Division Mission Statement

To protect the health, safety and welfare of people in Delaware through the enforcement of state liquor and youth access to tobacco laws, while maintaining the highest state of preparedness for responding to threats against homeland security.
To the Citizens of Delaware:

The men and women of the Delaware Alcohol and Tobacco Enforcement (DATE), both uniform and civilian, perform outstanding work every day. The incredible effort by this team has resulted in numerous accomplishments throughout the past year.

In 2013, the Division witnessed a continued transition from a regulatory agency to a more conventional law enforcement agency. In addition, DATE has been a great source of support for other Delaware law enforcement agencies as they assisted in many diverse investigations and missions in partnership with the Delaware State Police, Division of Gaming Enforcement, Food and Drug Administration, and the Joint Terrorism Task Force.

- DATE Agents kept a vigilant presence statewide ensuring the compliance of Title 4 of the Delaware Code Alcoholic Commissioner’s Rules and tobacco interdiction.
- DATE Agent Thomas Mason oversaw nine cases where DATE was requested to assume the criminal investigation related to the illegal smuggling of contraband cigarettes.
- As a direct result of the Division’s ongoing commitment to public safety, DATE Agents investigated and arrested three people for the sale of the synthetic drug K2. After numerous purchases by undercover agents, DATE agents and Bridgeville police executed search warrants seizing 88 packets of K2 and intercepting 767 grams of K2.
- In March, the Division took possession of a 1987 American General M10 Humvee (High Mobility Multi-Wheeled Vehicle). The vehicle underwent a complete restoration to bring it to road worthy status and transform it into a rolling billboard advertisement for the Division and its mission. The Division is very proud of this project and looks forward to utilizing it statewide as a community outreach message for many years to come.
- The Division forged partnerships with several community coalitions focusing on the prevention of substance abuse and underage drinking. These partnerships enabled DATE to increase its visibility and participation in numerous health fairs and community events throughout the State.
- DATE supported the Department’s holiday toy drive providing toys and books to inner city children attending a Wilmington youth center.

Please join me in extending sincere thanks and congratulations to the men and women of DATE whose generosity exemplifies DATE’s commitment to our communities in a year filled with many accomplishments and successes.

Sincerely,

Lewis D. Schiliro, Secretary
Department of Safety & Homeland Security
To My Fellow Delawareans:

As the Director of the Division of Alcohol and Tobacco Enforcement, I am proud to submit our FIRST Annual Report. This report highlights the contributions, achievements, and commitment of our Division personnel for the year 2013.

In 2013 we witnessed a continued transition from a regulatory Agency to a more conventional law enforcement agency. The Division of Alcohol and Tobacco Enforcement has been called upon by other law enforcement agencies to assist in a number of diverse investigations and missions. Some of our law enforcement partners are the Delaware State Police, the Division of Gaming Enforcement, Food and Drug Administration, and the Joint Terrorism Task Force.

During 2013, The Division of Alcohol and Tobacco Enforcement forged partnerships with several community coalitions whose focus is on the prevention of substance abuse and underage drinking. These partnerships along with the addition of a Humvee highlighting a community outreach message have enabled the Division to increase its visibility in the community by participating in numerous health fairs and community events throughout Delaware. Together with the continued support and leadership of Governor Jack Markell, Secretary of the Department of Safety and Homeland Security Lewis Schiliro, members of the General Assembly, and the citizens we serve, we will carry the Division into the future.

It is my hope that the information contained in this report will increase your awareness of the various initiatives of the Division of Alcohol and Tobacco Enforcement. As Director, I take great pride in the amount of hard work and dedication put forth by the Agents and civilian personnel of the division and I commend them for their consummate professionalism and commitment to our mission all while delivering the highest level of service possible. It is our intention to continue the good work we have done this year and build upon it in the upcoming years.

Sincerely,

[Signature]

John Yeomans
Director
Division of Alcohol & Tobacco Enforcement
Executive Staff

Director John Yeomans

Deputy Director Robert Kracyla

Operations Supervisor
Lt. Kevin Jones
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ORGANIZATIONAL FLOW CHART

