

## 2012-2013 JTNN GRANT AGREEMENT

### ENFORCING UNDERAGE DRINKING LAWS

LAW ENFORCEMENT APPLICANT: Sparks Police Department

OPERATIONS CONTACT PERSON: Sergeant Jeanmarie Walsh

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PHONE: (775) 353-2241 Ext 503  
EMAIL: [jwalsh@cityofsparks.us](mailto:jwalsh@cityofsparks.us)

FISCAL OFFICER : Curtis Cho

ADDRESS : 431 Prater Way, Sparks, NV 89431  
PHONE : 353-7846  
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AMOUNT OF AWARD: \$ 10,000

PROJECT PERIOD: 7/01/12 – 5/31/13

PURPOSE OF FUNDING: To conduct alcohol sale compliance checks, and other law enforcement operations to reduce underage drinking, which may include: controlled juvenile party dispersal, fake identification checks, third party purchaser intervention, juvenile DUI prevention/apprehension, and special events control.

#### GRANT REQUIREMENTS:

- Complete the attached Course of Action for enforcement activities for this grant period.
- Notify Join Together Northern Nevada (JTNN) if there is any change to the Course of Action submitted.
- No more than one supervisory level officer will be involved with each compliance check team. A team should be limited to two officers and two minors.
- Sparks Police Department will submit the required 2011-12 reporting forms provided with each reimbursement request. Older reporting forms **will not** be accepted.
- Invoices and reporting forms will be submitted within 4-6 weeks of each operation.

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Steve Keefer, Chief of Police

Date

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Kevin Quint, JTNN Executive Director

Date

# COURSE OF ACTION

## Enforcing Underage Drinking Laws

2012-2013

- 1.) Law Enforcement Agency: Sparks Police Department
- 2.) Number of establishments with liquor license: On premise: 210  
Off premise: 18
- 3.) Please attach a copy of your jurisdiction's local ordinance governing the sale of alcohol to minors. Have there been any problems enforcing this ordinance, and/or are there any plans to change this ordinance?

There have been some issues with the current statute in the area of prosecution regarding the sale of alcohol to minors. Our current statute has the word "knowingly" when referring to selling or supplying alcohol to a minor. \*We currently have a revised draft of the statute set to go before our City Council in June 2009 that has the word "knowingly" removed\*.

- 4.) Does your Liquor Control Board (City Supervisor's/County Commissioners) have a set procedure for responding to businesses that repeatedly sell alcohol minors? If so, please describe or attach a copy of the administrative policy.

The Sparks City Council does not have an administrative policy that directly relates to businesses that repeatedly sell alcohol to minors. We do have Sparks Municipal Statutes (SMC) that addresses both the duties of the Sparks Police Department and the procedure to have a liquor license revoked. On file are SMC's 5.28.360, 5.28.300, 5.28.310.

Also on file are two Sparks Municipal Codes that address when an on-premise liquor license is required and the restrictions that apply. These relate mainly to special events.

We have recently revised the procedure, which now allows the Chief of Police to revoke a liquor license at his discretion. The person who has had their liquor license revoked can then appeal to the City Council. This new procedure was put into place last year.

- 5.) Compliance check operations are a required component in this grant project. Given the number of liquor licensees in your jurisdiction and funding available, what is the plan for conducting compliance check operations? Include the number of staff and how minor decoys are identified/selected and trained. Important: Include the plan for how the minor decoys will be covered by insurance. (\*Some jurisdictions have determined that retail sources of alcohol are not there area's primary source of alcohol accessed by minors, and would prefer to focus funds on another law enforcement strategy identified in number 8

on the following page. In those cases, compliance checks can be done on a minimal basis, targeting those establishments with a history of sales to minors, or with current reports of problems.

Approximately once a month, with 12-14 planned in the year covered by the grant, two officers paired with one or two decoys will work six-hour operations and conduct compliance checks at the businesses that currently hold liquor licenses.

Decoys are selected by the officers working the operation. Often, the decoys are members of the Sparks Police Department Explorer Program in which the department has extensive knowledge of. Others would be referrals from department employees. All training on the role and actions of the decoy are done by the officers working the operation. We have two officers actively involved in the training of the decoys and enforcement events who have attended training provided by EUDL.

The City of Sparks provides Worker's Compensation coverage for all volunteers giving their time to city-sponsored activities. The minor decoys meet the requirements for city coverage and a report will be provided to the city finance department describing the activity and the amount of time the decoys were involved.

**6.) What is your agency's procedure for establishments that pass compliance checks?**

Our agency currently provides the employee with a "in compliance letter" at the time of the contact that can be provided to their employer.

**7.) What is your agency's procedure for establishments that fail compliance checks?**

Our agency currently provides a letter of "non-compliance" as well as a citation to the employee. Our agency also currently sends a letter to the liquor license holder of the business advising them that our agency conducted a compliance check with a minor decoy. The letter contains information about the employee involved along with the date and time of the violation. We provide information in regards to what the employee did to fail the compliance check. The letter is closed with a warning that continued violations will result in the revocation of their liquor license along with the Nevada revised Statute requiring the employee to have completed a State Certified Alcoholic Beverage Awareness Program.

**8.) If your agency plans to conduct other underage drinking law enforcement strategies, please place a check next to the operation(s), and briefly describe why those operations were selected and strategies for implementation in the space provided.**

Juvenile Party Dispersal	approximate # 3
Special Events Control (may include ID checks and Saturation Patrols)	approximate # 2

Describe Plans for any operations marked:

Since the Farmers Market has been scaled back, our efforts have been shifted to the Rib Cook Off, where juvenile drinking is prevalent. We are planning some uncover operations for ID checks of suspected underage drinking during the event to discourage both the consumption and sales.

