

Alcohol Licensee Guide:

An Overview of Underage Drinking,
RI Laws, and Responsible Alcohol Sales



This guide was made possible through a Partnerships For Success Grant from the RI Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals:



DISCLAIMER

As a licensee, you are responsible for maintaining a safe, regulated business and shoulder many responsibilities which include preventing underage sales and consumption of alcoholic beverages. This publication was designed to support you in understanding the facts of alcohol education and prevention and Rhode Island's laws and regulations.

This is an informational tool only, not a legal document. Nothing printed on these pages changes, replaces, or supersedes RI statutes, rules and regulations or any other statute, Administrative Procedure Act (APA) decision or judicial decision.

Our main goal is to provide you with the tools and knowledge you need to help you maintain compliance and run a successful and safe business. You are an important partner in our mission of public safety and serve a vital role within the community.



A LETTER TO OUR BUSINESS PARTNERS

Thank you for taking the time to read this guide. We hope it will be a useful tool for your business.

The Blackstone Valley Prevention Coalition (BVPC) is a regional coalition of community members who come together with a mission to develop, implement, and advocate for effective community-based prevention initiatives. An important part of our mission is to work with businesses licensed to sell and/or serve alcohol and support them in understanding the risks related to underage drinking along with the Rhode Island laws that are related to it. We are here to assist you and to partner with you.

We understand the major responsibilities that you have as a licensee. We have developed this guide with that in mind. We want to help you to:

- Understand the damaging physical and mental health effects of underage drinking
- Educate yourself and your employees about RI laws related to selling and/or serving alcohol to underage youth
- Have access to valuable training and resources for your business and employees
- Protect your business from fines, suspensions, loss of license and/or other financial losses due to selling and/or serving alcohol to underage youth
- Be recognized as a leader/partner in the Blackstone Valley region who is working to prevent underage drinking

Thank you,

-Blackstone Valley Prevention Coalition



FACTS ABOUT UNDERAGE DRINKING

DEFINITION

- “Underage” is any youth/young adult who has **NOT** reached the age of **21**.

STATISTICS

- Underage drinking is a serious public health problem in the U.S. **Alcohol is the most widely used substance of abuse among America’s youth**, and drinking by young people poses enormous health and safety risks.¹
- Youth aged 12 - 20 drink 11% of alcohol consumed in the U.S.²
- **According to the 2018 National Survey on Drug Use and Health:**³
 - 18.8% of youth ages 12–20 reported drinking alcohol in past month.
 - 11.4% of youth ages 12–20 reported binge drinking in past month.
- **SAMHSA’S 2018 RI State Report on Underage Drinking showed:**⁴
 - RI had a total of 125,000 youth between ages 12-20
 - 28.7% of youth reported drinking alcohol in the past month
 - Ages 12-20... 28.7%... 36,000 youth
 - Ages 12-14... 2.8%... 1,000 youth
 - Ages 15-17... 21.6%... 9,000 youth
 - Ages 18-20... 52.8%... 26,000 youth
 - Rhode Island’s data regarding underage youth (ages 12-20) who drank in the past month are higher than the national average.
- **Key finding of the “Behavioral Health in RI (2019): State Epidemiological Profile”:**⁵
 - Alcohol use and binge drinking rates by 12-20 year olds in RI are higher than the national average and the 3rd highest in the northeast region.



HOW ALCOHOL AFFECTS THE BRAIN

Drinking alcohol affects the way your brain works – changing everything from the way you act, to your ability to walk. Some effects can be long-lasting. Learn about how alcohol affects different parts of the brain.

Hippocampus: Your memory is controlled by the hippocampus. Drinking a lot of alcohol at one time can cause you to blackout, or forget a period of time. Long-term alcohol abuse can permanently damage the hippocampus, making it difficult for a person to learn.

