



# WHAT'S NEXT

A look at what's ahead for September art events in Fargo-Moorhead. **LIFE**

# The Forum

OF FARGO-MOORHEAD

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MONDAY, AUGUST 30, 2021

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## Hurricane Ida hits Louisiana, governor says levees will hold

More than 750,000 Louisiana homes and businesses have lost electricity due to the storm

**By Devika Krishna Kumar and Jonathan Allen**  
NEW ORLEANS (Reuters) - Hurricane Ida, making landfall as a fierce Category 4 storm, plowed into Louisiana from the Gulf Mexico on Sunday, lashing the coast with 150 mph winds, torrential downpours and pounding surf that submerged much of the shoreline under several feet of water.  
All of New Orleans, Louisiana's most populous city, had power knocked out due to "catastrophic trans-

mission damage," the local utility reported, hours after flash-flood warnings were posted.  
Sixteen years to the day after Hurricane Katrina struck the Gulf Coast, Ida slammed ashore around noon near Port Fourchon, Louisiana, a hub of the Gulf's offshore energy industry, blasting the coast with hurricane-force winds extending 50 miles out from the eye of the storm.  
Residents of the most vulnerable coastal areas **IDA: Page A6**



**REUTERS / Adrees Latif**  
Traffic moves bumper to bumper along I-10 west as residents arrive into Texas from the Louisiana border ahead of Hurricane Ida in Orange, Texas, on Saturday night.



## HANDLING UNRULY CUSTOMERS

Fargo area bars are not required to train staff on fights – a national norm

**By April Baumgarten**  
The Forum  
Fargo  
In a lawsuit alleging the Hotel Donaldson didn't do enough to prevent a fatal assault outside its doors in 2017, the plaintiffs' lawyers pointed out that the downtown Fargo establishment did not provide staff training on altercations and had no written policy on bar fights.  
But a broader theme emerged in the civil trial as the defense attacked that strategy: HoDo employees said they hadn't received any training from any bar or restaurant they previously worked at that would help them handle altercations, nor did those establishments have policies for those situations.  
Robert Smith, the CEO, **BARS: Page A8**

## 'A very dangerous situation'

Bismarck students return to classroom amid delta surge, scaled back coronavirus precautions

**By Michelle Griffith and Adam Willis**  
The Forum  
BISMARCK — Despite advice from local health officials, low youth vaccination rates and rapidly climbing cases of the highly contagious delta variant, students in North Dakota's largest school district returned to the classroom this week with fewer COVID-

19 precautions in place compared to a year ago.  
The Bismarck Public School board approved a reopening plan with pandemic guidelines for its more than 13,000 K-12 students on June 1, marking a substantial reduction in preventative measures like masking, social distancing and contact tracing compared to the 2020 school year, when students returned to classes amid similar virus levels in the community.  
Even though the reopening of Bismarck schools this week mirrored a pre-pandemic environment, doctors and public health experts warned that the back-to-school season with limited masking and low vaccination levels all but



**Michelle Griffith / The Forum**  
Bismarck High School is seen Friday.

Bismarck students, district spokesperson Steve Koontz said in an interview.  
But some parents argued the school district rolled back its pandemic precautions in response to vocal political opposition to things **BPS: Page A6**

### INSIDE TODAY'S FORUM



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Rothsay couple's flavored honey butters spreading across US. **PAGE A7**

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### Today's weather



**80°**  
**54°**  
Sunny  
Details, B6

## Were college students miscounted by census?

In college towns in North Dakota, nationwide, some are wondering if final numbers are flawed

**By Sam Easter**  
Grand Forks Herald  
GRAND FORKS — Last spring, as the nation prepared for the U.S. Census Bureau's decennial count, something unthinkable happened. Weeks before the official census date, COVID-19 struck, dampening Americans' enthusiasm for door-to-door operations and scattering college students off campus and across the country.  
It was, quite possibly, the worst thing that could have happened for census accuracy. And as numbers begin trickling out, some college-town leaders are questioning the results.  
"To my knowledge, this is the only census that was done in the middle of a pandemic. So it's probably likely that there were more misses **CENSUS: Page A3**

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Stulz Estate Vehicles, Tools & More	Glyndon, MN	Sept. 11, 2021
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**BARS**

From Page A1

president and founder of Nightlife Security Consultants in San Diego, estimated only 30% of the U.S. requires some type of training or certification for handling bar altercations. The rest of the country relies on employers to do the training, he said.

