

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

-----=
IN THE MATTER OF: :
:
King Street :
Oyster Bar DC, LLC :
t/a King Street :
Oyster Bar :
22 M Street NE :
Retailer CR - ANC 6E :
License No. 114984 :
Case #24-251-00032 :
:
(Assault with a :
Deadly Weapon, Allowed :
the Establishment to be :
Used for an Unlawful :
or Disorderly Purpose, :
Failed to follow :
Settlement Agreement, :
Failed to have Security :
Cameras Operational, :
Substantial Change - :
Increase in Occupancy) :
-----=

Wednesday
August 14, 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
RICK ALLISON, Licensee
JORGE ESGUERRA, Licensee
TRISTON O'SAVIO, Licensee Counsel
DAVID AUGUSTINE, DC MPD
INVESTIGATOR JOVAN MILLER

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

2 1:34 p.m.

3 CHAIRPERSON ANDERSON: Good afternoon,
4 everyone, and welcome to the afternoon session of
5 the ABC Board. My name is Donovan Anderson,
6 Chairman of the Board. And joining me this
7 afternoon are two other Board members, Mr. James
8 Short and Mr. Silas Grant.

9 The Board has three members in
10 attendance for the conduct of business this
11 afternoon, and that constitutes a quorum. In
12 reviewing our calender this afternoon we have one
13 fact finding hearing, and so let's call -- that
14 is the only case that we have for this afternoon.
15 And so let me call this case. So it's Case
16 Number 24-251-00032, King Street Oyster Bar,
17 Licence Number 114984.

18 Good afternoon, Mr. Orellana. Can you
19 please elevate the rights of the parties in this
20 case.

21 MR. ORELLANA: Good afternoon. David
22 Augustine, your access has been elevated.
23 Investigator Jovan Miller, your access has been
24 elevated, Rick Allison, your access has been
25 elevated, and that appears to be all, Chairman.

1 There's a couple more people, but I'll
2 wait until you give me the directions.

3 CHAIRPERSON ANDERSON: I don't know
4 who the other folks are. I'm only aware of
5 Captain Augustine, I'm aware of the Licensee, and
6 I see Mr. Miller is there. So Mr. Allison, is
7 that the Licensee?

8 MR. ALLISON: Yes.

9 CHAIRPERSON ANDERSON: Do you have a
10 camera, sir, you can turn on.

11 MR. ALLISON: Yes, let me just see.
12 Hang on one second, sorry about that. It was
13 working a minute.

14 CHAIRPERSON ANDERSON: Do you want log
15 out and come back on?

16 MR. ALLISON: Let me try that.

17 CHAIRPERSON ANDERSON: All right.

18 Mr. Orellana, you can elevate Mr.
19 Esguerra, E-S-G-U-E-R-R-A, Esguerra. He says
20 that he's also a licensee for the establishment.

21 MR. ORELLANA: Okay. Mr. Esguerra,
22 your access has been elevated.

23 Mr. Esguerra, do you have a camera you
24 can turn on, sir?

25 MR. ESGUERRA: Yes.

1 (Simultaneous speaking.)

2 MR. ESGUERRA: Can you see me now?

3 CHAIRPERSON ANDERSON: Yes, I can.

4 MR. ESGUERRA: Thank you.

5 CHAIRPERSON ANDERSON: We're waiting
6 for Mr. Allison.

7 MR. ESGUERRA: I think that we also
8 requested our attorney.

9 CHAIRPERSON ANDERSON: And who is
10 that, no one --

11 (Simultaneous speaking.)

12 CHAIRPERSON ANDERSON: I'm sorry, what
13 was that?

14 MR. ESGUERRA: It's Triston, hold on
15 one second. He's not our regular person, but one
16 sec.

17 CHAIRPERSON ANDERSON: Well, no one
18 provided -- I'm not aware that anyone sent in a
19 letter of representation to say that they are
20 representing the establishment. That's --

21 MR. ESGUERRA: Oh, okay.

22 CHAIRPERSON ANDERSON: So I'm not
23 aware. So were you expecting to have an attorney
24 here today, sir?

25 MR. ESGUERRA: So he was recommended

1 to us that, and suggested that we have our
2 attorney present. And so, you know, we abided
3 by that. We're trying to abide by all the
4 guidance that we are receiving.

5 CHAIRPERSON ANDERSON: But is the
6 Attorney on the line, sir?

7 MR. ESGUERRA: I can't tell, because
8 I was doing those allocations.

9 (Simultaneous speaking.)

10 CHAIRPERSON ANDERSON: Who is the
11 attorney. Who's the attorney, sir?

12 MR. ESGUERRA: One second.

13 CHAIRPERSON ANDERSON: Why don't you
14 text your Attorney to see if they are on the line
15 and give me the name --

16 MR. ESGUERRA: Yes, yes, I --

17 CHAIRPERSON ANDERSON: Is it Triston
18 who is helping you?

19 MR. ESGUERRA: Yes, it is. Yes, I'm
20 sorry. It is Triston O'Savio.

21 CHAIRPERSON ANDERSON: So is that a
22 male or a female?

23 MR. ESGUERRA: It's a male.

24 CHAIRPERSON ANDERSON: Mr. O'Savio,
25 can you turn your camera on, sir?

1 (No audible response.)

2 CHAIRPERSON ANDERSON: We're still
3 waiting for Mr. Allison to show --

4 MR. O'SAVIO: Mr. Chairman, how are
5 you? This is Triston O'Savio.

6 CHAIRPERSON ANDERSON: Do you have a
7 camera you can turn on, sir?

8 MR. O'SAVIO: I am trying. It appears
9 that the integrated camera, it's saying another
10 application -- okay, got you. Give me one
11 second.

12 CHAIRPERSON ANDERSON: Mr. Allison, I
13 still can't see you. What's going on, sir?

14 (No audible response.)

15 MR. O'SAVIO: All right.

16 CHAIRPERSON ANDERSON: Well, I saw you
17 for -- okay, Mr. O'Savio.

18 MR. O'SAVIO: Ah, there we go.

19 CHAIRPERSON ANDERSON: All right.

20 MR. O'SAVIO: So we go it taken care
21 of.

22

23 CHAIRPERSON ANDERSON: Well, I'm still
24 waiting to see Mr. Allison.

25 MR. ALLISON: I'm fine, I can see you

1 now.

2

3 CHAIRPERSON ANDERSON: Well, I can't
4 see you, Mr. Allison.

5 MR. ALLISON: Oh, I'm sorry. I can
6 see you, that's why. I'm sorry.

7 MR. ALLISON: All right, Mr. Allison.
8 Okay, good afternoon, everyone.

9 All right, let me have the parties
10 introduce themselves for the record. And then
11 let me start with you, Mr. O'Savio. Can you
12 please spell and state your name for the record,
13 and your relationship to this case?

14 MR. O'SAVIO: Sure thing, good
15 morning, Mr. Chairman, and may it please the
16 Board, my name is Triston Chase O'Savio, and I'm
17 Counsel on behalf of King Street Oyster. We look
18 forward to answering --

19 CHAIRPERSON ANDERSON: Mr. O'Savio,
20 can you spell your name for the record. We have
21 a --

22 MR. O'SAVIO: Triston --

23 CHAIRPERSON ANDERSON: -- court
24 reporter, sir.

25 MR. O'SAVIO: T-R-I-S-T-O-N, and then

1 O'-S-A-V, as in Victor, I, as in Igloo, O, as in
2 Oscar.

3 CHAIRPERSON ANDERSON: Good afternoon,
4 Mr. O'Savio.

5 Mr. Allison, can you please spell and
6 state your name for the record?

7 MR. ALLISON: Yes, my name is Rick
8 Allison, R-I-C-K A-L-L-I-S-O-N.

9 CHAIRPERSON ANDERSON: And what's your
10 relationship to the establishment, sir?

11 MR. ALLISON: I'm one of the owners.

12 CHAIRPERSON ANDERSON: Mr. Esguerra,
13 can you please spell and state your name for the
14 record?

15 MR. ESGUERRA: Jorge Esguerra, J-O-R-
16 G-E, last name E-S-G-U-E-R-R-A.

17 CHAIRPERSON ANDERSON: Thank you, sir.

18 Captain Augustine, can you please
19 spell and state your name for the record, sir?

20 MR. AUGUSTINE: Absolutely, David
21 Augustine, last name is spelled A-U-G-U-S-T-I-N-
22 E. Thank you for having me.

23 CHAIRPERSON ANDERSON: Sure, sir.

24 Mr. Miller?

25 MR. MILLER: Mr. Chairperson, Jovan

1 Miller, J-O-V-A-N M-I-L-L-E-R.

2 CHAIRPERSON ANDERSON: Good afternoon,
3 Mr. Miller.

4 Good afternoon, everyone. This is a
5 fact finding hearing. Let me just put some
6 information in the record. On August 3rd, 2024,
7 at approximately 1:05 a.m., officers heard and
8 responded to gunshots in the unit block of M
9 Street Northeast.

10 When officers arrived, four victims
11 were found suffering from gun shot wounds. As a
12 result of this gun violence, two victims were
13 pronounced dead, and two victims were transported
14 to local hospitals.

15 The majority of the crime scene is in
16 front of King Street Oyster Bar, located at 22 M
17 Street Northeast. The establishment has a large
18 patio area with multiple chairs and tables. MPD
19 believes that a large group was loitering on or
20 around King Street Oyster Bar at the time of the
21 shooting.

22 Although the establishment was closed,
23 the patio was open, and there were no obstacles
24 to prevent people from gathering in and around
25 the outdoor patio area.

1 The un-secure patio is a violation of
2 the establishment's 2019 settlement agreement
3 which states, in part, at the end of the summer
4 garden hours of operation, no patrons shall
5 remain in the summer garden area, and the
6 Applicant shall secure the tables and chairs so
7 as to make them unavailable for use by late-night
8 passer-byes.

9 Without preventive measures, the open
10 patio contributed to the group establishing
11 themselves and continuing to grow, leading to gun
12 violence that resulted in four people being shot,
13 two of which were deceased, and significant
14 property value.

15 That was information that was provided
16 to us by Chief of Police supporting the 96-hour
17 closure that was done as a result of her
18 authority to close an establishment within 96
19 hours if she determines that it is an imminent
20 danger to the public.

21 And the Board itself did not, once
22 these 96 hours elapsed, the Board did not impose
23 additional conditions for the establishment to
24 remain closed.

25 So this is a fact finding hearing. We

1 are just gathering facts, trying to figure out
2 whether or not -- how this incident could have
3 been have been prevented by the establishment and
4 what measures can we put in place moving forward.

5 One of the things that I will start
6 up, I'm going to start up with Captain Augustine,
7 for him to let us know why we're here today.
8 I'll have Mr. Miller talk who can also speak
9 about his investigation.

10 The Board will have an opportunity to
11 ask questions of the Captain and Mr. Miller.
12 After the Board asks questions, Mr. O'Savio,
13 you'll have an opportunity to ask questions. And
14 you can provide your version of the facts as you
15 see fit.

16 At a fact finding hearing, the parties
17 are not sworn. It's an informal hearing. The
18 Board cannot order a party to take any specific
19 actions at a fact finding hearing. However, the
20 Licensee can volunteer. The Board can ask that
21 certain actions be taken. The Licensee can
22 decline to take those actions. And that's the
23 way it is.

24 But I just want to share with you,
25 sir, that at a fact finding hearing the Board

1 cannot order a party to take any specific action.
2 Any questions before we start by anyone?

3 MR. ALLISON: No.

4 CHAIRPERSON ANDERSON: All right. So
5 Captain Augustine, can you just let us know what
6 happened, and from the MPD's perspective, why
7 that they believe that this establishment was in
8 violation of their -- well, I think, what is it
9 this establishment did wrong, if any?

10 MR. AUGUSTINE: Yes. Obviously, you
11 just went over all the facts of the case, so I
12 don't want to repeat them. But some of the
13 specific issues that we have an issue with, and
14 we hope they get corrected, is we believe that
15 before the shooting there was a large group of
16 people that were gathering.

17 The Oyster Bar was closed at the time
18 of the shooting. But after it was closed, there
19 was actually a large group that had formed. And
20 we believe that group went up to one of the high
21 rise apartment complexes and went into a high
22 rise pool.

23 They were asked to leave by the high
24 rise apartments which then brought them back down
25 by the Oyster Bar which is, if you're familiar

1 with that space and know where there is a large
2 private space in between the buildings, between
3 the Oyster Bar and a neighboring -- there is the
4 Oyster Bar, and behind it there's a liquor store,
5 and then there's a big private space, and then
6 there's an apartment complex. And the Oyster Bar
7 is right on that corner.

8 We believe that group came down in
9 that public and private space and were hanging
10 out. And we have video to show that the group
11 was actually hanging out on Oyster Bar, the
12 private space patio or area of the Oyster Bar.

13 What made it even a bigger issue is we
14 also have witness accounts that place Oyster Bar
15 employees as part of that group that went up to
16 the pool and then hanging out afterwards.

17 We also have witness information
18 through the investigation. There's been a past
19 practice that the Oyster Bar employees have left
20 the door open to the restaurant after hours to
21 allow people hanging out to use the restroom.

22 And then, on top of it, the last thing
23 is, as it was stated in the letter, the concern
24 we have is with that large patio area. There is
25 a settlement agreement where they must secure

1 that furniture and make that space uninviting to
2 passers-by.

3 We believe that did not happen as it
4 was agreed to. And these contributing factors
5 contributed to the large group hanging out and
6 ultimately the shooting on the street.

7 CHAIRPERSON ANDERSON: Thank you, sir.
8 Let me ask this, Captain, what concerns does MPD
9 have regarding the, if any, regarding the
10 operation of this --

11 MR. AUGUSTINE: I'll be honest with
12 you, that was the day, I was the one who served
13 the letter from the Chief of Police and
14 established the closing on that Saturday, on
15 August 3rd.

16 I can sit there and tell you from the
17 very beginning of the process I spoke with Mr.
18 Allison. He's actually made himself very
19 available. I've given him my work cell phone,
20 which he and I have, since that day, have traded
21 back text messages.

22 They're inviting by giving me all
23 their email addresses, and I sent an email
24 actually later that day of several
25 recommendations that we would hope that they

1 would take into consideration.

2 Even as recent as yesterday, Mr.
3 Allison was on a community safety walk for that
4 neighborhood, addressing some of the safety
5 concerns in there. So I think they're on the
6 right track of just being available, being ready,
7 and wanting to be part of the solution, just as
8 MPD wants to.

9 So I think, you know, the
10 concern is
11 that patio area, we have to make that uninviting.
12 We cannot rely just on the police to be in that
13 area. There's a lot of open private space that
14 we are pushing back and need that private
15 community to sit there and protect, to allow MPD
16 to be on that public space.

