

# Alcohol Server Awareness Training



## **SOUTH LAKE MINNETONKA POLICE DEPARTMENT**

**Sergeant Mark Geyer  
Officer Ricky Syhre**

# Why Attend Training?



- To keep our communities safe of alcohol related injuries and deaths
- To keep our businesses and servers that provide alcohol protected from criminal penalties and liability (law suits)

# Ways we can accomplish this?



- **Do not** over serve customers (on sale)
  - Already intoxicated customers
  - To the level of intoxication
  - Regardless of customers mode of prior transportation: driver, passenger, pedestrian, having a designated driver, etc.
- **Do not** sell to intoxicated customers (off sale)
- **Do not** sell/serve underage customers

# Ultimate Goal:



- Increased Awareness of the Impaired Driving Problem
- Decrease Alcohol-Related Crashes, Injuries and Deaths!



July 2013  
Smithtown Rd/Echo Rd

**Not everyone who gets hit  
by a drunk driver dies.**



Jacqueline Saburido was 20 years old when the car she was riding in was hit by a drunk driver. Today, at 23, she is still working to put her life back together.

*Learn more at [www.TexasDWI.org](http://www.TexasDWI.org)*

**DON'T DRINK & DRIVE**



Texas Department of Public Safety • Texas Alcoholic Beverage Commission • Texans Standing Tall • Partnership for a Drug-Free Texas • Texas Commission on Alcohol and Drug Abuse

# SOCIAL PROBLEM?



Alcohol related car crashes kill someone

**EVERY 30 minutes**

and injures someone

**EVERY 2 minutes**

**National Highway and Traffic Safety Administration**



# NOT without a cost to all of us!



July 2015  
Hwy 7/Mill St.

- These alcohol-related fatalities cost society approximately **\$114 billion** in lost productivity, medical expenses, property damages and other related expenditures nationally

# 2014 Motor Vehicle Impaired Driving Facts



- Of the 361 people who died in traffic crashes, 111 (31 percent) were alcohol-related.
- 2,040 people suffered injuries in alcohol-related crashes.
- 25,258 motorists were arrested for DWI (an average of 70 per day).
- The average blood alcohol concentration (BAC) for drivers with a DWI was .15, with the average BAC for a drunk driver involved in a fatal crash being .19.



# Minnesota Costs 2014

## Alcohol Related Crashes



### Deaths

- 111
- \$166,500,000
- \$1,500,000 per death

### Serious Injuries

- 2,040
- \$157,692,000
- \$77,300 per injury

# Cost of a DWI



- Court costs
- Lawyer fees
- Interlock ignition
- Chemical assessment
- Relicensing fees
- Greatly increased insurance costs

Total cost:  
\$10,000 - \$15,000

VERSUS:

- A safe ride home



Total cost:  
\$25-\$50?

# Who's Life are you Saving?



The life you save is likely to be the customer you are serving!

In an impaired driving crash 67% of the time the impaired driver is the one who dies!



# This problem is likely to affect many of us



3 out of 10 people in the United States will be involved in an alcohol related crash at some point during their life!



Dec. 2011  
Excelsior Blvd/Christmas Lk Rd

# Minnesota DWI Arrests



- 30,000 arrests every year
- 65% male – 35% female
- 1 in every 7 Minnesota licensed drivers has a DWI on their record
- Minnesotan's between ages 21-34 commit 50% of impaired driving incidents (crash/DWI)
- Drivers < 21 y/o accounted for 9% of alcohol related driving incidents



# More than 6 million people live in Minnesota...



If current trends continue...each year



**Approximately 400 will die in vehicle crashes**

- **33% (132) will die in a crash involving an impaired driver**



# On Typical Friday and Saturday Nights...



Lake Minnetonka

**At least 1 out of 7 drivers that leave a bar is impaired!**



## **MSS 169A.20 DWI (RELEVANT EVIDENCE AT .04 AC)**

**Subdivision 1: It is illegal to drive, operate, or be in physical control of a motor vehicle while:**

- 1) under the influence of alcohol**
- 2) under the influence of controlled substance**
- 3) knowingly under the influence of a hazardous substance**
- 4) combination of (1) and/or (2) and/or (3)**
- 5) alcohol concentration .08 or more at time of incident**
- 6) alcohol concentration over .04 while in commercial vehicle**

