



C-O-N-T-E-N-T-S

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
Tavril Prout	9	20	--	--
Sandra Molina	24	--	--	-

OPENING STATEMENT

Government . . . . .	7
Applicant. . . . .	.None

CLOSING STATEMENT

Government . . . . .	.27
Applicant. . . . .	.30

1 P-R-O-C-E-E-D-I-N-G-S

2 6:01 p.m.

3 CHAIRPERSON ANDERSON: Okay, we're  
4 back on the record. This is Case Number 21-MGR-  
5 00008, Sandra Molina, License Number 116803.

6 Mr. Panameno?

7 MS. MOLINA: That is correct, sir.

8 CHAIRPERSON ANDERSON: Do you have a  
9 camera, sir? I would like to see you.

10 MS. MOLINA: Yes, yes, sir.

11 CHAIRPERSON ANDERSON: (Pause.) All  
12 right. Can you please raise your right hand,  
13 please?

14 MS. MOLINA: Yes, sir.

15 CHAIRPERSON ANDERSON: Do you swear or  
16 affirm to faithfully translate these matters from  
17 English into Spanish and from Spanish into  
18 English?

19 MS. MOLINA: Yes, I do.

20 CHAIRPERSON ANDERSON: All right,  
21 thank you, sir.

22 MS. MOLINA: You're welcome.

23 CHAIRPERSON ANDERSON: Can you please  
24 tell Ms. Molina to turn her camera on, but still  
25 mute her microphone, please?

1 MS. MOLINA: Okay. (Pause.)

2 CHAIRPERSON ANDERSON: Now all this  
3 time I could see her, I couldn't get her to mute  
4 her microphone, now I'm not sure what's going on.  
5 (Laughter.)

6 MS. MOLINA: Can you see me now?

7 CHAIRPERSON ANDERSON: All right. So  
8 ask her to mute her microphone, please.

9 (NOTE: UNLESS OTHERWISE NOTED, ALL OF  
10 THE WITNESS' STATEMENTS ARE MADE THROUGH THE  
11 TRANSLATOR, MARIO PANAMENO.)

12 MS. MOLINA: This high tech thing,  
13 she says, is too much for my head so I guess it's  
14 the little button at the bottom of the screen  
15 (Simultaneous speaking.)

16 CHAIRPERSON ANDERSON: I figured that  
17 she's having those type of issues. We're fine.  
18 Okay, all right, let's start with the government  
19 introducing himself on the record, please.  
20 Please spell and state your name.

21 MR. CENCI: Good evening, Mr.  
22 Chairperson. Collin Cenci, C-O-L-L-I-N C-E-N-C-  
23 I, representing the District of Columbia today.

24 CHAIRPERSON ANDERSON: Good afternoon,  
25 sir. Can you have Ms. Molina introduce herself

1 for the record by spelling her name, please?

2 (Pause.) Ask her to unmute herself.

3 MS. MOLINA: S-A-N-D-R-A Sandra. M--  
4 O-L-I-N-A Molina.

5 MS. MOLINA: Okay, Sandra Molina S-A-  
6 N-D-R-A Molina M-O-L-I-N-A.

7 CHAIRPERSON ANDERSON: Thank you. Ask  
8 her does she know why we're here today.

9 MS. MOLINA: Yes.

10 CHAIRPERSON ANDERSON: All right.

11 (Pause.) The process, and this is actually a new  
12 hearing for me also. This is the first hearing  
13 we're doing for this type. What is going to  
14 happen is that the government is going to present  
15 its case. The government will call a witness.  
16 She can ask questions of the witness once the  
17 government has presented its witness and asked  
18 questions. Once the government has presented its  
19 case, then she can explain her position. The  
20 government will have an opportunity to cross  
21 examine her once she has explained her position.

22 MS. MOLINA: That's fine. Thank you.

23 CHAIRPERSON ANDERSON: All right, from  
24 the government, do you wish to make an opening  
25 statement, sir?

1 MR. CENCI: Yes, a brief one,  
2 Chairperson Anderson. (Pause.) Good evening,  
3 board members. We are here today in the show  
4 cause matter of Sandra Molina, ABC manager,  
5 License Number 116803.

6 This case is about an ABC manager's  
7 willful failure to uphold her responsibilities  
8 that come with her license. Today you will hear  
9 how the respondent, Sandra Molina, sold an  
10 alcoholic beverage to a minor on two occasions.