17 So if they can just really be a great
18 partner in getting that space secure, especially
19 their patio area, which they're specifically
20 responsible, I think that would go a long way.
21 But I would sit there and say at least Mr.
22 Allison, he's the one I personally have been able
23 to communicate with. He has been a very big help
24 in pushing this forward.

25 CHAIRPERSON ANDERSON: But, Captain,

1 you also talked -- you said you made some
2 recommendations. What specific recommendations
3 did you make to the establishment?

4 MR. AUGUSTINE: So back on August 3rd,
5 we recommend this is his private property and to
6 make it visibly clear that no one is allowed on
7 that patio area after hours, which I saw within
8 days. I believe they have a big yellow chain
9 that at least says no trespassing. That's a
10 start. I don't know how effective that will be
11 long term. But I will sit here and say that
12 point is in the right direction.

13 Since it is private property, their
14 patio area, we've recommended that they call 911
15 when there's people hanging out on there.
16 They're not supposed to be there.

17 And if they can sit there and provide
18 somebody that's available 24/7 to sit there and
19 help execute barring notices to any trespassers,
20 anybody refusing, they're asked to be leaving or
21 anybody in violation, that barring notice would
22 allow MPD to make an arrest for unlawful entry.

23 We've asked them to install more
24 cameras around the area, because I think at the
25 time I'm only aware of the one that was outside.

1 But more outside cameras could be very helpful to
2 them evading the -- or I'm sorry, capturing the
3 folks that are hanging out past hours. I also
4 sent them a link of the Private Security Camera
5 Rebate Program that D.C. currently has.

6 We'd also like them to set their
7 connector cameras with our Camera Connect Program
8 through our real time crime center which will
9 allow us to be alerted any time there are crimes
10 in the area that they do have cameras and
11 establishes that relationship.

12 We've also discussed the ABCA
13 Reversible Detail. And then even as recently
14 as yesterday, as a community, as the NoMa
15 business community over there, we discussed about
16 things that -- you're familiar with Adams Morgan
17 BID, the Wharf, and they've hired, you know,
18 part-time police officers to police that private
19 -- to be hired through them and police that
20 private property which that could be good.

21 And like I told Mr. Allison yesterday,
22 he can't hire a private officer, but the BID can,
23 just because of his license status. But he
24 definitely is eligible to sit there and hire
25 people within the Reimbursable Detail Program.

1 CHAIRPERSON ANDERSON: All right.
2 Thank you, sir. Any questions of the Captain by
3 any Board members?

4 Go ahead, Mr. Grant.

5 MEMBER GRANT: Mr. Augustine, quick
6 question, how were you able to verify that there
7 were members of the staff that were also
8 loitering on the property after hours?

9 MR. AUGUSTINE: So all I can say right
10 now, since it's a homicide investigation, what
11 we're willing to release is that's accounts that
12 we've had from witnesses.

13 MEMBER GRANT: Okay.

14 MR. AUGUSTINE: I can sit there and
15 tell you MPD personally, myself, have not been
16 able to sit there, and we did not witness that.
17 We're just going on what we've received through
18 the witness accounts, through that homicide
19 investigation.

20 MEMBER GRANT: Understood, thank you.
21 That's my only question.

22 CHAIRPERSON ANDERSON: Mr. Short?

23 MEMBER SHORT: Thank you, Mr.
24 Chairman. First of all, thank you for your
25 service, Captain. And it sounds as though we're

1 on the right step with the business community and
2 with this Licensee as far as their patio is
3 concerned.

4 So they've been offered RDO, and the
5 RDO would be working there after they are closed,
6 to make sure that patio -- is that correct?

7 MR. AUGUSTINE: So I think it would
8 just be during their hours of operation. I will
9 sit there and say obviously the Reimbursable
10 Detail, we've used that for many, many years.
11 And as MPD has not had a lot of overtime
12 available, it's always been a pretty easy detail
13 to fill.

14 I want a full disclosure that even if
15 they are mandated to get a detail, like we've
16 done with establishments in the past, it's only
17 going to be on the availability of officers. And
18 I can't sit there and fully guarantee that, even
19 if they sign up for it, that we have officers all
20 the times that they would want. But it is a
21 possibility, and it's something that we should be
22 talking about.

23 But on the greater span of it, what I
24 think may be more effective, and I think
25 everybody in the business community was open to

1 it yesterday, was the hiring of off-duty police
2 officers to sit there and control the greater
3 space, which I think that would sit there and be
4 more effective for the liquor store, which is
5 actually the liquor store right around the corner
6 from them that piggybacks the Oyster Bar.

7 It's actually one of our largest
8 retail thefts in the area. And then you have his
9 establishment, then you also have these high
10 rises. And there are some other issues going on
11 within that community I think would probably be
12 more effective.

13 But I don't want to sit there and
14 ***1:54:55. I'd love to sit there and have them
15 have an RDO. I also don't want to sit there and
16 put the impression to the Board that if they do
17 that, that I'd have officers always available
18 for it, and that would just cure all the issues.
19 I think there's a lot more that needs to be done.

20 MEMBER SHORT: Also I'd like to ask
21 you, from your perspective as a law enforcement
22 official, how secure is that patio area after
23 they're closed?

24 MR. AUGUSTINE: It's not. It's not.
25 I will sit there and tell you one thing that I

1 really appreciated Mr. Allison doing when we were
2 serving the closure letter is they do have an
3 enclosed spot where they're able to lock up all
4 their chairs and tables, which I think makes a
5 difference.

6 But ultimately, there is a pretty big
7 gap where they have the yellow chain on, and
8 somebody could easily just walk over that chain,
9 or even before then just walk right into that
10 patio area. And that's why I think it's really
11 big for them, especially with cameras, to be
12 monitoring that area and making the phone calls
13 to 911 so that stuff can be addressed.

14 MEMBER SHORT: So currently, how
15 secure is the patio area after they are closed?

16 MR. AUGUSTINE: It's not.

17 MEMBER SHORT: Any recommendations to
18 this Board that might help them secure it?
19 Because their security plan, which is registered
20 with this Board, and with the city, says that
21 they should secure that and secure those chairs.
22 So apparently they have not been securing the
23 patio furniture when they're closed. Is that
24 correct?

25 MR. AUGUSTINE: That's what we

1 believe, or at least that night it was not. So I
2 think that's a great step. And even as yesterday
3 when I went over there, that patio furniture was
4 secure. And I think if I'm not, you can ask Mr.
5 Allison when he has a chance, but I believe he
6 relayed yesterday that they're not going to be
7 opening that patio area back until the fall time
8 which gives us some time.

9 But I truly think, you know, without
10 making it unsightly to the community, or putting
11 a hardship on the business, you know, maybe a
12 gate where that space is, maybe a gate needs to
13 be done, you know, to fit in with that fence that
14 can lock.

15 Is it ever going to be 100 percent
16 secure? No. But I think it's a lot more
17 difficult, a lot less inviting to be able to hop
18 over the fence rather than it is to just step
19 over a chain. Or if the chain's not there, just
20 walk inside.

21 So I think my best recommendation was
22 probably to secure and actually enclose that
23 entire fence area, and then lock it after hours.

24 MEMBER SHORT: Okay. So therefore, if
25 there are extra cameras out there after they're

1 closed, and the gate, that should go a long way
2 to trying to keep persons from coming to it after
3 hours. Is that correct?

4 MR. AUGUSTINE: One hundred percent.

5 MEMBER SHORT: And so other than that,
6 they have been quite cooperative, I take it?

7 MR. AUGUSTINE: Yes. Like I said, I
8 have not, I apologize, I'm not sure how to
9 pronounce it. I don't want to sit there and
10 mispronounce it, but Jorge, I have not had
11 personal interaction with him, but I have with
12 Mr. Allison, and he's been very cooperative.

13 And that's not to say Jorge has not
14 been cooperative. I just haven't personally
15 dealt with him. I've been dealing with Mr.
16 Allison. Yes, they've been very communicative,
17 and I think everybody's major goal is to make a
18 safe neighborhood over there.

19 Because they are employing from the
20 local community, they are a business that's in a
21 community that's in transition right now. And I
22 think it's in the best interest of D.C.
23 government to sit there and act as partners to
24 make a safer situation.

25 MEMBER SHORT: Thank you again,

1 Captain, for your testimony. Thank you again for
2 your service to our city.

3 Mr. Chairman, that's all I have at
4 this time.

5 MR. AUGUSTINE: Thank you for having
6 me.

7 CHAIRPERSON ANDERSON: Thank you, Mr.
8 Short.

9 Mr. O'Savio, do you have any questions
10 of the Captain?

11 MR. O'SAVIO: Yes, I was going to see
12 if it would be appropriate to address the
13 specifics of the letter or if I should just
14 address exactly what --

15 CHAIRPERSON ANDERSON: You can, I'll
16 give you an opportunity to express your client's
17 views. I'm just saying it's an opportunity, if
18 you have any specific questions of the Captain,
19 you can ask at this juncture.

20 MR. O'SAVIO: Absolutely. I don't
21 think we have any questions off offhand. I think
22 that what I can say is that it's helpful to hear
23 what it means for the patio to be secure.
24 Because the settlement agreement was quite
25 ambiguous as to what it meant for the patio to be

1 secure.

2 So I think that this dialogue is very
3 good, and I encourage, you know, the D.C. police,
4 the community at large, and the restaurant, to
5 continue having this dialogue to make sure, you
6 know, everyone's on the same page for what it
7 means to be secure. But I think the guidance is
8 definitely helpful after hearing what Mr.
9 Augustine had to say.

10 CHAIRPERSON ANDERSON: But I think,
11 Mr. O'Savio, is that your client signed a
12 settlement agreement with the community, and they
13 discussed what it means to be secure. So I would
14 hope that your client and the ANC had some
15 understanding what secure meant.

16 I mean, the Board cannot -- since the
17 Board, all the Board did was to approve the
18 settlement agreement. The Board was not a part
19 of the negotiation. So your client and the ANC
20 needs to provide us what their understanding of
21 secure means, okay.

22 But again, it should not be open to
23 interpretation, because the parties negotiated
24 these terms, and all that the Board did was to
25 approve the settlement agreement. Anyway, all

1 right.

2 MR. O'SAVIO: So if I may, can I, if
3 we have time, briefly respond to that?

4 CHAIRPERSON ANDERSON: I'm going to
5 give you an opportunity, sir, to present your
6 client's version of the facts. I'm just
7 following a specific procedure. I'm just
8 following a certain way. And then once I'm done,
9 I'm going to give you an opportunity to give your
10 client's version and whatever else, whatever
11 representation that you want to make, okay. So
12 you'll get that, sir.

13 MR. O'SAVIO: Thank you.

14 CHAIRPERSON ANDERSON: All right.
15 Now, Mr. Miller, state your name for the record
16 again, please, sir?

17 (No audible response.)

18 CHAIRPERSON ANDERSON: And, Mr.
19 Miller, how did you become aware of this
20 incident?

21 MR. MILLER: I received a notification
22 from my supervisor about an incident that
23 occurred at King Street Oyster Bar, and that MPD
24 was doing a closure, and we needed to be present.

25 CHAIRPERSON ANDERSON: But describe

1 your investigation of the incident, sir.

2 MR. MILLER: Well, to give the short
3 version of what I discovered during my
4 investigation is that there were patrons, not
5 patrons, trespassers on King Street Oyster Bar's
6 summer garden.

7 But I do want to note that, from
8 reviewing the camera footage, that there were no
9 more than ten patrons on the summer garden at any
10 given time before and after -- before the
11 incident actually occurred.

12 From the surveillance footage I got
13 from NoMa BID, you can see that there's actually
14 a majority of the people are on the street a
15 little bit, probably less than 30 feet, 30, 50
16 feet from King Street Oyster Bar. But the
17 majority of the people were actually on the
18 street.

19 So from my knowledge, and from what I
20 can view, from reviewing the camera footage, the
21 incident looked pre-meditated. And the person
22 who actually was involved was on the side of King
23 Street Oyster Bar with a group of people. So
24 the people who were actually on the summer garden
25 weren't even involved. They're more like the

1 side people, I guess you want to say. But they
2 were loitering. So that's the short version.

3 CHAIRPERSON ANDERSON: So was the
4 establishment open at the time?

5 MR. MILLER: No, sir. The
6 establishment was not open. They closed about
7 two hours prior. They did have the chef and the
8 ABC manager who left a little bit later in the
9 day. The chef left around 12:30. The ABC
10 manager left around, like, 12:45.

11 CHAIRPERSON ANDERSON: Now do you know
12 what security measures the establishment has
13 outside of the establishment?

14 MR. MILLER: From conversations with
15 Mr. Allison, I believe that they have started
16 putting the furniture inside and locking it up
17 for the summer garden.

18 So they have a summer garden that is
19 actually on M Street. And then it goes, it turns
20 into the private area, I guess, or private
21 residence area. So it's making, like, and L-
22 shape. It's where they have a closure where they
23 can put the chairs and tables inside of. And
24 then they also have, like, the chain for the gate
25 going across saying no trespassing.

1 CHAIRPERSON ANDERSON: So did you see
2 any type of, as a result of your investigation,
3 did you see any, or did you determine was there
4 any ABRA violations?

5 MR. MILLER: During the investigation
6 for as far as the summer garden, yes. They were
7 in violation of violating their summer, I mean,
8 their SA, settlement agreement with not securing
9 the furniture on the summer garden.

10 CHAIRPERSON ANDERSON: So do you have
11 an understanding of what securing the furniture
12 means, sir?

13 MR. MILLER: As far as my to
14 knowledge, that would be to be able to put the
15 chairs and tables away or at least put them on --
16 I believe the summer garden actually, excuse me,
17 I believe the -- I want to make sure I didn't
18 read that incorrectly.

19 Let me scroll down to the summer
20 garden -- the settlement agreement. Secure
21 tables, okay, just making sure I didn't have
22 anything in particular. But to my knowledge, it
23 was just to make sure they were unusable.

24 CHAIRPERSON ANDERSON: So you said
25 that you -- did you see patrons or individuals on

1 the summer garden after closure?

2 MR. MILLER: Yes, sir.

3 CHAIRPERSON ANDERSON: So what the
4 summer garden usable after closure?

5 MR. MILLER: Yes, sir.

6 CHAIRPERSON ANDERSON: Do you believe
7 that any additional security measures are
8 warranted? And if they are, what is it that you
9 believe is warranted for this establishment?

10 MR. MILLER: Well, I can say from just
11 viewing their history, their ABCA history which
12 they have done, even though they are in
13 violation, they haven't had any incidents besides
14 this one over five years of being open.

