

VIRGINIA ALCOHOLIC BEVERAGE CONTROL
BUREAU OF LAW ENFORCEMENT



QUARTERLY REPORT

1st Quarter - 2018
January 1st through March 31st

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Executive Summary

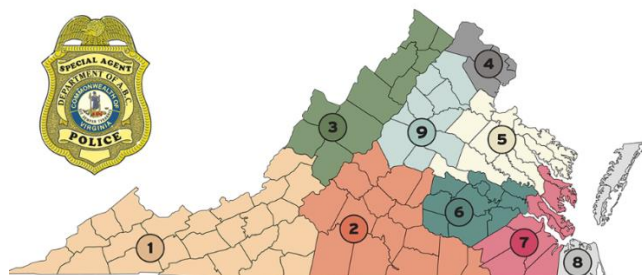
As a commitment to transparency, accountability and reporting, the Virginia Department of Alcoholic Beverage Control, Bureau of Law Enforcement is implementing the recommendations of the Governor's Expert Panel by producing this quarterly report which demonstrates our progress towards the panel's recommendations as well as ensuring citizen access to information.

The Governor's Expert Panel gave clear directions on the content of this quarterly report. This report follows those basic guidelines. Listed below is a synopsis of the data reported in each of those areas:

1. **Criminal Violations** – There were 107 total charges placed this quarter with 64 (60%) of those charges related to alcohol violations. Last quarter there were 132 charges with 88 (67%) being alcohol related. There is a 19% reduction in total arrests compared to last quarter. Racial breakdown of arrests shows % of arrestees were 50% white and 37% black. Distribution of arrests by gender for the quarter shows 55% of arrestees being male and 45% female.
2. **Regulatory violations** – This quarter saw a 46% decrease in Hearing Violations and a 1% increase in Written Warning when compared to 4Q 2017. There was a 44 % decrease in Regulatory Charges Adjudicated in hearings with 161 in 4Q 2017 and 90 in 1Q 2018.
3. **Field Contacts** – No Field Contacts were made this quarter
4. **Planned Operations** – There were 9 planned operations this quarter and 7 in the last quarter on 2017.
5. **Use of Force Reports** – There were no reported Use of Force incidents in this quarter
6. **Internal Investigations** – There are currently 3 Open Internal Investigations that are pending. 2 Complaints were closed in this quarter. There were no Informal Complaints assigned to the field.
7. **License Activity** – Retail Approvals showed an increase of 31% for the first quarter of 2018 compared to the previous quarter. Retail license approvals are up roughly 36% when compared to the first quarter of 2017. Banquet license approvals showed a 44% decrease when compared to the previous quarter and remain equal with 3170 in 1st quarter of 2017 and 2018,
8. **Inspections/Observations** – Inspections showed an decrease of 5% when comparing 1st quarter of 2018 to 2017, and a 26% decrease when comparing 1Q 2018 to 4Q 2017. Observations are down 5% when comparing 1Q 2018 to 4Q 2017.
9. **Underage Buyer** – UAB alcohol checks showed a significant decrease of 59% this quarter when compared to the previous quarter. The compliance rate increased from 90% to 91%. No "Synar" tobacco checks were completed this quarter.
10. **Training and Community Outreach** – ABC presented over 1290 hours of training to law enforcement, licensees and the general public this quarter. There were 862 hours of training received by ABC agents. These agents also attended over 713 hours of community outreach meetings.
11. **Accreditation** – The bureau remains committed to maintaining accreditation with numerous audits being conducted this quarter.

Most of the above data will be broken down by region. Below is a map of Virginia outlined by region:

Region 1-Roanoke, Region 2-Lynchburg, Region 3-Staunton, Region 4-Alexandria, Region 5-Fredricksburg, Region 6-Richmond, Region 7-Hampton,
Region 8 – Chesapeake, Region 9 – Charlottesville



Arrests

Criminal Charges

This table reflects the total and type of criminal charges that were placed by ABC enforcement personnel between January 1 and March 31, 2018 (1st Quarter 2018) and totals for the year. A majority of the arrests (53) involve sales made to underage individuals. These arrests usually occur as a result of the ABC underage buyer compliance program.

