

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
:
Decades, LLC :
t/a Decades :
1219 Connecticut Ave NW : Fact Finding
Retailer CN - ANC 2B : Hearing
License #103505 :
Case # 21-251-00026 :
:
(Chief of Police Hearing :
Request) :
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Wednesday
October 10, 2021

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

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

ALSO PRESENT:
SIMONE ANDREWS, DC ABRA Staff
ANTONIS KARAGOUNIS, Licensee
ANDREW KLINE, Licensee Counsel
INVESTIGATOR JOVAN MILLER, DC ABRA
LT. PAUL JOHNSON, DC MPD

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adjourned.42

Motion for ABC Board to hold a closed
meeting on October 21, 2021.42

 Vote43

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

2 3:12 p.m.

3 CHAIRPERSON ANDERSON: The next on our
4 calendar is Case No. 21-251-00026, Decades,
5 License No. 103505.

6 Ms. Andrews, can you please elevate
7 the rights of the parties?

8 MS. ANDREWS: Sure. Stand by.

9 Lieutenant Johnson, your rights have
10 been elevated.

11 Investigator Miller, your rights have
12 been elevated.

13 Mr. or Ms. Karagounis, your rights
14 have been elevated.

15 And I assume it -- I have on record
16 Ms. Yohannes is the attorney, but I do see Mr.
17 Kline. So, I'm going to make him -- elevate his
18 rights.

19 CHAIRPERSON ANDERSON: You can elevate
20 one of their rights. They're in the same firm.
21 So, you elevate one of their rights, if she's
22 here also.

23 MS. ANDREWS: Okay. Oh, she's not
24 here.

25 CHAIRPERSON ANDERSON: Okay. All

1 right. Okay.

2 MR. KLINE: And also, Mr. Karagounis.

3 CHAIRPERSON ANDERSON: Mr. who? Oh,
4 he's on the line. He's on the line, Mr. Kline.

5 All right. Good afternoon, everyone.

6 This is a fact-finding hearing on
7 Decades. An incident had occurred and the Chief
8 of Police had requested that we have a fact-
9 finding here. So, we're having this hearing this
10 afternoon.

11 All right. So, let's start with the
12 investigator, Mr. Miller. Please state and spell
13 your name for the record, please.

14 MR. MILLER: Good afternoon,
15 Chairperson.

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

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

20 You're on mute, sir.

21 LT. JOHNSON: Oh, okay. Unmute.

22 Lieutenant Paul Johnson, 2nd District.
23 It's P-A-U-L. Last name is Johnson,
24 J-O-H-N-S-O-N.

25 CHAIRPERSON ANDERSON: Thank you, sir.

1 Mr. Kline, can you state and spell
2 your name for the record, and then, let me know
3 who's with you. And then, they can identify
4 themselves.

5 MR. KLINE: Yes. Good afternoon, Mr.
6 Chairman and Members of the Board.

7 Andrew Kline, A-N-D-R-E-W; Kline,
8 K-L-I-N-E.

9 And with me is Antonis Karagounis.
10 Antonis, I'm going to let you spell
11 that.

12 CHAIRPERSON ANDERSON: Mr. Kline,
13 remember, what did I say? I said, please tell me
14 who's with you, and then, they can introduce
15 themselves.

16 MR. KLINE: Oh. Sorry.

17 CHAIRPERSON ANDERSON: So, Mr.
18 Karagounis --

19 MR. KARAGOUNIS: Yes?

20 CHAIRPERSON ANDERSON: -- can you
21 please state and spell your name for the record,
22 please?

23 MR. KARAGOUNIS: The name is Antonis
24 Karagounis, A-N-T-O-N-I-S K-A-R-A-G, as in
25 George, O-U-N-I-S. Antonis Karagounis, Managing

1 Partner of Decades.

2 CHAIRPERSON ANDERSON: All right.

3 Thank you.

4 Good afternoon, everyone.

5 All right. Again, this is a fact-
6 finding hearing. The Board is just gathering
7 facts. The Board has made no decision, no
8 determination about what action, if any, it will
9 take. Because it's a fact-finding hearing, we're
10 just gathering information. The Board cannot
11 legally order the parties to take any -- the
12 Board cannot legally order the licensee to take
13 any specific action. The licensee, however, can
14 volunteer to make changes, but the Board cannot
15 order the licensee.

16 And again, this is informal. This is
17 informal in the sense that the parties have not
18 been sworn in. We're just gathering information.
19 The Board, at the end, will take this matter on
20 advisement and we'll determine whether or not we
21 will take no further action, or whether or not we
22 will refer this matter to the Office of the
23 Attorney for the action, if any.

24 All right. So, everyone is aware of
25 where we are. And so, it's just a matter of

1 gathering information. I will ask the Board
2 investigator to give his report. Then, I will
3 have Lieutenant Johnson to make any additions or
4 statements that he so desires. And then, the
5 Board members will have the opportunity to
6 question the investigator or the lieutenant.

7 And then, you will have that
8 opportunity, Mr. Kline, to question the
9 investigator and/or the lieutenant. And once
10 that's done, if there is any testimony that you
11 want to put on on behalf of your client, you will
12 have that opportunity to do that.

13 All right. So, I'll start with Mr.
14 Johnson. So, Mr. Johnson -- okay, I'm sorry.
15 I'm sorry. I'm sorry. Mr. Miller. You see, Mr.
16 Miller, the unfortunate thing is because the
17 Board, we have not met in person in almost a
18 year, I am forgetting who the investigators are.
19 So, I apologize, Mr. Miller. All right? Mr.
20 Miller, I do apologize.