11 The show cause notice issued in this  
12 matter concerns the charges that Ms. Molina sold  
13 an alcoholic beverage to a person under 21 years  
14 of age on two occasions in violation of D.C. Code  
15 Section 25-781(a)(1) and Section 25-120(i)(a).  
16 The government bears the burden of proof in this  
17 case and must show that the respondent sold an  
18 alcoholic beverage to a person under 21 years of  
19 age on two occasions. We will meet that burden  
20 through the testimony of our witness, ABRA  
21 investigator Tavrill Prout.

22 Investigator Prout will testify that  
23 on Saturday, August 28, 2021, he and Investigator  
24 Adam Mitchell (Phonetic.) conducted a compliance  
25 check of Rioja Market. They conducted this

1 investigation with the assistance of an 18-year-  
2 old undercover minor.

3 Investigator Prout will tell you that  
4 he and the minor entered the establishment and  
5 the minor presented an alcoholic beverage to Ms.  
6 Molina for purchase. Investigator Prout will  
7 tell you that Ms. Molina checked the minor's ID  
8 and nonetheless sold him the alcoholic beverage.  
9 He will tell you that Investigator Mitchell  
10 afterwards entered the establishment and notified  
11 Ms. Molina that she had sold an alcoholic  
12 beverage to a minor.

13 You will also hear that Investigator  
14 Prout looked into the respondent's investigative  
15 history and he discovered that on July 31, 2020,  
16 the respondent had previously sold an alcoholic  
17 beverage to a minor. At that time, the  
18 respondent faced charges before this board. He  
19 will tell you that this board resolved this  
20 matter with a letter of warning, recommended on  
21 September 16, 2020.

22 After Investigator Prout's testimony  
23 it will be clear that the respondent sold an  
24 alcoholic beverage to a minor on two occasions.  
25 That is why at the end of this hearing, I will

1 ask that you find in favor of the District of  
2 Columbia and apply a penalty consistent with D.C.  
3 Code 25-120.

4 Thank you, Chairperson Anderson, I am  
5 ready to proceed.

6 CHAIRPERSON ANDERSON: All right, do  
7 you want to call your first witness?

8 MR. CENCI: Yes, Chairperson Anderson.  
9 The government calls Investigator Tavril Prout.

10 CHAIRPERSON ANDERSON: Mr. Prout, can  
11 you raise your right hand, please? Do you swear  
12 or affirm to tell the truth and nothing but the  
13 truth?

14 INVESTIGATOR PROUT: I do, sir.

15 CHAIRPERSON ANDERSON: Thank you, he's  
16 your witness.

17 DIRECT EXAMINATION

18 MR. CENCI: Good evening, Investigator  
19 Prout. Could you please state and spell your  
20 first and last name for the record?

21 INVESTIGATOR PROUT: Yes, sir. My  
22 name is Tavril Prout. T-A-V-R-I-L P-R-O-U-T.

23 MR. CENCI: Where are you currently  
24 employed?

25 INVESTIGATOR PROUT: I'm currently



1 employed with the Alcohol Beverage Regulation  
2 Administration.

3 MR. CENCI: What is your position  
4 there?

5 INVESTIGATOR PROUT: My position is an  
6 alcohol investigator for ABRA.

7 MR. CENCI: How long have you been an  
8 alcohol investigator?

9 INVESTIGATOR PROUT: I've been an  
10 investigator at ABRA for just over three years.

11 MR. CENCI: What are your duties and  
12 responsibilities in your role?

13 INVESTIGATOR PROUT: My duties are to  
14 conduct compliance inspections as well as special  
15 investigations to include sell to minor, client  
16 checks and fake ID checks for alcohol serving  
17 establishments in the District of Columbia.

18 MR. CENCI: Are you familiar with  
19 Sandra Molina, the respondent?

20 INVESTIGATOR PROUT: Yes, sir. She  
21 was the ABC manager on duty at the time of the  
22 compliance check which was conducted on Saturday,  
23 August 28, 2021.

24 MR. CENCI: How did you encounter Ms.  
25 Molina on Saturday, August 28, 2021?

1                   INVESTIGATOR PROUT:  Myself and a  
2  minor were assigned to conduct a compliance check  
3  at Rioja Market in which the shift began at 5  
4  o'clock p.m. that evening.  The list was provided  
5  to us by Supervisory Investigator Mark O'Shears  
6  (Phonetic.) at the beginning of our shift.

7                   MR. CENCI:  What did you and the minor  
8  do to conduct your investigation of Rioja Market  
9  on Saturday, August 28, 2021?

10                  INVESTIGATOR PROUT:  The minor and I  
11  entered into Rioja Market at 6:43 p.m. on  
12  Saturday, August 28, 2021.

