

**ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD  
ADMINISTRATIVE CODE**

**CHAPTER 20-X-13  
MINOR OPERATIVES**

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(1)            The following procedures shall govern the use of minor operatives by the ABC Board for purposes of undercover operations:

(a)            The Director of Enforcement or his specific designee shall provide prior written authorization for every undercover operation utilizing minor operatives. It shall be the responsibility of the agent to furnish to the district supervisor a proposed operational plan for said approval.

(b)            In the absence of approval by a juvenile court, no minor shall be used in an undercover operation unless a parent or guardian of said minor has first provided written consent thereto.

(c)            Each minor utilized in undercover operations shall have been previously approved by the Director of Enforcement or his specific designee. Before such approval shall be given, the Director shall review any juvenile court approval secured or parental consent, proof of age and a reasonably current photograph of the minor. A separate file shall be maintained by the ABC Board for every minor operative. Said file shall contain proof of parental or court consent, proof of age, a current photograph, department approval and a summary of every minor operation performed by said individual.

(d)            The activities of a minor participating in an undercover operation shall be video taped, except where circumstances of the operation renders the same useless or prohibited, or unless the video taping thereof is deemed to place the minor in a situation of peril. In all cases the undercover activities of the minor shall be recorded by means of audio tape. In cases where the minor shall not remain visible to ABC Board agents during the entire undercover operation, said audio

transmissions must be received and monitored by ABC Board agents during the operation.

(e) All monies used by a minor in an undercover operation shall have first been marked or otherwise identified. Whenever possible or practicable, said monies shall be recovered for use as evidence. In such cases, the ABC Board Enforcement agent shall provide a receipt to the licensee personnel thereof for such money taken.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §§13A-3-22; 28-3-49.

**History: Repealed and New:** Filed August 21, 1998; effective October 16, 1998.