

ALCOHOL SERVER AWARENESS TRAINING

Deputy Mike Strelow

Olmsted County Sheriff's Office

Stewartville Community Deputy

507-951-7200



**OLMSTED COUNTY
SHERIFF**

WHY ARE WE HERE? WHAT IS OUR GOAL?

- To keep our communities safe from 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!



SOCIAL PROBLEM?

Every day, almost **29** people
in the United States die in alcohol-
impaired vehicle crashes – that's
one person every 50
minutes.

- National Highway and Traffic Safety Administration



WHAT IS THE FINANCIAL COST?

- These alcohol-related fatalities cost society approximately **\$114 billion** in lost productivity, medical expenses, property damages and other related expenditures nationally
- Not to mention the emotional costs.



COST OF A DWI

- Court costs
- Lawyer fees
- Interlock ignition
- Chemical assessment
- Relicensing fees
- Greatly increased insurance costs
- Total cost: \$10,000 - \$15,000

Vs.

- A safe ride home



- Total cost: \$25-50?

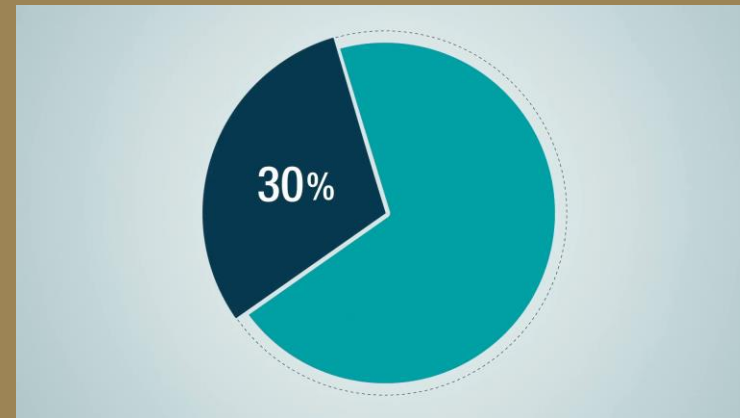
WHOSE LIFE ARE YOU SAVING?

- The life you save is likely going 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 of people in the United States will be involved in an alcohol related crash at some point during their life!



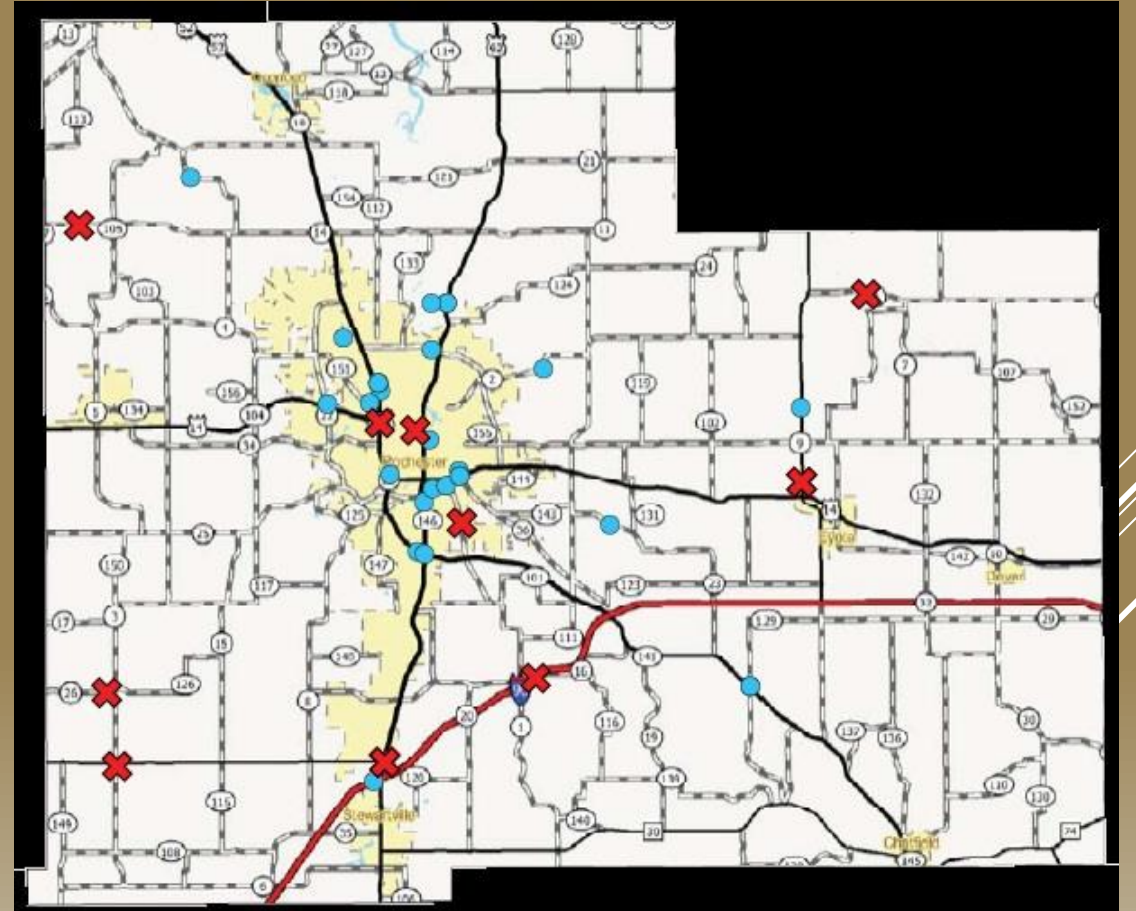
MINNESOTA DWI ARRESTS (2015)