DSHS CABINET SECRETARY
LEWIS SCHILIRO

DIVISION DIRECTOR
JOHN YEOMANS

DEPUTY PRINCIPLE
ASSISTANT
ROBERT KRACYLA

REGIONAL OPERATIONS
SUPERVISOR
KEVIN JONES

AGENT III
SHIFFLETT

AGENT III
KANE

AGENT III
LOISEAU

AGENT III
RENAUD

AGENT III
CIRITELLA

AGENT III
BRYAN

AGENT III
DUKE

AGENT III
MASON

AGENT III
HINSON

AGENT III
BONNIWELL

TOBACCO
COORDINATOR
LINDA VELOTT

AGENT III
HEDRICK

ADMIN SPECIALIST
TERRI HAMILTON

MANAGEMENT
ANALYST II
TRACY TORRES

DIVISION OF
GAMING
ENFORCEMENT
AGENT III
DIANA

STATEWIDE
SERVER TRAINING
AGENT III MERRILL
AGENCY OVERVIEW

“Saving lives by enforcing Delaware’s Alcohol and Tobacco Laws”
The Division of Alcohol & Tobacco Enforcement is responsible for the enforcement of Title 4 (Delaware Liquor Control Act) and the Alcoholic Beverage Control Commissioner’s Rules, which apply to all retailers, suppliers, and wholesalers who manufacture, sell, serve, transport, or store liquor in the State of Delaware.

Agents of the Division of Alcohol and Tobacco Enforcement are certified police officers in the State of Delaware. Agents have statewide jurisdiction and arrest powers and have full authority to enforce all of the laws of the state, including liquor, drug, criminal, and traffic statutes.

Agents routinely conduct investigations involving underage consumption and possession of alcohol, sales of alcohol and tobacco to underage persons, fictitious identification, over-service of alcohol to patrons, bootlegging, prostitution, illegal gambling, narcotics, tax evasion, and other criminal activities.

Agents work with federal, state, and local law enforcement agencies by assisting them with investigations and/or public safety issues.

AGENCY HISTORY
The Division and its agents have existed in some form since the 1920s. It has evolved considerably since its early days of tax collection and the investigation of bootleggers. Agents of the Division perform criminal and administrative investigations that encompass a variety of areas. Agents not only conduct investigations related to alcohol offenses, but also offenses that involve narcotics, tax evasion, tobacco enforcement, prostitution, organized criminal activity, illegal gambling, fraudulent identification and homeland security. The Division of Alcohol and Tobacco Enforcement has a long and proud history of protecting the health, safety and welfare of people in Delaware.
2013 AGENT OF THE YEAR
TYLER J. BRYAN

Agent Tyler Bryan handled three separate bootlegging cases for the Division in 2013. Two of these cases involved subjects illegally selling alcoholic beverages from homes in the Georgetown area. Agent Bryan, through his contacts in the community, was able to develop a confidential informant who in turn secured several purchases of alcoholic beverages from these private residences. Agent Bryan obtained search warrants and arrested several subjects in connection with these crimes and seized a large amount of alcoholic beverages and nearly $40,000 in cash.

Agent Bryan was instrumental in obtaining sufficient evidence to arrest a bar owner in Sussex County for illegal gambling activities. This investigation led to the arrest of the gambling machine vendor and resulted in the largest cash seizure in the history of the Division of over $138,000.00 in cash, proceeds from illegal gambling.

Agent Bryan also serves as a Field Training Officer.

Agent Bryan routinely leads the division in arrests and productivity and continually exemplifies the core values of the agency:

*Integrity  *Fairness  *Competency  *Accountability
TOBACCO ENFORCEMENT

The Division of Alcohol and Tobacco Enforcement (DATE) is tasked with providing tobacco retailers educational information about Delaware’s youth access to tobacco laws and the enforcement of these laws.

DATE takes this task very seriously and works hard to ensure all of Delaware’s tobacco retailers fully understand the tobacco laws and penalties for failing to comply with them. To meet this standard, DATE Agents visit every tobacco retailer in the state on an annual basis.

While visiting the retailer, the Agent provides the owner or manager a copy of a Delaware-specific retailer education packet. This packet includes a copy of training materials, and letters from State Officials that includes compliance data from the previous year. The booklet includes sections that are translated into Arabic, Hindi, Mandarin Chinese, Korean and Spanish.

During this annual visit, the DATE Agent reviews all the material in the packet, discusses the laws in detail, and answers any questions that the retailer may have. Delaware’s laws, state mandated point of sale stickers, and a booklet containing tips on preventing the sale of tobacco to youth and sample store policies and procedures are provided to each retailer.

According to recent compliance checks, tobacco sales to youth in Delaware dropped to 2.67 percent in 2013, down from 10.27 percent in 2012. This continues Delaware’s history of ranking as one of the top states in the nation for SYNAR compliance. From 2005 to 2011 Delaware has ranked nationally in the top ten 6 times, including a 1st place ranking in 2009. These results are well under the federal SYNAR requirement of a retailer violation rate of no more than 20 percent.

