

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
 :
BMSS, LLC :
t/a Afro Lounge :
3630 Georgia Ave NW :
Retailer CR - ANC 1E :
License No. 121774 :
Case #23-251-00004 :
 :
(Allowed the :
establishment to be used :
for unlawful purposes, :
Failed to have security :
cameras operational) :
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Wednesday
March 1, 2023

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABRA Staff
BENIAM TASEW, Applicant
TED YIRDAW, Applicant
FELICIA DANTZLER, ABRA Investigator

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

2 11:36 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar in the fact-finding hearing, Case
5 Number 23-251-00004, Afro Lounge, License Number
6 121774. Mr. Orellana, can you please elevate the
7 rights of the licensee, the ABRA investigator,
8 and if there is a representative for the licensee
9 for this case, please.

10 MR. ORELLANA: Beniam Tasew, your
11 access has been elevated. Felicia Dantzler, your
12 access has been elevated. That appears to be
13 all, Chair.

14 CHAIRPERSON ANDERSON: Thank you.

15 MR. TASEW: Good morning.

16 CHAIRPERSON ANDERSON: This is a fact-
17 finding hearing -- I'm sorry. Good morning,
18 everyone. So let me have the licensee. I see
19 two people, so can you please identify yourself.

20 MR. TASEW: Yes. How you doing? My
21 name is Beniam, B-E-N-I-A-M, last name Tasew, T-
22 A-S-E-W. I'm here on behalf of Afro Lounge.

23 CHAIRPERSON ANDERSON: And what's your
24 relationship with the establishment, sir?

25 MR. TASEW: I'm the owner.

1 CHAIRPERSON ANDERSON: All right then.
2 Who is the person sitting next to you, sir?

3 MR. YIRDAW: Hi, my name is Ted, Ted
4 Yirdaw. I'm a manager here at Afro Lounge.

5 CHAIRPERSON ANDERSON: Spell your name
6 for me first, please.

7 MR. YIRDAW: First name Ted, T-E-D.
8 Last name Yirdaw, Y-I-R-D-A-W.

9 CHAIRPERSON ANDERSON: Thank you.

10 MR. YIRDAW: You're welcome.

11 CHAIRPERSON ANDERSON: Ms. Dantzler.

12 MS. DANTZLER: Ms. Felicia Dantzler,
13 investigator with ABRA. And I am having some
14 challenges getting my video working.

15 CHAIRPERSON ANDERSON: We'll wait a
16 minute for you to get your video to work, ma'am.
17 And while we're waiting for Ms. Dantzler to get
18 her video to work, if you need to log off and log
19 back on, ma'am, this is an unfortunate, tragic
20 case. It appears that a shooting took place
21 outside Afro Lounge located at 3630 Georgia
22 Avenue, Northwest, which led to a death of a
23 security guard. The report indicates that
24 security company was not licensed to operate in
25 the District of Columbia, and two security

1 cameras were not functioning.

2 I think one of the concerns that the
3 Board has here, we're concerned about the use of
4 unlicensed security, and I think that's one of
5 the major concerns that the agency has with this
6 case. And so this hearing we're just gathering
7 facts. No one will be sworn in. We are not,
8 based on the fact that in hearing the Board
9 cannot legally order the licensee to take any
10 specific action, the Board can make suggestions
11 and the licensee can accept or reject them. But
12 if the licensee decides that he's going to accept
13 the suggestions by the Board, then that's binding
14 on the licensee, but I should let the licensee
15 know that, because it's a fact-finding hearing,
16 we've not made a decision and we're just
17 gathering facts, we've not made a decision; and
18 so, therefore, it's just an informal, this is
19 just a hearing just gathering facts. And at the
20 end of the hearing, the Board will make a
21 determination whether or not we will say there
22 are no further action or we might refer this
23 matter to the Office of Attorney General for
24 further action if it's determined, if the Board,
25 as a result of this fact-finding hearing,

1 determines that further actions are necessary.

2 And I also want to, just there are
3 some issues with cameras. It's just regarding
4 the camera operation of this case.

5 Ms. Dantzler, what is now going on
6 with you, please?

7 MR. ORELLANA: She is about to come
8 right back on. It appears she got kicked out,
9 but she's still visible.

10 CHAIRPERSON ANDERSON: I thought I'd
11 ask her if she knew what she needed to sign back
12 out since she said she was having issues with her
13 camera. I apologize for what's going on with the
14 ABRA staff.

15 MR. YIRDAW: Not a problem at all, Mr.
16 Chairman.

17 CHAIRPERSON ANDERSON: All right. Let
18 me ask if, I'm sorry, Mr. Tasew, as I stated
19 before, this is an unfortunate incident where it
20 appears that one of your security guards happened
21 to be an innocent bystander and was a victim of a
22 crime that occurred in the vicinity of your
23 establishment. It does not appear that it was
24 because of any specific action on your
25 establishment's part that contributed to the

1 incident that occurred.

2 However, in doing the investigation,
3 there was some concerns regarding your hiring,
4 you hiring security guards that were not licensed
5 to practice to work in the District of Columbia
6 and there were some issues with your cameras. So
7 how many cameras do you currently have in your
8 establishment, sir?