- 25,027 arrests. (69 per day)
- 3,453 crashes related to alcohol
 - 107 of the 411 fatalities/deaths were alcohol related,
 - 72% male – 28% female
- 1 in every 7 Minnesota licensed drivers has a DWI on their record
- Minnesotan's between ages 20-34 commit 53% of impaired driving incidents (crash/DWI)
- Drivers < 21 y/o accounted for 9% of alcohol related driving incidents.



OLMSTED COUNTY ALCOHOL RELATED DRIVING DEATHS (2013-2015)

- 4 alcohol related driving deaths
- 12 alcohol related serious injuries
- 4,900 DWI Arrests



ON TYPICAL FRIDAY AND SATURDAY NIGHTS...

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



OTHER TYPES OF MOTOR VEHICLES 169A.20

- Motorboat
- Snowmobile
- ATV
- Off-highway motorcycle
- Off-road vehicles
- All motorized conveyances



SALES TO UNDERAGE AND/OR OBVIOUSLY INTOXICATED PEOPLE

- **340A.502 SALES TO OBVIOUSLY INTOXICATED PERSONS- GROSS MISD. \$3000/1yr jail**

No person may sell, give, furnish, or in any way procure for another alcoholic beverages for the use of an obviously intoxicated person.

- **340A.503 PERSONS UNDER 21; ILLEGAL ACTS. GROSS MISD . \$3000/1yr jail**

It is unlawful for any person to sell, barter, furnish, or give alcoholic beverages to a person under 21 years of age.

Penalty is more severe if sale results in injury or death.....



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?



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.....



ALCOHOL SERVER TRAINING

CHAPTER 4 - CONDITION OF LICENSE 420.07 SUBD. 5

- All licensed owners/managers are required to annually attend a qualified and City of Stewartville accepted alcohol training/education classes for the establishment. A certificate of completion shall be presented to the City of Stewartville upon completion of these classes by January 1 of each year. The training/education classes may be those classes prepared and presented by the State of Minnesota or classes approved, prepared and presented by the owner's liquor insurance company. Upon completion of these classes, the owners/managers must provide written documentation of attendance and certification of compliance.
- It is recommended that the owners/managers of the liquor establishment provide and have each server of alcohol, for its establishment, attend classes annually.