SYNAR, adopted in 1992 by Congress and named for its sponsor Congressman Mike Synar of Oklahoma, was an amendment to the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act, and designed to decrease access to tobacco for those under the age of 18. The Synar legislation requires States to enact laws prohibiting the sale and distribution of tobacco products to minors; enforce such laws in a manner that can reasonably be expected; conduct random, unannounced inspections of tobacco outlets; and report these annual findings to the Secretary of the U.S. Department of Health and Human Services.

In addition to the educational packets, DATE has several other programs. DATE offers free tobacco law on-line training. Anyone interested in this training can log on to www.detobaccotraining.com. DATE also designed and distributed posters to help familiarize retailers with government issued identification. In addition, posters with an enforcement message to discourage minors from attempting to purchase tobacco products were distributed to retailers to display. Following the retailer educational visits, DATE Agents return with a Cooperating Underage Witness (CUW) to compliance test the retailer.

TOBACCO COOPERATING UNDERAGE WITNESS (CUW) PROGRAM

DATE’s Tobacco Cooperating Underage Witness (CUW) Program is a program where youths (age 16 – 17) can assist Agents in compliance testing tobacco retailers.

This compliance test is to ensure that retailers are following the state laws prohibiting the sale of tobacco products to minors. In 2013 DATE had 31 youths (ages 16-17) from
throughout the state participate in the Tobacco CUW Program. Delaware’s goal is to have all of its tobacco product retailers who sell tobacco to comply with state youth access laws.

DATE compliance tests every tobacco retailer in the state on an annual basis. In 2013, more than 1200 tobacco retailers were tested as part of the SYNAR compliance check program, and 97.51% of them passed the test. While most retailers did not sell tobacco products when tested, there were some that did. These failures resulted in 81 arrests and fines totaling over $9,200.00.

DATE’s focus on retailer education is working. Our retailers are demonstrating they understand the laws and are doing their part and helping to keep tobacco products out of the hands of our youth.

**ALCOHOL ENFORCEMENT**

The State of Delaware utilized funds received from Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the form of Enforcing the Underage Drinking Laws (EUDL) Grant. These funds were utilized to attack the problem of underage drinking by enforcing existing laws and educating the public about those laws and existing prevention programs. These projects and issues utilize sub grantees with new and innovative programs and continuing programs proven to be effective. The Division of Alcohol and Tobacco Enforcement (DATE) was the Designated State Agency for this grant.

Sub grantees:
- University of Delaware Police Department
- Dover Police Department
- Middletown Police Department
- Newark Police Department
- Rehoboth Police Department
- Dewey Beach Police department
- Delaware State Police
- YMCA Resource Center YELL/SADD Programs

**GRANT OUTCOMES:**

Funds were used to support statewide media campaign efforts to educate adults and youth on the State alcohol access and consumption laws, and to purchase items used during educational alcohol awareness activities in schools and at community events. Several items were disseminated to the community and sub grantees to promote alcohol law awareness.

Educational Campaign:
- Compliance Testing Educational Video
target audience is the community, retailers, and municipal police departments.
- Educational pamphlets in English and Spanish
- Intoxication Simulation Goggles for community and school events
- Educational Alcohol Awareness items for display at community and school events
- Media Awareness items for dissemination to volunteer youth operatives to spread awareness of the compliance program and enforcement activities
- Media wrap for Humvee vehicle used at community and school events promoting awareness and enforcement

Alcohol Awareness Month Campaign
- Supported alcohol free prom season
- Bigs were designed to hang on liquor bottles to remind consumers not to provide alcohol to minors; DATE distributed over 1200 tags to liquor stores throughout the State
- DATE identified liquor stores in the area of 10 large High Schools throughout the State
- Over 50 stores participated in this campaign

Community Outreach Activities
- Presented Middle & High School Health Fairs with information on underage drinking and provided impairment demonstration
- Presentation on dangers and consequences of underage drinking
- Town Hall Meetings, Guest Speaking
Community Outreach Outcomes
- Health Fairs
- Town Hall Meetings
- Coalition Community Events

Examples of Enforcement Activities
- Cops & Shops
- Saturation Patrols
- Party Patrols
- Party Busting
- Fake ID Sweeps
- Hot Spot Patrols
- Parking Lot Patrols
- Special Events (Punkin Chunkin, Oktoberfest, Firefly, NASCAR Races, College & University Sporting Events & Concerts)

Enforcement Outcomes from OJJDP Funding
- 358 Alcohol Related Arrests (underage drinking, sell/provide to minor, fake ID, DUI, and open container)
- 237 Other Arrests (drug related, traffic violations, disorderly conduct, noise)
- 32 Commissioner Rule Violations

ALCOHOL COOPERATING UNDERAGE WITNESS (CUW) PROGRAM

Preventing those under the age of 21 from obtaining alcoholic beverages is part of the core mission for the Division. Throughout the year, in all three counties, plain-clothes agents conduct underage compliance checks at businesses licensed to sell alcoholic beverages.

