

If the sale takes place at an on-premise location (restaurant, bar, etc.) the minor should not leave the premises with the alcoholic beverage, but should leave the alcoholic beverage at the location.

If the undercover officer observes a violation, the officer will describe the subject, including physical appearance and clothing, the item purchased and purchase price, to the identification team.

The identification team will enter the establishment and locate the person whom the undercover officer has observed committing a violation. The undercover officer will ensure that the identification team makes contact with the appropriate person. The officers on the identification team will identify themselves and explain the reason for speaking with the individual.

If possible the officer will escort the individual to a safe location in order to minimize any disruption to the location, to effectively interview the individual, and to determine what action to take.

Other Considerations

Evidence - Keep the alcohol beverages and receipts, if possible, as evidence. Retain these items until the criminal case is adjudicated. Note whether the establishment uses any video cameras (film from these cameras could be useful as collaborating evidence).

Citation - File charges on the employee under Section 106.03 SALE TO MINORS or 106.06 PURCHASE OF ALCOHOL FOR A MINOR; FURNISHING ALCOHOL TO A MINOR, of the Texas Alcoholic Beverage Code.

Video/Audio Recordings - While video and audio recordings are not required, they are an invaluable tool when testifying in both criminal and administrative proceedings.

Report - Forward a copy of your case file to the local TABC office for administrative action.

Media - Consider notifying the local media of the minor sting operation. This gives licensees notification and may elicit editorial and community support for your agency.

Free Training Offered by TABC

TCLEOSE credit for all courses

- 1. Dealing with False Identification - TCLEOSE #3285 4hrs**
- 2. Conduct Minor Sting Operations (3hrs) and Operations to Reduce Third Party Sales of Alcohol to Underage Youth (1hr) - TCLEOSE #3200 4hrs**
- 3. Party Patrol and Controlled Party Dispersal Techniques for Preventing and Breaking Up Underage Drinking Parties - TCLEOSE #3617 4hrs**

*This training can be presented as a four hour training covering both topics or can be used as two separate trainings.

TABC may be able to provide grant funding to support underage drinking prevention and/or enforcement efforts.

For more information on free training or grant funding go to www.2young2drink.com.

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Minor Sting Operation Guidelines



Minor sting operations are undercover enforcement operations which identify retail establishments that sell alcoholic beverages to minors.



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

Minor stings are an excellent means of combating the problems associated with the unlawful purchase and consumption of alcoholic beverages by young Texans.

The minor sting operation allows the local law enforcement community to use a person not older than 18 years of age to attempt to purchase alcoholic beverages from a licensed business. Those agencies that choose to use this approach can ensure program credibility, community support and successful prosecution by following the guidelines we've set out in this brochure and taking advantage of TABC's free TCLEOSE accredited "How to Conduct a Compliance Check Operation" four hour training course.

Procedure Overview

The minors used in sting operations can be the agency employees' children, civic group volunteers, or recruits from local schools and school groups. Written permission is obtained from the parent before the minor may participate. Minors must be in the presence of two certified peace officers at all times during the operation.

Photographs are taken of the minor the day of the operation to attest to the youthfulness of the minor. Check with the local prosecutor to determine if the minor will carry identification. If identification is carried, it is the minor's own driver's license or identification card.

The minor is instructed not to lie about his/her age or coerce the sales clerk in any way. If the sales clerk asks any questions, the minor is to be polite and truthful.

Premises are usually selected at random. A general area of town is selected and each location in that area is assigned as part of the operation.

When selecting a minor for an operation, if

possible, use minors who are not residents of, or frequent visitors to, the operation area. If a second sting is conducted later in the same area, the agents may decide to only target the establishments which have complaints filed against them or places which are "known" by the community to sell alcohol to minors.

Procedure Guidelines

Recruiting Minors

Choose minors who:

1. are 18 years of age or younger;
2. appear youthful and have no facial hair;
3. are willing to dress in typical teenage attire consistent with minors in the area;
4. have not been convicted of a crime related to alcoholic beverages; and
5. are willing and able to testify at a criminal and/or administrative proceeding.

*** When selecting a minor it is a good policy to NOT use a minor who works at any licensed premises that sells alcoholic beverages.**

*** TABC has a minor recruitment and a parent information video on minor sting operations at www.2young2drink.com or tabc.state.tx.us. It can be used prior to or in conjunction with the orientation meeting.**

Orientation Meeting

Arrange a meeting with the parents or guardians of potential minor participants. If possible, the minor should be present as well. Explain the operation procedures, and that participating in a minor sting operation may require the minor to be out late.

Explain and have the parent or guardian sign a Parent Authorization Form, and have the minor fill out and sign a Minor Information Sheet.

Preparing the Minor

Once the minor has supervisory approval a minor sting operation can be scheduled. On the day of the operation explain the operation and the specific duties expected of the minor.

Explain to the minor what actions to take should a safety concern arise, and direct the minor to react promptly to any command given by any officer involved in the operation.

Photograph the minor in the clothes he/she will be wearing for the operation, attach photos to the case reports and other documents as necessary and file a copy of the photographs in the minor's file.

Ensure that the minor is informed as to what type and amount of alcoholic beverages should be purchased. Provide the minor with the appropriate amount of money to purchase the alcoholic beverages during the operation.

The minor should always be transported by two officers, and above all other interests, the minor's safety should be a priority.

***The minor should be instructed that at no time while conducting an operation should the minor drink any kind of alcoholic beverage.**

Conducting the Operation

The minor will enter the location and attempt to purchase an alcoholic beverage. The minor will be accompanied by two officers at all times for safety reasons. The undercover officer will stay close enough to the minor to provide for the minor's safety and one undercover officer will attempt to be close enough to observe the minor's transaction.

If a sale takes place at an off-premise location (convenience store, package store, etc.) the minor should leave the premises with the alcoholic beverage and immediately hand over the alcohol to one of the undercover officers.