21 All right. So, Mr. Miller, can you
22 please identify yourself for the record and let
23 us know where you're employed and how did you
24 become aware of Decades, please?

25 STATEMENT OF JOVAN MILLER, INVESTIGATOR

1 MR. MILLER: I am ABRA investigator
2 for the Alcoholic Beverage Regulation
3 Administration.

4 I was aware of this incident.
5 Actually, this investigation was initiated based
6 on the MPD-251 report. I was ABRA investigator.
7 Supervisory Investigator Mark Brashers received
8 the ABRA hotline call by MPD. MPD advised SI
9 Brashers that a stabbing occurred inside of
10 Decades and he requested ABRA assistance.

11 Myself responded to the establishment
12 and made contact with MPD officers on the scene.
13 During the incident alleged, there was an alleged
14 altercation between multiple patrons that
15 occurred inside the establishment. During the
16 altercation, patrons received minor injuries and
17 a second patron was stabbed in the abdomen.

18 When I was on the scene, I had the
19 opportunity to interview the ABC manager, Mr.
20 Diego Sequiera. Sorry if I have pronounced his
21 name wrong. Sequiera.

22 CHAIRPERSON ANDERSON: How do you
23 spell that, sir?

24 MR. MILLER: Diego, D-I-E-G-O. Last
25 name is Sequiera, S-E-Q-U-I-E-R-A. Sequiera. It

1 might be Sequiera. Excuse me if I pronounced it
2 wrong.

3 Mr. Sequiera stated that he was
4 notified by security personnel of the allegation,
5 altercation -- excuse me -- altercation. He also
6 stated security separated the parties and
7 escorted them outside of the establishment.

8 It is well established that the
9 establishment was unaware of the stabbing that
10 occurred until MPD notified them.

11 I also, while on the scene,
12 interviewed two of Decades' security personnel,
13 Mr. Garnett Wright. That is G-A-R-N-E-T-T. Last
14 name, Wright, W-R-I-G-H-T. And the other
15 security personnel is Mr. Stephon Bush, Sr. That
16 is S-T-E-P-H-O-N. Last name, Bush, B-U-S-H.

17 Mr. Wright stated that he observed the
18 altercation. He observed the altercation. He
19 also stated that he contacted personnel Stephon
20 Bush to assist him.

21 Mr. Wright stated that he grabbed the
22 patron who seemed more of the aggressor and moved
23 him through the situation. He escorted the
24 patron outside of the establishment, as he picked
25 up -- excuse me. Sorry. He escorted the patron

1 out of the establishment after he picked up her
2 purse that she left behind. He also was unaware
3 of the stabbing and was never notified.

4 Mr. Bush stated he was advised by his
5 manager to assist Mr. Wright in the altercation.
6 He removed the other patrons from the area and
7 asked management to call for the elevator, so the
8 patrons could exit the establishment.

9 He also stated that a busser who
10 routinely sweeps the area found a knife on the
11 floor near the VIP section. Mr. Bush stated he
12 picked up the knife and notified his manager and
13 relinquished the knife to MPD.

14 While on the scene, I had the
15 opportunity to speak with the victim's friend,
16 Mr. Ryan Johnson. Mr. Ryan Johnson stated --
17 excuse me. I will spell his name. R-Y-A-N.
18 Last name, Johnson, J-O-H-N-S-O-N. He was
19 present during the assault.

20 Mr. Johnson stated that Mr. Eisner
21 (phonetic), who is the victim, came to him
22 stating that his side was hurting. Mr. Johnson
23 stated that Mr. Eisner, who is the victim, lifted
24 his shirt and revealed a laceration to his
25 abdomen. They decided to leave the establishment

1 and proceed out.

2 I asked Mr. Johnson if he notified the
3 establishment of the incident. Mr. Johnson
4 stated that he wasn't sure what to do and wanted
5 to get the victim some help.

6 I was not able to interview either of
7 the victims, Ms. Cunningham or Mr. Eisner.

8 I had an opportunity to speak
9 telephonically to MPD Officer Caleb Gillett.
10 Also, Gillett stated that Ms. Cunningham, who is
11 the victim, too, stated that, while in the VIP
12 section of the establishment, the suspect lunged
13 at her with a knife, stating that "That's my
14 fiancee." Ms. Cunningham stated that she covered
15 her face with her hands and received cuts to her
16 nail on her right index finger.

17 I asked the Agency manager, Mr.
18 Sequiera, for video surveillance footage. I had
19 a chance to review security cams, and from the
20 footage I received, I was able to see Mr. Bush,
21 one of the security personnel, removing two of
22 the ladies from -- two of the persons involved to
23 the elevators, and later on, another female
24 joined them, as they were escorting out. I did
25 not see Mr. Wright and the other suspect in any

1 of the footage.

2 I had a chance to review their
3 Settlement Agreement. There were no Settlement
4 Agreement violations. I also reviewed the
5 security plans and determined that there was no
6 violations that occurred that night.

7 But I would like to add some notes
8 that were notes that were not in the report, if I
9 could, Chairperson?

10 CHAIRPERSON ANDERSON: Sure. Go
11 ahead, please.

12 MR. MILLER: While talking to security
13 personnel, I asked them how did they communicate.
14 They said they communicated through Facebook
15 Chat. After reviewing their security plan again,
16 it noted that all security personnel and hosts
17 will have two-way radios. The night of the
18 incident, they did not -- I do not recall seeing
19 them with two-way radios. I do only remember
20 them stating that they use Facebook Chat.