9 MR. TASEW: We have 16 cameras on the
10 establishment.

11 CHAIRPERSON ANDERSON: So you have
12 cameras inside of the establishment and you also
13 have cameras outside the establishment; is that
14 correct?

15 MR. TASEW: Yes. Even on the incident
16 date, we did have a camera outside and inside,
17 and we did give the footage to the inspector or
18 the detective. But the other cameras that wasn't
19 functioning on that day was, like, the storage
20 camera and the basement cameras that was set up
21 downstairs. They weren't functioning on that
22 day. But one set of cameras that gets all over
23 the place was covered.

24 CHAIRPERSON ANDERSON: What is it that
25 is done by you, sir, to ensure that your cameras

1 are always working?

2 MR. YIRDAW: Since the incident, Mr.
3 Chairman, if I may add, we overhauled --

4 CHAIRPERSON ANDERSON: I'm sorry, sir.
5 Just introduce yourself for the record. We have
6 a court reporter.

7 MR. TASEW: Again, manager for Afro
8 Lounge.

9 CHAIRPERSON ANDERSON: And your name.

10 MR. YIRDAW: My name is Ted Yirdaw.
11 Since the incident, we overhauled our entire
12 security camera system to the latest technology,
13 4K, upgraded the storage to 4 terabyte, and we
14 added eight more cameras, so we get a better
15 visual for, you know, inside and outside, most
16 importantly the outside. We only had one camera
17 when the incident happened that showed the front
18 of the entrance way to the establishment, but now
19 we have a camera that shows the entire road, both
20 sides, both angles, both directions essentially.
21 So we've taken these measures because, you know,
22 we saw the need for it.

23 CHAIRPERSON ANDERSON: So you're
24 saying you now have how many cameras, how many
25 cameras do you now have, sir?

1 MR. YIRDAW: Sixteen, sir.

2 CHAIRPERSON ANDERSON: Sixteen?

3 MR. YIRDAW: Yes, sir.

4 CHAIRPERSON ANDERSON: Sixteen. Now,
5 regarding your security, normally, who is your
6 security company? Who provides security for your
7 establishment?

8 MR. YIRDAW: So I want to clarify
9 something here. You know, we don't need
10 security. We were still a restaurant and a bar,
11 but we, you know, we had issues with consistently
12 having employees on staff that would show up to
13 check IDs, especially, you know, when we get
14 busier. So we contracted out a company that, you
15 know, that actually was recommended to us, and,
16 you know, we gave them our requirements to check
17 ID to ABRA regulations, and they would send us a
18 person from the times that we requested and, you
19 know, all our patrons get carded inside upon
20 entry and then their servers, the service team
21 also cards again to verify it. And that's how
22 we've been operating. But, you know, we didn't
23 have any requirement of having a security guard
24 or none of that stuff.

25 CHAIRPERSON ANDERSON: It wasn't that

1 you have a requirement or not. It's that do you
2 have security at your establishment?

3 MR. YIRDAW: We have someone checking
4 IDs at the door, yes.

5 CHAIRPERSON ANDERSON: All right. The
6 person who checks ID, are they an employee of
7 your establishment, or do they provide security?

8 MR. YIRDAW: We contract out from a
9 company to get someone to come here and check IDs
10 for us.

11 CHAIRPERSON ANDERSON: But they're not
12 security, that's what you're saying. That's what
13 I'm trying to get a clarification --

14 MR. YIRDAW: Yes.

15 CHAIRPERSON ANDERSON: Yes, I'm trying
16 to get a clarification is that you have a
17 contractor to check ID, but this person who is
18 checking ID, it is not a security, it's not a
19 security company that you hired to provide
20 security for your facility; is that correct?

21 MR. YIRDAW: Not for security. For
22 checking IDs, yes.

23 CHAIRPERSON ANDERSON: Okay. Okay.
24 So you don't have any, you don't currently have
25 any -- because that's one of the reasons why we

1 have had this hearing is that it was our
2 understanding, and I'm going to ask Ms. Dantzler
3 to talk about it, we were led to believe that the
4 individual who was shot in your establishment was
5 providing security for your establishment, and
6 then it was brought to her attention that the
7 company was not licensed to provide security in
8 the District of Columbia.

9 MR. YIRDAW: We found that out at the
10 same time. The detective was actually the person
11 who told us, hey, did you guys know that this
12 person is not allowed to carry here, and I said
13 carry what? We don't even know that he was
14 carrying because it's a different individual that
15 they send us. We have some regularities, you
16 know, like, oh, so-and-so is coming back here to
17 check IDs, and I said that's absolutely fine.
18 And I've seen it in my previous experience, too,
19 where off-duty officers from Montgomery County or
20 Virginia would come in, check IDs, and make sure
21 everything is all right in the establishment. So
22 that was what our understanding was.

23 Upon, you know, following up with the
24 detective, you know, we said, oh, okay, we
25 understand now, and we explained to him that we

1 needed some consistency in checking IDs at the
2 door and having someone on payroll on our staff
3 was becoming challenging. That's why we had to
4 contract out.

5 CHAIRPERSON ANDERSON: Okay. All
6 right. Ms. Dantzler, can you identify yourself
7 for the record, please? Ms. Dantzler. Ms.
8 Dantzler.

