

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
: :
The Public Group, LLC :
t/a Public Bar :
1214 18th Street NW : Fact Finding
Retailer CT - ANC 2B : Hearing
License #81238 :
Case #21-251-00014 :
: :
(Simple Assault) :

Wednesday
August 4, 2021

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

PRESENT:

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

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
MARK BRASHEARS, DC ABRA Supervisory Investigator
DONNELL BUTLER, DC ABRA Investigator
FELICIA DANTZLER, DC ABRA Investigator
JOHN ISSA, Licensee
STEPHEN O'BRIEN, Licensee's Counsel

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

2 10:59 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar, this is a fact finding hearing,
5 Case Number 21-251-00014, Public Bar, License
6 Number 81238.

7 Ms. Andrews, can you please elevate
8 the rights of the parties in this case, please?

9 MS. ANDREWS: Sure. Standby. Mr.
10 O'Brien, your rights have been elevated.
11 Investigator Brashears, your rights have been
12 elevated.

13 Investigator Butler, your rights have
14 been elevated. Mr. Issa, your rights have been
15 elevated. That's all Mr. Chair.

16 CHAIRPERSON ANDERSON: Thank you. So,
17 on those parties, if you have a camera, can you
18 please -- if you're -- can you please turn your
19 cameras on, please?

20 Do you have a camera, Mr. Issa?

21 MR. ISSA: Yes. I should be on.

22 CHAIRPERSON ANDERSON: Yes. Good
23 morning. Good morning everyone. This is a fact
24 finding hearing.

25 Let me have the parties introduce

1 themselves for the record. Let's start with you,
2 Mr. O'Brien. Please spell and state your name.

3 Mr. O'Brien, you're on mute.

4 MR. O'BRIEN: Thank you, Mr. Chair.
5 Stephen O'Brien for the Respondent, the Licensee.
6 S-T-E-P-H-E-N O-B-R-I-E-N.

7 CHAIRPERSON ANDERSON: Is the Licensee
8 on, Mr. O'Brien? Who is that?

9 MR. O'BRIEN: That would be Mr. Issa.
10 And we are also expecting Mr. Williams.

11 CHAIRPERSON ANDERSON: Mr. Issa, can
12 you please identify yourself for the record,
13 please?

14 MR. ISSA: Yes. John Issa, co-
15 owner/operator of Public Bar.

16 CHAIRPERSON ANDERSON: Can you spell
17 and state your name, please sir?

18 MR. ISSA: J-O-H-N I-S-S-A, John
19 Issa.

20 CHAIRPERSON ANDERSON: Thank you, Mr.
21 Issa.

22 MR. ISSA: Thank you.

23 CHAIRPERSON ANDERSON: Let's start
24 with the investigators. So, I'll start with
25 Supervisor Investigator Brashears.

1 You're on -- you're on mute, sir.

2 INVESTIGATOR BRASHEARS: Sorry about
3 that, sir. Supervisor Investigator Brashears.
4 That's M-A-R-K, last name is B-R-A-S-H-E-A-R-S.

5 CHAIRPERSON ANDERSON: Mr. Inv -- or
6 Investigator Butler, can you please identify
7 yourself for the record, please?

8 INVESTIGATOR BUTLER: Investigator
9 Donnell Butler. That's D-O-N-N-E-L-L B-U-T-L-E-
10 R.

11 CHAIRPERSON ANDERSON: All right.
12 Thank you, Mr. Butler. Mr. O'Brien, what's the
13 name of the other person, the other owner you're
14 expecting, sir?

15 MR. O'BRIEN: Chris -- Chris Williams.

16 CHAIRPERSON ANDERSON: Mr. Williams,
17 if you're online, can you please identify
18 yourself in the chat so your rights can be
19 elevated?

20 And Mr. O'Brien, if this person's not
21 here, can we move forward or do we have to wait
22 for him?

23 MR. O'BRIEN: I believe we can move
24 forward.

25 CHAIRPERSON ANDERSON: So, Mr.

1 Williams, if you're -- if you're online, please
2 identify yourself in the chat so we can -- so we
3 can elevate your rights, sir.

4 All right, --

5 MS. ANDREWS: Mr. Chair, he does not
6 appear to be online. But, I will keep a look out
7 for him.

8 CHAIRPERSON ANDERSON: All right.
9 Thank you, Ms. Andrews. All right. This is a
10 fact finding hearing on Public Bar.

11 A summary of this case is then,
12 Supervisor Investigator Mark Brashears received a
13 hotline call from MPD concerning an assault that
14 had taken place at Public -- at the Public Bar.

15 The victim, an employee at the
16 establishment was assaulted by two unknown
17 patrons. The victim told MPD that a male patron
18 pushed her and hit her in the chest when she
19 tried to break up a verbal altercation.

20 Supervisor Investigator Brashears
21 responded to the -- to the establishment with
22 Investigator Jones.

23 They interviewed -- they interviewed
24 the participants in this matter. And it's also
25 my understanding that Investigator Butler also

1 reviewed this on security footage.

2 So, as you are aware, Mr. O'Brien,
3 this is a fact finding hearing. The Board is
4 just trying to gather information regarding what
5 occurred.

6 As you are aware, the Board cannot
7 order, make any specific findings and facts and
8 conclusions of law at a fact finding hearing. We
9 do not -- we cannot order the establishment to
10 take any action.

11 The establishment however, can
12 volunteer to take measures. But, so I just want
13 to advise you.

14 And I'm aware that you are aware.
15 But, I just wanted to advise the parties that
16 this is just a -- that the Board, we're just
17 investigating to gather some more facts just to
18 make a determination of whether or not we would
19 make a decision on whether further action will
20 occur, or whether or not we'll just, we'll take
21 no further action.

22 All right? So, what we'll do, is that
23 we'll start off with Supervisor Investigator
24 Brashears. And so he can inform us how -- how is
25 it that he became aware of this matter.

1 INVESTIGATOR BRASHEARS: Yes, sir.
2 Basically on June 27 at approximately 2:10 a.m.,
3 I received an ABRA hotline call from MPD Officer
4 Roselle (phonetic).

