinforcing the fact that alcohol in moderation can have health benefits, specifically for the heart.

Amy Olson, a professor of nutrition at St. Benedict who assisted Donovan in her study, said students don't need to stop drinking altogether.

"If students have a good diet, moderate drinking isn't necessarily a bad thing," she said.

Edwin Haycraft, a counselor on substance abuse at the UI Student Health Service, said a majority of students don't think about the future of their health.

"What students do when they're younger does affect how they'll feel when they're old," he said. "It's sometimes hard for people to think ahead."

Although the sample size of Donovan's study was small, he said, it still matters. A lot of students feel they can walk away from the bar scene once they graduate from college, but in reality, it's setting up a predisposition for substance abuse, he said.

"We're in the Upper Midwest part of the country," Haycraft said. "We have some of the highest drinking rates in America, so this is a problem that really hits home."

<http://media.www.dailyiowan.com/media/storage/paper599/news/2007/05/02/Metro/Reports.College.Boozing.May.Lead.To.Problems.Later-2890849.shtml?reffeature=htmlemailedition>

**19.** **Bar Owner sues City, Police Chief**

*Sioux-City Journal*
May 2, 2007

A downtown bar owner has sued the city of Sioux City and Police Chief Joe Frisbie on a claim they retaliated against him by limiting the hours he can have outdoor music at his business.

Timothy Shannon, owner of Tom Foolery's Pub & Grill, 1008 Fourth St., said in the lawsuit that his city sound permit was amended to the hours of 8 p.m. to midnight, rather than 1 a.m., in retaliation for Shannon's notice to the city that he intended to sue the city and a police officer he says assaulted him.

By cutting off the time he can have outdoor music at midnight, Shannon said the city will be causing him to lose thousands of dollars in business. He is seeking compensatory and punitive damages.

In a separate filing, Shannon is seeking a court injunction prohibiting the city from reducing his hours for outside music.

Shannon said in the suit that he was granted sound permits, signed either by Frisbie or Capt. Pete Groetken, for the hours of 8 p.m.-1 a.m. in 2006. On Oct. 31, Shannon notified the city that he intended to sue the city and a police officer for injuries Shannon said resulted from an assault by the officer.

On March 6, Shannon applied for a sound permit for the hours of 8 p.m.-1 a.m. Shannon said someone altered that application to 8 p.m.-midnight. Frisbie approved the permit with the amended hours.

Shannon requested an explanation for the change. In an e-mail included as an exhibit with the suit, city attorney Jim Abshier told Shannon's attorney that Frisbie has not in the past and will not in the future approve sound permits for events past midnight. Shannon received permits for 1 a.m. last year, Abshier said, because city manager Paul Eckert overruled Frisbie. Eckert is also named in the suit.

Shannon contends that the real reason for his time reduction was retaliation for his notice to sue the city.

<http://www.siouxcityjournal.com/articles/2007/05/01/news/local/4052ae7ef86a422d862572ce0003aeef.txt>

**20.** **New State Directory to Wineries and Breweries now Available**

Darwin Danielson
*Radio Iowa*
May 3, 2007

Ethanol isn't the only alcohol product produced in the state that's seeing a boom right now. The Iowa Department of Tourism has released its latest directory to wineries and breweries in the state. LuAnn Reinders of the Iowa Wine & Beer Promotion Board says the directory has more pages this year, thanks to the exploding wine industry.

Reinders says there's been a 35-percent increase in wineries since last year's director. Reinders says the directory lists each winery and brewery, gives a little information about them, and a map on how to get to them. Reinders says the directory also lists some 150 events that are scheduled for the wineries and breweries.

Reinders says there's been "phenomenal" interest as people relax and enjoy the beverages and add the events on to other things they're doing. Reinders says the directories are free at any Iowa welcome center.

She says they also have a website, IowaWineandBeer.com, and they have the directory on-line. Reinders says this year's directory features 57 wineries and breweries.

<http://www.radioiowa.com/gestalt/go.cfm?objectid=52C4B71E-EBCC-7BD0-1B3DC21042B0911A>

**III. OTHER STATE NEWS.**

**21.** **House Approves bill on Sunday Liquor Sales (Alabama)**

Bob Johnson
*Associated Press*
May 3, 2007

The Alabama House passed a bill Wednesday that clears the way for city councils in 14 Alabama cities to call referendums on legalizing Sunday liquor sales.

The bill passed the House 59-28 after a lengthy debate where some members said allowing the sale of alcoholic beverages on Sundays would increase the number of tourists coming to the cities, while others said alcoholism is a major problem and people need a day off from alcohol sales.

The bill now goes to the Senate for debate.

The 14 cities affected by the proposed legislation are Gadsden, Tuscaloosa, Anniston, Athens, Alexander City, Decatur, Dothan, Enterprise, Florence, Talladega, Ozark, Selma, Sheffield and Sylacauga.

"This bill allows the local governing body to decide what's best for their community," said Rep. Craig Ford, D-Gadsden, sponsor of the bill.

Rep. Johnny Mack Morrow, D-Red Bay, chairman of the Tourism and Travel Committee, said allowing Sunday liquor sales would help these towns lure conventions.

"Some people choose where they are going to go for conventions based on alcohol sales," Morrow said.

But other lawmakers said allowing sales of liquor on Sunday would not improve the quality of life in these cities.

"There's no evidence that Sunday sales increases tourism in any place," said Rep. Robert Bentley, R-Tuscaloosa.

Other lawmakers spoke about the evils of drinking alcoholic beverages.

"Alcohol is an addictive drug that kills people," said Rep. Arthur Payne, R-

Trussville.

Rep. DuWayne Bridges, R-Valley, said Sunday should be reserved for going to church, not for drinking.

"It's not right. Sunday is a holy day and we should do everything to preserve that," Bridges said.

But a supporter of the bill, Rep. Mac Gipson, D-Prattville, said residents of those cities should have an opportunity to decide the issue.

"This will allow people to say whether they want to have Sunday liquor sales. It's simply a way to bring your city into the 20th century," Gipson said.

<http://www.montgomeryadvertiser.com/apps/pbcs.dll/article?AID=/20070503/NEWS02/705030331/1009>

**22.** **Justices Order Lower Court to Review Sam's Club Application for Liquor License (Arkansas)**

*WMCTV.com*May 3, 2007

The Arkansas Supreme Court today ordered a lower court to determine whether allowing a Fayetteville Sam's Club to sell liquor would be unfair to package stores around the state.

Justices overturned a Pulaski County court's dismissal of a challenge by a group of package stores objecting to the permit issued to the Wal-Mart-owned business under construction in Fayetteville.

The Arkansas Beverage Retailers Association had challenged the Alcoholic Beverage Control Board's approval of the permit and said it would open the door for big-box retailers, grocery stores and athletic supply shops to sell liquor.