CIVIL PENALTIES (LICENSEES/OWNER)

- Stewartville Ordinance 420.09
- The City Council reserves the right to revoke or suspend the license for a period up to 60 day which is based upon the City Council's review of the circumstances associated with each violation. The City Council shall review each violation on a case by case basis to determine whether a revocation of the licensee's license is appropriate. The penalties in this Section shall be revised from time to time as part of the City of Stewartville Fee Schedule.



STEWARTVILLE CIVIL PENALTY FOR FAILING ALCOHOL COMPLIANCE CHECK

- ▶ Business Alcohol Violation #1
 - -\$250 Fine to License Holder, in addition to criminal penalties to subject who serves minor.
- ▶ Business Alcohol Violation #2 (within 24 mo)
 - -\$1,000 Fine to License Holder, in addition to criminal penalties for subject who serves minor.
- ▶ Business Alcohol Violation #3 (within 24 mo)
 - \$1,500 fine plus suspension of license and, based on council determination, possibly revocation of license, criminal charges to server.



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)



OLMSTED COUNTY JUDGE AWARDS \$15 MILLION TO CRASH VICTIMS

Drinking binge ends with \$15 million judgment in Olmsted County case

Bars will pay for serving intoxicated Gerald Mohs.

By John Reinan Star Tribune | OCTOBER 25, 2016 — 10:04AM



Gerald Mohs will be responsible for half of the \$15 million award to his victims.

Gerald Mohs stayed sober for nearly three decades. But six months after he fell off the wagon, his final binge ended in tragedy.

On a September night two years ago, Mohs hit four bars and downed at least 21 drinks in seven hours before driving a car down the wrong way of a divided highway in Rochester, where he hit another car head on, killing a 9-year-old boy and paralyzing the boy's 7-year old cousin.

Mohs got 57 months in prison for his bender. Now, in what may be the largest civil trial judgment in Olmsted County history, a judge has awarded \$15 million to Mohs' victims. Half of that money

will come from three taverns that served him when they should have realized he was drunk, the judge ruled.

- An Olmsted County judge has awarded \$15 million to the victims of a head-on crash that killed a 9-year-old boy, paralyzed a 7-year-old boy and seriously injured a woman in September 2014.
- Three local bars were found to be 50% responsible for the fatal crash



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!**



“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



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**



SERVER LIABILITY & CONSEQUENCES

- Sale of Liquor to a Person Under 21, MN SS 340A.503.2(1) GM.
 - Minnesota Gross Misdemeanor: Fine up to \$3,000 or up to 1yr in Jail
 - Server will be charged with a gross misdemeanor and be required a court appearance.
- Punitive Action by Employer
 - Loss in pay.
 - Hours cut.
 - Loss of employment?



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

MN STAT #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.”

Note: Do not destroy or alter the ID!



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



COMPLIANCE CHECKS (STEWARTVILLE ORDINANCE 420.07)

- All licensed premises shall be open to inspection by the Olmsted County Sheriff's Office during regular business hours. Those used for the purpose of compliance checks shall be supervised by Olmsted County Sheriff's Office. Those used for compliance checks shall not be guilty of unlawful possession of alcohol when such items are obtained as a part of the compliance check. Those used in compliance checks shall not attempt to use a false identification misrepresenting their age, and those lawfully engaged in a compliance check shall answer all questions about their age if asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this Section shall prohibit compliance checks authorized by state or federal laws for educational, research or training purposes or required for the enforcement of a particular state or federal law.



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**

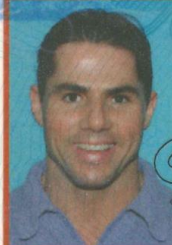
ISSUED **12-2012** EXPIRES **12-25-2016**

Alexis Sample STATUS CHECK 06-24-2004

A000068406108

MINNESOTA DRIVER'S LICENSE

UNDER 21



JOSEPH SMITH SAMPLE
123 MAIN STREET NORTHWEST
ANYTOWN, MN 55155

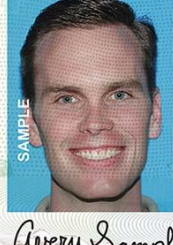
Date of Birth **01-10-1996** AGE 18 **01-10-2014**
Sex **M** Eyes **BLU** Class **D**
Height **5-08** Weight **193** **DONOR**