5 He stated he was at the establishment
6 and an assault had occurred. And he was
7 requesting ABRA assistance.

8 So, I gathered Investigator Butler,
9 Lead Investigator Dantzler, and we responded to
10 the establishment at approximately 2:30 a.m.

11 Upon arriving, I conducted an
12 interview, brief interview with the MPD Officer.
13 He basically stated that an assault had occurred
14 on the roof deck.

15 I spoke with the ABC Manager who
16 stated that he did not personally witness the
17 event. But stated that an employee, the victim
18 in this case, was punched in the face.

19 He provided the video. Showed us the
20 video camera footage, the various camera angles.
21 I spoke with him at length about the security
22 plan, settlement agreement.

23 He stated they will follow. He agreed
24 to provide us the requested video footage within
25 48 hours.

1 I also spoke with the head of
2 security. He basically stated that he did not
3 witness the event himself.

4 Basically an all call went out on the
5 radio. The establishment uses radios to
6 communicate.

7 An all call went out for assistance on
8 the roof deck, to which he responded. He also
9 stated that the victim had been hit.

10 With regard to further investigating
11 that I did, I reviewed the security plan, the
12 settlement agreement.

13 It appears that during the event the
14 establishment was operating during their licensed
15 hours. They were operating within the settlement
16 agreement.

17 They followed the security plan in
18 that they created an incident log. They held the
19 door when the event occurred. All of security
20 basically responded.

21 So, it appeared on the surface to me
22 that the establishment followed the appropriate
23 procedures. The -- the situation, unfortunately
24 the assailant escaped because at some point.

25 In addition to the victim being

1 assaulted, an unknown female sprayed what we
2 believed to be OC spray or pepper spray.

3 In the confusion, people rubbing their
4 eyes and things going on, the assailant seems to
5 have gotten out of the establishment.

6 And then Investigator Butler actually
7 reviewed the video footage, and I believe spoke
8 with the victim.

9 CHAIRPERSON ANDERSON: Hold on one
10 moment. All right. Ms. Andrews, can you -- can
11 you elevate the rights of -- of hold on --

12 MS. ANDREWS: Sure. Standby.

13 CHAIRPERSON ANDERSON: Yes. I think
14 Investigator Dantzler is --

15 MS. ANDREWS: Investigator Dantzler,
16 your rights have been elevated.

17 CHAIRPERSON ANDERSON: Investigator
18 Dantzler, can you please spell and state your
19 name for the record, please?

20 INVESTIGATOR DANTZLER: Yes. Felicia
21 Dantzler, F- like Frank, E-L-I-C-I-A D- like
22 David, A-N-T- like time, Z- like zebra, L-E-R.

23 CHAIRPERSON ANDERSON: All right.
24 Thank you. Investigator Butler, can you bring us
25 up to speed?

1 What is it that you were able to find
2 out as a result of your investigation?

3 INVESTIGATOR BUTLER: Yes, good
4 morning. During that time, on June 27, I did,
5 when I arrived I interviewed the victim.

6 A female victim employee, stated that
7 she was working on the rooftop. And she observed
8 several patrons in a verbal altercation.

9 And when she tried to intervene and
10 break up that altercation, she was pushed, and
11 subsequently hit in the shoulder. At that time
12 she immediately ran out and noticed security, who
13 came in.

14 And at that time, she said that a
15 female pat -- another female patron had sprayed
16 pepper spray. And most of the patrons who were
17 on the roof then started to leave.

18 But, other than being punched and
19 pushed, she wasn't really hurt as bad.

20 CHAIRPERSON ANDERSON: So, I'm sorry,
21 you reviewed the camera? Is that you reviewed
22 the video, is that correct?

23 INVESTIGATOR BUTLER: Yes.

24 CHAIRPERSON ANDERSON: So, what is it
25 that -- what did your review of the video show,

1 sir?

2 INVESTIGATOR BUTLER: Unfortunately,
3 when I reviewed the camera, it showed the
4 security running towards the roof deck. But, it
5 did not show the actual event that happened.

6 So, I was not able to see the physical
7 and the pushing and the patrons. It only showed
8 the patrons running or leaving the rooftop area.

9 CHAIRPERSON ANDERSON: So, is it that
10 they, at least in your view, they did not have
11 adequate coverage of the rooftop?

12 Or did not provide you a camera angle
13 that would have covered the incident?

14 INVESTIGATOR BUTLER: Yeah. I believe
15 that the camera angle, they didn't have
16 appropriate sight on the incident that's up on
17 the rooftop.

18 It didn't -- it only showed like the,
19 maybe right to the entrance of the rooftop and no
20 further.

21 CHAIRPERSON ANDERSON: All right.
22 Investigator Dantzler, is there anything that you
23 can add to what Supervisor Investigator Brashears
24 shared and Mr. Butler shared?

25 (No response)

1 CHAIRPERSON ANDERSON: Ms. Dantzler?

2 INVESTIGATOR DANTZLER: Yes. Just to
3 -- just to say that I reviewed the video footage
4 only one time on the night of the incident.

5 And the victim, at first it appeared
6 to me that she was spitting on the assailant.
7 And I asked of her what was going -- asked of
8 her, was she spitting on the assailant.

9 And she stated that she was not. She
10 was actually yelling at him. Something to the
11 effect, you know, hit me. Go ahead and hit me.

12 And at that point is when he actually
13 punched her.

14 CHAIRPERSON ANDERSON: Okay. Thank
15 you. All right, are any of the investigators
16 presently asking Mr. O'Brien any questions?

17 Anything that you need to ask? Any of
18 the -- any of the investigators?

19 MR. O'BRIEN: Mr. Chair, I think we've
20 established that the victim of the assault was an
21 employee, a female employee.

