

ALSO PRESENT:

PETER LLOYD, Applicant

KEVIN GROVER, Applicant Security

KEVIN PUENTE, ABRA Investigator

JASON PERU, ABRA Investigator

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

2 3:15 p.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. Our next case is a Fact-
5 Finding Hearing on Case No. 18-251-00158, DC
6 Eagle, License No. 93984.

7 Would the parties, please, approach
8 and identify themselves for the record? Everyone
9 who is here for DC Eagle can come and sit at the
10 table.

11 MR. LLOYD: All right. My name is
12 Peter Lloyd, L-L-O-Y-D.

13 CHAIRPERSON ANDERSON: Good afternoon.
14 Who are you, Mr. Lloyd?

15 MR. LLOYD: Beg your pardon?

16 CHAIRPERSON ANDERSON: Who are you,
17 sir?

18 MR. LLOYD: I'm one of the owners of
19 the establishment.

20 CHAIRPERSON ANDERSON: Okay. Thank
21 you. You can have a seat.

22 MR. GROVER: I'm Kevin Grover, I'm

1 security guard there.

2 CHAIRPERSON ANDERSON: You can have a
3 seat, sir. Investigator?

4 INVESTIGATOR PUENTE: Kevin Puente,
5 ABRA.

6 CHAIRPERSON ANDERSON: Mr. Puente.

7 INVESTIGATOR PERU: Supervisory
8 Investigator Jason Peru with ABRA.

9 CHAIRPERSON ANDERSON: Good afternoon,
10 Mr. Peru.

11 All right. This is a Fact-Finding
12 Hearing because of what has been titled a simple
13 assault that was -- that occurred at the
14 establishment. And so based on the report that
15 was submitted by ABRA, we decided that it was of
16 sufficient -- we believed that we needed to bring
17 the parties in for a Fact-Finding Hearing for us
18 to determine whether or not this should be --
19 whether or not it should be submitted for further
20 action by the Government.

21 So Mr. -- who is presenting the case,
22 Mr. Puente or Mr. Peru?

1 INVESTIGATOR PUENTE: I am.

2 CHAIRPERSON ANDERSON: All right. I
3 was looking at the report and the report was
4 written by Mr. Peru, so I thought -- all right.

5 So, Mr. Puente, can you tell us -- and
6 this is -- Mr. Lloyd, what basically is going to
7 happen, the Investigators will go -- do you have
8 a copy of the report?

9 MR. LLOYD: Not with me, I don't. I'm
10 sorry.

11 CHAIRPERSON ANDERSON: I'm sorry?

12 MR. LLOYD: Not with me. I'm sorry.

13 CHAIRPERSON ANDERSON: We can give you
14 a copy of the report, so we will make sure -- but
15 you have seen the report?

16 MR. LLOYD: I have.

17 CHAIRPERSON ANDERSON: All right. So
18 we will make sure the Agency provides you a copy
19 of the report. So what will occur is that the
20 Investigator will go through the report.

21 MR. LLOYD: Okay.

22 CHAIRPERSON ANDERSON: The Board might

1 -- after he goes through the report, the Board
2 might ask questions of the Investigator of the
3 report. You can respond. At some point after
4 the Investigator has provided the report, you --
5 if you want to give an answer, you can.

6 Questions might be asked of both the Investigator
7 and yourself.

8 At the end of the hearing, the Board
9 will determine whether or not we are going to say
10 no further action or the Board will decide
11 whether or not we are going to send this over to
12 the Attorney General's Office for a Show Cause.

13 MR. LLOYD: Thank you.

14 CHAIRPERSON ANDERSON: So we will make
15 determinations here. Also, because this is a
16 Fact-Finding Hearing, it is non-confrontational,
17 no one is under oath. If you don't want to say
18 anything, you don't have to. I can't -- there
19 are certain things that -- I can't order you to
20 do anything here.