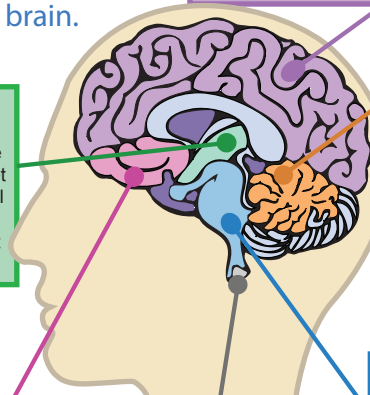
Hypothalamus: Many body processes, such as heart rate and the feeling of hunger or thirst, are controlled in this small area. Alcohol can slow your heart rate and may make you hungrier and thirstier.

Central Nervous System: Alcohol slows down this system, which is made up of the brain, spinal cord, and nerves. That affects how signals flow through your body, making you think, speak and move more slowly.

Cerebral Cortex: This is the main area involved in thinking, decision-making, emotions and the five senses. Alcohol's effects on this area can impair your ability to think clearly and lower your inhibitions. It may make you act without thinking or make you angry for no reason. Alcohol may affect your senses, such as blurring your vision. Long-term alcohol abuse can permanently damage this region.

Cerebellum: This part of the brain is important for coordinating many of your daily movements, such as walking and grabbing objects. Alcohol can slow your reflexes. It may cause you to lose your balance or make your hand shake.

Medulla: Involuntary processes, such as breathing and maintaining body temperature, are controlled here. Drinking a lot of alcohol at one time can shut down the medulla, leading to a coma.



Source: Griffith C, LaFrance, B (2018) The neural effects of alcohol. Med Case Rep Rev 1. DOI: 10.15761/MCRR.1000116

Alcohol and Teenage Brain Development

Drinking is more harmful to **teens** because their **brains are still developing** well into young adulthood. Drinking during this critical growth period can lead to lifelong damage in brain function, particularly memory, motor skills and coordination.⁶

According to MADD, youth who begin to drink before age 15 are **6 times more likely to develop alcohol dependence** or abuse later in life than those who begin at **age 21 or older.**⁷

CONSEQUENCES OF UNDERAGE DRINKING

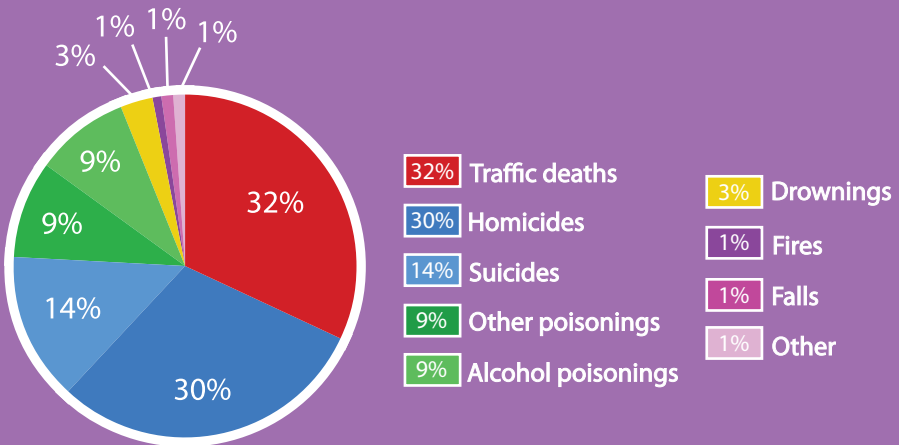
Underage drinking is dangerous and can cause negative consequences for youth and others.

UNDERAGE DRINKING SUBSTANTIALLY INCREASES POSSIBILITY OF:⁸

- Doing poorly in school
- Poor judgment/decision making
- Accidents, injuries or death
- Decreased inhibitions
- Engaging in risky sexual activity
- Physical and sexual assault
- Aggressive or violent behavior
- Depression and suicide
- Developing alcohol addiction
- Problems with the law
- Misusing other drugs
- Altered brain functioning

1 in 4 car crashes with teenagers involve an underage drunk driver. -MADD

UNDERAGE DRINKING RELATED DEATHS



Estimates come from FBI, CDC and NHTSA data. Data is for deaths involving 15 to 20 year-old underage drinkers. Details at madd.org.