9 MR. YIRDAW: I don't think she's in
10 here anymore. I don't see her.

11 CHAIRPERSON ANDERSON: She is. She's
12 in front of my screen. Ms. Dantzler.

13 (Simultaneous speaking.)

14 CHAIRPERSON ANDERSON: What did you
15 say, sir? Did you say something, sir?

16 MR. YIRDAW: I did. I said maybe she
17 has the speakers muted so she can't hear us.
18 Maybe you can type it for her.

19 CHAIRPERSON ANDERSON: Anyway, any
20 questions, any questions of the licensee by the
21 Board members? Go ahead, Mr. Short.

22 MEMBER SHORT: Good morning,
23 gentlemen. How are you?

24 MR. YIRDAW: Good morning, sir.

25 MR. TASEW: How you doing?

1 MEMBER SHORT: Thank you for taking
2 time to come down to explain to us what occurred.

3 MR. YIRDAW: The least we could do,
4 sir.

5 MEMBER SHORT: Oh, okay. Well, thank
6 you for being so obliging. Just for my
7 edification, I read some reports that were put in
8 and saw some information. Can you tell me
9 exactly why you think you're here today before
10 the Board, starting with the night that the
11 shooting occurred?

12 MR. YIRDAW: Well, it's my
13 understanding that, you know, the incident
14 happened outside of our establishment and an
15 investigation happened, and we're discussing what
16 the final findings of the investigation is and
17 how we can better, you know, run the
18 establishment in terms of having more security
19 cameras and such.

20 MEMBER SHORT: Okay. Well, I
21 understand that. I heard your responses to our
22 Chairman Anderson, and you're saying that the
23 person that was shot was working for you; is that
24 correct?

25 MR. YIRDAW: Was working for the

1 company that we contracted, sir.

2 MEMBER SHORT: Well, was working for
3 your establishment to check for IDs at your
4 establishment, correct?

5 MR. YIRDAW: Yes, sir. Yes, sir.

6 MEMBER SHORT: So, indirectly, you
7 were hiring that person.

8 MR. YIRDAW: Absolutely, that's
9 correct.

10 MEMBER SHORT: So the person was
11 armed; is that correct?

12 MR. YIRDAW: I'm sorry?

13 MEMBER SHORT: Was the person armed?

14 MR. YIRDAW: Yes. The detective told
15 us that he was armed, yes.

16 MEMBER SHORT: Okay. So we know what
17 happened. Can you just say for my edification as
18 a Board member what are you going to do about
19 checking IDs from now on or any other security
20 issues you may have while you're operating your
21 establishment?

22 MR. YIRDAW: So we have a person
23 checking ID that's hired that has a schedule.
24 That's what we're doing. We have --

25 MEMBER SHORT: Is that person trained

1 to check IDs? And if he is trained, trained by
2 whom?

3 MR. YIRDAW: We'd have to check with
4 him again. We go with the --

5 MEMBER SHORT: I don't mean to rush,
6 but I don't want to belabor this. If you don't
7 know or didn't know, the last person didn't have
8 any training or had a weapon, and now you're
9 saying you have a new person who is going to be
10 doing the same thing and you don't have any idea
11 if they've been trained to check IDs.

12 MR. YIRDAW: No, sir. So it's my
13 understanding that we follow the ABRA, the D.C.
14 ABRA booklet that shows all the IDs from all over
15 the states and international IDs.

16 MEMBER SHORT: Let me say this to you:
17 by reading a book, it's just like a driver's
18 license, you can't get a driver's license by
19 reading a book, but you had to go down and take a
20 test, right? You had to prove that you knew what
21 you're talking about. So how would this, how
22 would any ABRA investigator know this person
23 checking your IDs knows anything about IDs, other
24 than looking in a book?

25 MR. YIRDAW: Well, Mr. Short, we are

1 open to any suggestions, any recommendations.

2 MEMBER SHORT: How about training?
3 Would you be willing to come in and have some
4 training?

5 MR. YIRDAW: Absolutely.

6 MR. TASEW: Yes.

7 MEMBER SHORT: In fact, in light of
8 what happened and the dangerous situation that
9 you're employees and you and everyone there was
10 placed with that night, maybe it would be good to
11 have your whole staff trained regarding incidents
12 of people doing harm or illegal crimes in or
13 around your establishment. Do you think that
14 would help?

15 MR. YIRDAW: I don't see why not.

16 MEMBER SHORT: Well, we can't make you
17 do it or require you to do anything, but training
18 for your staff and for yourselves might help you
19 understand a little better what the investigators
20 are looking for when they come out to your
21 establishment, so you can work with them and help
22 yourself and help ABRA to have a very safe
23 business there on Georgia Avenue.

24 MR. YIRDAW: Absolutely, Mr. Short.
25 I mean, for staff, we do the TIPS training that

1 is offered, you know, to better serve our patrons
2 and everything around us. If there's any other
3 training that's available, we're willing to do
4 it.

5 MEMBER SHORT: ID training especially
6 is offered by ABRA. Did you know that?

7 MR. YIRDAW: I had no idea, sir. No,
8 sir.

9 MEMBER SHORT: No idea. Okay. Well,
10 maybe when you come in to ABRA yourself as a
11 security person and the owner, you would know
12 because if you don't know how can you tell a
13 person you're hiring what to do?