21 I'm just telling you. I can ask you--
22 you can volunteer to do certain things like I can

1 say do you have a security plan? Do you have
2 cameras? And you can volunteer to say I'm going
3 to do all of this. But because of the nature of
4 these proceedings, I cannot order you to do
5 anything, in effect, here.

6 It's just we are just gathering facts
7 to decide what, if any, further action the Board
8 will take.

9 MR. LLOYD: I understand.

10 CHAIRPERSON ANDERSON: Do you
11 understand?

12 MR. LLOYD: Yes, thank you.

13 CHAIRPERSON ANDERSON: All right. So,
14 Mr. Puente, go ahead.

15 INVESTIGATOR PERU: Mr. Chairman, I'm
16 going to start. I'll start since I wrote it. I
17 wanted to allow them to --

18 CHAIRPERSON ANDERSON: Mr. Peru --

19 INVESTIGATOR PERU: -- ask questions
20 if you need to.

21 CHAIRPERSON ANDERSON: All right. Mr.
22 Peru, go ahead, sir.

1 INVESTIGATOR PERU: So Saturday,
2 November 29th, at approximately 10:30 p.m., I
3 received an ABRA Hotline phone call from MPD
4 Officer Desiree Walker in reference to an
5 altercation that took place between a DC Eagle
6 employee and DC Councilmember Vincent Grey.

7 At approximately 10:45 p.m., myself
8 and Investigator Puente responded to DC Eagle and
9 met with MPD Captain Carlos Heraud.

10 Captain Heraud stated that
11 Councilmember Grey attempted to enter DC Eagle
12 and presented his DC Councilmember Identification
13 Card and the security at the door later
14 identified as Kevin Grover told Councilmember
15 Grey that he needed to see another form of
16 identification and that his date -- with a date
17 of birth on it.

18 Councilmember Grey refused to provide
19 any further identification and after a verbal
20 exchange, the security guard came from around the
21 counter and physically pushed Councilmember Grey
22 through the front door of the establishment

1 causing him to trip and fall onto the ground
2 outside.

3 Captain Heraud stated that the
4 security guard was not immediately placed under
5 arrest, but he would seek an arrest warrant for
6 him. Captain Heraud stated that Councilmember
7 Grey was advised to drive his car to the 6th
8 District Station so he could speak to detectives
9 and file a report.

10 Captain Heraud stated that
11 Councilmember Grey sustained minor injuries to
12 his hand and leg.

13 While we were there, myself and
14 Investigator Puente met with Mr. Peter Lloyd. He
15 stated according to a security guard,
16 Councilmember Grey refused to show ID that
17 depicted his date of birth. So he was asked to
18 leave, but refused to do so. So the security
19 guard physically removed him from the
20 establishment.

21 Mr. Lloyd stated that he thought it
22 was ABRA Law that required patrons entering the

1 establishment to show a valid ID that depicted
2 the date of birth. Mr. Lloyd stated -- I'm
3 sorry, Mr. Lloyd then showed myself and
4 Investigator Puente the surveillance video of the
5 incident, which showed the following. Would you
6 like to see that now or --

7 CHAIRPERSON ANDERSON: Go ahead.

8 INVESTIGATOR PERU: So this is the
9 recording this media event.

10 (Video Played)

11 INVESTIGATOR PERU: Shortly you will
12 see Councilmember Grey come to the establishment.
13 If you are looking at the screen there, this is
14 the main front, the front door to the
15 establishment.

16 CHAIRPERSON ANDERSON: All right.

17 INVESTIGATOR PERU: This is the
18 security officer behind the counter in the front.

19 CHAIRPERSON ANDERSON: All right.

20 INVESTIGATOR PERU: You can see
21 Councilmember Grey now approaching and now
22 entering the door here. Councilmember Grey comes

1 in. You can see him behind the counter. So
2 conversation is going on at this point. It looks
3 like he is on the phone here. We never verified
4 that, but you can see him -- observing Mr. Grey.
5 Mr. Grey then is at the counter.