ISSUED **01-2013** EXPIRES **01-10-2017**

Clint Sample STATUS CHECK 06-24-2004

A000852105028

MINNESOTA DRIVER'S LICENSE




1 SAMPLE
2 AVERY JOSEPH
8 456 BLOOMINGTON AVE
MINNEAPOLIS, MN 55417-1234

4d DL# **A123-456-789-123** 4a ISS **08/15/2018**
3 DOB **08/15/1957** 4b EXP **08/15/2022**
9 CLASS **D** 9a END **NONE**
12 RESTR **NONE**

15 SEX **M** 17 WGT **150 lb**
16 HGT **5'-10"** 18 EYES **BLU**

Avery Sample 5 DD 12345678901234 **08/15/57**

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
ANYTOWN, MN 55155

Date of Birth **01-10-1996** AGE 18 **01-10-2014**
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

MINNESOTA DRIVER'S LICENSE



4d DL# **A123-456-789-098**
4a ISS **08/20/2018**
4b EXP **08/20/2022**
3 DOB **08/20/2001**
9 CLASS **D**
9a END **NONE**
12 RESTR **NONE**

UNDER 21 UNTIL 08/20/2019

15 SEX **F** 18 EYES **BRO**
16 HGT **5'-05"**
17 WGT **135 lb**

Jun Sample

1 SAMPLE
2 JUN MARIE
8 123 BLOOMINGTON AVE
MINNEAPOLIS, MN 55417-1234

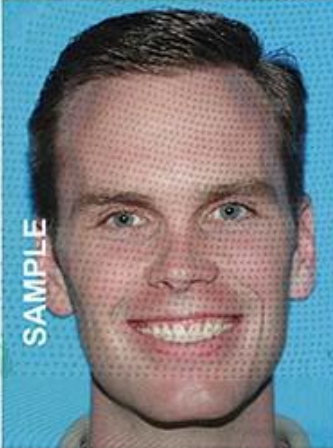
08/20/98

5 DD 12345678901234



NEW MINNESOTA DL AND ID ADULT AND MINOR

m1 MINNESOTA USA **DRIVER'S LICENSE**




1 SAMPLE
2 AVERY JOSEPH
8 456 BLOOMINGTON AVE
MINNEAPOLIS, MN 55417-1234

4d DL# A123-456-789-123 **4a ISS 08/15/2018**
3 DOB 08/15/1957 **4b EXP 08/15/2022**
9 CLASS D **9a END NONE**
12 RESTR NONE

15 SEX M **17 WGT 150 lb**
16 HGT 5'-10" **18 EYES BLU**

Avery Sample **5 DD 12345678901234** **08/15/57**



m1 MINNESOTA USA **DRIVER'S LICENSE**



4d DL# A123-456-789-098
4a ISS 08/20/2018
4b EXP 08/20/2022
3 DOB 08/20/2001
9 CLASS D
9a END NONE
12 RESTR NONE

UNDER 21 UNTIL 08/20/2019 **15 SEX F** **18 EYES BRO**
16 HGT 5'-05"
17 WGT 135 lb

Jun Sample
1 SAMPLE
2 JUN MARIE
8 123 BLOOMINGTON AVE
MINNEAPOLIS, MN 55417-1234

08/20/98 **5 DD 12345678901234**



**OLMSTED COUNTY
SHERIFF**

MILITARY ID'S




PASSPORT BOOK + PASSPORT CARD



TRIBAL ID'S

Bois Forte
BAND OF CHIPPEWA

Toni Marie Wakemup
4542 Palmquist Drive
Ort MN, 55771
DOB: 11/11/1974
ISSUED: 01/20/2009 EXPIRES: 11/11/1111
ENROLLMENT NUMBER: 40A033796 SEX: F EYES: BRN HT: 5' 2" WT: 200
BLOOD QUANTUM: 1/2
GRAND TERRITORY: 08-03292



Toni Marie Wakemup

GRAND PORTAGE
BAND OF LAKE SUPERIOR CHIPPEWA

Jane A. Doe



P.O. Box 123
123 Street
Anytown, MN 12345
HT: 66 EYES: Brown
WT: 120 HAIR: Brown
Gender: D.O.B.: 406A00000000
Female 01/01/1950 Enroll No.