21 Also, their security plan does not
22 speak on pat-down procedures or bag searches.

23 And that is it, Mr. Chairperson.

24 CHAIRPERSON ANDERSON: Okay. Thank
25 you, Mr. Miller.

1 Lieutenant, again, this is a fact-
2 finding hearing requested from the Chief of
3 Police. Is there anything you could add to what
4 occurred at Decades, please.

5 STATEMENT OF LT. PAUL JOHNSON, DC MPD

6 LT. JOHNSON: What he said was pretty
7 much accurate. But correct me if I'm wrong, Mr.
8 Miller, but I don't think they had a reimbursable
9 detail that night. The Rosebar did. This was
10 like the Rosebar, like two doors down. I think
11 it's 1215. And I think one of the Complainants
12 flagged down Officer (audio interference) and the
13 reimbursable detail at the Rosebar. And he came
14 over the radio and let us know that the stabbing
15 had occurred at the Decades.

16 That's all I have.

17 CHAIRPERSON ANDERSON: All right.

18 Thank you.

19 Are there any questions by any Board
20 members of the lieutenant or Mr. Miller?

21 MEMBER SHORT: Mr. Chair, I have a
22 question for Investigator Miller.

23 CHAIRPERSON ANDERSON: Yes, Mr. Short.

24 MEMBER SHORT: Good afternoon, Mr.
25 Miller or Investigator Miller. Good afternoon,

1 Investigator Miller.

2 MR. MILLER: Good afternoon. How are
3 you doing?

4 MEMBER SHORT: Okay.

5 On the evening of the event, what time
6 did you get there, approximately?

7 MR. MILLER: I approximately got there
8 between 12:00, I would say about 12:45 a.m.

9 MEMBER SHORT: What is the alleged
10 time of the assault that happened?

11 MR. MILLER: Happened around 11:30 or
12 11:00, between 11:15 and 11:30.

13 MEMBER SHORT: In your investigations,
14 did anyone from Decades, when you interviewed
15 them, know that someone had been stabbed inside
16 the club?

17 MR. MILLER: No, sir.

18 MEMBER SHORT: No one? No one knew
19 anything?

20 MR. MILLER: I was, when I was
21 speaking to security staff and other personnel
22 from the establishment, everyone claimed that
23 they weren't notified until MPD notified them.

24 MEMBER SHORT: Well, approximately
25 what time was the knife found on the floor by the

1 sweeper?

2 MR. MILLER: I am not sure. I do not
3 recall the security personnel telling me that.

4 MEMBER SHORT: Okay. They do have a
5 security plan, is that correct?

6 MR. MILLER: Yes, sir.

7 MEMBER SHORT: What exactly does the
8 security plan say when an incident happens, and
9 if they should preserve the crime scene? Is that
10 any part of their security plan?

11 MR. MILLER: From what I remember from
12 their security plan, which I have right in front
13 of me, I can tell you exactly what it says for
14 that portion.

15 MEMBER SHORT: Thank you.

16 MR. MILLER: All right. For incident
17 reports, it states, "Whenever an incident occurs
18 inside or outside of the establishment, security
19 personnel involved must fill out an Incident
20 Report. This report must include all the proper
21 and correct information. Management must, then,
22 review and approve the report for accuracy, and
23 then, record the document in the security log."

24 For preserving crime scene, it states,
25 "Whenever a criminal incident occurs inside or

1 outside the establishment, security personnel
2 involved must take appropriate measures to secure
3 the crime scene. This will include cordoning off
4 the crime scene with rope or tape and not
5 allowing other staff or guests to penetrate the
6 crime scene, so that the evidence is not
7 compromised before the arrival of MPD."

8 MEMBER SHORT: Okay. So, that's very
9 plain and simple. To your knowledge, did they
10 follow those instructions or those directions in
11 that security plan?

12 MR. MILLER: For the Incident Report,
13 they did follow their security plan for
14 preserving the crime scene. As far as the
15 knowledge, of them not knowing about the stabbing
16 that occurred, I can say that they followed their
17 security plan, since they did not have knowledge.

18 MEMBER SHORT: And the footage you saw
19 in the video, it didn't show anybody having any
20 altercations or anything happening?

21 MR. MILLER: No, sir. The angles of
22 the cameras did not have the VIP section area.
23 So, I could not see the altercation that
24 occurred.

25 MEMBER SHORT: So, in your opinion as

1 an investigator, if the cameras were different
2 and they did have that VIP section, it would
3 cover the club a little better? Would that be a
4 fair statement?

5 MR. MILLER: I would say that, for
6 them to -- it would be better for them to angle
7 it for more higher -- or angle their cameras a
8 little bit more better, so that you can see more
9 of the floor. So, they have some cameras that
10 are missing in certain areas that would probably
11 help out for us to be able to know what happened.

12 MEMBER SHORT: Thank you.
13 This question is for Lieutenant
14 Johnson.

15 How are you today, Lieutenant?

16 LT. JOHNSON: Good. How you doing?
17 Good evening.

18 MEMBER SHORT: Okay. Thank you for
19 your service, sir.

20 Lieutenant, when was MPD notified of
21 a stabbing inside of Decades? What time?

22 LT. JOHNSON: We were notified around
23 -- what's the time you got that report, sir, Mr.
24 Miller?

25 MR. MILLER: At 12:30.

1 LT. JOHNSON: I'm sorry?

2 MR. MILLER: We were notified at
3 12:30.

4 LT. JOHNSON: Yeah, it's Rosebar has
5 reimbursable detail outside of the club. He was
6 notified by one of the Complainants when they
7 were escorted out by security. So, the report
8 time was probably the time we were notified.

