

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

3927 Lennane Drive, Suite 100
Sacramento, CA 95834
(916) 419-2500



July 30, 2014

TO: SHERIFFS AND POLICE CHIEFS OF CALIFORNIA

FROM: JOSEPH MCCULLOUGH, DEPUTY DIVISION CHIEF

**SUBJECT: MULTI-PROGRAM MINI GRANT
(MINOR DECOY/SHOULDER TAP, and IMPACT INSPECTIONS)**

Beginning October 1, 2014, the Department of Alcoholic Beverage Control (ABC), sponsored by the Governor's Office of Traffic Safety, through the National Highway Traffic Safety Administration, anticipates awarding grants of \$5,000 to \$25,000 to local law enforcement agencies to utilize the Minor Decoy Program, Shoulder Tap Program, and IMPACT Inspections. The grant operation period will be October 1, 2014 or upon federal spending authority (whichever is later) through September 30, 2015.

The goal of the Minor Decoy Program is to reduce the number of licensees who sell alcoholic beverages to minors. The Minor Decoy Program is a significant and effective tool for law enforcement officials in combating sales of alcoholic beverages to persons under the age of 21 years. Local law enforcement agencies began using the program in the early 1980's and on April 4, 1994, the California Supreme Court issued a unanimous decision upholding the use of underage decoys by law enforcement officials.

As a result of the 1994 California Supreme Court decision, minor decoys used by local law enforcement agencies are immune from prosecution. Further, Section 25658(f) of the Business and Professions Code and Rule 141 of the California Code of Regulations were established to provide the legal requirements for law enforcement agencies when conducting a decoy operation.

The Shoulder Tap Program targets adults who furnish alcoholic beverages to minors. "Shoulder Tapping" refers to the practice used by minors to obtain alcohol from adult strangers near off-sale retail outlets. An underage decoy approaches adults outside an alcohol outlet and requests that the adult purchase alcohol on their behalf. Data collected from prior Shoulder Tap Programs reflected one-third of the adults arrested for purchasing alcohol for minors were on parole, probation, had outstanding warrants or extensive criminal histories.

IMPACT (Informed Merchants Preventing Alcohol-Related Crime Tendencies) inspections focus on licensee education. Officers randomly select licensed outlets to conduct business friendly compliance inspections. The officers look for loitering, litter, graffiti, posted signs, lack of food service in restaurants, illegal weapons, or other violations. A checklist is used to note any violations observed and is given to the licensee. The licensee must then correct any problem areas. Follow-up visits are then

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conducted to ensure the licensee has corrected the problems. If not, the information is given to the local ABC office for possible disciplinary action.

All interested agencies understand the funding of these grants is contingent upon the Department of Alcoholic Beverage Control receiving funds from the Office of Traffic Safety for the 2014/15 federal fiscal year.

If your agency would like to be considered for this grant please submit all of the following documents:

- A Letter of Interest
- Printout of your City/County Traffic Safety Ranking. This document is from the Office of Traffic Safety's website at www.ots.ca.gov (depicting alcohol involved fatalities and injuries and had been drinking (HBD) drivers under 21). From the OTS website home page, click on the "Media & Research" tab then open "OTS Collision Rankings".
- Budget Estimate form

Send all of the above to:

Department of Alcoholic Beverage Control
Attn: Diana Fouts-Guter, Grant Unit
3927 Lennane Drive, Suite #100
Sacramento, CA 95834

For additional information on the grant process, go to the ABC website at www.abc.ca.gov. Click on "ABC Announces Multi-Program Mini Grants for Local Law Enforcement Agencies" located under Points of Interest on the home page. Then click on Grant Requirements in order to download the Adobe Acrobat PDF formatted forms to your computer for review and completion.

All letters of interest must be received by 5:00 p.m. on August 22, 2014.

A selection committee will review and evaluate all proposals using a point system and it is anticipated that selections will be made on or about September, 19 2014. The operational dates will be from October 1, 2014 or upon federal spending authority (whichever is later) through September 30, 2015. Selections will be based upon the applicant's responses to the Grant Requirements and the ability to implement this grant based on the program and administrative requirements.

If you have any questions regarding the letter of interest, please call Diana Fouts-Guter at (916) 928-9807.

Sincerely,



Joseph McCullough
Deputy Division Chief