

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
 :
DC Market, Inc., :
t/a DC Food Market :
2200 16th Street SE : Protest
Retailer B - ANC 8A : Hearing
License #106962 :
Case # 23 PRO 00096 :
 :
(Application to renew :
the license.) :
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Thursday
March 21, 2024

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, JR., Member
JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff
MONTINAS BUTLER, Witness
INVESTIGATOR FELICIA DANTZLER, DC ABCA
EPHRAME KASSAYE, Applicant
ALEC METZ, Witness
INVESTIGATOR JERRITA MILLINGTON, DC ABCA
LANEICE MOORE, ANC 8A
EMANUEL MPRAS, Applicant=s Counsel
PATRICK O'KEEFE, Protestant
KESHA PENDERGRAST, Witness
JAMILA WHITE, ANC 8A

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

2 10:00 a.m.

3 CHAIRPERSON ANDERSON: Good morning,
4 as Chairperson of the Alcoholic Beverage and
5 Cannabis Board for the District of Columbia and
6 in accordance with D.C. Code section 2571 -- off
7 the Open Meetings Act, OMA, I am welcoming you to
8 the regular scheduled meeting of the Alcoholic
9 Beverage and Cannabis Board.

10 This meeting is being conducted
11 pursuant to guidance made available by the
12 District of Columbia's Office of Open Government
13 regarding electronic meetings held by public
14 bodies. Electronic meetings by the ABC Board are
15 authorized pursuant to section 2577a of the D.C.
16 Code. Pursuant to the OMA requirements, notice
17 of today's meeting was provided 48 hours in
18 advance of the meeting on ACBA's website and on
19 the District's central meeting calendar. The
20 notice includes the time, date, agenda, and call
21 in or log in information for public
22 participation. This electronic meeting is being
23 hosted by a WEBX account provided by the District
24 of Columbia Government. Please address any
25 questions or complaints to the OOG at

1 opengovoffice@dc.gov.

2 My name is Donovan Anderson, I'm
3 Chairperson of the Board, I would like to
4 introduce the other members of the ABC Board who
5 are also participating electronically. Please
6 respond when I announce your name. Mr. James
7 Short?

8 MEMBER SHORT: James Short, present.

9 CHAIRPERSON ANDERSON: Mr. Silas
10 Grant?

11 MEMBER GRANT: Mr. Silas Grant,
12 present.

13 CHAIRPERSON ANDERSON: The Board has
14 three members for the attendance and their
15 conduct of business today and that constitutes a
16 quorum. Before we get underway with today's
17 hearing calendar, I need to make a few
18 instructions very clear so that the context of
19 these hearings are understood by everyone. There
20 are two cases scheduled on this day's calendar.
21 Once your case is called, I will take a moment
22 for IT specialist to elevate the right for each
23 party to enable their camera and microphone.
24 Then and only then will you have the ability to
25 enable your equipment. If your case is not being

1 heard, you will remain mute and your cameras will
2 be disabled.

3 At the conclusion of each case, the
4 parties will have the option to leave. If the
5 party chooses to stay, all cameras and
6 microphones for the concluded case will be
7 disabled. Should you have any questions or
8 required technical assistance during the hearing,
9 please submit them using the question and answer
10 feature.

11 Our first case this morning, it's a
12 protest hearing, Case number 23 PRO 00096, D.C.
13 Food Market license number 106962. Good morning,
14 Mr. Orellana. Can you please elevate the rights
15 of the licensee and the protestant?

16 MR. ORELLANA: Sure thing, good
17 morning. Commissioner Moore, your access has
18 been elevated, Emanuel Mpras, your access has
19 been elevated, Ephrame Kassaye, your access has
20 been elevated, and the Lead Investigator Felicia
21 Dantzler, your access has been elevated,
22 Investigator Jerrita Millington, your access has
23 been elevated, Kesha Pendergrast, your access has
24 been elevated, and Patrick O'Keefe, your access
25 has been elevated. That is all, Chairman.

1 CHAIRPERSON ANDERSON: All right, I'm
2 not sure if all the parties who have been
3 elevated if they're here for D.C. Food Market,
4 and so I'll get some clarification later on to
5 see who's here for D.C. Food Market. However, I
6 would like everyone to turn their camera on.

7 MS. MOORE: There we go, good morning.

8 CHAIRPERSON ANDERSON: Good morning.
9 I can't see you ma'am, but I hear you, I think
10 that's Commissioner Moore. So I ask that if you
11 have a camera, please turn it on?

12 MS. MOORE: Yes, I was trying to get
13 the -- hold on.

14 CHAIRPERSON ANDERSON: You can mute
15 your phone.

16 MS. MOORE: Yes sir, hold on. Hi,
17 good morning. Wait a minute -- okay.

18 CHAIRPERSON ANDERSON: All right, yes
19 ma'am, you can put your -- I would like everyone
20 to mute your phone, and please only unmute your
21 phone when you are speaking.

22 All right, good morning everyone.
23 This matter comes before the Board as a protest
24 on the application to renew a license held by
25 D.C. Market Inc., trade name D.C. Food Market,

1 retailer class D license number ABR 106962,
2 located at 2200 16th Street, South East. By way
3 of background, the Board's record reflects the
4 following. The license application was placarded
5 on October 20, 2023. A group of five or more
6 residents represented by Patrick O'Keefe filed a
7 protest on November 27, 2023. The protestants
8 were granted stand-in at a roll call hearing held
9 on December 26, 2023.

10 I also want the record to reflect that
11 there have been several pleadings filed,
12 specifically three motions filed by the
13 Applicant, and all were denied by the Board.
14 Applicant's motion to dismiss a protest denied in
15 Board Order 2024-017, Applicant's motion to stay
16 denied in Board Order number 2024-064, and
17 Applicant's motion to strike denied in Board
18 Order 2024-137. Additionally, the District of
19 Columbia Court of Appeals issued its order on
20 March 18, 2024, dismissing the Applicant's
21 petition for review. The Court held that it
22 lacked jurisdiction because the Applicant's
23 appeal had been taken from none final and none
24 appealable orders.

25 With all that said, this is the first

1 of two hearings scheduled for today. I make this
2 point because it is the Board's intention to
3 manage this hearing in the most efficient way
4 possible in order to move both hearings today.
5 Now then, we're not aware of any progress made
6 during mediation, and that is purposeful.
7 Mediations are strictly confidential, and so that
8 parties can fully and openly discuss the
9 possibility of settlement. That said, are there
10 any areas where the parties are willing to
11 stipulate? Meaning that this is a Class B and
12 this is a protest hearing to renew the license,
13 and so let me ask the protestants, is the
14 protestants -- are they asking the Board not to
15 renew the license or is the protestant asking the
16 Board to renew the license with conditions? Mr.
17 O'Keefe?

18 Mr. O'KEEFE: Well at this time we
19 haven't entered into a settlement agreement, so I
20 assume that would mean to now renew the license.

21 CHAIRPERSON ANDERSON: No, but I'm
22 asking a different question Mr., you say -- are
23 there any areas that we can agree to? What I'm
24 asking is, we are here today because of course
25 there was no settlement, but I'm saying are there

1 areas that the parties can agree?

2 So I'm not asking you to tell me
3 something you're uncomfortable with, but if say,
4 for example if it was the protestants' position
5 that okay, the license can be renewed, however we
6 want the Board to impose these conditions and
7 then we could truncate the hearing and just say
8 okay, fine, we'll renew the license, and then we
9 would listen to testimony to see areas where the
10 protestants have some disagreement and on those
11 issues, then the Board would make a determination
12 whether or not it will add conditions to the
13 license, or it's not going to add any conditions
14 to the license.

15 Or if the Protestant says, you know,
16 our position currently is that we do not want the
17 license to be renewed, and so therefore we're
18 prepared to present testimony and evidence that
19 the license should not be protested. I was just
20 asking for clarification. And I'm not forcing
21 you to make any decisions, I'm just presenting
22 that from that perspective.

23 MR. O'KEEFE: I appreciate the
24 additional explanation. In the scenario where
25 it's renewed with conditions, how does that work?

1 In terms of the proceedings today, following this
2 hearing, I'm not familiar with how that actually
3 works logistically.

4 CHAIRPERSON ANDERSON: This is how we
5 would do. The Board would say okay fine, we're
6 going to renew the license and then the
7 Protestant would present evidence why they
8 believe conditions should be attached to the
9 renewal. So we could truncate the hearing and it
10 would not necessarily be a full day hearing, and
11 so you could call whatever witnesses that you
12 want to call and it would be just on that
13 particular issue, to say that we believe that
14 these conditions need to be attached to the
15 license, and you're going to present evidence why
16 conditions should be attached.

17 Of course the licensee can say -- the
18 Applicant can say, we disagree, there should be
19 no conditions attached to the renewal, or you
20 could state what the conditions that you want
21 attached to the license, and if the licensee
22 agrees to it, we could renew the license and say
23 these are the conditions, and that's the end of
24 the hearing.

25 MR. O'KEEFE: Yeah, I have not

1 prepared the witnesses that I've called in a
2 particular manner to be supportive of a renewal
3 with conditions, I would have approached the
4 session itself in a very different way if that
5 was an option. So I wouldn't be prepared to take
6 that approach today.

7 CHAIRPERSON ANDERSON: All right,
8 that's fine. All right, okay that's fine. All
9 right. All right, with that, Mr. Mpras, are
10 there any preliminary matters that you want to
11 bring to the attention of the Board prior to
12 moving forward, sir?

13 MR. MPRAS: Mr. Anderson.

14 CHAIRPERSON ANDERSON: Okay, thank
15 you. All right, so this is the way the process
16 will work today. The parties will give openings
17 statements starting with the Applicant. So the
18 Applicant will make an opening statement that's
19 limited to five minutes. Once the Applicant has
20 made its opening statement, the Protestant will
21 have the chance to make an opening statement.

22 The Board will then call its first
23 witness, which is the Investigator. The
24 Investigator will go over her report, the Board
25 will ask questions of the Investigator regarding

1 her report. Once the Board has asked questions
2 of the investigator, then the Applicant will have
3 an opportunity to ask questions of the
4 Investigator about the report. After the
5 Applicant has had an opportunity to ask questions
6 of the Investigator regarding her report, the
7 Protestant will then have an opportunity to ask
8 questions of the Investigator regarding her
9 report. Then if the Board wants to ask further
10 questions, the Board will have additional
11 questions of the Investigator, and the Board will
12 end its case presentation.

13 Once the Board has ended its case
14 presentation, then the Applicant will then put
15 its case on, and the Applicant will call its
16 witness. The Applicant will have direct
17 examination questions of its witnesses. Once the
18 Applicant has asked direct examination of its
19 witness, then the Protestant will have an
20 opportunity to cross-examine the Applicant's
21 witness. Once the Protestants have had an
22 opportunity to cross-examine the Applicant's
23 witness, then the Board will have an opportunity
24 to ask questions of the witness, and then I will
25 give the Protestants another opportunity to ask

1 questions of that witness based on the questions
2 that were asked by the Board, and then I will
3 give the Applicant and opportunity to re-direct.

4 Once the Applicant has called all of
5 its witnesses and presented its case, then the
6 Protestant will have an opportunity to present
7 its case by calling its witnesses. Once the
8 Protestant has called a witness, after direct
9 examination of the witness is gone, the
10 Protestant will have an opportunity to
11 cross-examine that witness, and then the Board
12 will have an opportunity, and then we'll close
13 the record and I will ask are there proposed
14 findings of fact and conclusion of law, or we'll
15 close the record and make a decision. Any
16 questions before we start?

17 MR. MPRAS: Mr. Chairman, um --

18 CHAIRPERSON ANDERSON: Yes, Mr. Mpras?

19 MR. MPRAS: One thing came to mind,
20 sir. One of our witnesses, Mr. Metz is a State
21 Department Employee and he's taken time out from
22 his day to be a witness for us. Is it possible
23 to take him out of turn?

24 CHAIRPERSON ANDERSON: And what do you
25 call out of turn, sir?

1 MR. MPRAS: As soon as possible, as
2 soon as the Board can accommodate him.

3 CHAIRPERSON ANDERSON: I mean, the
4 first witness that the Board would call would be
5 Ms. Dantzler, so are you asking to call that
6 witness before the Board presents its case?
7 Meaning are you asking to call a witness at this
8 juncture, at this time? Or you tell me what
9 you're requesting.

10 MR. MPRAS: I mean, I would like to
11 take him -- yes. I would like to take him first,
12 before the Board presents its case if possible,
13 just to get his testimony on the record, but if
14 not, then we'll call him as our first witness.

15 CHAIRPERSON ANDERSON: So we're
16 basically talking about, it's now 10:15, so
17 depending how long -- if the person goes in
18 order, so we probably could be talking about
19 11:00, 11:30, would that work? Or do you need me
20 to call the person at this time?

21 MR. MPRAS: Sir, we'd kindly ask you
22 to call him at this time.

23 CHAIRPERSON ANDERSON: Any objection
24 by the Protestant?

25 MR. O'KEEFE: Unless that

1 accommodation is also afforded to Commissioner
2 Moore as well, that's on the line, and
3 Commissioner White if he has joined, they both
4 have --

5 CHAIRPERSON ANDERSON: But, but -- all
6 right. I don't have a problem taking witnesses
7 out of order, but part of the issue is that the
8 Board needs to present its case, the Applicant
9 needs to present its case, and I can't call the
10 Applicant, I mean, unless the Protestant says
11 that they want the Applicant can go present their
12 case before the Applicant present its case.

13 Okay? I don't have a problem taking one witness
14 out of order, but I am not going to take several
15 witnesses out of order before we present our
16 case, okay?

17 All right, so let's start, in a sense
18 that I need the parties to identify themselves.
19 So let's start with, let's say, the Applicant
20 Counsel and the Applicant. Please spell and
21 state your name for the record.

22 MR. MPRAS: Emanuel Mpras for the
23 Applicant. E-M-A-N-U-E-L, M-P-R-A-S.

24 CHAIRPERSON ANDERSON: And so you're
25 Counsel for the Applicant?

1 MR. MPRAS: Yes sir.

2 CHAIRPERSON ANDERSON: IS the
3 Applicant here?

4 MR. MPRAS: He is.

5 CHAIRPERSON ANDERSON: Can the
6 Applicant please state and spell his name for the
7 record? You're on mute, sir. Unmute yourself.

8 MR. KASSAYE: Ephrame Kassaye,
9 E-P-H-R-A-M-E, K-A-S-S-A-Y-E, on the Business
10 Order for D.C. Market.

11 CHAIRPERSON ANDERSON: Good morning,
12 sir.

13 MR. KASSAYE: Good morning to you,
14 sir.

15 CHAIRPERSON ANDERSON: Ms. Dantzler,
16 can you please identify yourself? I'm sorry, not
17 Ms. Dantzler, Mr. O'Keefe, can you please spell
18 and state your name for the record?

19 MR. O'KEEFE: Patrick O'Keefe,
20 P-A-T-R-I-C-K. O'K-E-E-F-E.

21 CHAIRPERSON ANDERSON: And what's your
22 title with this case?

23 MR. O'KEEFE: Designated
24 representative for the group of five protests.

25 CHAIRPERSON ANDERSON: Okay, thank

1 you. All right, once I will have the other
2 parties identify themselves for the record one
3 they're called as witnesses, all right? What I'm
4 going to do Mr. Mpras is that I will allow you
5 to, you can do a five minute opening, Mr. O'Keefe
6 can do a five minute opening, and then we'll go
7 out of order and you then can call your first
8 witness, Mr. Mpras, okay?

9 And I just also want to advise all
10 parties that you only have four witnesses. No
11 one has made a motion to ask to say that they
12 want more than four witnesses to testify. I did
13 advise all parties at the protest hearing status
14 that you are only allowed to call four witnesses,
15 okay? All right, go ahead, sir.

16 MR. O'KEEFE: Sir, may I ask a quick
17 question of clarification?

18 CHAIRPERSON ANDERSON: Yes, Mr.
19 O'Keefe, yes sir.

20 MR. O'KEEFE: I heard you mention that
21 Mr. Mpras will be able to call his first witness
22 following that, will I be afforded that same
23 ability to call Commissioner Moore out of order
24 as well? She's dealing with the same time
25 constraints as Mr. Mpras has described for one of

1 his witnesses.

2 CHAIRPERSON ANDERSON: That is fine,
3 sir, all right that's fine.

4 MR. O'KEEFE: Thank you.

5 CHAIRPERSON ANDERSON: Go ahead, sir.

6 MR. MPRAS: Honorable members of the
7 Board, I stand before you today representing D.C.
8 Food Market, a cornerstone of its community for
9 over 10 years. Now recently a protest was filed
10 by a group of five or more regarding its liquor
11 license renewal. Members of this group have been
12 involved in blanket protesting these types of
13 establishments with no legitimate justification
14 in doing so. While we respect the right to
15 protest, we believe these claims are not only
16 unfounded but also fueled by motivations
17 unrelated to this business.

18 Let's be clear, the D.C. Food Market
19 is, and has always been, a responsible retailer
20 focused on providing fresh groceries and every
21 day essentials for its neighbors. It focuses on
22 families and fostering a safe and clean
23 environment for its customers.

24 The accusations against the D.C. Food
25 Market lack any evidence. The D.C. Food Market

1 has an exemplary record and relationship with the
2 authorities, has responsible alcohol sales
3 practices, and is committed to preventing
4 underage drinking. These are not hollow claims,
5 they are demonstrably true.

6 We suspect this protest is more about
7 some type of political agenda than it is about
8 the store. Now this protest tactic seeks to
9 disrupt the status quo, not address genuine
10 concerns. We urge the Board to see through this
11 and base its decision on facts, not political
12 theatre.

13 Now denying this license would not
14 only hurt this business but also deprive its
15 community of a valued resource. The D.C. Food
16 Market is a responsible retailer that enhances,
17 not detracts from the fabric of the neighborhood.
18 The hearing report from the Board's own
19 investigator supports this. We welcome a full
20 and transparent review. We are confident that
21 through an examination we will confirm the D.C.
22 Food Market's commitment to responsible alcohol
23 sales and serving the community with integrity.
24 Thank you for your time.

25 CHAIRPERSON ANDERSON: All right,

1 thank you sir. Mr. O'Keefe?

2 MR. O'KEEFE: Hello, thank you for the
3 opportunity to participate in this ACBA hearing
4 today. My name is Patrick O'Keefe, I am a
5 resident of historic Anacostia. I have lived at
6 the corner of 16th and U Street, South East, two
7 blocks north of the establishment under
8 discussion today for six years. During the time
9 that I've been here, I've visited the
10 establishment and walk or drive by the building
11 on a regular basis. I am here today as the
12 designated representative for a group of five or
13 more protesters designated by the signatories to
14 represent them at this hearing.

15 As a designated representative, my
16 presence and responses today reflect those of a
17 large group of neighbors that express similar
18 concerns, and speaking from direct experience and
19 on their behalf, communicating concerns that I've
20 received from neighbors that live around the
21 location under discussion. I want to reiterate
22 that I'm here representing many neighbors that
23 signed on to this petition to express concerns,
24 which was validated by ABCA. I'm conveying
25 feedback for those individuals that are unable to

1 attend in person today. I'm also joined today by
2 the Electing Commissioner that represents the
3 single member district surrounding this
4 establishment. Together we represent a broad
5 swatch of neighbors who simply want one thing --
6 two things, a clean and safe community.