Mille Lacs Band of Ojibwe
Tribal Identification

Jon Doe Test Person
123 Main Street, Apt 14
My Town MN 12345
DOB: 1/17/1950 Sex: M
Hgt: 5'2" Wgt: 600
Hair: Red Eyes: Hazel

A102116





SHAKOPEE MDEWAKANTON
SIOUX COMMUNITY

FIRST MIDDLE LAST
1234 SAMPLE TRIBAL ID STREET
PRIOR LAKE, MN 55372
Date Of Birth: 01/01/1903
Sex: F Eyes: BROWN
Height: 5' 6" Weight: 140

SMSCXXXX ISSUED: 8/30/2011 EXPIRES: 09/02/2014

TRIBAL IDENTIFICATION



Signature

Red Lake Band Of Chippewa Indians
Junior Samples
ENROLLMENTS: 409-0000000

12345 N Ponemah Rd
Ponemah, MN 56666

DOB: 04/11/1980
EYES: Brown
HAIR: Black
WT: 210
HT: 5' 11"
GENDER: Male
CLAN: Makwa



Junior Samples
Enrolled Member Signature

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



Maria Mercier

Minnesota Mdewakanton Sioux
Prairie Island Indian Community
8636 Sturgeon Lake Road
Welch, Minnesota 55089
DOB: 11/15/1987

Maria Mercier Munsen
8458 Cassino Drive
Welch, MN 55089
Sex: F
Expiration Date: 8/14/2013




Maria Mercier

Upper Sioux Community
Tribal Member ID: 9999999

FIRST MIDDLE LAST
5722 TRAVERS LANE
GRANITE FALLS, MN 56241
Date of Birth: 07/01/1990
ISSUED: 05/21/2012
EXPIRES: 11/22/2014

Sex: F Eyes: BLK
Height: 6-5 Weight: 120

Your face here!



