

VIRGINIA ALCOHOLIC BEVERAGE CONTROL
BUREAU OF LAW ENFORCEMENT



QUARTERLY REPORT

2nd Quarter - 2020
April 1st through June 30th

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Executive Summary

As a commitment to transparency, accountability and reporting, the Virginia Alcoholic Beverage Control Authority's Bureau of Law Enforcement produces this quarterly report in accordance with Virginia Code 4.1-103 #30 and as part of its implementation of the recommendations of the Governor's Expert Panel, created by Governor McAuliffe in Executive Order 40. The report demonstrates our adoption of the panel's recommendations as well as ensuring citizen access to information.

During the 2019 Virginia General Assembly session, legislation was enacted through the Virginia State Budget Item 4-5.04 m. "requiring no expenditures from general or non-general fund sources may be made by any state agency or authority for the purchase of implementation of body-worn camera systems". While the Governor's Expert Panel recommended the use of body-worn cameras by Virginia ABC special agents, the Authority halted the procurement and implementation process of body-worn cameras due to the current legal prohibition. If the prohibition is lifted, the Authority will assess at that time whether implementation of body worn cameras is practicable under existing policies and legal standards.

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 was 1 total charge placed this quarter with no (0%) charges related to alcohol violations. Last quarter there were 51 charges with 44 (86%) being alcohol related. There is a 98% decrease in total arrests compared to last quarter. Racial breakdown of arrests shows the percentage of arrestees were 100% black. Distribution of arrests by gender for the quarter shows 100% of arrestees being male.
2. **Regulatory violations** – This quarter saw a 71% decrease in violations brought to hearings and a 5% increase in written warnings when compared to 1Q 2020. There was a 75% decrease in regulatory charges adjudicated in hearings with 490 in 1Q 2020 and 121 in 2Q 2020.
3. **Field Contacts** – There were no field contacts made this quarter.
4. **Planned Operations** – There were no planned operation this quarter and none in the first quarter of 2020.
5. **Use of Force Reports** – There were no reported Use of Force incidents this quarter.
6. **Internal Investigations** – There is currently no open Internal Investigations. There was one informal complaint assigned to the field.
7. **License Activity** – Retail approvals showed a decrease of 12% for the second quarter of 2020 compared to the previous quarter. Retail license approvals are down roughly 38% when compared to the 2nd quarter of 2019. Banquet license approvals show a 74% decrease when compared to the previous quarter and a 90% decrease when compared to the second quarter of 2019.
8. **Inspections/Observations** – Inspections showed a decrease of 89% when comparing second quarter of 2020 to first quarter of 2020, and a 92% decrease when compared to the second quarter of 2019. Observations are up 126% when comparing second quarter 2020 to the previous quarter.
9. **Underage Buyer** – No UAB alcohol checks or tobacco checks were completed this quarter.
10. **Training and Community Outreach** – ABC presented over 440 hours of training to law enforcement, licensees and the general public this quarter. There were 1676 hours of training received by ABC agents. These agents also attended over 485 hours of community outreach meetings.
11. **Accreditation** – Re-accreditation for VA ABC was accomplished on January 9th 2020. A 2nd reaccreditation Term began on November 1, 2019 and will end on October 31st, 2023. All 190 standards have completed or in progress proofs for the quarter.

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

Region 1-Roanoke, Region 2-Lynchburg, Region 3-Stauanton, Region 4-Alexandria, Region 5-Fredericksburg, 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 April 1 and June 30, 2020 (Second Quarter 2020), and totals for the year.

ARREST CHARGES 2020													
CHARGE	REGION – Q2											YTD 2020	
	1	2	3	4	5	6	7	8	9	Compl.	Total		
Alcohol Related Charges *See Chart Below for Individual Charges	0	0	0	0	0	0	0	0	0	0	0	0	44
Assault	0	0	0	0	0	0	0	0	0	0	0	0	1
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	1
Shoplifting	0	0	0	0	0	0	0	0	0	0	0	0	1
Fraud / Forgery	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Contribute to the Delinquency of Minor	0	0	0	0	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	1	0	0	0	0	0	0	0	1	1
Firearms Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Tobacco Violations	0	0	0	0	0	0	0	0	0	0	0	0	4
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	1	0	1	52						

* The charges of larceny, shoplifting, embezzlement and fraud are primarily related to our retail stores.