13                  MR. CENCI:  What happened after you  
14  and the minor entered the establishment?

15                  INVESTIGATOR PROUT:  The minor then  
16  proceeded to cold refrigerator aisle to retrieve  
17  an alcoholic beverage from the fridge, which was  
18  a 24 fluid ounce Bud Light beer.

19                  MR. CENCI:  What did the minor do  
20  after retrieving the 24 fluid ounce Bud Light  
21  beer from the refrigerator?

22                  INVESTIGATOR PROUT:  The minor then  
23  proceeded to the case register where ABC Manager  
24  Molina was standing and provided her the can of  
25  beer in order to be scanned and be able to check

1 out from the establishment.

2 MR. CENCI: Were you able to see both  
3 Ms. Molina and the minor the entire time that the  
4 minor was at the counter with her?

5 INVESTIGATOR PROUT: Yes. The minor  
6 and ABC Manager Molina were in my direct line of  
7 sight during the entire transaction.

8 MR. CENCI: What did Ms. Molina do  
9 when the minor presented the beer to her at the  
10 counter?

11 INVESTIGATOR PROUT: ABC Manager  
12 Molina then asked the minor for ID in order to  
13 purchase the can of Bud Light beer.

14 MR. CENCI: Did the minor provide  
15 their ID to Ms. Molina?

16 INVESTIGATOR PROUT: Yes, sir. He  
17 provided a copy of his District of Columbia  
18 learner's permit at that time of purchase.

19 MR. CENCI: Did you see Ms. Molina  
20 review the minor's ID after he provided it to  
21 her?

22 INVESTIGATOR PROUT: Yes, sir, I did.

23 MR. CENCI: What did Ms. Molina do  
24 after she reviewed the minor's ID?

25 INVESTIGATOR PROUT: She then handed

1 the ID back to the minor at the time of  
2 transaction.

3 MR. CENCI: Did Ms. Molina proceed  
4 with the sale of the alcoholic beverage?

5 INVESTIGATOR PROUT: Yes, she then  
6 scanned the can of Bud Light beer and then  
7 requested 2 dollars and 75 cents for the cost of  
8 the beer.

9 MR. CENCI: Did you see if Ms. Molina  
10 provided a receipt to the minor with the  
11 purchase?

12 INVESTIGATOR PROUT: No. ABC Manager  
13 Molina did not provide the minor with a copy of a  
14 receipt from the market; however, he was able to  
15 leave out of the establishment with the can of  
16 beer in his hand.

17 MR. CENCI: What happened after the  
18 minor had left the establishment?

19 INVESTIGATOR PROUT: I then proceeded  
20 out of the market behind him and then he turned  
21 over the 24 fluid ounce Bud Light canned beer  
22 over to Investigator Adam Mitchell.

23 MR. CENCI: Okay. Were you able to  
24 see the minor at all times that the minor was  
25 inside of Rioja Market on that day?

1                   INVESTIGATOR PROUT: Yes. The minor  
2 was in my line of sight during the entire  
3 transaction while in the establishment at Rioja  
4 Market.

5                   MR. CENCI: Did you complete a case  
6 report regarding Ms. Molina's sale of an  
7 alcoholic beverage to a minor on August 28, 2021?

8                   INVESTIGATOR PROUT: Yes, a case  
9 report was drafted after the ABRA violations were  
10 observed at Rioja Market on Saturday, August 28,  
11 2021.

12                  MR. CENCI: Would you recognize a copy  
13 of that report if I were to show it to you today?

14                  INVESTIGATOR PROUT: Yes, sir.

15                  MR. CENCI: Let the record reflect, I  
16 am sharing my screen to present the ABC Manager  
17 Case Report, which under 23 DCMR, Section 17-  
18 13.10 --

19                  MS. MOLINA: I'm sorry, sir, what was  
20 the section again?

21                  MR. CENCI: Section 17-13.10 has  
22 already been entered into the record and need not  
23 be formally entered into evidence.

24                  Investigator Prout, can you see my  
25 screen?

1                   INVESTIGATOR PROUT: Yes, sir, I am  
2 able to see the screen that you are showing at  
3 this time.

4                   MR. CENCI: I'm going to scroll  
5 through this document and when I get to the end,  
6 I will scroll back up to the top. Please review  
7 it to make sure that it is complete and accurate.  
8 (Pause.)

9                   INVESTIGATOR PROUT: Yes, sir, the  
10 case report is complete and accurate after  
11 reviewing it at this current time.