WHITE EARTH RESERVATION 218-983-3285
MINNESOTA CHIPPEWA TRIBE P.O. BOX 418 WHITE EARTH, MINNESOTA 56581

EYES	HEIGHT	WEIGHT	SEX	DOB	ISSUE DATE
BRN	0-0	000	M	01-01-1988	01/01/2018

ENROLLMENT NUMBER: 408A000000 DATE ISSUED: 03/20/2012 ADULT 18-64 YRS

JOHN JACOB DOE
1111 CURRENT ST
ANYTOWN MN, 55555



John Doe

Official Tribal Identification Card of
Leech Lake Band of Ojibwe

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

01/01/2016
Expire Date



Samplefirst Samplemid Samplelast
Member Signature

Lower Sioux Indian Community
Tribal Identification Card

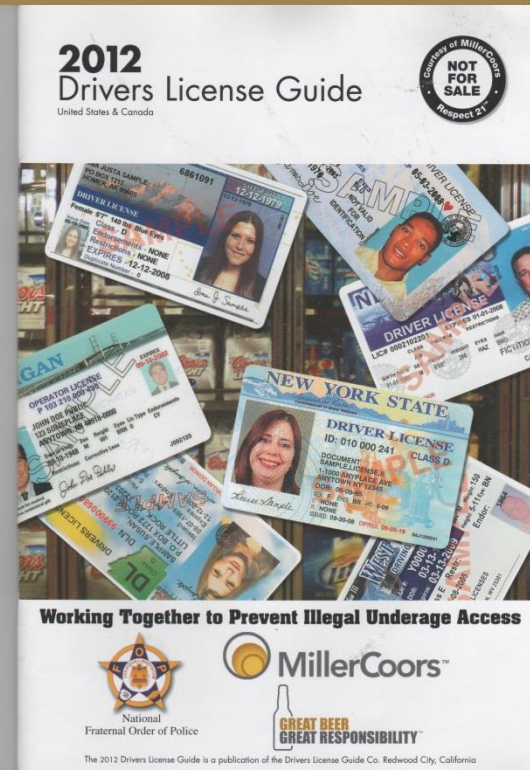
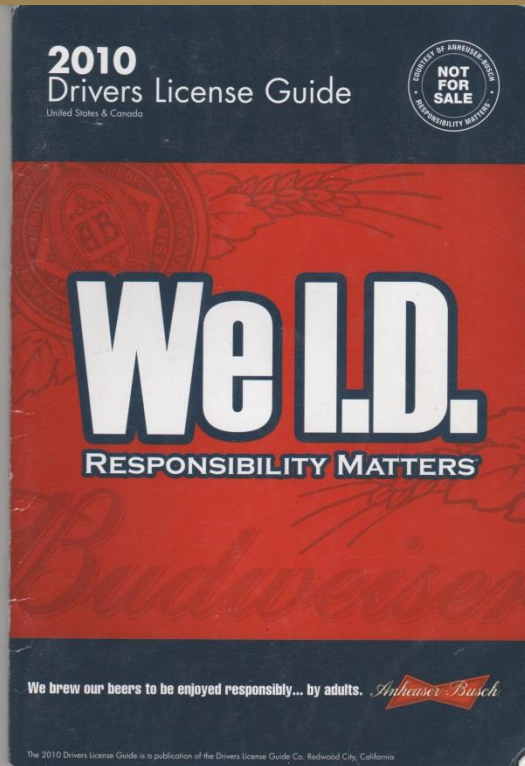
Jane Marie Doe
11111 Reservation Hwy 1
Morton, MN 56270
Enrollment: 415A000000 Birth Date: 01/01/1940



Jane Doe

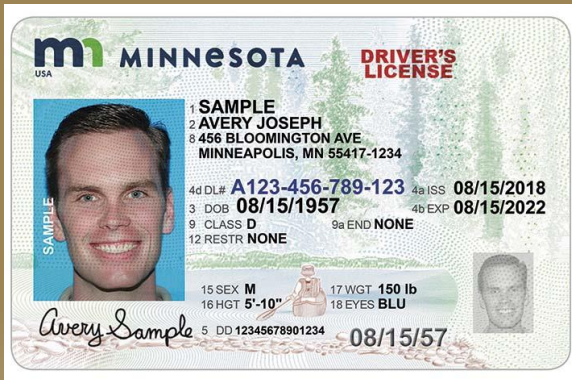
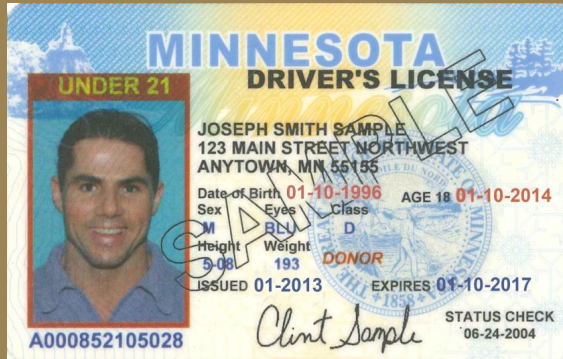
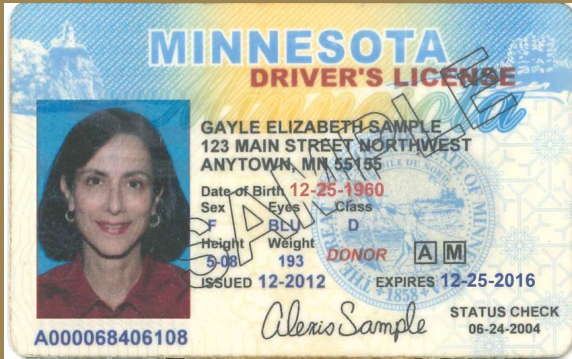