6 Now you can see them grabbing and you
7 can see the struggle. Mr. Grey, you can see his
8 hand holding onto the door there, but not exit.
9 And then we switched to the guy's camera view,
10 you can see what happens outside.

11 MR. GROVER: Could you play the
12 outside camera view before that, because that's
13 when this altercation began.

14 INVESTIGATOR PERU: So Mr. Grey you
15 see him entering now. This is the beginning when
16 he comes in. We skip ahead some to where he is
17 coming back out. Right there the door is
18 opening, shove, shove, shove and then he trips
19 and falls. And then you will see Mr. Grey on the
20 ground, the security guard then walked away when
21 he was on the ground and then walked back inside.

22 And then at this point, Mr. Grey is on

1 the ground. That's the view that we saw that
2 night.

3 (Video Stopped)

4 INVESTIGATOR PERU: So after reviewing
5 video of the incident, I asked Mr. Lloyd if the
6 security -- if the establishment had a security
7 plan to which he replied "I don't think so, but
8 I'm not sure." Investigator Peru -- I mean, I
9 advised Mr. Lloyd that if the establishment had a
10 policy in place for dealing with different types
11 of incidents and he stated that he did not have a
12 formal one.

13 While I continued to speak to Mr.
14 Lloyd, Investigator Puente then interviewed the
15 security guard, Mr. Grover. Do you want to start
16 from that point?

17 INVESTIGATOR PUENTE: Mr. Grover
18 stated to me that he has been employed with DC
19 Eagle for about four months. Mr. Grover stated
20 that he saw a vehicle pull up to the middle of
21 the driveway. He saw a gentleman get out of the
22 car who was later identified as Councilmember

1 Grey, told he couldn't park there because it was
2 the middle of the driveway. They exchanged some
3 words. Mr. Grey eventually got back into the car
4 and parked in a location not in the middle of the
5 driveway.

6 Mr. Grover stated that Councilmember
7 Grey came in with an attitude already, because he
8 told him he couldn't park where he initially
9 parked at. He asked him for his ID. He said it
10 was the policy of the establishment they had to
11 show a date of birth on the ID. He couldn't just
12 take the Councilmember's badge for it. He had to
13 verify his date of birth.

14 I asked Mr. Grover -- he stated that
15 Mr. Grey was belligerent and very rude to him and
16 that's why he forcibly removed him from the
17 establishment. I asked him what kind of event
18 was taking place that night. He said it was Art
19 All Night in DC. There was people actually under
20 the age of 21 inside the establishment, but they
21 were there with a parent, so they were allowed to
22 come in.

1 And Mr. Grover stated -- yeah, that
2 was it. We checked the establishment, they
3 didn't have a settlement agreement or a security
4 plan. I conducted the regulatory inspection with
5 no other violations.

6 CHAIRPERSON ANDERSON: All right.

7 MR. GROVER: May I say something?

8 CHAIRPERSON ANDERSON: Well, hold on
9 a second. Hold on. All right. I can't -- Mr.
10 Lloyd, you are the owner of the establishment, so
11 how do you plan to respond? And I just want to
12 say this to you, this is not about Councilmember
13 Grey. This is about what -- how is it that a
14 licensee responds to when you have an invitee to
15 your property, what's the appropriate action?

16 So I don't want -- I am not looking at
17 this as -- we are not having this hearing because
18 of Councilmember Grey. We are hearing this,
19 having this hearing because of, based on what it
20 stated, is that we had -- a person came to the
21 establishment and there was some type of
22 interaction with one of your employees and

1 whether or not that interaction with that
2 employee was appropriate under the circumstances.

3 So how do you want to respond? If the
4 gentleman beside you wants to speak, that's up to
5 you, but you are the person who is -- who I'm
6 holding responsible, so you can respond the way
7 you believe is appropriate, sir.