*4.1 ALCOHOL RELATED CHARGES	REGION – Q2											YTD 2020	
	1	2	3	4	5	6	7	8	9	Compl.	Total		
Sale of Alcoholic Beverage -Underage	0	0	0	0	0	0	0	0	0	0	0	0	0
Unlicensed Distilling Apparatus	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Sale of Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0
Possess Illegally acquired Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Manufacture of Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0
Aid and Abet Alcohol Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Maintain Common Nuisance	0	0	0	0	0	0	0	0	0	0	0	0	0
Drinking in Public	0	0	0	0	0	0	0	0	0	0	0	0	0
Use False ID to purchase	0	0	0	0	0	0	0	0	0	0	0	0	0
Underage purchase of Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0

Arrests by Region

This table breaks down the total criminal arrests - by region where the offense took place, comparing the percentage change from arrests in the first quarter of 2020 to arrests in the second quarter of 2020 and total for the year.

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

ARRESTS BY REGION				
REGION	1Q 2020	2Q 2020	% Change	YTD 2020
	Arrests	Arrests		
Region 1 - ROANOKE	7	0	-100%	7
Region 2 - LYNCHBURG	11	0	-100%	11
Region 3 - STAUNTON	1	0	-100%	1
Region 4 - ALEXANDRIA	8	1	-88%	9
Region 5 - FREDERICKSBURG	3	0	-100%	3
Region 6 - RICHMOND	6	0	-100%	6
Region 7 - HAMPTON	9	0	-100%	9
Region 8 - CHESAPEAKE	6	0	-100%	6
Region 9 - CHARLOTTESVILLE	0	0	0%	0
Compliance	0	0	0%	0
TOTAL	51	1	-98%	52

Arrest by Type and Race

This table reflects the race of arrested individuals in the second quarter of 2020. The data is broken down into the three types of arrests (On-View - Taken into Custody, Released on a Summons and Warrant - Taken Into Custody)

ARRESTS BY TYPE AND RACE				
2Q - 2020				
Race	On-View	Summons	In-Custody	Total
White	0	0	0	0
Black	0	0	1	1
Hispanic	0	0	0	0
Asian	0	0	0	0
Middle Eastern	0	0	0	0
Indian	0	0	0	0
Unknown	0	0	0	0
Total	0	0	1	1

Arrest by Age and Gender

This table reflects a breakdown by gender and age of all adults that have been arrested in the second quarter of 2020. This includes all types of arrests - (in-custody, released on summons and warrant).

ARREST BY GENDER AND AGE – 2Q - 2020													
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	0	0	1	0	0	0	0	0	0	0	0	1
Female	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	1	0	0	0	0	0	0	0	0	1

Regulatory Violations

A large portion of the work performed by Virginia ABC Special Agents involves the 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.

Regulatory Charges Placed by Region

This table represents the total number of regulatory actions that were placed by enforcement personnel in the Second Quarter of 2020. Violations were routed to the hearings division for later adjudication while warnings were noted in the licensee file.

REGULATORY CHARGES PLACED - BY REGION*				
REGION	2Q		YTD 2020	
	# Hearing Violations	# Written Warnings	# Hearing Violations	# Written Warnings
Region 1 - ROANOKE	10	6	69	164
Region 2 - LYNCHBURG	0	2	70	136
Region 3 - STAUNTON	0	1	59	47
Region 4 - ALEXANDRIA	3	4	127	425
Region 5 - FREDERICKSBURG	1	4	89	187
Region 6 - RICHMOND	0	11	131	357
Region 7 - HAMPTON	6	4	100	158
Region 8 - CHESAPEAKE	12	6	128	220
Region 9 - CHARLOTTESVILLE	0	1	53	66
Compliance	4	10	92	204
License Records Management**	0	455	0	1676
Total	36	504	918	3640

*Count of individual charges

**License Records Management consists of system-generated warnings for late MBAR 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 placed by ABC agents.

