

Law Enforcement Reporting & Accountability

*Jurisdiction, Duties, and
Statistics...OR...*



*“What the Heck Do I Do With
This Form?”*



Why are we reporting?



- Legislature - prompted by public scrutiny and government concern...
 - Resulted in legislation that required Ethics Reform, closer control of funds, Adoption of Performance Standards, etc.
- With \$7 million going to ABC LE across the state, it was no surprise that measures were adopted to ensure it was being used appropriately...resulting in:

When and where is the report filed?

- every local board's ABC officers and those law enforcement agencies subject to an enforcement agreement entered into pursuant to subsection (f) of this section **shall report to the local board, by the fifth business day of each month,** on a form developed by the Commission

When and where is the report filed?

- The local board shall submit a copy of the enforcement report to the appointing authority and the Commission not later than five business days after receipt of the enforcement report by the local board. The Commission shall publish this information, by local board and enforcement agency, on a public Internet Web site maintained by the Commission."

Where Does the Information Go?

- The LE Report and/or the information for the report should flow from Law Enforcement “Uphill” to the appropriate personnel.
- LE Agency *to* Board; Board *to* Appointing authority AND the ABC Commission.
- Entered into Commission web-site at Board level...designee...
- It is suggested that the Board GM share the information with his/her Board at monthly meeting.

Published by the Commission:

http://www.ncabc.com/boards/law_enforcement_reporting.aspx



ABC
COMMISSION
NORTH CAROLINA

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NC Division of Tourism

Welcome to the North Carolina Alcoholic Beverage Control Commission

North Carolina is one of 19 control states and a member of the National Alcoholic Beverage Control Association. As an agency under the Department of Commerce, it is our overall objective to provide uniform control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages in the state.

Announcements

[ABC Commission and ABC Warehouse Address Change \(ON-LINE\) Alcohol Seller Training for Applicants](#)
[NC ABC Responsible Alcohol Seller/Server Program](#)
[More Announcements...](#)

Frequently Asked Questions

[How do I locate a permittee? \(Permittee Search\)](#)
[How do I apply for a permit?](#)
[How do I find a store near me?](#)
[How do I obtain Responsible Alcohol Seller/Server Training?](#)
[How do I apply for a job at an ABC store?](#)

Upcoming Events

[R.I.D.E. Alcohol Education Class-Henderson - {3/29/2011, 10:00 AM}](#)
[R.I.D.E. Alcohol Education Class-Louisburg - {3/29/2011, 1:00 PM}](#)
[Commission Meeting - {4/14/2011, 10:00 AM}](#)
[State Holiday \(Good Friday\) - {4/22/2011}](#)
[R.I.D.E. Alcohol Education Class-Henderson - {5/24/2011, 10:00 AM}](#)
[More Events...](#)

Public Resources & Publications

[News Releases](#)
[Speeches and Presentations](#)
[Research and Related Material](#)
[Retail Permit Forms](#)
[Commercial Permit Forms](#)

Published by the Commission:

Spiritous Liquor	Permits	Beer & Wine Products	Education	Legal	Audit	Local ABC Boards	About Us
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General Information	Home > Local ABC Boards
Revenue Distribution Chart	<h2>Local ABC Boards</h2>
Board Directory	ABC Boards in North Carolina are local independent political subdivisions of the State. They operate as separate entities establishing their own policies and procedures and they retain authority to set policy and adopt rules in conformity with ABC Laws and Commission Rules. Below are some of the ABC laws pertaining to the ABC boards and their stores.
Store Locator	ABC Board Login:
Warehouse Stock Status	Username: <input type="text"/>
Board Memoranda	Password: <input type="text"/> <input type="button" value="Login"/>
Revenue Reports	ABC Board Laws
Audit-Finance	<ul style="list-style-type: none">18B-204 Regulation of Alcoholic Beverages18B-101(8) Definition of "Local Board"18B-700. Appointment and Organization of Local ABC Boards18B-701. Powers of Local ABC Boards18B-702. Financial Operations of Local Boards18B-703. Merger of Local ABC Operations18B-800. Sale of Alcoholic Beverages in ABC Stores18B-801. Location, Opening, and Closing of Stores18B-802. When Stores Operate18B-803. Store Management18B-804. Alcoholic Beverage Pricing18B-805. Distribution of Revenue
Law Enforcement	
Forms	
ABC Newsletters	
FAQs	
Signs	
<h3>Frequently Asked Questions</h3>	
How do I locate a permittee? (Permittee Search)	
How do I apply for a permit?	
How do I find a store near me?	
Education and Training	
How do I apply for a job at an ABC store?	
What type of sales are allowed in my area?	
How do I open an ABC Store?	

LE Report...

- What does the finished report look like?
- Designed to report the information set out in the new law.