# Penalties Associated with Over serving and Sales to Underage Customers



- Misdemeanor \$1000 / 90 Days / Both
- Gross Misd \$3000 / 1 Year / Both
- Felony \$\$\$ /Over 1 Year / Both

# Responsibility of Licensee

## MN Statute 340A.501



Every licensee (owner) is responsible for the conduct in the licensed establishment and any sale of alcoholic beverage by any employee authorized to sell alcoholic beverages in the establishment is the act of the licensee for the purposes of all provisions of this chapter.....

Failure subject to civil penalties.....

# Civil Penalties (Licensees)

## Minn. State Statute

### 340A.415



- Local Ordinances may be more restrictive:
  - Up to \$ 2,000 fine per alcohol violation
  - Between 1 - 60 day license suspension or
  - Permanent License revocation
- Civil Penalties are assessed by city/county government that issued liquor license

# Sample Civil Penalty



- City: Anytown, MN
- Business Alcohol Violation # 1
  - Civil fine (\$1000)
  - Mandatory retraining (all staff)
  - License suspension (2 days)
  - Suspension days selected by city
  - Business on probation for 36 months



# Sample Civil Penalty (cont'd)



- Violation # 2 (within 36 month period)
    - Civil fine (\$1500)
    - License suspension (7 days)
    - Probationary period (36 months)
  - Violation # 3 (within 36 months)
    - Civil fine (\$2000)
    - License suspension (14 days)
    - Probationary period (36 months)
- Subsequent 4<sup>th</sup> violation = License revocation

# Another Major Problem!



- “Death or great bodily harm” resulting from over serving or serving a minor results in a potential for civil law suits:
  - Server
  - Licensee (owner)
  - Insurance provider
  - City/County

**Tech student, bar being  
sued for wrongful death**

**Roof Bar and Driver Being Sued for  
Accident that Killed Three**

“We can name the server in the lawsuit.  
Right now, we’re naming the bar.”

**Bars Sued in Melissa Marvin Case**  
Should have known she was drunk, lawsuits claim

**Report: Ejected NFL fan found dead**

**Bar sued after patron’s crash kills girl**  
If a bar’s customer leaves drunk, drives off  
and kills someone, should the bar be liable?

# “Drunk, then Dead in the snow after Shakopee store sold him beer”



Star Tribune January 2013

“They thought the whole thing was a big joke. Thomas Lawrie stumbling into a Shakopee convenience store drunk, dropping his money, falling down at the counter. Still, according to authorities, the clerk sold him a six-pack of beer. Nobody called the cops. Nobody checked to make sure he got home OK. Lawrie, 52, was found dead the next morning in a snow bank around the corner from the store. He had beers from the six-pack in each hand, unopened”

(Charged with selling to an obviously intoxicated person)

# To your benefit.....



- Keep your job!
- Keep your \$\$\$\$
- Avoid losing your business license
- Keep your business and yourself from law suits
- Keep from being criminally charged
- **Ultimately keeping your community safe!**

# Violations

## Retail Sales Regulation 340A.502



- “No person may sell, give, furnish, or in any way procure for another alcoholic beverages for the use of an obviously intoxicated person”.
- What does “obviously intoxicated” mean?



# Judicial Opinion:



The standard for determining whether a person is obviously intoxicated” is:

“when exercising reasonable powers of observation, one sees, or should see that the buyer is intoxicated”.

# Signs of Intoxication



- Strong odor of alcohol
- Slurred speech
- Staggered walk or stance
- Eyes: red, watering, glazed
- Decreased level of awareness  
(unless energy drinks used)
- Poor coordination of hands or body functions
- Belligerent
- Argumentative
- Loud - fighting/hostile
- Change in personality
- # of drinks consumed
- Other inappropriate conduct
- Other signs you see?

