

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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**FOR IMMEDIATE RELEASE**

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January 26, 2005
PR 05-16

ABC INVESTIGATORS AND LOCAL POLICE ARREST OVER 430 FOR UNDERAGE DRINKING LAW VIOLATIONS DURING THREE MONTH PERIOD

(Sacramento) - Investigators from the Department of Alcoholic Beverage Control (ABC) and local law enforcement agencies arrested 436 suspects for selling or furnishing alcoholic beverages to minors between October 1 and December 31, 2004. The enforcement activities occurred in communities throughout the State.

"We must continue to enforce these underage drinking laws and do everything we can to keep alcohol away from minors," said ABC Director Jerry Jolly. "Too many young people are either killed or seriously injured because of alcohol-related crashes."

The ABC and several law enforcement agencies have been using grant money provided by the California Office of Traffic Safety (OTS) through the Business, Transportation and Housing Agency in order to pay for Minor Decoy and Shoulder Tap Decoy Operations.

These operations were used heavily during the month of December when Business, Transportation and Housing Secretary Sunne Wright McPeak ordered Operation Holiday Wish List. This was an unprecedented multi-departmental effort by the California Highway Patrol, ABC, OTS, California Department of Transportation and the Department of Motor Vehicles (DMV). The operation included maximum enforcement and education efforts aimed at reducing the number of individuals driving under the influence of alcohol or drugs.

During the three-month October – December period there were 80 Minor Decoy Operations, 1,232 locations were visited and 240 individuals were arrested for sales of alcohol to minors.

Minor Decoy Operations are compliance checks in which minors under the direct supervision of investigators, attempt to purchase alcohol from retail licensees. Those who sold to the minor face a minimum fine of \$250, and/or 24 to 32 hours of community service for a first violation. In addition, ABC will take administrative action against the business's liquor license. That may include a fine, a suspension of the liquor license, or the permanent revocation of the license.

Minor Decoy operations have been conducted by local law enforcement throughout the state since the 1980's. When the program first began, the violation rate of retail establishments selling to minors was as high as 40 to 50 percent. When conducted on a routine basis, the rate has dropped in some cities as low as 10 percent or even below. The latest violation rate state-wide is almost 19.5% percent, or nearly one in five retail licensees selling to minors. "We have a lot of work to do," said ABC Director Jerry Jolly. "19.5% is still too high, we must keep the pressure on and keep alcohol from our youth."

An additional 137 locations were visited during 62 Shoulder Tap Decoy Operations that resulted in 196 arrests for furnishing alcohol to minors. Shoulder Tap Decoy Operations target adults who purchase alcohol for people under the age of 21. The operations involve a minor under the direct supervision of a peace officer who stands outside a liquor or convenience store and asks patrons to buy them alcohol. The minor indicates in some way he or she is underage and cannot purchase the alcohol. If the adults comply, investigators then arrest and cite them for furnishing alcohol to the minor. The penalty for furnishing alcohol to a minor is a minimum \$1000 fine and 24 hours of community service. The violation rate during the recent three month period was 16%.

In 1994, the California Supreme Court ruled unanimously that use of underage decoys is a valid tool of law enforcement to ensure that liquor licensees are complying with the law.

ABC is continuing to conduct the compliance checks state-wide in the ongoing effort to keep alcohol away from minors. Young people under the age of 21 have a higher rate of drunk driving fatalities than the general adult population.

ABC is a department of the Business, Transportation and Housing Agency, which is under the direction of Secretary Sunne Wright McPeak, a member of the Governor's Cabinet.