

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
: :
Salma, LLC, :
t/a Red Lounge Hookah :
2013 14th Street NW : Fact Finding
License #76011 : Hearing
Retailer CT - ANC 1B :
Case # 21-251-00020 :
: :
(Chief of Police Hearing :
Request, July 19, 2021) :

Wednesday
August 11, 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
AMADOU BAH, Licensee
KEVIN PUENTE, DC ABRA Investigator

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

2 2:24 p.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case in our calendar is Case Number 21-251-
5 00020. Red Lounge Hookah. License Number 76011.

6 Ms. Andrews, can you please elevate
7 the rights of the Licensee, along with
8 Investigator Puente. And I'm not sure if there
9 is going to be a representative from MPD on the
10 line, but anyone who has identified themselves
11 for the hearing, for this hearing please.

12 MS. ANDREWS: Sure. Standby. Mr.
13 Bah, your rights have been elevated.
14 Investigator Puente, your rights have been
15 elevated. That's all, Mr. Chair.

16 CHAIRPERSON ANDERSON: Thank you. Mr.
17 Bah, do you have a camera, sir? If you are able,
18 if you have a camera, can you please turn your
19 camera on, sir?

20 Mr. Bah? Do you have a camera, Mr.
21 Bah?

22 MR. BAH: We're trying to. Yes.

23 CHAIRPERSON ANDERSON: All right, Mr.
24 Bah. All right, thank you. Can you put your
25 phone on mute? Thank you, sir.

1 MR. BAH: Yes.

2 CHAIRPERSON ANDERSON: We're having a
3 fact-finding hearing today because on July 19th,
4 2021 the chief of police submitted a request to
5 the Board for a fact-finding hearing concerning
6 an incident that occurred on July 17th, 2021.
7 That's the first thing.

8 So let's start with Mr. Puente. Can
9 you please spell and state your name for the
10 record, please?

11 MR. PUENTE: Yes. Kevin Puente, K-E-
12 V-I-N, P-U-E-N-T-E.

13 CHAIRPERSON ANDERSON: And, Mr. Bah,
14 can you please spell and state your name for the
15 record please? You're on mute, Mr. Bah. Mr.
16 Bah, unmute your phone please. Go ahead.

17 MR. BAH: Can you hear me?

18 CHAIRPERSON ANDERSON: Yes, sir, I can
19 hear you.

20 MR. BAH: Okay. My name is Amadou
21 Bah, A-M-A-D-O-U, last name, B-A-H.

22 CHAIRPERSON ANDERSON: And what is
23 your relationship to this establishment, sir?

24 MR. BAH: I am the owner.

25 CHAIRPERSON ANDERSON: Thank you, Mr.

1 Bah. All right, Mr. Bah, this is a fact-finding
2 hearing. The chief of police had requested that
3 we conduct a fact-finding hearing based on the
4 event that occurred at your establishment.

5 As you are, I'm not sure if you have
6 participated in a fact-finding hearing before,
7 the Board is just gathering information. The
8 Board has not made any determination whether or
9 not any violations, whether or not we will find
10 you guilty or innocent of any potential
11 violations. We're just gathering facts based on
12 the request that was made to us by the chief of
13 police regarding this incident.

14 I just want to alert you that during
15 a fact-finding hearing the Board cannot order you
16 to take any specific action. The Board can
17 request of you to take some actions.

18 You are free to state that you are not
19 going to do those actions. But you can also
20 volunteer to take the actions that the Board has
21 suggested. However, the Board cannot argue, the
22 Board cannot order you, at a fact-finding
23 hearing, to do that.

24 And I just also want to state to you
25 that if the Board requires, you're free to do

1 something. And if you decline to take those
2 actions, it does not, it does, and it will not,
3 reflect negatively on you, sir. I just wanted
4 you to know. All right?

5 So I don't want you to believe that
6 just because the Board says something you have to
7 do it. We would hope that you would do it, but
8 it doesn't reflect positively, or negatively, if
9 you decide not to take the suggestions by the
10 Board. Are you aware --

11 (Simultaneous speaking.)