REGULATORY CHARGES ADJUDICATED IN HEARINGS DIVISION 2Q-2020											
CHARGES	REGIONS										TOTAL
	1	2	3	4	5	6	7	8	9	Comp	
UAB	5	6	0	3	0	4	5	3	0	0	26
FAIL TO SUBMIT MBAR	0	0	0	3	1	0	0	1	0	0	5
MBAR VIOLATIONS	0	0	0	1	2	2	3	0	2	0	10
BAD CHECKS	0	1	5	1	5	26	1	13	0	0	52
FAILED TO COMPLY WITH REGULATIONS	0	0	0	3	1	0	6	3	0	0	13
UNAUTHORIZED ALCOHOL	0	0	0	0	0	0	0	0	0	0	0
PUBLIC SAFETY	0	0	0	2	0	0	0	0	0	0	2
EMPLOYEE WITH CRIMINAL BACKGROUND	0	0	0	0	0	0	1	0	0	0	1
ESTABLISHMENT SO LOCATED	0	0	0	0	0	2	0	1	0	3	6
FAIL TO COMPLY WITH WHOLESALER REGS	0	0	0	0	0	0	1	0	1	1	3
MANAGER NOT ON DUTY or NOT POSTED	0	0	0	0	0	0	0	0	0	0	0
SALE TO INTOXICATED	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	1	0	0	1	1	0	3
Sub Totals	5	7	5	13	10	34	17	22	4	4	121

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 - 4Q 2019											
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								

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 second quarter of 2020. There were no planned operations conducted by ABC Enforcement in this quarter.

OPERATIONAL PLANS APR - JUN 2020					
DATE	REGION	TYPE	TOTAL STAFFING	ASST. OTHER LE	AGENCY ASSISTED
THERE WERE NO PLANNED OPERATIONS THIS QUARTER					

SAC – Special Agent in Charge
 ASAC – Assistant Special Agent in Charge
 SSA – Senior Special Agent
 SA – Special Agent

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 2Q – 2020											
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 reported through the chain of command.

Formal Complaint(s)

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

ACTIVE FORMAL COMPLAINTS								
Date Received	FILE#	REGION	ALLEGATION(S)	Date Assigned	Date Due	Status	Date Completed	Disposition
10/11/2019	19-07	Region 8 - Chesapeake	Improper Conduct	10/22/2019	11/30/2019	Closed	06/16/2020	Substantiated

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 COMPLAINTS						
Date Received	Date Assigned	File#	Region	Allegations	Date Closed	Disposition
06/11/2020	06/11/2020	20-01	Compliance	Improper Conduct	06/17/2020	Unfounded

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 License Approvals

Retail Application approvals, sometimes tied to economic conditions, decreased 12% for the second quarter of 2020 when compared to the previous quarter. In 2Q of 2019 there were 656 retail license approvals compared to 406 in 2Q of 2020 reflecting a 38% decrease in approvals.

APPROVED RETAIL LICENSES											
3Q 2019			4Q 2019			1Q - 2020			2Q 2020		
JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
161	163	186	190	184	148	151	186	124	114	126	166
510			522			461			406		