STANDARD DRINK SIZE

In the United States, a standard drink is any drink that contains about **0.6 fluid ounces** or **14 grams of pure alcohol** (also known as an alcoholic drink-equivalent). Although the drinks pictured below are different sizes, each contains approximately the same amount of alcohol and counts as one U.S. standard drink or one alcoholic drink-equivalent.⁹

WHAT IS A STANDARD DRINK?

12 fl oz of regular beer = **8-9 fl oz of malt liquor** = **5 fl oz of table wine** = **1.5 fl oz shot of distilled spirits**
(Shown in a 12 oz glass) (gin, rum, tequila, vodka, whiskey, etc.)



about 5%
alcohol



about 7%
alcohol



about 12%
alcohol



about 40%
alcohol

Each beverage portrayed above represents one standard drink of “pure” alcohol, defined in the United States as 0.6 fl oz or 14 grams. The percent of pure alcohol, expressed here as alcohol by volume (alc/vol), varies within and across beverage types. Although the standard drink amounts are helpful for following health guidelines, they may not reflect customary serving sizes.

Source: “Rethinking Drinking”, revised 2016, National Institute on Alcohol Abuse and Alcoholism

Keep in mind that standard drink sizes are not always what a customary drink size is. For example, a mixed drink can have multiple shots of alcohol in it. While it is one serving size, the amount of alcohol in it is more than one standard drink. To learn more, visit “Rethinking Drinking” at:

<https://www.rethinkingdrinking.niaaa.nih.gov/Tools/Calculators/Default.aspx>.

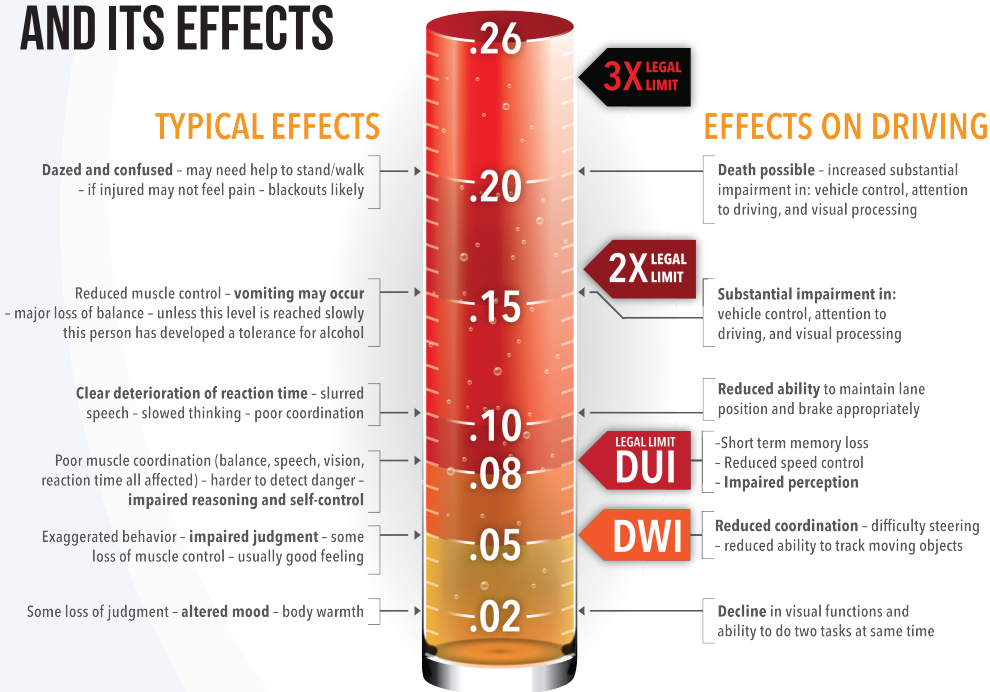
It includes tools that calculate how much alcohol is in a mixed drink and drink sizes.

BLOOD ALCOHOL CONCENTRATION (BAC)

As a licensee, it is critical that you and your employees know and recognize the typical effects of alcohol blood concentration levels. The graphic below identifies what happens as a person's blood alcohol concentration increases. The left side shows the typical physical and psychological effects that occur. The right side shows the typical effects that the BAC level has on a person's ability to drive.