15 So I'm not quite sure if they have an
16 off duty police officer present or if they had
17 any additional security around the building.
18 Because the, excuse me, individuals will still be
19 on that block. There's a lot of people who like
20 to just loiter around the area. And to me that
21 was the main problem. It's not really so-called
22 the establishment, but when you have people who
23 are always around the establishment, it's always
24 going to be an issue.

25 So that would be not just the

1 establishment, I believe. If they have security
2 it probably it would help, but also if, you know,
3 something was done moreso about the individuals
4 just around the establishment.

5 CHAIRPERSON ANDERSON: Now are these
6 people, are they just random people, do they live
7 there, do you know who these people are?

8 MR. MILLER: These people are, I'm
9 trying to think about the correct word for it,
10 these people are -- some of those people live in
11 the area. But they're also other people who are
12 homeless, who are also drug dealers, gang
13 members, and who also -- it's variety of people
14 who are in that area.

15 CHAIRPERSON ANDERSON: Now do you have
16 any basis to determine that these are individuals
17 who are folks who are customers of the -- are
18 these customers or employees of the Licensee?

19 MR. MILLER: From my knowledge, I'm
20 not quite sure if they're customers. I do know a
21 few of the individuals who I've seen before who
22 live in the area, who actually come to, excuse
23 me, King Street Oyster Bar, but as far as the
24 employees, I'm not quite sure if I have ever seen
25 them outside of working hours at the

1 establishment loitering.

2 CHAIRPERSON ANDERSON: So you are
3 saying that the, in your view, the individuals
4 who are loitering outside of the establishment,
5 they are not loitering based on the existence of
6 the establishment?

7 MR. MILLER: Correct. But I think
8 that it contributes that they're there. But I
9 believe that if they're not going to be there,
10 they will just set up right in front of another
11 establishment or another house, or anywhere that
12 they could sit down at, or if they can lean on
13 something, or like individual cars, stairs,
14 anything along those natures.

15 CHAIRPERSON ANDERSON: Okay, thank
16 you.

17 Any Board members have any questions
18 of Mr. Miller? Go ahead, Mr. Short.

19 MEMBER SHORT: Good afternoon, Mr.
20 Miller, Investigator Miller. During your
21 investigation, did you see any footage of the
22 cameras that could help the Board?

23 MR. MILLER: Yes, sir.

24 MEMBER SHORT: Do you have them
25 available today?

1 MR. MILLER: Yes, sir.

2 MEMBER SHORT: Mr. Chairman, is it
3 possible we could see some of the video that
4 Investigator Miller took?

5 CHAIRPERSON ANDERSON: Do you have a
6 lot of video, sir?

7 MR. MILLER: I will shorten it up for
8 you, Mr. Short, Chairperson.

9 CHAIRPERSON ANDERSON: All right. Mr.
10 Orellana, can you allow Mr. Miller to share his
11 screen?

12 MR. MILLER: I'll share. I'm sorry,
13 it's been awhile since I had to do this. Are we
14 able to see my screen?

15 CHAIRPERSON ANDERSON: Yes, sir.

16 MEMBER SHORT: Yes.

17 MR. MILLER: All right. So I'm just
18 going to skip ahead a little bit on the video.
19 So this is the people who are on the street right
20 beside King Street Oyster Bar, over here to the
21 left. I don't know if you can see my arrow.
22 It's King Street Oyster Bar. It's a little bit
23 back here.

24 So I'm going to move it forward a
25 little bit to, excuse me, make it full screen.

1 I'm sorry. So I'm going to show you the
2 individual who actually was involved in the
3 shooting. All right, I'm sorry, I'll move it
4 ahead a little bit further.

5 All right, is this gentleman? I think
6 this is the gentleman right here. So this guy
7 right here is the person who was involved in the
8 shooting. He's going to be posted up on the
9 vehicle right here. He's down here below. I'm
10 sorry, you can't really view that part. I'm
11 going to move it ahead just a tad.

12 He's going to see a vehicle, he's
13 going to see a white Honda right here. He's
14 going to view it. Excuse me, let me get this off
15 the screen. You see him looking at the vehicle,
16 and then he's going to make his way down the
17 sidewalk.

18 Once he gets to the street, he's going
19 to kind of look out into the street to see the
20 vehicle. And then I believe it appears that he
21 has -- he's going to reach for his gun in his
22 waistband. And the person in the car, in the
23 white Honda appears, is going to hop out and
24 start firing at him. And they start shooting at
25 each other.

1 So that's the one part I wanted to
2 show you.

3 CHAIRPERSON ANDERSON: Where is the
4 establishment?

5 MR. MILLER: The establishment is at
6 the bottom left corner, back here.

7 So then we have, I'm sorry, can you --
8 I'm able to share the other video. All right,
9 I'm going to stop that one. And then I have one
10 more I wanted to share with you guys. If I can
11 move it to the other screen now.

12 How do I exit out of this? Quit,
13 okay. All right, I'm sorry. That was a little
14 bit of a struggle trying to pull up the video.
15 For some reason I can't move to the other side.

16 CHAIRPERSON ANDERSON: All right. Why
17 don't you ask our fearless IT professional for
18 some assistance, sir?

19 MR. MILLER: Jose, sir, all right.
20 Let me quit this one more time and move you guys
21 to the other screen. That would probably make
22 more sense. Does it keep popping up over there?
23 All right, it should work this time. Share
24 computer, it's showing me ***2:14:52 at Windows.

25 MR. ORELLANA: Screen, Jovan?

1 MR. MILLER: I am starting to share a
2 screen. Can you guys see my screen?

3 CHAIRPERSON ANDERSON: We were but
4 then it disappeared. It said that you were
5 sharing, but then once you asked us if we were,
6 then it disappeared.

7 MR. MILLER: Oh, Screen 3, that's
8 where I meant, share.

9 CHAIRPERSON ANDERSON: Okay, yes. We
10 can see your screen. I know what we're looking
11 at now.

12 MR. MILLER: This is right before the
13 shooting. This is -- it happened around, like,
14 1:03 and, like, 20 seconds. This is King Street
15 Oyster Bar with the loiterers out front.

16 As you can see it's about, one, two,
17 three, four, five, six, seven, I think,
18 somebody's right here, maybe eight people who's
19 actually on the premises, on the summer garden.
20 These are patrons on the street. And the
21 remainder of the people are to your far bottom
22 left that you've seen in the other video.

23 So this is the people right before
24 they see the shooting. And then all the people
25 start running off the street, and a few people

1 run onto King Street Oyster Bar's summer garden.

2 CHAIRPERSON ANDERSON: And the
3 shooting that you're --

4 MR. MILLER: This is right before the
5 shooting. And this is when you see all the
6 people running.

7 CHAIRPERSON ANDERSON: Because the
8 people, and they're sitting in the summer garden.

9 MR. MILLER: So there was a few people
10 sitting in the summer garden.

11 CHAIRPERSON ANDERSON: Is that
12 correct?

13 MR. MILLER: Yes, sir.

14 CHAIRPERSON ANDERSON: And this was
15 after the business was closed, is that correct?

16 MR. MILLER: Yes, sir.

17 CHAIRPERSON ANDERSON: Okay.

18 MEMBER SHORT: Investigator Miller?

19 MR. MILLER: Yes, sir?

20 MEMBER SHORT: Where we saw the people
21 crawling, and we saw the seating in chairs where
22 it looks like it was some gray asphalt or tiling,
23 was that actually the summer garden for Oyster
24 Bar?

25 MR. MILLER: In this last video, sir?

1 MEMBER SHORT: Yes.

2 MR. MILLER: Yes, sir.

3 MEMBER SHORT: So actually there's
4 nothing to prevent people from going on that, it
5 looked like, from the video, there's no gate,
6 there's no fence, it's just --

7 MR. ALLISON: Excuse me, Chairman.
8 Would I be able to comment on that? This is Rick
9 Allison.

10 CHAIRPERSON ANDERSON: You're good.

11 MR. ALLISON: Okay. We do have a
12 fence, wrought iron fence about four feet, four
13 and a half feet tall, around the whole perimeter
14 of the front of the building. We do not have a
15 gate.

16 But now what we are going to do is we
17 can collapse that and extend it to go completely
18 across to prevent anyone coming through. But we
19 do have a black wrought iron fence around the
20 entire property, even the enclosure to the right
21 which is a full structure with electronic sides
22 that come up and down.

23 So on that side of video that you saw,
24 there was about eight people on that side, but
25 there's a black fence in front of it. And I know

1 you can't really see it based on that video, but
2 there is.

3 MEMBER SHORT: So, Mr. Allison, since
4 you have -- Mr. Chairman, since he's answered,
5 can I ask him a question?

6 CHAIRPERSON ANDERSON: I was telling
7 him not to answer, but go ahead.

8 MR. ALLISON: Oh, I'm sorry.

9 MEMBER SHORT: So according to your
10 security plan and according to when you first got
11 your license, how many years have you had your
12 license there?

13 MR. ALLISON: It's been about five
14 years.

15 MEMBER SHORT: Five years?

16 MR. ALLISON: Yes.

17 MEMBER SHORT: Do you think the fence
18 is in -- you say it's how tall?

19 MR. ALLISON: It's between four and
20 five feet tall.

21 MEMBER SHORT: And is that, do you
22 feel, in total compliance with your security plan
23 that says that you would secure it and secure the
24 chairs. Because it looked like no chairs were
25 secured that night.

1 MR. ALLISON: That's correct, the
2 chairs were not.

3 MEMBER SHORT: Is that going to
4 happen, or continue, or --

5 MR. ALLISON: No. What we did is we
6 removed all those chairs. And there's no seating
7 on that front patio at all probably until the
8 fall or until we decide a further time.

9 We do have another area that's as a
10 full structure with electronic sides that all our
11 tables and chairs are on that side. And when we
12 do outdoor seating, it's only on that side. And
13 at the end of the night, all those sides are
14 completely shut. We have a door there that's
15 locked, and then we put up a yellow chain in
16 front, and all around the whole perimeter says no
17 trespassing.

18 MEMBER SHORT: Well, the Captain has
19 said he didn't think that the chain would secure
20 much more than what you have already. So are you
21 planning to do anything further than just put a
22 chain up?

23 MR. ALLISON: Well, we also, remember,
24 we have black wrought iron fence around the
25 entire property. And we will add another gate or

1 we will make sure that there's no access through
2 that with the wrought iron gate or continued
3 wrought iron fencing.

4 MEMBER SHORT: Were you a part of the
5 settlement agreement that you signed with the ANC
6 and the community?

7 MR. ALLISON: I was.

8 MEMBER SHORT: And weren't some of
9 these same issues addressed at that time, that
10 they were worried that this would --

11 MR. ALLISON: To my knowledge, no, it
12 was not at the ANC meeting.

13 MEMBER SHORT: Why would they ask you
14 to secure your chairs and secure the patio in the
15 settlement agreement if they didn't think there
16 was going to be a problem?

17 MR. ALLISON: Well, I don't know.
18 That was our first restaurant in D.C. So I
19 didn't know at that time a lot about D.C. Since
20 then we've opened up another one in Tenleytown on
21 the other side. So myself, I didn't understand,
22 I didn't feel that that was --

23 MEMBER SHORT: Okay. Well, let's say
24 this. And forgive me for cutting you off, but I
25 didn't want to belabor this too long. Will you

1 work with the Captain and the community and see
2 if we can do a little better about securing that?

3 MR. ALLISON: A hundred percent.

4 MEMBER SHORT: All right. And I would
5 also like to just thank you, Investigator Miller,
6 for your -- did you have any video of -- I guess
7 that's enough. Thank you very much, Investigator
8 Miller, and thank you, Mr. Chairman, for allowing
9 me to ask questions.

10 CHAIRPERSON ANDERSON: Thank you, Mr.
11 Short. Any other questions by any other Board
12 members?

13 (No audible response.)

14 CHAIRPERSON ANDERSON: All right. I
15 guess, Mr. O'Savio, you can basically provide
16 whatever response you wish to provide on behalf
17 of your client, sir.

18 MR. O'SAVIO: Thank you very much, Mr.
19 Chairman.

20 MR. MILLER: I'm sorry to cut you off.
21 Excuse me, Mr. Chairperson, did you still need me
22 present?

23 CHAIRPERSON ANDERSON: Do you have a
24 pressing assignment, Mr. Miller?

25 MR. MILLER: No, sir, I just didn't

1 know if he wanted to ask me anymore questions.

2 CHAIRPERSON ANDERSON: I might later
3 on, and I want folks to stay online. We'll wrap
4 up this hearing shortly. It went a little bit
5 longer. We've been on for, what, almost an hour.
6 But we'll wrap this up shortly.

7 Go ahead, Mr. O'Savio.

8 MR. O'SAVIO: Sure thing. I would
9 like to respectfully address some of the
10 assertions made in the Chief of Police's request
11 for revocation of license letter following August
12 3rd, 2024. Would that be okay?

13 Because I know we made a lot of
14 progress here. And we've discussed better ways,
15 but I think that it would just be nice to have on
16 record our rebut to some the assertions made.

17 CHAIRPERSON ANDERSON: Go ahead.

18 MR. O'SAVIO: Okay.

19 CHAIRPERSON ANDERSON: This is your
20 opportunity, sir. Go ahead.

21 MR. O'SAVIO: Thank you. Thank you.
22 So first and foremost, I want to emphasize that
23 King Street Oyster Bar values the community. It
24 puts people over profits. King Street Oyster
25 spends almost \$100,000 a year on security guard

1 services to ensure its customers and community
2 are safe. King Street Oyster Bar even though the
3 police unilaterally, without conducting an
4 investigation, shut down this establishment and
5 harmed not just the business but all the people
6 that worked here.

7 CHAIRPERSON ANDERSON: Mr. O'Savio, I
8 don't mean to cut you off, but the chief of
9 police has the authority, if a crime of violence
10 occurs in a liquor establishment, the chief of
11 police has the authority to do that.

12 And then after that occurs, the
13 process is that she will come to the Board to say
14 wasn't that -- the Board wants the place to
15 remain closed or open. And as you're aware, in
16 this particular case the Board did not impose any
17 additional closure.

18 So, I mean, there's nothing we can do
19 about this, sir. ABCA was not involved in this
20 decision, sir. So you're barking up the wrong
21 tree here. So let's move on from there, sir.

22 MR. O'SAVIO: Well, that's okay. I
23 just wanted to emphasize that, you know, the King
24 Street Oyster Bar, they have incurred a lot of
25 damages here. And we're just doing our part, and

1 we want to let you guys know that, you know,
2 we're really making a lot of progress on making
3 sure that we can secure the premises in a way
4 that is adequate for ABC and the community at
5 large.