9 MEMBER SHORT: Let me get that again,
10 and let me paraphrase what you just -- the way I
11 interpreted what you just said.

12 You're saying the security
13 reimbursable detail in front of Rosebar --

14 LT. JOHNSON: Yes, sir.

15 MEMBER SHORT: -- were told by the
16 victims that they were escorted out of --

17 LT. JOHNSON: Decades.

18 MEMBER SHORT: -- out of decades --

19 LT. JOHNSON: When they were stabbed.

20 MEMBER SHORT: -- when they were
21 stabbed. So, that means that someone from
22 Decades did know, if that's true? If that's
23 true, if that's true that they informed the
24 reimbursable detail, that MPD detail, that they
25 had just been escorted out of Decades with a stab

1 wound --

2 LT. JOHNSON: Uh-hum.

3 MEMBER SHORT: Is that true or not?

4 LT. JOHNSON: As far as I know, that's
5 true, that one of the victims -- and it was a
6 female victim that was cut on the hand, and it
7 was a male victim that was stabbed in the side.
8 And they notified the officer that they had been
9 stabbed inside of Decades.

10 And that was within about 10 minutes
11 when I got there. I reinformed security that
12 there was a stabbing inside the club, but they
13 acted like they didn't know. So, and we had them
14 preserve the crime scene like you say. We had
15 them get everybody out, because on the scene,
16 they were still having a party in the club.

17 MEMBER SHORT: So, did the MPD take
18 charge of the weapon, the knife that was found
19 out?

20 LT. JOHNSON: I'm not sure when the
21 weapon was found, but I know we had to clear
22 everybody out first, and then, that's why it got
23 a little bit after that probably. Because there
24 was still plenty of activity happening in the
25 club night.

1 MEMBER SHORT: Okay. So, when was MPD
2 notified that there was a knife found inside of
3 Decades?

4 LT. JOHNSON: I never had an idea how
5 the knife was found inside the club. I don't
6 know when the knife was found.

7 MEMBER SHORT: So, as far as MPD
8 knows, there was no knife?

9 LT. JOHNSON: I'm not sure. There was
10 a detective on the scene that was there. They
11 probably -- he might have been notified that
12 night, but he never notified me that the knife
13 was found on that night. So, I'm not sure when
14 they found the knife.

15 MEMBER SHORT: Okay. Thank you very
16 much for you testimony.

17 That's all I have, Mr. Chair.

18 CHAIRPERSON ANDERSON: Thank you, Mr.
19 Short.

20 Any other questions from any of the
21 Board members?

22 (No response.)

23 Mr. Kline, any questions of the Board
24 members -- I'm sorry. Mr. Kline, any questions
25 of the investigator or the lieutenant?

1 You're on mute, Mr. Kline.

2 MR. KLINE: Sorry. Another two years
3 and I'll get this right.

4 Lieutenant, good afternoon.

5 A couple of questions. So, in terms
6 of -- I mean, you don't have any knowledge in
7 terms of whether a knife was turned over to MPD
8 or not? Is that fair?

9 LT. JOHNSON: Right. I have no
10 personal knowledge if the knife was turned --

11 MR. KLINE: Okay. And so, if the
12 establishment says it was, you don't have any
13 reason to doubt that at this point, do you?

14 LT. JOHNSON: Not at this point, no.

15 MR. KLINE: Okay. In terms of the
16 crime scene, they did preserve the crime scene,
17 correct?

18 LT. JOHNSON: Yeah, they did when we
19 let them know, you know, that there was a
20 stabbing inside and to get everybody out, so that
21 we could preserve the scene. They did cooperate
22 and preserve the scene.

23 MR. KLINE: And, I mean, you suggested
24 that the stabbed individual was escorted out.
25 From where do you get that information?

1 LT. JOHNSON: From the victims. They
2 said at the club that the club bouncers escorted
3 them out.

4 MR. KLINE: Isn't it true that the
5 victim didn't realize he had been stabbed until
6 he was outside?

7 LT. JOHNSON: I believe so. Yeah,
8 that sounds accurate.

9 MR. KLINE: Okay. So, I mean, the
10 fact that they escorted them out didn't mean they
11 -- you know, if he didn't know he was stabbed,
12 they didn't know he was stabbed. Correct?

13 LT. JOHNSON: Yeah, they probably
14 didn't know. I would agree they probably didn't
15 know he was stabbed. He never said that he told
16 anybody that he got stabbed, except for the
17 officer.

18 MR. KLINE: And once he was escorted
19 out, he was immediately put in contact with MPD,
20 correct?

21 LT. JOHNSON: I think they walked on
22 their own down there, but there was an officer
23 standing outside the Rosebar. It was like two
24 doors down.

25 MR. KLINE: Right.

1 LT. JOHNSON: I think they found him
2 there.

3 MR. KLINE: Right.

4 LT. JOHNSON: Yeah.

5 MR. KLINE: Okay. That is all I have.
6 Thank you, Lieutenant.

7 LT. JOHNSON: Uh-hum.

8 CHAIRPERSON ANDERSON: Thank you.

9 I have some questions. It's for --
10 why don't you do your presentation, Mr. Kline?
11 Do you have any -- you already indicated you have
12 representations to me?

