



ENFORCEMENT OPERATIONS

Enforcement Division
Policy Number: LE 1.00.00

Effective Date: 2/1/08

POLICY

The Texas Alcoholic Beverage Commission (TABC) will enforce the provisions of the Alcoholic Beverage Code, Commission Rules and other state laws by conducting investigations, inspecting licensed premises, carrying out undercover operations, providing education to the public, regulating special events, working with other law enforcement agencies, and participating in other law enforcement activities.

The Enforcement Division will conduct all operations in a manner that results in the least amount of disturbance possible. All TABC employees will interact with permittees, licensees, and other members of the public in a professional manner and will always advance the agency's goal of voluntary compliance.

ROLES AND RESPONSIBILITIES

a. All Certified Peace Officers (CPOs) in the Enforcement Division shall:

1. Follow the policies and procedures in this manual.
2. Conduct investigations, inspections, and other duties as assigned.
3. Request additional resources when circumstances require.
4. Write administrative notices and criminal citations according to the policies and procedures in this manual and applicable law.
5. Prepare case reports and ensure the accurate identification of the elements of violations, the accused, all potential witnesses, and all participants in the operation.
6. Prepare and submit reports and other documentation as directed by these policies and procedures or a supervisor.
7. Complete and submit *Daily Activity Reports* to the sergeant or supervisor.
8. Deliver educational programs as requested by the public. See *Education Programs*, § 1.04.00.
9. Maintain a current understanding of laws related to alcoholic beverages and industry "best practices" and respond to public inquiry.

b. Enforcement Headquarters shall:

1. Oversee and direct the development and training of Enforcement Division employees in TABC policies and procedures and in other subjects and practices pertinent to the operations of the division and/or the agency.
2. Ensure that enforcement personnel successfully implement the policies and procedures in this manual.
3. Review annual action plans submitted to Enforcement Headquarters by each captain.
4. Review all cases submitted by CPOs in which a party requests an administrative hearing, and periodically review the remaining cases.
5. Report to executive management on the status and effectiveness of enforcement operations. Effectiveness shall be measured by the increase or decrease of voluntary compliance.

c. Captains shall:

1. Supervise the activities of enforcement personnel in his or her region.
2. Ensure that enforcement personnel in his or her region understand and follow the policies and procedures in this manual.
3. Review reports and other data provided by Enforcement Headquarters and disseminate information as necessary.
4. Provide reports to Enforcement Headquarters as requested.
5. Submit a *Captain's Weekly Report* to the chief of enforcement or his or her designee.
6. Create annual action plans considering goals set by Enforcement Headquarters and input from lieutenants and submit them to enforcement headquarters.
7. Monitor the effectiveness of enforcement operations in his or her region. Effectiveness shall be measured by the increase or decrease of voluntary compliance.
8. Periodically review cases submitted by CPOs in his or her region.

d. Lieutenants shall:

1. Supervise enforcement personnel under his or her command and ensure that personnel understand and follow the policies and procedures in this manual.
2. Assist sergeants in developing work plans.
3. Assist agents and sergeants in executing enforcement operations.
4. Review 10% or more of all cases approved by sergeants.
5. Review all cases in which a party has requested an administrative hearing.

e. Sergeants shall:

1. Plan and guide the activities of agents under his or her leadership and ensure that they understand and follow TABC policies and procedures.
2. Develop and implement work plans. Refer to *Agent's Weekly Work Plan* for an example form.
3. Verify that adequate resources are available for planned enforcement operations.
4. Provide agents with adequate training, information, and other necessary resources prior to any enforcement operation.
5. Assign agents to participate in enforcement operations and specify each agent's individual function, or delegate this duty to a lead agent.
6. Assist and advise agents in the execution of enforcement operations.
7. Ensure that during an enforcement operation, the acts of all TABC employees conform to the work plan, as well as the policies and procedures of the TABC.
8. Oversee the submission of agents' reports and ensure that they are both timely and accurate.
9. Review all administrative and criminal cases submitted by agents and ensure accuracy.

f. Agents shall:

1. Be able to clearly articulate the elements of common violations.
2. Understand and be prepared to execute a work plan or other assignments.
3. Verify that all necessary resources are available for an enforcement operation prior to its execution.
4. Ensure that during an enforcement operation, the acts of all TABC employees conform to the work plan, as well as the policies and procedures of the TABC.

FORMS

Daily Activity Report
Agent's Weekly Work Plan
Captain's Weekly Report