6 CHAIRPERSON ANDERSON: Okay.

7 MR. O'SAVIO: So King Street Oyster
8 Bar has been and continues to be open to
9 dialogue, to brainstorm a way to help our
10 community become a safer place. And gun violence
11 is a significant health/safety concern
12 nationwide, and we recognize its impact. And
13 while the community safety is the priority, it is
14 equally important to ensure that our actions are
15 lawful and do not unfairly infringe on upon the
16 rights of small businesses.

17 And I want to make sure this comes
18 across clearly. King Street Oyster Bar
19 understands the seriousness of the situation and
20 the community health concerns with gun violence
21 and is willing to have the conversations
22 necessary to help alleviate this issue in the
23 community.

24 But respectfully, the police chief's
25 reasoning in her request for revocation of

1 license letter appears to be somewhat extreme.
2 Let me explain. She explains that the violent
3 offense is connected to --

4 CHAIRPERSON ANDERSON: Mr. O'Savio,
5 all right, Mr. O'Savio, I'm sorry, sir. I don't
6 care about that. That's not -- this Board did
7 not do that, sir. If you have a specific concern
8 with the Chief of Police, you need to address it.
9 Where we are, sir, is that a crime of violence
10 occurred. And we're trying to figure out some
11 solutions. This is not the forum to say what
12 conclusions made by the Chief is incorrect.

13 If you have a show cause hearing, if
14 this matter goes to a show cause hearing, and if
15 you want to contest that, and you want to make
16 those arguments, that is perfectly fine, sir.
17 But this is not the hearing to talk about the
18 conclusions made by the Chief of Police. There
19 is nothing I can do.

20 (Simultaneous speaking.)

21 CHAIRPERSON ANDERSON: That's within
22 the Chief of Police's authority to close the
23 establishment. And this agency was not involved
24 in that decision. The only thing I believe that
25 my agency was -- when the closure, we were there.

1 But we did not close the establishment, sir.

2 MR. O'SAVIO: Yes.

3 CHAIRPERSON ANDERSON: So that's all
4 I'm saying is that --

5 MR. O'SAVIO: I wasn't going to say --
6 (Simultaneous speaking.)

7 MR. ESGUERRA: Mr. Chairman --

8 CHAIRPERSON ANDERSON: There's a --

9 MR. ESGUERRA: I thought we were just
10 --

11 (Simultaneous speaking.)

12 MR. ESGUERRA: Mr. Chairman, could I
13 speak? I'm Jorge Esguerra.

14 CHAIRPERSON ANDERSON: Anyone can
15 speak. I mean, if you're speaking you can just
16 identify yourself.

17 MR. O'SAVIO: Yes.

18 CHAIRPERSON ANDERSON: I'm just saying
19 that we're having a fact finding. I'm not trying
20 -- I'm just saying that this is not the forum to
21 talk about what the Chief of Police said or did.
22 Because even if I was to agree with you, sir, to
23 say she was wrong, I can't do nothing about it.
24 Because she has the power to do that,
25 irrespective of the agency.

1 Even if the agency disagrees with what
2 she did, there's nothing I can do about it. I
3 can't prevent her from doing it if she wants to
4 do it again, sir, okay. All right.

5 MR. O'SAVIO: Well, apologies, for the
6 miscommunication. We --

7 MR. ESGUERRA: May I speak, Triston?

8 MR. O'SAVIO: Yes, go ahead.

9 CHAIRPERSON ANDERSON: That's between
10 you, go ahead. Identify yourself.

11 MR. ESGUERRA: Mr. Chairman, I am
12 Jorge Esguerra. I am one of the licensees. Rick
13 Allison and I are the sole owners of the Oyster
14 Bar. We have five locations, and NoMa is one of
15 our locations. We are not a big corporation, we
16 are just two people trying to do right by their
17 families, or employees, or our communities.

18 And also we really appreciate the
19 opportunity to be at this hearing and to speak.
20 So obviously this has been devastating for all of
21 us. Since the incident happened, we have been
22 hounded by the media to get on camera, to speak
23 our piece, and all of that.

24 And we have chosen to remain silent.
25 Not because we don't have thoughts, or views, or

1 what have you, but because we wanted to use a
2 forum like this to just express our thoughts or
3 personal condolences for the people who died.
4 And one of our employees is directly related to
5 one, Mr. Gray, who's an 18-year-old high school
6 graduate.

7 So, you know, we think that, yes, the
8 Oyster Bar has suffered significant losses and
9 damages. But our losses are nothing compared to
10 the loss of life that these people suffered.

11 Now we definitely want to be part of
12 the solution, not part of the problem. And we
13 have, since the beginning of time, done things
14 for our community. And Rick Allison, who is the
15 operator of our restaurants, and I am the
16 finance, you know, I manage finances, he has
17 participated, not all the time but frequently, at
18 security meetings that are held by NoMa BID and
19 the Metropolitan Police Department.

20 And we continue, just like we have
21 already, just like he has demonstrated since the
22 incident happened, that we are here to
23 collaborate, to help, and to take any measures
24 and recommendations that are imposed to us.

25 Now however, there are some

1 limitations in the sense that we are a business,
2 and we are already spending \$100,000 on security.
3 And we need to figure out a way where we don't
4 have to be asked to monitor 24/7 our location.
5 Because that is really not feasible. But again,
6 we are very open to doing everything we can.

7 Now, there is a few things that were
8 said during the call. And, you know, there are
9 some witnesses apparently that said that our
10 employees were present in some of the -- around,
11 maybe part of the loitering. We are not aware of
12 anyone directly related to the Oyster Bar being
13 on those premises.

14 And to the extent that if they have a
15 name or something where we can have a
16 conversation with an employee, and make sure that
17 that stops, then it would be very helpful for us
18 to get that.

19 Now we always, always make sure that
20 our summer patio is free of patrons. There is no
21 one left sitting at the tables. We don't bug
22 them, we don't allow them to stay. However, you
23 are correct when they said that maybe, you know,
24 our current or our past security measures were
25 not enough to dissuade them from sitting there.

1 And we apologize. And again, we are ready to
2 move and make any changes.

3 So now one of the specifics about this
4 video where we saw the shooter or, you know, this
5 individual walking, I do want to point out, and
6 perhaps Investigator Miller can confirm, but the
7 bushes that you see in the lower left-hand side
8 of that video, they're actually bushes that are
9 part of a bench that is an open community bench,
10 part of the meandering street that separates
11 these two buildings, 22 M Street with the Osmark
12 Building.

13 But those bushes are really more in
14 front of the Osmark Building and not in front of
15 the Oyster Bar. So yes, it was close to the
16 Oyster Bar, but all of the people that you saw in
17 that video were not in front of the Oyster Bar.
18 They were further down.

19 And so, you know, one of the things
20 that is problematic is that they are community
21 benches that are going to invite the loitering
22 and so forth.

23 And we have been advocating for
24 additional security. We actually advocated for
25 NoMa BID to put the Eye in the Sky camera that

1 was the footage that was the most helpful and
2 that showed that this incident initiated far down
3 the street at the street market, I think it's
4 called, and we, along with all of the businesses
5 in that area were victims and suffered.

6 I mean, we have several seats and
7 chairs that had bullet holes. People have said
8 thank you, they saved my life. We have three
9 large windows that were shot. It's over, you
10 know, it's \$15,000 in repairs and such. We have
11 two TVs that sustained shots, you know, bullet
12 shots, that we have to replace.

13 So, you know, yes, because which --
14 the closure of the establishment, we had to pay
15 our employees, and we did on Friday after we were
16 re-opened. Rick and I had to take \$47,000 of our
17 savings to pay for those employees because of the
18 loss of revenue.

19 It's unfortunate, like you said, Mr.
20 Chairman, there's nothing we can do. We cannot
21 go back. But we were just as much victims of the
22 violence as anybody else in the street, certainly
23 not compared to the loss of life. And I don't
24 want to suggest that it was.

25 But, you know, I do appreciate the

1 time to express my thoughts. You know, Chief, I
2 look forward to meeting you. I know that you met
3 only Rick Allison, but I'm am going to be more
4 present. And again, we are ready to do anything
5 that is asked so far, as long as we can afford
6 it, you know, to help this situation. So thank
7 you so much.

8 CHAIRPERSON ANDERSON: Thank you, Mr.
9 Esguerra.

10 Any other representation or any
11 questions anyone has of ownership? Captain, do
12 you have any questions?

13 MR. AUGUSTINE: No.

14 CHAIRPERSON ANDERSON: Board members,
15 do you have any questions, anyone? I'm sorry, do
16 you want to say something, Mr. Allison?

17 MR. ALLISON: No, thank you, Mr.
18 Chairman.

19 CHAIRPERSON ANDERSON: Any questions
20 by anyone?

21 Go ahead, Captain.

22 MR. AUGUSTINE: It's very important, I
23 really appreciate your remarks. And I just want
24 the Board to know that this is a changing
25 neighborhood. There's a lot of dynamics that are

1 going in that that NoMa area, if you're familiar
2 with it and the building that's going on.

3 And while this stuff is -- even
4 yesterday, we've been participating in the safety
5 walk, a meandering street that he's referring to,
6 those benches, that's all private property. And
7 that sister ***2:35:17 private property meeting,
8 the public space, on top of your putting tens of
9 thousands of people in an area in a very short
10 time is really a big conversation.

11 And we all need to sit there and focus
12 on how we can address these problems in the
13 future on public and private space. So I just
14 want to sit there and say, Jorge, I do appreciate
15 your comments. And yes, this is a larger
16 discussion. I think that's just, in fairness, I
17 want the Board to also sit there any consider
18 that.

19 CHAIRPERSON ANDERSON: Thank you. I
20 guess the only one question that I want to ask is
21 that, because you have a settlement agreement,
22 and the settlement agreement talks about that we
23 need to secure the area, so what is it that,
24 moving forward, how is it that the establishment
25 plans to secure the area --

1 (Simultaneous speaking.)

2 MR. ESGUERRA: Yes, Mr. Chairman?

3 (Simultaneous speaking.)

4 CHAIRPERSON ANDERSON: You'll see what
5 happens. It appears that -- hold on one second.
6 It appears that there are people sitting on your
7 summer garden when your business was closed.

8 MR. ESGUERRA: Correct.

9 CHAIRPERSON ANDERSON: And because you
10 have a settlement agreement that says that you
11 need to secure the area, so tell us what it is
12 that you plan to put in place to prevent this
13 from occurring.

14 MR. ALLISON: So right now we have a
15 black wrought --

16 (Simultaneous speaking.)

17 CHAIRPERSON ANDERSON: Hold on, this
18 is Mr. Allison speaking.

19 MR. ALLISON: I'm sorry, Mr. Chairman.
20 This is Rick Allison. Right now we have a, and
21 we've had it current, black wrought iron fence
22 around the entire property. In the front area
23 where your specifically talking about, we're not
24 seating that at all. So there's zero tables and
25 chairs there.

1 We will make sure that that gate or
2 that black wrought iron fence goes across the
3 whole thing so there is no access at all, at any
4 time when we're not open. We do have no
5 trespassing signs that are put up right after we
6 close around the entire property.

7 When you go around to the L shape of
8 our other patio, that's a full structure. That
9 structure is self-contained, has electronic
10 sides, and a door that locks. Our furniture
11 stays in that side.

12 And I spoke with the Commander, and he
13 agreed that that was okay. He said keep it over
14 there. As long as it's locked up and the sides
15 are down, there's no reason to run a chain
16 through the actual tables and chairs to keep it
17 locked. Because we have a door that locks, and
18 they can't get in.

19 And that is our game plan. We already
20 have two other cameras that are being installed
21 in the front part of the restaurant. And then
22 we're relocating one other camera underneath a
23 canopy that'll be able to see what's going on
24 after hours.

25 We also are going to link up with

1 their community camera system so they'll be able
2 to monitor that at times of need whenever they
3 need to. And then we also have the Eye in the
4 Sky literally right outside our restaurant. So
5 we do have currently security staff that works
6 between roughly 4:00 and from when we close every
7 night of the week.

8 NoMa BID also, or not NoMa BID, RESA,
9 which is the building we're in currently, RESA
10 has security at night, not armed security, that
11 operate between 10:00 and 6:00 every day. And
12 they walk around their entire property.

13 Not sure, don't think, I can't speak
14 to them, I don't think that a police officer or a
15 security officer tells anyone to leave the area.
16 So we're now working with MPD, and we're going to
17 work with NoMa BID, because I personally cannot
18 hire an MPD off duty due to my liquor license.
19 But NoMa BID can hire them, and then we can all
20 contribute to that.

21 So we're working between OZMA, which
22 is the owners of -- Skanska owns that, and then
23 Northwestern Financial who owns the building that
24 we're in right now currently. That's why we had
25 a meeting yesterday with all the commanders and

1 MPD, and then also the building owners of both
2 establishments.

3 CHAIRPERSON ANDERSON: But Mr.
4 Allison, I'm going to have -- remember I said I
5 can't order you to do anything, but I'm going to
6 ask for something.

7 MR. ALLISON: Okay.

8 CHAIRPERSON ANDERSON: You talked
9 about cameras. Would you be willing for one of
10 our investigators to do a walk-through so they
11 can point out any dead spots or --

12 MR. ALLISON: Yes.

13 CHAIRPERSON ANDERSON: -- well, any
14 blind spots --

15 MR. ALLISON: Absolutely.

16 CHAIRPERSON ANDERSON: -- or what's
17 the amount of cameras that would help. Is that
18 something you can agree to?

19 MR. ALLISON: Definitely.

20 CHAIRPERSON ANDERSON: All right. So
21 we'll have enforcement get in contact with you so
22 they can come and do a walk-through with you.
23 Because I know that you're saying that you're
24 installing cameras. But rather than you just
25 install cameras, maybe someone can give you a

1 professional recommendation about what is
2 required.

3 I mean, you said you're going to get,
4 you said that you're going to get two. Maybe you
5 only need one. I don't know. That's what I'm
6 saying. It's something that at least, if our
7 investigators do a walk-through and, I mean, we
8 can coordinate that with MPD captain if that's
9 something that you want to be a part of it, if
10 you want to be a part of.

11 So I'll have enforcement reach out to
12 you and Mr. Allison to make a time when we can
13 come and do a walk-through to look at your
14 cameras and make recommendations to you. So
15 that's something that you're going to agree to do
16 to make recommendations regarding cameras.
17 That's my only ask for this hearing.

18 I'm not sure if there's anything else
19 that the Board might ask --

20 (Simultaneous speaking.)

21 CHAIRPERSON ANDERSON: -- but that's -
22 - yes, go ahead, sir.

23 MR. ALLISON: -- on to that. So the
24 only thing we walked around, what we did in NoMa
25 BID yesterday, and with everyone, is the amount

1 of tree coverage on that street is even -- the
2 cameras are hard to see even when you have trees
3 there, or cameras up. Because the trees are so
4 full that you can't see through the trees.