Justices did not rule on the permit itself, but said the association deserved a hearing to review the permit.

<http://www.wmcstations.com/Global/story.asp?S=6464691>



**23.** **Council bans open Alcohol Containers in Public (California)**

*The Press Tribune*
April 27, 2007

A new ordinance aimed at curbing drinking in public now prohibits public possession of an alcoholic beverage container that's been opened.

City Council approved the ordinance amendment Wed-nesday changing the law from banning public consumption to banning possession of an opened container.

Under the previous ordinance, violators could only be cited if the public consumption of alcohol took place in front of a police officer.

"Before, you would have a silly situation of an officer getting a call about someone drinking in the park," said Roseville Police spokesperson Dee Dee Gunther. "What's he going to do, hide behind a tree to watch him take a swig and then cite him?"

City officials called the ordinance a "clean-up" measure.

The amended ordinance will also include sidewalks, right-of-ways, parking lots or any public place owned by the city.

Alcohol will still be allowed for special events with a permit.

"The changes made to both ordinances will also meet the City's goal of promoting a safe and healthy community where residents, workers and visitors feel safe in our parks and on our streets," Roseville Police Chief Joel Neves wrote in a memo to Council.

<http://www.thepresstribune.com/articles/2007/04/25/news/community/03container_ban.txt>

**24.** **Hey, I'm 19. Can you Buy Me Some Beer? (California)**

Kevin Leahy
*The Daily Californian*

May 1, 2007

Alcoholic Beverage Control investigator Erik Szakacz (left) issues a citation to Jennifer Brayfield.

Alcoholic Beverage Control investigator Erik Szakacz (left) issues a citation to Jennifer Brayfield

When Jennifer Brayfield heard those words Friday night after being approached by a teenage male outside Pic N Pac Liquor on San Pablo Avenue, she knew what it felt like to be an underage partier scheming to get a six-pack for some Friday night fun.

She didn’t know that the solicitor, a 19-year-old UC Berkeley student, was wearing a wire, and that Berkeley police and state agents were watching and listening to her from a van across the street as she took out a $10 bill and entered the West Berkeley store.

It was only after she exchanged the beer with the minor that she was confronted by officers in plainclothes who emerged from an unmarked car and she realized what had happened.

Brayfield, a 24-year-old San Pablo resident, was the target of a “shoulder tap” minor decoy operation, one of a series conducted by local police and investigators from the state Department of Alcoholic Beverage Control in their push to curb the furnishing of alcohol to minors in Berkeley.

Since 2003, UC and Berkeley police have conducted shoulder tap operations on 150 premises and have contacted 1,143 people, according to the department’s figures. The operations are largely funded through special state grants, which this year totaled more than $124,000 for both police departments.

“I remember what it was like to be 19,” Brayfield said after being cited with a misdemeanor on suspicion of furnishing alcohol to a minor. The citation carries with it a fine police said usually runs between $300 and $350.

“But it’s stupid, so don’t do it,” she said, pointing her finger into the lens of a KTVU camera before walking away.

Brayfield’s message fit with what police say is the goal of shoulder tap operations—to spread through word-of-mouth the potential consequences of furnishing alcohol to minors.

“She said she’ll never do it again, and that she’s going to tell all her friends, and that’s good,” said Alcoholic Beverage Control investigator Erik Szakacz.

One common criticism of shoulder tap operations is that they do not help solve the problem because they target individuals who may not regularly furnish alcohol to minors.

But shoulder tap operations under the grant program have been effective, according to an evaluation by the Community Prevention Planning Program at the UC Berkeley Institute for the Study of Social Change.

The Decoy Shoulder Tap Program Evaluation, conducted between July 2003 and May 2005, found that the rate of adults agreeing to furnish the minor with alcohol decreased by about 50 percent over 12-18 month periods in the five Alcoholic Beverage Control districts that most closely followed standard procedures, said the project’s manager Friedner Wittman.

“If it’s done repeatedly in the same parts of town the word gets out pretty fast,” Wittman said. “It activates a community process.”

Standard procedure includes specifications about decoy selections. Decoys must be, and appear to be, younger than 20 years old.

On Friday five customers refused before the first person complied with the minor’s request after about five minutes on San Pablo Avenue.

A central tenet of the state grant program is to involve the media, who on Friday were invited to ride along with department investigators and police in an effort to widen the public’s exposure to the operations.

Local TV cameras rolled and photos were snapped from behind tinted windows as adults accepted money from the minor outside Pic N Pac Liquor and exchanged the alcohol in a parking lot behind the store.

The grant money is also used to target liquor stores selling alcohol to minors through decoy operations, which police say have also been successful in decreasing noncompliance rates from more than 50 percent in 2003, said Alcoholic Beverage Control spokesperson John Carr. The most recent data shows a noncompliance rate of 19.5 percent, he said.

The Department of Alcoholic Beverage Control has not yet decided how it will allocate its 40 grants to the more than 100 agencies that have applied, said department Investigator Lori Ajax. But police say it is important for the coordinated effort between the two police departments and the state agency to continue.

“It’s important to keep enforcement efforts up,” said Berkeley police Officer Stephen Burcham.

<http://www.dailycal.org/sharticle.php?id=24897>

**25.** **Sunday Booze Sales May Start Earlier (Florida)**

Rick Neale
*Florida Today*

May 1, 2007

Longstanding city restrictions on Sabbath Day booze sales soon may slacken, letting liquor flow and cash registers ring during morning hours.

Melbourne's 255 licensed alcohol-peddling bars, lounges, grocery stores, restaurants, drugstores and gas stations are forbidden from selling beer, wine or liquor until 1 p.m. Sunday. That "blue law" -- Brevard County's most strict -- causes border economic conflicts.

Why? Because taverns and eateries in Palm Bay, West Melbourne and on unincorporated turf can start selling alcohol at 7 a.m., right across the street from city counterparts that can't.

The new owner of Fishy's Pub on Aurora Road fears his tavern will be annexed into Melbourne. That crippling move, he told the city council recently, would shut down his bar the equivalent of six hours per week, or 13 days per year. So two part-time workers would be laid off.

After hearing gripes from pub owners, Mayor Harry Goode wants to let the taps open earlier.

"They all fuss at me and say, 'Mayor, on Sunday we can go out to West Melbourne, we can go to Palm Bay. We can go to Sunday brunch. We can get a mimosa, we can get a cocktail, we can get a beer, we can get wine by 10 o'clock in the morning,'" said Goode, who has a BLT sandwich named in his honor on the Meg O'Malley's pub menu. "Melbourne's under the old blue laws at 1."

American blue laws -- some of which date to Puritan times and are so-named because of the color of paper they were printed on -- prohibit commercial activities on Sunday for religious reasons. Georgia bans Sunday off-premise alcohol sales altogether, for example, while Minnesota, Utah and Oklahoma only permit sales of low-alcohol beverages.