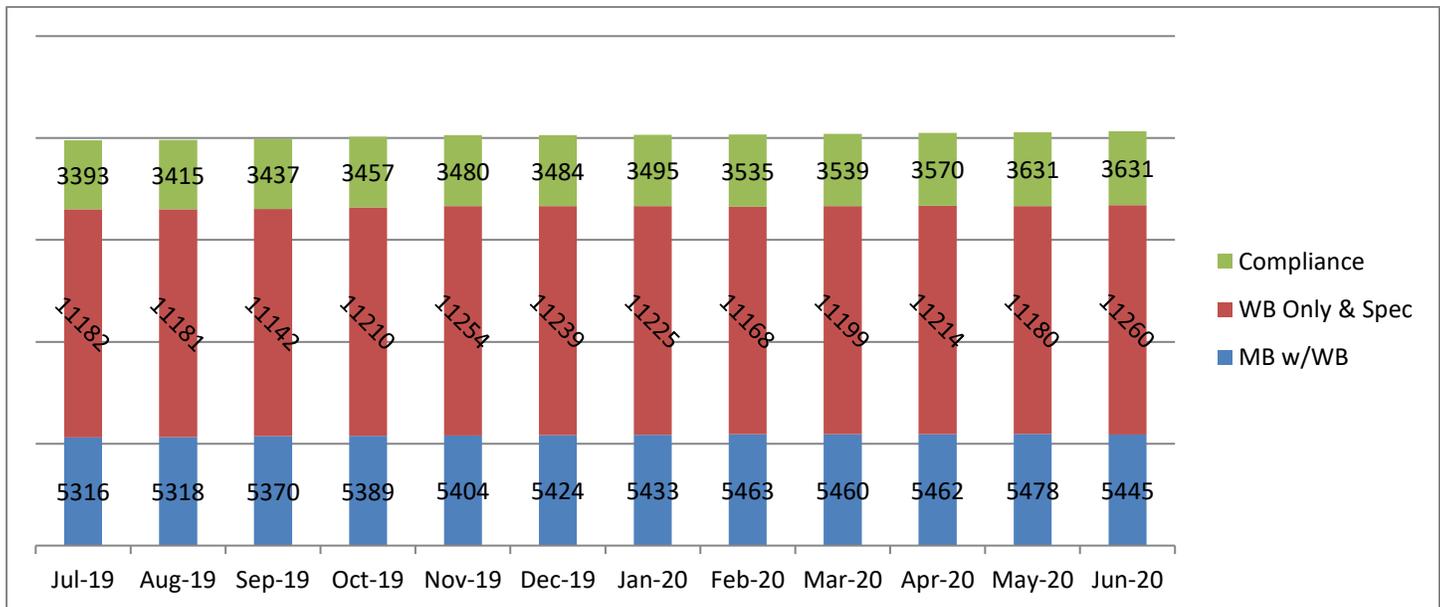
Banquet Licenses Approvals

Banquet License approvals, which follow seasonal trends, decreased in the second quarter with a 74% decrease when compared to the previous quarter. In 2Q of 2019 there were 8667 banquet license approvals compared to 884 in 2Q of 2020 reflecting a 90% decrease in activity compared to second quarter of last year.

APPROVED BANQUET LICENSES											
3Q 2019			4Q 2019			1Q - 2020			2Q 2020		
JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
2263	2861	3510	3612	2479	2025	962	1335	1092	294	215	375
8634			8116			3389			884		

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.

2020 LICENSE INSPECTIONS - BY REGION AND QUARTER							
REGION	2019	2019	2020	2020	TOTALS	TOTAL LICENSES**	% LICENSES INSPECTED
	3Q	4Q	1Q	2Q			
1 - Roanoke	442	308	307	67	1124	1997	56%
2 - Lynchburg	227	230	103	48	608	1217	50%
3 - Staunton	287	362	216	84	949	1194	79%
4 - Alexandria	812	777	703	10	2302	3948	58%
5 - Fredericksburg	155	270	190	20	635	1086	58%
6 - Richmond	412	379	346	65	1202	2515	48%
7 - Hampton	232	235	278	27	772	1473	52%
8 - Chesapeake	463	411	362	0	1236	2255	55%
9 - Charlottesville	270	216	154	0	640	972	66%
Compliance	370	348	241	14	973	1846	53%
TOTALS	3670	3536	2900	335	10441	18503	56%

**Records system only allows for a snapshot of the total license count. Compliance total licenses does not include 1831 out-of-state licensees. License totals include Wine & Beer Off Premise Licensees which are only inspected every two years, thus the percentage of licensees inspected is not expected to be 100% for a one year cycle.

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.

2019 - 2020 OBSERVATIONS COMPLETED					
REGION	2019 3Q	2019 4Q	2020 1Q	2020 2Q	TOTALS
1 - Roanoke	16	11	9	45	81
2 - Lynchburg	6	9	17	15	47
3 - Staunton	11	5	7	14	37
4 - Alexandria	9	5	3	20	37
5 - Fredericksburg	12	19	13	15	59
6 - Richmond	42	8	10	10	70
7 - Hampton	3	2	0	21	26
8 - Chesapeake	2	3	10	0	15
9 - Charlottesville	3	3	3	23	32
Compliance	4	3	0	0	7
TOTALS	108	68	72	163	411

