

OREGON LIQUOR CONTROL COMMISSION

Minor Sales Checks

The Oregon Liquor Control Commission (OLCC) uses minor volunteers ages 17-20 who look under the age of 26, to attempt to buy alcohol at liquor stores, licensed businesses and other locations such as special events. If asked for identification, the minor decoy shows their own valid Oregon identification, which indicates they are underage. Minor decoys do not disguise their real age or encourage the sale of alcohol.

Sales of alcoholic beverages to minors, including decoys, and failure to correctly check identification result in administrative sanctions to liquor licensees, liquor store agents, or service permittees, and possible criminal sanctions to others. The OLCC offers training to licensees, liquor store agents and their staff on preventing sales to minors, checking identification, and recognizing false identification.

Random or targeted visits

All businesses that sell or serve alcohol are subject to a decoy visit, including licensees, agents and their employees. The OLCC selects businesses for decoy visits on a random or targeted basis in compliance with ORS 471.346 and OAR 845-009-0200. A selected business will be visited at least once during a 12-month period. An OLCC manager may authorize multiple visits if he or she believes that alcohol sales to minors are likely to continue.

Selection of businesses is done by simple random sampling, which ensures to the greatest extent possible that each licensee or liquor agent has an equal chance of being selected. This simple random sampling may be performed using a variety of generally accepted simple random sampling tools, such as a random number table, a random number generator, or other method.

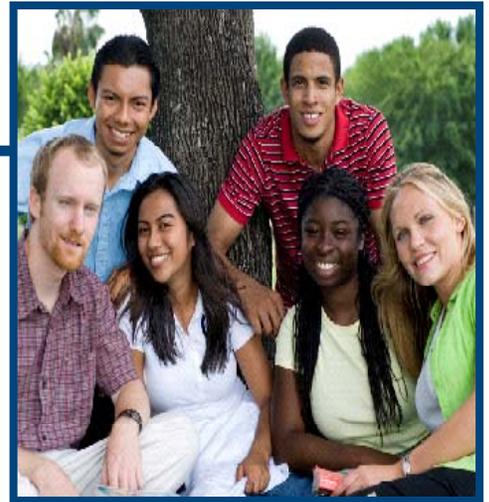
Under Oregon law, businesses in cities with a population of 20,000 or more have an equal chance of being randomly selected for a minor decoy compliance check. Businesses in cities with a population under 20,000 are not subject to these selection requirements.

A single licensee or liquor agent can also be targeted for a compliance check if there is a documented compliance problem of sales to minors.

A documented compliance problem means the OLCC or other law enforcement has received one or more documented complaints about a business, agent, licensee or license applicant alleging one or more of the following:

- Failed to check, or properly check identification;
- Allowed minors in prohibited areas;
- Allowed minors to consume alcohol;
- Sold alcohol to minors; or

(over)



The OLCC's minor decoy program is designed to reduce underage drinking and increase ID checking of people who appear under age 26. OLCC staff use this tool to achieve a maximum reduction in illegal alcohol sales.

For more information contact:

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The mission of the OLCC is to promote the public interest through the responsible sale and service of alcoholic beverages.

www.oregon.gov/OLCC

The business, agent, licensee or license applicant has received one or more citations, or administrative notices of warning or notices of violation tickets for:

- Failing to check or properly check identification;
- Allowing minors in prohibited areas;
- Allowing minors to consume alcohol;
- Selling alcohol to minors; or
- The business, licensee or license applicant is operating under a 90-day letter of authority to sell/serve alcohol and there is a past history of alcohol violations.

Strong program procedures

Licensees - The OLCC notifies all licensees and liquor agents that OLCC and other law enforcement agencies conduct decoy operations. OLCC gives this notification to new licensees and agents when they receive their licenses or contract, and to other licensees and agents annually. The notification includes an offer for training on prevention of alcohol sales to minors and a free ID checking course offered at all OLCC offices. OLCC also issues formal tickets of appreciation to alcohol servers and sellers who use extra efforts in refusing to sell alcohol to minors.

District attorney - The OLCC staff and district attorneys' offices around the state work closely to ensure OLCC decoy operations comply with legal positions.

Local law enforcement - The OLCC cooperates with local law enforcement agencies to share information and coordinate decoy operations. Police officers may accompany OLCC staff on OLCC decoy visits. OLCC staff may accompany police on their decoy visits.

Media - OLCC works with the media to publicize the program. OLCC may release the names of the businesses checked and the results of the sales.

Standards for OLCC violations - The OLCC will charge a licensee or permittee with an administrative violation and sanction only when police or the OLCC minor decoy meets all of the following standards:

- The minor decoy must be under the age of 21
- The minor decoy must look under the age of 26
- The minor decoy may not use false identification
- The minor decoy may not lie about his or her age

Seller Training Program

House Bill 3343, effective January 2010, created a new provision for those who sell or serve alcohol. The provision provides possible reduced criminal penalties for those who sell alcohol to minors.

To be eligible for the reduced penalty, clerks must complete an OLCC-approved seller training program, or have a valid Alcohol Service Permit. It is the clerk's responsibility to keep a record regarding their completion of an OLCC-approved training program. It will be up to the employee to provide such records to the court to be considered for a possible reduced criminal penalty.