ARREST CHARGES 2018												
CHARGE	REGION – Q1											YTD 2018
	1	2	3	4	5	6	7	8	9	SO	Total	
Alcohol Related Charges *See Chart Below for Individual Charges	7	6	8	18	1	9	1	11	3	0	64	64
Larceny						15					15	15
Shoplifting											0	0
Embezzlement							1	1			2	2
Fraud / Forgery	2					19			2		23	23
Public Intoxication	1										1	1
Possession of a Fictitious Driver's License											0	0
Narcotics Violation											0	0
Trespass						2					2	2
Weapons Law Violations											0	0
TOTAL	10	6	8	18	1	45	2	12	5	0	107	107

*4.1 ALCOHOL RELATED CHARGES	REGION – Q1											YTD 2018
	1	2	3	4	5	6	7	8	9	SO	Total	
Sale of Alcoholic Beverage -Underage	4	5	8	17	1	6	0	9	3		53	53
Unlicensed Distilling Apparatus		1									1	1
Illegal Sale of Alcohol											0	0
Possess Illegally acquired Alcohol	3										3	3
Restaurant: Possess without a license											0	0
Aid and Abet Alcohol Law Violations								1			1	1
Maintain Common Nuisance											0	0
Drinking in Public											0	0
Use False ID to purchase											0	0
Underage purchase of Alcohol				1		3	1	1			6	6
TOTAL	7	6	8	18	1	9	1	11	3	0	64	64

Arrests by Region

This table breaks down the total criminal arrests - by region where the offense took place, comparing the percentage change from arrest in the 4th quarter of 2017 to arrests in the 1st quarter of 2018 and total for the year.

Note: These are arrest figures involving the 3 types of reportable arrests; In-custody, Released on a Summons and Warrant. These numbers may differ from the number of charges place by ABC enforcement.

ARRESTS BY REGION				
REGION	4Q 2017 Arrests	1Q 2018 Arrests	% Change	YTD 2018
Region 1 - ROANOKE	19	10	-47%	10
Region 2 - LYNCHBURG	15	6	-60%	6
Region 3 - STAUNTON	11	8	-27%	8
Region 4 - ALEXANDRIA	17	18	6%	18
Region 5 - FREDERICKSBURG	9	1	-89%	1
Region 6 - RICHMOND	26	45	73%	45
Region 7 - HAMPTON	23	2	-91%	2
Region 8 - CHESAPEAKE	15	12	-20%	12
Region 9 - CHARLOTTESVILLE	8	5	-38%	5
Compliance	0	0	N/A	0
Special Operations	0	0	N/A	0
TOTAL	143	107	-26%	107

Arrest by Type and Race

This table reflects the race of arrested individuals in the first quarter of 2018. The data is broken down into the three types of arrests (On-view - taken into custody, released on summons and warrant - taken into custody)

ARRESTS BY TYPE and RACE				
1Q - 2018				
RACE	On-View	Summons	In-custody	Total
White	4	37	13	54
Black	3	12	25	40
Hispanic	0	7	0	7
Asian	0	3	0	3
Middle Eastern	0	1	0	1
Unknown	0	2	0	2
Total	7	62	38	107

Arrest by Age and Gender

This table reflects a breakdown by gender and age of all adults that have been arrested in the first quarter of 2018. This includes all types of arrest- (in-custody, released on summons and warrant).