"In today's economy, it's an issue of consumer convenience. Sunday's now the second-biggest shopping day of the week," said Ben Jenkins, spokesman for the Distiller Spirits Council of the United States.

"More and more states are making an effort to modernize their liquor laws so adult shoppers have the opportunity to buy spirits."

**Head start**

Melbourne contains 156 businesses licensed for on-premises alcohol consumption and 99 businesses licensed for package sales, Department of Professional and Business Regulation records show.

Council members likely will debate Sunday alcohol sales in the near future. No timetable has been set.

The exception to Melbourne's 1 p.m. rule: restaurants with at least 150 seats and 2,500-square-feet of service area that collect at least 51 percent of gross revenues through food sales. Those establishments can open and sell alcohol at 10:30 a.m. Sunday. Council members adopted those requirements in March 1994.

Eleven of Brevard's 16 municipalities allow 7 a.m. Sunday alcohol sales. Melbourne Beach enforces a unique restaurant brunch regulation that allows 11 a.m. tableside consumption, so long as food is served.

Melbourne Vice Mayor Mark LaRusso said the beachside Coasters Pub, which lies within Melbourne's jagged borders, approached him last year about earlier Sunday hours.

On the other side of Eau Gallie Boulevard, unincorporated competitors R.J. Gator's and Side Pocket enjoy an alcohol-service head start.

Scott Dick, spokesman for the Retail Beverage Council of the Florida Retail Federation, said his organization does not collect Sunday-specific alcohol sales statistics.

**Pub owner upset**

The topic was revived in City Hall last month by Fishy's Pub owner Ronald Fashano, who bought the business in January. The Aurora Road bar, which operated for years as the Acre and Jack's Place, is located in unincorporated Brevard County. But a June referendum could force it into Melbourne via annexation.

Fashano described Sunday-morning business as "very strong." He does not live inside the Aurora Road referendum area, so he cannot vote on the annexation. He described his plight as "taxation without representation."

In February 2006, Kapil Ghandi sued the city because his Chevron gas station on Aurora Road could no longer sell beer on Sunday mornings after annexation into Melbourne. The case was dropped in August by Ghandi's attorney, Assistant City Attorney Suzanne Crockett said.

<http://www.floridatoday.com/apps/pbcs.dll/article?AID=/20070501/NEWS01/705010357>

******26. Illinois House OKs Bill Aimed at Curbing Underage Drinking (Illinois)**

Blackwell Thomas *Pantagraph.com*

April 27, 2007

Lawmakers overwhelmingly approved legislation Friday that presumes that minors value their driver’s licenses more than drinking booze.

Specifically, the law is aimed at curbing underage drinking by suspending an offender’s driver’s license for three months, even if they aren’t behind the wheel when caught.

The law, which passed the House 115-1, heads to the state Senate for approval.

House Minority Leader Tom Cross, R-Oswego, the measure’s primary sponsor, said the legislation is aimed at driving a wedge between alcohol and potential underage drinkers.

“It’s against the law to drink underage now, but the belief is that bad things happen with kids and alcohol and oftentimes there’s a car involved,” he said. “Kids don’t make good decisions when they’ve been drinking. Sometimes they drive a car, sometimes they get in a car, and we feel like a driver’s license is precious enough that they’ll think twice before they get behind the wheel.”

Cross added that he hopes the bill will curb all underage drinking, not just drinking and driving.

State Rep. Bill Mitchell, R-Forsyth, said his district has seen 15 young people die in the past two years in Tazewell County.

Mitchell, who voted in favor of the measure, said: “Anything we can do to make roads safer for people is a good thing.”

State Rep. Frank Mautino, D-Spring Valley, was the lone vote in opposition to the proposal.

“If you’re going to have an offense that results in losing a license, it should be tied to a vehicle-related offense,” he said.

Illinois State Police report that their officers issued 3,315 citations for underage drinking in 2006.

The legislation is House Bill 3131.

<http://www.pantagraph.com/articles/2007/04/27/news/doc4632b79d238e5870782751.txt>

**27.** **Lawmakers Approve State Smoking Ban (Illinois)**

**Smoking: State could lose up to $60 million in cigarette tax**

Amber Ellis

*Daily Herald Staff Writer*

May 2, 2007

On the strength of suburban votes, Illinois lawmakers approved a statewide smoking ban Tuesday, potentially snuffing out cigarette use in bars, restaurants, casinos, horse tracks and nearly every other public place.

The measure passed the House 73-42. Only four of the 31 lawmakers from the area voted against it.

Gov. Rod Blagojevich said Tuesday he "enthusiastically" supports the idea. If he signs it into law, the restrictions would take effect Jan. 1 and make Illinois the 19th state to impose such a ban.

"This is a public health issue, not a question of whether or not people should smoke," said state Rep. Carolyn Krause, a Mount Prospect Republican and a co-sponsor of the plan.

"Second-hand smoke is a danger. There's no doubt about it. There's no hesitancy. The evidence is there. Public health ... prevailed today."

Experts say second-hand smoke kills nearly 2,900 people each year. They say restrictions could save the lives of people exposed to cigarette smoke, especially those working in smoky establishments.

Smoking bans have permeated statehouse debates for nearly two decades. Prohibition proponents gained a victory two years ago when lawmakers approved a plan allowing local communities to go smoke-free if they choose.

A number of suburban municipalities did just that, including Naperville and Arlington Heights.

A patchwork of new smoking restrictions followed across the state. Some business owners said it gave bars and restaurants in nearby, smoker-friendly communities a competitive advantage.

Although anti-smoking activists say a statewide plan would level the economic playing field, state Rep. JoAnn Osmond said that's not the case, especially for border towns.

"Smokers will just go up a mile and enter Wisconsin to spend their money," the Antioch Republican said.

"I'm trying to keep business in Illinois. This is a deterrent."

State Rep. Dave Winters, a Shirland Republican, isn't a smoker and hates the smell of cigarettes. But he argued such opinions don't give lawmakers the right to slap people on the wrist for personal decisions.

"That doesn't mean we should trample on the rights of the minority who choose to pollute their own lungs," Winters said.

"It's their decision."But supporters said the perceived rights of smokers shouldn't trump the health of others.

"Everyone has the right to smoke, but your rights stop where my rights begin," said state Rep. Karen Yarbrough, a Chicago Democrat who sponsored the ban.

In 2001, Illinois taxpayers spent nearly $700 million on smoking-related costs, according to the Illinois Department of Public Health.

Supporters say a smoking ban will save the state money by reducing smoking-related illnesses.

At the same time, the state is expected to lose up to $60 million per year in cigarette tax revenue from an anticipated smoking decline.

Having won lawmakers' support, the smoking ban now lies in the hands of Gov. Rod Blagojevich.

"It sure sounds to me like that would be something that I would enthusiastically sign, and I would be shocked if there was something in that bill that ... would keep me from signing it," he said.