12                  MR. CENCI: Is it part of your job as  
13 an investigator to draft case reports for ABRA  
14 violations?

15                  INVESTIGATOR PROUT: Yes, sir. Yes,  
16 it is common to draft investigative reports in  
17 lieu of ABRA violations that are observed at  
18 alcohol serving establishments in the District of  
19 Columbia.

20                  MR. CENCI: I'm directing your  
21 attention to what has been marked in this case  
22 report as Exhibit 1. Can you see that document,  
23 Investigator Prout?

24                  INVESTIGATOR PROUT: Yes, sir. I am  
25 able view Exhibit 1 at this time.

1 MR. CENCI: What is this document?

2 INVESTIGATOR PROUT: The Exhibit 1 on  
3 the screen is a picture, a head and shoulder  
4 picture, of the minor who conducted the  
5 compliance check on Saturday, August 28, 2021, at  
6 Rioja Market at 6:43 p.m.

7 MR. CENCI: Investigator Prout, I'm  
8 directing your attention to what has been marked  
9 in this case report as Exhibit 3. Let the record  
10 reflect, I am rotating the document so it can be  
11 viewed right side up. Investigator Prout, can  
12 you see that document oriented right side up?

13 INVESTIGATOR PROUT: Yes, I'm able to  
14 see Exhibit 3 right side up at this current time  
15 on the screen.

16 MR. CENCI: What is this document?

17 INVESTIGATOR PROUT: That is a copy of  
18 the Washington, D.C. learner's permit that was  
19 provided by the minor to ABRA investigators at  
20 the beginning of the compliance checks that  
21 started at 5 o'clock p.m. on Saturday, August 28,  
22 2021, and that is the same identification that  
23 was utilized in the transaction at Rioja Market  
24 at that time at 6:43 p.m.

25 MR. CENCI: This document that you say

1 was used at the time of purchase that you  
2 observed, how old does it say that the minor is?

3 INVESTIGATOR PROUT: The minor at the  
4 time of the compliance check was 18 years old.

5 MR. CENCI: Investigator Prout, I'm  
6 directing your attention to what has been marked  
7 in this case report as Exhibit 5. Are you able  
8 to see Exhibit 5?

9 INVESTIGATOR PROUT: Yes, I am able to  
10 see Exhibit 5 at this time.

11 MR. CENCI: What is this document?

12 INVESTIGATOR PROUT: It is a picture  
13 of the 24 fluid ounce can of Bud Light beer that  
14 was retrieved as evidence from the Rioja Market  
15 from the compliance check that was conducted on  
16 August 28, 2021.

17 MR. CENCI: You mentioned earlier that  
18 a receipt was not provided with this purchase.  
19 If a receipt was provided, would you have taken a  
20 photo of that receipt?

21 INVESTIGATOR PROUT: Yes, it is normal  
22 ABRA practice to make copies of the receipt that  
23 is provided by an establishment at the time of  
24 the compliance check and/or when the sell to  
25 minor notification as well as the visual



1 inspection is conducted at the completion of the  
2 compliance check.

3 MR. CENCI: I want to direct your  
4 attention to page two of this document. Can you  
5 say page two of this document?

6 INVESTIGATOR PROUT: Yes, I am able to  
7 see page two of a document on the screen at this  
8 time.

9 MR. CENCI: When drafting this case  
10 report for this ABRA violation, did you look into  
11 Ms. Molina's investigative history with ABRA?

12 INVESTIGATOR PROUT: Yes, I was able  
13 to review the investigative history of ABC  
14 Manager Sandra Molina.

15 MR. CENCI: What were you able to  
16 find?

17 INVESTIGATOR PROUT: That a sell to  
18 minor check was conducted on July 31, 2020. As a  
19 result of that compliance check that was  
20 conducted, ABC Manager Molina sold to a minor on  
21 the corresponding date of July 31, 2020.

22 MR. CENCI: Do you know if this  
23 previous sale to minor charge was resolved?

24 INVESTIGATOR PROUT: Yes, it was  
25 resolved to my knowledge.

1 MR. CENCI: How was this previous sale  
2 to minor charge from July 31, 2020 resolved?

3 INVESTIGATOR PROUT: A letter of  
4 warning notification was mailed out to ABC  
5 Manager Sandra Molina to her address on file with  
6 ABRA on September 16, 2020.

7 MR. CENCI: Let the record reflect, I  
8 am stopping sharing my screen. Investigator  
9 Prout, to the best of your knowledge, did Sandra  
10 Molina sell an alcoholic beverage to a minor  
11 under the age of 21 on two or more dates within  
12 three years of each other?