# “Cutting off” and “refusing sales”



- Don't hesitate to refuse sale or service
- Explain reasons professionally and tactfully
- Notify Manager/Supervisor of your decision
- Assure other servers/sellers are also aware
- Management to support staff in this decision
- Notify law enforcement if customer is resistant

# Server Sales Restrictions – Chapter 7515.0590



“Retailers shall refuse to sell any alcoholic beverage to:

1. any person or persons whose character (*behavior*) is questionable or
2. whose credentials (**ID's**), in any manner, are not satisfactory.”

# Advanced Alternatives



- Offer food
- Offer non-alcoholic drinks
- Discourage driving if impaired
- Offer local "safe ride home" option
- Non impaired friend or family member ride
- **TIME** is the only thing that will decrease the effects of alcohol

# Don't blindly serve your customers



- Assess customers on EVERY sale:
  - Physical signs of intoxication
  - Engage in conversation
  - Consider body language
- Deny access to anyone showing signs of intoxication



# Protect yourself, Protect your business!



- Assure all sales are legal
  - Non-intoxicated customers
  - Adult sales only
- Stay free of criminal and civil penalties
- **Prevent injuries and death**

# Under Age Sales and Service

## MN Statute 340A.503



1. It is unlawful for any person to sell, barter, furnish or give alcoholic beverages to a person under 21 years of age;
2. Under the age of 21 years to purchase or attempt to purchase any alcoholic beverage
3. To induce a person under the age of 21 years to purchase or procure any alcoholic beverage
4. To lend or knowingly permit the use of the persons DL, permit or ID for the purpose of purchasing or attempting to purchase an alcoholic beverage

# Unacceptable ID's



- DL/ID in disrepair
- Recognition that ID is fraudulent (ID Guide)
- Under age ID attempting to purchase alcohol
- Not belonging to buyer (friend, sibling, etc.)
- Confiscation of ID allowed

# Confiscation of Fake, Borrowed or Underage ID's



- Allowed under State law 340A.503 Subd 6 (c)
  - “ A licensed retailer or municipal liquor store **may seize** a form of identification if the retailer or municipal liquor store has reasonable grounds to believe that the form of identification has been **altered or falsified or is being used to violate any law**. A retailer...that seizes a form of identification as authorized must deliver it to a law enforcement agency within 24 hours of seizing it.”

# Understanding Compliance Checks



- Check all businesses that sell alcohol:
  - Off sale
  - On sale
- When does a sale become a sale?
- Decoy(s) enter establishment (or special event)
- Decoy(s) place order for alcohol
- Attempt to pay
- ID vs. None ??? No fake ID's used!
- Buyer is not disguised to appear older
- No trickery utilized
- All involved hoping for success of refused sale

\* University of Minnesota Epidemiology Department



# Checking ID's



# Acceptable ID's

## MN Statute 340A.503 Subd. 6



Proof of age for purchasing or consuming alcoholic beverages may be established only by one of the following:

1. A valid drivers license or identification card issued by Minnesota, another state, or a province of Canada and including the photograph and date of birth of the licensed person
2. A valid military identification card issued by the United States Department of Defense
3. A valid passport issued by the United States or
4. In the case of foreign national, by a valid passport
5. Tribal ID



# Minnesota DL and ID Adult and Minor



**MINNESOTA DRIVER'S LICENSE**

**GAYLE ELIZABETH SAMPLE**  
123 MAIN STREET NORTHWEST  
ANYTOWN, MN 55155

Date of Birth **12-25-1960**  
Sex **F** Eyes **BLU** Class **D**  
Height **5-08** Weight **193** **DONOR** **A M**  
ISSUED **12-2012** EXPIRES **12-25-2016**

*Alexis Sample* STATUS CHECK 06-24-2004  
**A000068406108**

**MINNESOTA DRIVER'S LICENSE**

**UNDER 21**

**JOSEPH SMITH SAMPLE**  
123 MAIN STREET NORTHWEST  
ANYTOWN, MN 55155

Date of Birth **01-10-1996** AGE 18 **01-10-2014**  
Sex **M** Eyes **BLU** Class **D**  
Height **5-08** Weight **193** **DONOR**  
ISSUED **01-2013** EXPIRES **01-10-2017**