8 MR. LLOYD: I understand. Thank you
9 very much.

10 MEMBER SILVERSTEIN: Could you,
11 please, move the microphone close and speak up?

12 CHAIRPERSON ANDERSON: Yes, that one.

13 MR. LLOYD: And we regret this
14 incident tremendously. It is -- generally, we
15 don't have to -- had anyone believed, we prefer
16 not laying hands. It is, however, from -- and I
17 wasn't there, but I understand that it was like
18 come remove me, so our doorman felt compelled to
19 escort the individual to the door.

20 Because it is our policy that everyone
21 must have a valid ID. We state that very clearly
22 to all personnel. We need to have -- everyone

1 needs to have an ID. It is 100 percent
2 compliance. It is important because I go to the
3 ANC meetings and one of the things they say is
4 underage drinking is a huge issue, so just
5 blanket. There are no exceptions. Everyone has
6 to have a valid ID.

7 And whether the -- to your question,
8 that is what I have to say.

9 CHAIRPERSON ANDERSON: Mr. Lloyd,
10 unless you have additional video to put this in
11 perspective, I mean, based on the video that I --
12 and I'm seeing this for the first time. I have
13 not seen this video before. Although it is
14 within ABRA, I don't think any of the Board
15 Members have seen this video.

16 MR. LLOYD: Okay.

17 CHAIRPERSON ANDERSON: So we are
18 seeing this for the first time.

19 MR. LLOYD: I understand.

20 CHAIRPERSON ANDERSON: And unless you
21 have additional video to put this in context,
22 that's not a good sight. I -- from what I saw

1 from the presentation on this video, is that an
2 elderly gentleman came in and he doesn't appear
3 from the video that he was aggressive. Maybe
4 vocally, but at least I did not see any
5 aggressive action from this person.

6 And I don't see any justification for
7 an employee of yours to physically throw a person
8 out of an establishment. That's why I'm saying
9 if you have another -- if you have video that
10 would put this in context, because from what I'm
11 seeing for the first time, I really don't see how
12 this could be justifiable.

13 I mean I understand, one of the things
14 that we do here and I do that a whole lot, I tell
15 people that I'm 54 years-old. I go to hear music
16 from bars, I do get carded. And sometimes I
17 believe that it's clear to me that I'm over 21.
18 I believe I am, but the gentleman that I saw
19 there clearly looks like he is over 21.

20 From what I'm being told, it appears
21 that it was an Art All Night event. From what
22 I'm told here that --

1 MR. LLOYD: Yes, sir.

2 CHAIRPERSON ANDERSON: -- everyone was
3 -- you could have people under 18 who could enter
4 the establishment. The person did show an ID and
5 it should be clear to anyone that this person is
6 over 21. And because of the event that is
7 occurring that night, I do not believe that it
8 was justifiable for the -- your employee to
9 insist that because your date of birth wasn't on
10 this identification, I cannot allow you in and
11 then to put your hands on a -- on one of your
12 invitees to -- who is supposed to come.

13 And maybe this -- maybe we are hearing
14 about it because of -- because it's a
15 Councilmember, but my -- no, I'm saying something
16 differently. But I'm saying I don't look at the
17 Councilmember, because maybe it was -- if it was
18 someone else who -- maybe we would not have heard
19 about it.

20 And so our goal is that it's the hope
21 that this is not -- this doesn't represent what
22 happens at your establishment, sir, because this

1 is the first time. This is not a very good
2 sight. And it's -- I think you might have heard
3 the reaction from the Board Members, because as I
4 said before, this is the first time as a Board we
5 are seeing this.

6 MR. LLOYD: I understand.

7 CHAIRPERSON ANDERSON: So it is
8 shocking and that's another reason I'm asking
9 you, if you had other video to put things in
10 context, because as you know with video, one can
11 produce a video and you see what you want to see
12 and you see this part and its shocking that if
13 you have additional videos, then it puts it into
14 context and then maybe someone might think
15 differently. But that's not a very good sight.

16 Any other questions by any -- yes, Mr.
17 Alberti?

18 MEMBER ALBERTI: So, Mr. Lloyd, I'm
19 trying to understand. It's just an Art All Night
20 and people under 18 were allowed in.