12 CHAIRPERSON ANDERSON: -- you are
13 aware, sir. All right.

14 MR. BAH: Yes.

15 CHAIRPERSON ANDERSON: Okay.

16 MR. BAH: Yes.

17 CHAIRPERSON ANDERSON: So what I'm
18 going to do is that I'm going to ask Mr. Puente
19 to give us factual, to address what his
20 investigation has shown. And the Board will ask
21 Mr. Puente some questions. You are free to ask
22 Mr. Puente questions of this case report.

23 And after Mr. Puente is done, if you
24 want to make a statement, you are willing to do
25 that. All right?

1 MR. BAH: Okay.

2 CHAIRPERSON ANDERSON: All right. So,
3 Mr. Puente, I would like you to just let us know
4 how did you write a report, and as a result of
5 the request that was made to us by the chief of
6 police, what actions, if any, did the Board take,
7 I'm sorry, did the Agency take through your
8 actions?

9 MR. PUENTE: Yes, sir. I wrote a
10 report on Red Lounge on Saturday, July 17th,
11 2021. Myself and Investigator Pleitez were
12 monitoring an establishment on 14th Street. We
13 observed a large MPD presence and several
14 ambulances were outside of Red Lounge.

15 We parked across the street, spoke
16 with Sergeant Shipman from MPD who advised us
17 that they had two people stabbed right outside of
18 Red Lounge. There had been conflicting stories
19 about an altercation that possibly started
20 inside, or started at the neighboring
21 establishment.

22 Later that morning MPD was notified by
23 Anne Arundel County police that they received a
24 third stabbing victim who was transported to the
25 University of Maryland Medical Center on their

1 own. And they advised Anne Arundel that they
2 were at Red Lounge and were involved in a fight.

3 On that night I spoke with the owner's
4 wife, Ms. Quafiae Harrag. We asked to see --

5 CHAIRPERSON ANDERSON: Mr. Puente?
6 Mr. Puente can you spell her name please?

7 MR. PUENTE: Yes. So it's Quafiae
8 Harrag. First name is, Q-U-A-F-I-A-E, last name
9 Harrag, H-A-R-R-A-G.

10 She advised me that the establishment
11 had just closed, there was just staff inside.
12 And something happened outside where there was a
13 fight.

14 We asked to see a surveillance video.
15 When we went upstairs we noticed the surveillance
16 system wasn't working properly.

17 Ms. Harrag advised me that they only,
18 the establishment had a contractor who has been
19 doing work at the establishment, he put his
20 supplies in that room where they keep the
21 surveillance and believes he may have unplugged
22 the system accidentally so that's why there is no
23 surveillance video.

24 MPD said they believe the fight did
25 occur outside, but they just wanted to see what

1 happened inside. Everybody said it happened
2 inside but we can't substantiate that.

3 I spoke to Ms. Harrag again on
4 Tuesday, July 20th and she advised me that Mr.
5 Bah went ahead and purchased more camera
6 equipment to keep it secure. That will allow it
7 to run if it's unplugged as well.

8 The establishment does not have a
9 security plan or a settlement agreement. It
10 should also be noted that on February 16th, 2020
11 there was another incident where there was a
12 firearm inside the establishment.

13 There was a case report, case number
14 2025100026, that was generated. In that incident
15 the security camera wasn't recording enough data.
16 There wasn't enough storage on the unit so MPD
17 had issues with that.

18 With this being the second in a row
19 where there has been issues with the security
20 cameras. And that's really it, sir.

21 CHAIRPERSON ANDERSON: Mr. Puente, do
22 you know whether or not the establishment has
23 addressed their, factually have they made an
24 improvement to the camera system?

25 MR. PUENTE: Oh yes. So when I spoke

1 to Ms. Harrag they were waiting for it to arrive.
2 I was planning to go back out there this week
3 when I return to work. When I'm on duty to
4 inspect it. To see if it's recording and make
5 sure it's up to date and everything.