*Clint Sample* STATUS CHECK 06-24-2004  
**A000852105028**

**MINNESOTA IDENTIFICATION CARD NOT A DRIVER'S LICENSE**

**GAYLE ELIZABETH SAMPLE**  
123 MAIN STREET NORTHWEST  
ANYTOWN, MN 55155

Date of Birth **12-25-1960**  
Sex **F** Eyes **BLU** Class **ID**  
Height **5-08** Weight **193** **DONOR** **T**  
ISSUED **12-2012** EXPIRES **12-25-2016**

*Alexis Sample* STATUS CHECK 06-24-2004  
**S000176904334**

**MINNESOTA IDENTIFICATION CARD NOT A DRIVER'S LICENSE**

**UNDER 21**

**GAYLE ELIZABETH SAMPLE**  
123 MAIN STREET NORTHWEST  
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Sex **F** Eyes **BLU** Class **ID**  
Height **5-08** Weight **193**  
ISSUED **01-2013** EXPIRES **01-10-2017**

*Alexis Sample* STATUS CHECK 06-24-2004  
**A000069706108**



# Enhanced DL



## Standard vs. Enhanced License Comparison



Standard Driver's License



Enhanced Driver's License



### ■ Why Enhanced?

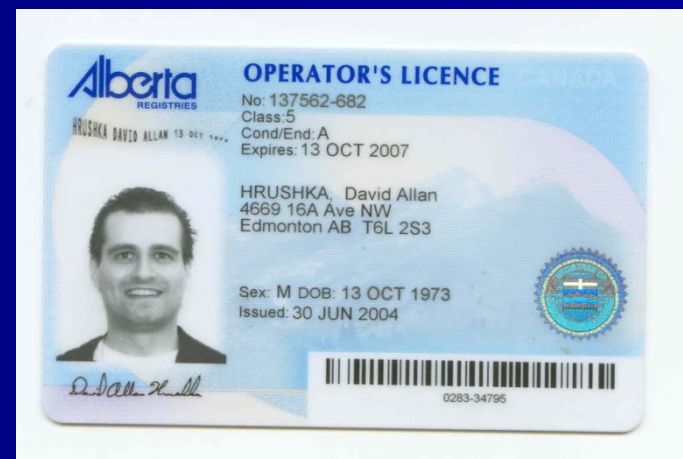
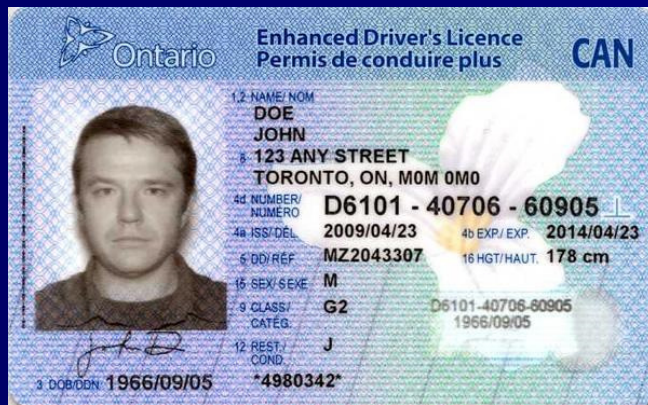
Each document serves its original purpose — but the enhanced licenses and ID cards denote both identity *and* citizenship. The citizenship information allows uncomplicated re-entry into the U.S. from Canada, Mexico, Bermuda or the Caribbean. No additional proof of identity is required.

# Instruction Permit



- Effective 7/1/15: Acceptable form of identification for the purchase and consumption of alcohol.
- Seller needs to assure that the permit holder is of adult drinking age by virtue of checking the ID (i.e. "Under 21" above photo, DOB)

