

Introduction

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Kirsten: You're listening to the NCDPS Safety Scoop, a podcast that dives into the stories of the people, programs and resources within the North Carolina Department of Public Safety. Each episode, we'll give you the scoop from department personnel on how NCDPS enhances the safety of the people of North Carolina.

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Season 2 Episode 1

Kirsten: Thank you for tuning in to the Safety Scoop. We're happy to be back for another season of sharing behind-the-scenes stories of how the different divisions within the Department of Public Safety protect lives and property across North Carolina. It's the end of summer, and many high schools, colleges and universities have kicked off the start of the school year. An unfortunate reality with the beginning of the school year for some communities is the increase in underage drinking which can lead to arrests and, in some cases, devastating traffic collisions.

SA Brian White: You know, just sitting in the living room with mothers, families that have lost their children. I'm a father. I have two kids myself, a beautiful wife that I love, and those kids are the world to me. I mean, they got several years before they're 18, 19, 20 years old, but if that were to happen to me, I mean, it would be gut-wrenching. It would definitely be a life-changing event for me, so I can only imagine what these families go through that have to experience this themselves.

Kirsten: That's Special Agent Brian White who has been with the division for nine years. I sat down with him to discuss how ALE addresses underage drinking and fake ID use and the real-life consequences behind these actions. Today, ALE has just over 100 special agents operating across the state. The mission of the Alcohol Law Enforcement division is to reduce crime and enhance public safety throughout the state of North Carolina through the proactive, fair and consistent enforcement of the state's laws related to alcoholic beverage control, gambling, tobacco, controlled substances and nuisance abatement, as well as other criminal and regulatory matters in the interest of health and public safety.

Thank you for coming in today. The topic that we're going to be covering is fake IDs. Before we start talking about that, to kind of get an idea of what ALE is and how it's connected to the Department of Public Safety.

SA White: ALE is one of nine different divisions amongst the Department of Public Safety. We're the lead agency with enforcement of your alcohol laws in the state of North Carolina and your lottery laws in the state of North Carolina.

Kirsten: What is ALE's jurisdiction in North Carolina?

SA White: There's five different parts to it. When another law enforcement agency reaches out to us and requests our assistance. If any criminal matter occurs in an agent's presence, encountered or otherwise discovered by carrying out a duty. You have matters that, whether they have permits or non-permits, places that sell alcoholic beverages, so legal outlets or illegal outlets, anything occurring at those locations or non-licensed establishment or the lottery, you know, anything with the lottery.

Kirsten: And as a special agent, what kind of duties do you have within ALE?

SA White: So, you have enforcement, administration and education. The education part of it, basically we try to educate from the wholesaler, the brewer, the distiller, right on down to the consumer. Hopefully through that education, we will, you know, deter future violations of the law. The administration part is us carrying out our ABC permitted establishments, going in, conducting an inspections. We find issues there, enforcement can tie over into that. You can find issues where they're just civil. There're civil and criminal, so you may charge a permittee, maybe an employee or maybe a patron there. And then you have just straight up enforcement where when you're working outlets and looking for criminal activity, from hand to hand drug transactions to sales to underage patrons.

Kirsten: So, it goes beyond just alcohol.

SA White: Correct.

Kirsten: Alcohol enforcement has varied over the years in North Carolina and even within individual counties. In 1937, the General Assembly created the North Carolina Alcoholic Beverage Control Commission, the ABC Commission, which later expanded to house the ABC Enforcement Section in 1949. In 1977, the General Assembly created the Department of Crime Control and Public Safety which is now just called the Department of Public Safety. And the ABC enforcement body was named the Alcohol Law Enforcement division. At this point ALE, jurisdiction and authority was changed to include primary enforcement of alcohol and drug laws. In 2014, ALE was moved under the North Carolina State Bureau of Investigation as a branch agency. Then in 2019, the division was reassigned to the Department of Public Safety.

SA White: Part of ALE, we have two separate divisions. You have a gaming division, and then we also have a nuisance abatement division. The nuisance abatement's called in. They get requests from local leaders whether it be sheriffs or police chiefs. Their agency's been inundated with calls for service from murders to fights, you know, officers being assaulted. They come out to the residence, and they go through, and they file civil judgments, and they're able to take them to court, and the courts are able to punish them accordingly.

And the gaming unit pretty much deals with illegal gambling, a lot of illegal gambling machines that are at licensed ABC establishments. If it's at a licensed ABC establishment, ALE will handle it themselves. If it's at a non-licensed establishment, we kind of have to have a request for service from whether it's the police chief again or the sheriff, you know, for us. And we'll come in and kind of do a limited assistance and help them out, help them with search warrants, undercover things like that.