These compliance checks consist of male and female Cooperative Underage Witnesses (CUW) between the ages of 17 and 20 who are subject to strict guidelines. Under the close supervision of an agent, CUWs are sent into package stores, restaurants, bars, and other locations in an attempt to purchase an alcoholic beverage. If the server sells or delivers alcoholic beverages to the CUW they are arrested and the business faces a fine and/or possible suspension of the liquor license.

The goal of this program is compliance. It is hoped that knowledge of this program will deter servers from knowingly or negligently serving an alcoholic beverage to an underage person. This will save lives by keeping alcohol out of the hands of those under 21.

In 2013 there were 231 licensed retailers tested with CUW’s. 56 locations sold or served alcoholic beverages to the CUW. This resulted in an overall compliance rate statewide of 76%. This is a slight drop from 2012 where the overall compliance rate statewide was 81%.
VIOLATIONS IN 2013

In addition to making criminal arrests, the Division of Alcohol & Tobacco Enforcement forwards violations in the form of “hard copy violations”, “voluntary assessments” and “written warnings” to be heard before the Office of the Alcoholic Beverage Control Commissioner (OABCC). Agent Michael Loiseau serves as Hearing Officer; his duties include: representing the Division at the OABCC hearings, in taking all “hard copy violations”, logging all hearing results, tracking and logging all “written warnings” and “voluntary assessments”.

In 2013 the Division issued 62 “written warnings” and 245 “voluntary assessments”. A breakdown of these can be found in Table 1.2. A “Voluntary assessment” is an opportunity to voluntarily plead guilty to a violation and pay a fine. They account for $21,902.50 in fines this year.

**Warnings and Voluntary Assessments (Table 1.1)**

In 2013 Alcohol & Tobacco Enforcement issued 118 “hard copy violations”. A breakdown of the hearings and penalties can be found in Table 1.3. In most of the cases handled by the Hearing Officer, the licensee agrees to a plea agreement and accepts the Division’s recommendation on penalty. In less than 5% of cases the licensee requests a trial before the Alcoholic Beverage Control Commissioner.

**Hard Copy Violations (Table 1.2)**

<table>
<thead>
<tr>
<th>County</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Castle County</td>
<td>69</td>
</tr>
<tr>
<td>Kent County</td>
<td>23</td>
</tr>
<tr>
<td>Sussex County</td>
<td>26</td>
</tr>
<tr>
<td><strong>Total Statewide</strong></td>
<td><strong>118</strong></td>
</tr>
</tbody>
</table>

**Hearings (Table 1.3)**

- Total Fines: $93,150.00
- Total Suspension time: 22 days
SERVER TRAINING

The primary objective of the mandatory Server Training Program is to educate and assist the alcoholic beverage server as to how to serve and sell alcoholic beverages in a responsible manner, consistent with the ABC Commissioner Rules and the Laws of the State of Delaware.

Upon the successful completion of this program, a certified server will have the necessary tools to fulfill their obligations of serving alcoholic beverages responsibly. Serving alcoholic beverages in a responsible manner is not an option or a choice...it’s the law.

Division of Alcohol and Tobacco’s responsibility is to make sure that the server understands their responsibilities. When a person accepts a license to serve and sell alcohol they accept a public trust that they will serve and sell alcohol in a responsible manner. The Division works to ensure that servers realize that failing to uphold their responsibility to abide by the laws and rules of the State of Delaware may not be just a matter of a criminal court hearing and a fine. It could escalate into a serious civil hearing with the possible repercussions of a judgment with substantial punitive damages.

In 2013, Agent George Merrill instructed 192 Server Training classes. He certified 8,508 new trainees and recertified 729 servers.

He taught 4,038 new trainees in New Castle County, 2,216 in Kent County and 2,254 in Sussex County. He re-certified 320 in New Castle County, 131 in Kent County and 278 in Sussex County.

Agent George Merrill instructs 15 Server Training classes a month.

NOTABLE INVESTIGATIONS

Bootlegging
At the end of prohibition, states were given the opportunity to enact their own laws regulating the importation, sale, and transportation of alcoholic beverages. In Delaware a liquor license is required to import, sell, or transport alcoholic beverages other than for personal use. These and other related laws are in place to ensure the safety of the public, fairness of the industry, and keeping alcoholic beverages out of the hands of minors.

When a person is involved in “bootlegging” they are involved in the sale of alcoholic beverages without a liquor license. By doing so this person is not regulated by the state and there is virtually no way to determine if the bootlegger is following laws regarding service to minors, over-service of alcohol, or other laws relating to public safety. When allegations of bootlegging come to the attention of the Division they are aggressively investigated.