7 Let me first start by mentioning the
8 ABCA Report, which reflects visits to D.C. Food
9 Market. I was not present for the Investigators'
10 visits to the establishment and cannot speak to
11 what they witnessed. The Investigator reached
12 out to me, and when I responded approximately 72
13 hours later, the opportunity to provide inputs
14 had already passed and the report was finished.
15 As a working professional with a full-time job,
16 it is not always easy to accommodate that type of
17 turnaround. Our feedback and concerns are in no
18 way reflected in the ABCA investigative report.
19 I trust that the Investigator did their due
20 diligence, but I implore ABCA to reconsider this
21 process generally, and make sure that neighbors
22 with a vested interest participating in the
23 protest hearing understand that they essentially
24 have three days to provide inputs to one of the
25 most important aspects of the investigation. It

1 was not told when this would occur. Following
2 the ABCA facilitated session, and had no idea
3 that responses were required within this time
4 frame. I look forward to posing questions about
5 the report later in the discussion.

6 I also understand that the legal team
7 representing the establishment submitted exterior
8 photos of the building and artifacts showcasing
9 the cleanliness and lack of wears. I personally
10 have been explicitly directed by the Metropolitan
11 Police Department not to take photos of
12 suspicious activity within the neighborhood,
13 therefore I did not submit any photographic
14 evidence of our biggest concerns. For obvious
15 reasons, it can be dangerous to take photos of
16 people in buildings in a corridor where shootings
17 and homicides occur frequently. These often
18 happen after alcohol-fueled days and within mere
19 feet or blocks of the establishment under
20 discussion.

21 The number of violent incidents within
22 the general vicinity of the establishment
23 combined with the endless amount of alcohol
24 bottles and cans littering the 16th Street
25 corridor leave me and other neighbors concerned

1 in believing that the violence, the alcohol, and
2 general wellness in this area are connected.

3 To wrap up, I decided, to this hearing
4 that I would focus on magnifying the chorus of
5 neighbors that have concerns about the negative
6 impact of this establishment on safety and peace
7 in the neighborhood. Unlike the corporate
8 establishments here today, I am representing a
9 group of residents that don't necessarily have
10 the time or the means to hire a professional
11 legal team that has regularly gone through this
12 process before.

13 There is no question that having an
14 establishment that provides food and other
15 supplies to residents is a benefit to the
16 community in most cases, we are not here today
17 discussing their ability to sell food, medicine,
18 and home supplies, we are here today to discuss
19 the renewal of their license for selling alcohol,
20 and I and other neighbors believe that this
21 establishment and their alcohol sales put people
22 and others at risk. Thank you.

23 CHAIRPERSON ANDERSON: I'm sorry, I
24 need everyone, if you're not speaking you need to
25 mute your line, okay? Thank you.

1 Okay, all right, we're going to go out
2 of order, and please Mr. O'Keefe, I'm going to be
3 on a certain way how I operate, so if I forget to
4 call your witness, please remind me, okay? All
5 right.

6 Mr. Mpras, who is your first witness?

7 MR. MPRAS: Mr. Alec Metz.

8 CHAIRPERSON ANDERSON: Mr. Metz, can
9 you turn your camera on please? Mr. Metz, can
10 you raise your right hand please?

11 Do you swear or affirm to tell the
12 truth and nothing but the truth?

13 All right, your witness, sir.

14 MR. MPRAS: Good morning, Mr. Metz.
15 Can you please state your name and spell it for
16 the court reporter please?

17 MR. METZ: Alec. E. Metz, that's
18 A-L-E-C, middle initial E, last name Metz,
19 M-E-T-Z.

20 MR. MPRAS: And Mr. Metz, what is your
21 current address?

22 MR. METZ: 1612 W Street, South East.

23 MR. MPRAS: And what is your current
24 occupation, Mr. Metz?

25 MR. METZ: I'm a civil servant.

1 MR. MPRAS: And Mr. Metz, how long
2 have you lived at your current address?

3 MR. METZ: Seven years.

4 MR. MPRAS: And sir, how far away are
5 you from the D.C. Food Market?

6 MR. METZ: About across the street,
7 across W Street.

8 MR. MPRAS: And can you briefly
9 describe the neighborhood surrounding the D.C.
10 Food Market?

11 MR. METZ: It has its rough patches
12 certainly, but D.C. Food Market, especially in
13 the time I've lived there, it's actually been a
14 good market in the area. There are others in the
15 area that are much, much worse. We like having
16 it there, I go there often.

17 MR. MPRAS: How often do you typically
18 visit the store here?

19 MR. METZ: A few times a week.

20 MR. MPRAS: And Mr. Metz, have you
21 ever witnessed any disorderly conduct or problems
22 related to the operation of the D.C. Food Market?

23 MR. METZ: No, the staff there has
24 always been very professional.

25 MR. MPRAS: Okay, and how would you

1 describe the overall atmosphere and operation of
2 the store?

3 MR. METZ: Friendly, it's our corner
4 store.

5 MR. MPRAS: And does the store appear
6 to be well maintained and managed?

7 MR. METZ: Yep.

8 MR. MPRAS: And Mr. Metz, have you
9 ever had any negative interactions with the D.C.
10 Food Market or its operation?

11 MR. METZ: No, some of the customers
12 they get are not ideal, but that's the
13 neighborhood.

14 MR. MPRAS: Sir, in your opinion, has
15 the presence of the D.C. Food Market had a
16 positive or negative impact on the surrounding
17 area?

18 MR. METZ: Positive. It is much
19 better than what was there before.

20 MR. MPRAS: And Mr. Metz, have you
21 ever witnessed any loitering in front of the
22 store?

23 MR. METZ: No, actually they're pretty
24 good at shoo-ing people away.

25 MR. MPRAS: And how would you rate the

1 cleanliness in the area in front and around the
2 store?

3 MR. METZ: Around the store itself?

4 MR. MPRAS: Yes, sir.

5 MR. METZ: They sweep often.

6 MR. MPRAS: All right, Mr. Metz is
7 there anything else you would like to add about
8 your experience with the D.C. Food Market or in
9 general?

10 MR. METZ: No, it's genuinely a
11 pleasure to have, I appreciate it.

12 MR. MPRAS: Mr. Metz, thank you for
13 taking time out of your day to answer our
14 questions and be here. No further questions, Mr.
15 Anderson.

16 CHAIRPERSON ANDERSON: All right,
17 thank you. Mr. O'Keefe, do you have any
18 questions of Mr. Metz?

19 MR. O'KEEFE: Yes, just one. Mr.
20 Metz, do you think that the D.C. Food Market's
21 ability to sell alcohol specifically positively
22 or negatively affects the neighborhood?

23 MR. METZ: I'm not sure it has much of
24 an effect, I think you might be conflating it
25 with some of the other markets in the area that

1 deal with hard alcohol.

2 MR. O'KEEFE: That's all, thank you.

3 MR. METZ: Thank you.

4 CHAIRPERSON ANDERSON: Any questions
5 by any Board members of Mr. Metz?

6 Mr. Metz, thank you very much for your
7 testimony today, you're free to go.

8 MR. METZ: Thank you.

9 CHAIRPERSON ANDERSON: All right,
10 thanks. All right, Mr. O'Keefe, do you have a
11 witness you wish to call?

12 MR. O'KEEFE: Yes, I wish to call
13 Commissioner Laneice Moore.

14 CHAIRPERSON ANDERSON: Ms. Moore, can
15 you put your camera back on, ma'am? Ms. Moore?

16 MS. MOORE: I'm coming. There we go,
17 I'm so sorry.

18 CHAIRPERSON ANDERSON: Can you raise
19 your right hand, ma'am?

20 MS. MOORE: Yes sir.

21 CHAIRPERSON ANDERSON: Do you swear or
22 affirm to tell the truth and nothing but the
23 truth?

24 MS. MOORE: I do.

25 CHAIRPERSON ANDERSON: Thank you, your

1 witness sir.

2 MR. O'KEEFE: Thank you. Ms. Moore,
3 could you please spell your first and last name
4 for the record?

5 MS. MOORE: Okay, it's L-A-N-E-I-C-E,
6 Moore, M-O-O-R-E.

7 MR. O'KEEFE: Thank you, and can you
8 please list your address as well?

9 CHAIRPERSON ANDERSON: Hold on, Ms.
10 Moore, I was going to say to you, turn your
11 camera -- your signal is poor, so turn your
12 camera off and maybe I can hear you better
13 without the camera. I see what you look like, I
14 want to make sure that I can see folks, but maybe
15 if you turn your camera off and don't use your
16 camera maybe your Wi-Fi, your connection will be
17 better.

18 MS. MOORE: Okay. Go ahead, Mr.
19 O'Keefe, let's see what happens.

20 MR. O'KEEFE: Thank you. Ms. Moore,
21 can you hear me okay?

22 MS. MOORE: Yes sir.

23 MR. O'KEEFE: Great, thank you. So
24 the last question that I had asked was can you
25 please list your address?

1 MS. MOORE: It's 2315 Green Street.

2 CHAIRPERSON ANDERSON: Ms. Moore,
3 maybe you can go and try to sit in front of a
4 window, because I'm having -- I'm sorry ma'am?

5 MS. MOORE: I just did that, let me
6 try to charge, put some juice on it.

7 CHAIRPERSON ANDERSON: I can't hear
8 you, ma'am. Maybe you can call in? We did place
9 a phone number in the chat, and maybe you can
10 just not use the video and just do a call in,
11 because I want to hear you, and the court
12 reporter needs to hear you, and I doubt that the
13 court reporter can hear you clearly?

14 MS. MOORE: Can you hear me now?

15 CHAIRPERSON ANDERSON: Yes ma'am I can
16 hear you better.

17 MS. MOORE: I think I need to speak
18 up, I was talking low.

19 CHAIRPERSON ANDERSON: Okay, well I
20 can hear you now ma'am, all right. Go ahead.

21 MR. O'KEEFE: Thank you Commissioner
22 Moore, I'm sorry, I'm going to repeat it one more
23 time because you were breaking up. Can you
24 please repeat your address?

25 MS. MOORE: It's 2315 Green Street

1 South East, Apartment 4, Washington D.C., 20020.

2 MR. O'KEEFE: Thank you, ma'am. Can
3 you please provide some background on the role
4 that you play as an elected official within this
5 neighborhood? What that role is and what
6 district you represent?

7 MR. MPRAS: Objection.

8 MS. MOORE: I am the --

9 CHAIRPERSON ANDERSON: Hold up, ma'am.
10 If an objection is raised, the witness needs to
11 not answer until I make a ruling on the
12 objection. What is the nature of your objection,
13 Mr. Mpras?

14 MR. MPRAS: The objection is
15 relevance, no government entity or ANC has
16 protested this establishment, and the role of
17 Commissioner Moore in such a -- with any
18 governmental entity has no relevance in this
19 matter.

20 CHAIRPERSON ANDERSON: Well, I mean,
21 the witness is testifying to say that she's an
22 ANC Commissioner, because -- you are correct,
23 this matter was not protested by ANC 8A, she can
24 state that what the commissions position is, but
25 she can testify in her individual capacity what

1 her position is, and so I'm going to overrule the
2 objection, and so she can testify. However, Mr.
3 O'Keefe, she -- because the ANC did not protest
4 this matter, she cannot speak for the ANC, she
5 can only speak in her individual capacity as an
6 ANC Commissioner, if she's the ANC Commissioner
7 for the area.

8 MR. O'KEEFE: May I ask a
9 clarification question?

10 CHAIRPERSON ANDERSON: Yes sir.

11 MR. O'KEEFE: So the ANC did not
12 formally submit protest.

13 CHAIRPERSON ANDERSON: Sir, there's no
14 formal or informal. The ANC did not protest this
15 matter, we have no protest letter from the ANC
16 and because the ANC did not protest this matter,
17 no one can speak to represent the ANC to say,
18 this is the ANC's position. The Commissioner can
19 only speak in her individual capacity as an ANC
20 Commissioner, but she cannot speak for the ANC,
21 okay?

22 MR. O'KEEFE: Understood, thank you
23 for the clarification. So if I may just repeat
24 the question, Ms. Moore can you provide an
25 overview of your role as an elected official,

1 what the role is, what district you represent?

2 MS. MOORE: The district that I
3 represent is Single Member District 8804 and my
4 role is to monitor and to address community
5 complaints.

6 MR. O'KEEFE: And a follow-up question
7 to that, the district that you represent covers
8 the location where this establishment is located?

9 MS. MOORE: Yes it does, I apologize,
10 yes. D.C. Market is in Single Member District
11 8804.

12 MR. O'KEEFE: Thank you for answering
13 that question. Can you please speak to any
14 concerns that you have about the alcohol license
15 renewal for this particular establishment?

16 MS. MOORE: I am here to express why
17 D.C. Market creates an undue burden on the
18 community, disrupting the peace, order and quiet
19 of the residential area. Potential issues being
20 raised in the community concerning public
21 disturbances, safety, trash, noise, broken
22 alcoholic bottles, physical altercations, rowdy
23 parties on W Street, loud neighbors, domestic
24 disputes, violence, public intoxication, loud
25 shouting, cussing, and urination in public in the

1 immediate area of the market. The establishment
2 operates from 7:00 to 12:00 a.m.

3 Wait a minute, before I go on, Mr.
4 Donovan, you did say I can't speak as an ANC,
5 correct?

6 CHAIRPERSON ANDRESON: Ma'am, ma'am,
7 he's going to ask you questions, but what I'm
8 saying is that you're speaking -- you can only
9 testify in your individual capacity as the ANC
10 Commissioner for this area, you cannot speak for
11 the entire ANC, because the Board gives great
12 weight to the ANC when we have a formal petition
13 from the ANC, and we have not received that in
14 this case.

15 MS. MOORE: Okay, yes. The District
16 of Columbia noise ordinance has taken place, and
17 to restore order with multiple crowds of people
18 hanging out drinking, playing loud music with the
19 Bluetooth speaker in the yard and loud talking.
20 It is a declared public policy of the District of
21 Columbia to reduce the noise level to promote
22 public health, safety, welfare, and the peace and
23 quiet in the community. Every person living in
24 the District of Columbia is entitled to
25 reasonable noise levels.

1 This establishment is also located in
2 an MPD hotspot. The latest killing was August
3 21, 2023, Mr. Robert Ferguson lost his life in
4 the 2200 block of 16 Street, South East at 9:18
5 a.m. 2200, that's D.C. Market's address. D.C.
6 Market also has had multiple ABRA investigations.
7 They were also fined for selling alcohol to a
8 minor and selling alcohol before the hours of
9 operation of selling alcoholic beverages out of
10 the establishment.

11 In my opinion, D.C. Market is not
12 appropriate for the location, which is infested
13 with the use of selling illegal drugs, where
14 there's an open air drug market a couple of
15 blocks away from D.C. Market, on 16th and Marion
16 Barry Avenue. The area suffers from a high rate
17 of crime --

18 MR. MPRAS: Objection.

19 MS. MOORE: Okay.

20 CHAIRPERSON ANDERSON: What's the
21 nature of the objection, sir?

22 MR. MPRAS: The witness is giving a
23 statement as opposed to answer a question
24 proffered.

25 CHAIRPERSON ANDERSON: And I'm going

1 to sustain the objection. I need you, Mr.
2 O'Keefe, to ask her a question, please not
3 open-ended question, and I need the Commissioner
4 to respond directly to the questions that are
5 asked.

6 MR. O'KEEFE: Understood, thank you
7 for clarifying. Ms. Moore, can you speak to any
8 concerns that you have regarding the noise
9 surrounding the Market area?

10 MS. MOORE: Yes, and that goes along
11 with evictions. The residents in the close
12 proximity of the store on 16th Street are heavily
13 drug users and there have been parties in the
14 yard with the Bluetooth speaker in the yard
15 playing loud music after the store closes at
16 12:00 a.m. This is 1:00 in the morning, 1:30 in
17 the morning, sometimes 2:00 in the morning.

18 MR. O'KEEFE: Thank you for that
19 response. Commissioner Moore can you please
20 speak to any concerns that you have about the
21 cleanliness of the area surrounding the market?

22 MS. MOORE: Well there have been trash
23 in the area, broken glass, alcoholic glass right
24 there in the proximity of the store. The area is
25 not always clean. They do clean it, but it's not

1 always clean, sometimes there's a lot of trash on
2 the ground around the store.

3 MR. O'KEEFE: Thank you, and Ms. Moore
4 can you please speak to any concerns that you
5 have about loitering around the establishment?

6 MS. MOORE: Well even though D.C.
7 doesn't have a loitering law, there are some
8 residents that do hang out around the store, but
9 D.C. doesn't have a no loitering law.

10 MR. O'KEEFE: Thank you, Ms. Moore.
11 I have just one final question. In your opinion,
12 has the D.C. Food Market's ability to sell
13 alcohol from the store positively or negatively
14 impacted the neighborhood?

15 MS. MOORE: It's negatively impacted
16 the neighborhood --

17 CHAIRPERSON ANDERSON: Ms. Moore, Ms.
18 Moore, I don't know what you did but now I can't
19 hear you.

20 MS. MOORE: Oh Lord, can you now?

21 CHAIRPERSON ANDERSON: You're breaking
22 up, ma'am. You're perfectly fine, but then
23 something happened.

24 MS. MOORE: Now, can you hear me now?

25 CHAIRPERSON ANDERSON: Yes ma'am, go

1 ahead.

2 MS. MOORE: Okay. Mr. O'Keefe, can
3 you repeat the question please?

4 MR. O'KEEFE: Yes. The final question
5 that I have for this witness is, in your opinion
6 has the D.C. Food Market's ability to sell
7 alcohol positively or negatively impacted the
8 neighborhood?

9 MS. MOORE: In my opinion it's
10 negatively impact. It negatively impact on the
11 community, on the neighborhood, because the early
12 -- they sell the alcohol so early in the morning,
13 7:00, and this is the time when the kids go to
14 school, and though it's in a heavily
15 drug-infested area, we have adults buying beer
16 that early in the morning and not taking their
17 kids to school. I do have a concern about that,
18 because there is a truancy issue in the
19 community.

20 MR. O'KEEFE: Thank you. Those are
21 all the questions that I have, and thank you for
22 accommodating moving the witness up.

23 CHAIRPERSON ANDERSON: You're welcome.

24 MS. MOORE: And I apologize for any
25 inconvenience that I may have cause.

1 CHAIRPERSON ANDERSON: Ma'am, there's
2 no inconvenience. Now Mr. Mpras is going to ask
3 you some question, and the Board might have
4 questions of you. So go ahead, Mr. Mpras.

5 MR. MPRAS: Okay, thank you.
6 Commissioner Moore, good morning.

7 MS. MOORE: Good morning.

8 MR. MPRAS: Ms. Moore, earlier you
9 mentioned problems relating to the store's liquor
10 license. Have you witnessed any of these
11 problems yourself?

12 MS. MOORE: Could you be more
13 specific?

14 MR. MPRAS: All right.

15 MS. MOORE: Can you be more specific?

16 MR. MPRAS: Sure, to be more specific,
17 you said that there was an issue with -- excuse
18 me. You said that the D.C. Food Market, the sale
19 of alcohol from the D.C. Food Market contributed
20 or had a negative impact on the community. Would
21 you please elaborate on that and tell us why?