ARREST BY GENDER AND AGE – 1Q - 2018													
Gender	Juvenile	18-20	21-24	25 - 29	30 - 34	35 - 39	40 - 44	45 - 49	50 - 54	55 - 59	60 - 64	65 & Over	Total
Male	0	10	18	9	2	6	1	4	1	5	3	0	59
Female	1	10	4	10	11	3	2	2	4	1	0	1	48
TOTAL	1	20	22	19	13	9	3	6	5	6	3	1	107

Regulatory Violations

A large portion of the work performed by Virginia ABC special agents involves enforcement of rules and regulations applicable to ABC licensees. Violations can be dealt with by issuing a written warning or by presenting a violation case to the ABC Hearings Division. These violations can be punishable by fines, suspension or revocation of the ABC license. These alcoholic beverage control regulations are found in the Code of Virginia, Section 4.1

Regulatory Charges Placed by Region

This table represents the total number of regulatory actions that were placed by enforcement personnel in the 1st Quarter of 2018. Violations were routed to the hearings division for later adjudication while warnings were noted in the licensee file.

REGULATORY CHARGES PLACED -BY REGION*				
REGION	1Q		YTD 2018	
	# Hearing Violations	# Written Warnings	# Hearing Violations	# Written Warnings
Region 1 - ROANOKE	12	6	12	6
Region 2 - LYNCHBURG	5	9	5	9
Region 3 - STAUNTON	9	4	9	4
Region 4 - ALEXANDRIA	19	101	19	101
Region 5 - FREDERICKSBURG	2	21	2	21
Region 6 - RICHMOND	9	21	9	21
Region 7 - HAMPTON	1	24	1	24
Region 8 - CHESAPEAKE	14	16	14	16
Region 9 - CHARLOTTESVILLE	9	17	9	17
Compliance	0	8	0	8
License Records Management**	0	241	0	241
Special Operations	0	0	0	0
Total	80	468	80	468

**count of individual charges*

***License Records Management consists of system generated warnings for violations*

Regulatory Charges Adjudicated in Hearings

This table represents the total number and type of charges that were adjudicated by the ABC Hearings Division in this quarter as a result of the regulatory charges previously place by ABC agents.

REGULATORY CHARGES ADJUDICATED IN HEARINGS DIVISION					
	1Q-2018				
REGION	UAB	FAIL TO SUBMIT MBAR	MBAR Violations	Other Violations	TOTAL
Region 1 - ROANOKE	9	0	1	4	14
Region 2 - LYNCHBURG	4	0	1	0	5
Region 3 - STAUNTON	4	0	0	1	5
Region 4 - ALEXANDRIA	9	7	0	3	19
Region 5 - FREDERICKSBURG	1	2	0	3	6
Region 6 - RICHMOND	7	1	0	5	13
Region 7 - HAMPTON	12	0	0	1	13
Region 8 - CHESAPEAKE	4	1	1	1	7
Region 9 - CHARLOTTESVILLE	3	0	5	0	8
Sub Totals	53	11	8	18	90

Field Contacts

A field contact is when an agent engages a citizen and conducts a brief interview. When an arrest does not occur as a result of a field interview, agents report the stop in a “Field Contact” report. This report documents the reason for the stop as well as identifying information about the individual. Scrutiny of these types of encounters enables law enforcement executives as well as citizens to monitor police/citizen interactions to guard against biased-based policing practices.

FIELD CONTACTS BY REGION WITH DEMOGRAPHICS - 1Q 2018											
REGION	White		Black		Hispanic		Asian		Middle Eastern		Total
	M	F	M	F	M	F	M	F	M	F	
Region 1 - ROANOKE	0	0	0	0	0	0	0	0	0	0	0
Region 2 - LYNCHBURG	0	0	0	0	0	0	0	0	0	0	0
Region 3 - STAUNTON	0	0	0	0	0	0	0	0	0	0	0
Region 4 - ALEXANDRIA	0	0	0	0	0	0	0	0	0	0	0
Region 5 - FREDERICKSBURG	0	0	0	0	0	0	0	0	0	0	0
Region 6 - RICHMOND	0	0	0	0	0	0	0	0	0	0	0
Region 7 - HAMPTON	0	0	0	0	0	0	0	0	0	0	0
Region 8 - CHESAPEAKE	0	0	0	0	0	0	0	0	0	0	0
Region 9 - CHARLOTTESVILLE	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0

Planned Operations Executed

An “Operational Plan” is submitted for all structured, pre-planned operations/observations for which enforcement action is anticipated. (i.e.: any undercover operation, most search warrant executions, and any enforcement operation involving five (5) or more sworn personnel).