Several incidents of bootlegging were investigated in 2013. Some of these cases are highlighted below.

Caribbean Delight - 1001 N. Midland Street, Wilmington:
The Division received a complaint from the state police that the Caribbean Delight was operating an unlicensed after-hours nightclub known as Club Vibes.
An undercover officer was sent inside and purchased an alcoholic beverage at a fully stocked bar. Agents later executed a search warrant and seized a large amount of alcoholic beverages along with $7,458.00 in cash. The owner, Gairy E. Brown, 39, of Wilmington was arrested and charged with Selling Alcohol Without a License and Illegal Storage of Alcohol.

2253 4th Rd. - Millsboro:
The sale of homemade and untaxed liquor, commonly referred to as moonshine, occurs more often than one might imagine. However it is not always produced deep in the woods from a still. These cases can be difficult to investigate since those involved are commonly part of a close-knit community. Early in January of 2013 the Division placed a 35-year-old Millsboro man under surveillance after it was learned he was selling illegal homemade liquor. Agents soon arrested him while he was in the middle of a sales transaction of illegal alcohol
in the Delmar area. A total of 16 quart jars and 3 pint jars of illegal alcohol were seized from his vehicle. A search warrant was later executed at his Bethel Road residence and several items used in the preparation of this alcoholic liquor mix were seized.

A total of 16 quart jars and 3 pint jars of illegal alcohol were seized from his vehicle.

Illegal Gambling

The Division routinely investigates complaints involving illegal gambling that occurs in locations licensed to serve alcoholic beverages and other locations. These investigations can involve the use of confidential informants, undercover agents, or other investigative techniques to confirm that the illegal gambling activities are in fact occurring.

The Division considers illegal gambling investigations a priority for several reasons. Gambling venues that are licensed and regulated are required by law to have certain percentages of winners. Illegal gambling venues do not have such requirements, which results in an inherent unfairness to the gambler. There is also the loss of tax revenue to the state which funds basic state services. This affects all taxpayers.

In 2013 the Division was involved in several illegal gambling investigations which have resulted in the arrest of several individuals and the seizure of the gambling machines and the illegal proceeds. Some of these cases are highlighted below.

Eastern Coin Machine Co.- Selbyville & Fenwick Island:
Eastern Coin Machine Co. is a Maryland vendor that distributes different coin operated machines to businesses. Michael Strickland, one of the managing members of this business, was arrested in February 2013 for supplying illegal gambling machines to a Selbyville bar in 2012. One month later, in March, Strickland was stopped by a DSP trooper for a traffic offense. The Division was notified after it was believed Strickland was transporting untaxed cigarettes. Agents assumed the investigation and learned that Strickland was continuing to provide and service illegal gambling machines in Delaware after his recent arrest. Three additional machines were later seized from a Fenwick Island restaurant along with $175.00 in cash. Strickland was arrested again.

Timmons Amusements- Sixth Street, Bridgeville:
The Sports Nut gambling investigation yielded evidence linking the gambling machine vendor to the distribution of numerous illegal gambling machines at several locations. Agents executed a search warrant at Timmons Amusements and at the residence of the owner. Ten additional illegal gambling machines were seized along with $138,527.00 in cash. This was the largest cash seizure in the history of the Division. The owner of Timmons Amusements was arrested.
UNUSUAL ARREST
Unlicensed Sale of Deadly Weapons

Agents visit many different types of businesses during the course of their normal duties. These include liquor stores, convenience stores, grocery stores, flea markets, private clubs, etc. Some of these businesses engage in the sale of non-traditional items such as knives, throwing stars, stun guns, and other similar items. Delaware law requires businesses to obtain a special license in order to sell deadly weapons.

Deadly weapons include more than just firearms. State law defines deadly weapons as including a ‘firearm’,… a bomb, a knife of any sort (other than an ordinary pocketknife carried in a closed position), switchblade knife, billy, blackjack, bludgeon, metal knuckles, slingshot, razor, bicycle chain or ice pick or any ‘dangerous instrument’,…, which is used, or attempted to be used, to cause death or serious physical injury. For the purpose of this definition, an ordinary pocketknife shall be a folding knife having a blade not more than 3 inches in length.”

Some of these knives were particularly alarming due to the fact that they were designed to easily conceal. Also some were designed with the obvious intention to inflict serious injury on another person. In 2013 agents made arrests and seized a large amount of unlicensed weapons that were being offered for sale to the public. The examples below were discovered upon routine visits to the businesses to address regulatory tobacco issues.

