Welcome
Stop Underage Drinking
Partnership with the Governor’s Office of Youth Faith and Family
Mission
To protect public safety and support economic growth through the responsible sale and consumption of liquor, and to efficiently license qualified applicants.

Director
John Cocca
History of the Department of Liquor

- **1933** – The department was formed at the repeal of Prohibition.
- **1933 - 1935** Under control of the Department of Revenue (70 Agents).
- **1935 - 1972** Department of Liquor became an independent agency.
- **1972 - 1980** Enforcement absorbed by DPS / licensing stayed with DLLC.
- **1980 - to date** Independent Law Enforcement agency, primary duties to enforce Title 4 Liquor Laws.

D.L.L.C. - Title 4 Training
Investigations

Division

- Provide training & assistance to local law enforcement communities enhancing their ability to enforce liquor laws.
- Perform background checks on all applicants for liquor licenses.
- Investigate all liquor complaints & process all law enforcement reports relating to Title 4 violations.
- Respond to complaints from neighborhood associations, civic groups and local governing authorities regarding liquor violations.
- Perform audits to ensure 40% food sales for restaurant's.
- Increase contact with licensees through Routine Liquor Inspections (RLI’s).
- Cooperate with state & local law enforcement agencies on covert, sting & underage buy programs through team approach.
C.U.B. Details

Officer Risa Williams #32
Arizona Department of Liquor
Mission

- Vigorous use of compliance checks can reduce the illegal sale of alcohol to underage persons.
- These compliance checks, known as Covert Underage Buyer (C.U.B.) or decoy programs are designed to encourage compliance by alcohol vendors.
- Compliance checks encourage licensees to be diligent in complying with the law.
- Compliance checks help reduce the availability of alcohol to minors.
- Compliance checks insure that appropriate consequences are applied to violators.
- *Insuring appropriate consequences are applied helps to motivate licensees to be diligent.*
Mission continued…

- It is recommended that compliance checks be conducted by appropriate law enforcement agencies, with support from the Arizona State Department of Liquor License and Control (D.L.L.C.).
Why C.U.B. details???

cigarettes, marijuana, or illicit drugs (see Figure IV-1)

Figure IV-1. Alcohol as the Drug of Choice Among Youth

Percent Using in Past Month

- Alcohol
- Cigarettes
- Marijuana

Grade

8th  10th  12th
Underage Drinking State-Wide

- **Arizona Youth Survey 2014 Data**
- **13.4%** of 8th Graders report consuming alcohol
- **27.8%** of 10th Graders Report Consuming alcohol
- **40%** of 12th Graders Report Consuming alcohol
- Kids who start drinking before age 15 have a **40% likelihood of becoming alcoholics in their lifetime**

\(^2\)
Underage Drinking Facts

- There is a cultural perception that drinking alcohol is “a rite of passage”.
- Alcohol is the gateway drug to other substance use and addiction.
  
  “In experimentation most people are careful preferring to try out less harmful drugs before trying harder ones. This is why there are such consistent correlations between first use of lighter drugs and later use of hard drugs.”

- It is harmful.
  
  “The brain goes through dynamic change during adolescence, and alcohol can seriously damage long- and short-term growth processes.”

American Medical Association [www.ama-assn.org]
Brain functional activity levels:
Left – 15 y.o.a. male non-drinker
Right – 15 y.o.a. male heavy drinker

These images show functional activity levels in the brain of a healthy 15-year-old male nondrinker (left), and that of a 15-year-old male heavy drinker (right).
Dr. Daniel Amen, a neuroscientist and psychiatrist in Southern California, used SPECT scans to show functional activity levels in the brain of a healthy non-drinker (left), and that of a sober 21-year old with a four-year history of heavy alcohol use (right). The "holes" indicate areas of reduced brain activity.
C.U.B. Laws

- ARS 4-241.A Selling or giving liquor to underage persons; illegally obtaining liquor by underage persons...
- EXCEPTION...
- Law enforcement agencies may use persons who are under the legal drinking age to test compliance with this section and section 4-244.9 by a licensee if the law enforcement agency has REASONABLE SUSPICION that the licensee is violating this section or 4-244.9.
- A person who is under the legal drinking age and who purchases or attempts to purchase spirituous liquor under the direction of a law enforcement agency pursuant to this section is immune from prosecution for that purchase or attempted purchase.
- Law enforcement agencies may use a person under the legal drinking age pursuant to this section ARS 241.U
C.U.B. Participants

- The person is at least 16 years of age but not more than 19 years of age.
- The person is not employed on an incentive or quota basis.
- The person’s appearance is that of a person who is under the legal drinking age.
C.U.B. Complaint

- What is reasonable suspicion reference a licensee?
- Can be obtained from...
- Police reports
- Concerned citizen reports (named or anonymous; written or verbal; first or second-hand)
- Previous violations
- Documentation is good!
C.U.B. Pre-Detail

- Running the C.U.B. detail...
- Complete C.U.B. paperwork, consent forms, waivers, etc.
- Photograph C.U.B. personnel just prior to start of detail.
- Establish list of licensees to be checked.
- Buy money for C.U.B.’s.
C.U.B. Operation Plan

- **Running the C.U.B. detail…**

- The C.U.B. places, receives and pays for his/her order of spirituous liquor.

- AN adult SHALL NOT accompany the C.U.B. onto the premises of the licensee (2-3 minute delay).