This table is a summary of the planned operations that took place in the 1st Quarter of 2018. Of the 28 planned operations conducted by ABC Enforcement in this quarter, 1 was conducted in conjunction with other Law Enforcement Agencies.

OPERATIONAL PLANS JAN - MAR 2018					
DATE	REGION	TYPE	TOTAL STAFFING	ASST. OTHER LE	AGENCY ASSISTED
15-Feb	Region 2 - Lynchburg	Complaint of ABC Law violations	6 SA/ 1 ASAC	N	N/A
12-Mar	Region 8 - Chesapeake	Illegal Sale of alcohol	6 SA / 1 ASAC	N	N/A
14-Mar	Region 7 - Hampton	Illegal Sale of alcohol	4 SA / 1 SAC	N	N/A
31-Jan	Region 1 - Roanoke	B&E Investigation	8 SA/ 1 ASAC	N	N/A
1-Feb	Region 1 - Roanoke	Illegal Still Investigation	4 SA/ 1 ASAC	N	N/A
24-Feb	Region 2 - Lynchburg	Illegal Sale of alcohol	6 SA/ 1 ASAC	N	N/A
9-Feb	Region 1 - Roanoke	Complaint of ABC Law violations	1 SA / 1 ASAC	Y	Roanoke PD
17-Mar	Region 6 - Richmond	Special Event / Public Safety	6 SA/ 1 ASAC	N	N/A
2-Feb	Region 1 - Roanoke	Illegal Sale of alcohol	2 SA/ 1 ASAC	N	N/A

SA – Special Agent

ASAC – Assistant Special Agent in Charge

P-14 – Part-time Civilian

SSA – Senior Special Agent

SAC – Special Agent in Charge

Use of Force Incidents

The bureau considers any amount of effort required by an agent to compel compliance by an unwilling subject that exceeds normal restraint or handcuffing to be a “Use of Force” which requires a supervisor be notified and a Use of Force report completed.

USE OF FORCE INCIDENTS - REPORTED 1Q – 2018											
General Information			Agent Information					Offender Information			
Date	Type of Force	Level of Resistance	Region	Race	Sex	Age	Injury	Race	Sex	Age	Injury
NO USE OF FORCE INCIDENTS REPORTS FOR THIS QUARTER											

Internal Investigations

Any complaint alleging improper action or improper conduct by an employee, if job-related or in violation of the Standards of Conduct, other policies of the Bureau, Department of Human Resource Management, the ABC Policy and Procedures Manual, or criminal law will generate an administrative internal investigation. There are two types of internal investigations that are conducted by the bureau; Formal and Informal (the difference is explained below). Both types of investigations are documented and report through the chain of command.

Formal Complaint(s)

Formal complaints involve allegations which are investigated by trained Internal Affairs investigators and, if substantiated, can lead to formal and significant disciplinary action.

ACTIVE FORMAL COMPLAINT(S)								
Date Received	FILE#	REGION	ALLEGATION(S)	Date Assigned	Date Due	Status	Date Completed	Disposition
7/11/2017	17-04	Region 6 – Richmond	Fact Finding	7/18/2017	8/28/2017	Closed	1/26/2018	Not Substantiated
9/25/2017	17-05	Region 6 - Richmond	Improper Conduct	9/25/2017	10/25/2017	Open		
2/8/2018	18-01	Region 4 - Alexandria	Improper Conduct	2/9/2018	3/18/2018	Open		
2/6/2018	18-02	Region 3 - Staunton	Improper Conduct	2/14/2018	3/31/2018	Open		
2/16/2018	18-03	Region 4 - Alexandria	Improper Conduct	2/16/2018	4/2/2018	Closed	3/30/2018	Unfounded

Informal Complaint(s)

Informal complaints are minor allegations of infractions investigated by mid-level regional supervisors and the complainant is satisfied with the resolution offered and only wishes the matter to be handled informally by the supervisor.

