

IDAHO STATE POLICE PROCEDURE

10.05 MINOR COMPLIANCE CHECK OPERATION GUIDELINES

I. General

Minor compliance checks/inspections or undercover operations may be used to monitor licensee compliance with age restrictions regarding alcoholic beverages and are conducted according to ISP procedure [08.08 Undercover Operations](#).

II. Selection of a Minor

A. The minor must:

1. be at least 16 years old and under 20 years-6 months old at the time of the operation;
2. complete all required documents pursuant to ISP procedure EHP 08.04 Confidential Sources, including [EHF 08 04-01 Confidential Sources](#) [EHF 08 04-02 Personal History](#), and [EHF 08 04-04 Receipt for Cash](#).
3. have an [EHF 08 04-03 Release of Liability-Juvenile](#) form signed by parent or guardian, if under age 18;
4. display the appearance of a person under 21 years of age, under the actual circumstances presented to the seller during the operation:
 - (1) male minors must not be unusually large in stature or display excessive facial hair to appear older;
 - (2) female minors must wear minimal or no make-up, and minimal jewelry.
5. be willing and able to testify at the criminal and administrative proceedings;
6. maintain credibility by:
 - (1) never previously having purchased alcoholic beverages;
 - (2) never previously used or possessed false identification; and
 - (3) not be a regular customer in the licensed premises.

III. Before the Compliance Check/Inspection Operation

A. photograph the minor to document attire and appearance during the operation;

B. copy the minor's identification;

C. instruct the minor to:

1. enter the premises;
2. select an alcohol beverage;
3. place the item on the counter with the money;
4. not initiate conversation unless it is needed to purchase the beverage(s); small talk is permissible.
5. carry your own identification showing your under-age date of birth and show it upon request by any seller; and
6. be polite and courteous at all times.

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IV. During the Operation

- A. Take into consideration peak business hours.
- B. The minor should be under constant visual surveillance by an undercover officer, even if audio and/or video equipment is used. In addition to enhancing the minor's safety, the surveillance allows the officer to witness the sale of the alcohol beverage(s) and offers supporting testimony at the criminal and administrative proceedings.
- C. Use audio recording on all transactions and video when circumstances allow.

V. After the Sale

- A. The minor:
 - 1. leaves the premises with the alcohol beverage(s); and
 - 2. immediately gives the alcohol beverage(s) to a waiting officer.
- B. The officer witnessing the sale:
 - 1. contacts the person who sold the alcohol;
 - 2. informs the owner or manager as soon as practicable if present, of any violation found; and
 - 3. will consider officer safety and volume of business; contact can be made at a later point if found necessary.

VI. Evidence and Reporting

- A. Keep the alcohol beverage(s), a receipt if issued, audio recordings and any video recordings as evidence in accordance with ISP procedure [06.09 Evidence and Property](#).
- B. Note if the establishment uses video cameras; video from these cameras may be useful as corroborating evidence.
- C. Include the photograph of the minor and the copy of the minor's identification taken prior to the operation, within operation case file.