# Canadian ID's





# Military ID's



# Passport Book + Passport Card








# Mexican Passport



PASAPORTE PASSPORT PASSEPORT	<b>B</b> NLE-32137	FILIACION DEL TITULAR
APellidos / SURNAMES / NOMS ROQUEIRA SALCURAIN	ESTATURA 1.82 CMS.	
Nombres / GIVEN NAMES / PRENOMS ALEJANDRO JAVIER	TEJ BLANCA	
FECHA DE NACIMIENTO / DATE OF BIRTH / DATE DE NAISSANCE 15 SEPTIEMBRE 1960	COJOS CAFES OSCURO	
LUGAR DE NACIMIENTO / PLACE OF BIRTH / LIU DE NAISSANCE MEXICO, D.F.	TELO NEGRO	
SEXO / SEX / SEXE MASC.	ESTADO CIVIL SOLTERO	SEÑAS PARTICULARES NINGUNA
EXPEDIDO EL / ISSUED ON / DELIVRE LE 1 MARZO 1990	EXPIRA EL / EXPIRES ON / EXPIRE LE 28 FEBRERO 2000	

ESTE PASAPORTE FUE EXPEDIDO POR:  
EL CONSULADO GENERAL  
DE MEXICO  
EN:  
BUENOS AIRES, ARGENTINA

FIRMA DEL TITULAR  
HOLDER'S SIGNATURE / SIGNATURE DU TI



P.O. DEL SECRETARIO  
EL DELGADO  
LIC. INIGO MARTINEZ ISSA

# Tribal ID's



**Bois Forte**  
BAND OF CHIPPEWA

**Toni Marie Wakemup**  
4542 Palmswood Drive  
Or MN, 55771  
DOB: 11/11/1974  
ISSUED: 01/20/2009 EXPIRES: 11/11/1111  
ENROLLMENT NUMBER: 40A0033786 SEX: F EYES: BR HT: 5'8" WT: 200  
BLOOD QUANTUM: 1/2  
12

**GRAND PORTAGE**  
BAND OF LAKE SUPERIOR CHIPPEWA

**Jane A. Doe**  
P.O. Box 123  
123 Street  
Arlow, MN 12345  
HT: 66 EYES: Brown  
WT: 120 HAIR: Brown  
Gender: F D.O.B.: 01/01/1950  
40SA00000000 Email No.

**Mille Lacs Band of Ojibwe**  
Tribal Identification

**Jon Doe Test Person**  
123 Main Street, Apt 14  
My Town, MN 12345  
DOB: 1/17/1960 Sex: M  
Hgt: 5'2" Wgt: 600  
Hair: Red Eyes: Hazel

**SHAKOPEE MDEWAKANTON**  
SIOUX COMMUNITY

**FIRST MIDDLE LAST**  
1234 SAMPLE TRIBAL ID STREET  
PRIOR LAKE, MN 55372  
Date Of Birth: 01/01/1963  
Sex: F Eyes: BROWN  
Height: 5' 6" Weight: 140  
SMSCXXXX ISSUED: 8/30/2011 EXPIRES: 8/30/2014  
TRIBAL IDENTIFICATION

**Red Lake Band Of Chippewa Indians**  
Junior Samples  
ENROLLMENT#: 409-00000000

DOB: 04/01/1980  
EYES: Brown  
HAIR: Black  
HT: 5'10"  
GENDER: Male  
CLRN: White

12345 N Ponemah Rd  
Ponemah, MN 56666

**FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA 1234**  
RESERVATION AND CEDED TERRITORY: HUNTING-FISHING-GATHERING

**SAMPLE ELIZABETH SAMPLE**  
1117 101ST AVENUE WEST  
MINNEAPOLIS, MN 55872  
EYES: BR HGT: 5'2" WGT: 160 D.O.B.: 12/18/65  
Expires: 10-10-00

Minnesota Mdewakanton Sioux  
Prairie Island Indian Community  
5636 Sturgeon Lake Road  
Welch, Minnesota 55089  
DOB: 11/15/1987

**Maria Mercier Munsen**  
5458 Casino Drive  
Welch, MN 55089  
Sex: F  
Expiration Date: 5/14/2013

**Upper Sioux Community**  
Tribal Member ID: 99999999

**FIRST MIDDLE LAST VOYELLY**  
5722 TRAVERS LANE  
GRANITE FALLS, MN 56241  
Date of Birth: 01/01/1980  
Sex: F Eyes: BROWN  
Height: 5-5 Weight: 120  
ISSUED: 05/21/2012 EXPIRES: 11/22/2014  
Upper Sioux Community Affiliated Only  
Your face here!