5 So they are working, NoMa BID is
6 working to try to trim those up and to kind of
7 make them a little bit, I guess, so people can
8 see through them easier. And I know that that's
9 another big issue with that specific block.

10 Because all the trees start kind of where our
11 spot is and go all the way up to North Capitol.

12 CHAIRPERSON ANDERSON: Well, I don't
13 have any jurisdiction over trees, sir. So I
14 can't order ***2:42:02 do anything about the
15 trees, because --

16 MR. ALLISON: No, I get it.

17 CHAIRPERSON ANDERSON: ABRA might be
18 all powerful, but I don't believe that ABRA has
19 any jurisdiction over trees, okay. But I thank
20 you for that representation.

21 MR. ALLISON: Appreciate it.

22 CHAIRPERSON ANDERSON: All right. I'm
23 going to bring this hearing to closure. If there
24 are any concluding statements that anyone wants
25 to make, I can start with you, Captain Augustine.

1 MR. AUGUSTINE: Thank you for having
2 me here. Obviously you know through my history
3 in MPD, Board Members, I've been in front of this
4 Board many times. And I will sit there and say
5 in this instance the owners, at this time at
6 least, have been very cooperative and very
7 thoughtful on how we move forward.

8 CHAIRPERSON ANDERSON: Thank you for
9 that representation, Captain.

10 As you see, Licensee, you know, the
11 MPD's here saying good and wonderful things in
12 front of ABRA about you, okay.

13 MR. ALLISON: Yes, we have no
14 comments.

15 MR. ESGUERRA: We appreciate it.
16 Thank you.

17 MR. ALLISON: We are great.

18 CHAIRPERSON ANDERSON: Mr. O'Savio, is
19 there anything either yourself or one of the
20 owners wants to say in closing, sir?

21 MR. O'SAVIO: We're going to do
22 everything we can to make sure we're in
23 compliance and we're one with the community.

24 I just want to ask a follow-up
25 question for you, Mr. Anderson. What are the

1 next steps look like with respect to, like --

2 CHAIRPERSON ANDERSON: Well, I think
3 in this particular case when we have a fact
4 finding hearing, a fact finding hearing, the
5 Board can make a determination to see whether or
6 not there were any ABCA violations. If the Board
7 determines that there was an ABCA violation, then
8 it's a case that we submit to the Office of
9 Attorney General.

10 I believe that it was determined that
11 there was a settlement violation. I do not
12 recall if that decision was made to send it over
13 to the Office of the Attorney General for them
14 to determine if they will bring a show cause
15 hearing on that issue.

16 But it's moreso, in these particular
17 cases, when the investigator goes ***2:44:18 a
18 case report, the investigator will make a
19 determination whether or not there are any ABCA
20 violations. And if there are ABCA violations,
21 then we'll move forward with that.

22 From what I was told, the only ABCA
23 violation, it was settlement. There's a
24 settlement agreement violation that talks about
25 the fact that the patio furniture was not secure.

1 And the parties negotiated that term, so it's up
2 to the parties to determine or conclude what it
3 means by secured.

4 I mean, I cannot -- because ABCA was
5 not a part of the negotiation, so we cannot give
6 any interpretation. But I believe reasonable
7 people can determine what it means to be secure.
8 But I believe, when I review the document, once
9 an establishment is closed that patrons or folks
10 should not have access to ***2:45:20.

11 So if what I saw, if these were people
12 sitting in the summer garden after closure, then
13 that says to me that it was not closed. I think
14 reasonable people -- that it wasn't secure. I
15 believe reasonable people could agree that this
16 was not secure there. But that's there.

17 But anyway, so as I stated before,
18 it's either going to the Office of Attorney
19 General for them to determine and bring a case
20 report. Or the Board can determine no further
21 action.

22 But the only thing right now that we
23 have all agreed upon is that our enforcement
24 division will come and work with the
25 establishment to look at the camera placements

1 and make recommendations on what additional
2 cameras would be necessary.

3 And the only reason why I threw that
4 out, because the Licensee said that they're
5 going to install additional cameras. And so
6 rather than they just install a camera, at least
7 we can use our expertise and provide some
8 guidance about what cameras are needed, and where
9 the cameras should be placed, so you can see, you
10 can have a clear view of the establishment
11 itself, okay.

12 MR. O'SAVIO: Sounds good. Thank you
13 very much.

14 CHAIRPERSON ANDERSON: All right,
15 thank you very much, everyone, for being here
16 today. Captain, thank you for being here, as
17 always, Mr. Miller, Mr. Allison, Mr. Esguerra.
18 Did I do that right, sir?

19 MR. ESGUERRA: You did a good job.

20 CHAIRPERSON ANDERSON: All right,
21 thank you. And, of course, Mr. O'Savio. Thank
22 you very much. Have a great day.

23 (Chorus of thank you.)

24 CHAIRPERSON ANDERSON: All right. So
25 we're now at the end of our afternoon agenda. So

1 I'm going to officially close our hearing.

2 As Chairperson of the Alcoholic
3 Beverage and Cannabis Board for the District of
4 Columbia, in accordance with Title 3, Chapter
5 405, Office of Open Government, I move that ABC
6 Board hold a closed meeting on August 28th for the
7 purpose of discussing and hearing reports
8 concerning ongoing or planned investigations of
9 alleged criminal or civil misconduct, or
10 violations of law or regulations, and seek legal
11 advice from our legal counsel on the Board's
12 investigative agenda, legal agenda, licensing
13 agenda for August 28th as published in the D.C.
14 Register on August 23rd.

15 Is there a second?

16 MEMBER GRANT: Motion.

17 CHAIRPERSON ANDERSON: Mr. Grant has
18 seconded the motion. I will now take a roll call
19 vote of the motion now that it's been seconded.
20 Mr. Short?

21 MEMBER SHORT: Mr. Short, I agree.

22 CHAIRPERSON ANDERSON: Mr. Grant?

23 MEMBER GRANT: Mr. Grant, I agree.

24 CHAIRPERSON ANDERSON: And Mr.

25 Anderson, I agree.

1 As it appears that the motion has
2 passed, I hereby give notice that ABC Board will
3 hold this closed meeting. Pursuant to the Open
4 Meetings Act, notice will also be posted on the
5 ABC Board Hearing Room bulletin board, placed on
6 the electronic calendar, and ABCA's website, and
7 published in the D.C. Register in as timely a
8 manner as is practical.

9 We are now adjourned for the day. I
10 would like to thank the members of the public who
11 participated in our hearings today and also would
12 like to thank the Board members who have ably
13 participated in our hearings.

14 Thank you very much, I now ask all
15 Board members to return to executive session for
16 further action. Good afternoon.

17 (Whereupon, the above-entitled matter
18 went off the record at 2:48 p.m.)

19
20
21
22
23
24
25

A

A-L-L-I-S-O-N 9:8
A-U-G-U-S-T-I-N- 9:21
 a.m 10:7
ABC 3:5 29:8,9 46:4
 66:5 67:2,5
ABCA 2:2 18:12 31:11
 45:19 63:6,7,19,20,22
 64:4
ABCA's 67:6
abide 6:3
abided 6:2
able 16:22 19:6,16 22:3
 23:17 30:14 34:14
 36:8 39:8 57:23 58:1
ably 67:12
above-entitled 67:17
ABRA 30:4 61:17,18
 62:12
Absolutely 9:20 25:20
 59:15
access 3:22,23,24 4:22
 42:1 57:3 64:10
accounts 14:14 19:11
 19:18
act 24:23 67:4
action 13:1 64:21 67:16
actions 12:19,21,22
 46:14
actual 57:16
Adams 18:16
add 41:25
additional 11:23 31:7
 31:17 45:17 52:24
 65:1,5
address 25:12,14 44:9
 47:8 55:12
addressed 22:13 42:9
addresses 15:23
addressing 16:4
adequate 46:4
adjourned 67:9
advice 66:11
advocated 52:24
advocating 52:23
afford 54:5
afternoon 3:3,4,7,11,12
 3:14,18,21 8:8 9:3
 10:2,4 33:19 65:25
 67:16
agency 47:23,25 48:25
 49:1
agenda 65:25 66:12,12
 66:13
agree 48:22 59:18
 60:15 64:15 66:21,23
 66:25
agreed 15:4 57:13

64:23
agreement 1:13 11:2
 14:25 25:24 26:12,18
 26:25 30:8,20 42:5,15
 55:21,22 56:10 63:24
Ah 7:18
ahead 19:4 33:18 34:18
 35:4,11 40:7 44:7,17
 44:20 49:8,10 54:21
 60:22
Alcoholic 1:2,19 66:2
alerted 18:9
alleged 66:9
alleviate 46:22
Allison 2:2 3:24 4:6,8
 4:11,16 5:6 7:3,12,24
 7:25 8:4,5,7,7 9:5,7,8
 9:11 13:3 15:18 16:3
 16:22 18:21 22:1 23:5
 24:12,16 29:15 39:7,9
 39:11 40:3,8,13,16,19
 41:1,5,23 42:7,11,17
 43:3 49:13 50:14 54:3
 54:16,17 56:14,18,19
 56:20 59:4,7,12,15,19
 60:12,23 61:16,21
 62:13,17 65:17
allocations 6:8
allow 14:21 16:15 17:22
 18:9 34:10 51:22
allowed 1:11 17:6
allowing 43:8
ambiguous 25:25
amount 59:17 60:25
ANC 1:8 26:14,19 42:5
 42:12
Anderson 1:20,22 3:3,5
 4:3,9,14,17 5:3,5,9,12
 5:17,22 6:5,10,13,17
 6:21,24 7:2,6,12,16
 7:19,23 8:3,19,23 9:3
 9:9,12,17,23 10:2
 13:4 15:7 16:25 19:1
 19:22 25:7,15 26:10
 27:4,14,18,25 29:3,11
 30:1,10,24 31:3,6
 32:5,15 33:2,15 34:5
 34:9,15 36:3,16 37:3
 37:9 38:2,7,11,14,17
 39:10 40:6 43:10,14
 43:23 44:2,17,19 45:7
 46:6 47:4,21 48:3,8
 48:14,18 49:9 54:8,14
 54:19 55:19 56:4,9,17
 59:3,8,13,16,20 60:21
 61:12,17,22 62:8,18
 62:25 63:2 65:14,20
 65:24 66:17,22,24,25

answer 40:7
answered 40:4
answering 8:18
anybody 17:20,21
 53:22
anymore 44:1
anyway 26:25 64:17
apartment 13:21 14:6
apartments 13:24
apologies 49:5
apologize 24:8 52:1
apparently 22:22 51:9
appears 3:25 7:8 35:20
 35:23 47:1 56:5,6
 67:1
Applicant 11:6
application 7:10
appreciate 49:18 53:25
 54:23 55:14 61:21
 62:15
appreciated 22:1
appropriate 25:12
approve 26:17,25
approximately 10:7
area 10:18,25 11:5
 14:12,24 16:11,13,19
 17:7,14,24 18:10 21:8
 21:22 22:10,12,15
 23:7,23 29:20,21
 31:20 32:11,14,22
 41:9 53:5 55:1,9,23
 55:25 56:11,22 58:15
arguments 47:16
armed 58:10
arrest 17:22
arrived 10:10
arrow 34:21
asked 13:23 17:20,23
 37:5 51:4 54:5
asks 12:12
asphalt 38:22
Assault 1:10
assertions 44:10,16
assignment 43:24
assistance 36:18
attendance 3:10
attorney 5:8,23 6:2,6,11
 6:11,14 63:9,13 64:18
audible 7:1,14 27:17
 43:13
August 1:17 10:6 15:15
 17:4 44:11 66:6,13,14
Augustine 2:4 3:22 4:5
 9:18,20,21 12:6 13:5
 13:10 15:11 17:4 19:5
 19:9,14 20:7 21:24
 22:16,25 24:4,7 25:5
 26:9 54:13,22 61:25

62:1
authority 11:18 45:9,11
 47:22
availability 20:17
available 15:19 16:6
 17:18 20:12 21:17
 33:25
aware 4:4,5 5:18,23
 17:25 27:19 45:15
 51:11
awhile 34:13

B

back 4:15 13:24 15:21
 16:14 17:4 23:7 34:23
 36:6 53:21
Bar 1:6,7 3:16 10:16,20
 13:17,25 14:3,4,6,11
 14:12,14,19 21:6
 27:23 28:16,23 32:23
 34:20,22 37:15 38:24
 44:23 45:2,24 46:8,18
 49:14 50:8 51:12
 52:15,16,17
Bar's 28:5 38:1
barking 45:20
barring 17:19,21
based 33:5 40:1
basically 43:15
basis 32:16
beginning 15:17 50:13
behalf 8:17 43:16
belabor 42:25
believe 13:7,14,20 14:8
 15:3 17:8 23:1,5
 29:15 30:16,17 31:6,9
 32:1 33:9 35:20 47:24
 61:18 63:10 64:6,8,15
believes 10:19
bench 52:9,9
benches 52:21 55:6
best 23:21 24:22
better 43:2 44:14
Beverage 1:2,19 66:3
BID 18:17,22 28:13
 50:18 52:25 58:8,8,17
 58:19 60:25 61:5
big 14:5 16:23 17:8
 22:6,11 49:15 55:10
 61:9
bigger 14:13
bit 28:15 29:8 34:18,22
 34:25 35:4 36:14 44:4
 61:7
black 39:19,25 41:24
 56:15,21 57:2
blind 59:14
block 10:8 31:19 61:9

board 1:2,19 3:5,6,7,9
8:16 11:21,22 12:10
12:12,18,20,25 19:3
21:16 22:18,20 26:16
26:17,17,18,24 33:17
33:22 43:11 45:13,14
45:16 47:6 54:14,24
55:17 60:19 62:3,4
63:5,6 64:20 66:3,6
67:2,5,5,12,15
Board's 66:11
bottom 36:6 37:21
brainstorm 46:9
briefly 27:3
bring 61:23 63:14 64:19
brought 13:24
bug 51:21
building 31:17 39:14
52:12,14 55:2 58:9,23
59:1
buildings 14:2 52:11
bullet 53:7,11
bulletin 67:5
bushes 52:7,8,13
business 3:10 18:15
20:1,25 23:11 24:20
38:15 45:5 51:1 56:7
businesses 46:16 53:4

C

calendar 67:6
calender 3:12
call 3:13,15 17:14 51:8
66:18
called 53:4
calls 22:12
camera 4:10,23 6:25
7:7,9 18:4,7 28:8,20
49:22 52:25 57:22
58:1 64:25 65:6
cameras 1:14 17:24
18:1,7,10 22:11 23:25
33:22 57:20 59:9,17
59:24,25 60:14,16
61:2,3 65:2,5,8,9
Cannabis 1:2,19 66:3
canopy 57:23
Capitol 61:11
captain 4:5 9:18 12:6
12:11 13:5 15:8 16:25
19:2,25 25:1,10,18
41:18 43:1 54:11,21
60:8 61:25 62:9 65:16
capturing 18:2
car 35:22
care 7:20 47:6
cars 33:13
case 1:9 3:14,15,15,20