Because it is difficult to know what a person's actual BAC is, this will assist in providing context as you observe your customers and determine if you need to stop serving them. Ultimately, it will help to keep them and others safe.

BLOOD ALCOHOL CONCENTRATION AND ITS EFFECTS



Source: High Impact

It is important to be aware that an individual's tolerance to alcohol may mask their actual BAC. A person with a high tolerance to alcohol may not display the typical signs of being intoxicated.

BAC AND BINGE DRINKING

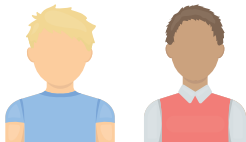
Factors that affect BAC level include:^{10, 11}

- **Strength of Drink** - amount of alcohol in a drink
- **Rate of Consumption** - the liver metabolizes 1 standard drink/hour
- **Weight** - people who weigh less are more affected by alcohol
- **Water** - dilutes alcohol in the body
- **Food** - eating slows down absorption of alcohol
- **Mixers** - carbonated beverages speed up alcohol absorption
- **Medications and other drugs** - can have dangerous results
- **Gender** - women reach a higher BAC more quickly because they have more fat and less muscle to absorb alcohol than men

BINGE DRINKING

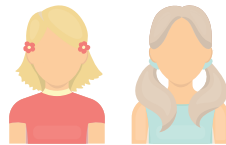
Binge drinking is a pattern of drinking a large amount of alcohol in a short period of time that brings a person's blood alcohol concentration to the point of intoxication. Generally binge drinking is 5 or more drinks for males and 4 or more drinks for females at one time. A binge can last several hours or longer.¹²

Binge drinking is a major problem related to underage youth. Underage youth do not drink as often as legal aged people, but when they do, they tend to binge drink. Youth reach this BAC level after fewer drinks.¹³



Boys:

Ages 9-13 about 3 drinks
Ages 14-15 about 4 drinks
Ages 16-17 about 5 drinks



Girls:

Ages 9-17 about 3 drinks

Besides leading to health and safety risks, frequent **binge drinking** can cause organ damage- especially brain and liver damage.

ALCOHOL POISONING¹⁴

This is an EMERGENCY situation! Take ACTION Immediately!

The more alcohol a person drinks in a short period of time, the higher their blood alcohol level gets.

Symptoms of Alcohol Poisoning

Confusion

Difficulty remaining conscious

Vomiting

Seizures

Slow breathing

Slow heart rate

Clammy skin

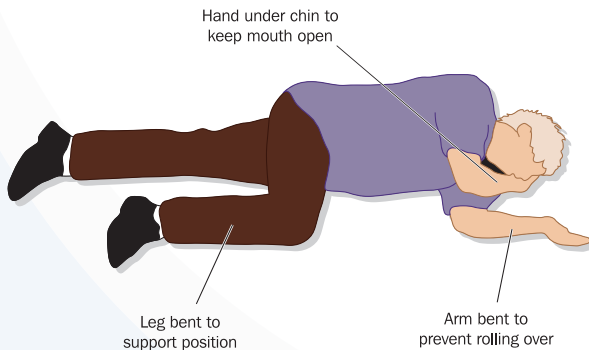
Bluish skin color or looks pale

- Call 911- The person's life could be in danger- don't be afraid to get help.
- Be prepared to provide emergency/hospital personnel with the type of alcohol, amount, and time frame that the person drank.
- Stay with the person- try to keep them awake and sitting up, don't give them food or water so they don't choke.
- DO NOT try to get the person to "walk it off"- this could cause him/her to fall or pass out.
- If the person is unconscious or semi-unconscious but breathing, put them into the "recovery position" to keep their airway open and prevent choking in case they vomit.¹⁵ For information and instructions go to:

<https://americancpr.com/blog/tag/recovery-position/>

Use the Recovery Position

Tilt the head to maintain the airway. **Tuck** nearest hand under the cheek to help maintain head tilt.