13 STATEMENT BY ANDREW KLINE, LICENSEE'S

14 REPRESENTATIVE

15 MR. KLINE: Yeah, a few. Yes.

16 It is our understanding in terms of
17 investigating this matter that security personnel
18 -- in fact, the individual who was stabbed did
19 not know until he came out that he had been
20 stabbed.

21 The knife was recovered sometime later
22 during cleanup. It was immediately turned over
23 to the MPD. The establishment, we think, did
24 what it could, although there are a couple of
25 things that we have looked at, and one of which

1 has already been implemented.

2 And that is, there are now pat-downs
3 on every night that they're open. Before, they
4 were only doing them on specific nights when they
5 deemed it was warranted, but that policy has been
6 changed.

7 The second is this establishment has
8 actually arranged to have RDO since July.
9 Unfortunately, on this night, RDO didn't show up
10 for them. I mean, they were there for Rosebar.
11 We know that there's been, for whatever reason, a
12 tremendous shortage among available RDO officers.
13 I'm not sure what we all do about that. But this
14 establishment has RDO, or tries to have RDO.

15 They, obviously, can't control when
16 and if the officers show up, and that's been a
17 challenge since the pandemic. I'm presuming that
18 the officers are needed elsewhere. I don't know.
19 I know that there's been shortages across all
20 industries, I presuming also the Police
21 Department, in terms of personnel. So, that's
22 been a problem.

23 The other thing that we will do -- and
24 this became apparent during what we just heard --
25 is Mr. Karagounis will conduct a review of the

1 security cameras to make sure that there is
2 coverage. And I know in the past ABRA has
3 sometimes had an investigator involved in that.
4 Happy to do that. Happy to cooperate with that.

5 There's no intention for there not to
6 be complete coverage. There are 40 cameras in
7 that establishment. And if some of them need to
8 be realigned, so that there's appropriate
9 coverage, then Mr. Karagounis is committed to
10 seeing that that's done.

11 There is a bit of an issue in terms of
12 the security systems these days getting
13 replacements when things break because of the
14 supply chain issues which are being experienced
15 across all industries. But, that being said,
16 there will be a reexamination of coverage, and
17 we'll do an appropriate coverage map, so that
18 it's clear that there's coverage of the
19 establishment.

20 I think this was unfortunate. It's
21 unknown where this weapon came from, but the
22 establishment is committed to taking steps to
23 assure that weapons do not get into these
24 premises.

25 And we would ask the Board, to just

1 kind of generally, to inquire as to what's
2 happening with respect to RDO, and maybe there
3 needs to be some examination of the RDO system
4 moving forward, if, indeed, it's found that there
5 are not officers available to do it. I don't
6 know whether that's true, but I have heard that,
7 and have heard that from the licensee in this
8 situation, that they had appropriately arranged
9 to have them, and they were not there.

10 So, that is what we have. We are
11 happy to answer any questions or try to address
12 any concerns that you, Mr. Chairman, have or any
13 of the Board members have, with respect to this
14 incident.

15 CHAIRPERSON ANDERSON: Thank you, Mr.
16 Kline.

17 I just have a quick questions for
18 Lieutenant Johnson. Lieutenant Johnson, are you
19 aware of -- Mr. Kline had stated that a request
20 was made for RDO, and there was no RDO that
21 evening. Are you aware of this? Or was this
22 ever made known to you?

23 LT. JOHNSON: Yeah, we do have an RDO
24 list. I mean, (audio interference) would also
25 work in this club. And that night, he's right,

1 in that no one signed up to work at the Decades.
2 All they had was a voluntary assignment.
3 Officers sign up to work a club all the time, and
4 they can select any club that has it available.
5 And no one selected to work at Decades that
6 night. So, they didn't have anybody.

7 CHAIRPERSON ANDERSON: Okay. So, you
8 had officers at Rosebar, which was about two
9 doors down, but no one was at Decades, which
10 was --

11 LT. JOHNSON: Yeah, no one chose to
12 work at Decades that night.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you for that clarification.

15 MR. KLINE: Mr. Chairman, if I may,
16 because I think it's worth having the discussion.
17 We all hear about these issues. I think that I
18 don't know that that would have made a difference
19 here. It seems to me the proximity of the
20 Rosebar RDO probably did as much as could have
21 been done if there had been an RDO in front of
22 this place. That may not be the case next time.

23 So, I raise that kind of generally,
24 but, I mean, I think in this case, the fact that
25 there was already an RDO just a couple of doors

1 down, for this case did as much as could have
2 been done anyway. But we are concerned in the
3 future moving forward because this establishment
4 is committed to the safety of its patrons and its
5 employees, and is willing to pay the money for
6 RDO. But if they can't get officers to sign up,
7 then we've got a bigger problem.

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

10 I thought you were saying one of the
11 defenses, on behalf of your client, is that they
12 had requested RDO, and RDO did not, was not made
13 available that night. And so, that's why I was
14 trying to find out whether or not that was a
15 factual -- at least if the lieutenant was aware
16 if that was factual or that was just the attorney
17 making arguments on behalf of this client.

18 MR. KLINE: That was not, Mr. Chair.
19 I appreciate you verifying it.

20 CHAIRPERSON ANDERSON: All right.
21 Thank you.

22 All right. Mr. Kline, do you know --
23 you or Mr. Karagounis can respond -- do you know
24 how many security personnel was working that
25 night?