22 I would ask the investigators, I know
23 this is not cross examination. But, I would ask
24 them this, --

25 CHAIRPERSON ANDERSON: No, hold up.

1 Hold up, hold up, hold up a minute, Mr. O'Brien.
2 I'm going to give you an opportun -- or an
3 opportunity.

4 No, I was asking the investigators if
5 any of the three, if they wanted to add anything
6 else.

7 MR. O'BRIEN: Oh, I'm sorry.

8 CHAIRPERSON ANDERSON: And then I
9 wanted the Board -- yeah.

10 MR. O'BRIEN: I'm sorry.

11 CHAIRPERSON ANDERSON: Any additions
12 by any of the investigators? You need to add
13 anything, clarification?

14 INVESTIGATOR BRASHEARS: Yes. Yes,
15 Chairperson. When I spoke with the ABC Manager,
16 it appears we got the video footage that was
17 available for that floor.

18 And although as Investigator Butler
19 testified, you can see the victim at one point.
20 You can see some people pushing and leaving.

21 It appears we got the only camera
22 angle. So, there maybe a situation on the roof
23 deck where this perhaps happened in a blind spot
24 that the camera did not see.

25 But, it appears they provided what

1 they had.

2 CHAIRPERSON ANDERSON: Thank you, Mr.
3 Brashears. Any questions of -- any questions by
4 any Board Members of any of the investigators?

5 MEMBER SHORT: Yes, Mr. Chair. I have
6 a question for Mr. -- for Investigator Brashears.

7 CHAIRPERSON ANDERSON: Yes, Mr. Short.
8 Go ahead, please.

9 MEMBER SHORT: Investigator Brashears,
10 thank you for your report. Thank you for your
11 service.

12 Other than the camera angle, other
13 than the camera angle on the roof deck where the
14 assault alleged to have occurred, did you find
15 any other ABRA violations?

16 INVESTIGATOR BRASHEARS: I did not
17 observe any other ABRA violations. I looked and
18 saw -- basically I observed that the
19 establishment has 16 cameras throughout the
20 establishment, on the monitor.

21 I reviewed the settlement agreement
22 and the security plan with regard to what
23 occurred. And on the night of the incident, the
24 establishment had the appropriate number of
25 security personnel. They were located as

1 specified in the security plan.

2 There was a section in the security
3 plan that spoke of basically all the security
4 personnel to respond to an incident. They did.

5 So, I did not observe any -- any
6 violations with regard to those things. And I
7 know Investigator Butler conducted a brief
8 regulatory inspection.

9 And from what I understand, the
10 documents and things, as far as the ABC license,
11 certificate of occupancy, those things were all
12 in order.

13 MEMBER SHORT: Thank you very much.
14 And this question is for Investigator Dantzler.

15 INVESTIGATOR DANTZLER: Yes, sir?

16 MEMBER SHORT: Investigator Dantzler,
17 other than you seeing a face to face between the
18 alleged victim and the alleged assault,
19 assaulter, did you observe any violations other
20 than those that you mentioned?

21 INVESTIGATOR DANTZLER: No, sir. I
22 did not.

23 MEMBER SHORT: Thank you very much.
24 And Investigator Butler, did you --

25 INVESTIGATOR BUTLER: Yes, sir?

1 MEMBER SHORT: Did you -- and did you
2 observe anything that should bring to the
3 attention of this Board while you were there and
4 investigating this incident?

5 INVESTIGATOR BUTLER: No. As
6 Supervisor Mark said, I mean, there were no
7 violations other than the fact that the
8 disturbance, you know, had happened on the
9 rooftop.

10 And the victim seemed to be, and
11 though shaken, but she was okay.

12 MEMBER SHORT: Okay. Do you think if
13 they got some angles, the camera angles changed
14 that maybe the next time this would be better
15 documented?

16 INVESTIGATOR BUTLER: Yes, sir. That
17 would be helpful, yes.

18 MEMBER SHORT: Thank you very much for
19 your testimony. Thank you for your report, all
20 three of you.

21 Thank you. That's all I have Mr.
22 Chair.

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

1 MEMBER GRANDIS: Yes, Mr. Chairman.

2 CHAIRPERSON ANDERSON: Yes, Mr.

3 Grandis?

4 MEMBER GRANDIS: I'd like to address
5 my first question to Mr. O'Brien.

6 CHAIRPERSON ANDERSON: Oh, hold on,
7 Mr. -- we haven't gotten there yet, Mr. -- you
8 just -- you can, you can address the
9 investigators.

10 And then later on --

11 (Simultaneous speaking)

12 MEMBER GRANDIS: Investigators, okay.
13 Thank you. Thank you. Any of the three
14 investigators can respond to this.

15 So, the security plan mentioned, if I
16 heard correctly the security plan mentioned 16
17 cameras?

18 INVESTIGATOR BRASHEARS: That is
19 correct, sir.

20 MEMBER GRANDIS: Okay. Thank you.
21 Did -- did it further indicate how many cameras
22 would be used to show the roof deck? Areas of
23 the roof deck?

24 INVESTIGATOR BRASHEARS: There was a
25 diagram in the security plan with reference to

1 the cameras. And it appeared the camera location
2 was accurate.

3 MEMBER GRANDIS: So, -- so my
4 understanding then hearing that is that while
5 they were in compliance with the security plan
6 regarding the cameras that they mentioned, that
7 it's your -- it's the testimony of the inspectors
8 that perhaps there needs to be additional
9 cameras?

10 Or the cameras that deal with the roof
11 deck need just to be turned?

12 INVESTIGATOR BRASHEARS: I can't -- I
13 mean, you're correct, sir. From what I could
14 tell, the camera was placed appropriately as per
15 the security plan.

16 As to whether it needs to be adjusted
17 or possibly more cameras, that could possibly be
18 ascertained if we did a camera review at the
19 establishment.

20 MEMBER GRANDIS: Yes. And I only
21 raise this because it's my belief that cameras
22 can help absolve a licensee as well as show what
23 the incident actually was.

24 And it's just disappointing, well, we
25 need to make determinations if the cameras are

1 not in the right space or enough of them.
2 Because I do believe these cameras can help
3 absolve licensees and show that they were in
4 compliance.

5 That's basically all. I just think
6 that we don't have enough information on what was
7 happening on the roof deck.

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

11 (No response)

12 CHAIRPERSON ANDERSON: Hearing none,
13 Mr. O'Brien, how -- how is it that your client
14 intends to respond to the allegations that were
15 made in the report?