**WHITE EARTH RESERVATION 218-983-3285**  
MINNESOTA DEPARTMENT OF PUBLIC SAFETY

TYPE: BRN	SEX: M	DOB: 01-01-1988	EXPIRES: 01/01/2018
ENROLLMENT NUMBER: 40SA000000	ISSUE DATE: 03/20/2012	ADULT 18-64 YRS	

**JOHN JACOB DOE**  
1111 CURRENT ST  
ANYTOWN MN, 55555

**Original Tribal Identification Card of Leech Lake Band of Ojibwe**

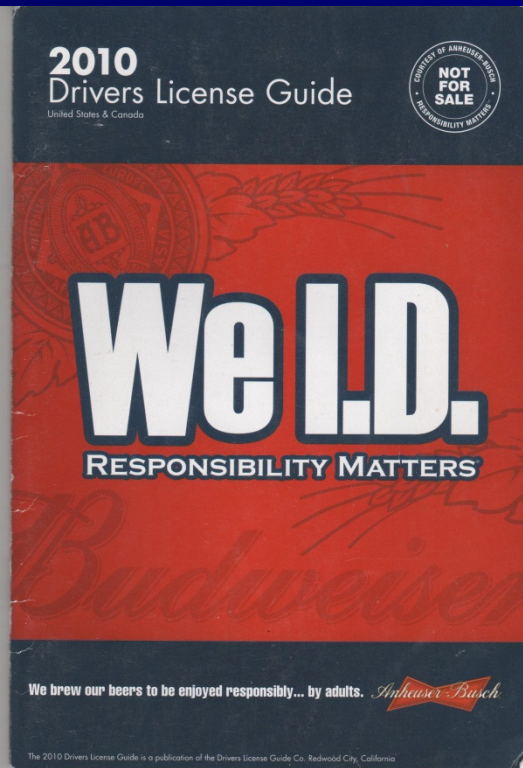
**Samplefirst Samplemid Samplelast**  
Main St 1234  
Elk Grove Village, ME 56630  
Home Address: Main St 1234  
Elk Grove Village, ME 56630  
Physical Address  
HT: 5'7" WT: 120 Eyes: Brown  
DOB: 01/01/1977 Gender: Female  
123456789

**Lower Sioux Indian Community**  
Tribal Identification Card

**Jane Marie Doe**  
11111 Reservation Hwy 1  
Morton, MN 56270  
Enrollment: 415A000000 Birth Date: 01/01/1940



# ID Checking Guide





# IT'S THE LAW

**Your Birthday must be ON or BEFORE  
Today's Date in**

**1995**

**To be sold or served  
Alcoholic Beverages on these premises**

**Be Prepared to Show Proof of Age**

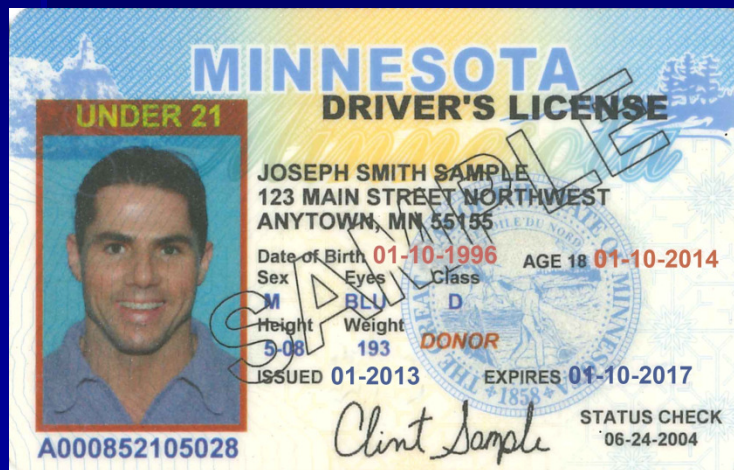
Valid  
Calendar Year  
2016



Minnesota Department of Public Safety  
Alcohol & Gambling Enforcement Division



# P.L.A.N. to Check ID's



- P: Photo Match
- L: Legal Age to Buy
- A: Acceptable ID  
Appearance and  
condition
- N: Not Expired Card



# Voided ID's



## Invalid Driver's Licenses



New Method



Old Method



Voided ID's must accompany a Yellow Application sheet from the state in order for a sale to take place.