If approved, Illinois would become the 19th state to go smoke-free.

The ban would start Jan. 1.

Five things to know about the proposed state smoking ban

1. It would take effect Jan. 1, 2008.

2. The anticipated reduction in smoking is likely to cost the state $60 million in lost cigarette tax dollars.

3. The state plan trumps any local smoking bans:--Naperville wouldn't have to make any changes since its plan mirrors the state's.--In Arlington Heights, the Arlington Park horse track no longer would be exempt.--Chicago's smoking ban would take effect six months sooner.

4. Smokers going outside to light up would have to move 15 feet away from entrances.

5. State prison inmates could smoke only when outside in the prison yard.Source: SB500, American Lung Association of Illinois.

<http://www.dailyherald.com/story.asp?id=308401>



**28. Week Is Dedicated To Stopping Teen Drinking (Indiana)**

*Local News 8*

April 30, 2007

This is a number that may surprise you, 62-thousand youth in Idaho drink at least once a year. Nationwide, alcohol is the number one drug of choice for youth.

Idaho Falls Mayor, Jared Fuhriman, declared this week as Teen Alcohol and Drunk Driving Awareness week.

Miss Idaho Falls, Rissa Wetzel, has been pushing for greater awareness for alcoholism and youth and she will be visiting schools in the area to talk to students about the harsh realities of alcohol. Rissa was hit by a drunk driver when she was 14.

"I was with my family and it was basically a case of being in the wrong place at the wrong time and I walked away with some injuries that really changed my life and changed how I deal with people every single day," said Wetzel. "I had substantial injuries to my back neck and jaw and it became very difficult to smile. Singing is one of my favorite things in the whole world and is a huge challenge for me, because of what I face and I never drank. Someone's choice affected me, because of something they did, I didn't have to do anything, I just had to be there and I have to face the consequences," she said.

Wetzel encourages parents to take an active roll in protecting others by talking to their kids about alcohol.

<http://www.localnews8.com/Global/story.asp?S=6449281>



**29.** **Students’ Stickers on Alcohol OK, Says Stumbo (Kentucky)**

*Kentucky.com*
April 30, 2007

High school students who place yellow warning stickers on beer and alcohol are not violating laws that bar minors from possessing alcohol, the attorney general said Monday.

Stumbo released an opinion supporting students’ efforts to affix stickers that read, “Unlawful Transaction with a Minor/Providing Alcohol to a Minor; Class A Misdemeanor; 90 Days up to 1 year in Jail; up to $500 fine.”

The Kentucky Mothers Against Drunk Driving chapter asked for Stumbo’s opinion after the Kentucky office of Alcoholic Beverage Control “argued that the practice amounted to illegal possession of alcoholic beverages by a minor,” according to the written statement released by Stumbo’s office.

“This wonderful program allows teens to actively combat the dangers of underage drinking,” Stumbo said in the statement. “Someone over at ABC must have been confused about the law.”

“The Kentucky ABC had argued that minors simply placing a sticker on a package of alcohol somehow constituted possession of the beverage,” said Stumbo, who is the lieutenant governor candidate running on a Democratic ticket with Bruce Lunsford. “After researching the matter from a legal perspective, my office disagrees. With the negative and sometimes deadly effects of underage drinking, the efforts of these young people should be applauded.”

The high school volunteers do not intend to use the alcohol, and do not even “lift or hold” any alcoholic beverages, according to the opinion.

Under MADD’s so-called sticker shock program high school students enter stores with owners’ permission, and put the stickers on alcoholic beverages under the supervision of a MADD representative and local law enforcement officer.

“MADD Kentucky’s Youth in Action program empowers teens to reduce the social and retail availability of alcohol to minors and supports the enforcement of underage drinking laws,” said Angela Criswell, state executive director for MADD, said in Stumbo’s statement.

“Sticker Shock is a core project the Youth in Action teens carry out in order to remind adults of the legal penalties for providing alcohol to a minor. It is an extremely popular project because they know that, of their peers who drink, many get the alcohol from friends and family members who buy it legally themselves but then illegally pass it along to someone who is underage.”

MADD’s Sticker Shock program is funded through the Kentucky State Police Governor’s Highway Safety Program.<http://www.kentucky.com/181/story/57032.html>

******30. Town is First to Spike Sales of new Drink (Massachusetts)**

Peter Schworm
*Boston Globe*
April 26, 2007

It comes in flavors that sound like lip gloss, in bottles that look like nail polish, and it tastes a bit like candy. And now the new mini-bottle malt beverage Spykes -- controversial on grounds it is marketed to teens -- is banned in West Bridgewater.

The community may be the first in the nation to prohibit sales of the sweet alcoholic drink. Anheuser-Busch, the manufacturer of Spykes, said this week it knows of no other community that has imposed a ban.

West Bridgewater selectmen voted this month to ban Spykes in bars, restaurants, and liquor stores. They are also urging area towns to enact similar bans, and they have contacted the state attorney general's office in hopes of banning the drink statewide.

Spykes is "a dangerous product that specifically targets underage drinkers," said West Bridgewater Selectman Matthew Albanese.

The product comes in four flavors -- Spicy Mango, Hot Melons, Spicy Lime, and Hot Chocolate -- and has 12 percent alcohol by volume, along with caffeine, ginseng, and guarana, ingredients common in energy drinks. It can be drunk as a shot or mixed with other drinks, including beer. As noted by the product's website, spykeme.com, "A Spykes pour takes beer up a notch by adding a caffeinated rush and a sweet taste that finishes hot."

The 2-ounce, caffeine-laced nips are stirring outrage among underage and drunken-driving prevention groups across the country, who say the product's taste, size, cost, and marketing are all distinctly targeted to teenagers. Many advocates are demanding that Anheuser-Busch recall the product.

Although the beverage is not currently sold in West Bridgewater, said Albanese, " we wanted to take a proactive approach before it became available." The move, he said, was in keeping with a town ban on the energy drink Cocaine, which has recently drawn scrutiny from the Food and Drug Administration for its marketing efforts. He said parents have praised the ban as a "no-brainer," and liquor stores have not resisted.

St. Louis-based Anheuser-Busch, which controls nearly half the US beer market with Budweiser, Michelob, and other brands, defended the drink and dismissed criticism as fear-mongering.

Francine I. Katz, vice president of communications and consumer affairs for Anheuser-Busch, said Spykes is one of many malt beverages on the market and is far weaker than many hard-liquor drinks, containing the same amount of alcohol as one-third of a glass of wine. She said it is marketed to drinkers in their 20s who are increasingly choosing fruity alcoholic drinks.

"The way to prevent underage drinking is not by limiting product choices for adults," she said in a statement, calling for aggressive enforcement of the drinking-age limit.

Katz's statement said the company is perplexed over being singled out for criticism, given the multitude of other, much stronger alcoholic beverages that are packaged in small, eye-catching containers.