14 MR. YIRDAW: Okay. You're correct.

15 MEMBER SHORT: Maybe you need to
16 enlist in some of the training in ABRA, and
17 hopefully that won't cause you anything but great
18 things to happen for your business.

19 MR. YIRDAW: Absolutely. I agree.

20 MEMBER SHORT: Thank you, Mr. Chair.
21 That's all I have.

22 CHAIRPERSON ANDERSON: Thank you, Mr.
23 Short. Any other questions by any other Board
24 members?

25 MEMBER GRANDIS: Mr. Chairman.

1 CHAIRPERSON ANDERSON: Go ahead, Mr.
2 Grandis.

3 MEMBER GRANDIS: I don't know if
4 Investigation Dantzler is able to answer your
5 questions, but I have some questions for her, but
6 do you want to go back to her first to see, to
7 get it back into sequence of letting the
8 investigator speak, or how do you want to
9 proceed?

10 CHAIRPERSON ANDERSON: Ms. Dantzler.
11 I can't really hear you, Ms. Dantzler, for you to
12 participate in this hearing.

13 MS. DANTZLER: Okay. I've changed
14 locations. There's, obviously, some sort of
15 connectivity issues. I see myself moving
16 intermittently, so I have no control over that.
17 I can try to present.

18 CHAIRPERSON ANDERSON: Ms. Dantzler.

19 MS. DANTZLER: Yes.

20 CHAIRPERSON ANDERSON: Please state
21 your name for the record, please.

22 MS. DANTZLER: My name is Felicia
23 Dantzler.

24 CHAIRPERSON ANDERSON: And where are
25 you currently employed?

1 MS. DANTZLER: I'm sorry. Repeat.

2 CHAIRPERSON ANDERSON: I said where
3 are you currently employed, ma'am?

4 MS. DANTZLER: I'm currently employed
5 with Alcoholic Beverage Regulation
6 Administration.

7 CHAIRPERSON ANDERSON: And we're here
8 at a fact-finding hearing regarding the Afro
9 Lounge. What, if anything, do you know about the
10 incident that occurred at this establishment in
11 March of '23?

12 MS. DANTZLER: On Saturday, December
13 24th, which was Christmas Eve 2022, my supervisor
14 investigator Margaret Shears alerted me to a
15 shooting that had occurred at Afro Lounge and
16 instructed me to go to the location. At
17 approximately 1:00 in the morning or so, Margaret
18 Shears and myself arrived at Afro Lounge and
19 learned that the area was cordoned off with tape,
20 police tape, as well as (audio interference)
21 scout cars. We made our identifications known to
22 the police officers, and there we learned that a
23 security guard working for the establishment was
24 shot and killed and his body was still on the
25 scene.

1 So as Officer Shears and myself waited
2 a while to see if we can interview any of the
3 witnesses that were at the establishment, we were
4 unable. Approximately an hour later, around 2:30
5 in the morning, I returned to Afro Lounge and
6 observed the same restrictions with the streets
7 and learned that the scene was still active with
8 police investigation. And so on the night of the
9 incident, I was unable to do any interviews.

10 Upon my return to work the next night,
11 I visited the establishment around 8:05. I found
12 the establishment closed. However, I saw two
13 individuals inside the establishment. I made eye
14 contact with who I later learned was Tasew
15 Beniam. He came to the door and identified
16 himself and one of the owners. I identified
17 myself to him. I'm sorry. I identified myself
18 to Mr. Beniam and told him that I was there to do
19 an inspection and to speak with him about what
20 they learned about the shooting. From Mr.
21 Beniam, I understand that the decedent did work
22 for a security company, that he was sitting
23 inside the establishment, there were
24 approximately 12 or 13 patrons inside. The
25 decedent saw through the window that there were

1 some patrons who were coming to the
2 establishment, so he went outside to greet them
3 and to do his identification checks. And almost
4 soon thereafter, Mr. Beniam stated that he had
5 heard between 20 and 30 rounds of gunfire
6 outside.

7 Once everything settled, at that time
8 is when they learned that the decedent security
9 guard was hit by gunfire. Mr. Beniam shared that
10 usually there's a police officer in the block and
11 there was a police officer who was immediately on
12 the scene.

13 So I did ask about the video
14 equipment, to which I learned that the
15 establishment had eight cameras installed.
16 However, only six cameras were working. But I
17 didn't have -- I did a regulatory inspection, and
18 no additional ABRA violations were found.

19 I went on with my investigation on
20 January the 4th and spoke with two homicide
21 detectives, Detective Pavaro and Detective
22 Brador, to which I learned that their
23 investigation revealed that the victim, the
24 victims, should I say, were really in the wrong
25 place at the wrong time and that their

1 intelligence showed that there is a gang that's
2 in the area and that Manny & Olga seems to be
3 focal point of where this activity tends to be
4 and that they do believe that the security
5 officer was not, nor was the establishment, the
6 target of the gunfire. They were just
7 unfortunately in the wrong place at the wrong
8 time.