INFORMAL COMPLAINT(S)						
Date Received	Date Assigned	FILE#	REGION	ALLEGATION(S)	Date Closed	Disposition
NO INFORMAL COMPLAINTS FOR THIS QUARTER						

License Activity Totals

A significant amount of an agent’s time is committed to the approval process of both retail and “one day” banquet licenses. This process involves background investigations, venue/establishment inspections and training.

Retail Licenses Approvals

Retail Application approvals, sometimes tied to economic conditions, increased 30% for the first quarter of 2018 when compared to the previous quarter. In 1Q of 2017 there were 432 retail licenses approvals compared to 589 in 1Q of 2018 reflecting a 35% increase in approvals.

APPROVED RETAIL LICENSES											
2Q – 2017			3Q – 2017			4Q – 2017			1Q – 2018		
APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
139	174	197	147	188	173	168	143	140	244	176	169
510			508			451			589		

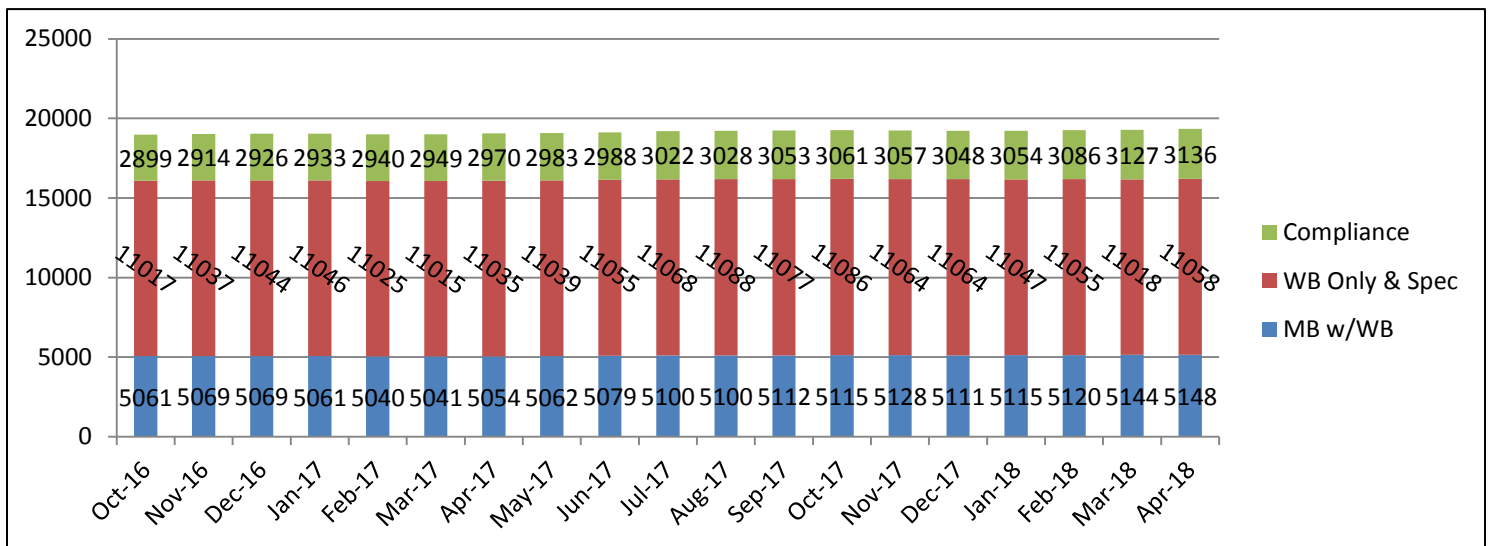
Banquet Licenses Approvals

Banquet License approvals, which follow seasonal trends, decreased in the 1st quarter with a 56% decrease when compared to the previous quarter. In 1Q of 2017 there were 3170 Banquet license approvals compared to 3170 in 1Q of 2018 reflecting no change in activity compared to 1st quarter of last year.