16 MR. O'BRIEN: Well, Mr. Chair, I think
17 we certainly are going to take a look at the
18 camera coverage on the roof. And determine if
19 cameras need to be reoriented or supplemented.

20 And I -- I thank Mr. Grandis for his
21 observation that that's usually to the benefit of
22 the establishment.

23 (Simultaneous speaking)

24 CHAIRPERSON ANDERSON: So, but --

25 MR. O'BRIEN: Other than that --

1 CHAIRPERSON ANDERSON: I'm sorry, Mr.
2 O'Brien, go ahead.

3 MR. O'BRIEN: Okay. Other than that,
4 I don't -- I did not hear any suggestion by any
5 of the investigators that the establishment did
6 anything wrong here.

7 If we accept that incidents happen
8 from time to time, and can happen anywhere, if we
9 accept that then based on what occurred, I don't
10 -- I don't perceive any criticism of the conduct
11 of the establishment at this point.

12 I would like to just confirm a couple
13 of things if I could. It's my understanding, I
14 guess I'm asking the investigators, it's my
15 understanding that it was the establishment that
16 called MPD.

17 Are any of the investigators able to
18 confirm that?

19 INVESTIGATOR BRASHEARS: Yes, sir.
20 Basically the MPD Officer stated that someone
21 from the establishment, he was out front,
22 basically came outside, alerted him to the
23 situation, and he subsequently entered the
24 establishment.

25 MR. O'BRIEN: Thank you. We know that

1 there was an individual who assaulted the female
2 server. We also know that a female patron
3 employed what we believe to be pepper spray.

4 Do we know if the -- if the male
5 assailant and the female pepper sprayer were in
6 the same party?

7 INVESTIGATOR BRASHEARS: To my
8 understanding, sir, that was -- that was not
9 ascertained by MPD.

10 However, it was stated that the
11 individual that sprayed the pepper spra -- or
12 what we believed to be pepper spray, left her
13 identification.

14 And that information was turned over
15 to MPD for follow up.

16 MR. O'BRIEN: Do we know if MPD has
17 followed up?

18 INVESTIGATOR BRASHEARS: I am not
19 aware of that at this time, sir.

20 MR. O'BRIEN: Okay. Would it be fair
21 to summarize by saying that the establishment
22 cooperated fully with the investigation of this
23 matter?

24 INVESTIGATOR BRASHEARS: Yes, sir.
25 They provided the information we requ -- we

1 requested. They provided the video footage.
2 They answered our questions.

3 And I saw no -- I saw no issues with
4 the level of cooperation that they gave us. But,
5 you may want to query the other investigators as
6 to what they observed.

7 MR. O'BRIEN: All right. Then if I
8 could ask Investigator Butler, did the
9 establishment afford you full cooperation?

10 INVESTIGATOR BUTLER: Yes. From my
11 observation and my investigation, they did
12 cooperate fully.

13 MR. O'BRIEN: Thank you. And Ms.
14 Dantzler?

15 INVESTIGATOR DANTZLER: Yes. The
16 establishment cooperated.

17 MR. O'BRIEN: All right. Thank you to
18 all the investigators. Mr. Chair, I really don't
19 have anything to add.

20 CHAIRPERSON ANDERSON: All right.
21 Thank you. Mr. O'Brien, do you know how many
22 cameras are currently on the roof?

23 MR. O'BRIEN: I'm going to defer to
24 Mr. Issa.

25 MR. ISSA: All right. I have three

1 cameras on the roof. And then one by the
2 emergency exit backdoor. So, four total.

3 CHAIRPERSON ANDERSON: And Mr.
4 O'Brien, would your client be open to have --
5 have the ABRA investigator come through to view
6 the camera angles to see if there are any blind
7 spots that -- well, clearly there are some blind
8 spots.

9 And make some recommendation to the
10 establishment about how to address those blind
11 spots?

12 MR. O'BRIEN: Most certainly open to
13 that.

14 CHAIRPERSON ANDERSON: All right.
15 Thank you. So, I would then -- Mr. -- Supervisor
16 Investigator Brashears, it's my understanding
17 that -- I'm not -- and I'm not sure how it is,
18 but it appears that the establishment is open to
19 that.

20 So, probably through the channels, and
21 I would ask that the agency work with the
22 establishment to -- to -- on that issue, please.

23 INVESTIGATOR BRASHEARS: Yes, sir. We
24 can certainly follow up and make sure that gets
25 taken care of.

1 CHAIRPERSON ANDERSON: Great.

2 MR. O'BRIEN: Mr. Chair, I will --
3 I'll furnish Investigator Brashears with John
4 Issa's con -- direct contact information for that
5 purpose.

6 CHAIRPERSON ANDERSON: All right.
7 Thank you, Mr. O'Brien. Any other questions by
8 any Board Members or anyone? Anyone else, any --
9 have any additional questions or concerns anyone
10 wants to raise?

11 MEMBER GRANDIS: Mr. Chairman?

12 CHAIRPERSON ANDERSON: Yes, Mr.
13 Grandis?

14 MEMBER GRANDIS: I have a question
15 for, just general question for the inspectors, if
16 they know the answer.

17 It's sort of alarming to me that there
18 was a patron that used a substance like pepper
19 spray and caused such discomfort and perhaps
20 injury to people.

21 In D.C., is -- are we allowed to buy
22 pepper spray?

23 INVESTIGATOR BRASHEARS: I can't -- I
24 can't speak to the actual law with regard to the
25 pepper spray or OC spray.

1 That -- searches and things are
2 covered in the establishment's security plan.
3 But, the establishment does not routinely do
4 searches according to the security plan.

5 They occasionally do searches and pat
6 downs depending on the situation. And that is --
7 it's -- it's unfortunate, but it's not uncommon
8 for a small bottle of pepper spray to be smuggled
9 in on a person's body.