1 MR. KLINE: Mr. Karagounis?

2 MR. KARAGOUNIS: We usually schedule
3 26 people. I'm not aware if everybody had showed
4 up that night, but we always have over 20 in the
5 establishment.

6 CHAIRPERSON ANDERSON: But are you
7 stating that you believe that there was over 20
8 that night?

9 MR. KARAGOUNIS: There was definitely
10 over 20, but I'm just not sure 26, 25, 27; I'm
11 not sure. That's our problem.

12 CHAIRPERSON ANDERSON: So, what are
13 your security admissions procedures on August
14 22nd? I think Mr. Kline had made some
15 representation about changes, too, that were
16 subsequently made. But do you recall what were
17 the security procedures that were being utilized
18 that night?

19 MR. KARAGOUNIS: Well, just checking
20 IDs at the front door and we admit patrons.

21 CHAIRPERSON ANDERSON: But let me ask
22 that question. I mean, why -- so you have never
23 patted down? You had never used wands or a pat-
24 down of the clients attending the establishment?

25 MR. KLINE: They did. They have used

1 pat-downs, but they've used it selectively, based
2 upon the character of the entertainment that
3 night, the character the expected crowd, and they
4 made judgments in terms of when to do pat-downs.
5 And the procedure that they're changing is
6 they're no longer going to make those judgments.
7 They're just going to do it every night.

8 CHAIRPERSON ANDERSON: Now do you use
9 -- I know, but what type of searches or what is
10 it that was done previously? I mean, obviously,
11 pat-downs. Do you guys use wands? Or, if they
12 were not in use that night, moving forward, do
13 you use wands? Do you use a metal detector? I
14 mean, what is it that you're utilizing to
15 facilitate the entrance into the establishment
16 moving forward?

17 MR. KLINE: Mr. Karagounis does not
18 believe that the technical or the mechanical
19 apparatuses are reliable in terms of wands, and
20 the like, and believes in physical pat-downs,
21 since that's a more effective approach. Is that
22 right, Mr. Karagounis?

23 MR. KARAGOUNIS: Yes. Yes. The
24 wands, in my experience, do not work. They keep
25 on beeping for whatever reason. So, we do the

1 physical pat-downs.

2 CHAIRPERSON ANDERSON: You know, I'm
3 not going to tell an establishment whether or not
4 they should do pat-downs or wands. But I know
5 when I travel, they don't do -- they do the
6 metal, should I say something similar to a wand?
7 And once that goes off, then they do the pat-
8 down. It's not the other way around. But I'm
9 not going to tell you. You're a businessman.
10 You operate your business. I'm not going to tell
11 you whether or not you should use, at least at
12 this juncture, whether or not you should do a
13 pat-down; you should use a wand prior to a pat-
14 down, or vice versa. I'm just asking some
15 questions.

16 I know that the individuals were put
17 out of the establishment, and they were not
18 aware, I guess the individual was not aware that
19 they were stabbed until they came out. Do you
20 know -- I'm sorry. All right. In asking a
21 question, I've answered my question because it
22 appears that the persons, they were in the VIP
23 section.

24 Now do you have any cameras in the VIP
25 section?

1 MR. KARAGOUNIS: I guess, can I
2 respond to that?

3 MR. KLINE: Yes.

4 MR. KARAGOUNIS: Yes, there's cameras
5 all over the floor. I believe there's six
6 different cameras on the floor at least.

7 CHAIRPERSON ANDERSON: And so, do you
8 know, how was it that your security person, how
9 were they alerted to this incident? What
10 happened? How were they alerted to this
11 incident?

12 MR. KARAGOUNIS: They saw an
13 altercation between patrons. So, they just --
14 one separated them and escorted them out.

15 CHAIRPERSON ANDERSON: So, was there
16 any security -- what type of security do you have
17 in the VIP section?

18 MR. KARAGOUNIS: I'm sorry?

19 CHAIRPERSON ANDERSON: What type of
20 security? What level of security do you have in
21 the VIP section? I mean, how large is --
22 describe, okay, describe the VIP section where
23 this incident occurred.

24 MR. KARAGOUNIS: Oh.

25 CHAIRPERSON ANDERSON: Please tell me

1 how many people can be in the VIP section and
2 what type of security you normally have.

3 MR. KARAGOUNIS: Yeah, it's five
4 tables, five couches. So, 30-40 people maybe.
5 It's not a separate area necessarily separated
6 from the club. It's just a continuation of the
7 floor, and just people doing bottle service.
8 That's all the VIPs. It's not really VIP that
9 you have to respond to walk in or anything like
10 that. So, there is a seating area.

11 CHAIRPERSON ANDERSON: So, is this
12 area cordoned off or is it just --

13 MR. KARAGOUNIS: On the sides, but for
14 the most part it's open. But you cannot really
15 walk in there unless you have a table because
16 those tables are along with the couches. So,
17 people don't just wander in there, you know.
18 It's a little bit to the corner of the place.
19 So, it's not a traffic area.

20 CHAIRPERSON ANDERSON: All right. So,
21 do they have a separate security system? Do they
22 have separate security or is it just the security
23 for the club?

24 MR. KARAGOUNIS: It's good for the
25 club, and it's right next to the bathrooms. So,

1 there's always one security right next to it, and
2 there's another security at the bar that is
3 about, I want to say, 10 feet away. So, there's
4 a couple of security guys on that side of the
5 floor. The floor is this long. It's about 60-
6 feet long and 22-feet wide. So, it's just a long
7 floor.