"Alcohol beverages in these size containers are nothing new ; they have been around since there have been first-class seats on airplanes, and there are more than 50 of these products in this category."

Those who are concerned about the ability of youths to conceal small containers should focus on hard-liquor beverages already on the market that have three to four times greater concentration of alcohol by volume than Spykes, she said.

The controversy surrounding the drink comes at a time of heavy concern about teenage drinking.

Last month, the US Surgeon General's Office issued a call to action against underage drinking, saying too many parents consider teenage drinking a rite of passage to adulthood.

Police officials in the suburbs are increasingly cracking down on underage parties in an attempt to deter binge drinking and driving. And as prom season approaches, school are adopting a range of measures aimed at keeping students away from alcohol.

David Rosenbloom, director of Join Together, a Boston University School of Public Health alcohol and drug prevention and treatment program, said Spykes is marketed to teenage girls who don't like the taste of beer.

"Like the tobacco industry, beer companies are carefully targeting products to attract new drinkers," said Rosenbloom, a public health professor.

"Spkyes is particularly pernicious because it's so easily hidden. It's a deliberate marketing scheme aimed at young women."

The Center for Science in the Public Interest, a Washington-based watchdog group, called for state attorneys general to investigate the drinks, which it denounced as "liquid lunchables."

George A. Hacker, director of the center's Alcohol Policies Project, said it is irresponsible to sell a product designed to "spike" the alcohol content of beer or cocktails, making it both stronger and easier to drink. The caffeine, he added, could give drinkers the false impression of relative sobriety, potentially making them more likely to drive.

Substance abuse advocates said the drink's size, which makes it easy to conceal and drink quickly, and surprising potency without the strong taste of hard liquor, combine to make it easier for students to get dangerously intoxicated. A "time bomb," is how Eldon Moreira, chairman of the West Bridgewater Board of Selectmen, described the drink.

According to the National Youth Risk Behavior Survey, 43 percent of high school students have had a drink within the past month, and 25 percent have had five drinks in a row at least once. A survey of teenagers released last fall by Liberty Mutual and Students Against Destructive Decisions found that one in five teens drinks and drives.

Alejandro Rivera, director of Impact Quincy, a substance-abuse prevention program, said the beverage's sweet, familiar taste and jolt of caffeine help teenagers think the drink is somehow less illicit or dangerous, more of a flavored coffee than a beer or cocktail. "It's disguised," he said, "to seem innocent."

<http://www.boston.com/news/local/articles/2007/04/26/town_is_first_to_spike_sales_of_new_drink/>

**31.** **Officers Take on Underage Drinking (Mississippi)**

Robin Fitzgerald
*Sun Herald*
May 1, 2007

Teenagers who drink beer or alcohol won't get away with it for long if Harrison County's school resource officers hear about it.

An after-prom party that turned sour on Saturday night is an example of what underage drinkers can expect, said Sheriff's Capt. Windy Swetman. An underage drinking detail held the night of D'Iberville High's prom resulted in 17 teenagers ticketed for illegal possession of beer or alcohol. The youths were driving to a wooded area where the party was in full swing for about 40 teenagers when the law showed up.

"The scary thing is these types of reckless actions by our youths are taking place every weekend," said Swetman. "I'm convinced we saved some lives Saturday night."

The underage drinking detail is an ongoing project of the SROs, whose weekend patrols of teen hangouts are funded by a grant from the state Department of Public Safety.

Swetman said their work Saturday night was planned in conjunction with D'Iberville High's prom. Earlier in the week, officers brought guest speakers to the campus to warn teens of the dangers of drinking and driving.

Around 9 p.m. Saturday, they found three Harrison Central High students in possession of beer or marijuana at the Three Rivers sandbar, Swetman said. They learned of the rural party around 10:30 p.m. after deputies responded to a reckless driving complaint on Mississippi 15. The teen driver was heading to the party off McHenry Road just across the Stone County line, Swetman said.

Officers set up a northbound checkpoint on the highway and in 45 minutes detained 17 youths heading to the party with beer or alcohol, Swetman said. Officers called their parents and called for Stone County sheriff's deputies to help break up the party.

"We used portable breath kits to check 15 carloads of kids for alcohol consumption before we let them leave," Swetman said.

A southbound checkpoint was set up until 3 a.m. Deputies arrested a 19-year-old for drunken driving. The driver wasn't a student, Swetman said, but registered a blood-alcohol level of twice the legal limit.

A Sun Herald review of pictures SROs obtained through informants shows several Harrison County teens posing with beer and alcohol at recent parties. The pictures show cases of beer stacked from floor to ceiling, a bathtub filled with dozens of gelatin containers for "beer shooters" and teens holding containers of alcohol or taking large swigs from their containers.

"It's not our purpose to embarrass them," Swetman said. "We want to save lives."

<http://www.sunherald.com/201/story/43494.html>

******32. 70-Year-Old Thwarts Liquor Store Robbery (New Hampshire)**

John Quinn
*The Citizen*

April 28, 2007

A 70-year-old state liquor store clerk chased down an 18-year-old who allegedly tried to steal a half-gallon of whiskey on Thursday, then helped detain him until police arrived.

Her actions came just days after completing the Boston Marathon.

"I've never chased after anyone, except for my kids when they were young," Judy Brenner said Friday at her Lyford Road residence in Brookfield, where she still was recovering from what was her first marathon in two decades.

Brenner, who has been a part-time liquor store employee for about three years, said she spotted the teen and noticed he may have had something in his jacket.

She said she watched as he left through the "in door," which she thought was unusual. She added that although she was not sure he had done anything wrong, she pursued him to make sure.

"I didn't think. I didn't think at all. I just ran after him," she said, adding that giving pursuit isn't the store's policy.



She said she noticed the teen had a bottle of whiskey in his hands when he turned around to look at her.

"He didn't run, but he walked faster, so I picked up my pace," Brenner said. "I wasn't going to let him go — he didn't pay for that."

She said she sprinted the 100 feet across the store's parking lot to catch up with the teen.

Other people in the parking lot and surrounding stores noticed the chase and came to her aid, she said, which let her retrieve the bottle while they held onto him.

"The police told me I shouldn't have done that," Brenner said.

Officer Roger Martel responded to the incident at 2:45 p.m.

"It was a little surprising, but it was a little encouraging too," Martel said, adding that residents should not normally try to apprehend people themselves.

Martel charged Curtis Smith, of North Line Road, with theft and unlawful possession of alcohol by a minor.

He said Smith was held in the Carroll County House of Corrections in Ossipee after his arrest, but probably was released on personal recognizance bail by Friday.

Theft is a class B misdemeanor, punishable by a fine of up to $1,200. Unlawful possession of alcohol by a minor is a violation, which could result in a fine up to $1,000.

The Wolfeboro Police Department released a statement thanking the residents who helped apprehend Smith.