13 INVESTIGATOR PROUT: Yes, to the best  
14 of my knowledge, an alcoholic beverage was sold  
15 to a minor on the corresponding date of August  
16 28, 2021 as well as ABRA records reflect that an  
17 alcoholic beverage was sold to a minor on July  
18 31, 2020, which I was not present for that  
19 compliance check at that time and date.

20 MR. CENCI: Thank you, Investigator  
21 Prout. Chairperson Anderson, I have no further  
22 questions at this time.

23 CHAIRPERSON ANDERSON: Ms. Molina, do  
24 you have any questions of Investigator Prout? He  
25 just did his report. Are there any questions

1 that you want to ask him based on the report he  
2 just gave?

3 CROSS EXAMINATION

4 MS. MOLINA: Yes. The fault on August  
5 2020, I have no excuse. It was my fault. The  
6 fault that I committed on 2021, it was also my  
7 fault. I was out of the job for one month. I  
8 was just coming back to work. I had been sick  
9 with the virus, the situation we are dealing with  
10 now and I was happy and nervous at the same time  
11 to be back. I was also having problems with my  
12 eyesight, okay? Regarding them, I have nothing  
13 bad against their jobs, you know, they have to do  
14 what they have to do and I also have a job to do.  
15 (Pause.)

16 On that day, it hurts my feelings  
17 because I was working by myself. All of a sudden  
18 three people walked into the store at the same  
19 time, okay? And then, you know, sometimes people  
20 come in and not really wanting to buy, but to try  
21 to take stuff from the store. It has happened to  
22 me in the past so I was paying attention to the  
23 other people because I had to be careful not to  
24 get distracted. Sometimes they want to play and  
25 try to make you distracted so the others, you

1 know, steal, take stuff from the store.

2 MR. CENCI: Objection, this is not a  
3 question for Investigator Prout.

4 MS. MOLINA: So the question is, why  
5 do they come and do this type of traps or stings?  
6 Why do two people come in at the same time and  
7 try to fool one?

8 MR. CENCI: Objection, irrelevant and  
9 argumentative.

10 CHAIRPERSON ANDERSON: I'm going  
11 (Simultaneous speaking.)

12 MS. MOLINA: I'm sorry, I'm sorry.

13 CHAIRPERSON ANDERSON: Hold on, hold  
14 on. I'm going to overrule the objection. If the  
15 witness can answer, he can answer. If not, we'll  
16 move on. So, hold on. (Simultaneous speaking.)  
17 I'm going to overrule the objection. If the  
18 investigator can answer the question, let him  
19 answer it. If not, let's see where we are.

20 INVESTIGATOR PROUT: The goal of sales  
21 to minor checks is a mayor's order in which the  
22 goal is for alcohol serving establishments to  
23 gain compliance with the law of the District of  
24 Columbia as well as to maintain public safety  
25 with making sure that alcohol is served to

1 persons who are 21 years and older since it is a  
2 controlled substance.

3 MS. MOLINA: I understand, that's why  
4 I said that it was your job. I understand the  
5 situation. Okay, so I understand, again, you  
6 know my fault was, again there were several  
7 people coming into the store at the same time.  
8 Some people come in and grab candy or chocolate  
9 and then while they try to distract, the other  
10 person in this case the minor went and grabbed a  
11 drink, okay? Then the other person was checking  
12 the wines so, again, I was by myself. I didn't  
13 want to get distracted with too many people in  
14 the store. It was my fault. It is my fault.

15 INVESTIGATOR PROUT: Is that a  
16 question or is that a statement?

17 CHAIRPERSON ANDERSON: I think she's  
18 just making a statement, Mr. Prout. Does she  
19 have any other questions that she wants to ask?  
20 I know this is kind of -- she's supposed to cross  
21 examine you, but I think she is more so  
22 explaining her case. Let her know that I'm still  
23 going to give her an opportunity to explain her  
24 case, but at this point it's only if she has  
25 questions directly of Mr. Prout.

1 MS. MOLINA: Okay, no, I don't. They  
2 did their jobs. They did what they had to do and  
3 it was my fault.

4 CHAIRPERSON ANDERSON: All right,  
5 thank you. Do we have any other questions by any  
6 board members of the investigator? (Pause.)  
7 (Simultaneous speaking.) All right. Mr. Cenci,  
8 did I get it right?