10 I mean, it does happen. But, with
11 regard to the legality of the use of MDC, I
12 cannot speak to that, sir.

13 MEMBER GRANDIS: So, my question --
14 okay, just as a follow up, you're saying -- you
15 use the words smuggle in.

16 Does that mean if there had been a pat
17 down, and I'm not suggesting there should have
18 been, but if security or the doorman found that
19 someone had a can of pepper spray, are they able
20 to take it?

21 Or tell them they can't enter with it?
22 I'm just trying to understand what -- what your
23 procedure would be.

24 INVESTIGATOR BRASHEARS: Well,
25 typically most security personnel, anything they

1 consider contraband, gun, knife, OC spray,
2 anything that's not allowed in, is usually taken
3 from the individual.

4 And if it's in the nature of such a
5 weapon such as a gun or a knife, things like
6 that, MPD is usually involved. Typically
7 anything else is returned to the patron as they
8 exit the establishment.

9 MEMBER GRANDIS: Okay. I raise this
10 concern, because I could imagine the panic that
11 could occur in a -- in a small space if somebody
12 used this.

13 I'd like to ask Mr. Issa a question.
14 Mr. Issa, I want to thank you for being here
15 today.

16 I understand that some of your
17 security camera footage has visuals of this
18 female who had the pepper spray. Did I
19 understand that correctly?

20 MR. ISSA: Yes. It wasn't a very
21 clear shot. And there was a lot of confusion as
22 -- after it had been sprayed.

23 People were just running out, covering
24 their face. Everyone was at -- we were trying to
25 get everyone to exit the rooftop.

1 So, there wasn't a clear shot of -- of
2 her face.

3 MEMBER GRANDIS: And the assailant,
4 did I raise the question about the assailant also
5 being on camera?

6 Was there any clear footage of that
7 individual?

8 MR. ISSA: Not -- not clear, no. Not
9 (inaudible) But, you could really make
10 (inaudible) and everyone was panicking and just
11 -- the roof.

12 MEMBER GRANDIS: Okay. Okay, I
13 understand. If you all had a good image of
14 either the assailant or this female, would you
15 all then prevent that person from entering the
16 establishment in the future?

17 MR. ISSA: Absolutely. One hundred
18 percent.

19 MEMBER GRANDIS: Okay. Thank you.

20 CHAIRPERSON ANDERSON: Any other
21 questions, Mr. Grandis?

22 (No response)

23 CHAIRPERSON ANDERSON: All right. Any
24 final comments you want to make Mr. O'Brien,
25 before I bring this hearing to a closure?

1 MR. O'BRIEN: No, sir. I asked the
2 investigators whether they were aware if the male
3 assailant and the female pepper sprayer were in
4 the same party. We don't know the answer to
5 that.

6 What I was wondering, was whether the
7 pepper spray was deployed in order to enable the
8 assailant to escape in the confusion.

9 But that's -- that's a question that
10 I don't have the answer to. That's why I asked
11 about it.

12 CHAIRPERSON ANDERSON: Right. All
13 right. Thank you, Mr. O'Brien. Thank you, Mr.
14 Issa. Thank you to the investi -- Supervisor
15 Investigator Brashears, Investigator Butler, and
16 Lead Investigator Dantzler.

17 The Board will take this matter under
18 advisement. Thank you very much for your
19 appearance today.

20 And as you stated, Mr. O'Brien, you
21 will provide Mr. Issa's contact information to
22 Mr. Brashears for the -- for the agency to follow
23 up to just look at the camera -- camera angles to
24 see what changes, if any, can be made to the view
25 on the rooftop.

1 And again, this is, you're
2 volunteering. Thus, the Board is not ordering
3 you to do this. So, it's just a volunteer action
4 that Mr. O'Brien has stated that the
5 establishment is open to doing.

6 So, I want to thank everyone for their
7 participation today. And this hearing has been
8 concluded. Thank you very much.

9 (Whereupon, the above-entitled matter
10 went off the record at 11:30 a.m.)

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20
21
22
23
24
25

A

A-N-T 9:22
a.m 2:2 7:2,10 29:10
ABC 7:15 13:15 15:10
able 10:1 11:6 20:17 25:19
above-entitled 29:9
ABRA 1:21,21,22,22 7:3,7 14:15,17 23:5
Absolutely 27:17
absolve 18:22 19:3
accept 20:7,9
accurate 18:2
action 6:10,19,21 29:3
actual 11:5 24:24
add 11:23 13:5,12 22:19
addition 8:25
additional 18:8 24:9
additions 13:11
address 17:4,8 23:10
adequate 11:11
adjusted 18:16
advise 6:13,15
advisement 28:18
afford 22:9
agency 23:21 28:22
agreed 7:23
agreement 7:22 8:12,16 14:21
ahead 12:11 14:8 20:2
alarming 24:17
Alcoholic 1:2,13
alerted 20:22
ALIYA 1:17
allegations 19:14
alleged 14:14 15:18,18
allowed 24:21 26:2
alteration 5:19
altercation 10:8,10
ANC 1:7
Anderson 1:14,16 2:3 2:16,22 3:7,11,16,20 3:23 4:5,11,16,25 5:8 9:9,13,17,23 10:20,24 11:9,21 12:1,14,25 13:8,11 14:2,7 16:23 17:2,6 19:8,12,24 20:1 22:20 23:3,14 24:1,6,12 27:20,23 28:12
Andrews 1:21 2:7,9 5:5 5:9 9:10,12,15
angle 11:12,15 13:22 14:12,13
angles 7:20 16:13,13 23:6 28:23
answer 24:16 28:4,10

B

answered 22:2
appear 5:6
appearance 28:19
appeared 8:21 12:5 18:1
appears 8:13 13:16,21 13:25 23:18
appropriate 8:22 11:16 14:24
appropriately 18:14
approximately 7:2,10
area 11:8
Areas 17:22
arrived 10:5
arriving 7:11
ascertained 18:18 21:9
asked 12:7,7 28:1,10
asking 12:16 13:4 20:14
assailant 8:24 9:4 12:6 12:8 21:5 27:3,4,14 28:3,8
assault 1:9 5:13 7:6,13 12:20 14:14 15:18
assaulted 5:16 9:1 21:1
assaulter 15:19
assistance 7:7 8:7
attention 16:3
August 1:11
available 13:17
aware 6:2,6,14,14,25 21:19 28:2