21 MR. LLOYD: Yes, sir.

22 MEMBER ALBERTI: So what was your

1 procedure when you allowed someone under 18 in?
2 I mean, how -- so once someone is 18 and inside,
3 how did you prevent underage drinking?

4 MR. LLOYD: When someone under 18
5 comes in, they generally -- they get an X on the
6 back of their hands.

7 MEMBER ALBERTI: Okay.

8 MR. LLOYD: And they also will get a
9 different type of wristband.

10 MEMBER ALBERTI: Okay. So my question
11 to you is did Mr. Grey ask that you not put an X
12 on his hand and put an over 21 on their hand?

13 MR. LLOYD: Not to my knowledge.

14 MEMBER ALBERTI: Okay. So let me just
15 -- I don't want to belabor this. So the problem
16 I'm having is it could easily have been avoided
17 by saying to this individual, and I have been to
18 places where I don't have my ID, and just telling
19 you look, I'm going to have to mark your hand as
20 if you are under 18, so you can't drink. I'm
21 just going to have to designate you as a non-
22 drinker. That could have been done with this

1 individual, Mr. Grey, Councilmember Grey and this
2 whole thing would have been avoided.

3 MR. LLOYD: I understand.

4 MEMBER ALBERTI: That is what is
5 bothering me and I think bothering the Chair and
6 the rest of the Board Members.

7 MR. LLOYD: I understand. It is our
8 policy that everyone have an ID, generally
9 speaking.

10 MEMBER ALBERTI: It's a crazy policy
11 when, again, you would have broken no laws and
12 created no danger for yourself if you had just
13 designated him as a non-drinker.

14 MR. LLOYD: Understood. I --

15 MEMBER ALBERTI: And maybe you ought
16 to talk to your staff about that.

17 MR. LLOYD: Yes, sir. I can assure
18 you this type of thing will never happen again.

19 CHAIRPERSON ANDERSON: Ms. Wahabzadah?

20 MEMBER WAHABZADAH: So we have an
21 investigative report and I know that it stated
22 there is no formal security plan or a policy in

1 place, so reviewing the exhibits, but with that
2 reason, unruly guests are more of a problem for
3 what has been the general pattern and practice?
4 Do you guys call MPD? I mean, what is the
5 suggested protocol?

6 MR. LLOYD: Normally, people don't say
7 remove me, take me, force me out. Normally, it
8 doesn't reach that point where it is like you are
9 going to have to leave. No, you are going to
10 have to leave. This is non-negotiable, you are
11 going to have to step outside.

12 And as far as I know, that has -- it
13 has never come to this before.

14 MEMBER WAHABZADAH: Has there ever
15 been an incident where there is an unruly guest
16 who has stood there awaiting to come in or ever
17 ask --

18 MR. LLOYD: To my knowledge --

19 MEMBER WAHABZADAH: -- that's one
20 thing that they have to say is remove me, but has
21 there ever been an incident where there was just
22 someone who was at the door saying let me come

1 in?

2 MR. LLOYD: Not to my knowledge,
3 because there are some times where it's evident,
4 it's like you appear that you have had enough fun
5 today and so I'm not going to let -- I'm not
6 going to be to let you in, even if they had ID.
7 We are I'm sorry, you can't -- you seem like you
8 are finished for the evening, for example. Like
9 you have been somewhere else and you seem like
10 you would have had enough fun this evening, so we
11 can't let you in. And they are like oh, okay and
12 then they leave.

13 MEMBER WAHABZADAH: So what sort of --
14 I mean how do you present this to your employees,
15 security guards as to an unruly person in your
16 establishment? Do you inform them as to what to
17 do if that occurs?

18 MR. LLOYD: An unruly person?

19 MEMBER WAHABZADAH: Yes.

20 MR. LLOYD: Not well enough,
21 obviously. We have implemented training where
22 each person needs to get a Nightlife Security

1 Certificate of Training. We take this very
2 seriously and I am sorry.

3 CHAIRPERSON ANDERSON: Are there any
4 other questions by any other Board Members? Mr.
5 Silverstein, did you have something? You need to
6 turn your microphone on, sir.