22 CHAIRPERSON ANDERSON: Ms. Moore, are
23 you there?

24 MS. MOORE: Yes.

25 CHAIRPERSON ANDERSON: Okay, I'm

1 sorry.

2 MS. MOORE: When -- it's just easy
3 access for substance abuse users to go and obtain
4 alcohol, to go buy alcohol, and not sustain or
5 you know, contribute to their activities of daily
6 living.

7 MR. MPRAS: So you haven't witnessed
8 any events, in your opinion you're stating that
9 it's easy access for substance abusers to
10 purchase alcohol, is that correct?

11 MS. MOORE: Yeah, wait a minute, I
12 haven't witnessed -- say that again?

13 MR. MPRAS: I'm asking you if you have
14 witnessed any of the events that you're
15 testifying to.

16 MS. MOORE: Yes, actually, in December
17 of '21 I did file a complaint with ABRA on when I
18 seen the guy buy the beer, and they sold the beer
19 to the guy before, a little after 7:00 a.m. So I
20 took it upon myself to go to the store the next
21 morning a little after 7:00 to purchase a six
22 pack of beer, which they sold it to me, and I
23 filed that complaint, and that was one of the
24 complaints that they were fined for.

25 MR. MPRAS: Ma'am, I have their

1 investigative history, and I don't see that.

2 MS. MOORE: I called, I sent the
3 complaint in December of '23, and another
4 complaint as well. It's in my emails, but I
5 don't want to put this down because I don't want
6 to have no bad service. But yes, ABRA did fine
7 them.

8 MR. MPRAS: Now you also expressed a
9 concern of the impact of the store on crime
10 rates. Are you aware of any official crime
11 statistics from the Metropolitan Police
12 Department that show a correlation between the
13 store and criminal activity?

14 MS. MOORE: I don't have the latest
15 crime statistics at this moment.

16 MR. MPRAS: Now, you mentioned the
17 store negatively impacting the neighborhood. Do
18 you shop at the D.C. Food store yourself?

19 MS. MOORE: Actually, I do not. I
20 used to, but I do not, now.

21 MR. MPRAS: So prior to this protest
22 being filed, and obviously your testimony, did
23 you express any of today's concerns with the
24 owner of the D.C. Food Market, Mr. Kassaye?

25 MS. MOORE: No sir, I haven't.

1 MR. MPRAS: Now, Commissioner Moore,
2 how many other ABC establishments are you
3 currently protesting or have you protested in the
4 last year? Or protests that you are involved in.

5 MS. MOORE: This is the first one.

6 MR. MPRAS: This is the only one for
7 you?

8 MS. MOORE: Yes, sir.

9 MR. MPRAS: Okay. Now you stated
10 because of the early sales that the store doesn't
11 do enough to promote responsible drinking. Can
12 you be specific about what additional measures
13 you believe they should take?

14 MS. MOORE: The change of hours. They
15 can change the hours back to normal business
16 hours for the sale of alcohol to the community.

17 MR. MPRAS: Well ma'am, these are
18 legal, normal sales hours, as approved by the ABC
19 Board.

20 MS. MOORE: I understand, through the
21 settlement agreement, yes, I understand.

22 MR. MPRAS: I'm sorry ma'am, what
23 settlement agreement are you referring to?

24 MS. MOORE: The settlement agreement
25 that approved their application for the change of

1 hours from 10:00 to 7:00 a.m. to 12:00 a.m.

2 MR. MPRAS: I'm sorry ma'am, this
3 establishment does not have a settlement
4 agreement.

5 MS. MOORE: Okay, well that's what I
6 read sir, online, through ABRA, I mean ABCA. Yes
7 it is, it's online.

8 MR. MPRAS: Now Ms. Moore, have you
9 had any personal interactions with the owner or
10 staff of the store?

11 MS. MOORE: The staff, I had some
12 interactions with the staff on a couple of
13 occasions.

14 MR. MPRAS: Okay, but you said you
15 haven't been in the store for quite some time, is
16 that right?

17 MS. MOORE: Right, that's when I
18 stopped going, after the altercation with one of
19 the staff members, the lady that works in the
20 store.

21 MR. MPRAS: Now Ms. Moore, earlier
22 when we were being introduced, Mr. O'Keefe stated
23 that he prepared the witnesses, how were you
24 prepared, Ms. Moore?

25 MS. MOORE: Actually I was not

1 prepared, sir.

2 MR. MPRAS: You were not prepared?

3 MS. MOORE: No.

4 MR. MPRAS: So Mr. O'Keefe was
5 mistaken when he stated that.

6 CHAIRPERSON ANDERSON: Mr. --

7 MR. O'KEEFE: Objection, I don't
8 recall making that statement.

9 CHAIRPERSON ANDERSON: Hold on. Mr.
10 O'Keefe, you have not presented yourself as an
11 attorney, so I don't know if you're an attorney
12 or not, but Mr. Mpras, that is an inappropriate
13 question to ask, sir. Okay? So let's move on,
14 sir.

15 MR. MPRAS: Now Ms. Moore, is it your
16 position that a well-maintained grocery store
17 with a responsible liquor license can never be a
18 positive asset to the community?

19 MS. MOORE: Actually it depends on the
20 community.

21 MR. MPRAS: To your community.

22 MS. MOORE: No, no sir I do not,
23 because --

24 MR. MPRAS: So you don't believe that
25 any store of this type with a liquor license can

1 be a positive asset to the community under any
2 circumstances, is that right?

3 MS. MOORE: No, sir --

4 CHAIRPERSON ANDERSON: Ms. Moore, Ms.
5 Moore, Ms. Moore, I don't know what you did, but
6 I can't hear you, ma'am.

7 I cannot hear you, Ms. Moore. You're
8 breaking up, Ms. Moore, that's why. Are you
9 there, Ms. Moore?

10 MS. MOORE: Yes, can you hear me now?

11 CHAIRPERSON ANDERSON: Yes ma'am, I
12 can hear you now.

13 MS. MOORE: Jesus. Okay, I'm so sorry
14 about that y'all. Mr. Mpras?

15 MR. MPRAS: Yes ma'am.

16 MS. MOORE: Go ahead, sir.

17 MR. MPRAS: My question to you is, do
18 you believe that a well-maintained grocery store
19 with a responsible liquor license can be a
20 positive asset to your community?

21 MS. MOORE: No sir, I do not, because
22 this is a residential area, an MPD hotspot, it's
23 a highly crime area, and residential -- no, I
24 don't think so, sir.

25 MR. MPRAS: So no store of this type

1 under any circumstances, is that correct?

2 MS. MOORE: No, no. The prices of the
3 food is too high, no, no sir.

4 MR. MPRAS: Okay, well Ms. Moore,
5 thank you for your testimony, and no further
6 questions.

7 CHAIRPERSON ANDERSON: Any questions
8 by the Board members of Ms. Moore? Go ahead, Mr.
9 Grant.

10 MEMBER GRANT: Commissioner Moore,
11 thank you for your service to ANC 8A. One
12 question, in the cross examination Mr. Mpras
13 asked about the challenges that the establishment
14 has given to the community, and you mentioned the
15 hours of serving alcohol. At the very beginning
16 of this hearing, Mr. Chair asked Mr. O'Keefe if
17 it was possible to have stipulations in the
18 license moving forward. Given your answer that
19 the hours should or could be altered, do you
20 believe that there is a scenario where this
21 license could be renewed if the hours of serving
22 alcohol was changed?

23 MS. MOORE: Yes.

24 MEMBER GRANT: No further questions,
25 Mr. Chair.

1 CHAIRPERSON ANDERSON: All right, I
2 have a question, maybe a couple questions for
3 your Ms. Moore. Ms. Moore, how long have you
4 been the ANC Commissioner representing this
5 Single Member District where the establishment is
6 located?

7 MS. MOORE: This is the fourth year.
8 Isn't it? Yeah.

9 CHAIRPERSON ANDERSON: So you have
10 been the ANC Commissioner for this area for four
11 years, have you had any engagement with the
12 licensee regarding the operation of the business
13 in the neighborhood?

14 MS. MOORE: Not him personally, no
15 sir.

16 CHAIRPERSON ANDERSON: So as the ANC
17 Commissioner, and if you had concerns regarding
18 the operation of this business, why would you not
19 having conversations with him? As the ANC
20 Commissioner, why would you not have
21 conversations with him regarding the operation of
22 his business?

23 MS. MOORE: Due to the nature of how
24 people take things, I don't think that we would
25 be able to have an adult conversation, because he

1 might catch an attitude about what it is I'm
2 saying about the store. I just want to protect
3 myself and stay safe, keep myself safe. Because
4 when you address these type of issues, it can be
5 life-threatening, you know, for the Commissioner,
6 when she's trying to do the right thing for the
7 community. Some people just don't understand.

8 CHAIRPERSON ANDERSON: All right
9 ma'am. Okay, any other questions by any of the
10 Board members? All right, Mr. Mpras, any
11 questions of the Commissioner based on the
12 questions -- based solely on the questions that
13 were asked by the Board?

14 MR. MPRAS: No, Mr. Anderson, thank
15 you.

16 CHAIRPERSON ANDERSON: Mr. O'Keefe,
17 any questions of the Commissioner based solely on
18 the questions that were asked by the Board?

19 All right, Commissioner Moore, thank
20 you very much for your testimony today, you are
21 free to go.

22 MS. MOORE: Thank you very much,
23 everyone have a good day.

24 CHAIRPERSON ANDERSON: All right,
25 thank you. Let's go back to regular order. So

1 the Board will call its first witness, and the
2 Board will call Ms. Dantzler. Ms. Dantzler, can
3 you raise your right hand, please?

4 Do you swear or affirm to tell the
5 truth and nothing but the truth?

6 INVESTIGATOR DANTZLER: I affirm.

7 CHAIRPERSON ANDERSON: Can you spell
8 and state your name for the record, ma'am?

9 INVESTIGATOR DANTZLER: Felicia
10 Dantzler, F like Frank, E-L-I-C-I-A, D like
11 David, A-N-T like time, Z like zebra, L-E-R.

12 CHAIRPERSON ANDERSON: Good morning,
13 Ms. Dantzler. Ms. Dantzler, what is your -- what
14 is your current occupation, ma'am?

15 INVESTIGATOR DANTZLER: I am a lead
16 investigator with the Alcoholic Beverage and
17 Cannabis Administration.

18 CHAIRPERSON ANDERSON: And can you
19 tell us what your -- how long have you worked for
20 the agency?

21 INVESTIGATOR DANTZLER: Seventeen
22 years.

23 CHAIRPERSON ANDERSON: And what are
24 your duties and responsibility?

25 INVESTIGATOR DANTZLER: I enforce the

1 alcohol regulations as well as conduct regulatory
2 inspections of agency establishments.

3 CHAIRPERSON ANDERSON: Are you
4 familiar with this protest, this establishment,
5 DC Food Market?

6 INVESTIGATOR DANTZLER: Yes, sir.

7 CHAIRPERSON ANDERSON: And how did you
8 become familiar with D.C. Food Market, ma'am?

9 INVESTIGATOR DANTZLER: I was assigned
10 the protest investigation.

11 CHAIRPERSON ANDERSON: Now, did there
12 come a time that you wrote a report?

13 INVESTIGATOR DANTZLER: Yes, sir.

14 CHAIRPERSON ANDERSON: Are you able to
15 share your screen with us to share your report,
16 ma'am?

17 INVESTIGATOR DANTZLER: Yes.

18 CHAIRPERSON ANDERSON: Can you do
19 that, please?

20 INVESTIGATOR DANTZLER: Yes.

21 CHAIRPERSON ANDERSON: Thank you, sir.

22 And let's go back to the first page,
23 ma'am. I just want you to identify the document
24 on the -- so can you please identify the document
25 that we're looking at, ma'am?

1 INVESTIGATOR DANTZLER: Yes. This is
2 my protest investigation for D.C. Food Market.

3 CHAIRPERSON ANDERSON: Okay. Fine.
4 Let's go on -- we can move forward to the next
5 page.

6 All right. So do you know who are --
7 who are the individuals who protested this
8 renewal application?

9 INVESTIGATOR DANTZLER: This protest
10 investigation was protested by a group of five or
11 more represented by Mr. O'Keefe.

12 CHAIRPERSON ANDERSON: Now, did you
13 have -- did you have an opportunity to speak to
14 the protestant?

15 INVESTIGATOR DANTZLER: No, sir.

16 CHAIRPERSON ANDERSON: And why were
17 you -- why were you unable to speak to the
18 protestant?

19 INVESTIGATOR DANTZLER: Mr. O'Keefe
20 was not available to provide comment.

21 CHAIRPERSON ANDERSON: Okay. Fine.
22 Tell us -- can you describe this neighborhood for
23 us, ma'am?

24 INVESTIGATOR DANTZLER: Yes. The
25 establishment is located in the historic district

1 of Anacostia, and it's a -- looks like a
2 residential community consisting of rowhouses and
3 single-family homes.

4 CHAIRPERSON ANDERSON: So what type of
5 zoning is -- what type of zoning do we have in
6 this community for this establishment?

7 INVESTIGATOR DANTZLER: It is located
8 in an R-3 zone.

9 CHAIRPERSON ANDERSON: And can you
10 tell us what an R-3 zone is, ma'am, if you know?

11 INVESTIGATOR DANTZLER: This is --
12 simply states that it's a residential area,
13 primarily a residential area.

14 CHAIRPERSON ANDERSON: Okay. Let's
15 move on. So describe the -- what type of -- can
16 you tell us what other -- are there any other ABC
17 licensed establishments in the area?

18 INVESTIGATOR DANTZLER: Yes. There
19 are two other ABC establishments, and they are
20 within 1,200 feet of the D.C. Food Market, and
21 they are King Convenience Store and Union Liquor,
22 2012.

23 CHAIRPERSON ANDERSON: And what type
24 of establishments are those? What type of
25 license do they have?

1 INVESTIGATOR DANTZLER: King
2 Convenience is a B store, and Union Liquor is an
3 A store.

4 CHAIRPERSON ANDERSON: Okay. Fine.
5 We can move forward to your -- go ahead, ma'am.

6 And what are the hours of operation?
7 What are the licensed hours of operation for this
8 establishment?

9 INVESTIGATOR DANTZLER: 7:00 a.m.
10 until 12:00 a.m., Sunday -- seven days a week.

11 CHAIRPERSON ANDERSON: Okay. Have you
12 had a chance to monitor this establishment?

13 INVESTIGATOR DANTZLER: Yes, sir.

14 CHAIRPERSON ANDERSON: And how many
15 times were you able to monitor this
16 establishment?

17 INVESTIGATOR DANTZLER: Twice.

18 CHAIRPERSON ANDERSON: And tell us,
19 when is it that you visited and what did you
20 observe?

21 INVESTIGATOR DANTZLER: Both times I
22 went to the establishment unannounced, and during
23 my observations the weather was clear. My first
24 visit was March 11th of this year, from 7:00 p.m.
25 until 4 -- 7:45 p.m., and my second visit was

1 March 12th from 9:30 p.m. until 9:45 p.m.

2 During my visits --

3 CHAIRPERSON ANDERSON: Go ahead. I'm
4 sorry, ma'am. Go ahead.

5 INVESTIGATOR DANTZLER: During my
6 visits, I did not see any loitering. I saw no
7 trash concerns. I found the establishment to be
8 well lit inside and on the outside, and it was
9 orderly.

10 CHAIRPERSON ANDERSON: We can move
11 forward with your report, ma'am. Now, did you --
12 have you -- were you able to receive any calls
13 for service or records search regarding this
14 area?

15 INVESTIGATOR DANTZLER: Yes. I did
16 reach out to the D.C. Office of Unified
17 Communications and received calls for service.
18 The year prior, January 1 of 2023, to the current
19 date, report was requested. The Unified
20 Communications provided me with 32 calls for
21 service for the address of 2200 16th Street,
22 Southeast, which consisted of a variety of calls
23 from robbery to shots fired. However, out of the
24 32 calls, none of the calls resulted in ABCA's
25 attention.

1 CHAIRPERSON ANDERSON: All right. I
2 see that you have the investigative history for
3 this establishment. So what is -- tell us what
4 you're able to say about this establishment's
5 investigative history.

6 INVESTIGATOR DANTZLER: Although I was
7 not the person assigned to the two cases that are
8 listed here, just reading it on its surface it
9 states that the establishment was operating
10 outside of their approved hours, meaning that
11 either they operated before their approved hours
12 or operated after their Board-approved hours.

13 CHAIRPERSON ANDERSON: Okay. All
14 right. Do you have any exhibits attached to your
15 report? Can you go through the exhibits, please?

16 INVESTIGATOR DANTZLER: Yes, sir.
17 Exhibit Number 1 is the protest letter from the
18 group of five or more, which consisted of five
19 pages. Exhibit Number 2 is my email to Mr.
20 O'Keefe asking that he contact me regarding the
21 protest.

22 Exhibits Number 3 and 4, Number 3 is
23 the GIS information that tells the reader the
24 type of -- if there are any schools or recreation
25 centers within 1,200 feet of the establishment,

1 and there are none. Exhibit Number 4 tells the
2 reader other ABC establishments listed within
3 1,200 feet of D.C. Food Market, which there were
4 only two.

5 Exhibit Number 5 is an exterior
6 photograph of D.C. Food Market, as well as
7 Exhibit Number 6, just shows another angle of
8 D.C. Food Market.

9 All of these photos was taken on my
10 initial visit to the establishment on March 11th.

11 Exhibit Number 7 is showing just some
12 grocery items, 7, 8, 9 is also showing grocery
13 items.

14 CHAIRPERSON ANDERSON: Let me ask you
15 a question before -- I know you observed -- tell
16 me about, what is it that -- what is it that you
17 observed inside this establishment? Just
18 describe the establishment for us.

19 INVESTIGATOR DANTZLER: I viewed the
20 establishment as a medium-sized B store, which
21 means that there will be grocery. They are
22 consistent with your B establishments, such as
23 Safeway or Trader Joe's, just on a smaller scale.
24 The establishment provides grocery items, as you
25 would see at the larger B stores, just more

1 convenient -- in a more convenient way, I would
2 say.

3 It's a medium-sized store. It was --
4 it was a clean store. I found it very orderly.
5 As I stated, I do not generally advise the
6 licensees when I'm coming to their establishment,
7 because I would like to see them in their actual
8 operations. And so these are photographs that I
9 -- I took while I was there.

10 I found the staff to be friendly. As
11 you can see, there were some non-alcoholic
12 beverages as well as alcoholic beverages. I
13 found it to be consistent on both sides where he
14 had ample non-alcoholic beverages and alcoholic
15 beverages.

16 The staff was very friendly. They
17 named -- some of their customers, they knew them
18 by their first name. And there was always great
19 interactions that I saw with the establishment
20 and its patrons

21 And I'm just going through just some
22 of the photographs that I took on that day. As
23 you can see, there is also an ATM machine. The
24 owner did not -- used to have a lottery machine,
25 but he stated that he removed that from the

1 establishment.

2 I also took note that the owner stated
3 that he does have cameras installed at the
4 establishment and that those cameras are hooked
5 up to MPD's actual camera system to help monitor
6 the area, and MPD has direct access and control,
7 should I say, over the cameras to help them with
8 their enforcement in that area.