Brenner, a member of the Rochester Runner's Club, is a veteran of several marathons, including annual ones in New York City, Yonkers, N.J., Chicago, the U.S.M.C marathon in Washington D.C. and Bermuda.

"I have no problem running fast," she said, adding that she ran 14 marathons between the ages of 40 and 51, but she hadn't run one in years until Monday.

Brenner, who stopped racing to attend college, credits much of her success to Annie, a 9-year-old yellow Labrador Retriever who runs with her, especially on the hills of Wolfeboro.

"She's in training for the Iditarod (sled race) she thinks," Brenner said, adding that her four-legged running companion usually pulls her along.

"I like running, I really missed it," she said.

She finished the Boston Marathon on April 16 in 5:04:50, placing sixth among the women in her age bracket. She was one of the top 20,000 runners to complete the race.

“I didn't expect anything," she said. "I just wanted to finish."

She said she doesn't plan on running after everyone who visits the liquor store, but will start training for the Big Lake Half Marathon on May 12 in Alton and the Covered Bridge Half Marathon in Queeche, Vt. on June 3.

She's scheduled to work at the state liquor store in Rochester on Sunday.

<http://www.citizen.com/apps/pbcs.dll/article?AID=/20070428/CITIZEN_01/104280259/-1/CITIZEN>

**33.** **Appeals Court Gives go-Ahead to Vehicle Seizure in Albuquerque (New Mexico)**

Deborah Baker
*Associated Press*

May 3, 2007

The state Court of Appeals has given the go-ahead to an Albuquerque ordinance allowing the city to seize the vehicles of first-time alleged drunken drivers.

The appeals court on Wednesday overturned a state district judge's order from 2005 blocking its enforcement.

It said the American Civil Liberties Union of New Mexico, which brought the lawsuit, lacked the legal standing to challenge the ordinance.

The court said while there appear to be problems with the way the ordinance is drafted, it preferred to wait for a case "with a specific plaintiff who complains of actually being injured by the ordinance."

The panel of three judges dissolved the permanent injunction that had been issued by state District Judge Teresa Baca, who ruled that the ordinance was unconstitutional.

City Attorney Bob White had yet to see the ruling late Wednesday but he said the city is "very pleased" by it.

"I will have to review it and see what the implications are and go from there," he said.

Albuquerque Mayor Martin Chavez said the ordinance is not punitive, but rather a remedial effort to keep vehicles out of the hands of drunken drivers and the city's streets safe.

"It's all about public safety," Chavez said. "I would hope that alcoholics would find help, but failing that the city plans to enforce the ordinance."

Peter Simonson, the ACLU of New Mexico's executive director, said he was disappointed that "a significant decision about this law's unconstitutionality was overturned on a technicality."

"I think there's a very strong possibility that we'd appeal to the (state) Supreme Court," Simonson said. "And I hope that we do not have to wait until somebody is personally damaged by this law before we ... re-file our challenge."

The ordinance applies the city's nuisance abatement ordinance \_ which lets the city seize property if it's deemed a nuisance \_ to first-time drunken driving, allowing police to immediately seize the vehicle of anyone arrested. The ACLU complained it's unconstitutional to take a motorist's property before a conviction.

Chavez's argument: "When we arrest someone in a shooting, we don't give them their gun back and clearly they're not convicted. That's the analogy."

The ordinance expands a previous ordinance allowing the seizure of vehicles driven by repeat DWI offenders with suspended or revoked licenses.

Under the ordinance, a driver whose car was seized could protest at an administrative hearing within 20 days. Or, the driver could agree to place an immobilizing boot on the vehicle for 30 to 60 days, which would be removed only when the driver agreed to install an ignition interlock on the vehicle for six months to a year.

Baca ruled in August 2005 that the ordinance adopted four months earlier had "serious procedural due process problems."

The ACLU argued that the ordinance punishes a driver based on an arrest, not on a conviction, in violation of the presumption of innocence guaranteed by the constitution.

The organization also contends that the ordinance potentially subjects drivers who drink \_ but aren't intoxicated under the law \_ to the threat of forfeiture.

"We recognize that there appear to be problems with the manner in which the ordinance is drafted, particularly the portions of the ordinance concerning seizure, forfeiture, and probable cause," Judge A. Joseph Alarid wrote in the opinion. "However, there is no reason to dispense with the usual standing requirements in this case."

Concurring with Alarid were Chief Judge Jonathan Sutin and Judge Ira Robinson.

<http://freenewmexican.com/news/61165.html>



**34.** **C****ouncil Debates Measure to Close Bars (Ohio)**

Amanda Garrett
*Youngstown Vindicator*

April 24, 2007

A city council proposal to allow voters to shut down bars in their neighborhoods needs to be substantially reworked so the legislation cannot be used on "a witch hunt," state Rep. Tom Letson, of Warren, D-64th, said Monday.

Letson and Dan Banks, a representative for state Sen. Capri Cafaro, of Liberty, D-32nd, met with council's legislative committee to discuss a proposed ordinance that urges the Ohio General Assembly to allow Ohioans to remove liquor establishments through the ballot box.

The legislation as it now stands allows anyone to challenge a liquor license for any reason, which could lead to discrimination, Letson said.

"Whether it's a gay bar in a straight neighborhood, a black bar in a white neighborhood, or an Irish pub in a Slovak neighborhood, this could be used on a witch hunt," he said.

Respectable business owners also could be targeted for financial reasons, Banks said.

"There's only a limited number of licenses available," he said. "People could start trying to pick one another off for financial gain."

Seeks to allow petitions

The legislation, co-sponsored by Alford L. Novak, D-2nd, and Robert L. Dean Jr., D-at large, asks Ohio legislators to allow voters to circulate petitions in their ward or precinct to put an issue on the ballot to close a bar or other liquor establishment.
Novak said he has grown increasingly frustrated with the Ohio Division of Liquor Control's handling of problem cases.

"In my many years on council, we've complained about 25 cases, and we've only been effective in shutting one down," he said. "The Division of Liquor Control is more concerned about the taxes they collect from the businesses than what's really going on in the neighborhoods."

Letson said the liquor control division needs more officers to properly enforce the laws that are now on the books. He urged council members to pass legislation asking the Ohio General Assembly to increase the funding and number of officers for the liquor control division.

Dean, legislative committee chairman, said he and Novak will work with liquor control

officials and state legislators to re-fashion the legislation before presenting it to council members for a vote.

<http://community.vindy.com/profile.php?refer=www.vindy.com%2Fcontent%2Flocal_regional%2F313929160266216.php>



**35.** **Late freeze Destroys bulk of the State's Grape Crop (Texas)**

Sara McDonald
*Galveston County Daily News*
April 30, 2007

It's a good thing wine ages well. If it didn't, Raymond Haak might be in trouble.