8:13 13:11 45:16 63:3
63:8,18 64:19
cases 63:17
cause 47:13,14 63:14
cell 15:19
center 18:8
certain 12:21 27:8
certainly 53:22
chain 17:8 22:7,8 23:19
29:24 41:15,19,22
57:15
chain's 23:19
Chairman 3:6,25 7:4
8:15 19:24 25:3 34:2
39:7 40:4 43:8,19
48:7,12 49:11 53:20
54:18 56:2,19
Chairperson 1:19,22
3:3 4:3,9,14,17 5:3,5
5:9,12,17,22 6:5,10
6:13,17,21,24 7:2,6
7:12,16,19,23 8:3,19
8:23 9:3,9,12,17,23
9:25 10:2 13:4 15:7
16:25 19:1,22 25:7,15
26:10 27:4,14,18,25
29:3,11 30:1,10,24
31:3,6 32:5,15 33:2
33:15 34:5,8,9,15
36:3,16 37:3,9 38:2,7
38:11,14,17 39:10
40:6 43:10,14,21,23
44:2,17,19 45:7 46:6
47:4,21 48:3,8,14,18
49:9 54:8,14,19 55:19
56:4,9,17 59:3,8,13
59:16,20 60:21 61:12
61:17,22 62:8,18 63:2
65:14,20,24 66:2,17
66:22,24
chairs 10:18 11:6 22:4
22:21 29:23 30:15
38:21 40:24,24 41:2,6
41:11 42:14 53:7
56:25 57:16
chance 23:5
Change 1:15
changes 52:2
changing 54:24
Chapter 66:4
Chase 8:16
chef 29:7,9
chief 11:16 15:13 44:10
45:8,10 47:8,12,18,22
48:21 54:1
chief's 46:24
Chorus 65:23
chosen 49:24

city 22:20 25:2
civil 66:9
clear 17:6 65:10
clearly 46:18
client 26:11,14,19
43:17
client's 25:16 27:6,10
close 11:18 47:22 48:1
52:15 57:6 58:6 66:1
closed 10:22 11:24
13:17,18 20:5 21:23
22:15,23 24:1 29:6
38:15 45:15 56:7 64:9
64:13 66:6 67:3
closing 15:14 62:20
closure 11:17 22:2
27:24 29:22 31:1,4
45:17 47:25 53:14
61:23 64:12
collaborate 50:23
collapse 39:17
Columbia 1:1 66:4
come 4:15 32:22 39:22
45:13 59:22 60:13
64:24
comes 46:17
coming 24:2 39:18
Commander 57:12
commanders 58:25
comment 39:8
comments 55:15 62:14
communicate 16:23
communicative 24:16
communities 49:17
community 16:3,15
18:14,15 20:1,25
21:11 23:10 24:20,21
26:4,12 42:6 43:1
44:23 45:1 46:4,10,13
46:20,23 50:14 52:9
52:20 58:1 62:23
compared 50:9 53:23
completely 39:17 41:14
complex 14:6
complexes 13:21
compliance 40:22
62:23
computer 36:24
concern 14:23 16:10
46:11 47:7
concerned 20:3
concerning 66:8
concerns 15:8 16:5
46:20
conclude 64:2
concluding 61:24
conclusions 47:12,18
conditions 11:23

condolences 50:3
conduct 3:10
conducting 45:3
confirm 52:6
Connect 18:7
connected 47:3
connector 18:7
consider 55:17
consideration 16:1
constitutes 3:11
contact 59:21
contest 47:15
continue 26:5 41:4
50:20
continued 42:2
continues 46:8
continuing 11:11
contribute 58:20
contributed 11:10 15:5
contributes 33:8
contributing 15:4
control 21:2
conversation 51:16
55:10
conversations 29:14
46:21
cooperative 24:6,12,14
62:6
coordinate 60:8
corner 14:7 21:5 36:6
corporation 49:15
correct 20:6 22:24 24:3
32:9 33:7 38:12,15
41:1 51:23 56:8
corrected 13:14
counsel 2:3 8:17 66:11
couple 4:1
course 65:21
court 8:23
coverage 61:1
CR 1:8
crawling 38:21
crime 10:15 18:8 45:9
47:9
crimes 18:9
criminal 66:9
cure 21:18
current 51:24 56:21
currently 18:5 22:14
58:5,9,24
customers 32:17,18,20
45:1
cut 43:20 45:8
cutting 42:24

D

D.C 18:5 24:22 26:3
42:18,19 66:13 67:7

damages 45:25 50:9
danger 11:20
David 2:4 3:21 9:20
day 15:12,20,24 29:9
 58:11 65:22 67:9
days 17:8
DC 1:6 2:2,4
dead 10:13 59:11
Deadly 1:11
dealers 32:12
dealing 24:15
dealt 24:15
deceased 11:13
decide 41:8
decision 45:20 47:24
 63:12
decline 12:22
definitely 18:24 26:8
 50:11 59:19
demonstrated 50:21
Department 50:19
describe 27:25
detail 18:13,25 20:10
 20:12,15
determination 63:5,19
determine 30:3 32:16
 63:14 64:2,7,19,20
determined 63:10
determines 11:19 63:7
devastating 49:20
dialogue 26:2,5 46:9
died 50:3
difference 22:5
difficult 23:17
direction 17:12
directions 4:2
directly 50:4 51:12
disagrees 49:1
disappeared 37:4,6
disclosure 20:14
discovered 28:3
discussed 18:12,15
 26:13 44:14
discussing 66:7
discussion 55:16
Disorderly 1:12
dissuade 51:25
District 1:1 66:3
division 64:24
document 64:8
doing 6:8 22:1 27:24
 45:25 49:3 51:6
Donovan 1:20,22 3:5
door 14:20 41:14 57:10
 57:17
drug 32:12
due 58:18
duty 31:16 58:18

dynamics 54:25

E

E 9:22
E-S-G-U-E-R-R-A 4:19
 9:16
easier 61:8
easily 22:8
easy 20:12
effective 17:10 20:24
 21:4,12
eight 37:18 39:24
either 62:19 64:18
elapsed 11:22
electronic 39:21 41:10
 57:9 67:6
elevate 3:19 4:18
elevated 3:22,24,25
 4:22
eligible 18:24
email 15:23,23
emphasize 44:22 45:23
employee 51:16
employees 14:15,19
 32:18,24 49:17 50:4
 51:10 53:15,17
employing 24:19
enclose 23:22
enclosed 22:3
enclosure 39:20
encourage 26:3
enforcement 21:21
 59:21 60:11 64:23
ensure 45:1 46:14
entire 23:23 39:20
 41:25 56:22 57:6
 58:12
entry 17:22
equally 46:14
Esguerra 2:3 4:19,19
 4:21,23,25 5:2,4,7,14
 5:21,25 6:7,12,16,19
 6:23 9:12,15,15 48:7
 48:9,12,13 49:7,11,12
 54:9 56:2,8 62:15
 65:17,19
especially 16:18 22:11
established 15:14
establishes 18:11
establishing 11:10
establishment 1:11
 4:20 5:20 9:10 10:17
 10:22 11:18,23 12:3
 13:7,9 17:3 21:9 29:4
 29:6,12,13 31:9,22,23
 32:1,4 33:1,4,6,11
 36:4,5 45:4,10 47:23
 48:1 53:14 55:24 64:9

64:25 65:10
establishment's 11:2
establishments 20:16
 59:2
evading 18:2
everybody 20:25
everybody's 24:17
everyone's 26:6
exactly 25:14
excuse 30:16 31:18
 32:22 34:25 35:14
 39:7 43:21
execute 17:19
executive 67:15
existence 33:5
exit 36:12
expecting 5:23
expertise 65:7
explain 47:2
explains 47:2
express 25:16 50:2
 54:1
extend 39:17
extent 51:14
extra 23:25
extreme 47:1
Eye 52:25 58:3

F

fact 3:13 10:5 11:25
 12:16,19,25 48:19
 63:3,4,25
factors 15:4
facts 12:1,14 13:11
 27:6
Failed 1:13,14
fairness 55:16
fall 23:7 41:8
familiar 13:25 18:16
 55:1
families 49:17
far 20:2 30:6,13 32:23
 37:21 53:2 54:5
fearless 36:17
feasible 51:5
feel 40:22 42:22
feet 28:15,16 39:12,13
 40:20
female 6:22
fence 23:13,18,23 39:6
 39:12,12,19,25 40:17
 41:24 56:21 57:2
fencing 42:3
figure 12:1 47:10 51:3
fill 20:13
finance 50:16
finances 50:16
Financial 58:23

finding 3:13 10:5 11:25
 12:16,19,25 48:19
 63:4,4
fine 7:25 47:16
firing 35:24
first 19:24 40:10 42:18
 44:22
fit 12:15 23:13
five 31:14 37:17 40:13
 40:15,20 49:14
focus 55:11
folks 4:4 18:3 32:17
 44:3 64:9
follow 1:13
follow-up 62:24
following 27:7,8 44:11
footage 28:8,12,20
 33:21 53:1
foremost 44:22
forgive 42:24
formed 13:19
forth 52:22
forum 47:11 48:20 50:2
forward 8:18 12:4 16:24
 34:24 54:2 55:24 62:7
 63:21
found 10:11
four 10:10 11:12 37:17
 39:12,12 40:19
free 51:20
frequently 50:17
Friday 53:15
front 10:16 33:10 37:15
 39:14,25 41:7,16
 52:14,14,17 56:22
 57:21 62:3,12
full 20:14 34:25 39:21
 41:10 57:8 61:4
fully 20:18
furniture 15:1 22:23
 23:3 29:16 30:9,11
 57:10 63:25
further 35:4 41:8,21
 52:18 64:20 67:16
future 55:13

G

G-E 9:16
game 57:19
gang 32:12
gap 22:7
garden 11:4,5 28:6,9,24
 29:17,18 30:6,9,16,20
 31:1,4 37:19 38:1,8
 38:10,23 56:7 64:12
gate 23:12,12 24:1
 29:24 39:5,15 41:25
 42:2 57:1

gathering 10:24 12:1
13:16
General 63:9,13 64:19
gentleman 35:5,6
getting 16:18
give 4:2 6:15 7:10 25:16
27:5,9,9 28:2 59:25
64:5 67:2
given 15:19 28:10
gives 23:8
giving 15:22
go 7:18,20 16:20 19:4
24:1 33:18 39:17 40:7
44:7,17,20 49:8,10
53:21 54:21 57:7
60:22 61:11
goal 24:17
goes 29:19 47:14 57:2
63:17
going 7:13 12:6 19:17
20:17 21:10 23:6,15
25:11 27:4,9 29:25
31:24 33:9 34:18,24
35:1,8,11,12,13,14,16
35:18,21,23 36:9 39:4
39:16 41:3 42:16 48:5
52:21 54:3 55:1,2
57:23,25 58:16 59:4,5
60:3,4,15 61:23 62:21
64:18 65:5 66:1
good 3:3,18,21 8:8,14
9:3 10:2,4 18:20 26:3
33:19 39:10 62:11
65:12,19 67:16
government 24:23 66:5
graduate 50:6
Grant 1:23 3:8 19:4,5
19:13,20 66:16,17,22
66:23,23
gray 38:22 50:5
great 16:17 23:2 62:17
65:22
greater 20:23 21:2
group 10:19 11:10
13:15,19,20 14:8,10
14:15 15:5 28:23
grow 11:11
guarantee 20:18
guard 44:25
guess 29:1,20 43:6,15
55:20 61:7
guidance 6:4 26:7 65:8
gun 10:11,12 11:11
35:21 46:10,20
gunshots 10:8
guy 35:6
guys 36:10,20 37:2
46:1

H

half 39:13
Hang 4:12
hanging 14:9,11,16,21
15:5 17:15 18:3
happen 15:3 41:4
happened 13:6 37:13
49:21 50:22
happens 56:5
hard 61:2
hardship 23:11
harmed 45:5
health 46:20
health/safety 46:11
hear 25:22
heard 10:7
hearing 3:13 10:5 11:25
12:16,17,19,25 26:8
44:4 47:13,14,17
49:19 60:17 61:23
63:4,4,15 66:1,7 67:5
hearings 67:11,13
held 50:18
help 16:23 17:19 22:18
32:2 33:22 46:9,22
50:23 54:6 59:17
helpful 18:1 25:22 26:8
51:17 53:1
helping 6:18
high 13:20,21,23 21:9
50:5
hire 18:22,24 58:18,19
hired 18:17,19
hiring 21:1
history 31:11,11 62:2
hold 5:14 56:5,17 66:6
67:3
holes 53:7
homeless 32:12
homicide 19:10,18
Honda 35:13,23
honest 15:11
hop 23:17 35:23
hope 13:14 15:25 26:14
hospitals 10:14
hounded 49:22
hour 44:5
hours 11:4,19,22 14:20
17:7 18:3 19:8 20:8
23:23 24:3 29:7 32:25
57:24
house 33:11
hundred 24:4 43:3

I

identify 48:16 49:10
Igloo 9:1
imminent 11:19

impact 46:12
important 46:14 54:22
impose 11:22 45:16
imposed 50:24
impression 21:16
incident 12:2 27:20,22
28:1,11,21 49:21
50:22 53:2
incidents 31:13
incorrect 47:12
incorrectly 30:18
Increase 1:15
incurred 45:24
individual 33:13 35:2
52:5
individuals 30:25 31:18
32:3,16,21 33:3
informal 12:17
information 10:6 11:15
14:17
infringe 46:15
initiated 53:2
inside 23:20 29:16,23
install 17:23 59:25 65:5
65:6
installed 57:20
installing 59:24
instance 62:5
integrated 7:9
interaction 24:11
interest 24:22
interpretation 26:23
64:6
introduce 8:10
investigation 12:9
14:18 19:10,19 28:1,4
30:2,5 33:21 45:4
investigations 66:8
investigative 66:12
investigator 2:4 3:23
33:20 34:4 38:18 43:5
43:7 52:6 63:17,18
investigators 59:10
60:7
invite 52:21
inviting 15:22 23:17
involved 28:22,25 35:2
35:7 45:19 47:23
iron 39:12,19 41:24
42:2,3 56:21 57:2
irrespective 48:25
issue 13:13 14:13 31:24
46:22 61:9 63:15
issues 13:13 21:10,18
42:9