Kirsten: I know ALE agents operate across all 100 counties within the state, and you also partner with a lot of other law enforcement agencies for different types of operations. Can you talk about that a little bit?

SA White: We do. We—we partner with just about everybody, from Department of Revenue from large alcohol and drugs seizures to the Highway Patrol. They call us if they have a motor vehicle collision where alcohol is suspected as a contributing factor even if they're of age, and they are just extremely intoxicated and we believe they've left an outlet, we can go back and see if they were overserved at the outlet, or if it's an underage whatever, they shouldn't have any alcohol in their system at all. So, at that point we will try to go back and see where they were able to get the source of the alcohol from.

Kirsten: What is considered a fake ID, and where do we see the most in our state?

SA White: You have three types of fake IDs. You have manufactured, you have borrowed, and you have stolen. So, manufactured is going to be for the most part now. Back in the day, somebody'd set up in a dorm room or a house or whatever, and they would make their own fake IDs. Now, it's kind of gotten a little more complex, and you order them online from websites. The majority of these websites are kind of based out of China. The borrowed, you get it from a friend, a brother, sister or somebody like that, and then the stolen is like it sounds. You've taken somebody else's ID.

Kirsten: According to Forbes, there are currently around 600 valid designs of State IDs in the US alone. Using visual inspection alone will be hard to catch fakes today, especially when servers, doormen or business owners would have to stay on top of valid features for each state. At this time, a visual inspection, barcode scan or mag strip scan will not catch all fraudulent IDs. Additionally, fake ID suppliers continue to improve upon their products, creating counterfeits that have many of the same features real IDs do. There are websites that sell fake IDs operating within the United States currently, but Special Agent White said that these are typically shut down by the US Department of Homeland Security. However, many fake IDs that are reported have been traced to providers operating outside of the country. These sites are much harder to trace and take down, and they even boast the many creative ways they ship the IDs to their customers.

SA White: Like, it's all up there about how they hide the fake IDs to get them to you. "How are we able to do it? Well, we don't operate within the continental United States, so those laws don't apply to us." They'll talk about hiding them in a pair

of pants to a shoe to whatever. "We're not going to tell you how we send you the ID." It's—it'll be sent a different way every time because it doesn't want to get caught at the border. A lot of times these college kids actually will go in together as a group of seniors, and if you order a whole lot you get a cheaper price, so they'll all go in together, and one person will order them and get a whole bunch and then distribute them out to their friends.

Kirsten: These sites are just blatantly out there. It's not like people really have to work as hard as maybe they had to even maybe 10 years ago to try and sneak around.

SA White: It's just a matter of, yeah, it's just a matter of putting your information into that website and submitting it to them. What we don't know about is, you're sending your information, from your credit card information to whatever, to somebody in China. If they're willing to sell fake IDs, are they willing to sell your credit card information?

Kirsten: And that does bring up the individual risk part of this. And so, purchasing a fake ID from these sites that are operating outside of the United States, I mean how could someone be risking their personal information, and have you guys seen any cases where somebody has done this, and they've become a victim of identity fraud?

SA White: I do make a lot of charges every year, and I try to ask when I talk with individuals where they got their ID from, and a lot of times they'll tell me, "It's online," or "I gave money to a friend, and they got it for me. It came offline." So, I try to make them aware of the future potential issues. Nobody has said, "yes, that's happened to me" yet, but I could see it happening.

Kirsten: The risk of stolen personal information is not the only thing associated with fake IDs. There are legal consequences for those who are caught using a fake ID. In North Carolina, it is unlawful for any person to use a fake ID or any other fraudulent identification document to do any of the following: enter or attempt to enter a place where alcoholic beverages are sold or consumed, obtain or attempt to obtain alcoholic beverages, to obtain or attempt to obtain permission to purchase alcoholic beverages. Conviction can result in a Class 1 misdemeanor and the suspension of a driver's license. Just to clarify, that's a Class 1 misdemeanor for possession, attempt to purchase alcohol or attempting to enter an establishment that sells alcohol. That last one is important to remember. Even if an individual has no intention of consuming alcohol, the punishment is still the same.

