

Tennessee Welcomes New ABC Director

By: Will Cheek, Alcoholic Beverage Team Leader, Waller, Nashville, Tennessee

We recently sat down with new Tennessee ABC Director, Russell Thomas, to discuss priorities under his ABC administration.

What's at the top of his list? "Minor Compliance," responded Director Thomas without hesitation. Some chains are "really doing it right" with preventing sales to minors, he continued. "We notice and appreciate industry members thinking about minor compliance."

Background

Director Thomas is a native Tennessean, hailing from Tullahoma and graduating as a Tullahoma High School Wildcat. For those whose geography runs more towards spirits than cities, Tullahoma is about half way between George Dickel and Jack Daniels.

Director Thomas graduated from University of Tennessee Law School and came to Nashville to be a prosecutor. After spending four years locking up criminals, Director Thomas worked as a private attorney.

The father of three is married to an attorney, Mary Beth Thomas, who serves as general counsel to the Tennessee Secretary of State. When he is not at the helm of the ABC, Cub scouts and sports keep Director Thomas busy.

Directorship

Director Thomas was appointed by the three-member Tennessee Alcoholic Beverage Commission at its January meeting. He assumed the role of Director on February 5, 2019. The Director is the head of the agency, over law enforcement, licensing and regulatory compliance.

Director Thomas was partially drawn to the ABC because it is a little bit of a tech business, having implemented on-line licensing in the last couple of years. Director Thomas observes: “I like technology.” The ABC has “revolutionized the way we do business today.”

Director Thomas sees the following priorities with ABC tech:

- Customer focus
- Innovating with technology, and
- Performance improvements

With several hundred grocery store renewals due July 1, 2019, Director Thomas is looking forward to a test of his office staff and technology.

The ABC recently rolled out on-line server permits. Server permits make up the vast majority of ABC licenses. With a 5 year renewal cycle, Director Thomas says that the volume has not been too problematic.

Director Thomas notes that “I am interested in helping.” For example, he is focused on seemingly simple fixes that will have a big impact on the system. The ABC has been working with larger licensees on data entry issues, for example.

Compliance

Director Thomas is a stats guy. “I like to look at numbers.”

Director Thomas is focused on compliance rates across different license types and geographic areas. ABC law enforcement staff says minor compliance shows an upward trend in failure by on-premise licensees such as restaurants and hotels. Director Thomas hopes that the recent St. Patrick’s Day failure rate of close to 50% in Memphis is an anomaly.

Director Thomas explains that ABC compliance stings are funded in part by a grant from the federal government, which is administered through the Governor’s safety office. The money is tied to statistics. The ABC coordinates with local law enforcement in jurisdictions with higher rates of serious accidents involving minors and alcohol.

“If they sell to a minor, we’re going to go back out and visit them again.” Funding from the Governor’s safety office requires follow-up compliance checks within 90 days of a failed sting.

Director Thomas also plans to coordinate with other law enforcement on non-alcoholic criminal activity. The ABC was recently involved in shuttering bad bars in Nashville and Memphis, both of which had high rates of criminal activity.

Director Thomas concludes: “We plan on keeping the focus on alcohol and minor compliance.”

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As the go-to attorney for alcoholic beverage law in Tennessee, Will Cheek leads Waller's alcoholic beverage team. Hotels, restaurants, art venues, night clubs, sports facilities and other retailers benefit from Will's insight, experience and enthusiasm with licensing and regulatory compliance issues related to licensing throughout Tennessee. When the sky is not falling at the office, Will loves live music, traveling the world and adopting exotic creatures, such as his pet chameleon, Bernie Sanders.

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