9 MR. CENCI: Chairperson Anderson.

10 CHAIRPERSON ANDERSON: All right. I'm  
11 sorry, one more time?

12 MR. CENCI: Cenci.

13 CHAIRPERSON ANDERSON: Cenci. Do you  
14 have any redirect?

15 MR. CENCI: I have no redirect for  
16 Investigator Prout.

17 CHAIRPERSON ANDERSON: (Simultaneous  
18 speaking.) All right. Do you have another  
19 witness? I'm sorry, Mr. Prout, thank you very  
20 much for your testimony. All right, do you have  
21 another witness?

22 MR. CENCI: The government does not  
23 have another witness and rests its case in chief.

24 CHAIRPERSON ANDERSON: All right. Ms.  
25 Molina, ask Ms. Molina to raise her hand, please.

1 Do you swear or affirm to tell the truth and  
2 nothing but the truth?

3 MS. MOLINA: Yes.

4 CHAIRPERSON ANDERSON: She can now  
5 explain herself. This is her opportunity to  
6 explain herself if she wants to.

7 MS. MOLINA: You mean of what I think  
8 of the mistake I made?

9 CHAIRPERSON ANDERSON: Whatever you  
10 want to tell us about what happened. I know in  
11 cross examining and asking questions of the  
12 investigator, she kind of sort of told, but now  
13 it's her opportunity in her own words, if she  
14 wants to tell the board.

15 MS. MOLINA: Again, I know I said this  
16 before, but I committed a mistake. It was my  
17 first day back to work. Unfortunately, this  
18 happened, you know, in my shift then I had  
19 problems with my eyesight, but I did the test.  
20 So again, on that night, I saw them come in.  
21 Like you know, there's a lot of shoplifting and  
22 incidents happening at the stores. One was  
23 looking at the wines, the other one picked up a  
24 chocolate. So, and I wanted to make the sale. I  
25 wanted to make the sale, you know, businesses are

1 struggling these days.

2 Okay, you know, on that day I asked  
3 for ID to the person and I just didn't, you know,  
4 I looked at the ID. I looked at the date of  
5 birth. I was doing many things and I didn't  
6 count right, okay? I didn't do a good job.  
7 Again, I was back at work. I had been sick with  
8 the virus. What happened happened and now I have  
9 to wait for the consequences of my actions, okay?  
10 If you suspend my license to work then, you know,  
11 it's going to be hard, real hard. I have four  
12 children to support. It's going to be hard.

13 CHAIRPERSON ANDERSON: All right. Do  
14 you have anything else you want to say, ma'am, or  
15 is that it? (Pause.) Mr. Panamero, did you ask  
16 her if she has anything else to say or is that  
17 it?

18 MS. MOLINA: That's it. That's  
19 everything. Thank you very much. I appreciate  
20 it.

21 CHAIRPERSON ANDERSON: Do you have any  
22 cross, sir? (Pause.) No, no, no, Mr. Cenci.

23 MR. CENCI: We don't have any cross  
24 examination, Chairperson Anderson.

25 CHAIRPERSON ANDERSON: You have none?



1 MR. CENCI: No. (Pause.) It appears  
2 Chairperson Anderson has fully dropped from the  
3 call. Is there a procedure on what to do in his  
4 absence?

5 MEMBER GRANDIS: Wait.

6 MR. CENCI: Understood. (Pause.)

7 MEMBER CROCKETT: Well, Mr. Cenci, to  
8 your prior question about what is the procedure  
9 when the Chair is gone, apparently you get me.

10 MR. CENCI: Understood.

11 MEMBER CROCKETT: We are going to  
12 proceed with closing out this hearing. That is  
13 where we are now, correct?

14 MR. CENCI: I did not have any cross  
15 examination for Ms. Molina.

16 MEMBER CROCKETT: Okay.

17 MR. CENCI: So, if the board does not  
18 have any (Simultaneous speaking.)

19 MEMBER CROCKETT: You can proceed with  
20 your cross please.

21 MR. CENCI: My apologies. I did not  
22 have any cross examination questions so if the  
23 board has questions, I believe now it's their  
24 time.

25 MEMBER CROCKETT: Okay, board members,

1 do you have any questions for Ms. Molina?

2 (Pause.) Okay, hearing none. Thank you for your  
3 testimony, Ms. Molina. We appreciate it. Mr.  
4 Cenci, you have rested your case. Ms. Molina, do  
5 you have anything further?

6 MS. MOLINA: No.

7 MEMBER CROCKETT: Okay, Mr. Cenci, you  
8 may proceed with your closing argument please.

9 MR. CENCI: Thank you, Chairperson  
10 Crockett. This case has been about an ABC  
11 manager's willful failure to uphold her  
12 responsibilities that come with her license.  
13 Today, the District has proven by a preponderance  
14 of the evidence that Ms. Molina sold an alcoholic  
15 beverage to a person under 21 years of age on two  
16 occasions.