9 I also learned that the name of the
10 security company is called Black Label, and I
11 believe they're out of Maryland. I checked with
12 the security officer's management branch to see
13 if this security company is registered in the
14 District of Columbia and learned that they are
15 not registered to do business in D.C. I also
16 learned that Afro Lounge doesn't have a
17 settlement agreement, nor a security claim. And
18 I have no further initial testimony.

19 CHAIRPERSON ANDERSON: Ms. Dantzler,
20 can you turn your video off now and let me see if
21 the audio --

22 MS. DANTZLER: Okay.

23 CHAIRPERSON ANDERSON: Ms. Dantzler.

24 MS. DANTZLER: Yes.

25 CHAIRPERSON ANDERSON: Were there any

1 ABRA violations?

2 MS. DANTZLER: I did learn that there
3 is an ABRA violation. Because the establishment
4 is not required to have security cameras because
5 they're not a nightclub and there's no Board
6 order that I found that they need security
7 cameras, they fell into the scope of having a
8 violation because they voluntarily installed
9 security cameras, so they're governed by the
10 regulation.

11 CHAIRPERSON ANDERSON: But there's no,
12 but you didn't charge them with an ABRA violation
13 because there was no requirement for them to have
14 a security plan or there's no settlement
15 agreement, there's no security plan, so, as far
16 as the agency is concerned, there's no
17 requirement for them to have security or cameras;
18 isn't that correct?

19 MS. DANTZLER: Yes, because of that,
20 yes, but voluntarily installing them still puts
21 them at the requirements to operate, have
22 operational cameras.

23 CHAIRPERSON ANDERSON: I find that, if
24 someone volunteers to do something, that we're
25 going to say that we're going to fine them with a

1 violation because there's no requirement by law,
2 statute, for them to have cameras. But I will --
3 but I just want to, in your report, you did not
4 find a violation in the report that you wrote; is
5 that correct?

6 MS. DANTZLER: That's correct.

7 CHAIRPERSON ANDERSON: All right.

8 Now, did you hear the testimony where Mr. Beniam,
9 what's your role again at the establishment?

10 MR. TASEW: Afro Lounge.

11 CHAIRPERSON ANDERSON: No, no, I'm
12 sorry. Is he the general manager, the other --

13 MR. YIRDAW: Manager.

14 MR. TASEW: Manager.

15 CHAIRPERSON ANDERSON: Manager. Okay.
16 And your name again, sir?

17 MR. YIRDAW: Ted, Ted Yirdaw.

18 CHAIRPERSON ANDERSON: Mr. Yirdaw.

19 Now, Ms. Dantzler, did you hear what Mr. Yirdaw
20 said, that the person who was at the door was not
21 providing security. Why is that you're saying
22 that this was a security guard providing
23 security?

24 MR. TASEW: I'm sorry. Can you repeat
25 that?

1 CHAIRPERSON ANDERSON: Not you, sir.
2 I'm asking Ms. Dantzler.

3 MS. DANTZLER: Well, I didn't hear the
4 applicant --

5 CHAIRPERSON ANDERSON: The
6 representation that was made by the establishment
7 is that the person, that the person that you're
8 stating is a security, their job was only to
9 check IDs, they did not provide security. So I
10 guess what I'm trying to find out, the fact
11 you're saying that the security company was not
12 licensed in the District of Columbia, but if
13 they're not required to provide security by a
14 settlement agreement or a security plan and, as
15 represented by them, the person was not working
16 as a security guard, so explain that to me then.

17 MS. DANTZLER: Well, my notes came
18 less than, my actual face-to-face meeting with
19 Mr. Beniam came less than 24 hours after the
20 shooting. And those notes were contemporaneous
21 to the incident, so I'll leave it up to the Board
22 to determine credibility as to which statements
23 are factual.

24 CHAIRPERSON ANDERSON: No, I'm not
25 asking, it's not credibility. I'm asking he said

1 that the person was just providing, the person
2 was -- and I'm just trying to get clarification
3 from your perspective. They're saying that the -
4 - and you are correct that there's no security
5 plan, there's no settlement agreement.

6 Let me ask you a question. Is the
7 Afro Lounge, as far as ABRA is concerned, are
8 they required to have security? Are you aware of
9 any rules or regulation that this establishment
10 is required to have security?

11 MS. DANTZLER: Our regulations does
12 not require a restaurant to have --

13 CHAIRPERSON ANDERSON: All right. So
14 because they're a restaurant and there's no
15 settlement agreement and there's no security
16 plan, they're not required to have security; is
17 that correct?

18 MS. DANTZLER: Correct.

19 CHAIRPERSON ANDERSON: But you're
20 saying that, at least in your report, were you
21 told by the establishment that the individual who
22 was shot, that that individual was providing
23 security for the establishment?

24 MS. DANTZLER: Yes, sir.

25 CHAIRPERSON ANDERSON: Okay. All

1 right. All right. Thank you. Mr. Grandis, you
2 said you have some questions for Ms. Dantzler.