APPROVED BANQUET LICENSES											
2Q - 2017			3Q - 2017			4Q - 2017			1Q - 2018		
APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
2152	2753	2965	2435	2257	3474	3395	1907	1911	755	1106	1649
7870			8166			7213			3170		

Total Retail Licenses

Total Retail Licenses in the state has shown steady incremental growth



Inspections / Observations

Licensee Inspections Completed

All ABC licensed establishments are subject to inspection by ABC agents. These inspections are overt; the agent will inspect the premises for compliance with regulatory requirements, meet with the owner or manager to review business receipts and purchasing records, review previously submitted MBARs and answer any questions business employees may have about ABC laws and requirements. **Records system only allows for a snapshot of total license count. Compliance total licenses does not include 1530 out of state licensees

License totals include Wine & Beer Off Premise Licensees which only get inspected every two years, thus the percentage of licensees inspected is not expected to be 100% for a one year cycle.

2017 - 2018 LICENSE INSPECTIONS - By Region and Quarter							
REGION	2017	2017	2017	2018	TOTALS	TOTAL LICENSES**	% LICENSES INSPECTED
	2Q	3Q	4Q	1Q			
1 - Roanoke	413	418	321	250	1402	1934	72%
2 - Lynchburg	202	285	198	150	835	1187	70%
3 - Staunton	243	220	94	151	708	1176	60%
4 - Alexandria	558	393	553	739	2243	3860	58%
5 - Fredericksburg	233	269	255	345	1102	1058	104%
6 - Richmond	215	330	880	283	1708	2382	72%
7 - Hampton	179	184	341	234	938	1441	65%
8 - Chesapeake	336	378	637	308	1659	2207	75%
9 - Charlottesville	201	173	240	246	860	939	92%
Compliance	146	265	467	255	1133	1633	69%
TOTALS	2726	2915	3986	2961	12588	17817	71%

Observations Completed

Agents also conduct unannounced, covert, plain-clothes observations of ABC establishments to ensure licensees are following all ABC laws and regulations. Many of these observations are follow-up investigations initiated by citizen complaints.

2017 - 2018 OBSERVATIONS COMPLETED					
REGION	2017	2017	2017	2018	TOTALS
	2Q	3Q	4Q	1Q	
1 - Roanoke	30	35	41	15	121
2 - Lynchburg	11	35	26	63	135
3 - Staunton	16	1	0	1	18
4 - Alexandria	18	19	25	18	80
5 - Fredericksburg	6	5	11	4	26
6 - Richmond	15	34	20	20	89
7 - Hampton	6	8	8	18	40
8 - Chesapeake	36	17	32	15	100
9 - Charlottesville	8	11	8	10	37
Compliance	1	2	1	0	4
Special Ops	0	0	0	0	0
TOTALS	147	167	172	164	650

Underage Buyer Totals

The Underage Buyer (UAB) program is an ongoing effort by Virginia ABC to visit alcohol and tobacco retailers throughout the Commonwealth to verify compliance with the state age requirements—18 for tobacco and 21 for alcohol sales. Special agents accompany underage operatives during attempts to purchase cigarettes or alcohol at grocery stores, convenience stores, restaurants and other businesses, including Virginia ABC stores.

Underage Buyer Program Checks – Alcohol

UAB ALCOHOL CHECKS COMPLETED - CY 2018						
REGION	1Q Totals			2018 Totals		
	# Checks Made	# Sales Made	Compliance Rate	# Checks Made	# Sales Made	Compliance Rate
Region 1 - ROANOKE	43	1	98%	43	1	98%
Region 2 - LYNCHBURG	37	3	92%	37	3	92%
Region 3 - STAUNTON	30	8	73%	30	8	73%
Region 4 - ALEXANDRIA	149	17	89%	149	17	89%
Region 5 - FREDERICKSBURG	26	1	96%	26	1	96%
Region 6 - RICHMOND	98	5	95%	98	5	95%
Region 7 - HAMPTON	1	0	100%	1	0	100%
Region 8 - CHESAPEAKE	84	10	88%	84	10	88%
Region 9 - CHARLOTTESVILLE	23	1	96%	23	1	96%
Compliance/Special Ops	0	0	N/A	0	0	N/A
Total	491	46	91%	491	46	91%