8 CHAIRPERSON ANDERSON: Now how is it
9 that -- I know you have a security plan. So, if
10 your establishment was aware of the incident --
11 this is if they were aware of the incident --
12 what's the process and procedure that's followed
13 by your establishment?

14 MR. KARAGOUNIS: In a case of a
15 stabbing or in a case of fight?

16 CHAIRPERSON ANDERSON: Well, in this
17 case. I mean --

18 MR. KARAGOUNIS: Okay.

19 CHAIRPERSON ANDERSON: And you're
20 stating that no one knew that a person got
21 stabbed until they got outside.

22 MR. KARAGOUNIS: Yes.

23 CHAIRPERSON ANDERSON: If they were
24 aware that a person was stabbed in the VIP
25 section, what process and procedures do you

1 follow to address that issue?

2 MR. KARAGOUNIS: They would secure --
3 they do -- they would secure the area and get the
4 MPD officers from the front door.

5 And --

6 CHAIRPERSON ANDERSON: Now -- I'm
7 sorry, go ahead. Go ahead, sir.

8 MR. KARAGOUNIS: So you understand,
9 the person that walked to the front and said they
10 felt they were wounded, they didn't even know
11 they got stabbed because they were not part of
12 the fight. My understanding is the people that
13 fought pushed each other, and somebody bumped
14 into the person that actually got hurt. So, the
15 person that got hurt didn't even know they got
16 hurt because he wasn't involved in any fights.

17 CHAIRPERSON ANDERSON: Okay.

18 MR. KARAGOUNIS: He was just standing
19 by, and somebody got pushed into him. And then,
20 we escorted the people fighting outside, and that
21 person just walked out by himself, came to the
22 front door and said, "I'm feeling -- I feel like
23 I got hurt. I see blood." And then, we got the
24 police officers.

25 I don't know the specifics, if they

1 got the police officer first or they got the
2 security first. They walked to the front door
3 and they complained. And the police officers
4 were right outside.

5 And the statement that the police
6 officers were always outside of Rosebar, maybe
7 for that night, is accurate; I'm not sure. But,
8 because of the bus top that we have right
9 outside, sometimes the Rosebar police officers
10 and our police officers are all parked right
11 outside of Decades, because there's a bus stop
12 right outside of -- between Rosebar and Decades.
13 So, depending on how people are parking,
14 sometimes they park outside of our establishment
15 for both places.

16 CHAIRPERSON ANDERSON: All right.
17 Okay.

18 I have an off -- I'm prefacing my
19 statement -- I have an off-topic question that
20 I'm asking. It's my understanding that your
21 establishment was given a warning this past
22 weekend, based on a COVID violation, in the sense
23 that I think the staff was not wearing masks.
24 Can you tell us what are the COVID
25 procedures that your establishment currently

1 follows?

2 MR. KARAGOUNIS: We inform people that
3 they need their masks to walk in. If they don't
4 have a mask --

5 CHAIRPERSON ANDERSON: Staff. Staff.
6 Staff.

7 MR. KARAGOUNIS: Oh, the staff is
8 required on the indoor floors to wear a mask,
9 both indoor security and managers alike.

10 CHAIRPERSON ANDERSON: So, how is this
11 policed? Because it's my understanding that you
12 were provided a warning this weekend, based on
13 staff, not the public. The staff. So, that's
14 why I'm trying to find out, how is this policed
15 by management?

16 MR. KARAGOUNIS: When they see a
17 security not wearing a mask, you tell them to put
18 a mask on.

19 CHAIRPERSON ANDERSON: Okay. Any
20 questions by any Board members, in follow up to
21 any of the questions I asked?

22 MEMBER SHORT: Mr. Chair, I just
23 have --

24 CHAIRPERSON ANDERSON: Yes, Mr. Short?

25 MEMBER SHORT: Yeah, this is for the

1 owner.

2 Good afternoon, sir.

3 MR. KARAGOUNIS: Hello.

4 MEMBER SHORT: You say the people that
5 were escorted out didn't know that they were
6 injured. So, was one of the people escorted out
7 the young lady who was cut on the hand?

8 MR. KARAGOUNIS: The people were not
9 -- the people that were injured were not escorted
10 outside. They walked to the front door and
11 informed us that they feel they got hurt, at the
12 front, and that's when we got the police, and the
13 police got involved and they came inside.

14 MEMBER SHORT: Okay. I'm hearing you,
15 but I'm just trying to understand you. So, a
16 young lady was cut on the hand, which means she
17 would have been bleeding from the hand. She had
18 to know she was injured.

19 MR. KARAGOUNIS: I do not know the
20 lady -- I'm discussing what with the person that
21 got hurt on the abdomen.

22 MEMBER SHORT: Did you know about the
23 lady getting cut on the hand also?

24 MR. KARAGOUNIS: I do not.

25 MEMBER SHORT: This is the first time

1 you're hearing it?

2 MR. KARAGOUNIS: That is the first
3 time I hear it.

4 MEMBER SHORT: Thank you, Mr. Chair.
5 That's all I have.

6 CHAIRPERSON ANDERSON: All right.
7 Thank you, Mr. Short.

8 Mr. Kline, one of the things I heard
9 you talk about was you talked about camera
10 coverage. And so, I think you volunteered or you
11 stated that you didn't mind ABRA coming in and an
12 investigator coming in to look at blind spots and
13 make some recommendations regarding changes that
14 can be made. Is that something that your client
15 is willing, would like ABRA to do?

