

UNDERAGE DRINKING

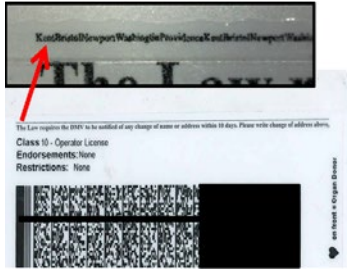
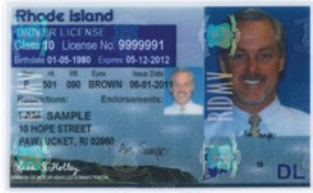
A POCKET GUIDE FOR
LAW ENFORCEMENT



Tri-County Community Action Agency
Southern Providence County
Regional Prevention Coalition
Cranston • Johnston • North Providence • Slatersville • Smithfield

CREATED BY THE SOUTHERN
PROVIDENCE COUNTY REGIONAL
PREVENTION COALITION, PARTNERSHIP
FOR SUCCESS GRANT FUNDED BY BHDDH

ID VERIFICATION TECHNIQUES



GENUINE



FAKE



GENUINE

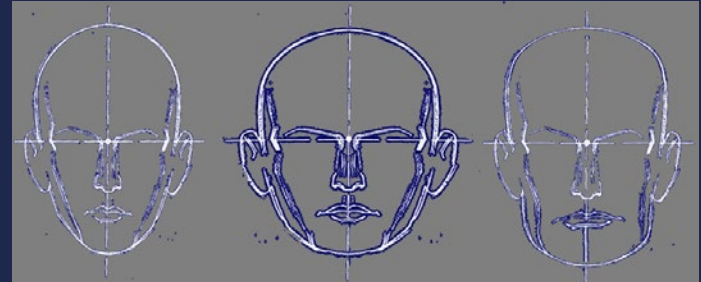


FAKE

APPEARANCE VERIFICATION TECHNIQUES

DOES THE PHOTO MATCH THE PRESENTER?

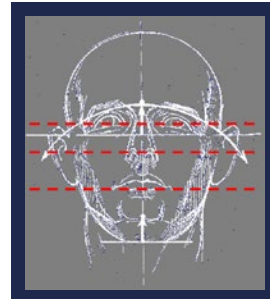
THREE BASIC HEAD SHAPES



DRAW THREE IMAGINARY LINES ACROSS THE PHOTO ON THE ID TO SEE WHERE THE EARS LINE UP COMPARED TO THE EYES, NOSE & MOUTH.

COMPARE THESE OTHER AREAS FOR A MATCH

- EARS (stick out or flat against head)
- EARLOBES (attached or hanging)
- CHIN SHAPE
- HAIR LINE
- SCARS/MARKS/FRECKLES/DIMPLES



An alcohol inspection team consists of 1-2 officers and 2 underage inspectors. If the underage inspector(s) is/are related to an investigating officer, that officer should not be the lead officer in the compliance investigation.

Underage alcohol inspectors should be 17-20 years of age. They should look their age and be representative of the community in which the compliance inspections are to take place. Every attempt should be made to have an equal distribution of male and female inspectors.

They should dress as they normally would; avoiding any clothing, make-up or mannerisms that represent a deliberate attempt to appear over 21 years of age.

All prospective underage inspectors should undergo a basic BCI prior to participation in any inspections. If there is a possibility that the underage inspector may have to use their own vehicle, a driving record check and verification of auto insurance should be done.

Once background checks and age verification have been completed, a signed parental consent form for inspectors under the age of 18 should be obtained.

Underage inspectors should be photographed prior to the conduct of each day's inspections and these photos should be kept on file at the police department along with the completed Age Verification Form and Consent Form(s).

All underage inspectors should be trained in proper procedures prior to conducting any compliance inspections. Training should include the following:

- √ How to assess the safety of their presence within the establishment.
- √ How to make a purchase attempt, including how to act, what to say, and how to respond to questions from the clerk/server or bystander.
- √ What specific actions to take if the youth feels unsafe, threatened or uncomfortable in the establishment.
- √ What to do if the youth knows anyone inside the establishment or if there is police presence in the establishment (other than a member of the inspection team).
- √ Education on the purpose for the operation not being to get the clerk/server to sell, but to make a fair assessment of whether a retail alcohol license holder will sell alcohol products to underage individuals in violation of state statute.
- √ Explanation that state statute requires them to answer truthfully if asked their age and to say that the alcohol is for their own use if questioned.
- √ Explanation that there is a slight chance that they will have to provide testimony at a later date. If they are required to testify, the youth should be prepared for the process by explaining the types of questions they may face and they should be told that they must answer truthfully.
- √ Explanation that immunity from prosecution does not extend to any illegal actions they may take coming to or from the inspection operation or that they engage in during the inspection operation.

COMPLIANCE CHECK PROCEDURES

Police officers are to drive underage inspectors to the alcohol outlets in unmarked police vehicles. Vehicles should be parked in a location where youth can exit and re-enter the vehicle safely, but not within view of the retail outlet personnel.

If the retail outlet or surrounding area is perceived to be unsafe by either the officer of the underage inspector(s), the inspection should be terminated and the appropriate notation should be made on the data collection form.

Underage inspectors should NOT carry identification or any personal money with them when conducting inspections. These items should be left with the supervising police officer and returned upon completion of the day's inspections.

The officer should provide the buy money to the underage inspectors immediately prior to entering an inspection site and should retrieve the money (or change) immediately after the youth has completed the purchase attempt.

If the youth is known to the clerk/server or license holder, or if there is police presence in the establishment, the youth should exit the establishment immediately.