ID CHECKING GUIDE



**OLMSTED COUNTY
SHERIFF**

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



VOID LICENSES



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

PREV BATCH # _____ OFFICE _____

TYPE: DUP, MC ORIGINAL, MC RENEWAL, ADD/REMOVE, OK, COACH, COACH, SCHOOL BUS, DRIVER, HAZMAT, DOWI, INSURANCE, CRT PSDWVD

PASSED TESTS: MC ORIGINAL, MC RENEWAL, ADD/REMOVE, OK, COACH, SCHOOL BUS, DRIVER, HAZMAT, DOWI, INSURANCE, CRT PSDWVD

FEES PAID: APPLICATION \$, MC \$, SE \$, PR \$, REIN \$, OTHER \$

INDICATORS: SENIOR, HAZMAT, DOWI, INSURANCE, CRT PSDWVD

VISION: PASS, NR, PASS, CL, INCOMPLETE, ATTACHED

PROPER ID: YES, NO, DOCS VIEWED

INVALIDATED: DL, ID, IP

STATE: _____

Exp: _____

Processed by: _____

Application date: _____

Privacy warnings as required by state and federal law. Submission of this application is regulated with the selective service system. If required by federal law, certify that application is correct. If an applicant for change privileges, in compliance with the rules, penalties outlined in M.S. § 168.444 regarding the safety of children around school buses.

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

is receipt, in conjunction with an invalidated previous license, instruction permit or ID card, may be used as identification

is 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

is receipt is void if the applicant is not in compliance with all restrictions indicated on the driving record



FULL FACE

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**A Minnesota Driver's License
has a full-face photo.**