C

3:25 4:2,3 5:12,20 6:24 7:1 11:23 13:14 14:3,6,9,16 17:18,24 18:12 20:19 21:7,18 21:24 23:16,23 24:3 24:23 25:24 28:15,22
break 5:19 10:10
brief 7:12 15:7
bring 9:24 16:2 27:25
Butler 1:22 2:13 4:6,8,9 4:12 5:25 7:8 9:6,24 10:3,23 11:2,14,24 13:18 15:7,24,25 16:5 16:16 22:8,10 28:15
buy 24:21

calendar 2:4
call 5:13 7:3 8:4,7
called 20:16
camera 2:17,20 7:20,20 10:21 11:3,12,15 13:21,24 14:12,13 16:13 18:1,14,18 19:18 23:6 26:17 27:5 28:23,23
cameras 2:19 14:19 17:17,21 18:1,6,9,10 18:17,21,25 19:2,19 22:22 23:1
care 23:25
case 1:8 2:3,5,8 5:11 7:18
CATO 1:17
caused 24:19
certainly 19:17 23:12 23:24
certificate 15:11
Chair 2:15 3:4 5:5 12:19 14:5 16:22 19:16 22:18 24:2
Chairman 17:1 24:11
Chairperson 1:13,16 2:3,16,22 3:7,11,16 3:20,23 4:5,11,16,25 5:8 9:9,13,17,23 10:20,24 11:9,21 12:1 12:14,25 13:8,11,15 14:2,7 16:23 17:2,6 19:8,12,24 20:1 22:20 23:3,14 24:1,6,12 27:20,23 28:12
changed 16:13
changes 28:24
channels 23:20
chat 4:18 5:2
chest 5:18
Chris 4:15,15

clarification 13:13
clear 26:21 27:1,6,8
clearly 23:7
client 19:13 23:4
closure 27:25
co- 3:14
COLUMBIA 1:1
come 23:5
comments 27:24
communicate 8:6
compliance 18:5 19:4
con 24:4
concern 26:10
concerning 5:13
concerns 24:9
concluded 29:8
conclusions 6:8
conduct 20:10
conducted 7:11 15:7
confirm 20:12,18
confusion 9:3 26:21 28:8
consider 26:1
contact 24:4 28:21
contraband 26:1
Control 1:2,13
cooperate 22:12
cooperated 21:22 22:16
cooperation 22:4,9
correct 10:22 17:19 18:13
correctly 17:16 26:19
Counsel 1:24
couple 20:12
coverage 11:11 19:18
covered 11:13 25:2
covering 26:23
created 8:18
criticism 20:10
CROCKETT 1:17
cross 12:23
CT 1:7
currently 22:22

D

D- 9:21
D-O-N-N-E-L-L 4:9
D.C 24:21
Dantzer 1:22 7:9 9:14 9:15,18,20,21 11:22 12:1,2 15:14,15,16,21 22:14,15 28:16
David 9:22
DC 1:21,21,22,22
deal 18:10
decision 6:19
deck 7:14 8:8 11:4

13:23 14:13 17:22,23
18:11 19:7
defer 22:23
depending 25:6
deployed 28:7
determination 6:18
determinations 18:25
determine 19:18
diagram 17:25
direct 24:4
disappointing 18:24
discomfort 24:19
DISTRICT 1:1
disturbance 16:8
documented 16:15
documents 15:10
doing 29:5
Donnell 1:22 4:9
Donovan 1:14,16
door 8:19
doorman 25:18
downs 25:6

E

E-L-I-C-I-A 9:21
EDWARD 1:18
effect 12:11
either 27:14
elevate 2:7 5:3 9:11
elevated 2:10,12,14,15
4:19 9:16
emergency 23:2
employed 21:3
employee 5:15 7:17
10:6 12:21,21
enable 28:7
enter 25:21
entered 20:23
entering 27:15
entrance 11:19
escape 28:8
escaped 8:24
established 12:20
establishment 5:16,21
6:9,11 7:5,10 8:5,14
8:22 9:5 14:19,20,24
18:19 19:22 20:5,11
20:15,21,24 21:21
22:9,16 23:10,18,22
25:3 26:8 27:16 29:5
establishment's 25:2
event 7:17 8:3,13,19
11:5
examination 12:23
exit 23:2 26:8,25
expecting 3:10 4:14
eyes 9:4

F

F- 9:21
face 7:18 15:17,17
26:24 27:2
fact 1:7 2:4,23 5:10 6:3
6:8 16:7
facts 6:7,17
fair 21:20
far 15:10
Felicia 1:22 9:20
female 9:1 10:6,15,15
12:21 21:1,2,5 26:18
27:14 28:3
final 27:24
find 10:1 14:14
finding 1:7 2:4,24 5:10
6:3,8
findings 6:7
first 12:5 17:5
floor 13:17
follow 7:23 21:15 23:24
25:14 28:22
followed 8:17,22 21:17
footage 6:1 7:20,24 9:7
12:3 13:16 22:1 26:17
27:6
forward 4:21,24
found 25:18
four 23:2
Frank 9:21
front 20:21
full 22:9
fully 21:22 22:12
furnish 24:3
further 6:19,21 8:10
11:20 17:21
future 27:16

G

gather 6:4,17
gathered 7:8
general 24:15
give 13:2
gotten 9:5 17:7
Grandis 1:18 17:1,3,4
17:12,20 18:3,20 19:9
19:20 24:11,13,14
25:13 26:9 27:3,12,19
27:21
Group 1:6
guess 20:14
gun 26:1,5

H

HANSEN 1:18
happen 20:7,8 25:10
happened 11:5 13:23
16:8

happening 19:7
head 8:1
hear 20:4
heard 17:16
hearing 1:7 2:4,24 5:10
6:3,8 18:4 19:12
27:25 29:7
held 8:18
help 18:22 19:2
helpful 16:17
hit 5:18 8:9 10:11 12:11
12:11
hold 9:9,11 12:25 13:1
13:1,1 17:6
hotline 5:13 7:3
hours 7:25 8:15
hundred 27:17
hurt 10:19