If asked their age, the youth is required to answer truthfully. If asked for ID, the youth should respond "I don't have it with me." It is very important that the underage inspector in no way entice the clerk/server to sell the product.

If the purchase attempt is successful, the inspector should pay for the product, get the receipt, and immediately exit the establishment. Any products purchased should be immediately turned over to the supervising police officer.

Please note that for on-premises alcohol outlets (e.g., Class B's), that two underage inspectors should be sent in together as this may represent a more realistic purchase situation.





§ 3-8-11.1. Furnishing or procurement of alcoholic beverages for underage persons. (Social Host)

(a) As used in this section: (1) “furnish” means to provide with, supply, give or purchase; (2) “procure” means to get possession of, obtain by particular care and effort; and (3) “permit” means to give permission for, or approval of, the possession or consumption of an alcoholic beverage by any form of conduct, that would cause a reasonable person to believe that permission or approval has been given.

(b) Except as otherwise provided in subsection (d) of this section it is unlawful for any person twenty-one (21) years of age or older:

(1) to purchase from any licensee or any employee of a licensee any alcoholic beverage for the sale, delivery, service of or giving away to, any person who has not reached his or her twenty-first (21st) birthday;

(2) to purchase from any licensee or any employee of any licensee any alcoholic beverage with the intent to cause or permit said alcoholic beverage to be sold, or given to any person who has not reached his or her twenty-first (21st) birthday;

(3) to knowingly furnish any alcoholic beverage for the sale, delivery, service of or giving to any person who has not reached his or her twenty-first (21st) birthday;

(4) to procure alcoholic beverages for the sale, delivery, service of or giving to any person who has not reached his or her twenty-first (21st) birthday; or

(5) to otherwise permit the consumption of alcohol by underaged persons in his or her residence or on his or her real property.

(c) Any person, between the ages of eighteen (18) and twenty-one (21) years of age, who violates subsection (b) herein, may, upon conviction, be subject to a civil penalty of not more than five hundred dollars (\$500). In addition, any person convicted may be required to attend an educational program approved by the department of health designed to recognize the dangers of underage drinking, and may be subject to up to thirty (30) hours of community service.

(d) This section does not apply to use, consumption or possession of alcoholic beverages by a minor for religious purposes; or to a parent or legal guardian procuring or furnishing alcohol to, or permitting the consumption of alcohol by, his or her minor child or ward.

(e) Any person who violates this section will be subject to the penalties provided in § 3-8-11.2.



§ 3-8-11.2. Penalty for violation of § 3-8-11.1.

(a) Any person who violates § 3-8-11.1 and either pleads nolo contendere or is convicted of a first misdemeanor violation shall be punished by a fine of not less than three hundred fifty dollars (\$350.00) nor more than one thousand dollars (\$1,000.00) and/or imprisoned for a period not exceeding six (6) months, or both.

(b) Any person who violates § 3-8-11.1 and either pleads nolo contendere or is convicted of a second misdemeanor violation shall be punished by a fine of not less than seven hundred fifty dollars (\$750.00) nor more than one thousand dollars (\$1,000.00) and/or imprisoned for a period not exceeding one year, or both.

(c) Any person who violates § 3-8-11.1 and either pleads nolo contendere or is convicted of a third or subsequent violation shall be guilty of a felony and shall be punished by a fine not less than one thousand dollars (\$1,000) nor more than two thousand five hundred dollars (\$2,500) and/or imprisonment not exceeding three (3) years. Any person convicted of a second or subsequent offense under of this section shall not have any fine suspended.



§ 3-8-5. Penalty for violations relating to underage persons. (Selling or Serving to a Minor)

Any person who sells or suffers to be sold or delivered any beverage to a person who has not reached his or her twenty-first (21st) birthday either for his or her own use or the use of his or her parents or any other person, or allows any person who has not reached his or her twenty-first (21st) birthday to drink beverages on premises licensed under this title or suffers or allows any persons who have not reached their eighteenth (18th) birthday to sell or serve any beverage on the premises shall for the first offense be subject to a fine of two hundred fifty dollars (\$250); for the second offense, be subject to a fine of five hundred dollars (\$500), and for the third and any subsequent offense, be subject to a fine of seven hundred fifty dollars (\$750). In the event that there are no offenses in three (3) successive years from the date of the last offense, then the next offense shall be treated as a first offense.

Nothing in this chapter shall be construed to prevent licensees from hiring any person who has reached his or her eighteenth birthday.



§ 3-8-5.1. Compliance check.

(a) As used in this section the term “compliance check” means the sending of a minor into a retail outlet to see if that minor could purchase alcohol. As used in this section the term “purchase survey” refers to compliance checks that are a part of a statewide survey.

(b) Underage individuals acting as agents for the state or municipal police department may purchase, with impunity from prosecution, alcohol for the purposes of law enforcement, provided that the underage individuals are supervised by an adult law enforcement official. Any individual participating in an unannounced compliance check and/or purchase survey must state his/her accurate age if asked by the employee of the licensed establishment being checked.

(c) 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 shall be notified within 48 hours of the violation. If the compliance check is a part of a purchase survey and results in the sale of alcohol to the minor, the manager of the retail outlet shall be notified of the violation upon completion of the purchase survey in that community.



LAW ENFORCEMENT AND UNDERAGE DRINKING PREVENTION: A PARTNERSHIP FOR SUCCESS

The Southern Providence County Regional Prevention Coalition is a regional coalition of community members that come together with a mission to develop, implement, and advocate for elective community-based prevention initiatives.

The coalition, coordinated by Tri-County Community Action Agency, highly values our partnership with local law enforcement. Thank you for all that you do!

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