The winery owner is one grape grower of many across the state who found out that the refreshing cool front during the Easter weekend had some costly consequences.

The freeze in the northern part of the state destroyed an estimated 75 percent of this year's grape crop.

That means Haak won't be making cabernet sauvignon, malbec or tempra nillo wines this year - the types made from grapes that come from that part of the state.

"Luckily, I have enough inventory," he said. "Next year, I'll just have to order double."

But what troubles Haak and other Texas wine producers is that last year, droughts destroyed 75 percent of the crop.

The full impact of the two years' worth of losses probably won't be seen for another year, said Dacota Julson, executive director of the Texas Wine and Grape Growers Association.

Meanwhile, Julson said Texas wineries are doing what they must to keep their doors open: Buying grapes from out of state, bringing in wine from other areas and relying on what they have in stock.

<http://www.khou.com/news/state/stories/khou070430_ac_grapecrops.2229fe38.html>

**36.** **'START' Vows to Stop Teen Alcohol Abuse (Vermont)**

Daphne Larkin *Times Argus*
April 30, 2007

It's no longer just a battle of wits, but also one of technology.

As tech-savvy teenagers use e-mail, Web sites and text messaging to advertise and move around the location of underage drinking parties, local law enforcement officers are also turning to technology, using thermal imaging and night-vision goggles in their efforts to locate stray party-goers when they crash an underage drinking bash.

"We're safety-driven," said Martin Prevost, an investigator for the Vermont Department of Liquor Control and a team leader for the Washington County chapter of START (an acronym for Stop Teen Alcohol Risk Team).

When police show up at a party where underage youths are drinking, the response from party-goers can be panic. That's why police try very hard to locate everyone who may have been drinking to try to prevent kids from fleeing into the woods in cold weather or getting behind the wheel.

At a recent party START responded to, officers located a youth passed out next to a stream. It is dangerous situations like these that START strives to prevent and why START was formed in 1988. "(Underage drinking) is a violation of the law, and we perceive it like that," said Vermont State Police Lieutenant John Imburgio, who is the Middlesex barracks commander and a Washington County START team leader.

On Friday morning, three of the four Washington County START team leaders met at The Times Argus to discuss their work and dedication to curtailing underage drinking parties, talking about a list of strategies they are constantly revising. Besides Prevost and Imburgio, Montpelier Police Sergeant Anthony Facos, who is also a START team leader, spoke about the efforts to prevent teen drinking. (Sgt, Brett Meyer of the Washington County Sheriffs Dept. is the fourth team leader.)

Underage drinking parties have changed; the fact that they happen hasn't, they said.

Big keg parties aren't as frequent; smaller parties and parties that move around or get planned for out of town or even out of the county are the norm, START team members said.

Imburgio, Prevost and Facos are all seasoned law enforcement officials who are passionate about keeping teens safe.

"We're building a reputation that if you're having a party, you're probably going to see us," Prevost said.

In Washington County, the START team includes community agencies such as Central Vermont New Directions, an agency dedicated to helping kids make good choices; the state's attorney office; the court diversion program and every police department in the county. Each county in the state has a federally funded START team.

The START team can be activated anytime, anywhere. Officers will even get called out from home.

Team members said each underage drinking party police find out about is investigated, and the adults responsible for providing the space — whether they are aware of the party or not — and the alcohol can be charged criminally or civilly.

The team prefers to stop an underage drinking party before it occurs.

"Frankly, I think the officers would prefer not to be responding to underage drinking parties," Imburgio said.

The team uses commonsense approaches and sometimes employs radical methods — like towing illegally parked cars of kids who weren't drinking — to get their message across.

"It's important for people to know we will be persistent," Imburgio said.When parents are contacted ahead of time by the team they often appreciate finding out that their teen was planning a party, according to Imburgio.

Teens who are found to be drinking are referred to court diversion. Washington County Court Diversion provides the Teen Alcohol Safety Program to any teen charged with a first offense possession of a malt beverage, a change from eight years ago when every underage drinking offense was processed through the criminal courts. The program includes screening to detect alcoholism and can impose counseling at the teen's expense and community service. It also includes court fees.

"If they satisfactorily complete the requirements laid out by diversion (that are individual, based on screening) they have a clean slate," said Montpelier Police Sergeant Facos.

"Not that diversion is pleasant," Prevost said. "But you get a piece of paper and you're going home," he said of the process of dealing with underage drinking at parties. When kids see their friends are not getting hauled off in handcuffs, they tend to come out of the woods, he said.

If officers hear about a planned underage drinking party they will reach out to landowners or parents, whatever adults may be responsible for the location of the party, and educate them about their legal liability.

The three team leaders don't know how many parties they have prohibited by their proactive presence, and there's no way to calculate how many lives they have saved and teenagers they have protected; they also have no illusions that kids are going to stop trying to have drinking parties.

"We'll miss some parties, we understand we will," Imburgio said.

With prom season and graduations ahead, underage alcohol consumption is a major concern in the community, but underage drinking isn't seasonal.

Last Thursday, a school-sponsored dialogue was held at Montpelier High School, a school that is coping with a couple of recent incidents: an overnight trip to New York City that included teens drinking alcohol and smoking pot, and an exchange program with a New Jersey school that has been halted because Montpelier students took their guests to a drinking party and got caught.

"Part of the whole premise behind START is community prevention and obviously schools play a really strong role," Facos said.

Just last Friday, they said, a party in Northfield was quashed by a START team saturation of police vehicles driving the loop around the house where the party was planned.

Prevost told of a major drinking bash, including 18 kegs and a band, that was planned for last week in Addison County.

The START team there got wind of the planned bash and stopped it before it began by convincing the host-to-be that the $1,000 he'd already spent was worth forfeiting when he considered the charges he could incur from selling alcohol from the kegs. Other charges could also have included furnishing alcohol to minors, and liability for any property damage, subsequent vehicle accidents resulting from DUI and sexual and aggravated assaults.

Studies show a correlation between alcohol and sexual abuse.

"Alcohol impairs judgment. In the body of a teenager, alcohol heightens emotions, reduces inhibitions, and may lead to other drug use. One bad decision from an impaired teen may be fatal and devastating to the family," according to the Web site of the Vermont Department of Liquor.

Although the underage drinking ethic hasn't changed, as more parents become educated about the hazards of underage drinking, their attitudes seem to be changing.

"I don't get yelled at or hung-up on anymore by parents I call in the middle of the night," Prevost said.

<http://www.timesargus.com/apps/pbcs.dll/article?AID=/20070430/NEWS02/704300350/1003/NEWS02>

**37.** **Police Officer Charged With DWI (Virginia)**

Bernard Baker
*Danville Register*
May 1, 2007

The former Danville police sergeant who resigned Monday during an internal investigation into his recent car accident on Franklin Turnpike has now been charged with driving while intoxicated.