- The C.U.B. SHALL NOT consume spirituous liquor.

- **DLLC or LE agencies may adopt additional rules to carry out the purposes of this section.**
C.U.B. Program

- The C.U.B. photograph...

- Photograph CUB Prior to Detail
- CUB Shall be wearing appropriate attire and have the appearance of being under 21 years of age
- The photograph should be shown to the offender after the sale is complete
- CUBs may have to testify in court and should have similar appearances.
C.U.B. Program

- **C.U.B. Identification...**
- A C.U.B. shall carry his/her own valid Arizona driver’s license or ID card.
- C.U.B. must present identification upon request to any seller of alcoholic beverages.
- C.U.B. should not use military ID or passport.
C.U.B. Program

- **C.U.B. Conduct...**

- C.U.B.’s shall answer truthfully any questions about his/her age.

- C.U.B. must not lie or engage in subterfuge to induce a sale.
C.U.B. Program

- *C.U.B. purchases...*

- Off sale locations...

- Instruct the C.U.B. to enter the premises and select an alcoholic beverage and place it on the counter.

- Avoid rush hours and idle conversation.

- Items other than alcoholic beverages may be bought but limited (potato chips, gum, etc.).
C.U.B. Program

- On sale purchases...
- The C.U.B. should sit in an area of high visibility away from OC officer.
- The C.U.B. should order, receive and pay for the alcoholic beverage.
- The law enforcement officer then secures the cub purchase.
C.U.B. Program

- **Surveillance**...

- C.U.B. should be under constant surveillance by an officer.

- The officer shall be in a position to see and hear transaction.

- In some cases a recording device may be used.
C.U.B. Duties

- C.U.B. Responsibilities...

- Ensure that C.U.B. remembers how much he/she paid for the beverage.

- C.U.B. should give a full description of the clerk or server.
C.U.B. Sale Protocols

- **Post Sale Procedure...**
- Off Sale: Once violation occurs, C.U.B. exits the premises with alcoholic beverage and officer takes control of beverage.
- On Sale: Once a violation occurs, the C.U.B. should wait for officer(s) to approach. The C.U.B. shall NOT leave the premises with the alcoholic beverage.
- C.U.B. photograph identification by seller: the CUB will leave the location and make immediate contact with the cover officer.
C.U.B. Program

- Post Sale Procedure continued...

- **EVIDENCE:**
  - Alcoholic beverage purchased (impound *or* photograph and destroy at scene).
  - Receipt (if available).
  - Video surveillance (if available).
  - Photograph of seller.
  - Follow your department policy.
C.U.B. Program

- Where appropriate issue the seller a misdemeanor citation for:
  - 4-241.A: Failure to Request Identification or Failure to Properly Check Identification.
  - 4-244.9: Sale of spirituous liquor to an underage person.
  - Any other observed violations.
C.U.B. Program

- Copy of agency report forwarded to DLLC
- *along with*
- Photograph of C.U.B.
- Copy of C.U.B. ID/driver’s license
- Evidentiary photographs
- Photograph of seller
- Copy of citation
- Copy of receipt (if available)
41-1794.B:
All local law enforcement agencies shall forward all investigative reports of license violations of Title IV to the Department of Liquor License and Control.
C.U.B. Program

- Recent activity...
- DLLC has conducted 61 checks this year.
- 25 locations have sold alcohol to underage
- Resulting in a sale rate of 40%
NOTICE

Because Of New Sting Tactics Used by Our Local Law Enforcement, We Will Now Be Requiring I.D For All Restricted Sales, This Includes Alcohol, Cigarettes, and Tobacco Accessories. We apologize For Any Inconvenience. Please have Your I.D. Ready!
Resources

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TRACE Training for First Responders

TARGET RESPONSIBILITY FOR ALCOHOL CONNECTED EMERGENCIES
Fact

Every 15 minutes someone dies because of an intoxicated driver.
What determines a “TRACE” notification?

Minor + Alcohol = TRACE

Target Responsibility for Alcohol Connected Emergencies
TRACE INTENT

To investigate the illegal furnishing of an alcoholic beverage to a minor, involved in a crash, resulting in death or great bodily injury.
Enforcement Sections

- ARS 4-244.9 - Furnishing Alcohol to a Minor
- ARS 4-244.9 - Minor Purchasing Alcohol or Consuming Alcohol in Licensed Premises
- 28-1383- Aggravated driving while under the influence
- Ars 13-3613 - Contributing to the Delinquency of a Minor
- 13-3620– Child Abuse
Why TRACE was developed

- Results of traffic collisions are clear:
  - Minors + alcohol = DISASTER
- Grant given to AZ DLLC for TRACE Enforcement
- Additional investigative tool for law enforcement.
- Hold liquor licensees responsible.
- To educate the public & save lives.
- Study statistical data for impact results and enhance the program.
Why TRACE was developed
Notification criteria:

- Person (driver) in question must be under 21 years of age.
- Alcohol must have been furnished, consumed or received by the minor.
- Serious incident, i.e., traffic collision with **SERIOUS** injuries or **DEATH**, alcohol overdose, extremely intoxicated underage, etc.
- Notification should be made as soon as possible so an ABC Investigator can respond to the scene of the incident, medical facility, etc..
- Suspected or possible involvement of an ABC licensed location (i.e., restaurant, liquor store, grocery store, bar, etc.). **NOT A REQUIREMENT!!!!!!!!!!**
Evidence
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