7 MEMBER SILVERSTEIN: Mr. Lloyd, this
8 event was sponsored by the DC Government?

9 MR. LLOYD: Yes, sir.

10 MEMBER SILVERSTEIN: Paid for by the
11 DC Government? Did you receive any remuneration
12 for it?

13 MR. LLOYD: No, sir.

14 MEMBER SILVERSTEIN: It was simply a
15 community event?

16 MR. LLOYD: It was in different places
17 around the city.

18 MEMBER SILVERSTEIN: And the ID that
19 Mr. Grey showed was a Government ID, a Council
20 ID? Do you know what it was?

21 MR. LLOYD: I understand it was a
22 Council ID.

1 MEMBER SILVERSTEIN: Is there a
2 certain age you have to be to be a member of the
3 DC Council?

4 MR. LLOYD: No, no, sir.

5 MEMBER SILVERSTEIN: You can be 12?

6 MR. LLOYD: I understand. It wasn't
7 a known ID. It wasn't an ID that had been seen
8 before.

9 MEMBER SILVERSTEIN: Do you have a
10 policy about laying hands on people?

11 MR. LLOYD: I beg your pardon?

12 MEMBER SILVERSTEIN: Do you have a
13 policy, your door people, about laying hands on
14 people?

15 MR. LLOYD: Generally it is our policy
16 not to lay hands on people, unless the situation,
17 for example, if someone were to come at you. If
18 someone, if people were in a fist fight, for
19 example, that would be a situation where hands
20 might be laid, but only in extreme situations
21 like that. I can't -- because it is not our
22 policy to lay hands on people.

1 One of the officers that evening said
2 if you ever think you need to lay hands, just
3 call 911 and say it's an emergency, we will be
4 right there. We try to maintain a close
5 relationship with Metropolitan Police Department.
6 I go to all the -- I go to the Metro PSA
7 meetings.

8 MEMBER SILVERSTEIN: That was the
9 first time I have seen that video, Mr. Lloyd. It
10 did not appear as Mr. Grey was about to get into
11 a fist fight with anyone.

12 MR. LLOYD: No.

13 MEMBER SILVERSTEIN: It appeared to
14 me, and these are not lying eyes, that the
15 doorman came from behind the table in an
16 aggressive mood, that he was gesturing in an
17 aggressive manner, then he approached Mr. Grey
18 and he laid hands on a 75 year-old man, he picked
19 him up, pushed him out and threw him where he
20 ended up falling onto the sidewalk. And when
21 people of that age fall backwards, they are often
22 seriously injured or often die. It is that

1 serious, sir.

2 MR. LLOYD: Yes, sir.

3 MEMBER SILVERSTEIN: What do you have
4 to say about that?

5 MR. LLOYD: I cannot over-emphasize
6 how much we regret this incident, but I
7 understood that Mr. Grey said put me out then,
8 just put me out, go ahead, put me out. And I
9 don't understand why that occurred. There was no
10 audio on the video, but --

11 MEMBER SILVERSTEIN: So why did he say
12 that?

13 CHAIRPERSON ANDERSON: I'm sorry and
14 I --

15 MEMBER SILVERSTEIN: I am getting --

16 CHAIRPERSON ANDERSON: I agree with
17 you, Mr. Silverstein. Normally, I try to
18 maintain my composure and, sir, that is -- this
19 is just unacceptable.

20 MR. LLOYD: Yes, sir.

21 CHAIRPERSON ANDERSON: I am looking at
22 a video, sir.

1 MR. LLOYD: Yes, sir.

2 CHAIRPERSON ANDERSON: It doesn't
3 matter what Mr. Grey or any other individual
4 comes into your establishment that is uncalled
5 for for someone to physically remove them from
6 the establishment and throw them on the parking
7 lot and move on.