3 MEMBER GRANDIS: And, Mr. Chairman, I
4 want to thank you for getting back to me.

5 Investigator Dantzler, thank you for your
6 presentation. To me, this is sort of like an
7 onion that has several layers that somewhat may
8 not really involve the licensee, but,

9 unfortunately, based on what happened, it seems
10 to drag the licensee in. That's how, you know,

11 to me, there's like an onion here with several

12 layers. And then trying to peel this, for me, I

13 know you've stated in your presentation that

14 there was no relationship between the person

15 hired to do the door check and the shooting, but

16 could you go back to your report that you

17 submitted, the investigator report, to page two

18 at the bottom and that paragraph starting on

19 Wednesday, January 4th, 2023? Could you just

20 read that paragraph starting with on Wednesday,

21 January 4th, 2023, just to, I think, help me

22 understand what you learned about the individual

23 who was shot?

24 MS. DANTZLER: Certainly. On

25 Wednesday, January 4th, 2023, (audio

1 interference) spoke with MPD homicide detectives
2 Michael Pavaro and Brian Brador and learned that
3 their investigation revealed there were no
4 physical or verbal altercations inside Afro
5 Lounge prior to the shooting. Detective Brador
6 stated that their intelligence show a gang named
7 the Rock Creek Church Road Gang hung out at Manny
8 & Olga's, an eatery only a few doors away from
9 Afro Lounge. MPD believed the decedent and
10 patrons were in the wrong place at the wrong time
11 when the gunmen (possible rival gang members)
12 fired multiple rounds in the block, striking not
13 only people but damaging several properties,
14 including Manny & Olga's property.

15 MEMBER GRANDIS: Thank you, thank you.
16 Okay. So if the person who was looking at
17 people's ID was not actually hired by the
18 establishment that evening but happened just to
19 be in that area where this unfortunate shooting
20 occurred, we wouldn't even be discussing a
21 shooting incident, would we?

22 MS. DANTZLER: Correct.

23 MEMBER GRANDIS: Okay. So it looks
24 like, in my view, that the establishment maybe
25 has brought some confusion to at least this

1 presentation because they didn't use their own
2 employee staff member to do door check, which
3 they could do if that was their business model.
4 But they went to a security company to hire
5 someone not to provide security but just to do
6 door check. So to me, that brings confusion in.
7 Would you agree that, if they had been using a
8 staff member, that there would not be a
9 discussion about a security company?

10 MS. DANTZLER: Correct. And I'm not
11 confused.

12 MEMBER GRANDIS: But I thought we had
13 information that the establishment hired this
14 person simply to do carding, make sure people
15 were of a certain age to go in there. Am I
16 incorrect on that?

17 MS. DANTZLER: You're not.

18 MEMBER GRANDIS: Okay. So it seems
19 like another layer is these cameras. And as our
20 Chairman has stated, there was no Board order,
21 there was no agreement, settlement agreement, and
22 there was no offer by the licensee to even
23 install cameras, so the camera issue is important
24 to us but it's not really a violation because
25 there was no requirement to have cameras,

1 correct?

2 MS. DANTZLER: I only agree to the
3 word required, but our language speaks to those
4 licensees who voluntarily install cameras. Their
5 responsibility is not removed simply because the
6 word required is not there for them. If you
7 voluntarily install the cameras, you are to honor
8 all the requirements of having the installation
9 and the operation of those cameras, the
10 functionality of it.

11 MEMBER GRANDIS: Investigator
12 Dantzler, I think I have a reputation of being
13 concerned that cameras be operating, but it is
14 sort of confusing to me that we would be
15 punishing a licensee who is not required to do
16 something other than providing a warning to say,
17 look, if you're going to have cameras, here are
18 the rules under our cameras. But it doesn't seem
19 like that is an encouragement to install cameras
20 if we're going to cite them for having something
21 that actually is beneficial but is not required.
22 And I do agree with you these cameras should be
23 working, but I think that it should be in
24 relationship that explains to them, you know,
25 would you let us come in and see where your

1 cameras are, would you let us help you with how
2 they should be focused to get the right type of
3 information that the licensee would benefit from,
4 as well as the investigator.

5 So are we here because of this
6 unfortunate circumstance that someone gets killed
7 that happens to be working for them that evening,
8 or are we here for the cameras? Are we here for
9 -- what do you think, what's the purpose of them
10 being here today, Ms. Dantzler?

11 MS. DANTZLER: We are here because,
12 unfortunately, of the death of the security
13 person, which shed light that the establishment
14 has cameras installed. They have eight, and six
15 of the cameras were working.

16 What I hope not to happen is that
17 someone, a licensee who voluntarily installs
18 cameras are penalized for a voluntary act to
19 improve his operations and transparency. I'm the
20 messenger. The law is written as it is.

21 MEMBER GRANDIS: Yes.

22 MS. DANTZLER: And you guys are the
23 trier of facts.

24 MEMBER GRANDIS: Yes.

25 MS. DANTZLER: I'm going to rely on

1 you guys --

2 MEMBER GRANDIS: Ms. Dantzler, I
3 appreciate what you've brought today, and I think
4 your information is very helpful to us. So this
5 is not about a concern I have with the
6 investigation, but I think that, if they had used
7 their own employee, that would have taken away
8 the whole conversation about security or not
9 security. But I do think they complicated this
10 by going to a security company, which, quite
11 frankly, under their current license, they're not
12 even required to do. But perhaps they can solve
13 the problem by making sure that the cameras they
14 have now, that they say now are 16 I think I
15 heard them testify, that they invite the ABRA
16 investigating staff to come in and make sure
17 they're focused right.

