

**DRAM SHOP THEORY AND WHAT IT IS**  
**REF: AFI 34-119, ALCOHOL BEVERAGE MANAGEMENT**

The Dram Shop Theory of Legal Liability is created by law or court decisions which impose on the server (owner or operator) of alcoholic beverages the duty to refuse to serve alcoholic beverages to patrons who reach or appear to be reaching the point of intoxication. Under some state or local laws, the server (owner or operator) may be held liable for damages when alcoholic beverages continue to be served/sold to such a patron who brings harm to property, himself or others.

**CONSEQUENCES OF SELLING/SERVING ALCOHOL TO AN INTOXICATED PERSON:**

- IF AN INTOXICATED PERSON SUBSEQUENTLY DEPARTS AND CAUSES HARM TO THEMSELVES OR OTHERS, THE SIGNING AGENT COULD BE HELD LIABLE FOR ANY DAMAGES
- THE SERVER AS WELL AS THE PATRON MIGHT ALSO BE HELD LIABLE

**HERE ARE SOME SIGNS THAT A PERSON MAY BE INTOXICATED THAT MAY HELP KEEP YOU AS A SERVER OF ALCOHOL OUT OF TROUBLE:**

- CARELESS WITH MONEY
- ANNOYING OTHER PEOPLE
- BECOMING DETACHED OR BROODING
- ALTERED SPEECH PATTERN
- UNSTEADY GAIT OR WALK
- SLURRED SPEECH
- LOSING EYE CONTACT; UNABLE TO FOCUS
- BUMPING INTO PEOPLE OR FURNITURE; CLUMSINESS, LOUD, ARGUMENTATIVE, MEAN OR OBNOXIOUS BEHAVIOR

**TIPS ON HOW TO HANDLE AN INTOXICATED PERSON:**

- STAY CALM, BE COURTEOUS, DO NOT BECOME ENGAGED IN OR BECOME ARGUMENTATIVE WITH THE INDIVIDUAL
- DO NOT SERVE A SUSPECTED INTOXICATED PERSON ANYMORE ALCOHOL
- USE PHRASES LIKE "I'M SORRY SIR/MA'AM, I CAN'T SERVE YOU ANOTHER BEER, BUT I CAN SERVE YOU COFFEE, WATER OR SOFT DRINKS"
- OFFER FOOD
- HAVE PERSON CALL FOR A SAFE RIDE HOME OR OFFER TO CALL A CAB
- IF INTOXICATED PERSON BECOMES UNCONTROLLABLE, REQUEST ASSISTANCE FROM SECURITY FORCES AT 494-2008

I understand my responsibility under the Dram Shop Theory not to sell/serve alcoholic beverages to persons appearing to be intoxicated and not in complete control of their faculties.

\_\_\_\_\_  
Printed name of signing agent

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date