RHODE ISLAND LAWS: RELATED TO UNDERAGE DRINKING

TITLE 3 - ALCOHOLIC BEVERAGES



NOTE: These are condensed versions of RI state laws/regulations related to underage drinking. We recommend that you read the full versions of all alcoholic beverage laws: <http://webserver.rilin.state.ri.us/Statutes/TITLE3/INDEX.HTM>.

PREVENTING SALES TO UNDERAGE YOUTH

Chapter 8 - Regulation of Sales

Section 3-8-1 Sales on Sundays and Holidays - Sales to Underage Persons, intoxicated persons, and persons of intemperate habits

Guides Sunday and Holiday sales and prohibits the sale or delivery of alcohol to anyone under 21 for the sale, possession, and consumption of alcohol, for own use or for the use of his/her parents, or of any other person.

Section 3-8-2 Age restriction of Bartenders

No person under the age of 18 may act as a bartender for the purposes of mixing, preparing, serving or selling from a bar. Applies to Class B-C-D-F or F1-G-J-K licenses.

Section 3-8-3 Suspension of License for employment of underage bartender Any licensee who violates or permits to be violated 3-8-2 is subject to: **suspension of license for 3 or more calendar days for a first offense. The length of suspension for additional violations is determined by the RI Department of Business Regulation.**

Section 3-8-4 Drinking by or hiring of underage persons

- Licensees cannot sell or serve alcohol to anyone under 21 to drink on any licensed premises.
- Licensees cannot hire anyone under 18 to sell/serve alcohol in any place where the beverages may be consumed on the premises where sold.
- Licensees can prohibit patrons under 21 from entering licensed establishments after 10:00 p.m.

Section 3-8-5 Penalty for violations relating to underage persons

- Any person who violates or allows to be violated 3-8-1, 3-8-2, or 3-8-4, is subject to fines ranging from **\$250** for first offense to **\$750** for the third or subsequent offenses within a 3 year period.



Section 3-8-5.1 Compliance Check

- (a) “Compliance check”- sending a minor into a retail outlet to see if he/she is able to purchase alcohol. A “purchase survey” is a compliance check that is part of a statewide survey.
- (b) Minors acting on behalf of state/municipal police departments can purchase alcohol, without prosecution only when supervised by an adult law enforcement official. Any individual participating in an unannounced compliance check and/or purchase survey must state their accurate age if asked by the employee of the licensed establishment being checked.



If the compliance check is a part of a general enforcement operation and results in the sale of alcohol to the minor, the manager of the retail outlet is notified within 48 hours of the violation. If it is part of a purchase survey and results in the sale of alcohol to a minor, the manager of the retail outlet must be notified upon the completion of the purchase survey in that community.

Section 3-8-6 Unlawful drinking and misrepresentation by underage persons - Identification cards for persons twenty-one and older

3-8-6 (a) It is unlawful for:

- (1) A person under 21 to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or having served or delivered to him/her alcoholic beverages;
- (2) A person under 21 to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages or to purchase, attempt to purchase, or have another purchase for him or her any alcoholic beverage;
- (3) A person to misrepresent or misstate his/her age, or the age of any other persons, or to misrepresent his or her age through the presentation of any of the following documents:
 - An armed service ID card, valid passport, ID card license, or any other documentation used for identification purposes that may belong to another person who is over 21.
 - A motor vehicle operator’s license that bears the date of birth of the licensee and that is issued by this state or any other state.
 - A Rhode Island ID card for the purpose of inducing any licensee, or any employee of any licensee, to sell, serve, or deliver any alcoholic beverage to a minor.



Section 3-8-6 (c)- Unlawful drinking and misrepresentation by underage person (Sign-In-As-Minor Book) Class A, B, C, and D Licenses

- Licensees must keep a sign-in-as-minor book or photo equipment that provides the same information required by the book. If a person whose age is in question signs the minor book or has a photograph taken before being sold alcohol and it is later determined that the person was under 21, it is evidence that the licensee or their employee acted in good faith and the person misrepresented their age.

The minor book can be obtained by contacting Liquor Enforcement and Compliance at the RI Dept. of Business Regulation at (401) 462-9544.