Danny Leigh Cassidy Jr., of Providence, N.C., was initially charged by Virginia State Police with reckless driving and leaving the scene of an accident. Two other people have been charged with obstruction of justice as a result of the accident.

Trooper C.L. Brooks said alcohol and speed were involved in the accident that took place about 1:30 a.m. April 20 in the 3400 block of Franklin Turnpike.

"He had been drinking and appeared to be under the influence," Brooks said Tuesday evening.

However, no field sobriety or blood alcohol tests were conducted after the accident. Cassidy's hearing on the DWI charge has been set for May 7 in Pittsylvania County General District Court.

Brooks said he found Cassidy at the home of his girlfriend, Autumn Dee Yates, about five or 10 minutes after he arrived at the crash scene.

Cassidy's mother, Connie Cassidy, also of Providence, N.C., was charged with obstruction of justice on Tuesday. The charge is a misdemeanor. She went to the accident scene and allegedly told Brooks she was driving the car, but changed her story.

"She tried to cover for her boy," the trooper said.

Yates also is charged with obstruction of justice after she gave misleading information to Brooks. She was charged April 28 and will appear in court on May 7.

Brooks said he determined the DWI charge after he finished his investigation. He described Cassidy as cooperative after the accident.

The investigation showed that Cassidy was traveling about 70 miles per hour when he lost control of his 2006 Lincoln LS. The speed limit in the section of Franklin Turnpike where the accident occurred is 45 miles per hour.

Brook said Cassidy lost control of the vehicle, which then traveled a couple hundred feet before it came to rest in a field off the road.

State Police 1st Sgt. M.L. Bailey said Monday that Cassidy's Lincoln suffered about $10,000 in damage. Bailey estimated damage to trees, landscaping, street signs and other materials at $2,800.

"It's a real mess," Brooks said, adding that a nearby beauty salon also was damaged in the accident.

Danville Police Chief Philip Broadfoot confirmed Monday night that Cassidy has resigned from the force.

Cassidy was a Danville police officer for nine years. His status as president of the local Fraternal Order of Police is unknown.

<http://www.wsls.com/servlet/Satellite?pagename=WSLS%2FMGArticle%2FSLS_BasicArticle&c=MGArticle&cid=1173351035629&path=!news!localnews>



**38.** **Drunk Driving Demonstration (West Virginia)**

Abby Kidder
*WTAP News*
May 2, 2007

Too young to drink but not too young to learn.

Dozens of Wood County teenagers were given the opportunity to experience first hand the dangers of drinking and driving Tuesday morning.

A drinking and driving demonstration was geared toward Wood County students currently enrolled in driver's ed.

Fourteen different exhibitors lined the Erickson All-Sports Facility teaching students the life-changing effects of drinking and driving.

Juvenile Probation, the State Police and even insurance companies were just a few of the people at Tuesday's event.

But it wasn't until they strapped on the fatal vision goggles and got behind the wheel that students we spoke with say the real effects of drunk driving hit home.

"You don't have any control over it and your reaction time is slowed down so much. You have no depth perception either," says Sober Program participant Kevin Anderson.

"I've already promised myself that I would never drink and drive. That's one thing I will never do but this makes me not want to do it even more," says Sober Program participant Aleisha Rutter.

The students were also told every cone they hit on the obstacle course represented a person in the real world.

The Wood County Sober Program holds the drunk driving demonstration twice a year here in Wood County, once in the fall when the students head back to school and once in the spring right before prom.

<http://www.wtap.com/news/headlines/7274901.html>

**39.** **Police crack Down on Drunk Drivers (Wyoming)**

Joshua Wolfson
*Star-Tribune*
April 29, 2007

It's almost 10 p.m. as Officer Darren Douglas prepares a field sobriety test to a middle-aged woman slowly swaying in the parking lot behind Moonlight Liquors and Lounge.

The Casper police officer responded to the east-side bar for a drunk driver report and found the woman in a Toyota Corolla. She certain appears intoxicated. When she gets out, she's unsteady on her feet and lists forward as Douglas speaks with her.

Casper Police Officers Ryan Thompson, Scott Jones and Darren Douglas, from left, arrest a suspected drunk driver on Friday night during a special drunk driving enforcement operation. Photo by Kerry Huller, Star-Tribune

As part of the test, she must stand with one foot at least six inches in the air. She makes a few attempts, each time slipping and getting her legs crossed. Officer Scott Jones stands next to her, ready to catch her if she falls.

Douglas asks her to perform the test again.

"I can't do it," she tells him.

"Why?" he asks her.

"I probably had too much to drink," she replies.

With that, Douglas handcuffs the woman and places her in the back seat of his patrol car. The night has barely begun, but both Douglas and Jones have already made drunk driving arrests.

"She was in pretty bad shape," Jones says as he gets back into his patrol car.

The officers are taking part in Friday night's multi-agency effort to crack down on drunk driving in the Casper area. About 10 officers from five agencies -- Casper, Mills and Evansville police departments, Wyoming Highway Patrol and Natrona County Sheriff's Office -- will patrol the streets looking for drunk drivers.

The operation comes at a time when drunk driving appears to be on the rise in Casper. Police are on pace to shatter last year's record number of drunk driving arrests. For the first three months of the year, they've arrested 151 people for driving under the influence.

If that trend continues, there will be more than 600 DUI arrests in Casper this year. There were 533 last year and 375 the year before that.

Jones made 52 DUI arrests last year and already has 27 this year "without having to look too hard," he says. He's been a Casper police officer for 10 years and says alcohol is the most common factor in the arrests he makes.

Information on the total number of arrests wasn't available late Friday night, and should be compiled by the law-enforcement agencies this week.

The problem isn't limited to Friday and Saturday nights. Officers are seeing a lot of drunk drivers during the middle of the week, even during daylight hours, Jones says.

"It's not just the weekend crowd," he says.

Most of the DUI arrests Jones makes aren't for marginal cases, where a driver has a blood alcohol content only slightly above the .08 limit. Many of the drivers have a blood alcohol content of about twice the legal limit, he says.

Drinking isn't the only problem. On this night, Jones will help arrest a teen suspected of driving under the influence of marijuana. Officers also found cups containing alcohol in the teen's sport utility vehicle.

Tougher laws could help the DUI problem, says Jones, who serves as the vice president of the Wyoming chapter of Mothers Against Drunk Driving. Utah saw its drunk driving numbers drop after passing stiffer DUI laws, he explains.

"I have seen a lot of states that have reduced drunk driving," he says. "I don't think Wyoming is ready to do that legislatively."

Creating an environment where people are scared to get a DUI arrest is important. But as many arrests as police may make, Jones believes it will take a societal change in attitude to truly address the problem.

"Some of these people, they just don't care," he says. "The number of drunks is just vast."

<http://www.jacksonholestartrib.com/articles/2007/04/29/news/top_story/67cfb6ce97b3e121872572cb007de2da.txt>