17 We heard from Investigator Prout that  
18 on Saturday, August 28, 2021, he and ABRA  
19 investigator Adam Mitchell conducted a compliance  
20 check of Rioja Market. They conducted this check  
21 with an 18-year-old undercover minor.

22 Investigator Prout told you that at  
23 approximately 6:43 p.m., he and the minor entered  
24 Rioja Market. The minor retrieved a 24 fluid  
25 ounce can of Bud Light and brought it to the

1 cashier, Ms. Molina. You learned that Ms. Molina  
2 checked the minor's identification, and even  
3 though that identification that this whole board  
4 saw showed that the minor was 18 years old at the  
5 time of the purchase, Ms. Molina told him that  
6 the price of the beer was 2 dollars and 75 cents  
7 and sold the minor the beverage anyway.

8 Investigator Prout also told you that  
9 he looked into the respondent's investigative  
10 history when creating his case report. He  
11 discovered that on July 31, 2020, the respondent  
12 had previously sold an alcoholic beverage to a  
13 minor. As a result of that ABRA violation, this  
14 board recommended that a letter of warning be  
15 sent to her on September 16, 2020.

16 Ms. Molina told you that she wanted to  
17 make the sale of the alcoholic beverage. Her  
18 sentiment is that making that sale was more  
19 important than, as Investigator Prout told you,  
20 the safety of the residents of the District of  
21 Columbia. She has said over and over again that  
22 she made a mistake and that what happened was her  
23 fault. Ms. Molina does not contest that she sold  
24 an alcoholic beverage to a minor on August 28,  
25 2021 and she does not contest that she sold an

1 alcoholic beverage to a minor on July 31, 2020.

2 The evidence today has supported one  
3 outcome and one outcome alone. The District has  
4 met its burden to prove it more likely than not  
5 that the respondent sold an alcoholic beverage to  
6 a minor on two occasions. Thus, the District has  
7 proven the charge in the notice to show cause.

8 (Pause.)

9 MEMBER CROCKETT: Thank you, Mr.  
10 Cenci.

11 MR. CENCI: My apologies, I'm almost  
12 finished, Chairperson Crockett.

13 MEMBER CROCKETT: Oh, sorry.

14 MR. CENCI: It is for that reason that  
15 we ask that you find in favor of the District of  
16 Columbia, and apply a penalty consistent with  
17 D.C. Code 25-120, which reads at part, I.A.1 that  
18 the board may fine, suspend, revoke or not renew  
19 the manager's license of a manger who, within the  
20 prior three years, has sold an alcoholic beverage  
21 to a minor on two or more dates. We ask that you  
22 apply the law appropriately and find in favor of  
23 the District. Thank you.

24 MEMBER CROCKETT: Okay, sorry about  
25 that Mr. Cenci. Thank you for your closing. Ms.

1 Molina, do you have any last words? What is your  
2 closing? Please tell us what you would like the  
3 board to do.

4 MS. MOLINA: I wish that my license is  
5 not revoked so I can continue on working. I  
6 promise that I will be attentive, that I will  
7 follow the law to the word.

8 MEMBER CROCKETT: Is that all?

9 MS. MOLINA: Yes.

10 MEMBER CROCKETT: Thank you very much.  
11 Thank you both for presentations on your case  
12 today. As acting chairperson of the Alcohol  
13 Beverage Control Board for the District of  
14 Columbia and in accordance with D.C. Official  
15 Code Section 2574 (b) of the Open Meetings Act, I  
16 move that the ABC Board close this meeting for  
17 the purpose of seeking legal advice from our  
18 counsel, oh goodness, on Case Number, sorry, give  
19 me a minute. I'm sorry I forgot that you also  
20 needed to translate.

21 MR. PANAMENO: That's all right.  
22 Don't worry about it.

23 MEMBER CROCKETT: So I move that ABC  
24 Board close the meeting for the purpose of  
25 seeking legal advice from our counsel on Case

1 Number 21-MGR-0008, Sandra Molina, ABC Manger.  
2 Pursuant to the D.C. Official Code, Section  
3 2574(b)(4) of the Open Meetings Act and  
4 deliberating upon Case Number 21-MGR-0008, for  
5 the reasons cited in D.C. Official Code, Section  
6 2574(b)(13) of the Open Meetings Act. Is there a  
7 second?

