



REFUSING ILLEGAL SALES OF ALCOHOL

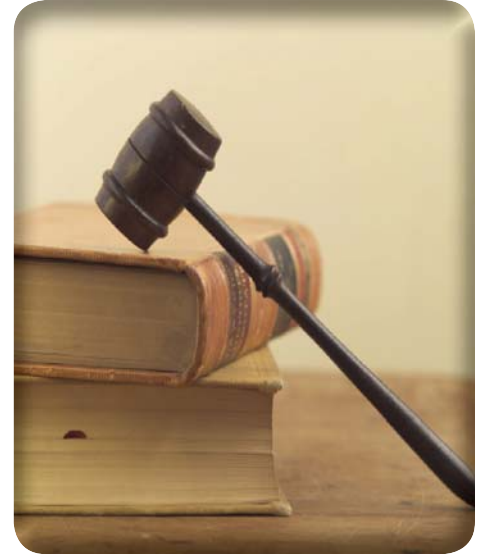
THE LAW

The sale of alcoholic beverages is a serious responsibility, regulated by laws to protect against abuses.

It is against the law to sell alcohol to a person who is:

- under 21
- furnishing alcohol to minors
- visibly intoxicated

The law requires store personnel to refuse illegal sales of alcohol including any local ordinances prohibiting consumption of alcohol in public (street corners, parks, etc.) while being careful not to violate the rights of a customer. The law also requires store personnel selling alcohol to check identification (ID) of anyone who appears younger than 26.



MINORS

Minors come in all shapes and sizes and may attempt to deceive store personnel to obtain alcohol. Keep in mind, minors may alter their look or act differently in an attempt to purchase alcohol. However, appearance and behavior cannot be the only factors in determining age.

Appearance

- ▶ Minor males may have facial hair, bald or shaved heads
- ▶ Minor females may wear makeup
- ▶ Other minors may have smooth or unlined faces
- ▶ Minors may dress in mature clothing



Behavior

- ▶ Some minors may appear nervous or may not make eye contact
- ▶ Other minors will be very confident, make eye contact and lie about their age

In an attempt to purchase alcohol, minors may use false ID or approach someone who is 21 or older to make the purchase, also known as "shoulder tapping". Another scenario occurs when a vehicle full of people send in a person 21 or older to make a purchase. There are many other ways minors may attempt to purchase alcohol and if store personnel suspect an ID is false or altered, are not sure or unable to confirm if the person is 21 or older or believe the alcohol could go to minors, they must **REFUSE THE SALE**.

VISIBLY INTOXICATED PERSONS

Selling alcohol to a visibly intoxicated person (VIP) is against the law. Visible intoxication is intoxication that store personnel can see. If store personnel can tell by looking at a customer that they have been drinking or using legal or illegal drugs, the person is visibly intoxicated.

To assist in determining if a person may be visibly intoxicated, store personnel should observe a person for possible signs.

Some Signs of Intoxication

- ▶ Slurred speech
- ▶ Bloodshot, glassy eyes
- ▶ Unkempt clothing
- ▶ Mussed hair
- ▶ Difficulty handling money or making change
- ▶ Difficulty standing up
- ▶ Swaying, staggering, stumbling or falling
- ▶ Difficulty remembering
- ▶ Speaking loudly, then quietly
- ▶ Argumentative
- ▶ Slow response to questions or comments
- ▶ Rambling train of thought
- ▶ Depressed/crying/moody

Observe and Interact

When a person comes into the store, watch how they move around the area. Are they:

- ▶ Unsteady
- ▶ Using fixtures or displays to assist in standing
- ▶ Swaying, staggering or stumbling
- ▶ Falling down

Does the person have:

- ▶ Bloodshot or glassy eyes?
- ▶ Ungroomed appearance?
- ▶ Trouble handling money, keys or other things?

By conversing with a person and asking them an open-ended question it may assist in listening for:

- ▶ Thick or slurred speech
- ▶ Whether the answer makes sense

NOTE: One sign alone could be a disability. For example slow speech may be a medical condition or walking abnormally may be a physical disability. Most of the time a combination of signs indicate intoxication.

TIPS ON REFUSING

After determining a person is under 21, furnishing alcohol to minors, visibly intoxicated or known to drink in public, use these steps to **refuse a sale** once the product has been removed from the counter.

1. **Be calm and polite** - People are generally more cooperative when treated with respect.
2. **Be tactful** - Accusing a person of being intoxicated or breaking the law could escalate the situation.
3. **Be discreet** - Speak softly in an effort to not embarrass the person in front of other customers.
4. **Act confident and be firm** - This will indicate to the person they can't persuade the decision to change.
5. **Politely move on to the next customer** - The person will see that the decision is final.

REFUSING A SALE

Use these example phrases to assist in refusing a sale to a minor, an adult who furnishes to minors or a visibly intoxicated person.



REFUSING A SALE TO A MINOR

"I'm sorry, but it's against the law to sell liquor to you without legal proof of age."

"I'm sorry, but it's against the law to sell liquor to you until you are at least 21 years old."



REFUSING A SALE TO AN ADULT WHO FURNISHES TO MINORS

"I'm not able to sell this to you because I saw money changing hands between you and those kids."

"Since you were speaking to those kids, the law won't allow me to sell this to you until they come in and show ID that they are all 21 or older."



REFUSING A SALE TO A VISIBLY INTOXICATED PERSON

"It's against the law to sell liquor to you. I don't want to get you or me in trouble."

"I can't sell this to you because you seem to be under the influence."

PENALTY

Selling alcohol is a serious responsibility as it is a legal drug that is available only to individuals 21 or older. Alcohol is a leading cause of death among young people. If store personnel sell alcohol to a minor or visibly intoxicated person, they can be held responsible for liabilities, damages or death from an alcohol-related accident.

Store personnel can:

- ◆ Be convicted of a Class A Misdemeanor
- ◆ Receive a mandatory fine of \$350 to \$500 for the first conviction; a mandatory fine of \$720 to \$1,000 for the second conviction; a mandatory fine of \$1,000 to \$1,500 and at least 30 days in jail for a third and fourth conviction
- ◆ Receive the most severe punishment of being convicted of a Class A Misdemeanor, a fine surpassing \$5,000 and a year in jail

Check ID
OF ANYONE WHO
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THAN 26
BEFORE SELLING
ALCOHOL

IT IS THE LAW