6 CHAIRPERSON ANDERSON: And typically,
7 what is that the ABRA expects in the sense of
8 reporting the capability with security. How
9 would you describe, what's a good security
10 system?

11 At least in your experience in working
12 with other establishments that has a security
13 system. I mean, in the sense of reporting, what
14 is that, what's expected?

15 MR. PUENTE: Usually we like to see
16 security equipment be able to hold a 30 day
17 retention period from the date. Be able to hold
18 footage for 30 days. If we can come back 30 days
19 later we can access it.

20 That the security equipment be kind of
21 secured and not with other things or be in
22 storage closet where it can easily be unplugged.
23 So mainly where it's by itself and secured by the
24 owner.

25 CHAIRPERSON ANDERSON: Okay, thank

1 you. All right, are there any questions that any
2 Board Members have of Mr. Puente?

3 All right. Mr. Bah, do you have any
4 questions of Mr. Puente?

5 MR. BAH: I'm kind of, I think it is
6 a fluke thing that happened. The first case he
7 was talking about, that case, what happened that
8 incident was, what's his name.

9 CHAIRPERSON ANDERSON: Hold on, Mr.
10 Bah. Hold on, Mr. Bah.

11 MR. BAH: Yes.

12 CHAIRPERSON ANDERSON: He only
13 mentioned the first case because there was an
14 issue with your camera.

15 MR. BAH: Yes.

16 CHAIRPERSON ANDERSON: We don't care
17 about what happened. The first case is not
18 relevant. He had just brought it up because he
19 was just saying there was a camera issue in that
20 first case too, sir.

21 MR. BAH: I just, I'm trying to cover
22 with you. I just purchased camera, new system.
23 It has 16 camera. That one, we just installed
24 those. And it's not even, we don't even finish
25 putting all the cameras because we trying to find

1 out what area we need the camera, what area we
2 need the camera.

3 So we setup already a couple of them.
4 And this one has like, you can keep it for
5 months. The footage. Because the one we have
6 before, it keep the footage only for one week.
7 So we take that one out, we got new one.

8 And also, what I did also, which
9 nobody ever done, and I purchase also some body
10 camera for the security. And that one also I'm
11 going to implement.

12 The security have to have body camera
13 also. So that's my, the next thing I want to do.
14 Because that will protect from anything that is
15 happening in front of them.

16 And also we have the surveillance
17 inside. And also, if you go walk outside, and he
18 can record everything is happening.

19 CHAIRPERSON ANDERSON: All right. So,
20 Mr. Bah, from your perspective, can you tell us
21 what happened on this day in question?

22 MR. BAH: Okay. That day is we have
23 operation normal like usually. Everybody was
24 happy, everybody walk out after we close.
25 Everybody leave the place. The security locked

1 the door. So everybody left.

2 But people keep hanging out sometimes
3 waiting for their Uber or maybe they're waiting
4 for their ride. But we don't have, we cannot
5 tell them what to do outside. Anytime we tell
6 them, the security tell them you all need to
7 move, you all need to leave, they say this is
8 public property.

9 But we did the best we can to make
10 them leave the area. But this, we don't know
11 what happened outside.

12 What we find out, there was a fight,
13 somebody coming from somewhere and they have
14 altercation with the, one of the client came from
15 our place and then they start fighting.

16 CHAIRPERSON ANDERSON: And, Mr. Bah.

17 MR. BAH: Yes.

18 CHAIRPERSON ANDERSON: And why is it
19 that you don't know what happened, sir?

20 MR. BAH: No, I don't know anything.

21 CHAIRPERSON ANDERSON: But I'm saying,
22 but why don't you know what happened?

23 MR. BAH: Because we was inside. The
24 security put everybody outside. Everybody left.
25 They was outside waiting for their ride. So we

1 was inside. We don't watch what's going on
2 outside.

3 CHAIRPERSON ANDERSON: So you don't
4 think that if you have a camera that was
5 operational then you would know what happened in
6 front of your establishment, sir?

