

5-09/110.00 - Alcoholic Beverage Control (ABC) Enforcement or Violations

Patrol divisions are responsible for enforcing the regulatory provisions and making preliminary investigations of violations of the Business and Professions Code (B&P) pertaining to the control of alcoholic beverages. For all incidents reportable to ABC, deputy personnel shall use clearance code "845" in conjunction with any other applicable statistical codes for purposes of tracking ABC violations. Station commanders shall appoint a lieutenant to serve as the liaison agent for the California State Department of Alcoholic Beverage Control (ABC). A lieutenant shall attend all public ABC hearings or meetings relating to locations within their station's jurisdiction on behalf of the Department.

Information and Reports

With the exception of reports relating to narcotics, station commanders and the Major Crimes Bureau commander shall forward to ABC the following information:

- Copies of arrest reports wherein the violation of any law is alleged to have occurred on premises licensed by ABC;
- Information regarding licensed premises allegedly involved in cases where a juvenile is detained for violation of a law normally enforced by ABC;
- A copy of each report concerning licensed premises that have been found in violation of licensing regulations;
- Information indicating criminal activity or extensive criminal association by a licensee or applicant for a license; and
- "Police Problem" establishments that may require investigation or enforcement action by ABC.

The above reports or information shall include the following data:

- Name of licensee;
- Type of license;
- Address of establishment;
- License number; and
- The Narcotics Bureau commander may, at his discretion, forward reports wherein premises licensed by ABC are used as a contact point for narcotics traffic, even though the crime may have been committed elsewhere.

Other detective units concerned in the investigation of violations or incidents shall also forward a copy of such reports to ABC.

Application Investigation and Processing

The investigation and approval of alcoholic beverage license applications are functions of ABC. It is the policy of this Department to become involved in an ABC license application only in those instances in which the licensing of a premise would create an adverse affect to the basic objectives of law enforcement. Unit commanders shall assign a lieutenant to handle any formal request by ABC regarding an application for an alcohol license.

Investigation of ABC license applications for locations in the unincorporated areas of the County shall be the responsibility of the Station in whose jurisdiction the business is to be located. If the location is in a contract city, additional coordination with the city administration shall be established. A Liquor License Application Investigation form (SH-AD-274) shall be completed and an URN assigned.

Station commanders shall determine the appropriate depth of the investigation based upon the probable adverse affect of the granted license on an area's crime pattern or on general law enforcement. When the investigation reveals adequate and valid law enforcement-related grounds for protest, the station commander's recommendation shall be submitted to the district office of ABC on official Department stationery and shall be signed under the name of the Sheriff. The letter will include recommendations based upon criminal statistics, and law enforcement service needs. A copy of the investigation form shall accompany the letter.

When a protest is filed, copies of documents submitted to ABC shall be forwarded to the concerned division operations for the area commander's review. Any supplemental correspondence or information relating to the investigation may be made part of the station files.

The station commander shall not contact ABC when the investigation fails to reveal a basis for protest.

Station commanders shall retain appropriate files, indicating current license status, ownership, etc., on each licensed premise. Standard café incident files may be integrated with ABC license files.