16 MR. KLINE: Yeah. Certainly, I mean,
17 we heard concerns about coverage, and let's make
18 sure we've got it. I mean, he's not paying for
19 40 cameras for there not to be coverage. They've
20 always complied with requests to turn in their
21 video, and they will. But let's make sure that
22 we've got all the angles covered. Happy to do
23 that.

24 CHAIRPERSON ANDERSON: All right. So,
25 there's a commitment that I will ensure that the

1 Agency follows up with the licensee when
2 provisions can be made to do a walk-through to
3 make recommendations regarding the camera
4 coverage. And this is an agreement. This will
5 occur, irrespective of whatever decision that the
6 Board makes, whether or not further actions
7 should occur or whether or not this matter should
8 be referred to the Office of the Attorney General
9 for further development.

10 All right. All right. Any questions,
11 statements by any parties before I bring closure
12 to this hearing?

13 MR. KLINE: I just have one. And I
14 just, yeah, I want to stress that this operator
15 wants to do what he can do to keep his patrons
16 safe and his employees safe. And, you know,
17 that's why we're certainly willing to look at
18 cameras and anything else that can be done.
19 That's why he's willing to pay for RDO. That's
20 why, when this incident occurred, he looked at
21 his searching policy and decided to change it,
22 even before we came here.

23 So, he wants to do the right thing and
24 wants to work with you, your Agency, and MPD,
25 whenever possible, to see that the right thing is

1 done, and that the patrons and employees are
2 safe.

3 I'm happy to entertain any
4 suggestions, constructive criticism, what have
5 you, to see that that's done.

6 There's a lot of crazies out there
7 now, and it's all pretty scary for everybody.
8 And it's got scarier for the operators of these
9 establishments. But, again, I want to stress
10 this operator wants to do what it can to keep
11 people safe.

12 CHAIRPERSON ANDERSON: All right.
13 Thank you for the representation that you made,
14 Mr. Kline.

15 All right. The Board will take this
16 matter under advisement, and we will inform you
17 whether or not we will issue a No Further Action
18 Determination or whether or not this matter will
19 be forwarded to the Office of the Attorney
20 General for further action.

21 All right. Mr. Miller, thank you for
22 your appearance today.

23 Lieutenant Johnson, thank you for your
24 appearance today.

25 Mr. Karagounis, thank you for your --

1 you know, I'm looking at this screen and I'm
2 seeing your name. And so, while I'm looking at
3 this screen and seeing your name, I'm trying to
4 make sure that I pronounce it correctly. But
5 thank you for your appearance today. And, of
6 course, Mr. Kline.

7 Thank everyone for their appearance
8 today. Have a great day.

9 And this hearing is adjourned. Thank
10 you. Have a great day,

11 MR. KLINE: Thank you.

12 (Whereupon, at 3:57 p.m., the
13 proceedings in the above-entitled matter were
14 concluded.)

15 CHAIRPERSON ANDERSON: All right. We
16 have addressed our agenda, and there are no
17 further cases on the agenda today. So, let me
18 bring this day to a close.

19 As Chairperson of the Alcoholic
20 Beverage Control Board for the District of
21 Columbia, in accordance with Title 3, Chapter
22 104, Office of Open Government, I'm move that the
23 ABC Board hold a closed meeting on October 21st,
24 2021, for the purpose of discussing in-hand
25 reports concerning ongoing our planned

1 instigations of alleged criminal or civil
2 misconduct or violations of law, or regulations,
3 and seeking legal advice from our legal counsel
4 on the Board's Investigative Agenda, the Legal
5 Agenda, and License Agenda for October 21st,
6 2021, as published in The DC Register on October
7 8th, 2021.

8 Is there a second?

9 MEMBER SHORT: Mr. Short. I second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion.

12 I will now take a roll call vote on
13 the motion before us now that's been properly
14 seconded.

15 Mr. Short?

16 MEMBER SHORT: Mr. Short. I agree.

17 CHAIRPERSON ANDERSON: Mr. Cato?

18 MEMBER CATO: Bobby Cato. I agree.

19 CHAIRPERSON ANDERSON: Ms. Crockett?

20 MEMBER CROCKETT: Rafi Crockett. I
21 agree.

22 CHAIRPERSON ANDERSON: Ms. Hansen?

23 MEMBER HANSEN: Jeni Hansen. I agree.

24 CHAIRPERSON ANDERSON: Mr. Grandis?

25 MEMBER GRANDIS: Edward Grandis. I

1 agree.

2 CHAIRPERSON ANDERSON: And Mr.
3 Anderson. I agree.

4 As it appears that the motion has
5 passed 6-0-0, I hereby give notice that the ABC
6 Board will hold its aforementioned closed
7 meeting. Pursuant to the Open Meetings Act,
8 notice will also be posted on the ABC Board
9 bulletin board; placed on an electronic calendar
10 on the ABRA's website, and published in The DC
11 Register in as timely a manner as practical.

12 We are adjourned for the day. I would
13 like to thank the members of the public for
14 participating today. I would like to also thank
15 the Board members for their active participation
16 today.

17 So, we are now adjourned for the day,
18 and I now ask all Board members to return to
19 executive session for further development.

20 Thank you very much, and have a great
21 day.

22 (Whereupon, at 3:59 p.m., the open
23 session of the ABRA Board was adjourned.)

24
25

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This is to certify that the foregoing transcript

In the matter of: Decades

Before: DCABRA

Date: 10-20-21

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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