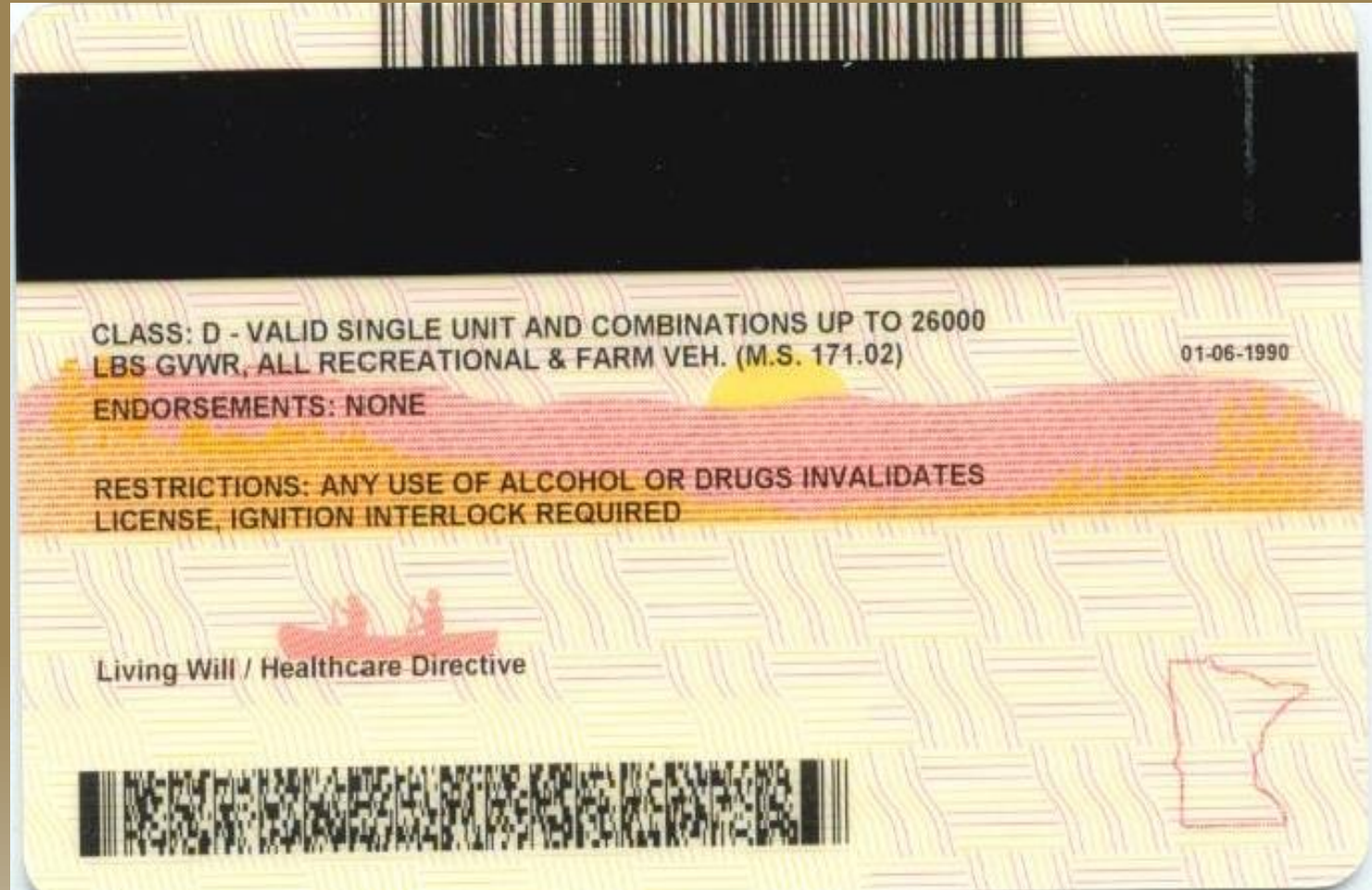


DMS



**OLMSTED COUNTY
SHERIFF**

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!**



KAITLYN HANSEN

In January 2016, Kaitlyn Hansen was killed by a drunk driver in Southeast Minnesota at the age of 16. Her family will forever have to live with the pain of losing their loved one. Please, if you plan on drinking alcohol, plan for a sober ride home.



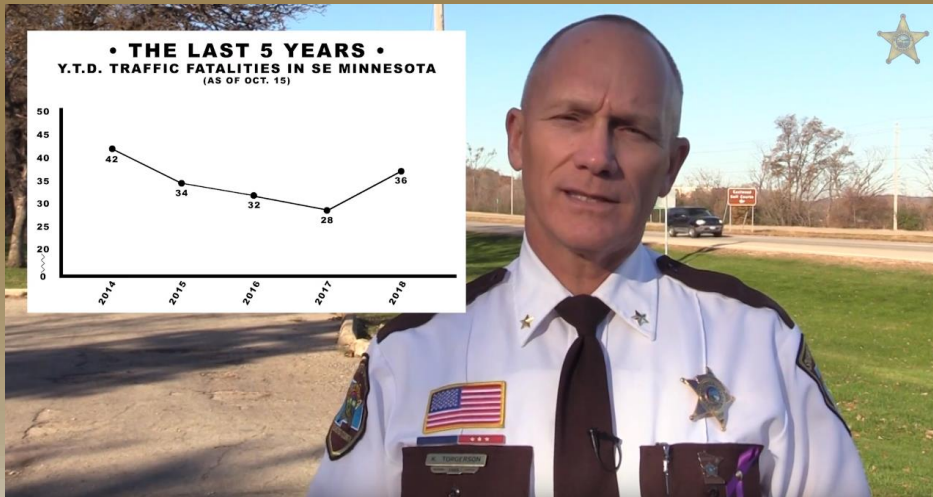
IMPAIRED DRIVING VIDEOS



Kaitlyn Hansen: A Life Taken Too Soon



TZD: Extra Enforcement for Impaired Driving Summer 2018



TZD: Fatalities on Minnesota Roadways on the Rise



TZD: Extra DWI Enforcement Kickoff for 2018 Holiday Season

QUESTIONS?



Deputy Mike Strelow
Olmsted County Sheriff's Office
Stewartville Community Deputy
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