9 And these are the calls for services
10 that I received from the Office of Unified
11 Communications, which is Exhibit Number 30.

12 CHAIRPERSON ANDERSON: Okay. That's
13 your -- and is that the last exhibit?

14 INVESTIGATOR DANTZLER: Yes, sir.

15 CHAIRPERSON ANDERSON: Okay. Thank
16 you.

17 Any questions by any other Board
18 members of Ms. Dantzler?

19 MEMBER GRANT: No questions for me.

20 CHAIRPERSON ANDERSON: All right.
21 Since there are no questions, Mr. Mpras, you can
22 close your --

23 MEMBER SHORT: Mr. Chairman?

24 CHAIRPERSON ANDERSON: Mr. Short?

25 MEMBER SHORT: I had one.

1 CHAIRPERSON ANDERSON: Mr. Short? Mr.
2 Short, hold on, please. Because Ms. Dantzler has
3 her screen open, I have -- I had not seen you,
4 sir. So, Ms. Dantzler, can you please close your
5 -- close your screen? And go ahead, Mr. Short,
6 if you have questions of Ms. Dantzler?

7 MEMBER SHORT: Thank you, Mr.
8 Chairman.

9 Thank you for an excellent report,
10 Investigator Dantzler.

11 INVESTIGATOR DANTZLER: My pleasure.

12 MEMBER SHORT: Okay. You did in your
13 testimony say you are a lead investigator --

14 INVESTIGATOR DANTZLER: Yes, sir.

15 MEMBER SHORT: -- with ABRA? How many
16 years have you been with ABCA?

17 INVESTIGATOR DANTZLER: Seventeen.

18 MEMBER SHORT: Seventeen years. Now,
19 you gave some very positive information on this
20 -- on this licensee's renewal, your testimony.
21 Now, restricting the hours at any -- at any pace
22 cause them any damage or harm? 7:00 a.m. in the
23 morning, and I guess what I need to ask you is,
24 are there many B stores in the District of
25 Columbia, to your knowledge, that are open from

1 7:00 a.m. to 12:00 a.m. daily?

2 INVESTIGATOR DANTZLER: I don't know
3 the number, but we do have several that do open
4 at 7:00 a.m. throughout the city.

5 MEMBER SHORT: This particular
6 licensee, would curtailing their hours hurt,
7 harm, or cause them any irreparable damage?

8 INVESTIGATOR DANTZLER: Because I have
9 not had an extensive period of time to observe
10 the establishment's operations at the start of
11 their day, I cannot give an intelligent response
12 to that.

13 MEMBER SHORT: Okay. And my last
14 question will be, did you check their quarterly
15 reports or their alcohol sales or those kind of
16 things you do when you do your regulatory
17 inspections?

18 INVESTIGATOR DANTZLER: As it relates
19 to their alcohol sales, their invoices? Yes.

20 MEMBER SHORT: Yes.

21 INVESTIGATOR DANTZLER: Yes, sir.

22 MEMBER SHORT: What's your overall
23 view of their sales in comparison with the rest
24 of their business?

25 INVESTIGATOR DANTZLER: Well, I didn't

1 check the invoices for sales. It was more so to
2 confirm that they are purchasing their alcohol
3 from a D.C. wholesaler or if they are getting any
4 alcoholic beverages imported into the District.

5 MEMBER SHORT: Would you say that the
6 alcohol sales are average, above average?

7 INVESTIGATOR DANTZLER: The invoices
8 I saw were pretty consistent with purchases. I
9 didn't see -- I didn't think that they were
10 buying more for their -- for the size of their
11 establishment. It just seems pretty consistent.

12 MEMBER SHORT: What hours did you
13 conduct your investigation?

14 INVESTIGATOR DANTZLER: I went the
15 first time 7:00 p.m., and then the second time I
16 went at 9:30 p.m.

17 MEMBER SHORT: Were there many sales
18 when you were there at those hours, 7:00 p.m. and
19 9:00 p.m.?

20 INVESTIGATOR DANTZLER: Actually,
21 there were no alcohol sales during my visits.

22 MEMBER SHORT: Okay. Thank you very
23 much.

24 Thank you, Mr. Chair.

25 CHAIRPERSON ANDERSON: Thank you, Mr.

1 Short.

2 Mr. Mpras, any questions of this
3 witness.

4 MR. MPRAS: Thank you. Yes.

5 Investigator Dantzler, your visits to
6 the D.C. Food Market, they -- it's sort of a
7 surprise inspection of sorts. Is that correct?

8 INVESTIGATOR DANTZLER: Yes, sir.

9 MR. MPRAS: Okay. And each time you
10 observed the D.C. Food Market, was the -- did you
11 find the area in and around the store clean and
12 devoid of litter?

13 INVESTIGATOR DANTZLER: Yes.

14 MR. MPRAS: Okay. And did you see
15 people loitering at any time in front of the
16 store?

17 INVESTIGATOR DANTZLER: No.

18 MR. MPRAS: Okay. And Class B
19 license, was that the same type of license that,
20 let's say, a Safeway might have when they sell
21 beer and wine?

22 INVESTIGATOR DANTZLER: Yes.

23 MR. MPRAS: Okay. And the hours that
24 the Applicant currently holds, is that -- would
25 that be -- would those -- those are maximum

1 hours. Do most stores request the maximum hours
2 when applying for a license?

3 INVESTIGATOR DANTZLER: They do.

4 MR. MPRAS: Okay. And did you see any
5 disturbances or hear any noise, you know, out of
6 the ordinary when you visited the establishment?

7 INVESTIGATOR DANTZLER: No. The area
8 was quiet.

9 MR. MPRAS: And did you find the
10 establishment well-lit on the outside?

11 INVESTIGATOR DANTZLER: Yes, sir.

12 MR. MPRAS: Okay. And did you get a
13 chance to inspect the cameras in and around the
14 property?

15 INVESTIGATOR DANTZLER: Yes.

16 MR. MPRAS: Okay. And do you remember
17 approximately how many cameras there are?

18 INVESTIGATOR DANTZLER: I believe
19 there were 20. I want to say there were 20.

20 MR. MPRAS: Okay. Investigator
21 Dantzler, in your opinion, is there anything you
22 could proffer that might help the store improve
23 its operations?

24 INVESTIGATOR DANTZLER: I can't speak
25 to improvements because, unfortunately, I only

1 visited twice. So, in all fairness, I couldn't
2 say what any improvements could be, just the
3 observations that I did see, I saw no areas of
4 concern.

5 MR. MPRAS: Thank you. And how many
6 protest reports, on average, would you say you do
7 each year? Ballpark.

8 INVESTIGATOR DANTZLER: It depends on
9 the season. So maybe -- it could be five during
10 -- you know, during a busy season, renewal
11 season. Not everyone is protested.

12 MR. MPRAS: Understood. And you
13 stated earlier in your testimony that you
14 attempted to contact Mr. O'Keefe, but he was
15 unavailable. Is that correct?

16 INVESTIGATOR DANTZLER: Yes. In all
17 fairness, it was a short turnaround for me to get
18 the report in. So, yeah.

19 MR. MPRAS: In doing these protest
20 reports, when you contact the protestant, what
21 would you say they -- do they respond to you more
22 often than not?

23 INVESTIGATOR DANTZLER: Most do
24 respond.

25 MR. MPRAS: Okay. Great.

1 Investigator Dantzler, I don't have any more
2 questions for you. Thank you very much.

3 INVESTIGATOR DANTZLER: My pleasure.

4 CHAIRPERSON ANDERSON: Mr. O'Keefe,
5 any questions?

6 MR. O'KEEFE: Investigator Dantzler,
7 first, thank you for the report and the effort
8 you put into compiling. My first question, you
9 stated in response to a question posed by Mr.
10 Short just a moment ago regarding the operating
11 hours that you did not have an opportunity to
12 observe the establishment for what you stated was
13 an extensive period of time. Is that correct?

14 INVESTIGATOR DANTZLER: Yes, sir.

15 MR. O'KEEFE: And Section 2 of the
16 report states that you initially contacted me as
17 the designated representative for this protest on
18 the 11th of March. Is that correct?

19 INVESTIGATOR DANTZLER: Yes, sir.

20 MR. O'KEEFE: And Section 2 of the
21 report also states that you reached out, but as
22 of the 13th, approximately 48 to 72 hours later,
23 I had not responded to the request. Is that
24 correct?

25 INVESTIGATOR DANTZLER: Yes, sir.

1 MR. O'KEEFE: And can you please
2 provide a brief overview of kind of the purpose
3 of developing and submitting the investigative
4 report for a hearing of this type?

5 INVESTIGATOR DANTZLER: Yeah. The
6 goal is to give everyone an understanding. When
7 I say "everyone," the Board and whoever are
8 seeing or watching the protest hearings, to give
9 them like a bird's-eye view of the establishment,
10 the physicality, the aesthetics inside and out,
11 and to give my observations during my visits.

12 MR. O'KEEFE: All right. Thank you.
13 And so knowing that this report and the exhibits
14 included within it hold incredible weight in this
15 scenario, do you think that providing 48 to 72
16 hours to respond to a request for feedback was
17 sufficient in this scenario?

18 INVESTIGATOR DANTZLER: Are you
19 speaking specifically to my -- my email to you?

20 MR. O'KEEFE: Yes.

21 INVESTIGATOR DANTZLER: No, I don't
22 think that was sufficient time.

23 MR. O'KEEFE: Thank you. The
24 investigative report states that the
25 establishment was only monitored two times due to

1 time constraints and short turnaround. Can you
2 please clarify, is there any kind of statutory
3 requirement that more than two visits to the
4 premises need to occur? And, if not, can you
5 please expand on why did you choose to -- why did
6 you feel the need to include this footnote in
7 big, bold letters saying that you were only able
8 to monitor the establishment on two occasions?

9 INVESTIGATOR DANTZLER: To the best of
10 my knowledge, there is no statutory requirements
11 on the number of times an investigator visits an
12 establishment. The purpose to include that
13 language about the number of visits, I want the
14 Board and the protestants to understand that
15 there wasn't sufficient time in my opinion to
16 give a full investigation to this matter.

17 MR. O'KEEFE: Thank you for
18 clarifying. You mentioned during your testimony
19 that you did not notify the establishment that
20 you were coming, but is it accurate to state that
21 it can be assumed that your unannounced visit
22 will occur between the ABCA status hearing for
23 this case and today's hearing, so approximately I
24 think it was two to three weeks, give or take?

25 INVESTIGATOR DANTZLER: I'm sorry, Mr.

1 O'Keefe. What's the question?

2 MR. O'KEEFE: So you mentioned during
3 your testimony that you did not notify the
4 establishment that you were coming, so it was an
5 unannounced visit. But is it -- is it accurate
6 to state that it can be assumed that your
7 unannounced visit will occur between the last
8 ABCA status hearing for this matter and today's
9 case?

10 MR. MPRAS: Objection.

11 INVESTIGATOR DANTZLER: I'm sorry.
12 What is the nature of the objection?

13 MR. MPRAS: The objection is the
14 investigator is not qualified to speak to what
15 the licensee may or may not assume, or it goes to
16 state of mind.

17 INVESTIGATOR DANTZLER: What's the
18 question? What's the question you're asking, Mr.
19 O'Keefe?

20 MR. O'KEEFE: Was this visit in a
21 sense somewhat announced in that it would have to
22 occur before this hearing today and following the
23 ABCA status hearing two to three weeks ago?

24 CHAIRPERSON ANDERSON: I'll allow the
25 -- I mean, the way the question is framed. So

1 you can answer the question, if you can, ma'am.

2 INVESTIGATOR DANTZLER: Okay. If I'm
3 understanding you correctly, Mr. O'Keefe, the --
4 I would -- I would believe the licensee would
5 know that a protest has been announced, or he has
6 been acknowledged of a protest for his license,
7 and that at some point he should expect a visit
8 from an investigator. I hope I answered your
9 question.

10 MR. O'KEEFE: Thank you for
11 clarifying. Yes. My last question or it's a
12 question about one of the artifacts or the items
13 that was included. I believe it's Government
14 Exhibit 30 within the report that appears to the
15 police logs. You spoke to this a bit during your
16 overview, but can you please just explain what
17 that Exhibit 30 reflects in a little bit more
18 detail and why they were included as part of this
19 report?

20 INVESTIGATOR DANTZLER: Yes. It may
21 -- my statement may have some redundancy. The
22 police -- the calls for service is to help the
23 Board and protestants understand what type of
24 calls have come for that particular -- for that
25 particular addresses. I have learned that

1 although an address may be given as a point of
2 reference to have police to respond, but it
3 doesn't always correlate that that address is
4 where the event actually occurred.

5 It's just to help the -- everyone
6 understand the types of calls that come for that
7 address, and -- and it may give the dispositions.
8 I'm not sure. But it was approximately 32 calls
9 for that address.

10 MR. O'KEEFE: Thank you. And just a
11 quick follow-up to that. Based on your extensive
12 experience conducting these types of
13 investigations, is that number average, above
14 average, below average?

15 INVESTIGATOR DANTZLER: I really can't
16 speak to averages. Just based off of my
17 experience with the protests I've done since I've
18 been with the agency, crime patterns, you know,
19 have changed. So I don't know what the average
20 would be, because this is my first time having a
21 protest in that area.

22 MR. O'KEEFE: All right. Thank you.
23 I have no further questions.

24 INVESTIGATOR DANTZLER: My pleasure.

25 CHAIRPERSON ANDERSON: Thank you. Any

1 follow-up questions by the Board?

2 All right. Ms. Dantzler, thank you
3 very much for your testimony. Have a great day.

4 INVESTIGATOR DANTZLER: My pleasure.

5 CHAIRPERSON ANDERSON: All right.

6 We're going to take a 10-minute break. We're
7 going to be off the record until 11:30. And at
8 11:30, Mr. Mpras, you can continue to present
9 your case.

10 So we are off the record.

11 (Whereupon, the above-entitled matter
12 went off the record at 11:20 a.m. and resumed at
13 11:31 a.m.)

14 CHAIRPERSON ANDERSON: We're back on
15 the record.

16 I just want to put something on the
17 record. The only parties to this case currently
18 are the protestant; the representative of the
19 protestant is Mr. Mpras; Mr. Kassaye -- Mr.
20 Kassaye, if I pronounce your name wrong, sir, I
21 apologize, who is the owner of the establishment;
22 and Mr. O'Keefe. He is the representative of the
23 protestant. These are the only parties to this
24 case. These are the only persons who are
25 authorized to speak.

1 If there is anyone else online or on
2 call, they will not be permitted to speak unless
3 they are called as a witness. So if you are
4 listed on the witness list, and if you are not --
5 or if you are not listed on the witness list, you
6 will not be called, and you will not be allowed
7 to speak. All right?

8 So currently in this hearing the only
9 parties who must be online are the attorney who
10 is representing the licensee, the licensee, and
11 the representative of the protestant. These are
12 the only parties for this case currently, and no
13 witnesses need to be online, and no witness -- no
14 witnesses. They do not need to be allowed to
15 speak or make comments on this case unless they
16 have been called as a witness.

17 All right. Now, Mr. Mpras, do you
18 have another witness that you wish to call? Mr.
19 Mpras?

20 MR. MPRAS: Sorry. I was muted. I'd
21 like to call Kesha Pendergrast, please.

22 CHAIRPERSON ANDERSON: Ms.
23 Pendergrast, I see you are online. Can you turn
24 your camera on, ma'am? Ms. Pendergrast? Take
25 your -- take your -- unmute yourself, ma'am. Are

1 you able to unmute yourself? If you're unable to
2 -- all right. Ms. Pendergrast, I can see and
3 hear you. Can you raise your right hand, please,
4 ma'am?

5 MS. PENDERGRAST: Yes.

6 CHAIRPERSON ANDERSON: Do you swear or
7 affirm to tell the truth and nothing but the
8 truth?

9 MS. PENDERGRAST: Yes, I do.

10 CHAIRPERSON ANDERSON: Your witness,
11 sir.

12 MR. MPRAS: Thank you. Good
13 afternoon, Ms. Pendergrast. Would you please
14 spell your full name for the record?

15 MS. PENDERGRAST: Sure. K-E-S-H-A,
16 last name P-E-N-D-E-R-G-R-A-S as in S, T as in
17 Thomas.

18 MR. MPRAS: Great. Now, Ms.
19 Pendergrast, what is your current address?

20 MS. PENDERGRAST: I resided at 1617 W
21 Street, Southeast, since 2019.

22 MR. MPRAS: Okay. And, Ms.
23 Pendergrast, can you briefly describe the
24 neighborhood surrounding that address?

25 MS. PENDERGRAST: The neighborhood,

1 it's a largely residential neighborhood mixed
2 with single-family homes and apartments.

3 MR. MPRAS: Okay.

4 MS. PENDERGRAST: It's a historic
5 neighborhood.

6 MR. MPRAS: And in your time living
7 there, are you familiar with the D.C. Food
8 Market?

9 MS. PENDERGRAST: Yes.

10 MR. MPRAS: And how often would you
11 say you typically visit the store?

12 MS. PENDERGRAST: I visit it
13 occasionally.

14 MR. MPRAS: Okay. Now, in your -- how
15 far do you live from the store?

16 MS. PENDERGRAST: I am the first house
17 -- I'm directly beside the store on W Street.

18 MR. MPRAS: Great. And as the
19 next-door neighbor, have you ever witnessed any
20 disorderly conduct or problems related with the
21 operation of the store?

22 MS. PENDERGRAST: I can't say that I
23 have.

24 MR. MPRAS: Okay. And in your
25 experience there, and experience with this store,

1 how would you describe the overall atmosphere and
2 operation of the store?

3 MS. PENDERGRAST: When I've gone in
4 the store, it was always clean. The people that
5 work there have always been nice. I haven't had
6 any experiences where I've had any problems at
7 all with, you know, me frequenting the store.

8 MR. MPRAS: Okay. Now, do you find
9 the store well maintained and clean, both inside
10 and the area outside?

11 MS. PENDERGRAST: Yes. I -- yeah,
12 both inside the outside the store is clean. I've
13 witnessed -- you know, I think they've hired
14 someone in the neighborhood to always sweep the
15 area around the store to keep it clean.

16 MR. MPRAS: Okay. And do you -- have
17 you noticed any excessive loitering or loud
18 noises coming from the store or the area around
19 the store?

20 MS. PENDERGRAST: No.

21 MR. MPRAS: Okay. And, in your
22 opinion, would you say the presence of the D.C.
23 Food Market as a whole has had a negative or
24 positive impact on the neighborhood?

25 MS. PENDERGRAST: I don't think it has

1 had a negative impact. I don't think that there
2 has been any -- I'm not aware of any instances
3 that involve the store, so I can't say there has
4 been a negative impact at all.

5 MR. MPRAS: Okay. And do you find the
6 availability of not only groceries but alcoholic
7 beverages, you know, at a store near you to be
8 convenient for yourself?

9 MS. PENDERGRAST: Yeah. It has been
10 very convenient. I typically go to the store to
11 buy small items, like recently I went to the
12 store to buy batteries because my -- you know, I
13 needed batteries. So, yes, it's very convenient
14 for me to pick up items that's needed.

15 MR. MPRAS: Okay. And is there
16 anything else you'd like to add about, you know,
17 your experience as the next-door neighbor of the
18 D.C. Food Market?