I

I-S-S-A 3:18
identification 21:13
identify 3:12 4:6,17 5:2
image 27:13
imagine 26:10
immediately 10:12
incident 8:18 11:13,16
12:4 14:23 15:4 16:4
18:23
incidents 20:7
indicate 17:21
individual 21:1,11 26:3
27:7
inform 6:24
information 6:4 19:6
21:14,25 24:4 28:21
injury 24:20
inspection 15:8
inspectors 18:7 24:15
intends 19:14
intervene 10:9
interview 7:12,12
interviewed 5:23,23
10:5
introduce 2:25
Inv 4:5
investi 28:14
investigating 6:17 8:10
16:4
investigation 10:2
21:22 22:11
investigator 1:21,22,22
2:11,13 3:25 4:2,3,6,8
4:8 5:12,20,22,25
6:23 7:1,8,9 9:6,14,15
9:17,20,24 10:3,23
11:2,14,22,23 12:2
13:14,18 14:6,9,16

15:7,14,15,16,21,24
15:25 16:5,16 17:18
17:24 18:12 20:19
21:7,18,24 22:8,10,15
23:5,16,23 24:3,23
25:24 28:15,15,16
investigators 3:24
12:15,18,22 13:4,12
14:4 17:9,12,14 20:5
20:14,17 22:5,18 28:2
involved 26:6
Issa 1:23 2:14,20,21 3:9
3:11,14,14,18,19,21
3:22 22:24,25 26:13
26:14,20 27:8,17
28:14
Issa's 24:4 28:21
issue 23:22
issues 22:3

J

J-O-H-N 3:18
JAMES 1:19
JENI 1:18
John 1:23 3:14,18 24:3
Jones 5:22
JR 1:17,19
June 7:2 10:4

K

keep 5:6
knife 26:1,5

L

L-E-R 9:22
law 6:8 24:24
Lead 7:9 28:16
leave 10:17
leaving 11:8 13:20
left 21:12
legality 25:11
length 7:21
Let's 3:1,23
level 22:4
license 1:8 2:5 15:10
licensed 8:14
licensee 1:23 3:5,7
18:22
Licensee's 1:24
licensees 19:3
LLC 1:6
located 14:25
location 18:1
log 8:18
look 5:6 19:17 28:23
looked 14:17
lot 26:21

M	observe 14:17 15:5,19 16:2	23:22	8:20
M-A-R-K 4:4	observed 10:7 14:18 22:6	point 8:24 12:12 13:19 20:11	Respondent 3:5
male 5:17 21:4 28:2	OC 9:2 24:25 26:1	possibly 18:17,17	response 11:25 19:11 27:22
Manager 7:15 13:15	occasionally 25:5	PRESENT 1:15,20	result 10:2
Mark 1:21 5:12 16:6	occupancy 15:11	presently 12:16	Retailer 1:7
matter 1:5 5:24 6:25 21:23 28:17 29:9	occur 6:20 26:11	presiding 1:14	returned 26:7
MDC 25:11	occurred 6:5 7:6,13 8:19 14:14,23 20:9	prevent 27:15	review 10:25 18:18
mean 16:6 18:13 25:10 25:16	Officer 7:3,12 20:20	probably 23:20	reviewed 6:1 8:11 9:7 10:21,21 11:3 12:3 14:21
measures 6:12	online 4:17 5:1,6	procedure 25:23	rights 2:8,10,11,13,14 4:18 5:3 9:11,16
MEETING 1:3	open 23:4,12,18 29:5	procedures 8:23	roof 7:14 8:8 10:17 11:4 13:22 14:13 17:22,23 18:10 19:7,18 22:22 23:1 27:11
Member 1:17,17,18,18 1:19 14:5,9 15:13,16 15:23 16:1,12,18 17:1 17:4,12,20 18:3,20 24:11,14 25:13 26:9 27:3,12,19	operating 8:14,15	provide 7:24 11:12 28:21	rooftop 10:7 11:8,11,17 11:19 16:9 26:25 28:25
Members 14:4 16:25 19:10 24:8	opportun 13:2	provided 7:19 13:25 21:25 22:1	Roselle 7:4
mentioned 15:20 17:15 17:16 18:6	opportunity 13:3	Public 1:6,6 2:5 3:15 5:10,14,14	routinely 25:3
met 1:13	order 6:7,9 15:12 28:7	punched 7:18 10:18 12:13	rubbing 9:3
minute 13:1	ordering 29:2	purpose 24:5	running 11:4,8 26:23
moment 9:10	outside 20:22	pushed 5:18 10:10,19	
monitor 14:20	owner 4:13	pushing 11:7 13:20	S
morning 2:23,23 10:4	owner/operator 3:15		S 1:18
move 4:21,23	P	Q	S-T-E-P-H-E-N 3:6
MPD 5:13,17 7:3,12 20:16,20 21:9,15,16 26:6	P-R-O-C-E-E-D-I-N-G-S 2:1	query 22:5	saw 14:18 22:3,3
mute 3:3 4:1	panic 26:10	question 14:6 15:14 17:5 24:14,15 25:13 26:13 27:4 28:9	saying 21:21 25:14
N	panicking 27:10	questions 12:16 14:3,3 16:24 19:9 22:2 24:7 24:9 27:21	searches 25:1,4,5
name 3:2,17 4:4,13 9:19	participants 5:24	R	section 15:2
nature 26:4	participation 29:7	R 4:10	security 6:1 7:21 8:2,11 8:17,19 10:12 11:4 14:22,25 15:1,2,3 17:15,16,25 18:5,15 25:2,4,18,25 26:17
need 12:17 13:12 18:11 18:25 19:19	parties 2:8,17,25 6:15	radio 8:5	seeing 15:17
needs 18:8,16	party 21:6 28:4	radios 8:5	server 21:2
night 12:4 14:23	pat 10:15 25:5,16	RAFI 1:17	service 14:11
noticed 10:12	patron 5:17 10:15 21:2 24:18 26:7	raise 18:21 24:10 26:9 27:4	settlement 7:22 8:12,15 14:21
number 2:5,6 14:24	patrons 5:17 10:8,16 11:7,8	ran 10:12	shaken 16:11
NW 1:7	people 9:3 13:20 24:20 26:23	received 5:12 7:3	shared 11:24,24
O	pepper 9:2 10:16 21:3,5 21:11,12 24:18,22,25 25:8,19 26:18 28:3,7	recommendation 23:9	Short 1:19 14:5,7,9 15:13,16,23 16:1,12 16:18,24
O'Brien 1:24 2:10 3:2,3 3:4,5,8,9 4:12,15,20 4:23 6:2 12:16,19 13:1,7,10 17:5 19:13 19:16,25 20:2,3,25 21:16,20 22:7,13,17 22:21,23 23:4,12 24:2 24:7 27:24 28:1,13,20 29:4	perceive 20:10	record 3:1,12 4:7 9:19 29:10	shot 26:21 27:1
O-B-R-I-E-N 3:6	percent 27:18	reference 17:25	shoulder 10:11
observation 19:21 22:11	person 4:13 27:15	regard 8:10 14:22 15:6 24:24 25:11	show 10:25 11:5 17:22 18:22 19:3
	person's 4:20 25:9	regarding 6:4 18:6	showed 7:19 11:3,7,18
	personally 7:16	regulatory 15:8	sight 11:16
	personnel 14:25 15:4 25:25	reoriented 19:19	SIMONE 1:21
	phonetic 7:4	report 14:10 16:19 19:15	Simple 1:9
	physical 11:6	requ 21:25	Simultaneous 17:11 19:23
	place 5:14	requested 7:24 22:1	sir 3:17 4:1,3,14 5:3 7:1
	placed 18:14	requesting 7:7	
	plan 7:22 8:11,17 14:22 15:1,3 17:15,16,25 18:5,15 25:2,4	respond 15:4 17:14 19:14	
	please 2:7,8,18,18,19 3:2,12,13,17 4:6,7,17 5:1 9:18,19 14:8	responded 5:21 7:9 8:8	