7 MR. BAH: Okay. What happened on
8 those camera thing, it's not like we don't have a
9 camera, we used to have a camera. But we have a
10 contractor working there for like months, almost.

11 So the contractor have all his tools
12 in the office. So what he did, he came, because
13 he have a key, he came in, he brought somebody to
14 help me to grab his tools. And I think they
15 pulled the camera, the wire without knowing.

16 Because I talked to him. I asked him,
17 why you disconnect the camera. He said, no, he
18 didn't do it. And I said, who did. He said
19 maybe the guy who was helping me to move the
20 equipment, maybe he is the one who did. So
21 that's what happened.

22 Because when the police come down we
23 thought the camera working. Working. And I tell
24 him, yes, we have camera.

25 We go there now and we try to turn on

1 to see the screen, it won't come up. And I asked
2 the police, I said, do you know how to check this
3 because I tried everything, I can't get the
4 thing. And then he came in and he tried to help
5 me, he said there's no power. And then that's
6 how we found out.

7 CHAIRPERSON ANDERSON: So, as far as
8 your camera is concerned, sir, what changes are
9 you making to ensure that this doesn't happen
10 again, sir?

11 MR. BAH: I make big change. Because
12 I bought surveillance camera now for \$1,300
13 almost. So, I came in, I called somebody, my
14 security came and put it in different areas.

15 But we still have more camera. We
16 trying to find out what area we need more, to
17 adjust it to add more camera. Because I bought
18 for 16 camera now. So we're going to have camera
19 everywhere, for sure.

20 CHAIRPERSON ANDERSON: Would you agree
21 to have ABRA come over to your establishment and
22 look at your establishment and suggest what areas
23 that you should have a camera, sir?

24 MR. BAH: I would be willing to do
25 that. If you can help me with that, that would

1 be perfect. We working together.

2 CHAIRPERSON ANDERSON: Now, how long
3 have you been up?

4 Where is your establishment located,
5 sir?

6 MR. BAH: It's on 14th Street. Across
7 street from the Reeves Center.

8 CHAIRPERSON ANDERSON: Ah. So you're
9 right across from --

10 MR. BAH: Yes.

11 CHAIRPERSON ANDERSON: -- ABRA, okay.

12 MR. BAH: Yes.

13 CHAIRPERSON ANDERSON: So how long
14 have you been in operation there, sir?

15 MR. BAH: Twenty-three years. I mean,
16 I'm sorry. Yes, I've been in business in that
17 place for 20 something years. Yes.

18 CHAIRPERSON ANDERSON: Thank you. Do
19 you have a security plan?

20 MR. BAH: Yes, I do.

21 CHAIRPERSON ANDERSON: Have you filed
22 a security plan with ABRA?

23 MR. BAH: Yes, I did.

24 CHAIRPERSON ANDERSON: Are you sure
25 you have? Mr. Puente?

1 MR. BAH: Yes.

2 CHAIRPERSON ANDERSON: Have you found
3 any security plan on records for this
4 establishment?

5 MR. PUENTE: No. Not on record with
6 us.

7 CHAIRPERSON ANDERSON: All right, Mr.
8 Bah, you said that you had a security plan.
9 Would you agree to file this security plan, to
10 talk to the Agency and to file a security plan,
11 and if it's not legally up to, if it's not
12 legally appropriate would you be willing to make
13 the changes and file it with the Agency?

14 MR. BAH: Yes, I will.

15 CHAIRPERSON ANDERSON: Are you able to
16 do this within the next 30 days?

17 MR. BAH: Yes. If he can help me, we
18 can setup meeting, he can help me to do whatever
19 have to be done, to make sure everything is going
20 to be safe and secure.

21 CHAIRPERSON ANDERSON: All right,
22 thank you, sir. Any questions by any of the
23 Board Members?

24 MEMBER SHORT: Yes, Mr. Chair. I'd
25 like to ask Mr. Bah a question.

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

3 MEMBER SHORT: Good afternoon, Mr.
4 Bah.

5 MR. BAH: How you doing, sir?

6 MEMBER SHORT: You've been there for
7 22 years?

8 MR. BAH: Yes, sir.

9 MEMBER SHORT: Great location.

10 MR. BAH: Yes, sir. Thanks.

11 MEMBER SHORT: Are you familiar with
12 the reimbursable police details that this Agency
13 offers to Licensees like yourself?