KirkwoodOutlet: 451 Kirkwood Hwy, Wilmington:
A total of 581 throwing stars and knives were seized from this business after the execution of a search warrant. Ruby Koreshi was charged with Unlawfully Dealing with a Throwing Star and Unlicensed Sale of Deadly Weapons.

LaudBaMarket: 1120 N. DuPont Rd, Laurel:
A total of 912 throwing stars and knives were seized from a vendor at the flea market in Laurel after the execution of a search warrant. Adnan Bhatti was charged with Unlawfully Dealing with a Throwing Star, Unlawfully Dealing with a Knuckle-Combination Knife, and Unlicensed Sale of Deadly Weapons.
TOBACCO INTERDICTION UNIT

The Tobacco Interdiction Unit comprises of one agent assigned, in addition to his normal duties, to address and/or assist other agencies with tobacco diversion going into and through our state. In addition to the diversion/interdiction program, education of tobacco diversion/smuggling interdiction is brought to police agencies throughout the state on a yearly basis to help train police in identifying smuggling techniques and laws associated with those crimes.

This position was initially formed in the summer of 2011 to combat the illegal transportation of low-tax cigarettes purchased in low taxed states which, in turn, are transported into and through Delaware to be sold at a larger profit in higher taxed states, all without proper taxes being paid in our or those states. Those illegal proceeds were being used to facilitate potential crimes against the state as well as the nation. Past proven investigations have linked middle-eastern terrorist groups and criminal organizations as beneficiaries of these illegal funds, which were used against our interests, both nationally and abroad.

Agent Thomas Mason, with assistance of various agents within the division, has had 9 callouts in 2013 where we assumed the criminal investigation and took control of the charges and assets related to the illegal smuggling of contraband cigarettes throughout the state. Agencies this year that requested our assistance were the Delaware State Police with varying troops involved, along with Millsboro, Camden, Harrington, and Laurel Police Departments.

In 2013, $12,189.00, along with over 2190 cartons, or 21,900 packs, or 438,000 of contraband cigarettes were seized, in addition to three vehicles. The value of this contraband cigarette seizure is approximately $262,800. In addition, various amounts of illicit drugs, full face masks, handcuffs and weapons were seized. In-state interdiction inspections, over 36 cartons of contraband cigarettes were seized. In this interdiction effort, an additional 587 deadly weapons were seized and associated charges were pressed. Below are some of those cases and pictures which are associated with those cases:

06/06/13 - $11, 539.00 USC, 206 cartons and a 1995 Jeep Cherokee were seized as a result of a tobacco smuggling investigation.

11/20/13 - 530 cartons seized.

Tobacco products and vehicles are often seized as a result of illicit tobacco smuggling.
SPECIAL LAW ENFORCEMENT ASSISTANCE FUNDS (S L E A F)

DATE Agents historically carried .40 caliber GLOCK 27’s (compact version) as their primary weapon. In 2012 DATE used SLEAF funding to upgrade to a GLOCK 23 (mid-size frame) as the primary weapon while utilizing the GLOCK 27 as an undercover weapon.

In 2013 DATE utilized $5664.00 to purchase 16 GLOCK 22 (full frame) handguns to be utilized as the agencies primary weapon and increase the magazine capacity of the primary weapon from 9 rounds for the GLOCK 27 to 15 rounds for the GLOCK 22. Additionally, the funds were used to purchase new holsters to accommodate the larger frame weapon. DATE traded in the 10 year old GLOCK 27’s to offset the costs of the purchase of the larger frame weapon.

In 2013 DATE also used $432.00 in SLEAF funding to purchase a Digital Sound Level Meter which will be used to enforce State and municipal code restrictions for noise levels at alcohol licensees.

HUMVEE PROJECT

The military Defense Reutilization and Marketing Offices Program grants excess equipment to municipalities and law enforcement agencies around the country to be utilized by that agency for an undetermined amount of time for whatever their specific need may be.

On March 21, 2013 the Division of Alcohol & Tobacco Enforcement took possession of a 1987 American General M10 HMMWV aka Humvee (High Mobility Multi-Wheeled Vehicle).

On July 18, 2013 the Division of Alcohol & Tobacco Enforcement unveiled its pride and joy at the Delaware State Fair’s Opening Day Parade. The vehicle was met with open arms by the public and was the talk of the event as it is wherever an Agent of the Division takes this vehicle. We at the Division of Alcohol & Tobacco Enforcement are very proud of this project and look forward to utilizing it from New Castle to Sussex for many years to come.
COALITION PARTNERSHIPS

In the year 2013 DATE entered into three Memorandum of Understandings with three Community based prevention groups: Brandywine Counseling & Community Services Inc. (BCCS), the YMCA of Delaware Wilmington Division and the Southern New Castle County Coalition (SN4C).