SA White: With that, if you use it just to try to get into a club, I've heard people say before, "I don't even use it to get drinks. I just use it because if you're of age, it's free to get into the club." And that's fine, but it's prima facie evidence that if you use it at the door to get in, that you're attempting to obtain alcoholic beverages with a fake ID. You're supposed to check IDs at the point of sale, but a lot of college towns will check IDs at the door, and they're given a wristband. And then they go to the bar, and they get an alcoholic beverage. Well, that bartender's putting

a lot of trust on that door person because the law says you're supposed to check IDs at the point of sale. Well, that's not the point of sale, so that bartender's just checking a wristband. A wristband is not one of the four forms of ID that you can accept. Those are driver's license from any state, ID card from any state, as of December 1st of this past year. It used to be just an ID from North Carolina. You have military ID, and then you have a passport. Those are the only four forms of ID that you can legally accept.

Kirsten:

Also, multiple charges can be filed against an individual. ALE agents typically conduct patrols in plain clothes and can assist local police jurisdictions if requested. In 2020, ALE agents seized 417 fake IDs in North Carolina. In 2021, that number grew to 653. District 2, whose headquarters is in Greenville and serves Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Greene, Halifax, Hartford, Hyde, Lenoir, Martin, Nash, Northampton, Pasquotank, Perquimans, Pitt, Tyrell, Wayne, Wilson and Washington counties, had the most fake IDs seized both years.

SA White:

My district's Greenville. I have Martin, Edgecombe and Halifax Counties are the counties I work. So, for our district, that's really the main place I can speak for, but in our district, we have Greenville where you have ECU and Pitt Community College. And you know, downtown Greenville, you have a lot of clubs, a lot of nightlife the kids, you know, are attracted to. And in Greenville, those—a lot of those clubs and everything, they're just within walking distance of the freshman dorms and everything, so it makes it a lot easier if you have a fake ID to enter those businesses and possess and consume alcoholic beverages.

Kirsten:

Erin Bean, Special Agent and the division's public information officer, added that there are civil liabilities that many people don't consider when choosing to drink underage or use a fake ID to obtain alcohol.

SA Erin Bean:

I don't think kids quite understand the potential civil liability. So, obviously if they go and they obtain alcohol with a fake ID, and then whether they hit someone else or someone else gets injured, or it doesn't even have to be in a vehicle, if someone gets hurt just at a party or something like that, and they provided the alcohol, or they bought the alcohol, or they provided a place for them to drink, things like that—all of that falls within civil liability. And so, they or probably their parents, could get civilly sued. And it can be years down the road that, um, that they get sued for damages or, heaven forbid, someone loses their life in another vehicle. And we've seen it multiple times where families are—are sued civilly for hundreds of thousands of dollars, and I think that's something that not many young people think about. They think it's—it's just, "I'm just affecting me. If I get in trouble, that's my own. That's on me, and I can deal with that." But I don't think they quite understand the impact they can have on themselves, their friends, their family, their community.

And it is, it's a misdemeanor. It's-- it is a crime, and so I think also the potential of having—having a criminal record and maybe not being able to work in the places that you want to work. And that's only if it's a conviction, it's not if you've been

charged. And there are a lot of court systems which we would agree with have a program where you can go to educational classes. 'Cause that's really the biggest thing is making sure that people are educated, that they—they know, you know, things like this. To say, "Hey, you may not have thought about this when you bought this fake ID." You may not think about the unintended consequences of drinking underage. So, there are educational programs through the court system that kids that have been charged with an underage or a fake ID can go to, and maybe if they don't have another offense within the next 6 months or 12 months, then that charge gets dismissed. And I think that's—I think that's a great alternative. But if they're—if they are found guilty then that charge stays there.

Kirsten: Special Agent White has been part of investigations that go beyond an individual trying to gain access to an establishment that serves alcoholic beverages. These investigations involve motor vehicle collisions that have resulted in fatalities. ALE is called in during these investigations if alcohol is considered a factor in the collision. Here are a few stories.

SA White: We got a call about a collision where three people had passed away. One was sent to the hospital. We get there to investigate, find alcohol everywhere. Thankfully, it was a certain type of alcohol. We could contact the distributor, and they had only sold it to 18 different locations in that county. During that investigation, I said, "I'll go to the other side of the county and knock out those two stores." I had previously been to the morgue to identify one of the individuals and could see what clothes he was wearing. I went to the other end of the county just to knock those locations out.