11:1 15:15,21,25
 16:16 17:19 18:13
 20:19 21:8,19,24
 23:23 25:12 28:1
situation 8:23 13:22
 20:23 25:6
small 25:8 26:11
smuggle 25:15
smuggled 25:8
somebody 26:11
sorry 4:2 10:20 13:7,10
 20:1
sort 24:17
space 19:1 26:11
speak 24:24 25:12
speaking 17:11 19:23
specific 6:7
specified 15:1
speed 9:25
spell 3:2,16 9:18
spitting 12:6,8
spoke 7:15,21 8:1 9:7
 13:15 15:3
spot 13:23
spots 23:7,8,11
spra 21:11
spray 9:2,2 10:16 21:3
 21:12 24:19,22,25,25
 25:8,19 26:1,18 28:7
sprayed 9:1 10:15
 21:11 26:22
sprayer 21:5 28:3
Staff 1:21
Standby 2:9 9:12
start 3:1,23,24 6:23
started 10:17
state 3:2,17 9:18
stated 7:5,13,16,17,23
 8:2,9 10:6 12:9 20:20
 21:10 28:20 29:4
Stephen 1:24 3:5
Street 1:7
subsequently 10:11
 20:23
substance 24:18
suggesting 25:17
suggestion 20:4
summarize 21:21
summary 5:11
Supervisor 3:25 4:3
 5:12,20 6:23 11:23
 16:6 23:15 28:14
Supervisory 1:21
supplemented 19:19
surface 8:21

T

t/a 1:6

taken 5:14 23:25 26:2
tell 18:14 25:21
testified 13:19
testimony 16:19 18:7
thank 2:16 3:4,20,22
 4:12 5:9 9:24 12:14
 14:2,10,10 15:13,23
 16:18,19,21,23 17:13
 17:13,20 19:8,20
 20:25 22:13,17,21
 23:15 24:7 26:14
 27:19 28:13,13,14,18
 29:6,8
things 9:4 15:6,10,11
 20:13 25:1 26:5
three 13:5 16:20 17:13
 22:25
today 26:15 28:19 29:7
told 5:17
total 23:2
tried 5:19 10:9
trying 6:4 25:22 26:24
turn 2:18
turned 18:11 21:14
two 5:16
typically 25:25 26:6

U

uncommon 25:7
understand 15:9 25:22
 26:16,19 27:13
understanding 5:25
 18:4 20:13,15 21:8
 23:16
unfortunate 25:7
unfortunately 8:23 11:2
unknown 5:16 9:1
use 25:11,15
uses 8:5
usually 19:21 26:2,6

V

various 7:20
verbal 5:19 10:8
victim 5:15,17 7:17 8:9
 8:25 9:8 10:5,6 12:5
 12:20 13:19 15:18
 16:10
video 7:19,20,24 9:7
 10:22,25 12:3 13:16
 22:1
videoconference 1:13
view 11:10 23:5 28:24
violations 14:15,17
 15:6,19 16:7
visuals 26:17
volunteer 6:12 29:3
volunteering 29:2

W

W 1:14,16
wait 4:21
wanted 6:15 13:5,9
wants 24:10
wasn't 10:19 26:20 27:1
weapon 26:5
WebEx 1:13
Wednesday 1:11
went 8:4,7 29:10
Williams 3:10 4:15,16
 5:1
witness 7:16 8:3
wondering 28:6
words 25:15
work 23:21
working 10:7
wrong 20:6

X

Y

yelling 12:10

Z

Z- 9:22
zebra 9:22

0

1

10:59 2:2
11:30 29:10
1214 1:7
16 14:19 17:16
18th 1:7

2

2:10 7:2
2:30 7:10
2021 1:11
21-251-00014 1:8 2:5
27 7:2 10:4
2B 1:7

3

4

4 1:11
48 7:25

5

6

7

8

81238 1:8 2:6

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Bar

Before: DC ABRA

Date: 08-04-21

Place: teleconference

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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