The objective of the project was to collaboratively reduce the access and use of alcohol by underage youth by employing environmental strategies of enforcing underage drinking laws through training retailers and servers, and then monitoring and enforcing the laws through compliance testing and other environmental strategies such as Cops in Shops and administrative inspections.

Additionally, the coalitions funded a prevention platform using the DATE HUMVEE as a medium to attract attention to a prevention message for the reduction of access to alcohol and tobacco products. Each individual coalition would receive community outreach visits by DATE agents. Examples of the outreach are:

- Coalition meetings
- Town Hall Meetings
- Speaker Panels
- School Events
- Health Fairs
- Bar and Responsible Beverage Service

The amount and scope of the grant varied from Coalition to Coalition ranging from $8.5K to $25K for a total of $45.5K in total grant monies used for prevention and enforcement.

COMMUNITY EVENTS

Agents and civilian staff attended over 25 community events in 2013. These events included the Delaware State Fair, Old Dover Days, 3 pedestrian safety events, 4 health fairs, 3 college/high school volunteer/career fairs, and 2 national night out events. Additionally, DATE gave presentations to a total of 10 high school health classes on the dangers and legal consequences of underage tobacco use and underage/binge drinking.

DATE gave presentations to over 200 servers in all three counties on the dangers of over service. These presentations were a part of the Delaware Heroes Campaign created by the Delaware Restaurant Association.

Over 200 people attended the launch of the Delaware Beach HEROES program at the Baycenter in Dewey Beach. Shown are (l-r) William Elliott, chairman of the John R. Elliott HERO Campaign for Designate Drivers; Matt DiSabatino, board chairman of Delaware Restaurant Association; Carrie Leishman, president of Delaware Restaurant Association; Jim Baerle, owner of the Baycenter, Delaware House Speaker Pete Schwarzkopf, D-Rehoboth Beach; John Yeoman, director of Delaware Division of Alcohol and Tobacco Enforcement; Jack Cordrey, Delaware Alcoholic Beverage Control commissioner; and Steve Montgomery, owner of The Starboard Restaurant.
More Community Events:

Agent Bonniwell helps a student to use a pair of Fatal Vision Goggles at the Boys and Girls Club Rally.

Fatal Vision Goggles used to simulate different levels of intoxication.

Agent Mason is happy to demonstrate the sobriety test at an Eagle Scout Event.

Agent Bonniwell with Office of Highway Safety’s Pedestrian Safety Event.

Agent Bonniwell with mascot “Jurdy” for SHOUT at the 2013 Delaware State Fair.
The units’ primary function is to ensure compliance with the federal tobacco laws, ensure the safety of the state’s youth, collect evidence, maintain records, disseminate information and intelligence gathering related to the Federal Tobacco Statutes that regulate a licensed tobacco retailer.

In the first year of the program, 2012-2013, inspectors conducted over 1,181 compliance checks with 23 violations for a 98% compliance rate.

As Delaware’s Federal Tobacco Program moves forward in 2014 and beyond, the Division of Alcohol and Tobacco Enforcement remains devoted to providing a safe and protecting role in the health of Delaware’s youth by preventing the selling, marketing, or advertising of cigarettes or smokeless tobacco products to underage children and adolescents.

CURRENT DATE PARTNERSHIPS / MOU’S

YMCA of Delaware – 7/1/2013 – 6/30/2014
$25,000.00
Community outreach & targeted enforcement in the following zip codes: 19801, 19802 & 19805

SN4C Coalition – 7/1/2013 – 6/30/2014
$12,000.00
Community outreach & targeted enforcement in the following zip codes: 19701, 19709 & 19734

$25,000.00
Statewide alcohol retailer education & outreach

Alcohol Collaboration

Delaware Office of Highway Safety
Office of Juvenile Justice & Delinquency Prevention
Office of Alcoholic Beverage Control Commissioner
Brandywine Counseling & Community Services
YMCA of Delaware
Southern New Castle County Communities Coalition (SN4C)

FDA TOBACCO

The Family Smoking Prevention and Tobacco Control Act commonly or Tobacco Control Act regulates the manufacturing, distribution, and marketing of tobacco products. Recognizing that most new consumers of tobacco products are under the age of 18, the Act attempts to curtail the trend of new users before they become addicted.

DATE’s FDA Program falls under the Department of Safety and Homeland Security, Division of Alcohol and Tobacco Enforcement and is comprised of a complement of one civilian, Program Administrator/Inspector and one DATE agent.

The Tobacco Control Act:

- Recognizes that virtually all new users of tobacco products are under 18 – the minimum legal age to purchase these products.