"The industry standard nationwide, there is no standard," he said.

Fargo, West Fargo and Moorhead require servers to take classes on preventing over serving alcohol and spotting underage drinking. The training discusses intervening with intoxicated people, but it doesn't cover handling altercations.

Cities in the metro area do not have guidance or laws that require bar altercations training and area bars don't have to submit their policies when applying for liquor licenses.

In other words, there is no way to determine how many have written procedures on handling fights.

The 2017 fatal assault outside the HoDo was just one of several violent incidents at bars in Fargo-Moorhead that have made headlines in recent years.

Brandon Roosevelt Grant, 43, allegedly shot three people behind the Bismarck Tavern in downtown Fargo on Feb. 21 after the group was ejected from a bar for getting into a fight. Grant has pleaded not guilty to attempted murder and aggravated assault charges stemming from the incident and is set to face trial in February 2022.

An employee of the Old Broadway is under investigation after video shared online showed him repeatedly elbowing an ejected patron in the head as a group of employees held him down on a sidewalk outside the downtown bar.

The Forum reached out to several bars in the Fargo-Moorhead area to ask about training bar staff to handle altercations. Most never returned those messages, and some declined to comment or said they were unavailable.

The HoDo, Old Broadway and Bismarck did not respond to interview requests.

Law enforcement officers should be handling altercations, not bar staff, said Dave Piepkorn, a Fargo city commissioner who serves as the City Liquor Control Board's chair. "I'm not sure we really want to encourage serving



Matt Henson / WDAY

Police examine the scene of a shooting behind the Bismarck Tavern in February 2021 in Fargo.



Archie Ingersoll / The Forum

Jamie Grant lies unconscious on the sidewalk the night of May 27, 2017, outside of the HoDo Restaurant and Lounge in downtown Fargo. Grant died from the injuries he suffered in a fight that night.

staff to be involved in those things," he said, noting it could present a liability issue.

Smith and other drinking establishment security experts said training staff to separate parties, deescalate situations and recognize potential troublemakers keeps customers safe and lowers the risk of violence outside. It also could save bars from lawsuits, Smith said.

**What the experts say**

It's unclear how many fights inside bars spill out onto the streets, as many are not reported to law enforcement, according to a 2006 U.S. Department of Justice-commissioned report titled "Assaults in and Around Bars." The report, which is the latest available, said bars don't want official records to negatively reflect on their liquor licenses.

The report also said alcohol is the most apparent factor in aggressive or violent behavior, and the plaintiffs' security experts who testified in the HoDo civil case said bars should expect fights to break out.

Those expert witnesses said a common practice in handling bar altercations is to separate the two parties fighting inside the bar and eject an identified aggressor. They should either wait for the aggressor to leave

the area before kicking out the other party or wait for police to arrive.

The HoDo sent Darren Patterson out the west exit when he got into a fight with Jaime Grant inside the bar on May 27, 2017. Grant and his group didn't want to leave but were kicked out at the south entrance.

Patterson walked after the group before punching Grant, who later died, and his friend Christopher Sang, who suffered memory loss and loss of taste and smell.

A jury found that the HoDo was not at fault. The defense argued staff did their best to protect customers with the information they had at the time.

The defense's security expert testified there is no written industry standard on ejecting people from bars. Policies need to be broad so employees can react to varying circumstances, she said. Smith also agreed that getting the aggressor out of the bar and keeping the other party inside until the aggressor leaves the area is key in preventing violence outside. A trained person will handle altercations in the most legal way possible.

"You don't just put Party A on the sidewalk and Party B out the other door," he said.

Piepkorn said he understands why bars want to get fighting parties out the door, but

he also said doing so just moves the problem outside.

He emphasized notifying law enforcement immediately, which is what the HoDo did. Police arrived at the scene within minutes.

He said he doesn't want bars to feel like they will be penalized if they call the police when needed.