19 MS. PENDERGRAST: Well, like I said,
20 they have been very nice, and, you know,
21 accommodating as far as, you know, they are
22 helpful with helping me find it in the store. I
23 have never had any bad experiences. I don't have
24 anything negative to say. It has always been a
25 positive experience with the store owner as well

1 as the workers at the store. And it has always
2 been very clean, so I don't -- yeah, it has
3 always been a good experience.

4 MR. MPRAS: And do you feel safe going
5 into that store?

6 MS. PENDERGRAST: Yes. I have never
7 had -- I have never had any issues of fear or
8 concern going into the store at all.

9 MR. MPRAS: At any given time of the
10 day?

11 MS. PENDERGRAST: Correct. At any
12 given time. I have never had any concerns.

13 MR. MPRAS: Great. Thank you, Ms.
14 Pendergrast. No further questions.

15 CHAIRPERSON ANDERSON: Mr. O'Keefe, do
16 you have any questions?

17 MR. O'KEEFE: Yes. Thank you.

18 Hi. Good morning, Ms. Pendergrast.
19 Thank you for joining the hearing today. I just
20 have a couple of quick follow-up questions. And
21 I think you probably have one of the most unique
22 views of the establishment, being the next-door
23 neighbor, compared to most folks in the
24 neighborhood. So thank you for taking the time
25 to join.

1 In the years that the establishment
2 has been there, have you ever witnessed people
3 loitering outside the establishment?

4 MS. PENDERGRAST: Not loitering. I
5 know that, you know, people come in and out of
6 the store at different times throughout the day,
7 but I have never really noticed anyone standing
8 around or just kind of loitering around. I can't
9 say that I witnessed that.

10 MR. O'KEEFE: Okay. And in the years
11 that the business has been operating, have you
12 ever witnessed someone drinking openly in front
13 of or next to the establishment, even a single
14 time?

15 MS. PENDERGRAST: I personally have
16 not witnessed that.

17 MR. O'KEEFE: Okay. And in the years
18 that the establishment has been operating, have
19 you ever witnessed a crime or the aftermath of a
20 crime; for example, a police response in front of
21 or next to the establishment?

22 MS. PENDERGRAST: I've seen police
23 sitting in front of the establishment often, but
24 I think based upon sitting into some of the
25 meetings with MPD, you know, that's something

1 that they do normally in the neighborhood. They
2 always have a police -- a police -- not always,
3 but often as a part of the police strategy for
4 the neighborhood, they have a police officer
5 outside, you know, parked directly across the
6 street from the store.

7 MR. O'KEEFE: Yes. So, in addition to
8 sitting and monitoring, you have never once
9 witnessed them respond to a police call outside
10 for a specific incident in the multiple years
11 that they have been there?

12 MR. MPRAS: Objection.

13 CHAIRPERSON ANDERSON: What's the
14 nature of the objection, sir?

15 MR. MPRAS: Mischaracterizes the
16 witness' testimony. She never said the police
17 were there monitoring the establishment.

18 MR. O'KEEFE: Oh, I'm sorry. I will
19 pull that back. That was -- I did not mean to
20 state it that way. Monitoring the neighborhood
21 or sitting idly. So I will pull that -- that
22 statement back.

23 Outside of the police doing typical
24 police monitoring of the neighborhood, not of
25 this specific establishment, have you ever seen

1 the police respond to a specific call in front of
2 or next to that establishment, in addition to
3 their standard sitting and observing?

4 MS. PENDERGRAST: Yeah. Well, I -- I
5 mean, I have been there when I -- when crime --
6 you know, when crime has happened in the
7 neighborhood. I cannot say that I am aware of
8 any instance where the police has been called
9 specifically for the store but has -- have I been
10 -- have I seen police respond to the W Street lot
11 for crime over the years? Absolutely. But
12 nothing that I'm aware that is specifically
13 related to that store.

14 MR. O'KEEFE: Okay. And I don't --
15 thank you for the response. I don't think anyone
16 would question the convenience of being able to
17 buy batteries or other home supplies at a store
18 next to your home, but can you please explain how
19 the sale of alcohol at this establishment has
20 positively impacted the neighborhood?

21 MS. PENDERGRAST: I don't think I can
22 answer how alcohol sales positively impact or
23 negatively impact the store. As a D.C. resident,
24 I know that, you know, it's common for a lot of
25 the local grocers to sell alcohol. So, but I'm

1 not sure that any store has a negative or a
2 positive impact. It's just a product that's sold
3 at stores. I can't -- I don't think I can answer
4 that question.

5 MR. O'KEEFE: Okay. Thank you.

6 CHAIRPERSON ANDERSON: Any other
7 questions, sir?

8 MR. O'KEEFE: No. That's it. Thank
9 you.

10 CHAIRPERSON ANDERSON: All right. Any
11 questions from any Board members? Go ahead, Mr.
12 Short.

13 MEMBER SHORT: Good morning still, Ms.
14 Pendergrast.

15 MS. PENDERGRAST: Good morning, Mr.
16 Short.

17 MEMBER SHORT: How many years have you
18 resided in the District of Columbia?

19 MS. PENDERGRAST: I'm a native
20 Washingtonian. I was born and raised in
21 Washington, D.C.

22 MEMBER SHORT: How long have you lived
23 in historic Anacostia?

24 MS. PENDERGRAST: I purchased the
25 property in 2019.

1 MEMBER SHORT: And are you pretty much
2 still safe there and --

3 MS. PENDERGRAST: The neighborhood
4 does have --

5 CHAIRPERSON ANDERSON: Hold on a
6 minute, Ms. -- hold on, Ms. Pendergrast. Hold
7 on, hold on. You're breaking up. I don't know
8 what's going on.

9 MS. PENDERGRAST: Can you hear me now?

10 CHAIRPERSON ANDERSON: It's kind of
11 choppy.

12 MS. PENDERGRAST: Okay. Can you hear
13 me now?

14 CHAIRPERSON ANDERSON: All right.
15 Yes. Go ahead, ma'am.

16 MS. PENDERGRAST: So I -- what I
17 shared is the neighborhood absolutely does have
18 its problem with crime. I know, like, you know,
19 I'm active in a lot of the ANC meetings, and
20 there is a lot of crime that comes from one of
21 the, you know, local, you know, where -- where
22 residents talk about the crime that happened --
23 that happens out of one of the local apartments
24 that's on the W Street area.

25 So there is definitely their share of

1 crime. Absolutely.

2 MEMBER SHORT: Okay. My last
3 question. Are you familiar that Frederick
4 Douglass, Cedar Hill, is in your neighborhood?

5 MS. PENDERGRAST: Am I familiar with
6 the Frederick Douglass house?

7 MEMBER SHORT: Yeah.

8 MS. PENDERGRAST: Yes. Absolutely.

9 MEMBER SHORT: Okay. Does that have
10 any effect on the businesses or the business next
11 door to you?

12 MS. PENDERGRAST: Does the historic
13 Frederick Douglass house have any effect on the
14 business next door?

15 MEMBER SHORT: Yeah. On your -- on
16 your life or your neighbors' lives.

17 MS. PENDERGRAST: Does the Frederick
18 Douglass house have any effect on -- I mean, it's
19 -- it's -- I mean --

20 MEMBER SHORT: Well, let me -- let me
21 rephrase that, Ms. Pendergrast.

22 MS. PENDERGRAST: Okay.

23 MEMBER SHORT: I guess we're here to
24 talk about a business next door to you.

25 MS. PENDERGRAST: Correct.

1 MEMBER SHORT: And in relation to that
2 business next door to you, right down the street
3 from you is a historic Frederick Douglass
4 National Park.

5 MS. PENDERGRAST: Yes.

6 MEMBER SHORT: Does that business have
7 any effect on you, the residents, or the
8 Frederick Douglass home?

9 MS. PENDERGRAST: Does the corner
10 market have any effect on me?

11 MEMBER SHORT: Yeah. Your personal
12 opinion.

13 MS. PENDERGRAST: I mean, it's a
14 convenience store, so the corner store is
15 convenient for me to pick up items that I might
16 need when I'm, you know, at home. So --

17 MEMBER SHORT: Okay.

18 MS. PENDERGRAST: -- yes, it's a
19 convenience.

20 MEMBER SHORT: Thank you very much.
21 Thank you for your -- thank you for your answers,
22 and thank you for being a good D.C. resident for
23 all your life. Thank you.

24 MS. PENDERGRAST: Thank you so much.
25 It was a pleasure speaking with you.

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

3 MEMBER GRANT: Good morning, Ms.
4 Pendergrast, and thank you for being with us at
5 this hearing. My question you is, given the fact
6 that you are a direct next-door neighbor of the
7 establishment, although ANC 8A is not officially
8 a party in this, can you explain any interactions
9 that you've had specific to this establishment or
10 this application for renewal with ANC 8A?

11 MS. PENDERGRAST: (Audio
12 interference.)

13 CHAIRPERSON ANDERSON: Ms. Moore? Ms.
14 Moore, hold on. Hold on. Let's try again, Ms.
15 Moore.

16 MEMBER GRANT: No. Ms. Pendergrast.

17 CHAIRPERSON ANDERSON: I'm sorry. Ms.
18 Pendergrast, I apologize. Ms. Pendergrast?

19 MS. PENDERGRAST: Yes. I asked if you
20 could hear me.

21 CHAIRPERSON ANDERSON: No. You're
22 breaking up, and I think that's part of the
23 problem. And I want to make sure that we can
24 hear what's being said. You're no longer on
25 video, which is fine, because sometimes that

1 helps. But in this particular case, it's not
2 necessarily helping. So let's try again, ma'am.

3 MS. PENDERGRAST: Can you see --

4 CHAIRPERSON ANDERSON: Ms.

5 Pendergrast, can you -- let me see. Maybe I'll
6 have you do a call in. Let's -- but let's try
7 again, ma'am.

8 MS. PENDERGRAST: Are you able -- are
9 you able to hear me and see me now?

10 CHAIRPERSON ANDERSON: Yes. I can --
11 I can do both, yes. Okay. Go ahead.

12 MS. PENDERGRAST: Okay.

13 CHAIRPERSON ANDERSON: Go ahead, Mr.
14 Grant.

15 MS. PENDERGRAST: I was asking if he
16 could ask -- ask the question again. I wanted to
17 make sure I'm able to understand his question.

18 MEMBER GRANT: Sure. Sure. Given the
19 fact that ANC 8A is not a standing party, I want
20 to be clear on that in this -- in this hearing,
21 but despite that, can you describe or explain any
22 interactions you've had with ANC 8A specific to
23 this establishment or this specific application
24 for renewal?

25 MS. PENDERGRAST: I can't recall that

1 I've had any specific engagement with the ANC
2 about the protest or the establishment. I can't
3 recall if I have. I know that most of the
4 meetings that I sat in on led by the ANC was
5 about, you know, the crime in the neighborhood,
6 working with the local -- working with local --
7 the MPD and, you know, trying to come up with
8 ideas on how to eradicate some of the crime
9 that's coming out of one of the local buildings
10 on the block.

11 MEMBER GRANT: Okay. Just as a quick
12 follow up, just for more clarity, so they're --
13 in the process of the protestants establishing
14 themselves as a party, no one reached out to you,
15 is that correct, about being a part of that?

16 MS. PENDERGRAST: I can't recall if
17 they have. I know that I was contacted by the
18 representative from the corner grocer. I'm --

19 MEMBER GRANT: Okay.

20 MS. PENDERGRAST: Yeah. I think there
21 may have been one -- one instance where they
22 called on me. Just to be clear, I think there
23 may have been an instance where there was a
24 conversation about -- and I'm not sure if it was
25 formal with the ANC or just -- just a

1 conversation, but I did hear once before that
2 there were some residents who wanted -- you know,
3 who wanted -- had some concerns about the grocery
4 store hours or something. And this was a while
5 ago, so -- but no one reached out to ask me
6 specifically if I can recall.

7 MEMBER GRANT: Okay. No further
8 questions, Mr. Chair.

9 Thank you again, Ms. Pendergrast.

10 CHAIRPERSON ANDERSON: All right.
11 Thank you, Mr. Grant.

12 Mr. O'Keefe, do you have any questions
13 for Ms. Pendergrast based on the questions that
14 were asked by the Board?

15 MR. O'KEEFE: No. Thank you.

16 CHAIRPERSON ANDERSON: Mr. Mpras, any
17 follow up? Any redirect?

18 MR. MPRAS: No follow up.

19 CHAIRPERSON ANDERSON: Ms.
20 Pendergrast, thank you very much for your
21 testimony. Have a great day.

22 MS. PENDERGRAST: Okay. Thank you.

23 CHAIRPERSON ANDERSON: Thank you.

24 Mr. Mpras, any -- do you have any
25 other witnesses you wish to call?

1 MR. MPRAS: Yes, sir. Mr. Montinas
2 Butler?

3 CHAIRPERSON ANDERSON: Where is Mr.
4 Butler? Is Mr. Butler online or do we need to
5 elevate him?

6 MR. MPRAS: You need to elevate him,
7 sir.

8 MR. ORELLANA: Your access has been
9 elevated.

10 CHAIRPERSON ANDERSON: All right.
11 Thank you.

12 Mr. Butler, can you turn your camera
13 on, sir, and unmute yourself? Mr. Butler?

14 MR. BUTLER: Yes, I'm here.

15 CHAIRPERSON ANDERSON: Do you have a
16 camera you can turn on, sir?

17 MR. BUTLER: At this time, I am in a
18 bad location.

19 CHAIRPERSON ANDERSON: All right. I
20 know you're in a bad location, and so I can
21 hardly hear you. So maybe -- maybe I'll have you
22 do a call in. But can you raise your right hand,
23 sir?

24 MR. BUTLER: Yes, sir.

25 CHAIRPERSON ANDERSON: Do you swear or

1 affirm to tell the truth and nothing but the
2 truth?

3 MR. BUTLER: Yes. Affirm.

4 CHAIRPERSON ANDERSON: All right.
5 Your witness, Mr. Mpras.

6 MR. MPRAS: Thank you, sir.

7 Good morning, Mr. Butler. Would you
8 please spell your full name for the record?

9 MR. BUTLER: Yes. My name is Montinas
10 Butler, spelled M-O-N-T-I-N-A-S, last name is
11 B-U-T-L-E-R.

12 MR. MPRAS: And, Mr. Butler, what is
13 your current address?

14 MR. BUTLER: 2118 16th Street,
15 Southeast.

16 MR. MPRAS: Great. And how far would
17 you say that is from the D.C. Food Market?

18 MR. BUTLER: Across the street, across
19 the street from it.

20 MR. MPRAS: Directly across the
21 street?

22 MR. BUTLER: Mm-hmm. Yes, sir.

23 MR. MPRAS: And, Mr. Butler, how long
24 have you lived at that address?

25 MR. BUTLER: Thirty years.

1 MR. MPRAS: Thirty years. Okay.

2 Great. And, Mr. Butler, would you please
3 describe your neighborhood, which -- the
4 neighborhood surrounding the D.C. Food Market?

5 MR. BUTLER: A good neighborhood, has
6 its moments, but it's hard.

7 MR. MPRAS: Okay. And, Mr. Butler,
8 how often would you say you visited the D.C. Food
9 Market?

10 MR. BUTLER: Maybe every other day.

11 MR. MPRAS: Every other day? Great.
12 And, Mr. Butler, in any of your visits, have you
13 ever witnessed any disorderly conduct or problems
14 related to the operations of the D.C. Food
15 Market?

16 MR. BUTLER: No.

17 MR. MPRAS: Okay. And, Mr. Butler,
18 would you say how -- would you say the D.C. Food
19 Market is clean?

20 MR. BUTLER: Yes. Very clean.

21 MR. MPRAS: How would you describe the
22 exterior property of the D.C. Food Market?

23 MR. BUTLER: Well maintained,
24 generally clean across the street in front of the
25 door and the outside of the store.

1 MR. MPRAS: And so, basically, I mean,
2 whether you visit or not, you are across the
3 street, so do you see it every day?

4 MR. BUTLER: Yes, sir.

5 MR. MPRAS: And do you -- have you
6 witnessed any loitering around the -- around the
7 property or in front of the D.C. --

8 MR. BUTLER: No.

9 MR. MPRAS: -- Food Market? Okay.

10 MR. BUTLER: No.

11 CHAIRPERSON ANDERSON: Mr. Butler, can
12 you just raise your voice, sir, when you're
13 answering the questions, please?

14 MR. BUTLER: Yes, sir.

15 CHAIRPERSON ANDERSON: All right.

16 Thank you.

17 MR. BUTLER: Sorry about that.

18 MR. MPRAS: And, Mr. Butler, is there
19 any noise coming from or created by the D.C. Food
20 Market that bothers you, that you hear or bothers
21 you in your home?

22 MR. BUTLER: No, sir.

23 MR. MPRAS: Okay. And, Mr. Butler,
24 how would you describe your interactions with the
25 staff of the D.C. Food Market?

1 MR. BUTLER: Pleasant, very pleasant,
2 hospitable, funny, often funny. But --

3 MR. MPRAS: Okay.

4 MR. BUTLER: -- very wonderful, great
5 experience.

6 MR. MPRAS: And, in your opinion,
7 would you say the presence of the D.C. Food
8 Market creates a positive or negative impact on
9 the neighborhood?

10 MR. BUTLER: A positive.

11 MR. MPRAS: Sir, could you repeat
12 that, please?

13 MR. BUTLER: A positive impact on the
14 neighborhood.

15 MR. MPRAS: Okay. Thank you. And
16 could you tell me a little bit about why you
17 believe the store has a positive impact on the
18 neighborhood?

19 MR. BUTLER: Well, it's convenient for
20 them.

21 CHAIRPERSON ANDERSON: Mr. Butler, I
22 can't hear you, sir. I cannot hear you. I need
23 you to raise your voice, sir.

24 MR. BUTLER: Yes, sir. I'd say this
25 is a positive impact on our neighborhood. It's

1 convenient for a lot of folks to use the store
2 instead of going to, like, a further location
3 like Safeway and Giant.

4 MR. MPRAS: And, Mr. Butler, have you
5 yourself noticed any criminal activity around the
6 D.C. Food Market?

7 MR. BUTLER: No, sir. I haven't
8 noticed any criminal activity around the
9 neighborhood.

10 MR. MPRAS: Okay. And, Mr. Butler, is
11 there anything you'd like to add about your
12 experience with the D.C. Food Market?

13 MR. BUTLER: No. It's a great
14 experience. I guess it's -- part of the
15 experience, it helps young folks in these houses
16 keep positive employment. He has hired several
17 people in the neighborhood which have a positive
18 impact on the neighborhood. I enjoy it.

19 MR. MPRAS: Mr. Butler, is it fair to
20 say, or I'd like to ask, do you feel that they
21 are a member of the community?

22 MR. BUTLER: Yeah. Very much a member
23 of the community.

24 MR. MPRAS: Great. Thank you for your
25 testimony, Mr. Butler. We appreciate it.

1 MR. BUTLER: You're welcome.

2 CHAIRPERSON ANDERSON: Hold on, Mr.

3 Butler.

4 Mr. O'Keefe, do you have any questions
5 for Mr. Butler?

6 MR. O'KEEFE: Hello, Mr. Butler.

7 Thank you for taking time to join today.

8 MR. BUTLER: You're welcome.

9 MR. O'KEEFE: I just have a couple of
10 quick follow-up questions. So you -- in the time
11 that you've been at that corner, just to confirm
12 one of your earlier responses, you have never
13 witnessed any criminal activity or police
14 responses at that corner intersection in the 30
15 years that you've been there?

