

# Don't blame drunkenness on the beer vendor

**Mitch  
Albom**

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I once worked at a football stadium. I sold programs. I was 14. Before the game, I lined up with the other vendors, including the guys who sold beer. They had to be older, of course, but they still trudged through the stands, like me, hoping for customers.

At the end of the day, like me, they pocketed, in cash, a small percentage of what they brought in. And they went home, many via bus or subway.

They were nice guys, but not men — and I say this politely — whom I would necessarily entrust with life-and-death decisions. Apparently, that is now their role. At least it was last week, when a New Jersey jury awarded \$135 million in damages to the family of a 7-year-old girl who was paralyzed in a drunken-driving accident involving a football fan.

The fan, Daniel Lanzaro, drank six large beers during a 1999 game at Giants Stadium, beers he purchased from a vendor who took a \$10 tip from Lanzaro to ignore the stadium's two-beer-at-a-time limit. This is hardly new, by the way. When I worked in stadiums, vendors did all kinds of things for cash tips.

Anyhow, Lanzaro was drunk, more than twice the legal limit for driving, when he got in his car. The family sued him, but he didn't have much. It sued the concessionaire, Aramark, which had a lot.

And it won.

"Hopefully this will make a difference at arenas across the country," said David Mazie, the lawyer for the family.

That would be nice. But it won't make a difference — unless they outlaw alcohol at stadiums altogether.

Otherwise, people will get drunk. They will buy their two beers. And they will give money to others to buy them four more. Or they'll get in a different line. Or they'll bribe somebody. Or they'll drink in the parking lot before the game.

It is silly to think that vendors, in a stadium stuffed with 70,000 screaming fans, can play a beer-soaked Solomon

and tell fans "no."

For one thing, football is played in the winter, which means fans are often bundled up with scarves, hats, sunglasses, even ski masks. Is a vendor supposed to ask every one of them to look him in the eye and recite the alphabet?

Plus, everyone gets drunk differently. I know people who can pound six beers and appear sober enough to go to church.

They still don't belong behind the wheel.

Which, of course, is where this all begins. Lanzaro, 34, was the one who got in his vehicle. He's the one responsible. But you can't change a culture by sending one drunk to jail.

So, while Lanzaro serves five years for vehicular aggravated assault — and until we make drunken driving a more serious crime, nothing will change — the family and their lawyers went after bigger fish. And they got one. The case hinged partly on the training of the vendors to recognize drunkenness.

Now, some say \$135 million in damages is an argument for tort reform, especially since attorneys typically pocket a third of that.

But making this a case about greedy lawyers is to miss the point on many levels. It's ignoring the little girl, her family and, most of all, the sick yet slick relationship that alcohol has formed with sports, suggesting that you can't enjoy the latter without the former.

Either your stadium goes dry, or people will leave drunk. I have little sympathy for a multibillion-dollar company like Aramark and endless sympathy for the girl and her family, but the one person I know you can't tag this on is the poor guy who's trying to make a few bucks selling whatever they give him to sell at the stadium. Trust me, if our lives are in his hands, we're all in trouble.

Mitch Albom is the author of the best-selling book *Tuesdays With Morrie* and a syndicated columnist.