

# ALE Cracks Down on Underage Drinkers, Fake IDs, Lax Bouncers

BY ROBYN TOMLIN HACKLEY  
ASSISTANT UNIVERSITY EDITOR

When UNC freshmen arrive on campus, one of the first lessons that they have to learn is the meaning of the acronym ALE.

Consider the fact that approximately 93 percent of all college students have consumed alcohol during their lives, but only 20 percent of those undergraduates are 21 or over. How do so many students manage to get around underage drinking laws? "Every freshman I know has a fake ID," said one UNC sophomore. "They get them almost as soon as they get here. But there is a whole etiquette for what to do with them once you get into a bar. Whatever you do, don't let ALE see it!"

"UNC students need to be aware of the consequences of their actions. If you are under 21 and you decide to use a fake ID or to consume alcohol, chances are you will get caught at some point," said John J. Simmons, area Alcohol Law Enforcement Agency Supervisor.

In North Carolina, 19 and 20-year-olds can be charged with an infraction and fined if caught consuming or purchasing alcohol. People less than 18 years of age can be charged with a misdemeanor. If found guilty, the violation could go on their record, they are then subject to fines, court costs and community service.

"We've stepped up our efforts and we will continue to do so," said Simmons.

"Our main focus is to ensure that all businesses in our district comply with the laws of the state of N.C."

ALE is an agency of the Department of Crime Control and Public Safety.

It is responsible for enforcing North Carolina's alcoholic beverage, controlled substance, prostitution, lottery and gambling laws. ALE also has the jurisdictional capabilities to enforce all other N.C. laws and statutes.

Simmons said: "One of the biggest problems in Chapel Hill is that many of the bars check identification at the door. We don't advocate that. It's not a recognizable defense in court." Bars must check IDs at the time of time that the alcoholic beverage is purchased.

Another major issue in Chapel Hill is the fraudulent identification. In N.C. last year, more than 500 people were arrested using a fake ID. "Fake IDs are a huge problem in Chapel Hill," said Simmons. "But it's that way in most college towns."

"A minor caught drinking, having used a fake ID to purchase the beverage can be charged with underage possession, possession of a fictitious ID and using a fictitious ID. In addition, the Division of Motor Vehicles will suspend that person's drivers license for one year."

Some Chapel Hill businesses feel that ALE is too hard on the bars and not consistent enough in their enforcement efforts.

"If they're going to crackdown, they need to crackdown on everybody and not just

one particular bars," said Mike Tulsey, manager of Rosemary Street's Bub O'Malley's bar.

Bub O'Malley's recently had their temporary permit to sell liquor revoked. Tulsey felt it had something to do with the Jaime McGee incident that occurred April 27. She was an 18-year-old UNC freshman who fell 30 feet to her death after climbed the fire escape outside of Phillips Hall Annex.

She was served alcohol even though she was below the legal drinking age. Simmons said Bub O'Malley's lost its temporary permit after an ALE investigation determined that they had improperly applied as a restaurant.

According to North Carolina law, bars are divided into three categories: private clubs, restaurants and bars. Private clubs must carry a membership roster and issue membership cards. Restaurants must get at least 40 percent of their overall gross from the sale of food, while bars can only sell beer and unfortified wine.

Tulsey also complained, "They enforce the private club and restaurant provisions in Chapel Hill. They come in any time the feel like it. That's not law enforcement;

they're just harassing the bars," said Tulsey. "If they want to enforce the laws, they need to enforce them all of the time."

Simmons answered these allegations, saying, "It would tickle me pink if I didn't have to pick on anyone. We'll help you fix the problem. If you do the same thing again, we've got a bigger problem and I may have to come back two or three times in one night to make sure that we can solve that problem."

"It's not the ALE's responsibility to police their operations. We're enthusiastic about helping but that doesn't include policing or baby-sitting. We are not private security. We're there to consult with the owners," he said.

"We often send in covert agents. They may or may not know we're there. Unless it's warranted we don't have time to stick around one bar all night," he said.

Jeffrey Klein, a bartender at Linda's Bar and Grill, disagreed with Tulsey's assessment of the situation. "We support the precautions the ALE is taking. We do our best to make sure that everyone we serve is of age."

N.C. is divided into 12 ALE districts. Simmons is the supervisor for District 12,

which is made up of Durham, Orange, Person, Caswell, Chatham and Alamance counties. There are six ALE agents and two supervisors assigned to cover the 1,263 retail outlets in these counties.

Simmons said the ALE has some special enforcement programs that help their enforcement efforts. In major problem areas, the ALE will occasionally run "Wolfpacking Operations." These operations involve agents from several different districts. The agents don jackets that say "ALE - RAID" and spend from 6 p.m. until 3 a.m. visiting a problem area seeking Alcoholic Beverage Commission violations.

"Another program we are very excited about is the 'Cops in Shops' program where undercover agents pose as convenience and grocery store clerks. They can be behind the counter or sweeping up the floor," said Simmons.

"When they see someone use what they believe to be a fake ID or when they see someone purchase alcohol for a minor. They would then alert another ALE agent who is waiting outside the store. That agent will stop the suspect and will call-in their information to see if it's real. About 90

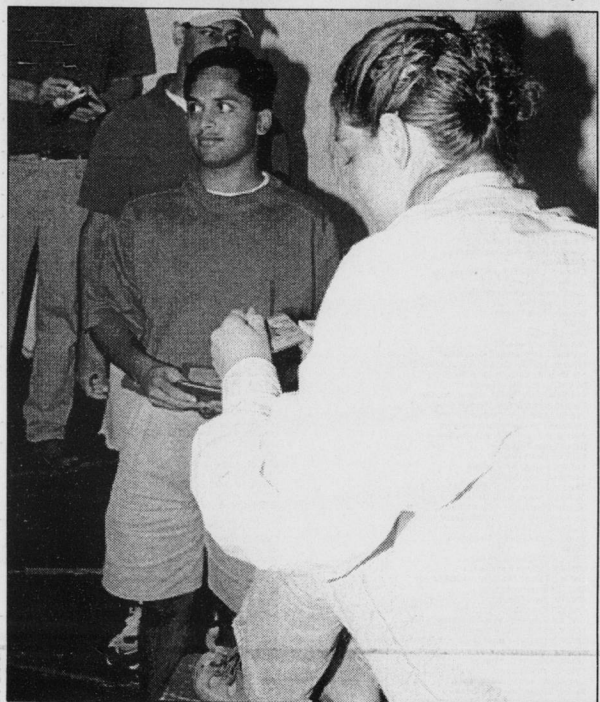
percent of the people we stop are charged with a violation," he said.

One Chapel Hill bartender who asked to remain anonymous said that the biggest problem in Chapel Hill bars is that the bouncers are often under 21 or that they are members of a fraternity.

"They just let people who they know are underage in," the bartender said. "They're usually their friends. As long as they see some kind of ID, even one they know is fake, they'll let them in."

Simmons said bars that do not heed the ALE's warnings are subject to ABC laws and could lose their permits if they are found guilty of subsequent violations of the law. "We want to educate servers about their personal liability. We hold 'Be a Responsible Server' programs all over the state to educate employees of their responsibilities."

Employees who do not follow these rules can be charged if they violate any ABC regulation, Simmons said. If convicted they face prison sentences, fines and they lose the right to work in any establishment that serves alcohol. Almost 500 people were charged with server violations during 1994.



Emily Hilton checks IDs at Groundhog Tavern. She said that some patrons display a negative attitude towards her just because she is a bouncer.

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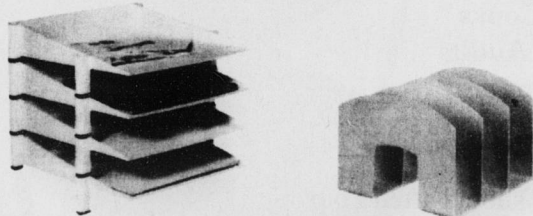
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