16 MR. BUTLER: I have experience in the
17 neighborhood but not at that store on the corner.

18 MR. O'KEEFE: At the corner on the --
19 you know, in or around that intersection in front
20 of the store, not within the store, you've never
21 seen a police --

22 MR. BUTLER: No.

23 MR. O'KEEFE: -- response at that
24 intersection?

25 MR. BUTLER: Around the neighborhood,

1 not at the intersection. No, sir. Not at the
2 intersection.

3 MR. O'KEEFE: Okay. And just thinking
4 back, I'm not sure if the -- if everyone on the
5 line was on earlier, but I believe that the
6 investigative report stated that there were
7 30-some-odd calls to that location in the time
8 period that was searched. So I'm just calling
9 that out.

10 Can you, sir, please explain if you
11 think that the sale of alcohol specifically at
12 this store has a positive or negative impact on
13 the neighborhood?

14 MR. BUTLER: I can't say, because I
15 haven't seen anybody purchase any alcohol or --
16 actually around the neighborhood. So how I can
17 say as part -- what I feel, it's a positive
18 thing. It's not nobody drinking outside the
19 store. He doesn't allow it. Nobody drinking on
20 the streets of the neighborhood. So this is
21 probably in fact where they get their alcoholic
22 beverage and they go elsewhere.

23 MR. O'KEEFE: That's all that I have.
24 Thank you, sir.

25 MR. BUTLER: Mm-hmm.

1 CHAIRPERSON ANDERSON: Mr. Mpras? I'm
2 sorry. Did I -- I'm sorry. I'm sorry. Any
3 questions by the Board? Go ahead, Mr. Short.

4 MEMBER SHORT: And still good morning,
5 Mr. Butler.

6 MR. BUTLER: Good morning, Mr. Short.
7 How are you doing, sir?

8 MEMBER SHORT: Just fine. Mr. Butler,
9 I guess the reason we are here today is because
10 the renewal of this establishment is up -- is in
11 question because someone is protesting. You, as
12 a neighbor who -- you said you've lived there how
13 many years?

14 MR. BUTLER: Thirty years.

15 MEMBER SHORT: In your opinion, should
16 this license be renewed or -- in your opinion, as
17 a resident.

18 MR. BUTLER: Yeah. Yes, it's a part
19 of his business. It's not affecting anyone in
20 the neighborhood. There's no bottles on the
21 ground, no trash. He keeps it clean. He keeps
22 the area clean, and people do not drink on the
23 establishment.

24 MEMBER SHORT: Thank you, Mr. Butler.
25 I just say this from a lot of testimony we've

1 heard from a lot of different residents around
2 the city. This is very strong coming from the
3 residents. Thank you very much for your time
4 today, and thank you for your testimony.

5 MR. BUTLER: You're welcome. Have a
6 great day.

7 MEMBER SHORT: That's all I have, Mr.
8 Chair.

9 CHAIRPERSON ANDERSON: Mr. Grant?

10 MEMBER GRANT: Thank you for being on
11 with us. We're now almost two hours into this
12 hearing, and I didn't get a chance to ask the
13 other residents this question, but I want to ask
14 you.

15 Given the fact that -- and maybe this
16 is an assumption on my part -- that you don't
17 have any specific interest in this establishment
18 other than being a neighbor, what is it that
19 prompted you to be on a hearing for two hours at
20 this point to give testimony in support of the
21 applicant? What prompts you to be here and
22 provide that sort of support?

23 MR. BUTLER: Thank you for your
24 response -- for your question. I'm here because
25 I thank him so much for being a representative

1 for that store. From what that store once was to
2 what it is now, what a big impact, and it kept a
3 lot of riffraff away from our area. They're
4 keeping it clean. That was my response is that
5 --

6 MEMBER GRANT: Just for clarification
7 because you were breaking up a little bit, it
8 sounded like you were saying that there have been
9 improvements since this owner has been in place,
10 and that is why you are here. Is that correct?

11 MR. BUTLER: Yes, sir. I mean,
12 there's no crime in the store. Nobody is selling
13 drugs in the store like it once was. Before he
14 came, there's a store that was there facing W --
15 16th Street. We had people selling drugs inside
16 the store. You couldn't even get inside the
17 store to purchase a soda pop. It has changed
18 dramatically and did a wonderful thing for the
19 neighborhood.

20 Even with the graffiti representation
21 on the wall, it's a wonderful moment for us to
22 have a clean area that represents us in a
23 positive way, not a negative way. So it has been
24 a great impact on the area and great -- great
25 comments from me for what he has done for us in

1 the neighborhood.

2 MEMBER GRANT: Thank you again, Mr.
3 Butler.

4 Mr. Chair, I have no other questions.

5 CHAIRPERSON ANDERSON: All right.

6 Thank you.

7 Mr. O'Keefe, any questions.

8 MR. O'KEEFE: No.

9 CHAIRPERSON ANDERSON: Ms. Mpras, any
10 questions?

11 Okay. Mr. Butler, thank you very much
12 for your testimony. Have a great day. Mr.
13 Mpras, do you have another witness.

14 MR. MPRAS: Yes, sir. My final
15 witness will be Mr. Kassaye, the owner of the
16 equipment.

17 CHAIRPERSON ANDERSON: Mr. Kassaye,
18 can you raise your right hand, please? Do you
19 swear or affirm to tell the truth and nothing but
20 the truth?

21 MR. KASSAYE: Yes, I do.

22 CHAIRPERSON ANDERSON:

23 MR. O'KEEFE: Your witness, sir.

24 MR. KASSAYE:

25 MR. O'KEEFE: Well now it's afternoon

1 so good afternoon, Mr. Kassaye.

2 MR. KASSAYE: Good afternoon, how are
3 you doing?

4 DIRECT EXAMINATION

5 BY MR. MPRAS:

6 Q Would you please spell your full name
7 for the record?

8 A Yes. My name is Ephrame Kassaye,
9 spelled E-P-H-R-A-M-E, last name is spelled
10 K-A-S-S-A-Y-E.

11 Q And sir, what is your position with
12 the DC Food Market?

13 A I'm the owner of the business.

14 Q And could you briefly tell the Board
15 about your experience in the District of Columbia
16 in the grocery business?

17 A Well, I been a business owner in Ward
18 8 for the last 19 years. I started in MLK. I
19 end up coming to DC Market area which is 16 and
20 W. Then I end up going to Chesapeake area, so I
21 been in Southeast almost -- close to 20 years
22 now.

23 Q And how long have you owned the DC
24 Food Market?

25 A DC Food Market, I actually owned it

1 since 2017. That's when I bought it.

2 Q And Mr. Butler, in his testimony,
3 stated that you made some positive changes.
4 Could you further elaborate on some of the
5 changes you have made?

6 A Yes. DC Market, it us to call
7 Parliament Market before. It was one of the most
8 dangerous corner in that area. People was not
9 able to get to the stores because the way how the
10 steps was made to come to the stores. It was
11 inconvenience for wheelchairs, handicaps. That
12 was a drug-infested store, drive-by shootings.
13 Basically, it was a drug store.

14 When I came, I was even scared for
15 myself to be honest, you know, and at the end I
16 came up to the point and changed the door around,
17 and I made renovations. I got a couple of
18 comments from the neighborhood saying that we're
19 going to rob you and you're going to do this and
20 that. But later on, they find out I'm coming
21 with positive impact in the neighborhood, things
22 changed. So I've seen some neighbors who lived
23 for 10 years who have never patronized the stores
24 before, but after and they start coming to my
25 store. So I have made a great change so no one

1 can be -- drive-by shootings, they are no more,
2 nobody buy drugs there no more, nobody loitering
3 there no more at all since I came. Just the
4 neighbors have been there for 30 years, and he
5 knows better than I do because I just came in
6 2017. He's been there for 30 years.

7 Q Now -- thank you, Mr. Kassaye. I'd
8 like to go on a little bit and ask you some
9 details about your store. Do you have cameras in
10 your store?

11 A Yes. I have cameras in the stores and
12 we do have access law enforcements and we give
13 them a password, a user ID in order for them to
14 monitor it, even detective as well, they have a
15 camera system. We the first individual being
16 contacted if anything goes around the
17 neighborhood for them to watch things.

18 Q So let me focus on that for a second.
19 You're telling me that -- did you just state that
20 you provided the police with direct access to
21 your cameras?

22 A That is correct. They have a user ID
23 and a password. They monitor it from they phones
24 and any activity goes around. So they don't even
25 call me sometimes because they can review it from

1 their own phone.

2 Q And do your -- how many cameras do you
3 have?

4 A It was 16. We jack it up to 20.

5 Q Are they placed both inside and
6 outside?

7 A That is correct. We have outside,
8 one, two, three, four. We have one on 16th
9 Street side. We have one on W Street side. We
10 have it right in front of the stores. We have
11 one on -- we have two on 16th side and the rest
12 of them, they're inside the stores.

13 Q And do your cameras record?

14 A Yes. The camera recording stays for
15 60 days.

16 Q And let me go on to ask you about
17 trash collection. Do you have a trash collection
18 service?

19 A Yes. I do have a trash collectors.
20 They come three times a week, Monday, Wednesdays,
21 Fridays. They are not visible. They are
22 invisible. It was visible when we got the
23 places, but we actually put retainer walls now.
24 Nobody sees the trash cans, always closed and
25 always clean.

1 Q Okay. Mr. Kassaye, by invisible, are
2 you saying -- are you referring to your trash
3 bins?

4 A Correct. They not -- nobody can see
5 it. Before it was wide open, people comes in and
6 threw whatever they wanted to, but at this point
7 -- and we have gates and trash comes in, they
8 open the gates, they take the trash out and they
9 put it back, yes.

10 Q Okay. And Mr. Kassaye, do you have
11 any type of contract for pest control?

12 A Yes. They come in quarterly, so they
13 actually just did recently 15 days ago.

14 Q Okay. And -- now, Mr. Kassaye, how
15 often do you -- do you clean the exterior of your
16 building?

17 A Every day, every single day.

18 Q And Mr. Kassaye, how do you deal with
19 loitering? Is there any loitering?

20 A There is no loitering. We have a
21 sign, no loitering signs, and we have noise
22 signs. We have camera signs. We don't have any
23 loiterings at all in front of our establishment,
24 not even single one.

25 Q And do you have any exterior lighting

1 around the -- your property, on the DC Food
2 Market?

3 A We have LED lights. It's 250 watts.
4 We have five of them lit up the whole entire
5 neighborhood.

6 MR. MPRAS: Now Mr. Anderson, I would
7 like to share my screen, specifically the Exhibit
8 submitted with the Applicant's PIF.

9 CHAIRPERSON ANDERSON: Can you allow
10 -- Mr. Orellana, can you allow Mr. Mpras to share
11 his screen?

12 MR. ORELLANA: Hang on.

13 MR. MPRAS: Thank you.

14 CHAIRPERSON ANDERSON: You have the
15 ability, sir.

16 MR. MPRAS: It's -- here we go. Okay.
17 Now, Mr. Kassaye, have you had any criminal
18 incidents on or in front of your property?

19 MR. KASSAYE: Not to my knowledge.

20 MR. MPRAS: Okay. Mr. Anderson, at
21 this time, I'd like to enter into the record
22 Applicant's Exhibit 1A, 1B, and 1C, official
23 Metropolitan Police Department crime reports over
24 the past three years from 2200 16th Street SE,
25 which is the location of the DC Food Market.

1 These reports specify criminal activity within
2 200, 500, and 1,000 feet respectively and
3 indicate that there is -- no criminal activity
4 has occurred on the premises.

5 CHAIRPERSON ANDERSON: Mr. O'Keefe, do
6 you have any objection?

7 Without objection.

8 (Whereupon, the above-referred to
9 documents were received in evidence as
10 Applicant's Exhibits 1A, 1B, and 1C.)

11 MR. MPRAS: Great. Now, Mr. Kassaye,
12 you said you had a trash removal contract. Is
13 what you're looking at on the screen a copy of
14 your trash removal contract with RJS, LLC?

15 MR. KASSAYE: Correct, yes. Three
16 times a week, Monday, Wednesdays, and Fridays.

17 MR. MPRAS:

18 Great. Now, Mr. O'Keefe, is that an
19 invoice from your trash -- a recent invoice from
20 your trash removal company, Exhibit 2B?

21 MR. KASSAYE: Yes.

22 MR. O'KEEFE: It appears to be so,
23 yes.

24 BY MR. MPRAS:

25 Q Okay. And Mr. Kassaye, is this a

1 receipt -- service invoice for the DC Food Market
2 from your pest control company?

3 Q Yes, ORKIN. That's correct.

4 MR. MPRAS: All right. Okay. Mr.
5 Anderson, I would like to enter Exhibits 2A, B,
6 and C into the record.

7 CHAIRPERSON ANDERSON: Mr. O'Keefe,
8 any objection?

9 MR. O'KEEFE: No objection.

10 CHAIRPERSON ANDERSON: Without
11 objection.

12 (Whereupon, the above-referred to
13 documents were marked for identification as
14 Applicant's Exhibit 2A, 2B, and 2C.)

15 MR. MPRAS: Now, Mr. Kassaye, we're
16 going to go through these pictures.

17 MR. KASSAYE: Okay.

18 BY MR. MPRAS:

19 Q Is -- could you tell me what you see
20 in this picture?

21 A That's in front of the door, DC
22 Market.

23 Q Okay. Great. Is this picture, Mr.
24 Kassaye?

25 A Yes. From a different angle, that's

1 the door.

2 Q Okay. And what is this, Mr. Kassaye?

3 A This is what I have literally changed
4 the neighborhood where it used to be a door, we
5 actually put the door on its side. The
6 neighborhood contribute \$2,250.00 in order for us
7 to put the greatest Frederick Douglass mural on
8 the wall. I contribute \$1,000.00. The total
9 amount cost \$3,200.00 for this mural to be there.

10 Q And Mr. Kassaye, which -- you said the
11 neighborhood contributed the money. Can you be
12 more specific as to where the money --

13 A Yes.

14 Q -- came from exactly?

15 A The residents that lives in W Street,
16 there was five residents that contribute money,
17 and they the one that brought the artist. They
18 came to my attention and I told them what I
19 needed, going to be Frederick Douglass, because
20 the store called Fred Douglass down the street.

21 Q Okay.

22 A So I contribute \$1,000.00. They
23 contribute \$2,200.00. The total amount came
24 \$3,200.00.

25 Q Great. Mr. Kassaye, what are we

1 looking at in this picture, please?

2 A This is where the trash can is at on
3 the premises.

4 Q Okay. And this photo?

5 A From a different angle, the trash can.

6 Q Okay. And what are we looking right
7 now, Mr. Kassaye?

8 A This is the cash register from the
9 outside, inside the store but looking at the cash
10 register.

11 Q And in this photo?

12 A This is the aisle where I have
13 groceries, none alcohol or alcohol beverage
14 aisle.

15 Q And this photo?

16 A This is an aisle where is chips and
17 cookies and frozen food and Pepsis and milk, that
18 kind of sections.

19 Q Great. Now, Mr. Kassaye, are those
20 photos accurate representation of your store?

21 A I'm sorry. Say it again?

22 Q Are those photos accurate
23 representations of --

24 A Yes.

25 Q -- your store?

1 A Yes. That is correct.

2 MR. MPRAS: We move to admit Exhibits
3 3A through H into the record.

4 CHAIRPERSON ANDERSON: Mr. O'Keefe?

5 MR. O'KEEFE: No objection.

6 CHAIRPERSON ANDERSON: Without
7 objection.

8 (Whereupon, the above-referred to
9 documents were received in evidence as
10 Applicant's Exhibits 3A through 3H.)

11 MR. MPRAS: Mr. Kassaye, is this photo
12 an accurate representation of your store?

13 MR. KASSAYE: Yes. I think that look
14 like the Google map and you see how there was no
15 barrier wall in there, and it was so terrible and
16 for the wall, and that's how the trash can used,
17 but people was doing so much things in there but
18 not anymore.

19 BY MR. MPRAS:

20 Q Okay. Very good. And this is what it
21 looked like before, correct, before you made
22 those --

23 A Correct.

24 Q -- changes?

25 A That is -- that is correct, yes. That

1 is hundred percent correct, yes.

2 MR. MPRAS: Okay, Mr. Kassaye. I move
3 to admit Exhibits 4A and B into the record, Mr.
4 Anderson.

5 CHAIRPERSON ANDERSON: Mr. O'Keefe?

6 MR. O'KEEFE: No objection.

7 CHAIRPERSON ANDERSON: Without
8 objection.

9 (Whereupon, the above-referred to
10 document was received in evidence as Applicant's
11 Exhibit 4A and 4B.)

12 MR. MPRAS: Okay. Now, I will stop
13 sharing my screen and -- okay, very good. Now,
14 Mr. Kassaye, does the DC Food Market participate
15 in any community events or initiatives?

16 MR. KASSAYE: Yes. From the day we
17 started DC Market, we give over 800 turkey for
18 the people that needs. We have very known those
19 types of things. Marion Barry was the one who
20 used to hand out for us in MLK that I owned the
21 store. So we give turkey giveaway ever year, and
22 we do give also back to school supplies like
23 bookbag, pencil, pen, books, things that kind of
24 natures.

25 BY MR. MPRAS:

1 Q And Mr. Kassaye, can you tell me your
2 procedures for verifying the age of customers
3 when they are purchasing alcohol?

4 A Well, first of all, we request for the
5 IDs, and we request how old they are. And then
6 we have a sign also for them to see it in the
7 recorders under 21, they're not allowed to buy
8 any alcohol.

9 Q Okay. And how do you check the ID?

10 A We check the IDs by the -- we check
11 the ID physically. We -- we -- we allow them to
12 give us the ID's, and then we check the date of
13 births. And then we ask them as well once they
14 give us the ID how old they are, so they have to
15 tell us by -- how old they are.

16 Q Okay. And have your employees
17 received training on responsible alcohol sales
18 practices?

19 A Yes. I mean they -- they have two
20 managers in the premises, and they certified to
21 sell alcohol.

22 Q Very good. Now, Mr. Kassaye, is there
23 anything else you'd like to add about your
24 commitment to responsible alcohol sales,
25 community involvement, or your desire to maintain

1 a positive presence in the District of Columbia?

2 A I'm here -- I'm here for change.
3 Every time when I open at District of Columbia,
4 the neighborhood's very happy because they know
5 me for 20 years from every corners where I open
6 stores at. I'm here to work with Mr. Petes and
7 to make sure that the neighborhoods is clean, to
8 make sure that to bring a positive environment.

9 And I thank for the Board to have this
10 hearing, and this is a good environment in order
11 we can all work together. I'm not against them
12 and I'm -- you know, I'm here, I'm willing to
13 work. I'm willing to work to make sure to be
14 made. When I came to that neighborhood, it
15 wasn't like it was right now to be honest with
16 you. It was just terrible. It was a
17 drug-infested stores, and it was but not any more
18 now. The citizen can speak on that.