# Yellow Sheet



**MINNESOTA DRIVER'S LICENSE/IDENTIFICATION CARD/INSTRUCTION PERMIT APPLICATION RECEIPT**

Online  Offline

PREV BATCH # \_\_\_\_\_ RX # \_\_\_\_\_

**TYPE**

A  DUP  
 B  DUP  
 C  DUP  
 D  DUP  
 PROV  DUP  
 ID  DUP  
 MBOP  DUP  
 CDL IP  
 IP

**PASSED TESTS (STATE USE ONLY)**

D  
 MC  
 MBOP  
 GK  
 AIR  
 COMB  
 DBL/TRIPLE  
 PASSENGER  
 SCHOOL BUS  
 TANKER  
 HAZMAT  
 OWI  
 INSURANCE  
 RT PSD/WVD

**RESTRICT/ENDORSE**

MC ORIGINAL  
 MC RENEWAL  
 ADD/REMOVE

**VISION**

PASS, NR  
 PASS, CL  
 INCOMPLETE  
 ATTACHED

**FEES PAID APPLICATION**

OTHER FEES  
 MC \$ SB PHYS \$  
 REIN.FEE \$ OTHER \$

**PROPER ID**

YES NO  
 DOC(S) VIEWED

**INVALIDATED DL / ID / IP**

STATE: \_\_\_\_\_  
 EXP: \_\_\_\_\_  
 Processed by: \_\_\_\_\_

**INDICATORS**

SENIOR  
 LTD MOBILITY  
 SNOW/MOBILE  
 FIREARM  
 S Or TC  
 VETERAN (optional)

Note: \_\_\_\_\_

I was provided all privacy warnings as required by state and federal law. Submission of this application constitutes consent to registration with the selective service system, if required by federal law. I certify that the information on this application is correct. If I am applying for driving privileges, I am aware of the duties, responsibilities, and penalties outlined in M.S. § 165.444 regarding the safety of children around school buses.

PHYSICAL DESCRIPTION: EYE COLOR [ ] [ ] [ ] FT. [ ] [ ] IN. [ ] [ ] WEIGHT IN POUNDS [ ] [ ] [ ] MALE [ ] FEMALE [ ]

Visit [www.dps.mn.gov](http://www.dps.mn.gov) to:

- Check the status of your application
- Check the status of your driving privileges
- Schedule a road test
- And more....

Driver's License Questions: 651.297.3298  
 License Status, available 24/7: 651.284.2000

General Information: 651.296.6911  
 TDD/TTY: 651.282.6555

(DVS USE ONLY)

