



# News Release

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## **DUII crash investigation shows Gilmore's Meadow took appropriate actions**

**Portland, OR** – The Oregon Liquor Control Commission has finalized a month-long investigation into the DUII crash at Johnson Creek and 58<sup>th</sup> Avenue in Clackamas County that occurred February 21, 2014. The investigation shows the employees of the liquor licensed business, Gilmore's Meadow, took appropriate action to prevent the intoxicated customer from consuming more alcohol and tried to stop her from driving.

When an incident involving drinking and driving happens at a liquor licensed business, OLCC inspectors consider whether or not the customer was visibly intoxicated and if the employees took measures to prevent the incident.

The results of the investigation do not indicate that the customer's level of intoxication was due to over-service by the employees. Evidence also shows that employees removed the alcohol from the intoxicated customer once she began showing signs of visible intoxication, tried to prevent her from leaving the building, called a taxi cab for her, and called police when she insisted on driving.

"The employees in this case did just what the Alcohol Server Education training teaches them to do," says John Eckhart, Public Safety. "When they noticed she was unstable on her feet and eyes were glossy, they immediately removed her drink and replaced it with water. They offered her a safe ride home and tried persistently to stop her from driving. It was clear that the employees cared about her safety and the safety of other drivers on the road."

In this case, there were several indicators that led employees to cutting the customer off from alcohol service. However, there are many [signs of visible intoxication](#). "Bloodshot eyes alone, could be allergy-related and not necessarily an indicator of intoxication," says Eckhart. "Servers and bartenders should look for a combination of signs. However, they always have the right to refuse service if they're not sure. It's always better to be safe than sorry."

Gilmore's Meadow is located at 5823 SE Johnson Creek Blvd. in Portland. The licensee is Gilmore's Meadow, Inc.

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# 50 SIGNS OF VISIBLE INTOXICATION

Serving alcohol to a visibly intoxicated person (VIP) is against the law. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated. Servers are not expected to know a customer's blood alcohol content (BAC) as determined by a blood, breath, or urine test, but they are required to recognize visible intoxication.

Here are some common signs of visible intoxication. These are not all of the possible signs. If a person shows just one or two of these signs that does not necessarily mean the person is intoxicated. But if a person shows a combination of several signs, or has a sudden change in behavior, that could be a strong indication that the person is intoxicated. Remember that intoxication can result from the use of drugs other than alcohol. ***If you're not sure, don't serve.***

## Appearance

1. Bloodshot, glassy, or watery eyes
2. Flushed face
3. Droopy eyelids
4. Blank stare or dazed look
5. Twitching or body tremors
6. Disheveled clothing

## Speech

7. Thick, slurred speech
8. Loud, noisy speech
9. Speaking loudly, then quietly
10. Rambling train of thought
11. Unusually fast or slow talking
12. Slow response to questions or comments
13. Repetitive statements
14. Bravado, boasting
15. Making irrational statements

## Attitude

16. Annoying other guests and employees
17. Argumentative
18. Aggressive or belligerent
19. Obnoxious or mean
20. Inappropriate sexual advances
21. Overly friendly to other guests or employees
22. Boisterous

## Behavior

23. Swaying, staggering, or stumbling
24. Unable to sit straight

## Behavior (cont.)

25. Careless with money
26. Difficulty making change
27. Restless
28. Depressed or sullen
29. Crying or moody
30. Extreme or sudden change in behavior
31. Overly animated or entertaining
32. Crude, inappropriate speech or gestures
33. Drowsiness or falling asleep
34. Lack of focus and eye contact
35. Difficulty standing up
36. Unusual walk
37. Can't find mouth with glass
38. Falling down or falling off of chair
39. Difficulty lighting cigarettes
40. Lighting more than one cigarette
41. Clumsy
42. Difficulty remembering
43. Spilling drinks
44. Disoriented
45. Agitated, anxious
46. Grinding teeth
47. Vomiting

## Other

48. Odor of alcohol, marijuana or chemicals
49. Excessive perspiration
50. Repeated trips to rest room or outside area

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*Promoting Responsible Alcohol Sales and Service*