19 Q Mr. Kassaye, has Mr. O'Keefe ever
20 visited your store?

21 A Well, we had a meeting at one point.
22 It was Ms. Felicia, I believe, that was the first
23 hearings. We had a great discussions and he's
24 supposed to meet me up, and I'm -- you know, I
25 waste -- you know, I actually quit something that

1 I supposed to do that day, so I told him that I'm
2 going to meet him, I think it was Monday, 6:00
3 p.m. I waited til 7:30 and he -- he never show
4 ups and I left, so I never had a chance to meet
5 him.

6 Q Has he come -- has Mr. O'Keefe come to
7 -- or any of the other -- has Mr. O'Keefe come to
8 shop at your store at any time to your knowledge?

9 A I have never seen him. I see him only
10 on the meetings, and I don't know who Mr. Pete is
11 to be honest.

12 Q Prior to the protest, has Mr. O'Keefe
13 or any of the protestants come to you to discuss
14 any potential concerns they may have?

15 A No. They never. My door is wide open
16 but no.

17 Q Okay. Mr. Kassaye, thank you very
18 much for your testimony. No further questions.

19 A You're very welcome. Thank you for
20 the Board, too. I appreciate it.

21 CHAIRPERSON ANDERSON: Mr. O'Keefe,
22 any questions, sir?

23 MR. O'KEEFE: No questions at this
24 time. Thank you.

25 CHAIRPERSON ANDERSON: Any questions

1 by the Board? Go ahead, Mr. Grant.

2 MEMBER GRANT: Good afternoon and
3 thank you as well for being on this hearing and
4 making yourself available and providing the
5 feedback and testimony that you have with respect
6 to your establishment. One question that I have
7 for you is, is it possible for you to describe
8 your relationship the Metropolitan Police
9 Department? Have there been instances where you
10 had to make phone calls to them or any
11 communication to them and if not, are you open to
12 working with them in the event that they are
13 needed to intervene?

14 MR. KASSAYE: Yes.

15 MEMBER GRANT: In the event that there
16 are instances where it may be necessary to call
17 them for crime that's happening in and around
18 that intersection or near your establishment,
19 just in general, can you describe your ability to
20 build a relationship with the MPD?

21 MR. KASSAYE: I mean the relationship
22 that I have with the MPD, I've been awarded five
23 times since I been in business for 20 years.
24 Okay. MPD is -- I mean I been having relations
25 from Chief Newsham, which is not a chief now, and

1 I met the recent chief recently last week as
2 well. And I'm always working with commander,
3 with the chiefs, even the mayor as well, too. So
4 I'm here for change. I'm very known when it
5 comes to convenience stores owners in Southeast,
6 in Ward 8. So when it comes to crimes -- and I
7 always provided the camera systems and detective
8 knows me, they have access to the systems. And I
9 called any incidents happen in the neighborhoods
10 and, you know, sometimes they come to us and ask
11 us, you know, if you have any questions. I'm
12 always open to actually bring change in the
13 neighborhood when it comes to peace.

14 MEMBER GRANT: Thank you again. Mr.
15 Chair, no further questions.

16 MR. KASSAYE: You're very welcome.

17 CHAIRPERSON ANDERSON: Mr. Short?

18 MEMBER SHORT: Mr. Kassaye, this is my
19 third time on this Board, and I can say out of
20 all of the years I've been here, this is the very
21 first time I have been amazed and very pleased --

22 MR. KASSAYE: Thank you so much, sir.

23 MEMBER SHORT: Yes, sir. Well, let's
24 just say this, I have occasioned to drive through
25 the neighborhood and have seen that mural there

1 and Frederick Douglass himself would be proud of
2 that mural.

3 MR. KASSAYE: They called me, the
4 family called me actually. Frederick Douglass
5 called me, invite me to Annapolis, and I had a
6 honor to be in one of the houses in Annapolis.
7 Yes. They did call.

8 MEMBER SHORT: Thank you very much and
9 thank you for having a commendable business --

10 MR. KASSAYE: Oh, thank you so much.
11 Thank you --

12 MEMBER SHORT: -- in that community.

13 MR. KASSAYE: -- for having me. Thank
14 you, thank you very much.

15 MEMBER SHORT: There are a lot of
16 changes coming to Anacostia.

17 MR. KASSAYE: Yes, there is.

18 MEMBER SHORT: And you are part of
19 that new way.

20 MR. KASSAYE: Yes.

21 MEMBER SHORT: Thank you very much for
22 your business model --

23 MR. KASSAYE: Thank you, sir.

24 MEMBER SHORT: -- and for your
25 cooperation and work with the city government --

1 MR. KASSAYE: Anytime -- anytime.

2 MEMBER SHORT: -- and with the
3 community.

4 MR. KASSAYE: Sure. Thank you so
5 much. I appreciate it. Thank you.

6 MEMBER SHORT: Mr. Chairman, that is
7 all I have of this applicant, and thank you very
8 much for allowing me to --

9 MR. KASSAYE: All right. Thank you --
10 thank you. I appreciate it, sir.

11 CHAIRPERSON ANDERSON: You're welcome.
12 Mr. O'Keefe, do you have any questions of the
13 witness based on the questions that were asked by
14 the Board?

15 MR. O'KEEFE: Not at this time. Thank
16 you.

17 CHAIRPERSON ANDERSON: Mr. Mpras, any
18 follow-up?

19 MR. MPRAS: No, sir.

20 CHAIRPERSON ANDERSON: Mr. Kassaye,
21 thank you very much for your testimony, sir.
22 Have a great day.

23 MR. KASSAYE: Thank you -- thank you
24 so much.

25 CHAIRPERSON ANDERSON: Do you rest,

1 sir?

2 MR. MPRAS: I'm sorry.

3 CHAIRPERSON ANDERSON: You rest?

4 MR. MPRAS: Mr. Anderson, yes. The
5 applicant rests.

6 CHAIRPERSON ANDERSON: All right. Mr.
7 O'Keefe, how many witnesses do you have, sir?

8 MR. O'KEEFE: I had just one final
9 witness. They indicated that they were kicked
10 out of the room though, so not sure --

11 CHAIRPERSON ANDERSON: She is back.
12 I want the record to reflect that Ms. White is
13 not a party in this case. She is only a -- she
14 only have ability to speak once she's called a
15 witness. Now that Ms. White has been called as a
16 witness, we will ask that she be elevated, so --
17 because she's not a party. She is just a witness
18 and now she's been called, and so Mr. -- can Ms.
19 -- can we please elevate Ms. White, please?

20 MR. ORELLANA: Chair White, your
21 access has been elevated. That is all, Chairman.

22 CHAIRPERSON ANDERSON: Thank you. Ms.
23 White, can you raise your right hand, please?
24 Can you turn your camera on, ma'am, please?
25 Raise your -- can you raise your right hand?

1 MS. WHITE: Can you see me, can you
2 hear me?

3 CHAIRPERSON ANDERSON: Yes, ma'am.
4 And can you please lower your hand on the screen?
5 All right. So I need you to lower your hand,
6 ma'am, please, and --

7 MS. WHITE: Okay.

8 CHAIRPERSON ANDERSON: -- now raise
9 your hand. Thank you. Do you swear or affirm to
10 tell the truth and nothing but the truth?

11 MS. WHITE: Yes, I do.

12 CHAIRPERSON ANDERSON: Thank you.
13 Your witness, sir.

14 MR. O'KEEFE: Thank you, sir. Good
15 afternoon, Chair White. Thank you for making
16 time to join today. Could we please start by
17 having you spell your name for the record?

18 MS. WHITE: First name is J-A-M-I-L-A,
19 last name, White like the color.

20 DIRECT EXAMINATION

21 BY MR. O'KEEFE:

22 Q Thank you. And could you please list
23 your address as well?

24 A 1436 Bangor Street, SE, Washington, DC
25 20020.

1 Q Thank you. Could you please provide
2 an overview of the role that you play as an
3 elected official in Washington, DC?

4 A Yes. I am an Advisory Neighborhood
5 Commissioner for 8A 05, and I'm also the Chair of
6 NAC 8A. I've been the Chair for -- this is my
7 third year being elected Chair and also my fourth
8 year of being a Commissioner. My District just
9 changed a little bit, but Commissioner Moore and
10 I share 16th Street. That's our boundary so we
11 share. She's one side of the street where DC
12 Market is, and I'm on the other side of the
13 street.

14 Q Thank you. Approximately, just a
15 ballpark figure, how many residents cover that
16 area for your single member district, just a
17 ballpark?

18 A Twenty-one hundred.

19 Q Twenty-one hundred. Thank you. For
20 this particular establishment, DC Food Market,
21 can you please speak to -- do you have any
22 specific concerns for this establishment related
23 to trash in and around the establishment?

24 A So in terms of trash in and around the
25 establishment, I will say there has been, over

1 the last year, improvement of trash. I would say
2 like looking at 2023 and 2022, there used to be a
3 lot of trash in front of the street. There is a
4 city -- a District-owned trash can that's, you
5 know, not the property of the establishment but
6 District-owned trash can right in front that's
7 like overflowing a lot of times, but that whole
8 kind of entire 16th Street has -- is littered
9 with trash throughout the day. And like I said,
10 I have seen an improvement around that particular
11 establishment, and I frequent that establishment
12 probably like once every two weeks, so I'm very
13 familiar with the establishment.

14 Q Thank you. And can you speak to any
15 concerns that you have, if any at all, about
16 loitering in and around that establishment?

17 A There's loitering around the entire
18 street, 16th Street. So when you're looking at
19 16th Street, look -- starting at Marion Barry
20 Avenue going up to DC Market, there is loitering
21 along the entire street. This is the largest
22 open air -- one of the largest open air drug
23 markets in the District. That has been
24 established by MPD and it's also been established
25 by the Mayor's office. There is an abundance of

1 substance use between Marion Barry Avenue and the
2 intersection of 16th and W where DC Market is,
3 and there's also three stores that sell alcohol
4 along that 3-block stretch. So every block
5 there's a -- we call them liquor stores but they
6 may be retail B licenses. I think there's only
7 one class A retailer, but we have three blocks
8 with three stores that sell alcohol. And we have
9 no grocery stores at all in this community.

10 Q Thank you. And do you have any
11 concerns about the -- either the -- about the
12 negative impact that alcohol sales from this
13 particular establishment has on the community?

14 MR. MPRAS: Objection.

15 CHAIRPERSON ANDERSON: What's the
16 nature of your objection, sir?

17 MR. MPRAS: It's a leading question.
18 Mr. O'Keefe, is putting words into the witness's
19 mouth that this is negative and not giving the
20 option of positive.

21 CHAIRPERSON ANDERSON: Well, I mean
22 I'm going to overrule the objection. Go ahead,
23 ma'am, if you can answer the question.

24 MS. WHITE: Yes. So we're an open-air
25 drug market and even though none of the

1 establishments are the root cause of the
2 substance use and the substance abuse, they're
3 feeding into it. When you have three liquor
4 stores in three blocks with the largest open-air
5 drug market -- we have a methadone clinic right
6 around the corner -- it's setting up the entire
7 environment.

8 That area is unsafe. It's three
9 schools that also surround that area. Parents
10 are afraid to walk with their kids to school. I
11 don't know where those MPD stats came from, but I
12 can send MPD stats where along 16th and W, there
13 is a shooting, a stabbing, or some type of other
14 public emergency incident on a every 2- to 3-week
15 basis. When you talk to MPD, their hot spot is
16 16th and W, 16th and B, 16th and Marion Barry
17 Avenue. That is their hot spot. They have
18 officers stationed permanently along -- up and
19 down that street. So I'm not sure what
20 statistics -- I was talking about an earlier
21 presentation before I got kicked off that you all
22 were using, but I'm happy to actually provide MPD
23 more specified specifics.

24 And so going back to the question,
25 even though these establishments, they are

1 business, are not the root causes of the issues,
2 they're feeding into this unhealthy, unsafe
3 environment. And we would love to have a actual
4 grocery store that sells fresh, affordable food
5 that can nourish this community, because we are a
6 food apartheid. Ward 8 has one grocery store --

7 MR. MPRAS: Objection.

8 MS. WHITE: -- to feed a thousand
9 people, and that is the Giant on Alabama Avenue.

10 CHAIRPERSON ANDERSON: Hold up, Ms. --
11 I mean what's the nature of your objection, sir?

12 MR. MPRAS: Witness has exceeded the
13 scope of the question, and is just --

14 CHAIRPERSON ANDERSON: Mr., I'm going
15 to overrule your objection. The witness can
16 answer the question if she can. Go ahead, ma'am.

17 MS. WHITE: Yes. I think it's
18 important for the lawyer -- for the attorney to
19 understand the context. He does not live over
20 here. I don't know how --

21 MS. WHITE: Ms. --

22 (Simultaneous speaking.)

23 CHAIRPERSON ANDERSON: -- Ms. --

24 MS. WHITE: -- over here --

25 MR. MPRAS: Objection.

1 CHAIRPERSON ANDERSON: Ms. White, hold
2 on -- hold on -- hold on. Ms. White, please.

3 MS. WHITE: You're fine. Okay. I'll
4 go back.

5 CHAIRPERSON ANDERSON: Please answer
6 the question, ma'am, all right?

7 MS. WHITE: Yes. I believe that this
8 establishment, along with the other two liquor
9 establishments -- it's another class B and one
10 class A -- are contributing to the environment
11 that we are facing in our community as we are
12 desperately trying to battle substance use,
13 substance abuse, and absolute poverty at the same
14 time. So yes, I do believe that it is
15 contributing, and I believe that can be backed up
16 with any type of study.

17 MR. O'KEEFE: Thank you so much. I
18 don't have any additional questions at this time.

19 CHAIRPERSON ANDERSON: Mr. Mpras, any
20 questions for the witness?

21 CROSS-EXAMINATION

22 MR. MPRAS: Yes, sir. Second, please.
23 Okay. Commissioner White, how far is your
24 residence from the DC Food Market?

25 MS. WHITE: Three blocks.

1 BY MR. MPRAS:

2 Q Three blocks. Great.

3 A Maybe four. You go up 16th and turn
4 on Bangor and that's me.

5 Q Okay. Great. Thank you. And --
6 okay. You stated that the DC Food Market is not
7 a root cause of the problems in the neighborhood,
8 is that correct?

9 A Correct, it's not.

10 Q Okay. Now can you mention any
11 problems that are related to the store's
12 operation specifically?

13 A Well, one of the problems related is
14 that we have a lot of people who are dealing with
15 different -- and when I say "different," I want
16 to just put a little context to it, they're
17 dealing with both drug, illegal and legal drug
18 issues as well as alcoholism issues, and so it's
19 feeding into that population. So --

20 Q I understand but my question is the
21 activities of the store itself.

22 A So because the store is in the middle
23 of a drug market and they're selling alcohol to
24 people who are users, people are buying alcohol,
25 they're getting intoxicated on top of their drug,

1 and then they're committing other public
2 disturbances and putting themselves in danger. I
3 have seen multiple overdoses on 16th Street right
4 across from that store.

5 Q All right. Ma'am, I don't think
6 you're getting the grasp of my question. The --

7 CHAIRPERSON ANDERSON: Mr. Mpras,
8 please ask a question. Ask your question, sir.

9 MR. MPRAS: The question is, the DC
10 Food Market and its daily operations, okay, and
11 just within the confines of the food market --

12 MS. WHITE: Okay.

13 MR. MPRAS: -- okay, do you see any
14 problems with how they run their store?

15 MS. WHITE: With any problems of how
16 they run their store? Well, when I frequent the
17 store, I frequent the store, like I said, every
18 couple of weeks, there's generally one or two
19 people out asking for money, which is
20 understandable. It's a very poor community.
21 When you go in the store, the staff is like
22 behind these bullet-proof big windows. For me,
23 it's a little bit like wow, you feel unsafe, you
24 can't be with the community? But that's the way
25 they want to operate, I understand. It's -- it's

1 a lot of danger in the community. My issue is
2 once people go in the store, they purchase their
3 liquor and they come out of the store, then they
4 -- then that's where we have the issues. This
5 establishment has, you know, said they're not
6 responsible for what their clients do. I
7 understand. But if you didn't sell the beer or
8 wine, they wouldn't have access to it to be able
9 to come, get drunk, get high, and then do what
10 they do.

11 BY MR. MPRAS:

12 Q So are you saying that if the DC Food
13 Market didn't sell beer and wine, they wouldn't
14 be able to get somewhere else, is that correct?

15 A They may be able to get it somewhere
16 else, but they wouldn't be able to get it right
17 there and do it right there. Like I said, we
18 have three liquor stores. So if those three
19 liquor stores didn't sell liquor, they would have
20 to go somewhere else to get it.

21 Q You also mentioned schools. There are
22 no schools within 1,200 feet according to the
23 ABRA report. Which schools are you referring to?

24 A We have DC Prep which is a private
25 charter school. We have Kramer Elementary

1 School, and then that is also a safe passages for
2 three feeder schools. We have Anacostia High --
3 not Kramer -- excuse me -- Ketcham. Ketcham is
4 on 15th and V. We have on 14th and W a daycare
5 center, and then we have those -- the same
6 students that live in those populations, they
7 have to travel down 16th Street, cross over
8 Marion Barry Avenue to get to Anacostia High
9 School, to get to Kramer Middle School, and then
10 going the other way of Anacostia to get to
11 Thurgood Marshall High School and to get to Savoy
12 Elementary School. So the students who live in
13 that neighborhood, who live on W Street
14 specifically, who live in Galen Terrace, they
15 have to go through there to get to DC Prep,
16 Ketcham Elementary School, Kramer Middle School,
17 Anacostia High School, Thurgood Marshall High
18 School, and Savoy Elementary School. We have
19 seven schools in our -- in two ANC F and B, so
20 not even an entire ANC that feeds into that
21 community. And that is a safe passages right --
22 a safe passages route.

23 Q Okay. Understood. But they are not
24 with -- while students may have to walk by at
25 some given time, their schools are not within the

1 vicinity of the DC Food Market, is that correct?

2 A No. That is not correct. The DC Food
3 Market is on 16th and W. Kramer Middle School is
4 on 15th and B so think about it. 16th and W,
5 15th and B, one block over --

6 (Simultaneous speaking.)

7 A -- one block down. DC --

8 Q The latest -- the more specific --

9 (Simultaneous speaking.)

10 CHAIRPERSON ANDERSON: Mr. Mpras, all
11 right. This is the way that I need this to
12 operate. You ask a question. The witness
13 answer. We can't talk across each other. We
14 have a court reporter who is recording everything
15 that's done, so please give the court reporter an
16 opportunity to capture everyone's testimony;
17 okay?

18 MR. MPRAS: Yes, Mr. Anderson. Now
19 okay, now you mentioned MPD. Do you have any
20 reports that support your -- the statements you
21 made about MPD?

22 MS. WHITE: I can get those reports.
23 I didn't know that they would need to be
24 furnished today, but I talked to MPD, the
25 commander, on a daily basis on a -- or daily and

1 weekly basis. The commander has changed quite a
2 bit. I don't know if you all have met the new
3 commander, because she is relatively new.