J

J-O-R- 9:15

J-O-V-A-N 10:1
James 1:23 3:7
job 65:19
joining 3:6
Jorge 2:3 9:15 24:10,13
48:13 49:12 55:14
Jose 2:2 36:19
Jovan 2:4 3:23 9:25
36:25
JR 1:23,23
junction 25:19
jurisdiction 61:13,19

K

keep 24:2 36:22 57:13
57:16
kind 35:19 61:6,10
King 1:6,7 3:16 8:17
10:16,20 27:23 28:5
28:16,22 32:23 34:20
34:22 37:14 38:1
44:23,24 45:2,23 46:7
46:18
know 4:3 6:2 12:7 13:5
14:1 16:9 17:10 18:17
23:9,11,13 26:3,6
29:11 32:2,7,20 34:21
37:10 39:25 42:17,19
44:1,13 45:23 46:1,1
50:7,16 51:8,23 52:4
52:19 53:10,11,13,25
54:1,2,6,24 59:23
60:5 61:8 62:2,10
knowledge 28:19 30:14
30:22 32:19 42:11

L

L 57:7
L- 29:21
large 10:17,19 13:15,19
14:1,24 15:5 26:4
46:5 53:9
larger 55:15
largest 21:7
late-night 11:7
law 21:21 66:10
lawful 46:15
leading 11:11
lean 33:12
leave 13:23 58:15
leaving 17:20
left 14:19 29:8,9,10
34:21 36:6 37:22
51:21
left-hand 52:7
legal 66:10,11,12
let's 3:13 42:23 45:21
letter 5:19 14:23 15:13

22:2 25:13 44:11 47:1
Licence 3:17
license 1:9 18:23 40:11
 40:12 44:11 47:1
 58:18
licensee 2:2,3,3 4:5,7
 4:20 12:20,21 20:2
 32:18 62:10 65:4
licensees 49:12
licensing 66:12
life 50:10 53:8,23
limitations 51:1
line 6:6,14
link 18:4 57:25
liquor 14:4 21:4,5 45:10
 58:18
literally 58:4
little 28:15 29:8 34:18
 34:22,25 35:4 36:13
 43:2 44:4 61:7
live 32:6,10,22
LLC 1:6
local 10:14 24:20
located 10:16
location 51:4
locations 49:14,15
lock 22:3 23:14,23
locked 41:15 57:14,17
locking 29:16
locks 57:10,17
log 4:14
loiter 31:20
loiters 37:15
loitering 10:19 19:8
 29:2 33:1,4,5 51:11
 52:21
long 16:20 17:11 24:1
 42:25 54:5 57:14
longer 44:5
look 8:17 35:19 54:2
 60:13 63:1 64:25
looked 28:21 39:5
 40:24
looking 35:15 37:10
looks 38:22
loss 50:10 53:18,23
losses 50:8,9
lot 16:13 20:11 21:19
 23:16,17 31:19 34:6
 42:19 44:13 45:24
 46:2 54:25
love 21:14
lower 52:7

M

M 1:8 10:8,16 29:19
 52:11
M-I-L-L-E-R 10:1

main 31:21
major 24:17
majority 10:15 28:14,17
making 22:12 23:10
 29:21 30:21 46:2,2
male 6:22,23
manage 50:16
manager 29:8,10
mandated 20:15
manner 67:8
market 53:3
matter 1:5 47:14 67:17
mean 26:16 30:7 45:8
 45:18 48:15 53:6 60:3
 60:7 64:4
meandering 52:10 55:5
means 25:23 26:7,13
 26:21 30:12 64:3,7
meant 25:25 26:15 37:8
measures 11:9 12:4
 29:12 31:7 50:23
 51:24
media 49:22
meeting 1:3 42:12 54:2
 55:7 58:25 66:6 67:3
meetings 50:18 67:4
Member 1:23,23 19:5
 19:13,20,23 21:20
 22:14,17 23:24 24:5
 24:25 33:19,24 34:2
 34:16 38:18,20 39:1,3
 40:3,9,15,17,21 41:3
 41:18 42:4,8,13,23
 43:4 66:16,21,23
members 3:7,9 19:3,7
 32:13 33:17 43:12
 54:14 62:3 67:10,12
 67:15
messages 15:21
met 1:19 54:2
Metropolitan 50:19
Miller 2:4 3:23 4:6 9:24
 9:25 10:1,3 12:8,11
 27:15,19,21 28:2 29:5
 29:14 30:5,13 31:2,5
 31:10 32:8,19 33:7,18
 33:20,20,23 34:1,4,7
 34:10,12,17 36:5,19
 37:1,7,12 38:4,9,13
 38:16,18,19,25 39:2
 43:5,8,20,24,25 52:6
 65:17
minute 4:13
miscommunication
 49:6
misconduct 66:9
mispronounce 24:10
monitor 51:4 58:2

monitoring 22:12
moreso 32:3 63:16
Morgan 18:16
morning 8:15
motion 66:16,18,19
 67:1
move 34:24 35:3,11
 36:11,15,20 45:21
 52:2 62:7 63:21 66:5
moving 12:4 55:24
MPD 2:4 10:18 15:8
 16:8,15 17:22 19:15
 20:11 27:23 58:16,18
 59:1 60:8 62:3
MPD's 13:6 62:11
multiple 10:18

N

name 3:5 6:15 8:12,16
 8:20 9:6,7,13,16,19
 9:21 27:15 51:15
nationwide 46:12
natures 33:14
NE 1:8
necessary 46:22 65:2
need 16:14 43:21 47:8
 51:3 55:11,23 56:11
 58:2,3 60:5
needed 27:24 65:8
needs 21:19 23:12
 26:20
negotiated 26:23 64:1
negotiation 26:19 64:5
neighborhood 16:4
 24:18 54:25
neighboring 14:3
nice 44:15
night 23:1 40:25 41:13
 58:7,10
NoMa 18:14 28:13
 49:14 50:18 52:25
 55:1 58:8,8,17,19
 60:24 61:5
North 61:11
Northeast 10:9,17
Northwestern 58:23
note 28:7
notice 17:21 67:2,4
notices 17:19
notification 27:21
Number 3:16,17

O

O 9:1
O'-S-A-V 9:1
O'Savio 2:3 6:20,24 7:4
 7:5,8,15,17,18,20
 8:11,14,16,19,22,25

9:4 12:12 25:9,11,20
 26:11 27:2,13 43:15
 43:18 44:7,8,18,21
 45:7,22 46:7 47:4,5
 48:2,5,17 49:5,8
 62:18,21 65:12,21
obstacles 10:23
obviously 13:10 20:9
 49:20 62:2
Occupancy 1:15
occurred 27:23 28:11
 47:10
occurring 56:13
occurs 45:10,12
off-duty 21:1
offense 47:3
offered 20:4
offhand 25:21
Office 63:8,13 64:18
 66:5
officer 18:22 31:16
 58:14,15
officers 10:7,10 18:18
 20:17,19 21:2,17
official 21:22
officially 66:1
Oh 5:21 8:5 37:7 40:8
okay 4:21 5:21 7:10,17
 8:8 19:13 23:24 26:21
 27:11 30:21 33:15
 36:13 37:9 38:17
 39:11 42:23 44:12,18
 45:22 46:6 49:4 57:13
 59:7 61:19 62:12
 65:11
once 11:21 27:8 35:18
 37:5 64:8
ongoing 66:8
online 44:3
open 10:23 11:9 14:20
 16:13 20:25 26:22
 29:4,6 31:14 45:15
 46:8 51:6 52:9 57:4
 66:5 67:3
opened 42:20
opening 23:7
operate 58:11
operation 11:4 15:10
 20:8
Operational 1:14
operator 50:15
opportunity 12:10,13
 25:16,17 27:5,9 44:20
 49:19
order 12:18 13:1 59:5
 61:14
Orellana 2:2 3:18,21
 4:18,21 34:10 36:25

Oscar 9:2
Osmark 52:11,14
outdoor 10:25 41:12
outside 17:25 18:1
 29:13 32:25 33:4 58:4
overtime 20:11
owners 9:11 49:13
 58:22 59:1 62:5,20
ownership 54:11
owns 58:22,23
Oyster 1:6,7 3:16 8:17
 10:16,20 13:17,25
 14:3,4,6,11,12,14,19
 21:6 27:23 28:5,16,23
 32:23 34:20,22 37:15
 38:1,23 44:23,24 45:2
 45:24 46:7,18 49:13
 50:8 51:12 52:15,16
 52:17
OZMA 58:21

P

P-R-O-C-E-E-D-I-N-G-S
 3:1
p.m 3:2 67:18
page 26:6
part 11:3 14:15 16:7
 26:18 35:10 36:1 42:4
 45:25 50:11,12 51:11
 52:9,10 57:21 60:9,10
 64:5
part-time 18:18
participated 50:17
 67:11,13
participating 55:4
particular 30:22 45:16
 63:3,16
parties 3:19 8:9 12:16
 26:23 64:1,2
partner 16:18
partners 24:23
party 12:18 13:1
passed 67:2
passer-byes 11:8
passers-by 15:2
patio 10:18,23,25 11:1
 11:10 14:12,24 16:11
 16:19 17:7,14 20:2,6
 21:22 22:10,15,23
 23:3,7 25:23,25 41:7
 42:14 51:20 57:8
 63:25
patrons 11:4 28:4,5,9
 30:25 37:20 51:20
 64:9
pay 53:14,17
people 4:1 10:24 11:12
 13:16 14:21 17:15

18:25 28:14,17,23,24
 29:1 31:19,22 32:6,6
 32:7,8,10,10,11,13
 34:19 37:18,21,23,24
 37:25 38:6,8,9,20
 39:4,24 44:24 45:5
 49:16 50:3,10 52:16
 53:7 55:9 56:6 61:7
 64:7,11,14,15
percent 23:15 24:4 43:3
perfectly 47:16
perimeter 39:13 41:16
person 5:15 28:21 35:7
 35:22
personal 24:11 50:3
personally 16:22 19:15
 24:14 58:17
persons 24:2
perspective 13:6 21:21
phone 15:19 22:12
piece 49:23
piggybacks 21:6
place 12:4 14:14 45:14
 46:10 56:12
placed 65:9 67:5
placements 64:25
plan 22:19 40:10,22
 56:12 57:19
planned 66:8
planning 41:21
plans 55:25
please 3:19 8:12,15 9:5
 9:13,18 27:16
point 17:12 52:5 59:11
police 11:16 15:13
 16:12 18:18,18,19
 21:1 26:3 31:16 45:3
 45:9,11 46:24 47:8,18
 48:21 50:19 58:14
Police's 44:10 47:22
pool 13:22 14:16
popping 36:22
possibility 20:21
possible 34:3
posted 35:8 67:4
power 48:24
powerful 61:18
practical 67:8
practice 14:19
pre-meditated 28:21
premises 37:19 46:3
 51:13
present 1:21 2:1 6:2
 27:5,24 31:16 43:22
 51:10 54:4
presiding 1:20
pressing 43:24
pretty 20:12 22:6

prevent 10:24 39:4,18
 49:3 56:12
prevented 12:3
preventive 11:9
prior 29:7
priority 46:13
private 14:2,5,9,12
 16:13,14 17:5,13 18:4
 18:18,20,22 29:20,20
 55:6,7,13
probably 21:11 23:22
 28:15 32:2 36:21 41:7
problem 31:21 42:16
 50:12
problematic 52:20
problems 55:12
procedure 27:7
process 15:17 45:13
professional 36:17
 60:1
profits 44:24
Program 18:5,7,25
progress 44:14 46:2
pronounce 24:9
pronounced 10:13
property 11:14 17:5,13
 18:20 19:8 39:20
 41:25 55:6,7 56:22
 57:6 58:12
protect 16:15
provide 12:14 17:17
 26:20 43:15,16 65:7
provided 5:18 11:15
public 11:20 14:9 16:16
 55:8,13 67:10
published 66:13 67:7
pull 36:14
purpose 1:12 66:7
Pursuant 67:3
pushing 16:14,24
put 10:5 12:4 21:16
 29:23 30:14,15 41:15
 41:21 52:25 56:12
 57:5
puts 44:24
putting 23:10 29:16
 55:8

Q

question 19:6,21 40:5
 55:20 62:25
questions 12:11,12,13
 13:2 19:2 25:9,18,21
 33:17 43:9,11 44:1
 54:11,12,15,19
quick 19:5
quit 36:12,20
quite 24:6 25:24 31:15

32:20,24
quorum 3:11

R

R-I-C-K 9:8
random 32:6
RDO 20:4,5 21:15
re-opened 53:16
reach 35:21 60:11
read 30:18
ready 16:6 52:1 54:4
real 18:8
really 16:17 22:1,10
 31:21 35:10 40:1 46:2
 49:18 51:5 52:13
 54:23 55:10
reason 36:15 57:15
 65:3
reasonable 64:6,14,15
reasoning 46:25
Rebate 18:5
rebut 44:16
recall 63:12
received 19:17 27:21
receiving 6:4
recognize 46:12
recommend 17:5
recommendation 23:21
 60:1
recommendations
 15:25 17:2,2 22:17
 50:24 60:14,16 65:1
recommended 5:25
 17:14
record 8:10,12,20 9:6
 9:14,19 10:6 27:15
 44:16 67:18
referring 55:5
refusing 17:20
regarding 15:9,9 60:16
Register 66:14 67:7
registered 22:19
regular 5:15
regulations 66:10
Reimbursable 18:25
 20:9
Reinversible 18:13
related 50:4 51:12
relationship 8:13 9:10
 18:11
relayed 23:6
release 19:11
relocating 57:22
rely 16:12
remain 11:5,24 45:15
 49:24
remainder 37:21
remarks 54:23

remember 41:23 59:4
removed 41:6
repairs 53:10
repeat 13:12
replace 53:12
report 63:18 64:20
reporter 8:24
reports 66:7
representation 5:19
 27:11 54:10 61:20
 62:9
representing 5:20
request 44:10 46:25
requested 5:8
required 60:2
RESA 58:8,9
residence 29:21
respect 63:1
respectfully 44:9 46:24
respond 27:3
responded 10:8
response 7:1,14 27:17
 43:13,16
responsible 16:20
restaurant 14:20 26:4
 42:18 57:21 58:4
restaurants 50:15
restroom 14:21
result 10:12 11:17 30:2
resulted 11:12
retail 21:8
Retailer 1:8
return 67:15
revenue 53:18
review 64:8
reviewing 3:12 28:8,20
revocation 44:11 46:25
Rick 2:2 3:24 9:7 39:8
 49:12 50:14 53:16
 54:3 56:20
right 4:17 7:15,19 8:7,9
 13:4 14:7 16:6 17:12
 19:1,9 20:1 21:5 22:9
 24:21 27:1,14 33:10
 34:9,17,19 35:3,5,6,7
 35:9,13 36:8,13,16,19
 36:23 37:12,18,23
 38:4 39:20 43:4,14
 47:5 49:4,16 56:14,20
 57:5 58:4,24 59:20
 61:22 64:22 65:14,18
 65:20,24
rights 3:19 46:16
rise 13:21,22,24
rises 21:10
roll 66:18
Room 67:5
roughly 58:6

run 38:1 57:15
running 37:25 38:6

S

SA 30:8
safe 24:18 45:2
safer 24:24 46:10
safety 16:3,4 46:13
 55:4
Saturday 15:14
saved 53:8
savings 53:17
saw 7:16 17:7 38:20,21
 39:23 52:4,16 64:11
saying 7:9 25:17 29:25
 33:3 48:4,18,20 59:23
 60:6 62:11
says 4:19 17:9 22:20
 40:23 41:16 56:10
 64:13
scene 10:15
school 50:5
screen 34:11,14,25
 35:15 36:11,21,25
 37:2,2,7,10
scroll 30:19
seating 38:21 41:6,12
 56:24
seats 53:6
sec 5:16
second 4:12 5:15 6:12
 7:11 56:5 66:15
seconded 66:18,19
seconds 37:14
secure 11:6 14:25
 16:18 21:22 22:15,18
 22:21,21 23:4,16,22
 25:23 26:1,7,13,15,21
 30:20 40:23,23 41:19
 42:14,14 46:3 55:23
 55:25 56:11 63:25
 64:7,14,16
secured 40:25 64:3
securing 22:22 30:8,11
 43:2
security 1:14 18:4
 22:19 29:12 31:7,17
 32:1 40:10,22 44:25
 50:18 51:2,24 52:24
 58:5,10,10,15
see 4:6,11 5:2 6:14 7:13
 7:24,25 8:4,6 12:15
 25:11 28:13 30:1,3,25
 33:21 34:3,14,21
 35:12,13,15,19 37:2
 37:10,16,24 38:5 40:1
 43:1 52:7 56:4 57:23
 61:2,4,8 62:10 63:5