Underage Buyer Program Checks – Tobacco (SYNAR Tobacco checks do not occur during this quarter)

UAB TOBACCO CHECKS COMPLETED - 1Q - 2018			
REGION	# Checks Made	# Sales Made	Compliance Rate
Region 1 - ROANOKE	0	0	N/A
Region 2 - LYNCHBURG	0	0	N/A
Region 3 - STAUNTON	0	0	N/A
Region 4 - ALEXANDRIA	0	0	N/A
Region 5 - FREDERICKSBURG	0	0	N/A
Region 6 - RICHMOND	0	0	N/A
Region 7 - HAMPTON	0	0	N/A
Region 8 - CHESAPEAKE	0	0	N/A
Region 9 - CHARLOTTESVILLE	0	0	N/A
Compliance	0	0	N/A
Special Operations	0	0	N/A
Total	0	0	N/A

Training

Virginia ABC enforcement is committed to continuously improving the knowledge base and understanding of our agents, our fellow law enforcement agencies, our licensees and the community. To this end, this quarter agents presented over 1290 hours of training to law enforcement, licensees and the general public. There were 862 hours of training received by ABC agents. These agents also attended over 713 hours of community outreach meetings.

TRAINING AND COMMUNITY INVOLVEMENT - 1Q 2018 (Hours)									
REGION	Meetings			Training Instructed			Training Received		Totals
	ABC Store	Licensee	Public/Community	Law Enforcement	Licensee	Public	In-House	Outside	
REG1 - Roanoke	32.2	64.92	45.87	49.27	13.42	5.98	284.95	87.97	584.58
REG2 - Lynchburg	18.13	46.53	38.48	221.8	50.23	5.73	221.48	52.22	654.6
REG3 - Staunton	0	3.68	4.22	64.47	0	5.5	88.83	72.23	238.93
REG4 - Alexandria	3.68	33.3	3.6	86.2	103.47	2	347.65	89.58	669.48
REG5 - Fredericksburg	1.33	14.72	2.48	33	12.83	8	89.02	86.68	248.06
REG6 - Richmond	3.48	45.67	12.4	42.68	51.63	0	259.48	123.3	538.64
REG7 - Hampton	7.75	21.7	2.8	50.25	32.32	0	124.08	83.88	322.78
REG8 - Chesapeake	13.78	29.68	16.22	0.98	23.2	14.33	198.15	59.92	356.26
REG9 - Charlottesville	76.92	93.13	19.58	30.7	7.58	1.73	74.43	36	340.07
Compliance Office	0	39.15	17.57	26.7	2.73	4	157.78	29.5	277.43
Special Operations	0	0	0.48	31.4	0	0	8.47	7.98	48.33
Training Office	0	0	0	305.52	0	2.73	4.97	24.67	337.89
Totals	157.27	392.48	163.7	942.97	297.41	50	1859.29	753.93	4617.05
			713.45			1290.38		862.03	

Accreditation

Virginia ABC Enforcement is a State Accredited Law Enforcement Agency. Re-Accreditation for VA ABC began with term 1 on October 1, 2015 and will end with term 4 on September 30, 2019. There are a total of 191 standards that have to be met with numerous proofs required for each standard. Of the 191 standards, 59 have some level of completed proofs.

ACCREDITATION ACTIVITIES			
Mandated Activities	Required	In progress	Completed
Quarterly			
Regional Change Funds	11	2	9
Asset Forfeiture Funds	10	2	8
FDA Funds	9	1	8
Evidence Room Inspection	20	1	19
Employee Benefit Fund	1	0	1
Semi-Annual			
Vehicle/Equipment	97	0	97
Unannounced Evidence Inspections	20	20	0
Annual Evidence Audits	10	10	0
Yearly			
Standards	191	40	151
Proofs	606	188	418