**APR 10 2012**

SIGNATURE \_\_\_\_\_ APPLICATION DATE \_\_\_\_\_

**THIS DOCUMENT IS A RECEIPT FOR THE TYPE OF CARD INDICATED, AND IS NOT A STANDALONE IDENTIFICATION DOCUMENT.**

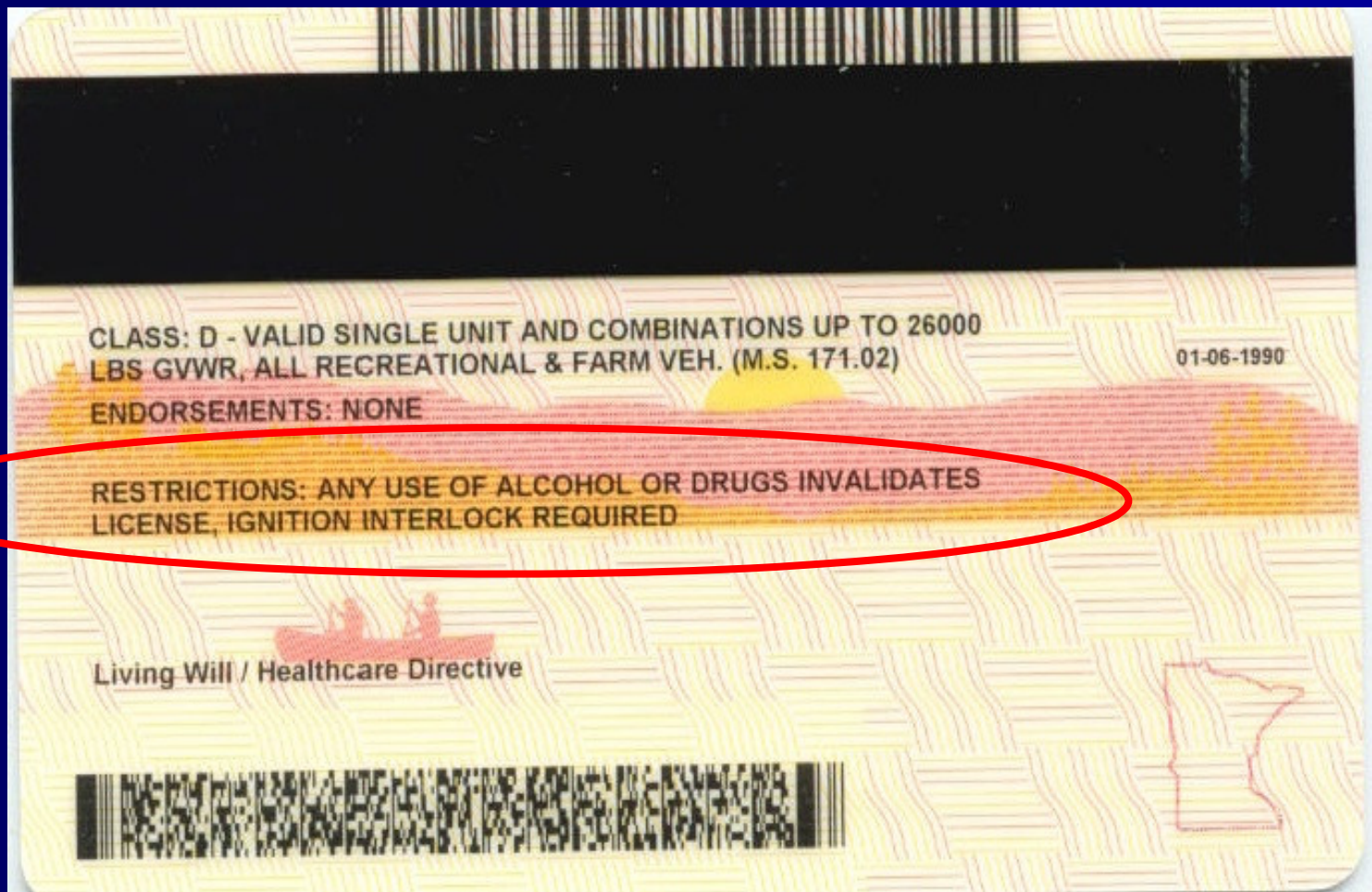
- This receipt, in conjunction with an invalidated previous license, instruction permit or ID card, may be used as identification
- This receipt is valid for the type of card indicated, when stamped with the proper validation stamp, for a maximum of 60 days from the application date shown above
- This receipt is void if the applicant is not in compliance with all restrictions indicated on the driving record

## What am I looking for?

- Name/DOB match the photo identification.
- Expiration: 60days from validation stamp.



# Alcohol Restriction



# Serve Smart



- **Refuse** to serve intoxicated customers
- **Refuse** to serve under age customers
- **Refuse** to allow intoxicated customers into your business
- **Refuse** to allow impaired customers to leave your business and drive

**Do your part in keeping our roads  
and our communities safe!**



**Thank You**



# Resources



Proudly Serving the Communities of Excelsior, Greenwood, Shorewood and Tonka Bay

Home | Contact SLMPD



South Lake Minnetonka  
Police Department

News ▾

Police Services and Resources ▾

About SLMPD ▾

## Welcome to the South Lake Minnetonka Police Department Website

Proudly serving the communities of Excelsior, Greenwood, Shorewood and Tonka Bay

- Crime Prevention
- Crime Mapping
- How Do I?
- Emergency Preparedness
- Child Safety
- Alcohol and Tobacco Compliance
- Animal Control
- Operation Lock and Unload
- Citizen's Academy
- Forms and Resources