We are also looking at trends of larger juvenile parties both at residences and establishments. We will run at least one event for the end of school and graduation time in June of 2013. There appears to be an increase in juvenile parties at hotels which present a particular issue for us as the patrol section is usually too busy to fully investigate the core of these issues. We will have special patrol out at various times to respond to juvenile parties and fully investigate how the location was determined and how the alcohol was acquired.

- 9.) Would you like to receive training in any of the Enforcing Underage Drinking Laws operations? If so, please identify the training desired.

We currently have two officers who have been trained and have trained others, including our decoys. At this time no further training is needed but if our status changes we would be in contact with EUDL personnel.

**STATE OF NEVADA, DIVISION OF CHILD AND FAMILY SERVICES**

**OJJDP SUBGRANT ASSURANCES**

THE GRANTEE HEREBY AGREES TO ASSURE AND CERTIFIES THE FOLLOWING:

1. THAT:
  - (A) Funds granted as a result of this contract are to be expended for the purposes as set forth in the grant application for the Juvenile Justice and Delinquency Prevention Act and in accordance with all applicable laws, regulations, policies, and procedures of the State of Nevada and the U.S. Department of Justice;
  - (B) No expenditures will be eligible for inclusion of occurring prior to the effective date of the original starting date of the contract; and
  - (C) The project must be operational within 60 days of the original starting date of the grant period, or the sub grantee must submit documentation to the Division of Child and Family Services (DCFS) setting forth the reasons for the delay, the setups taken to initiate the project, and the expected starting date. If the project is not operational within 90 days of the original starting date of the grant period, the sub grantee must submit further documentation explaining the delay. DCFS may at this time cancel the project, or extend the implementation date; and
  - (D) Funds awarded by DCFS may be terminated at any time for non-compliance with any terms and requirements of this agreement.
  
2. THAT: The funds will be used so as to enhance and increase, but not supplant, the level of the State, local, and other non-federal funds that would in the absence of the funds be made available for programs, and will in no event replace such State, local and other non-federal funds.
  
3. THAT: Fund accounting procedures, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the DCFS shall prescribe will be provided to assure fiscal control, proper management, and efficient distribution of funds received under the Juvenile Justice and Delinquency Prevention Act. Accounting procedures shall provide for accurate and timely recording of receipt of funds, and unexpended balances. Controls must be adequate to ensure that expenditures charged to grant activities are for allowable purposes and documentation is readily available to verify that such charges are accurate.
  
4. THAT: It shall maintain such data and documentation and submit such reports, in such form, at such times, and containing such information as the DCFS may require reasonable.

5. THAT: The programs contained in its application meet all the requirements, that all the information is correct, and that the grantee will comply with applicable provisions of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended and all other applicable federal laws.
6. THAT: The grantee and its contractors will comply with the non-discrimination requirements of the Juvenile Justice and Delinquency Prevention Act; Title VI of the Civil Rights Act of 1964; Sections 504 of the Rehabilitation Act of 1973; as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; executive order 12138, 44 F.R. 29637; and the Department of Justice Non-discrimination Regulations 28 CFR, Part 42, Subparts C, D, E, and G.
7. THAT: It will formulate an equal employment opportunity program in accordance with CFR 42.301.
8. THAT: In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, age, or sex against a recipient of funds, the grantee will forward a copy of the finding to DCFS.
9. THAT: It will be in compliance with the audit requirements as specified.
10. THAT: All performance reports will be submitted to DCFS in accordance with such procedures as required by that office.
11. THAT: Procedures have been established to ensure that programs funded under the Juvenile Justice and Delinquency Prevention Act shall not disclose program records containing the identity of individual juveniles. Exceptions to this requirement:
  - (A) Authorization by law;
  - (B) The consent of either the juvenile or his legally authorized representative; or
  - (C) Justification that otherwise the functions of this title cannot be performed. Under no circumstances may public project reports or findings contain names of actual juveniles.
12. THAT: The grantee will comply, and all its contractors will comply, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the provisions of the Juvenile Justice Act and Delinquency Prevention Act of 1974; "Financial and Administrative Guide for Grants," M&100.1C; and all other applicable federal laws, orders, circular, or regulations.
13. THAT: If an audit report disallows costs, the grantee will forward the amount of the disallowed costs to DCFS within ninety days of such notification. Failure to do so will result in such deficiency being reported to the State Budget Division.

14. THAT: It will comply with federal laws and regulations of the Management and Budget Circular; Part 18, Administrative Review Procedure; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; 28 CFR Part 61, Procedures for Implementing the National Environmental Preservation Act of 1966; 42 USC 4001, et. seq. Flood Plan Management and Wetland Protection Procedures; Juvenile Lobbying; Section 261(d), Bio-Medical Experimentation; Section 261(c)(1), Open Meeting and Public Access to Records.

#### CERTIFICATION

I certify that the program(s) proposed in this grant meet applicable requirements of the Juvenile Justice and Delinquency Prevention Act, that all the information presented is correct, and that the grantee will comply with the provisions of the act and all other applicable federal laws. By appropriate language incorporated in each grant, subgrant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of Juvenile Justice and Delinquency Prevention Act Funds.

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Name / Title of Authorized Representative

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Date

Address: 1701 E. Prater Way, Sparks, NV 89434

Telephone Number: (775) 353-2220