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 - 21 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 2020						
REGION	2Q Totals			2020 Totals		
	# Checks Made	# Sales Made	Compliance Rate	# Checks Made	# Sales Made	Compliance Rate
Region 1 - ROANOKE	0	0	0%	90	6	93%
Region 2 - LYNCHBURG	0	0	0%	36	10	72%
Region 3 - STAUNTON	0	0	0%	58	2	97%
Region 4 - ALEXANDRIA	0	0	0%	74	9	88%
Region 5 - FREDERICKSBURG	0	0	0%	39	2	95%
Region 6 - RICHMOND	0	0	0%	66	8	88%
Region 7 - HAMPTON	0	0	0%	49	8	84%
Region 8 - CHESAPEAKE	0	0	0%	30	5	83%
Region 9 - CHARLOTTESVILLE	0	0	0%	33	0	100%
Compliance	0	0	0%	1	0	100%
Total	0	0	0%	476	50	89%

Underage Buyer Program Checks – Tobacco

UAB TOBACCO CHECKS COMPLETED - 2Q - 2020			
REGION	# Checks Made	# Sales Made	Compliance Rate
Region 1 - ROANOKE	0	0	0%
Region 2 - LYNCHBURG	0	0	0%
Region 3 - STAUNTON	0	0	0%
Region 4 - ALEXANDRIA	0	0	0%
Region 5 - FREDERICKSBURG	0	0	0%
Region 6 - RICHMOND	0	0	0%
Region 7 - HAMPTON	0	0	0%
Region 8 - CHESAPEAKE	0	0	0%
Region 9 - CHARLOTTESVILLE	0	0	0%
Compliance	0	0	0%
Total	0	0	0%

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 440 hours of training to law enforcement, licensees and the general public. There were 1677 hours of training received by ABC agents. These agents also attended over 485 hours of community outreach meetings.

TRAINING AND COMMUNITY INVOLVEMENT - 4Q 2019 (Hours)									
	Meetings			Training Instructed			Training Received		
REGION	ABC Store	Licensee	Public/ Community	Law Enforcement	Licensee	Public	In-House	Outside	Totals
REG1 - Roanoke	23.75	70.97	68.73	104.95	0.00	1.00	155.08	25.40	449.88
REG2 - Lynchburg	4.23	43.45	2.40	43.72	0.00	0.00	136.47	44.87	275.13
REG3 - Staunton	2.97	16.07	4.38	62.85	0.75	0.00	67.88	5.95	160.85
REG4 - Alexandria	12.55	23.03	2.72	0.00	25.92	0.00	358.38	22.88	445.48
REG5 - Fredericksburg	0.50	20.67	0.50	53.25	1.75	0.00	108.32	9.68	194.67
REG6 - Richmond	20.67	43.50	7.42	11.73	1.75	0.00	229.17	48.53	362.77
REG7 - Hampton	0.50	9.97	5.48	8.00	1.75	0.00	57.33	12.00	95.03
REG8 - Chesapeake	0.00	5.92	0.65	0.00	6.38	0.00	101.47	14.18	128.60
REG9 - Charlottesville	2.98	68.00	0.00	15.42	0.00	0.00	94.83	23.18	204.42
Compliance Office	0	7.80	7.22	0.00	0.00	0.00	98.02	28.23	141.27
Training Office	0	0	8	101.37	0	0.00	32.40	2.45	144.20
Totals	68.15	309.38	107.48	401.29	38.30	1.00	1439.35	237.35	2602.30
	485.01			440.59			1676.70		

Accreditation

Virginia ABC Enforcement is a State Accredited Law Enforcement Agency. Re-accreditation for VA ABC was accomplished on January 9th 2020. A 2nd reaccreditation Term began on November 1, 2019 and will end on October 31st, 2023. There are a total of 190 standards that have to be met with numerous proofs required for each standard. All 190 standards have completed proofs.

ACCREDITATION ACTIVITIES			
Mandated Activities	Required	In progress	Completed
Quarterly			
Regional Change Funds	11	9	2
Asset Forfeiture Funds	10	8	2
Evidence Room Inspection	10	0	10
Employee Benefit Fund	1	1	0
Semi-Annual/Term			
Vehicle/Equipment	143	143	0
Unannounced Evidence Inspections	20	19	1
Annual Evidence Audits	10	10	0
Yearly			
Standards	190	135	65
Proofs	606	406	200