8 MEMBER GRANDIS: Ed Grandis will  
9 second.

10 MEMBER HANSEN: Jeni Hansen.

11 MEMBER CROCKETT: Ed Grandis and Jeni  
12 Hansen have seconded. Mr. Short?

13 MEMBER SHORT: Mr. Short, I agree.

14 MEMBER CROCKETT: Mr. Cato?

15 MEMBER CATO: Bobby Cato, I agree.

16 MEMBER CROCKETT: Ms. Hansen?

17 MEMBER HANSEN: Jeni Hansen, I agree.

18 MEMBER CROCKETT: And Rafi Crockett,  
19 I agree. The matter passes.

20 MS. FASHBAUGH: Mr. Grandis.

21 MEMBER CROCKETT: Oh, I'm sorry. Mr.  
22 Grandis?

23 MEMBER GRANDIS: Yes, Mr. Grandis  
24 agrees.

25 MEMBER CROCKETT: Ms. Crockett, I

1 agree. The matter passes 5-0-0. So it does  
2 appear that the motion has passed. I hereby give  
3 notice that the ABC Board will recess these  
4 proceedings for a closed meeting in the ABC Board  
5 conference room pursuant to Section 2574(b) of  
6 the Open Meetings Act. Thank you so much for  
7 your time. (Pause.)

8 MS. MOLINA: Thank you.

9 MEMBER CROCKETT: Yes, your case is  
10 adjourned, ma'am.

11 MS. MOLINA: Thank you very much.

12 MR. CENCI: Thank you.

13 MEMBER CROCKETT: Everyone give me one  
14 second before I close the record, I want to  
15 ensure that I'm doing this properly, so bear with  
16 me, please. Thank you. (Pause.) Does she have  
17 a question?

18 MS. MOLINA: Will I have to attend  
19 classes in case my boss asks me to?

20 MEMBER CROCKETT: So the board is  
21 going to recess to our closed session where we  
22 will deliberate this case.

23 MS. MOLINA: Okay.

24 MEMBER CROCKETT: You'll be notified  
25 by the Agency of the board's decision.

1 MS. MOLINA: Okay.

2 MEMBER CROCKETT: Within 90 days.

3 MS. MOLINA: Okay. That's fine, thank  
4 you very much.

5 MEMBER CROCKETT: You're welcome. As  
6 acting chairperson of the Alcoholic Beverage  
7 Control Board for the District of Columbia, and  
8 in accordance with Title 3, Chapter 405 of the  
9 Office of Open Government, actually, Mr.  
10 Panameno, you can instruct Ms. Molina that her  
11 case is over and that she can actually leave now.

12 MS. MOLINA: Thank you very much.  
13 Good night.

14 MEMBER CROCKETT: Okay, you have a  
15 good evening, Ms. Molina.

16 MS. MOLINA: Bye-bye.

17 MEMBER CROCKETT: So I'm going to  
18 close the record. As acting chairperson of the  
19 Alcoholic Beverage Control Board for the District  
20 of Columbia, and in accordance with Title 3,  
21 Chapter 405, Office of Open Government, I move  
22 that the ABC Board hold a closed meeting on  
23 February 2nd, for the purpose of dissecting and  
24 hearing reports concerning ongoing or planned  
25 investigations of alleged criminal or civil



1 misconduct or violations of law or regulations  
2 and seeking legal advice from our legal counsel  
3 on the board's investigative agenda for February  
4 2nd, as published in the D.C. Register. Is there  
5 a second?

6 MEMBER SHORT: Mr. Short, I second.

7 MEMBER CROCKETT: Mr. Short has  
8 seconded. Mr. Short?

9 MEMBER SHORT: Mr. Short, I agree.

10 MEMBER CROCKETT: Bobby Cato?

11 MEMBER CATO: Bobby Cato, I agree.

12 MEMBER CROCKETT: Jeni Hansen?

13 MEMBER HANSEN: Jeni Hansen, I agree.

14 MEMBER CROCKETT: Mr. Grandis?

15 MEMBER GRANDIS: Edward Grandis agrees  
16 and also wants to thank the acting for moving  
17 forward. Thank you.

18 MEMBER CROCKETT: Rafi Crockett, I  
19 agree. The measure passes 5-0 and the record is  
20 now closed for today. Everyone have a wonderful  
21 evening and we will return to executive session.

22 (Whereupon, the above-entitled matter  
23 went off the record at 7:30 p.m.)  
24  
25

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In the matter of: Sandra Molina

Before: DCABRA

Date: 01-26-22

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