

TALKING POINTS

A Dozen Arguments Against Restricting Malt Liquor Sales

...and Counterarguments

Efforts to regulate malt liquor sales are likely to meet with opposition. It will be helpful to anticipate arguments against the policy and to prepare a response. In addition to personal testimonials from individuals directly affected by malt liquor-related problems, it's important to use concrete evidence from the experiences of other cities and credible research findings to counter opposition to your alcohol policy recommendations. All facts and figures on this page are taken from the research reports cited below.

Argument #1: *“Restricting malt liquor sales hurts retailers.” “This policy discriminates against small retailers who rely on these products for their livelihood.”*

- **Counterargument:** Comprehensive evaluations in both Seattle and Tacoma, Washington showed no evidence of any systematic decline in taxable retail sales for any of the liquor retailers affected by these policies (1, 2). Retailers in one Washington, D.C. neighborhood found that the absence of loiterers and panhandlers outside of their stores brought new customers in, so that increased sales of other products replaced any income lost from selling singles (3). Many citizens have questioned whether a business model that relies on malt liquor sales is in the best interest of their community (3).

Argument #2: *“Restricting malt liquor sales stifles economic growth in the neighborhood/city.”*

- **Counterargument:** To the contrary, cities that have enacted malt liquor sales restrictions have experienced cleaner, safer streets (1-5). This invites more paying customers into the neighborhood and encourages new and higher-end businesses to locate there, thus spurring neighborhood revitalization and economic growth in the city.

Argument #3: *“Restricting malt liquor sales discriminates against poor and minority consumers who can't afford more expensive alcoholic beverages.” “This policy inconveniences the average drinker who isn't causing problems.”*

- **Counterargument:** Providing cheap alcohol designed to promote intoxication that contributes to neighborhood decay is hardly a benefit to low income communities. In many poor neighborhoods, malt liquor is cheaper than milk (6). The low price of malt liquor increases the risk of intoxication and alcohol-related problems among youth and low-income individuals (7-12). Yet malt liquor producers target these very groups and profit from the problems that result (13, 14). It's hard to imagine an average drinker who wouldn't be willing to switch to a different beverage to ensure the health, safety and welfare of his or her neighborhood. In fact, most opposition to these policies has

come not from consumers, but from retailers and alcohol industry representatives who profit from malt liquor sales but often don't even live in the affected neighborhoods (3).

Argument #4: *“Not all store owners are irresponsible.” “The policy doesn’t differentiate between responsible and irresponsible retailers.”*

- **Counterargument:** The policy creates a level playing field for all retailers, which promotes fairness in the marketplace. It also removes or limits products that create problems for all retailers, such as public inebriation, loitering, aggressive panhandling, disorderly conduct, public urination and other nuisance activities.

Argument #5: *“Not all neighborhoods have the problem.” “This will just push the problem into other neighborhoods.”*

- **Counterargument:** To be effective over time, it is important that the policy create sufficiently large boundaries around the area affected by the problem to prevent migration into adjacent neighborhoods. Where this has been done, the problem has not migrated into other neighborhoods (2, 3).

Argument #6: *“Restricting malt liquor sales won't solve the problem; people will still drink.”*

- **Counterargument:** Reducing the availability of alcohol in communities has been shown to be effective in reducing consumption and related alcohol problems (15). This policy reduces the availability of a particularly problematic beverage that has been marketed specifically to high-risk groups. It's also important to consider this policy as just one step toward a comprehensive solution that ideally would include other strategies such as increased alcohol taxes, restrictions on the number of alcohol outlets, and increased enforcement of alcohol regulations.

Argument #7: *“The money would be better spent on education and treatment.”*

- **Counterargument:** Reducing access to cheap, high-alcohol products actually supports education and treatment programs by making it just that much harder for people to drink. Chronic alcoholism and homelessness are very complex societal problems; many chronic alcoholics have been through treatment and for whatever reason it has not worked for them. This policy is just one part of a comprehensive solution that would ideally include education, treatment, housing and other social services.

Argument #8: *“The alcohol industry will just work around the restrictions.”*

- **Counterargument:** The policy is designed, based on the experiences of other cities, to make it difficult for the industry to work around the restrictions. If loopholes do develop, the policy can be revised to address them. The industry can also be approached to comply with both the spirit and the letter of the law.

Argument #9: *“There is no connection between malt liquor consumption and crime.”*

- **Counterargument:** The link between alcohol consumption and crime has been well-established (15-17). Alcohol is involved in more than half of homicides and assaults, and about 40 percent of violent offenders in U.S. jails were drinking at the time of their offense (17). Malt liquor use, in particular, has been associated with problem behaviors such as drug use, gang activity, property damage, theft, and aggression (9, 11, 18). Reducing malt liquor sales has been linked with reductions in disorderly conduct (4, 19), public intoxication, public nuisance issues and costly public services such as emergency medical service calls and detox admissions (1-3, 4).

Argument #10: *“It is unconstitutional to ban a legal product.” “This is not the government's role.”*

- **Counterargument:** There is no constitutional protection of alcohol products that create harm. Alcohol, like other drugs, tobacco and firearms, is a controlled substance because of the harm that it does. Nuisance problems stemming from malt liquor sales have been deemed a serious public health and societal concern in other cities that have passed policies (1-3). Cities have both the authority and the responsibility to protect their citizens from products that may harm public health and welfare (20).

Argument #11: *“Prohibition didn't work.”*

- **Counterargument:** This policy does not ban all alcohol, only certain problematic products. Research has shown that making alcohol less available reduces alcohol-related problems. Alcohol policies have wide, bi-partisan public support; for example, over 90% of adults in the U.S. support banning the consumption of alcohol on city streets (21, 22).

Argument #12: *“This is the wrong policy; it would be better to tax alcohol.”*

Counterargument: Raising taxes has been shown to be an effective way to reduce alcohol consumption and related problems (23). We agree that the alcohol industry, which profits from the sale of alcohol, should share in the costs of the harm it does to our communities. This does not mean that the problems associated with malt liquor should be ignored. This policy is an important step in addressing neighborhood problems in our cities. Enacting tax increases will complement this effort but won't solve all of the specific problems being addressed here.

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