Well, lo and behold, while I'm watching video, here he walks into the beer cooler at a ABC licensed establishment wearing the exact same clothes. He goes in. He buys two cases of that product, walks out to the, uh, to the cashier. Goes to purchase it. Well, thankfully they had another camera angle because I see him hand an ID, but just by looking at it, I can't tell if he's giving a real ID or a fake ID. You see her punch in the date of birth, and it's like, that's not his date of birth. You could see the computer screen. That's an of-age date of birth, and she's—she's physically looking at the ID. And we look into it a little bit further. Come to find out, his information at first at the hospital was entered as an of-age person because the only ID he had on him was a fake ID, and the hospital... The fake IDs are so good the hospital actually thought that that was his real ID and had entered him in as an of-age individual.

Kirsten: How could that impact a person receiving medical care or anything like that?

SA White: Well, just the individual himself, say he's just critically wounded, and they don't have him on file, but otherwise they would have had him on file. I don't know how hospital records work, but if he is allergic to some sort of medication, and they give him this medication, but they don't have him on file because they used this fraudulent ID with a different date of birth, you know, I don't know how that could impact.

But you know, just sitting in the living room with mothers and families that have lost their children. I'm a father. I have two kids myself, a beautiful wife that I love, and those kids are the world to me. And I mean, they got several years before they're 18, 19, 20 years old, but if that were to happen to me, I mean, it would be gut-wrenching. It would—it would definitely be a life changing event for me, so I can only imagine what these families go through that have to experience this themselves.

We had a wreck. The supervisor here in Raleigh investigated at Mount Olive right at the beginning of COVID. They had just shut down the sports for Mount Olive College, and lacrosse was one of them. A female lacrosse team went out to have a good time that night, and numerous ones had purchased alcoholic beverages with fake IDs. They had an open top jeep. They failed to stop at a stop sign and ran out in front of a 18 wheeler. It was a very bad wreck.

We had a... I can't remember how many years ago, but somewhere around six to eight years ago, we had a Chapel Hill student who purchased alcoholic beverages with a fake ID. He got intoxicated, drove the wrong way. I don't know what interstate, but one of the highways around Chapel Hill. Drove the wrong way, hit another car head-on and killed some individuals in that vehicle. So, we—we do have, unfortunately, fatalities with fake IDs that we've been able to prove are from the fake IDs being able to contribute to them able to get alcohol a lot easier instead of somebody having to get it for them.

Kirsten:

On top of enforcing alcohol, tobacco and gambling laws, special agents with ALE are also committed to educating the public on risks associated with alcohol consumption, one of them being underage drinking. I spoke with Special Agent Bean about the Keys to Life program for teens, a production she has taken part in and witnessed during her time with ALE.

SA Bean:

They have a wrecked car, and they usually get with a drama club, or they get with students or sometimes churches will put them on, and these kids will sort of act out a scene, and it kind of moves to a crash scene. And so, sometimes they have a wrecked vehicle, and these kids will participate as if they had been in a—in a serious wreck, and they involve EMS and Highway Patrol and fire department, and it's kind of this...you watch them try to get these kids out of the—out of the vehicle and transported and kind of what that would look like. And then, they walk through a—a death notification to the family, and that's a great community event 'cause... And it—it's hard to watch that. Obviously, right? I mean, to... Even though it's—it's all fake, but it—I think it does hit home for a lot of these kids that, you know, no one wants to go to their—to a fellow high school or college student's funeral. I mean, that's the worst thing, and that's really what we want to put out there is it may just be a misdemeanor, it may just be, you know, a court date, and that may seem really small, but it can... A seemingly maybe small crime, but I'm sure to those families that Brian was talking about it's not just alcohol. It's not just a small ticket. It's, as he said, it's their whole world.

Kirsten: ALE has developed great partnerships with community organizations that are committed to protecting youth in their areas.

SA Bean: So, we partner a lot with Mothers Against Drunk Driving, or MADD, and we like to support them and partner with them in any—in any way that we can 'cause they have got so many great resources in putting information out there, and they're so passionate. We go to their events, and we try to show that, essentially, that there can be the education and the enforcement together.

Kirsten: ALE has compiled fake ID information for ABC retailers to help combat this issue and perhaps save lives. Since retailers are on the front line and seeing the IDs every day, ALE wants to ensure they are equipped with the knowledge needed to spot fakes.

SA White: Business owners that...

Kirsten: Yeah.