ALCOHOL SERVER TRAINING



Chapter 3-7 Retail Licenses

Section 3-7-6.1(b) Renewal of Class B, C, D, J, N, and P licenses

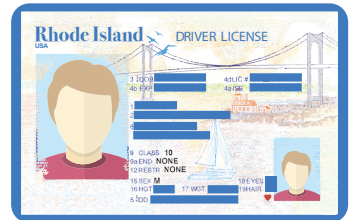
- Anyone who sells or serves alcohol, anyone supervising those who sell or serve alcohol, anyone who checks IDs for the purchasing of alcohol, and valet parking staff must complete alcohol server training.
- Eligible employees of a licensee must complete certified training within 60 days of employment and must attain a minimum score of 75%. The city of Pawtucket and town of Smithfield may require eligible employees to complete training **before** employment in that city or town.
- Licensees will require servers to be recertified every 3 years.
- As part of the license renewal application, licensee must submit to their municipality proof that all employees in subsection (b)(1) and employed more than 60 days in the past year have completed a certified program within last 3 years, as a condition for license renewal.
- Employees identified in subsection (b) must have their valid server permit on the premises when selling or serving alcohol.
- Server training must be taken through a RI Department of Business Regulation certified program only.
- Graduated Penalties for Non-Compliance within a 3 year period include:
 - Licensees- written warnings, fines, license suspension
 - Servers- written warnings, loss of server training certification

Chapter 3-14 - Rhode Island Liquor Liability Act (DRAM Shop Laws)

- Primary purpose is to prevent intoxication-related injuries, deaths and other damages among Rhode Island's population.
- Licensees and servers can be held liable for damages caused by a minor's or intoxicated person's consumption of alcohol if it is found that they negligently or recklessly served liquor to the minor or visibly intoxicated customer.
- Service would be considered negligent if the server knows, or if a reasonable and prudent person in similar circumstances would know that the individual being served is a minor or is visibly intoxicated.
- Service would be considered reckless if the server intentionally serves alcohol to an individual when the server knows the individual being served is a minor or is visibly intoxicated and consciously disregards the obvious and substantial risk that serving liquor to that individual will cause physical harm to the drinker or to others.



PROPERLY CHECK ID



Making sure that persons who are under the age of 21 are not sold and/or served alcohol is a major responsibility of licensees and servers. It is critical that policies/procedures are in place to determine if an ID is valid or fake. Remember- an employee and the business can face legal action and fines for selling or serving alcohol to anyone under 21.

Best Practices

- Require that an ID be provided by anyone that appears to be under 30
- Know the RI state laws (<http://webserver.rilin.state.ri.us/Statutes/TITLE3/INDEX.HTM>)
- Learn what the valid forms of ID are in RI as well as surrounding states
- Know how to check IDs for enhanced security features- these features help prevent falsification and underage people purchasing alcohol
- Utilize ID verification scanning equipment or ID guide if available



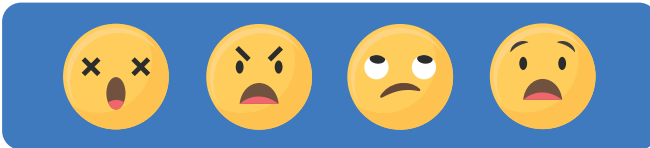
CHECKING ID's

Acceptable forms of identification in Rhode Island: (must be valid forms of the person presenting the ID)

- RI Driver's license with the date of birth of the licensee
- Another state driver's license with the date of birth of the licensee
- Rhode Island ID card
- Armed service ID card
- Valid passport

Warning Signs that a Person is Underage

- Looks nervous, self-conscious
- Gets upset or angry when asked to show their ID
- Doesn't make eye contact
- Comes in a back or side door away from the main entrance
- Chooses a far corner or dark area to sit
- Younger customers give money to an older customer