Law Enforcement Reports

Board:

Reporting Month: Year:

Month: January Year: 2011

ABC Law Violations	At Permitted Establishments	Away From Permitted Establishments	Total
Sell to Underage	9	0	9
Sell to Intoxicated	0	0	0
Underage Possession	0	0	0
Unauthorized Possession	3	1	4
Other Alcohol	7	0	7
Controlled-Substance Violations			
Man/Sell/Deliver, trafficking/etc.	0	0	0
Possession	2	0	2
Paraphernalia	1	0	1
Other	0	0	0
Other Offenses			
DWI & Implied	0	0	0
Traffic	3	5	8
Criminal	3	11	14
Weapons/Assaults	2	0	2
Alcohol Education			
Seller / Server	27		
Other Presentations	0		
Total:	27		
Agencies Assisted			
ABC Law	16		
Controlled Substance	8		
Other	24		
Total:	48		
Miscellaneous			
Inspections	72		
Violations Submitted	8		

Reports Forms & Instructions

- Copies of the ABC Law Enforcement Monthly Report Form were distributed electronically, accompanied by Instructions for completing the report. Still available if you need either...
- Fillable version available; makes sharing the report easier. Can email an Excel version...
- To ensure successful reporting, assistance is available from the Commission and members of the ABC Law Enforcement community.

The Report Form

- Mirrors the ABC Officer's authority and jurisdiction, as well as mandate from 18B-501 and 18B-502...
- "At" and "Away From" permitted establishment important to delineate where enforcement and regulatory activity occur and in what proportion...

Some Frequent Questions

- “We don’t give any money to a Law Enforcement agency”. “Do we have to report?”
 - There is no mandate for performance, but the mandate to report is not relieved. If there is no activity, or no mandate; It is OK to report ZERO on the report.

Some Frequent Questions

- “Do we have to have a contract with LE agency?”
 - Depends on financial obligation...but there are benefits to ABC LE contract for both the agency and the Board...
- “How many ABC Officers can my contract agency have?”
 - No more than 5 officers can be designated.

Some Frequent Questions

- “What can contract ABC Officers do?”
 - Anything that Full-time ABC Officers can do; 18B-501(f) says “When such a contract for enforcement exists, the officers of the contracting law-enforcement agency shall have the same authority to inspect under G.S. 18B-502 that an ABC officer employed by that local board would have”. (Civil authority is the special authority that is imparted by the contract)

FAQ'S (actual write-ins...)

■ 1 – Why does my agency have to submit this report?

Answer – your agency is under contract with the local ABC Board to provide law enforcement services as set-out in GS 18B-501 (*refer to GS 18B-501 and 18B-502 for an explanation of that authority*). During the 2010 Short Session, the NC Legislature passed a law requiring accountability for the funds spent by ABC Boards for law enforcement. This report is a result of that legislation.

■ 2 – What activity do I have to report and for which officers within our agency?

Answer – you may designate up to 5 officers who have ABC authority; the new law states you may designate up to 5 but no more than 5. Your agency size may require that you designate less than 5. You should report any activity that is related to their duties as “ABC Officers”.

■ 3 – We have never done inspections. Why are we being asked to report the number of Inspections if we don't do them; how can we train our officers to conduct inspections?

Answer – Under the authority given to “ABC Officers” in Chapter 18B, your contract officer(s) have the same authority as full-time ABC personnel. The statutory mandate specifies that enforcing the ABC and Controlled Substance laws are a priority and that you have authority to inspect permitted establishments to check for violations of ABC law and regulations. If you require training or further information concerning training, a good suggestion would be to contact the closest full-time ABC Law Enforcement agency or the District ALE office.

FAQ'S (actual write-ins...)

- **4 – How strict or specific should our agency be with specifying whether activity occurs AT or AWAY from permitted establishments? How do we decide which is appropriate?**

Answer – a rule of thumb should be: “AT Permitted Establishment” activity should be activity that occurred at/on or initiated at a permitted establishment or premise. “Away from Permitted Establishment” would have no relationship to an ABC permitted establishment either physically or by means of the investigation.

- **5 – What should I put in the “Remarks” section of the report?**

Answer – You should put any remarks or summary in this section that you feel is important. Examples would be notable facts such as your ABC officer being assigned to training for half of the month, which would result in reduced activity related to his/her ABC duties. Another example would be if you are a new agency and have not assigned an officer to the ABC duties, or if the officer was on leave for an extended period, etc. You would also include remarks such as special events worked; notable activity such as compliance campaigns, checkpoints, etc. that results in noteworthy results, etc. The “Remarks” field is limited to 1,000 characters but still allows plenty of space to report important facts or accomplishments.

Contracting of ABC Officers

■ Chapter 18B.

§ 18B-701. Powers of local ABC boards.

A local board shall have authority to:

(8) Employ local ABC officers or make other provision for enforcement of ABC laws as provided in Article 5;

Contracts for ABC Law Enforcement

- Why is contract Important?
 - It spells out what each party is expected to do
 - It documents the designation of the LE Agency as the ABC LE Agency
- Boards should update or re-negotiate LE contracts
- Contract should include reporting requirements and procedures

Training and Support

- “My contract agency says they don’t know anything about ABC laws or regulations”.
 - ABC LE Assoc. and it’s member agencies are trying to:
 - Provide on-site training to Local agencies
 - Develop training program through Community Colleges and Justice Academy
 - Provide support for LE Reporting mandate

QUESTIONS?

- Closing points:
 - On time...
 - Communicate...
 - Use “Remarks” field...

Contact Information

- Bill Belvin, Chief ABC Officer
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Fayetteville, NC 28304
910-624-8098 cell
bill.belvin@cumberlandabc.com
- Send questions to Commission
(Herring/Lee) and they will be forwarded...