SA White: ...if they sell without checking an ID, they can be criminally charged, or the employee can be criminally charged that sold, and then the civil liabilities on *them*, as well, for not checking IDs. A lot of your business owners, I would say, they—they take it very serious. They'll fire employees on the spot, right then, during a sell to underage or something. So, we randomly come around and do our inspections, and we talk with employees during those inspections and ask them what to look for, but we also provide a free service which is part of our education. It's called a BARS program: Become A Responsible Server. It's free to any business that sells alcoholic beverages. All they have to do is reach out to us. We'll be glad to hold a program for them and teach their employees. I know some of the businesses I've dealt with, they have, like, a morning shift and the evening shift, so I may hold a class in the morning to take care of the evening people, and then in the evening I'll do another class to help with the morning shift.

SA Bean: We actually just revamped our BARS class, and some of the things that we talk about in this BARS class is both the criminal and the administrative potential sanctions, whether it's through the ABC commission, if there's a violation report that's sent up to them, kind of that piece which is there could be potential fines, there could be revocation or potentially suspension of ABC permits which obviously impacts the business on a very serious level if they can't be in business, but also the criminal side. That employee could be fired. That employee could be charged criminally, as well as they could be sued personally if there was an injury or a death following their, um, the negligent sales. So, part of the BARS class talks about that. We also talk about... We try to show, hey, here are some different types of fake IDs or some things to look for, some things to look for with maybe how that patron behaves. Are they nervous? Do they know the information that's actually on their card? They may be able to recite their birthday, but sometimes...

[Laughs]

...they know that they have an of-age birthday, but they can't tell you how old. Are they 21 or 22? And so sometimes they haven't done the math before they go out and use that fake ID. And so sometimes, you say, "What's your birthdate?" And they may be able to spout it off, but if you say, "How old are you?" They haven't quite done the math yet, and so sometimes they stutter, and so, just some different signs of how to—how to spot someone who is trying to—use a fake ID and maybe what that fake ID looks like in their hand. Making sure that we're encouraging them to—actually touch their ID, feel it, see if there's differences in the—the lamination and the identification. Or maybe the font, sometimes the font is different, and it looks...or the holograms, all these different the anti-fraudulent measures that North Carolina and all these other states for the legitimate IDs have on—on these ID cards and driver's license. But the fakes are getting better, and so they... There are holograms, and there are different things on these fake IDs that look real, but—but the more they look at them and the more they have them in their hand, the better off they'll—they'll be able to tell if that's a real ID or if it's not.

Kirsten: Between January and September of 2022, ALE has held 381 BARS classes. This speaks to the commitment of many of the state's outlets to protect their business and their communities by staying up to date on fake ID use and their related activities. These programs are free of charge, and ALE typically hosts more than 500 classes in a year. The curriculum covers how to check IDs, spot underage buyers and refusing to serve intoxicated individuals. Another training ALE offers for business owners was created by Retired Special Agent in Charge Eric Swain titled "Fake IDs Take Real Lives." In this training, he covers tips on how to inspect IDs using the acronym s-p-o-t, SPOT.

SAC Eric Swain: SPOT is an acronym created with quick referencing in mind. When presented with any form of identification, but specifically North Carolina documents, the following actions can be used to remember sec—key security features and will prove beneficial in preventing fraudulent identification use. SPOT: We want to scan the document. We get the ID in our hand. We'll to scan the document. We'll look for things that may look out of place. Look for deterioration in the lamination. Look for things that, you know, just don't look right. The proofread. Proofread the things that are typed or written on the identification document. Are they spelled correctly? Are they in the right place? O: omissions. We're going to teach you today about some things that appear on North Carolina driver's license which don't always appear on the fraudulent identifications we see. And lastly, your sense of touch. Feel the document. Does it feel right? Does it feel flimsy? Does it feel like it's supposed to? So, SPOT: something we came up with to help everyone identify and see if we can find these fraudulent identifications.

Kirsten: This insightful training is free and available on the Department of Public Safety's YouTube channel. Thank you to Special Agent Brian White and Erin Bean for participating in this podcast. We hope you found this information helpful and learned more about how the Alcohol Law Enforcement division within DPS

works to prevent life-changing consequences that result from fake ID use. You can find more information about ALE on our website, ncdps.gov.

Conclusion

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Kirsten:

This is the Safety Scoop, a podcast written, produced and edited by the NCDPS communications team. The mission of the North Carolina Department of Public Safety is to safeguard and preserve the lives and property of the people of North Carolina through prevention, protection and preparation. Follow the department on social media for a closer look at ongoing initiatives and resources. We're on Facebook, Twitter and Instagram at NC Public Safety. If you enjoyed today's episode, be sure to subscribe to the Safety Scoop on your favorite podcast app. I'm your host, Kirsten Barber. Thanks for listening.

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