ATTORNEYS
BRADLY A. CARLSON
CYNTHIA FRANKLIN
D. PATRICK PHILLIP

CARLSON LAW
THE LAW OFFICE OF BRADLY A. CARLSON, LLC

1503 W. 31ST AVENUE, SUITE 202F
ANCHORAGE, AK 99503
645 G STREET, SUITE 100 #558
ANCHORAGE, AK 99501
T: 907.677.8111 - F: 907.917.2075
www.bcarlsonlaw.com

November 19, 2020

VIA EMAIL

Alaska Alcoholic Beverage Control Board
c/o Alaska Alcohol and Marijuana Control Office
550. W. 7th Ave Ste 1600
Anchorage, AK 99501

Re: Emergency Regulations for Pickup and Delivery Should Be Permanent

Dear Alaska Alcoholic Beverage Control Board,

Today we received a notice from your Regulations Specialist that the emergency regulations providing for curbside pickup and delivery of certain alcoholic beverages during the Covid-19 pandemic have been extended through March. I am writing to respectfully urge the Board to make these regulation changes permanent.

I was the Director of the Alaska Alcoholic Beverage Control Board from 2014-2017. Prior to that, I was a career prosecutor who tried many DUI cases in both Texas and Alaska, including DUI Manslaughter cases. When I was the Director of the ABC, I attended national conferences with my fellow regulators from other states. Because other states permitted home delivery of alcoholic beverages, there were periodically presentations regarding the pros and cons of home delivery as they affected the DUI rate. The states whose geography and lack of public transportation required more private vehicle travel for any and all errands saw the most benefit from permitting home delivery of alcohol. While curbside pickup was also discussed, it was the ability to deliver alcoholic beverages to the home that had the most impact on public safety.

At that time, Alaska had never permitted home delivery or even curbside pickup of alcoholic beverages, with a select few specific exceptions, such as catering a wedding at a home. I did not see an opportunity to convince the Board and public that allowing home delivery would increase safety around alcohol, rather than decrease it. Covid-19 has changed that.

As the Board is aware, Alaska has a drinking and driving problem. DUI is pervasive in our state, despite some of the stiffest criminal penalties in the nation. Part of the problem is that many areas of the state lack meaningful public transportation options, and in many communities package stores and bars and restaurants are far away from Alaskan's homes. A person who wants to drink a beer, glass of wine, or a cocktail with their meal must travel in a private vehicle to do so, and necessarily must travel home again once the beverage has been consumed. The temptation to drive after drinking is obvious.

Having the emergency regulations in place for a full year without incident has permitted the Board and the public to see what happens when curbside pickup and home delivery is allowed. The answer is that nothing bad has happened, and it is likely that drunk driving on Alaska's roads has been prevented. Moving Alaska forward with proactive changes to its outdated regulations would create at least one positive outcome of the pandemic. The Board should vote to make the emergency regulations permanent.

Respectfully,

THE LAW OFFICE OF BRADLY A. CARLSON, L.L.C.

Cynthia A. Franklin