"We need to work on making sure the bars don't hesitate when they have some type of issue to contact the police," he said. "That's their (the officers') expertise."

**How does training look?**

Some states are more strict when it comes to training bouncers and bar staff. Only a handful of states require classes for bouncers, including California, Smith said. North Dakota and Minnesota don't require bartenders to be licensed or be trained to handle altercations, though some cities do mandate some type of training or certification for serving alcohol.

Fargo has had training related to serving alcohol for more than 20 years, said Preston Nesemeier, community health educator for Fargo Cass Public Health. He oversees server training that is required in Fargo, Moorhead, West Fargo, Horace and Glyndon.

"It's going to help servers understand and comply with the law,"

he said. The class also goes over intervention techniques, but it doesn't deal with ejecting unruly people or stopping fights, Nesemeier said.

Intervention includes assessing and containing the situation, not accusing patrons, expressing concern and remaining calm.

Though Minnesota doesn't require the training, the Minnesota Licensed Beverage Association has offered such classes for decades, Executive Director Tony Chesak said. Along with training that shows bar staff how to prevent underage drinking and over-serving, the classes include deescalation tactics for handling unruly customers.

"We preach from the mountain tops that a smarter server is a better server," he said.

Servers are taught how to identify behaviors caused by alcohol, including aggression, Chesak said. Staff should be in communication with each other so they can work together to handle the situation, he said.

The class teaches people not to put their hands on customers if possible, Chesak said. If staff need to escort someone outside, they should do so in pairs and not alone, he added.

The training also touches on responsibilities for bar owners, servers and security personnel.

When it comes to use of force, Smith said he trains bouncers like he would law enforcement. The former San Diego Police officer of 20 years said the "massages" the course for bouncers, noting they are citizens. Bouncers are essentially considered the police of bars, but they are only allowed to use reasonable force, he added. Once bouncers detain a person, Smith said they can't use more force if the detainee is not a danger to anyone. "You got him down, you're waiting for the cops," he said.

**Potential benefits**

Classes cost money, which can discourage bars from investing in them, Smith said. However, training also can help bars get discounts for insurance, he said.

The Michigan Licensed Beverage Association started offering courses last year that would teach staff to deescalate situations, Association Executive Director Scott Ellis said. He cited mask mandates that drove bars to face face coverings for customers or risk getting fined.

Those who felt they had a right not to wear a mask became agitated,

and some bar staff were assaulted, said Ellis, who was a police detective in Lansing, Mich., for 20 years.

The beverage association owns a Techniques of Alcohol Management, a nationwide program that offers classes on serving alcohol. Training for disturbances isn't a part of that program, Ellis said.

Keene Training and Consulting provided that training, which instructs bar staff to listen to what customers say, consider what they have been drinking, and not take what patrons say personally, Ellis said.

Keene instructors teach people to avoid going hands-on with customers, said Paul Beasinger, a retired police lieutenant who founded the consulting firm. They also recommend keeping a good relationship with law enforcement and knowing when to call for help.

"Your guy or gal is making \$15 an hour," Beasinger said. "That's not what they are coming to work there for, it is to get into a fight."

Sometimes staff have to interfere with a fight, but before that happens, employees should work on tactics to separate and calm the parties, Ellis said. Putting hands on someone should be a last resort, Beasinger said.

The training doesn't get specific on strategies to eject people, Beasinger said. It's hard to keep someone in the bar against their will, and there may be logistical problems, such as only having one exit, Beasinger said.

Bars should decide how to handle customers depending on the circumstances, Chesak, Beasinger and Ellis all said.

"However, we do say do not send both parties outside into the parking lot and let them fight it out," Ellis said. "That just does not solve the problem. It just causes more problems."

Smith said bar staff and customers should be aware of what could happen in establishments. Training staff ahead of time can help prevent violent situations, Beasinger said.

Bars have an obligation to provide a safe environment for staff and patrons, Ellis added. Alcohol is a drug, and people who serve it should be trained on how it impacts customers, he said.

"We are 100% advocates for mandatory training," Ellis said.

Readers can reach Forum reporter April Baumgarten at 701-241-5417 or [abaumgarten@forum.com](mailto:abaumgarten@forum.com). Follow her on Twitter @aprilbaumaway.

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