



INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004511

Title: Alcohol Compliance Check Failure

INCIDENT INFORMATION

Charges/Citation:	340A.503.2(1)	Address:	977 Smith Avenue S Bldg Name/Num: Smith Ave. Liquor West St. Paul, MN 55118
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-11 12:37	White, Kathryn Pantera	1998-07-06 Suspect
End Date:	2019-11-11 12:45		
Reported Date:	2019-11-11 12:37		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	West St. Paul	2630	Primary

SYNOPSIS OF EVENTS

Alcohol compliance check failure.

NARRATIVE

On 2019-11-11 Officer G. Altman and I conducted required alcohol compliance checks of all businesses holding a license for alcohol in the City of West St. Paul. A 20 year old female was used to assist in the checks who shall be referred to as KAS in this report.

KAS did not personally know any of the employees of the establishments checked. All money used during the checks was provided by the City of West St. Paul. During the checks KAS was only in possession of her Mn drivers license, cell phone and a recorded \$20 bill. KAS was instructed to present her drivers license if asked to do so and advised not to lie or misrepresent her age if questioned during the checks. KAS was instructed for bars/restaurants to enter and text us on our work cell phone if she was served by staff, so we could enter the business and make contact. For liquor stores she instructed to return to our vehicle with what ever she had purchased.

The business checked for this report was Smith Ave. Liquors, 977 Smith Avenue S. KAS entered the business alone. A short time later KAS exited and returned to our vehicle with a bottle of alcohol. KAS stated there was only one female employee at the counter that sold her the alcohol. KAS was asked to wait in the vehicle while officers made contact with the employee.

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The employee was identified as, Kathryn Pantera White DOB/1998-07-06. Kathryn was advised that she had sold to an under age person. Kathryn stated she thought KAS was over 30 years so she did not check her identification. Kathryn was asked if she has had any age verification sales training, she said, she did an online review but she has only been working here for about three weeks. Kathryn stated she was told by an employee that trained her that anyone who does not look over 31 should be carded. The change and bottle from the purchase were returned to Kathryn and the original \$20 used was returned to us.

Kathryn's information was confirmed and photos of the purchased alcohol and receipt were placed into the case file. Kathryn was advised that she should contact her supervisor and that she would receive more information through the mail. Kathryn was given a business card for contact information and a case number.

A criminal history was also obtained on Kathryn.

Forwarded for a review on formal charges to include - 340A.503.2(1) Liquor, Purchase/sell/Barter/Furnish alcohol to someone under 21 years of age.

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: White First: Kathryn Middle: Pantera Date of Birth: 1998-07-06 (21)

Sex: Female Race: White Height: 500 -500 Weight: 130 -130 lbs Hair:

Eyes: Blue Is Juvenile?: No Ethnicity: Not Hispanic/Latino Build: Complexion:

Residence: 213 Annapolis Street W APT 202; West St. Paul, MN 55118; US

Residence Type: RESIDENCE/HOME

Cell Phone: (651)357-4078 Description:

EMPLOYMENT INFORMATION

Name: Smith Ave. Liquor Type:

Occupation: Cashier Shift:

Address: 977 Smith Avenue S Bldg Name/Num: Smith Ave. Liquor; West St. Paul, MN 55118; US

Address Type
LIQUOR STORE

Work Phone: (651)457-4567 Description:

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CHARGES/ORDINANCES

Type: Statute

Charge: 340A.503.2(1)

Level: Gross Misdemeanor

UOC:

Enh. Factor:

Description: Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr

CASE #: 19004511

INCIDENT REPORT



WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

Police Administration 651-552-4200 Fax: 651-552-4199

www.wspmn.gov

January 23, 2020

Mr. Carlos Lares
Smith Liquors
977 Smith Avenue S
West St Paul, Minnesota 55118

Subject: Alcohol License Violation and Notice of Hearing

Dear Mr. Lares,

On November 11, 2019 the Police Department conducted multiple alcohol compliance checks throughout the City of West St Paul. Unfortunately, a few establishments failed these checks including yours.

In following the procedure for an alcohol license violation, a review of the violation was conducted and a sanction recommendation has been developed. A copy of the recommendation is enclosed.

This recommendation will be presented to the City Council during the required sanction hearing which will take place on February 24, 2020 during the regular Council meeting. The meeting starts at 6:30 PM and is located at City Hall, 1616 Humboldt Avenue, West Saint Paul Minnesota. This letter serves as your official notice of this hearing which you have the right to be present at. You may address the Council, provide testimony, present evidence or bring witnesses on your behalf if you desire.

You may also wish to review the City's alcohol and licensing codes by visiting the City's website, www.wspmn.gov ; Intoxicating Liquor – 112 or Licensing – 110.

If you have any questions or concerns, please do not hesitate to contact me at 651-552-4202.

Sincerely,

A handwritten signature in blue ink that reads "Brian Sturgeon". The signature is written in a cursive style.

Brian Sturgeon, Chief of Police

"We Serve with Honor and Integrity"



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1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

Police Administration 651-552-4200 Fax: 651-552-4199

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City Issued License Sanction Hearing

Date: February 24, 2020

Type of Violation: Alcohol

Name of Establishment: Smith Liquors

Address: 977 Smith Avenue South

Police Case File: 19004511

Date of Violation: November 11, 2019

Summary:

On November 11, 2019 at about 12:37 PM, Officers Marrero and Altman along with an underage decoy conducted an alcohol compliance check at Smith Liquors. The officers provided the decoy with marked money and she had her unaltered Minnesota identification card and cell phone with her. The decoy was told not to lie about her age if asked.

During the compliance check, the underage decoy was sold a bottle of Vodka. The decoy exited the store and turned the bottle over to the officers. There was only one employee working at the store. The employee stated that the decoy looked over 30 years old and that is why she did not ask to see any identification.

Other Information:

- New ownership took over the store in 2015 and this is the first compliance check failure.
- There was no representatives from the store that attended the city sponsored alcohol compliance training in 2019.
- There have been no police issues with the establishment under the new ownership.

Recommendation:

- A \$500 civil penalty, \$200 of which is stayed for a period of one year. If there are other alcohol license violations within the one year period, the stayed penalty of \$200 will be imposed in addition to any new sanctions;
- The licensee or employee(s) must attend the City sponsored alcohol compliance training when notified; and

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- While holding a City issued license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be kept current and made available for inspection by a police department representative upon a reasonable request.

Sincerely,

A handwritten signature in blue ink that reads "Brian Sturgeon". The signature is written in a cursive style with a prominent flourish at the end.

Brian Sturgeon, Chief of Police