18 So, you know, I just think, like you
19 read, it's unfortunate that there seems to be
20 people who got harmed or murdered that just
21 happened to be in the wrong place at the wrong
22 time. So like I say, I really think that this
23 individual who got murdered should not cause a
24 problem for this licensee, other than to learn
25 from this situation on what kind of person they

1 should be using for checking ID, as opposed to
2 doing security, because they're very different
3 processes.

4 Mr. Chairman, I want to thank you for
5 letting me try to peel this onion back because I
6 think it's a very complicated situation. Thank
7 you.

8 CHAIRPERSON ANDERSON: Thank you, Mr.
9 Grandis. Any other questions by any other Board
10 members?

11 MS. DANTZLER: May I answer to Mr.
12 Grandis's last statements?

13 CHAIRPERSON ANDERSON: That's not
14 required, Ms. Dantzler. There's no need for you
15 to respond. Thank you.

16 Mr. Tasew, as you're aware, we've been
17 talking a lot about cameras. You're not required
18 to have cameras. You have now put on the record
19 that you do have 16 operating cameras in your
20 establishment. Would you agree for our
21 enforcement division to come to your
22 establishment and look at the placement of
23 cameras to make sure that you do not have any
24 blind spots either in the establishment or in
25 front of the establishment, sir?

1 MR. TASEW: Yes, we'll definitely do
2 it. We can schedule one of the days --

3 CHAIRPERSON ANDERSON: I'm sorry.
4 What did you say, sir? I can't --

5 MR. TASEW: Yes. We can schedule a
6 day they can come, you know, and check the
7 cameras any time they want.

8 CHAIRPERSON ANDERSON: All right.
9 Fine. So we'll have enforcement come out and
10 look at your camera placement to ensure that, at
11 least, you're not required to have cameras but,
12 since you have informed us so and because of the
13 incident that occurred, the unfortunate incident,
14 it appears that, since you have cameras, there
15 are some areas that are not properly covered. So
16 we will, you're agreeing for us to do that.

17 Now, I just want the record to be
18 clear, do you employ, do you hire security at
19 your establishment, sir?

20 MR. TASEW: I'm sorry. Do we hire
21 security?

22 CHAIRPERSON ANDERSON: Yes.

23 MR. TASEW: No, we don't need a
24 security. We just hire somebody that checks ID
25 for us --

1 CHAIRPERSON ANDERSON: I'm asking a
2 different question. It's your representation
3 that you do not hire outside security for your
4 establishment; is that correct?

5 MR. TASEW: Yes, sir.

6 CHAIRPERSON ANDERSON: That the person
7 who's at the door, they are not working in a
8 security capacity. Their only job is to check
9 IDs; is that your representation, sir?

10 MR. TASEW: Yes.

11 CHAIRPERSON ANDERSON: And as an FYI,
12 there is a requirement within the District of
13 Columbia that, if you are hiring security, that
14 security company must be licensed to practice
15 security in the District of Columbia. So I'm now
16 notifying you that, if you are hiring any
17 security company within the District of Columbia,
18 that company must be licensed by D.C. to provide
19 security.

20 MR. TASEW: Okay.

21 CHAIRPERSON ANDERSON: You heard the
22 statements by the investigator. Is there any
23 questions that you want to ask of the
24 investigator based on the reading of her report,
25 sir?

1 MR. TASEW: You got a question?

2 MR. YIRDAW: No question. If I may
3 add anything -- again, my name is Ted, Ted
4 Yirdaw, manager at Afro Lounge. We did sign up
5 with the MPD's service detail. That's one that I
6 want to add. And we've been speaking with Brenda
7 Smith with the MPD, but it's been very hard
8 getting a detail out here because of scheduling
9 and how the MPD's stretched thin essentially.

10 Also, I've been looking at the best
11 practices for nightlife establishment guidelines,
12 but, even though we're not, you know, just to see
13 what other things that we could do to better, you
14 know, protect ourselves and our patrons. I want
15 to look into Mr. Short's suggestion on training
16 to check ID, and we want to make sure that all
17 our staff is going to be trained on that. And if
18 there's anything else that you guys recommend, we
19 are more than willing to go about it.

20 CHAIRPERSON ANDERSON: Now, let me ask
21 you a question. You have a licensed restaurant.

22 MR. YIRDAW: Yes, sir.

23 CHAIRPERSON ANDERSON: So what are
24 your hours of operation?

25 MR. YIRDAW: We open at 4:00, and we

1 stay until midnight - one on weekdays, and then
2 Friday and Saturdays we stay open until one or
3 two.

4 CHAIRPERSON ANDERSON: So you close
5 at, so you close at -- so what happens, you close
6 at two, so when is it, what time do you close
7 your kitchen?

8 MR. YIRDAW: We stay open.

9 CHAIRPERSON ANDERSON: So your kitchen
10 is open until two.

11 MR. YIRDAW: Yes, sir.

12 CHAIRPERSON ANDERSON: So tell me what
13 does your late night activity look like?

14 MR. YIRDAW: It's mostly, you know,
15 it's relaxing, laid-back vibes where people come
16 in, grab wings and a beer, wine, champagne. We
17 have plenty of appetizers and snacks for people
18 that have been out, you know, on a high-paced or
19 a fast activity, bars. They'll come in and the
20 music that we play is Afrobeat music, so it's
21 more common conversation. It's more of a date
22 night and friends hanging out having a
23 conversation.