14 MR. BAH: I heard about that.

15 MEMBER SHORT: Would you think it
16 reasonable that you check with MPD and see if
17 it's possible that you can get a detail, because
18 that would take care of all of your loitering
19 problems that you have onsite now because when
20 the police officer out there till you close I
21 would think would be a good idea, especially now
22 that you got your 16 cameras working.

23 MR. BAH: I am willing to do whatever
24 it take to make sure everything is going to be
25 secure.

1 MEMBER SHORT: Okay. Well, when the
2 investigator comes to check your camera angles,
3 talk to that person, or that investigator, about
4 how you go about getting an RDO.

5 MR. BAH: I agree. I can do that.

6 MEMBER SHORT: I'll just say this, if
7 you've been on 14th Street for 22 years, you know
8 police presence does help, correct?

9 MR. BAH: Yes, I do. I do.

10 MEMBER SHORT: So, yes, talk with the
11 investigator when he comes out to see the camera
12 and I think you would be a lot safer.

13 MR. BAH: Thank you so much. I'm
14 willing to do that.

15 MEMBER SHORT: Thank you for
16 cooperation. And congratulations on 22 years on
17 14th Street.

18 MR. BAH: Thank you.

19 MEMBER SHORT: Thank you.

20 CHAIRPERSON ANDERSON: Thank you, Mr.
21 Short. Any other questions by any other Board
22 Members?

23 MEMBER GRANDIS: Yes.

24 CHAIRPERSON ANDERSON: Go ahead, Mr.
25 Grandis.

1 MEMBER GRANDIS: Thank you. Thank
2 you, Mr. Chairman. Mr. Puente, I want to thank
3 you for your expert testimony today and helping
4 us understand the facts of that incident.

5 In my looking at the investigative
6 report I may have overlooked, what time does MPD
7 believe the incident occurred. I think what I
8 read is that you, ABRA investigator did not show
9 up till about 3:30, I think, if that's correct.
10 But any information about the time of the
11 incident?

12 MR. PUENTE: Yes, sir. MPD said they
13 responded at 3:16 in the morning.

14 MEMBER GRANDIS: Okay, thank you. Mr.
15 Bah?

16 MR. BAH: Yes.

17 MEMBER GRANDIS: I want to thank you
18 for participating as today well. What time on
19 Saturday evening, which is Sunday morning, does
20 your license allow you to operate?

21 MR. BAH: To operate? We open until
22 3:00.

23 MEMBER GRANDIS: And what time is your
24 alcohol beverage service on your license to end?

25 MR. BAH: What we do, we stop sending

1 alcohol 2:30.

2 MEMBER GRANDIS: You stop delivering
3 it --

4 MR. BAH: Yes.

5 MEMBER GRANDIS: -- or last call?

6 MR. BAH: Yes.

7 MEMBER GRANDIS: What time is last
8 call?

9 MR. BAH: 2:30.

10 MEMBER GRANDIS: Okay. So you don't
11 stop serving, you announce last call at 2:30?

12 MR. BAH: No, no. 2:30, that's the
13 time we say you cannot serve no more alcohol.

14 MEMBER GRANDIS: Do you have a last
15 call time?

16 MR. BAH: Yes. Around, I think it's
17 2:00, what time --

18 MS. HARRAG: The last call, 2:30.

19 MR. BAH: 2:30 last, okay.

20 MEMBER GRANDIS: I'm sorry, Mr. Bah,
21 we cannot involve someone off camera unless they
22 are recognized as a witness.

23 MR. BAH: This is my wife. She's the
24 one who operate most of the time the place.

25 MEMBER GRANDIS: Okay. So again, what

1 time is your last call?