65:9
seek 66:10
seen 32:21,24 37:22
self-contained 57:9
send 63:12
sense 36:22 51:1
sent 5:18 15:23 18:4
separates 52:10
seriousness 46:19
served 15:12
service 19:25 25:2
services 45:1
servicing 22:2
session 3:4 67:15
set 18:6 33:10
settlement 1:13 11:2
 14:25 25:24 26:12,18
 26:25 30:8,20 42:5,15
 55:21,22 56:10 63:11
 63:23,24
seven 37:17
shape 29:22 57:7
share 12:24 34:10,12
 36:8,10,23 37:1,8
sharing 37:5
shooter 52:4
shooting 10:21 13:15
 13:18 15:6 35:3,8,24
 37:13,24 38:3,5
short 1:23 3:8 19:22,23
 21:20 22:14,17 23:24
 24:5,25 25:8 28:2
 29:2 33:18,19,24 34:2
 34:8,16 38:18,20 39:1
 39:3 40:3,9,15,17,21
 41:3,18 42:4,8,13,23
 43:4,11 55:9 66:20,21
 66:21
shorten 34:7
shortly 44:4,6
shot 10:11 11:12 53:9
shots 53:11,12
show 7:3 14:10 35:1
 36:2 47:13,14 63:14
showed 53:2
showing 36:24
shut 41:14 45:4
side 28:22 29:1 36:15
 39:23,24 41:11,12
 42:21 52:7 57:11
sides 39:21 41:10,13
 57:10,14
sidewalk 35:17
sign 20:19
signed 26:11 42:5
significant 11:13 46:11
 50:8
signs 57:5

Silas 1:23 3:8
silent 49:24
Simultaneous 5:1,11
 6:9 47:20 48:6,11
 56:1,3,16 60:20
sir 4:10,24 5:24 6:6,11
 6:25 7:7,13 8:24 9:10
 9:17,19,23 12:25 15:7
 19:2 27:5,12,16 28:1
 29:5 30:12 31:2,5
 33:23 34:1,6,15 36:18
 36:19 38:13,16,19,25
 39:2 43:17,25 44:20
 45:19,20,21 47:5,7,9
 47:16 48:1,22 49:4
 60:22 61:13 62:20
 65:18
sister 55:7
sit 15:16 16:15,21 17:11
 17:17,18 18:24 19:14
 19:16 20:9,18 21:2,3
 21:13,14,15,25 24:9
 24:23 33:12 55:11,14
 55:17 62:4
sitting 38:8,10 51:21,25
 56:6 64:12
situation 24:24 46:19
 54:6
six 37:17
Skanska 58:22
skip 34:18
Sky 52:25 58:4
small 46:16
so-called 31:21
sole 49:13
solution 16:7 50:12
solutions 47:11
somebody 17:18 22:8
somebody's 37:18
somewhat 47:1
sorry 4:12 5:12 6:20 8:5
 8:6 18:2 34:12 35:1,3
 35:10 36:7,13 40:8
 43:20 47:5 54:15
 56:19
sounds 19:25 65:12
space 14:1,2,5,9,12
 15:1 16:13,16,18 21:3
 23:12 55:8,13
span 20:23
speak 12:8 48:13,15
 49:7,19,22 58:13
speaking 5:1,11 6:9
 47:20 48:6,11,15 56:1
 56:3,16,18 60:20
specific 12:18 13:1,13
 17:2 25:18 27:7 47:7
 61:9

specifically 16:19
 56:23
specifics 25:13 52:3
spell 8:12,20 9:5,13,19
spelled 9:21
spending 51:2
spends 44:25
spoke 15:17 57:12
spot 22:3 61:11
spots 59:11,14
staff 2:2 19:7 58:5
stairs 33:13
start 8:11 12:5,6 13:2
 17:10 35:24,24 37:25
 61:10,25
started 29:15
starting 37:1
state 8:12 9:6,13,19
 27:15
stated 14:23 64:17
statements 61:24
states 11:3
status 18:23
stay 44:3 51:22
stays 57:11
step 20:1 23:2,18
steps 63:1
stop 36:9
stops 51:17
store 14:4 21:4,5
street 1:6,7,8 3:16 8:17
 10:9,16,17,20 15:6
 27:23 28:5,14,16,18
 28:23 29:19 32:23
 34:19,20,22 35:18,19
 37:14,20,25 38:1
 44:23,24 45:2,24 46:7
 46:18 52:10,11 53:3,3
 53:22 55:5 61:1
structure 39:21 41:10
 57:8,9
struggle 36:14
stuff 22:13 55:3
submit 63:8
Substantial 1:15
suffered 50:8,10 53:5
suffering 10:11
suggest 53:24
suggested 6:1
summer 11:3,5 28:6,9
 28:24 29:17,18 30:6,7
 30:9,16,19 31:1,4
 37:19 38:1,8,10,23
 51:20 56:7 64:12
supervisor 27:22
supporting 11:16
supposed 17:16
sure 8:14 9:23 20:6

24:8 26:5 30:17,21,23
 31:15 32:20,24 42:1
 44:8 46:3,17 51:16,19
 57:1 58:13 60:18
 62:22
surveillance 28:12
sustained 53:11
sworn 12:17
system 58:1

T

T-R-I-S-T-O-N 8:25
t/a 1:7
tables 10:18 11:6 22:4
 29:23 30:15,21 41:11
 51:21 56:24 57:16
tad 35:11
take 12:18,22 13:1 16:1
 24:6 50:23 53:16
 66:18
taken 7:20 12:21
talk 12:8 47:17 48:21
talked 17:1 59:8
talking 20:22 56:23
talks 55:22 63:24
tall 39:13 40:18,20
tell 6:7 15:16 19:15
 21:25 56:11
telling 40:6
tells 58:15
ten 28:9
Tenleytown 42:20
tens 55:8
term 17:11 64:1
terms 26:24
testimony 25:1
text 6:14 15:21
thank 5:4 9:17,22 15:7
 19:2,20,23,24 24:25
 25:1,5,7 27:13 33:15
 43:5,7,8,10,18 44:21
 44:21 53:8 54:6,8,17
 55:19 61:19 62:1,8,16
 65:12,15,16,21,21,23
 67:10,12,14
thefts 21:8
thing 8:14 14:22 21:25
 44:8 47:24 57:3 60:24
 64:22
things 12:5 18:16 50:13
 51:7 52:19 62:11
think 5:7 13:8 16:5,9,20
 17:24 20:7,24,24 21:3
 21:11,19 22:4,10 23:2
 23:4,9,16,21 24:17,22
 25:21,21 26:2,7,10
 32:9 33:7 35:5 37:17
 40:17 41:19 42:15

44:15 50:7 53:3 55:16
 58:13,14 63:2 64:13
thought 48:9
thoughtful 62:7
thoughts 49:25 50:2
 54:1
thousands 55:9
three 3:9 37:17 53:8
threw 65:3
tiling 38:22
time 10:20 13:17 17:25
 18:8,9 23:7,8 25:4
 27:3 28:10 29:4 36:20
 36:23 41:8 42:9,19
 50:13,17 54:1 55:10
 57:4 60:12 62:5
timely 67:7
times 20:20 58:2 62:4
Title 66:4
today 5:24 12:7 33:25
 65:16 67:11
told 18:21 63:22
top 14:22 55:8
total 40:22
track 16:6
traded 15:20
transition 24:21
transported 10:13
tree 45:21 61:1
trees 61:2,3,4,10,13,15
 61:19
trespassers 17:19 28:5
trespassing 17:9 29:25
 41:17 57:5
trim 61:6
Triston 2:3 5:14 6:17,20
 7:5 8:16,22 49:7
truly 23:9
try 4:16 61:6
trying 6:3 7:8 12:1 24:2
 32:9 36:14 47:10
 48:19 49:16
turn 4:10,24 6:25 7:7
turns 29:19
TVs 53:11
two 3:7 10:12,13 11:13
 29:7 37:16 49:16
 52:11 53:11 57:20
 60:4
type 30:2

U

ultimately 15:6 22:6
un-secure 11:1
unavailable 11:7
underneath 57:22
understand 42:21
understanding 26:15

26:20 30:11
understands 46:19
Understood 19:20
unfairly 46:15
unfortunate 53:19
unilaterally 45:3
uninviting 15:1 16:11
unit 10:8
unlawful 1:12 17:22
unsightly 23:10
unusable 30:23
usable 31:4
use 11:7 14:21 50:1
 65:7

V

value 11:14
values 44:23
variety 32:13
vehicle 35:9,12,15,20
verify 19:6
version 12:14 27:6,10
 28:3 29:2
victims 10:10,12,13
 53:5,21
Victor 9:1
video 14:10 34:3,6,18
 36:8,14 37:22 38:25
 39:5,23 40:1 43:6
 52:4,8,17
videoconference 1:19
view 28:20 33:3 35:10
 35:14 65:10
viewing 31:11
views 25:17 49:25
violating 30:7
violation 11:1 13:8
 17:21 30:7 31:13 63:7
 63:11,23,24
violations 30:4 63:6,20
 63:20 66:10
violence 10:12 11:12
 45:9 46:10,20 47:9
 53:22
violent 47:2
visibly 17:6
volunteer 12:20
vote 66:19

W

W 1:20,22
waistband 35:22
wait 4:2
waiting 5:5 7:3,24
walk 16:3 22:8,9 23:20
 55:5 58:12
walk-through 59:10,22
 60:7,13

walked 60:24	wounds 10:11	4
walking 52:5	wrap 44:3,6	4:00 58:6
want 4:14 12:24 13:12 20:14,20 21:13,15 24:9 27:11 28:7 29:1 30:17 42:25 44:3,22 46:1,17 47:15,15 50:11 52:5 53:24 54:16,23 55:14,17,20 60:9,10 62:24	wrong 13:9 45:20 48:23	405 66:5
	wrought 39:12,19 41:24 42:2,3 56:15,21 57:2	47,000 53:16
	X	5
	Y	50 28:15
	year 44:25	6
	years 20:10 31:14 40:11,14,15	6:00 58:11
	yellow 17:8 22:7 41:15	6E 1:8
	yesterday 16:2 18:14 18:21 21:1 23:2,6 55:4 58:25 60:25	7
	Z	8
	zero 56:24	9
	0	911 17:14 22:13
	1	96 11:18,22
	1:03 37:14	96-hour 11:16
	1:05 10:7	
	1:34 3:2	
	1:54:55 21:14	
	10:00 58:11	
	100 23:15	
	100,000 44:25 51:2	
	114984 1:9 3:17	
	12:30 29:9	
	12:45 29:10	
	14 1:17	
	15,000 53:10	
	18-year-old 50:5	
	2	
	2:14:52 36:24	
	2:35:17 55:7	
	2:42:02 61:14	
	2:44:18 63:17	
	2:45:20 64:10	
	2:48 67:18	
	20 37:14	
	2019 11:2	
	2024 1:17 10:6 44:12	
	22 1:8 10:16 52:11	
	23rd 66:14	
	24-251-00032 1:9 3:16	
	24/7 17:18 51:4	
	28th 66:6,13	
	3	
	3 37:7 66:4	
	30 28:15,15	
	3rd 10:6 15:15 17:4 44:12	
wanted 36:1,10 44:1 45:23 50:1		
wanting 16:7		
wants 16:8 45:14 49:3 61:24 62:20		
warranted 31:8,9		
wasn't 45:14 48:5 64:14		
way 12:23 16:20 24:1 27:8 35:16 46:3,9 51:3 61:11		
ways 44:14		
we'll 44:3,6 59:21 63:21		
we're 5:5 6:3 7:2 12:7 19:11,17,25 37:10 45:25 46:2 47:10 48:19 56:23 57:4,22 58:9,16,16,21,24 62:21,22,23 65:25		
we've 17:14,23 18:12 19:12,17 20:10,15 42:20 44:5,14 55:4 56:21		
Weapon 1:11		
WebEx 1:19		
website 67:6		
Wednesday 1:17		
week 58:7		
welcome 3:4		
went 13:11,20,21 14:15 23:3 44:4 67:18		
weren't 28:25 42:8		
Wharf 18:17		
white 35:13,23		
willing 19:11 46:21 59:9		
windows 36:24 53:9		
wish 43:16		
witness 14:14,17 19:16 19:18		
witnesses 19:12 51:9		
wonderful 62:11		
word 32:9		
work 15:19 36:23 43:1 58:17 64:24		
worked 45:6		
working 4:13 20:5 32:25 58:16,21 61:5,6		
works 58:5		
worried 42:10		

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: King Street Oyster Bar

Before: DC ABCA

Date: 08-14-24

Place: teleconference

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

Neal R Gross

Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1716 14TH ST., N.W., STE. 200

WASHINGTON, D.C. 20009-7831