Check the ID^{16, 17}

- Greet the person before asking for their ID. This way you know their name before you check the ID.
- Ask the person to remove the ID from their wallet. Do not remove it yourself.
- Check the ID to see if it is valid.
 - Feel the card/photo for raised edges, glue lines, bumpy surfaces
 - Shine a light underneath the ID to see if any cuts/erasures appear
 - Look at the photo and make sure that it is the person standing in front of you- height, eye color, hair color
 - Check the birthdate
 - Check the expiration date to make sure it is valid

EXAMPLES OF BEST PRACTICES TO PREVENT UNDERAGE SALES/DRINKING:^{18, 19, 20}

- Ensure that all staff covered under section 3-7-6.1 receive alcohol server training from an RI Department of Business Regulation certified program and have valid server permits at all times.
- Develop written policy/procedures for employees on:
 - Require employees to check ID's for those who appear to be under age 30
 - How to check IDs and understand/utilize the minor book
 - How to handle an underage youth attempting to purchase or drink alcohol
 - What to do if a person refuses to provide an ID or if he/she has provided a fake ID
 - How to handle a person attempting to buy alcohol for an underage youth
- Train all employees- about consequences of underage drinking, your establishment's policies/procedures, state/local laws, responsible serving practices, and consequences an employee could face for selling/serving to underage youth.
- Train managers/supervisors in how to ensure compliance and how to support/assist employees who are having difficulty with a refusal to sell/serve.
- Provide all employees with a copy of the policies/procedures and laws, have them sign that they received, reviewed and understood them.
- Review policies/procedures with employees regularly to reinforce and provide opportunities for questions, clarifications, and discuss or role play scenarios.
- Develop an incentive program for employees who don't sell/serve underage youth.
- Post signs in your store/establishment stating that you don't sell to underage youth or anyone trying to buy alcohol for underage youth.
- Provide tools to assist employees such as:
 - Programing registers electronically to read IDs
 - Utilizing an electronic hand held ID scanner
 - Providing a current ID guidebook with valid formats of US States & Territories
- Have managers conduct "spot" checks of employees for compliance with policies/procedures.
- Conduct annual employee reviews.

RESOURCES

National:

National Institute on Alcohol Abuse and Alcoholism
<https://www.niaaa.nih.gov/>

National Institutes of Health
<https://www.nih.gov/>

National Highway Traffic Safety Administration
<https://www.nhtsa.gov/risky-driving/drunk-driving>

STOP Underage Drinking
<https://www.stopalcoholabuse.gov/default.aspx>

Substance Abuse and Mental Health Services Administration
<https://www.samhsa.gov/>

State:

RI Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
<https://bhddh.ri.gov/>

RI Department of Business Regulation- Liquor Enforcement and Compliance
<https://dbr.ri.gov/divisions/commlicensing/liquor.php>

RI State Laws- Alcoholic Beverages
<http://webserver.rilin.state.ri.us/Statutes/TITLE3/INDEX.HTM>

Regional Prevention Coalitions:

Blackstone Valley Prevention Coalition
<http://blackstonevalleypreventioncoalition.com/>

RI Regional Prevention Coalitions
<https://www.riprevention.org/>



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NOTES



COMMUNITY



GUIDE



PARTNERSHIP

NOTES

NOTES



COMMUNITY



GUIDE



PARTNERSHIP

WHO WE ARE



The Blackstone Valley Prevention Coalition is a regional coalition of community members that come together with a mission to develop, implement, and advocate for effective community-based prevention initiatives.

What We Do:

- Serve as a catalyst to engage community members to improve the health & wellness of their community
- Form partnerships to initiate comprehensive, collaborative community prevention initiatives
- Disseminate information about alcohol, tobacco, other drugs, and issues related to the individual and community health & wellness
- Develop media campaigns to provide information to the community
- Provide community education opportunities on health & wellness issues
- Provide healthy youth alternative activities within each community and the region as a whole

Who We Partner With:

- Youth, adults, parents, educators, older adults, elected officials
- Local businesses, civic organizations, healthcare community, faith-based community
- Youth serving agencies, safety & law enforcement, behavioral healthcare agencies

Website: <http://blackstonevalleypreventioncoalition.com/>

For more information, please email:

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Municipal Coordinators:

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