2 MR. BAH: 2:30.

3 MEMBER GRANDIS: So alcohol is served
4 at 2:30?

5 MR. BAH: Yes. We serve until 2:30.

6 MEMBER GRANDIS: When does alcohol
7 service end?

8 MS. HARRAG: 2:45.

9 MR. BAH: 2:45?

10 MS. HARRAG: Yes.

11 MR. BAH: Okay.

12 MEMBER GRANDIS: Okay. During the
13 course of your evening, do you have a door person
14 to check IDs?

15 MR. BAH: Yes.

16 MEMBER GRANDIS: So, if the incident
17 was around 3:15 wouldn't you have had that
18 individual noting everyone leaving the
19 establishment?

20 Or do you not --

21 (Audio interference.)

22 MR. BAH: -- he go, they put everybody
23 out. He puts people to go out. All the way
24 through the front door.

25 MEMBER GRANDIS: And that occurs at

1 3:00 a.m.?

2 MR. BAH: Yes.

3 MEMBER GRANDIS: is moving the crowd
4 out go to the entrance?

5 MR. BAH: He starts in the bathroom,
6 in the back. And then he tells people, let's go,
7 let's go. He don't allow nobody to go back in
8 the back.

9 MEMBER GRANDIS: I only raise this
10 because based on patrons not really thinking they
11 were doing any incommoding or whatever, often
12 when they leave will just congregate on the
13 sidewalk because they've had friendships, they've
14 had conversations, they're waiting for Uber or
15 whatever.

16 So, I would strongly suggest that if
17 your policy is not to have someone outside the
18 front door, until everyone has left the sidewalk
19 that's in front of your establishment, I think
20 you may want to do that because it will help us
21 understand the possible engagement of your venue
22 in an incident in the future.

23 So, I would suggest you try to get the
24 sidewalk of your patrons moved along by, at 3:00
25 a.m.

1 MR. BAH: Okay. Actually, since we
2 had this problem, the security, when he pulls
3 people out, he open the door, he tell them to
4 disperse, not stay in front of the place.

5 MEMBER GRANDIS: Thank you. Thank
6 you, Mr. Chairman.

7 CHAIRPERSON ANDERSON: All right,
8 thank you, Mr. Grandis. Any other questions for
9 any of the Board Members?

10 All right. Mr. Bah, the Board will
11 take this matter under advisement, but we will
12 follow-up, the Agency will follow-up with you --

13 MR. BAH: Okay.

14 CHAIRPERSON ANDERSON: -- regarding
15 the cameras, and also the security plans.

16 MR. BAH: Okay.

17 CHAIRPERSON ANDERSON: But, wait, sir.

18 MR. BAH: Thank you so much.

19 CHAIRPERSON ANDERSON: Yes, but we're
20 not going to take any action at this moment.
21 We'll take it under advisement. But we will get
22 back to you regarding what further action, if
23 any, the Board will take.

24 But however, we will definitely
25 instruct you on the security agreement, the

1 security plan. You stated that you had one filed
2 with the Agency, the Agency said that they don't
3 have a copy of it.

4 MR. BAH: With ABRA, yes.

5 CHAIRPERSON ANDERSON: But we'll
6 follow-up with you regarding that. We'll also
7 follow-up with you regarding the location.

8 I know that Mr. Short had spoken to
9 you about RDO. And so we can also provide you
10 some information about RDO.

11 But, sir, I just want to, but anyways,
12 I want to thank you, sir, for appearing today.
13 And I also want to thank Mr. Puente, for your
14 presentation today. All right.

15 MR. BAH: All right, thank you.

16 CHAIRPERSON ANDERSON: So the ABC
17 Board will take this matter under advisement.
18 Thank you very much for your appearance.

19 Thank you. All right. You're free to
20 go, sir.

21 MR. BAH: All right, thank you so much.

22 CHAIRPERSON ANDERSON: Thank you. All
23 right.

24 (Whereupon, the above-entitled matter
25 went off the record at 2:49 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Red Lounge Hookah

Before: DCABRA

Date: 08-11-21

Place: teleconference

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Court Reporter

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