4 BY MR. MPRAS:

5 Q Okay. And let's see now. And you
6 said you visit the store maybe once every three
7 weeks, was that correct?

8 A Yes. I visit the store. We don't
9 have any grocery store so I got there to buy Diet
10 Coke.

11 Q Okay. And what have you -- please,
12 Board's indulgence. Now, Commissioner White, do
13 you feel that all --

14 A Ms. White --

15 Q -- Ms. White, do you feel that all
16 grocery stores of this type should be removed
17 from your neighborhood and/or PSA?

18 A This is not a grocery store. I
19 welcome a grocery store.

20 Q Okay.

21 A This is a corner store that sells
22 alcohol and some candy and Diet Cokes and stuff
23 like that.

24 Q Would it surprise you that the
25 District does consider this a grocery store?

1 A Well, Mayor -- according to Mayor
2 Bowser, Washington -- Ward 8 only has one grocery
3 store, so I'm using the same language that the
4 Mayor has used. They have -- we have not
5 considered this a grocery store. The only other
6 grocery store that has been considered is the
7 Fresh Food Market which is on Sycamore and Oak,
8 so according to the Mayor, according to the
9 Council members also reporting to the community,
10 we don't have a grocery store, and this is not a
11 grocery store. This is a corner store.

12 Q Is it fair to say that you oppose all
13 stores of this type within your PSA?

14 A Absolutely not. I support
15 entrepreneurship. I support business
16 development. I also support stores that are
17 going to contribute to the community positively.
18 Why go into a community that you know is
19 drug-infested and saying I'm going to add fuel to
20 the fire? That's what I don't support. I'm a
21 food justice advocate. I worked 10 years in
22 agriculture.

23 Q Okay. So what stores of these type
24 would you support then?

25 A I would support stores that come in,

1 that offer fresh food products and maybe that
2 could expand their business. Actually, I just
3 want to take a point. I advocated to DMPED that
4 their food access grant actually allowed the
5 stores that sell liquor to apply for their
6 funding to transform from just what we consider
7 liquor stores into actual food establishments.
8 DMPED said that that was against the regulations
9 at the time, because I went to Union Liquors. I
10 know this is not the case. I went to another
11 liquor store that's closed down and said, "Would
12 you consider expanding, getting rid of the
13 alcohol and focusing on food and also not just
14 fresh food but a deli shop, a sandwich store so
15 that we can have a lot more food into the
16 community?" And that's what I support. I went
17 to DMPED with this idea to help some of our
18 liquor stores convert into food stores, pure food
19 stores, multi-sectional food stores, and DMPED
20 said, no, that they couldn't use government funds
21 to do that.

22 Q And --

23 A I do support transitions --

24 Q Okay.

25 A -- into healthier stores that's going

1 to contribute to our community and also be able
2 to hire more people if you were a grocery store.

3 Q And did you ever approach Mr. Kassaye
4 to discuss this?

5 A We discussed it. That's not my single
6 member district, so I didn't. So I did approach
7 all of the liquor establishments in my single
8 member district.

9 Q Do you know if anybody approached Mr.
10 Kassaye, to discuss this?

11 A No. I don't know if anybody
12 approached him.

13 Q Okay. Did you or anyone you know
14 that's involved in this protest Mr. Kassaye prior
15 to the protest to discuss any issues you may
16 have?

17 A I believe Commissioner Moore said that
18 she's already discussed with the store, and this
19 is her single member district. I didn't hear the
20 entire testimony, like I said, cause I was -- had
21 -- it was the issue with my connection being
22 connected so -- but I did hear that part.

23 Q That's fine. I don't believe she did
24 but we can refer to the transcript. Thank you.

25 A Okay.

1 Q And is there -- in your opinion, is
2 there -- without giving up their liquor license,
3 is there anything the applicant can do to make
4 the business more suitable in your opinion?

5 A I think that the applicant could give
6 up their liquor license to be a different
7 community partner, and I think the applicant
8 could also expand. I don't know how much of the
9 building the applicant owns but really expand its
10 business to be a food market, a pure food market
11 and offer us fresh foods, not so much processed
12 sugary unhealthy foods -- we also have high
13 levels of diabetes in this community -- and offer
14 other food options, maybe other ethnic foods,
15 other hot foods, popups where they could have
16 other caterers come in and do popup food sales.
17 But I think it's a lot more that the applicant
18 could do and still be very profitable.

19 Q Okay. Well, thank you for your
20 testimony. No further questions from me.

21 A Thank you. I appreciate it.

22 CHAIRPERSON ANDERSON: Any questions
23 by any Board members? Go ahead, Mr. Grant.

24 MEMBER GRANT: Thank you for being a
25 part of the hearing today and for being patient.

1 Just for my clarification, did you hear the
2 licensee's testimony?

3 MS. WHITE: I heard a part of the
4 licensee's --

5 MEMBER GRANT: Okay.

6 MS. WHITE: -- testimony about the
7 mural for Frederick Douglass. Some of the
8 questions I had -- it doesn't matter but I heard
9 a part of it, how he's been in the kind of retail
10 convenience store business for maybe 18 or 20
11 years in the District, some stuff like that.
12 That's what I heard.

13 MEMBER GRANT: Okay. The licensee
14 stated in his testimony two things that stood out
15 to me. One, MPD has direct access to his cameras
16 and can review them in realtime. And secondly,
17 in my questioning to him, he stated that he has a
18 relationship with MPD that he would describe as
19 being very positive and very intimate. And so
20 with respect to your concerns about crime and the
21 establishment's impact on crime, I just wanted to
22 know if you felt that there was more that he
23 could do specific to the relationship with MPD?

24 MS. WHITE: You know, I don't want to
25 speak for MPD. I will say that MPD has access to

1 all of the liquor stores and pretty much all of
2 the business's cameras. They have an agreement
3 with the Anacostia Business Improvement District
4 which represents the businesses in Anacostia, and
5 MPD, a lot of the stores will call MPD
6 immediately when there is an incident that
7 happens inside of the store.

8 What they -- what I'm not clear on is
9 the relationship or the responsibility they have
10 for incidents that happen outside of the store
11 but within the same parameters, that same -- I'm
12 not even talking about the whole street, cause
13 the street is a hot mess. I'm just talking about
14 right within that little corner block, I don't
15 know how much interaction or -- with MPD they
16 have.

17 Like I said, it's really hard to
18 establish a relationship with their staff because
19 they're behind huge bullet-proof, you know,
20 windows, I guess, where they have a -- you put
21 your money in under a little scoop. They have a
22 little thing and they give you your product back
23 and your money. So because of that barrier where
24 they're afraid of the community, it's hard for me
25 to understand the relationships that they

1 actually have that are beyond transactional.

2 MEMBER GRANT: Just one follow-up
3 question. In your testimony, you talked about
4 being in communication with MPD as well, you and
5 the agency. In your estimation, do you believe,
6 based on your conversations with MPD, that the
7 relationship with the licensee is strong enough,
8 or can it be stronger?

9 MS. WHITE: I've not had conversations
10 with MPD about this specific licensee, so I don't
11 want to like allude to that.

12 MEMBER GRANT: Okay. That's all.
13 Thank you, again, for --

14 MS. WHITE: Thank you, Mr. Grant.

15 MEMBER GRANT: -- being a part of the
16 hearing. And I thank you, Mr. Chair, for
17 allowing me to question.

18 CHAIRPERSON ANDERSON: Yes, Mr. Grant.
19 Any other questions? Yes, Mr. Short.

20 MEMBER SHORT: And good afternoon, Ms.
21 White.

22 MS. WHITE: Hello, Mr. Short.

23 MEMBER SHORT: Great. How many years
24 have you been in Washington, DC?

25 MS. WHITE: My father moved to the

1 District in 1989.

2 MEMBER SHORT: Oh, okay. And how long
3 have you lived in this neighborhood?

4 MS. WHITE: I lived in this
5 neighborhood for about eight years.

6 MEMBER SHORT: Okay. And are you
7 familiar with the Homeland Security coming to
8 Ward 8?

9 MS. WHITE: Yes, sir.

10 MEMBER SHORT: Do you think that's
11 going to make a change in the neighborhood --

12 MS. WHITE: No, because --

13 MEMBER SHORT: -- all the
14 neighborhoods?

15 MS. WHITE: -- it just doesn't -- no,
16 I don't, because majority of our neighborhood --
17 we have 50 percent adult illiteracy in our
18 neighborhood, 20 percent adult unemployment. The
19 job that Homeland Security are bringing are not
20 for our community. Our community members do not
21 qualify for those jobs. They cannot get security
22 clearances, and so a majority of the jobs that
23 are employed by Homeland Security are not people
24 who are actually living in Ward 8 at this current
25 time. They may attract new people to come to

1 Ward 8, but there's not for our actual Ward 8,
2 primarily Black residents.

3 MEMBER SHORT: Okay. That's current?

4 MS. WHITE: Currently. Currently, we
5 have 50 percent adult illiteracy, majority of our
6 high school students are reading on 4th and 5th
7 grade level --

8 MEMBER SHORT: Well --

9 MS. WHITE: -- so, therefore, we have
10 less than 18 percent of the Black residents that
11 have higher education to even access those jobs.
12 So those jobs are not accessible for our current
13 Black residents, majority of them, not all. I
14 have a college degree. I could probably go apply
15 at Homeland Security. But majority of our
16 residents do not have access to those jobs.

17 MEMBER SHORT: Thank you for the
18 information.

19 MS. WHITE: You're welcome.

20 MEMBER SHORT: Ms. White, now you do
21 know that property values are going to completely
22 change?

23 MS. WHITE: Absolutely, the
24 demographics.

25 MEMBER SHORT: Everything's going to

1 change when Homeland Security comes, and
2 everything is going to have -- stepwise, it's
3 going to be one step -- I've been in Washington,
4 DC over 70 years myself, and I'll just simply say
5 this. Neighborhoods change overnight when
6 certain things happen, and I can tell you help is
7 on the way. Economic development, property
8 values, and everything else are going to go up
9 when Homeland Security comes. So hang in there.
10 You're doing a great job, and thank you for your
11 service to the ANC.

12 And I'll just say this to you. Again,
13 I've been on this Board for over a decade now,
14 and this particular -- this licensee, this
15 applicant for renewal is doing something great in
16 your neighborhood. And hopefully, you guys can
17 get something worked out. But anyway, we want
18 great businesses, and we want great
19 neighborhoods. We have to find some way to make
20 them work, because your neighborhood wasn't
21 always this way.

22 MS. WHITE: No, it wasn't. It was a
23 Black beltway.

24 MEMBER SHORT: All right. So getting
25 back to what we're here for, a renewal, let's

1 hope -- just hopefully by the time he's up for
2 another renewal, if he gets a renewal this time,
3 there'll be a difference in the relationship with
4 the ANC and with this particular business, for
5 all the businesses in your ANC.

6 Thank you very much for your service.
7 Thank you very much for your time. That's all I
8 have --

9 MS. WHITE: Thank you.

10 MEMBER SHORT: -- Mr. Chair.

11 MS. WHITE: Thank you so much, Mr.
12 Short. I'm glad you said that, and I will hope
13 ABCA joins the community in not having three
14 liquor licenses in the biggest drug market and
15 drug-infested area in our community, to give our
16 community a chance of public safety --

17 MR. MPRAS: Objection.

18 MS. WHITE: -- and public health.

19 MR. MPRAS: Evidence not in fact --
20 facts not in evidence.

21 CHAIRPERSON ANDERSON: Mr. Mpras, do
22 you have any questions of the witness based on
23 the questions that were asked by the Board?

24 MR. MPRAS: No, sir.

25 CHAIRPERSON ANDERSON: Mr. O'Keefe, do

1 you have any redirect of the witness?

2 MS. WHITE: Thank you.

3 CHAIRPERSON ANDERSON: Ms. White,
4 thank you very much for your testimony. You're
5 free to go.

6 MS. WHITE: Okay. Thank you.

7 CHAIRPERSON ANDERSON: Does the
8 protestant rest?

9 MR. O'KEEFE: Yes.

10 CHAIRPERSON ANDERSON: You have no
11 more witnesses.

12 MR. O'KEEFE: No more witnesses.

13 CHAIRPERSON ANDERSON: All right.
14 Fine. Let's do closing. I'm just going to
15 complete this case and so, therefore, since --
16 like I said, we have another case this afternoon.
17 We're going to take lunch but let's complete this
18 case. So the protestant -- I'm sorry -- we're
19 going to start with the applicant who has five
20 minutes to close. The protestant will have five
21 minutes to close.

22 And what I want in closing is for the
23 licensee to be specific what it is that the
24 licensee is asking of the Board, and I'll also
25 ask the same for the protestant, specifically

1 what is it that you're asking of the Board. Mr.
2 Mpras, you have five minutes.

3 MR. MPRAS: Thank you members of the
4 Board for your time and attention throughout this
5 hearing. We believe the evidence presented today
6 overwhelmingly supports the renewal of the DC
7 Food Market's liquor license.

8 The owner, Mr. Kassaye, has clearly
9 demonstrated a commitment to responsible alcohol
10 sales. We heard about the details of the DC Food
11 Market's age verification process, responsible
12 alcohol sales practices, and involvement in the
13 community. And this commitment is further
14 evidenced by the exemplary record of the
15 establishment throughout the 7-year tenure of Mr.
16 Kassaye.

17 DC Food Market goes beyond simply
18 selling alcohol. It serves as a convenient and
19 well-maintained resource for the community
20 offering a wide variety of food products
21 including a robust selection of non-alcoholic
22 beverages. The store plays a positive role in
23 the neighborhood's economic well-being and unlike
24 the unsubstantiated claims presented by the
25 protestants, there's been no evidence to suggest

1 any negative impact on peace, order, quiet, and
2 public safety. On the contrary, this
3 establishment has made the neighborhood a safer
4 place and continues to benefit the neighborhood.

5 The opposing arguments lack not just
6 concrete evidence but any evidence at all. We
7 haven't -- excuse me -- we haven't heard of any
8 documented reports from law enforcement or ABRA
9 substantiating the alleged concerns about the
10 store's liquor license. The objections raised
11 were purely speculative failing to paint an
12 accurate picture of the store's responsible
13 operations.

14 Renewing the liquor license for DC
15 Food Market is demonstrably in the public
16 interest as it allows a responsible business
17 owner to continue serving the community, provide
18 the convenient options for residents of legal
19 drinking age, and contributes positively to the
20 local and District economy. The non-renewal
21 would not only punish a law-abiding and well-run
22 business but also deprive the community of a
23 valuable resource.

24 We strongly urge the Board to consider
25 the substantial evidence regarding the

1 responsible operations and positive contributions
2 of the DC Food Market. The renewal of the liquor
3 license as is is not only warranted but also
4 serves the best interest of the District of
5 Columbia. We respectfully request that the DC
6 Food Market liquor license be renewed as is with
7 no restrictions imposed. Thank you for your time
8 members of the Board.

9 CHAIRPERSON ANDERSON: Thank you, Mr.
10 Mpras. Mr. O'Keefe?

11 MR. O'KEEFE: Yes. Thank you. Thank
12 you members of the Board and everyone involved
13 for your time today, for participating in the
14 hearing. I appreciate the opportunity to
15 participate in the process. As I mentioned in my
16 opening statement, I'm here representing a large
17 group of neighbors that have expressed concerns
18 about the alcohol license renewal for this
19 particular establishment. My statements, in
20 addition to the statements made by the witnesses
21 that I called today, reflect those opinions of a
22 large group of neighbors in the community.

23 As other witnesses stated, the DC Food
24 Market does bring value to this neighborhood
25 through the sale of some food and household items

1 available at the market. The sale of alcohol
2 from this establishment is not a benefit to the
3 community. We respectfully request that the
4 license renewal be denied. Thank you.

5 CHAIRPERSON ANDERSON: Thank you. All
6 right. Do the parties wish to do a proposed
7 findings of facts and conclusion of law, meaning
8 that you want to wait for the transcript to
9 review the transcript and basically do a legal
10 brief to say this is the facts and this is the
11 law? Or you want to waive that right and the
12 Board will make a decision based on the
13 presentation that's made today?

14 MR. MPRAS: If the protestants are
15 willing to waive, we will as well. Otherwise,
16 we'll provide one.

17 MR. O'KEEFE: I'm sorry. Can you
18 please repeat that, sir? I'm not quite
19 understanding what the request was.

20 CHAIRPERSON ANDERSON: All right. The
21 request is that in these type of cases and more
22 so -- it's not necessarily done in protest
23 hearings, but it's still an option where you can
24 say, okay, I want to read the transcript, and I
25 want to basically write a legal brief to the

1 Board to say these are the facts that were
2 presented, this is the law, and this is how the
3 Board should interpret the -- this is what the
4 Board should do based on the facts that were
5 presented and the law. This is not bringing in
6 new evidence. It's just basically based on what
7 was presented. It's -- you can waive it. It's
8 not required for you to do, but it's just a
9 question I need to ask.

10 MR. O'KEEFE: Yes. Thank you for the
11 clarification. I'm -- the group of five
12 protestants' also happy to waive that right.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you. We -- the Board will issue a decision
15 within 90 days so hold on, let me close the
16 record. As Chairperson of the Alcoholic Beverage
17 and Cannabis Board for the District of Columbia,
18 and in accordance with DC Code Section 2575 of
19 the Open Meetings Act, I move that the ABC Board
20 hold a closed meeting for the purpose of seeking
21 legal advice from our counsel on Case Number
22 23-PRO-00096, DC Food Market, pursuant to DC
23 Official Code Section 2575 B4a of the Open
24 Meetings Act and deliberating upon Case Number
25 23-PRO-00096, DC Food Market, for the reasons

1 cited in DC Official Code Section 2575 B13 of the
2 Open Meetings Act. Is there a second?

3 MEMBER GRANT: Second the motion.

4 CHAIRPERSON ANDERSON: Mr. Grant has
5 second the motion. I will now take a roll call
6 vote on the motion before us now that it has been
7 properly second. Mr. Short?

8 MEMBER SHORT: Mr. Short. I agree.

9 CHAIRPERSON ANDERSON: Mr. Grant?

10 MEMBER GRANT: Mr. Grant. I agree.

11 CHAIRPERSON ANDERSON: And Mr.
12 Anderson. I agree. AS it appears that the
13 motion has passed, I hereby give notice that the
14 ABC Board will recess this proceeding to hold a
15 closed meeting pursuant to Section 2575 of the
16 Open Meetings Act.

17 This case has now been concluded. I
18 want to thank the parties for their presentation,
19 and that's the end of the day.

20 Mr. Mpras and Mr. O'Keefe, you're the
21 one -- are you both representing the parties in
22 the next case?

23 MR. MPRAS: Yes, sir.

24 CHAIRPERSON ANDERSON: All right. The
25 Board, we're going to take lunch, and we can

1 start at 1:30, or do you want for us to start at
2 2:00?

3 MR. MPRAS: I have informed witnesses
4 of 1:30, so I would respectfully request 1:30.

5 CHAIRPERSON ANDERSON: All right.
6 Fine. So we are in recess until 1:30, and I will
7 advise all Board members we will not return to
8 Executive Session. Just come back to the public
9 hearing at 1:30. So the public hearing -- so
10 I'll ask all Board members to return to the
11 public hearing at 1:30. So we are in recess
12 until 1:30. Thank you.

13 (Whereupon, the above-entitled matter
14 went off the record at 12:54 p.m.)

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This is to certify that the foregoing transcript


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Before: DC ABCA

Date: 03-21-24

Place: teleconference

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