24 CHAIRPERSON ANDERSON: Do you have,
25 like, a dance floor anything like that?

1 MR. YIRDAW: Not necessarily a dance
2 floor, but, I mean, you can dance anywhere.

3 CHAIRPERSON ANDERSON: I know, but I'm
4 just --

5 MR. YIRDAW: It's a very tight space,
6 sir, Mr. Chairman, so it's not that much of a
7 dance floor.

8 CHAIRPERSON ANDERSON: What's the
9 capacity on your license?

10 MR. YIRDAW: I got to look at it.
11 Luckily, we're here. Yes, actually 40.

12 CHAIRPERSON ANDERSON: Forty? So how
13 do you come up with -- anyway, I'll leave that
14 line of questions alone, okay. So the capacity
15 is 40. All right.

16 MR. YIRDAW: We're a very small space.

17 CHAIRPERSON ANDERSON: All right.
18 Thank you. Any other questions by any other
19 Board members based on the questions that I
20 asked? Any questions by any Board members?

21 All right. Mr. Tasew, I know that the
22 only agreement that we have here today is that
23 you have agreed for the agency to do a
24 walkthrough to look at your camera placement, and
25 so, therefore, we will follow-up with you to have

1 that done.

2 As I stated before the fact-finding
3 hearing, we're just trying to gather information.
4 And the Board will think about what the next
5 steps are in this case. Basically, the two
6 options are no further action or, if we believe
7 that some type of violation occurred, then we
8 will refer this -- yes, Mr. Short?

9 MEMBER SHORT: I thought that the
10 licensee had agreed to training, and you didn't
11 state that in your last official because what you
12 said is official on the record. They agreed that
13 they would come to ABRA for training. Is that
14 going to be a part of what they agreed, be a part
15 of what your statement was?

16 CHAIRPERSON ANDERSON: Mr. Tasew, is
17 that something that you're agreeing that your
18 establishment will come into the agency to
19 participate in the next training that's available
20 for your establishment, sir?

21 MR. TASEW: Yes, definitely.

22 CHAIRPERSON ANDERSON: All right. So
23 we will provide information to you regarding the
24 next scheduled training and that you have agreed
25 that you will participate. So the two agreements

1 that we have, you'll participate in the training
2 regarding, basically, the operation in the sense
3 of IDs and best practices to operate your
4 establishment, and also that the agency will do a
5 walkthrough of the establishment to look at
6 camera placement.

7 Okay. So as I stated before, we will
8 make a decision. Whatever decision we make, you
9 have agreed to the walkthrough and the training,
10 and we will decide if there is either no further
11 action or whether or not we believe that we will
12 refer this matter to the Office of Attorney
13 General for further action.

14 But I want to thank you for your
15 participation in this hearing today. And if you
16 have no other questions, have a great day.

17 MR. YIRDAW: You, too, Mr. Chairman.
18 You folks have a wonderful day.

19 CHAIRPERSON ANDERSON: All right.
20 Thank you.

21 That was the last matter on our
22 agenda. I believe we have our -- I'm sorry.
23 That's the last item on our calendar for this
24 morning. It's 12:32. Our agendas are very long.
25 This afternoon, we're only going to have, we're

1 going to have one hearing this afternoon at 1:30.
2 By show of hands, does the Board wish to go to
3 lunch at this moment, or do they want me to do
4 the agenda items, which is going to be elongated,
5 or should we just address the agendas after our
6 1:30 hearing?

7 MEMBER CROCKETT: It will probably be
8 evening by then, but yes.

9 CHAIRPERSON ANDERSON: I'm sorry.
10 What did you say, Miss --

11 MEMBER CROCKETT: When you do the
12 agendas in what's likely to be the evening by
13 then, but yes.

14 CHAIRPERSON ANDERSON: No. The
15 hearing at 1:30 is going to be a short hearing.

16 MEMBER CROCKETT: Okay. Yes, we can
17 do them in the afternoon.

18 CHAIRPERSON ANDERSON: All right. So
19 what we'll do is that we'll take a lunch break
20 and we'll ask -- so we're adjourned for the
21 morning, so we'll take a lunch break. I'll ask
22 all Board members to come back at 1:15 to join
23 executive, and we'll come back for the public
24 hearing at 1:30. And we only have one hearing
25 this afternoon, which is a civil infraction. I'm

1 sorry, it's a civil penalty rulemaking. That's
2 the only hearing that we have this afternoon, and
3 that should be relatively short.

4 Okay. All right. So we are in recess
5 until the Executive Committee at 1:30, and the
6 public hearing at -- I'm sorry. Executive
7 Committee at 1:15 and the public hearing at 1:30.
8 Have a great morning. Thank you very much.

9 (Whereupon, the above-entitled matter
10 went off the record at 12:34 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Afro Lounge

Before: DC ABRA

Date: 03-01-23

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.



Court Reporter

NEAL R. GROSS

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