- Prohibits false or misleading labeling and advertising for tobacco products.

- Gives FDA enforcement authority as well as a broad set of sanctions for violations of the law, and directs FDA to contract with states to assist FDA with retailer inspections.
DIVISION OF GAMING ENFORCEMENT

DATE - DGE PARTNERSHIP

In 2013, Agent James Diana investigated a total of 86 complaints, of which 65 were gaming related and 21 were alcohol related. There were 17 felony complaints, 25 misdemeanor complaints and 5 miscellaneous cases resulting in 33 criminal charges; 6 felony charges and 27 misdemeanor charges. Agent Diana assisted outside agencies with 18 investigations. Agent Diana conducted 18 On-Site Server Training Inspections; 9 at Delaware Park Raceway and Casino, 4 at Dover Downs Hotel and Casino, 4 at Harrington Raceway and Casino, and 1 at Doc Magrogan's Oyster House.

Agent Diana assisted the FBI Violent Task force with an ongoing criminal investigation from February to June 2013 which culminated in the apprehension of numerous subjects for drug related offenses.

At approximately 1540 hours, a white male driver who matched the physical description of the suspect approached said vehicle via the driver side door. Agent Diana made contact with the male subject who was identified as Jackson Forrester, 53, Townsend, DE, and was positively identified as the suspect. Forrester was taken into custody without further incident. The female passenger was identified as Amie Stevens, 19, Elkton, MD, and found to be wanted on a capias issued by the NCC Superior Court on 10/04/13. Forrester and Stevens were transported to Troop 6 for arrest processing. Forrester was charged with "Attempted Under $1500 Where a Victim is 62 Years of Age and Trespass Second Degree because he had been permanently evicted from Delaware Park Casino on 03/03/08 for a theft incident. Forrester was video arraigned by JP Court 2 and committed to the Young Correctional Institution in lieu of $1,600 secured bail. Amie Stevens was video arraigned by JP Court 11 and committed to WCI in lieu of $3,000 secured bail.

SPECIAL TACTICS AND RESPONSE TEAM

The Special Tactics and Response team (S.T.A.R.) is a multi-jurisdictional team and falls under the supervision of Smyrna Police Department. The S.T.A.R. team not only handles calls for service within the town of Smyrna, but also assists other municipalities with their respective search warrant entries. Having a DATE agent assigned to the S.T.A.R. provides an additional asset to the Division for high risk entries and/or a tactical response which may be needed to safely take control of a structure. Currently, the Division has one agent assigned to the unit.

The following is one of the many cases from 2013:

On September 30th, Agent Diana was notified by Delaware Park Raceway and Casino security regarding a theft. The victim, Patricia McCarthy, WF-66, Perryville, MD left a TITO ticket (Ticket-in, Ticket-out) at the VLT (Video Lottery Terminal) she was playing, valued at $524. An unknown white male took the TITO ticket when the victim walked away, redeemed same at TK-16, and fled the casino a short time later. Agent Diana along with the casino surveillance unit reviewed the video footage and identified a possible suspect vehicle described as a late model Dodge Caravan or Plymouth Voyager with faded paint on the hood. On October 21st at approximately 1525 hours, Agent Diana located a Plymouth Voyager in the Slot Lot which matched the suspect’s vehicle and was occupied by a female in the front passenger seat.
In 2013, members of the S.T.A.R. team had a total of 18 missions, most of which were drug search warrant entries. However, the team also received calls for service from agencies outside the state for murder suspects that were hiding in the state of Delaware. All S.T.A.R. team operators are certified SWAT Type-3 operators, as defined by the United States Department of Safety & Homeland Security, and have received additional advance training in such areas as hostage rescue, acts of terrorism, and officer down rescue. Through extensive training and dedication, all of the calls for service were executed in a safe and professional manner.

The team trains twice a month for an annual total of 192 training hours. Team operators also receive advance training at various schools, putting each operator’s yearly training hours well over 200.

As the Special Tactics and Response team moves forward in 2014, the team will continue to be responsive to the ever changing needs of the Division and the residents of the State of Delaware, and will do so with the highest level of professionalism and dedication.

In 2013, the S.T.A.R. team was responsible for the seizure of the following contraband:

- Cocaine: 28 grams
- Marijuana: 47lbs
- Various prescription pills: 92
- Crack cocaine: 2.4 grams
- United States Currency: $5k
- Heroin: approximately 21 logs (2913 individual baggies)
- Vehicles: 3
- Fugitives: 5 (3 of which were a NCIC want for murder)
- THC extract: 35 bottles
- Various types of drug paraphernalia
- Fireworks
NOTES: