

Some restaurateurs challenge police action

Continued from Page 1

Despite the complaints, Dwyer defends the department's undercover operation and use of decoys.

"I think it was run very smoothly, very efficiently. There was no intent to entrap these establishments by making the decoys look older than they are. We are not out to write up every establishment in the city. The intent is not to submit tickets, but it's to make them uphold their responsibilities."

Using decoys in liquor violation crackdowns is sanctioned by the Michigan Liquor Control Commission and used extensively across the state, said Verna Foote, liquor commission hearings and appeals supervisor.

FARMINGTON HILLS Mayor Joe Alkatieb, who has received complaints from some of the establishments cited, said Dwyer has a lot and the city council's support.

"I appreciate there are a lot of classy restaurants in town. But they are sloppy, too. With 75-80 percent non-compliance, I wouldn't call that very careful, would you?"

Alkatieb said it is well-known that "anybody can buy booze in this town, no matter what age you are. Nobody is above the law. We are just trying to put people on notice to be careful."

"We are behind the chief 100 percent. We asked him to do it."

Yet many of the city's restaurateurs were taken aback.

Both McDonald and Sheehan said they are concerned about teenage

drinking. Both said they have always been willing to cooperate with the police.

"We want to be a part of the solution, not part of the problem," McDonald said. "We are trying to be as professional as we can be. We would have appreciated being told by the police first that there was a problem with teens."

Restaurateurs criticized the manner in which they were ticketed. Though some said the female decoy was asked for identification, she refused to show it or said she didn't have any, they said.

TIE CADET, restaurateurs said, was subsequently served because she appeared to be older than 21. At that point, other undercover officers approached the server and ticketed him or her for serving a minor.

"It was assumed, unfortunately, that she was of age," said a waitress who called the Observer. "In this kind of restaurant, we rarely have teens coming in. And she (the decoy) was by herself. It appeared she was a professional who was coming in for happy hour."

Whether the decoy refused to show or didn't have identification is irrelevant, Dwyer said. The server cannot not legally serve an alcoholic beverage if a requested identification is not presented.

"It's incumbent on the licensee not to serve. I have talked to a number of the concerned licensees regarding the operation. They indicate to a certain degree it is entrapment. It's not entrapment. They know the rules and regulations of the Michigan Li-

quor Control Commission."

Yet some of the restaurateurs maintain that they make great attempts to check customers' identification. If they appear to be younger than 21,

"Our bartenders and waitresses are to check people. Generally, I say if they look 25 and under, check. It's a judgment," Sheehan said.

"We pound into them that if they have any doubt, check. But you still

have to go back to common sense," Sheehan said.

McFROCK'S, FOR example, has a double-check system. A doorman, armed with a light that helps him determine whether identification has been tampered, checks those who come through the door. The server again checks identification once customers are seated and request a drink, McDonald said. "The girl (decoy) who came in circumscribed my

doorman," he added.

Yet another issue raised by restaurateurs and employees involves the type of establishments teen-agers seek out for alcoholic beverages. Restaurateurs who were ticketed maintain that their establishments — offering food and drinks — are not the type of places teens frequent. "If this was prompted by interest from high schoolers, well, they don't go to places like this," said the wait-

ress.

Sheehan agreed. "We are not into kids drinking because that's not our business. We are a restaurant that serves alcoholic beverages. We are not a bar."

In restaurants such as O'Sheehans, or Roman Terrace, for example, the menu prices, decor and cost of drinks generally prohibits teenage patronage, McDonald and Sheehan said.

'They have to start checking IDs'

By Joanne Maliszewski
staff writer

There's no doubt it's difficult for bartenders, waiters and waitresses to determine a person's age by mere appearance.

But Farmington Hills Police Chief William Dwyer, Michigan Liquor Control Commission officials and the Michigan Licensed Beverage Association say they have a simple solution — check identification.

"They have to start checking IDs," said Chuck Hadden, director of the Techniques of Alcohol Management program offered through the Lansing-based licensed beverage association.

In fact, Hadden said, as the result of the decoy-type of liquor violation operation the Farmington Hills police recently conducted, more and more liquor-licensed businesses will begin to comply with liquor laws especially checking identification.

"The state average with these

types of operations the first time is 50 percent (of the businesses in an area cited). Then, as it's done more, that continues to drop," Hadden said.

But Farmington Hills restaurant owners who were cited in the Hills police operation are concerned about the future. They say they check identification, especially if someone appears to be younger than 21. But some restaurateurs are also afraid of insulting and eventually losing adult customers.

LARRY SHEEHAN, owner of O'Sheehans Tavern, for example, began thoroughly checking identification for everyone coming through his door after his establishment was cited for allegedly selling to minors. "We did it for four, five days. We had so much flak. We had people, 30, 40 years old, absolutely insulted. We can't jeopardize our business like that."

John Ginopolis, owner of Ginopolis Restaurant, which was not cited dur-

'It is very difficult for a bar owner (to card everybody). But I don't think most people really get offended. People are aware bar owners, restaurant owners, are really under pressure.'

— John Ginopolis
Ginopolis owner

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— Chuck Hadden, director
Techniques of
Alcohol Management

ing the police operation, believes it's too bad if people get insulted.

"It is very difficult for a bar owner. But I don't think most people really get offended. People are aware bar owners, restaurant owners, are really under pressure," Ginopolis said.

Although he used to feel his customers would be offended by asking for identification, he has since changed his mind. The consequence of being cited by police for selling to a minor is too great for him to worry about insulting anyone.

"I don't even tolerate that. If they (customers) are getting aggravated, well, I don't need that aggravation." Insulting customers is an attitude among bar and restaurant owners that is difficult to dispel, Hadden said.

IN THE TAM programs he offers to bar and restaurant owners and employees — educating them about the liquor laws and how to deal with intoxicated patrons — Hadden said

the "hospitality attitude" is the stumbling block.

"That's the biggest question we get — 'are we going to insult our customers?'" Hadden said.

"People are afraid to ask for identification. It's the hospitality business. They have always been told that the customer is right, don't argue. But now the attitude with alcohol has changed in these few years. And we are having problems changing that hospitality attitude."

Better safe, than sorry, seems to be the advice offered by the police and licensed beverage association officials.

Yet restaurateurs are nonetheless confused and disgruntled. O'Sheehans, McFrocks and Roman Terrace have all participated in the licensed beverage association's TAM and other educational programs. And they maintain they check identification.

The establishments also partici-

Please turn to Page 9

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