8 MR. LLOYD: Yes, sir.

9 CHAIRPERSON ANDERSON: And I cannot
10 believe, sir, that you are justifying that. That
11 is -- it's undefensible. It is.

12 MR. LLOYD: You're right.

13 CHAIRPERSON ANDERSON: And let me ask
14 you another question, sir.

15 MR. LLOYD: Certainly.

16 CHAIRPERSON ANDERSON: Is this
17 employee still under your employment?

18 MR. LLOYD: No, sir.

19 MEMBER ALBERTI: Can I ask him --

20 CHAIRPERSON ANDERSON: Go ahead, Mr.
21 Alberti.

22 MEMBER ALBERTI: -- a question? So

1 what are you going to do in the future? I mean,
2 hopefully you see the error of your ways.

3 MR. LLOYD: Yes, sir.

4 MEMBER ALBERTI: I'm hoping.

5 MR. LLOYD: Yes, sir.

6 MEMBER ALBERTI: Tell me what do you
7 thought to do in the future?

8 MR. LLOYD: Provide training. We do
9 some -- we do online training and we are also
10 trying to work with MPD to have MPD come in and
11 do some training themselves. We take very
12 seriously the situation. And in future, if there
13 is an occurrence where someone believes they need
14 to lay hands, call 911 as the lieutenant told me
15 that evening.

16 If there is a time when you think you
17 need to lay hands, call 911, tell 911 it is an
18 emergency and MPD will show.

19 MEMBER ALBERTI: All right. Thank
20 you, Mr. Lloyd. You haven't really impressed me
21 and I doubt if you have impressed anyone here.

22 MR. LLOYD: I'm sorry.

1 MEMBER ALBERTI: You haven't really
2 impressed me or anyone here, that is really
3 understanding what you need to do. All right.
4 And until I, you know, see something from you,
5 something in writing, maybe a security plan,
6 something that assures me, I'll tell you it's not
7 going to go well next time you come before us.

8 I'm just saying that. And hopefully
9 you won't.

10 CHAIRPERSON ANDERSON: It's my
11 understanding, Mr. Alberti, that a security plan
12 was submitted, but it's my understanding that the
13 Agency has sent an email out to say that it was
14 sufficient.

15 MR. LLOYD: That is correct.

16 CHAIRPERSON ANDERSON: Is there any
17 other questions by any other -- any other Board
18 Members have any other questions? Yes, Mr.
19 Silverstein? I cut you off and I apologize, but
20 I'm getting upset, so that's why I cut you off.
21 It wasn't -- not with you, just with the -- all
22 of this.

1 MEMBER SILVERSTEIN: I think we share
2 the same frustration.

3 CHAIRPERSON ANDERSON: All right.

4 MEMBER SILVERSTEIN: And to see the
5 amount of advanced years being treated that way
6 is horrific and calls into question many things
7 about even the operation of the establishment.

8 MR. LLOYD: I understand.

9 MEMBER SILVERSTEIN: There are other
10 things here that perhaps would be best left
11 unsaid of what an embarrassment this is to so
12 many people on so many different levels, sir.

13 MR. LLOYD: Yes, sir.

14 MEMBER SILVERSTEIN: And I'll simply
15 leave it at that and so that I am one of those
16 who is greatly embarrassed.

17 CHAIRPERSON ANDERSON: Mr. Puente, Mr.
18 Peru, any final comments?

19 INVESTIGATOR PUENTE: For myself, I
20 think the Board addressed a lot of my own
21 concerns as an Investigator and of this video and
22 shared the exact same sentiment. And I was

1 hoping after several months passing by that a
2 security policy or a procedure had been put in
3 place, so it's good to hear that they did submit
4 something to the Board, because clearly there was
5 a lot of mistraining and improper practices went
6 on.

7 That this is -- my concern is this
8 happened to somebody that is known. It just
9 didn't happen to be a name, but that's why maybe
10 it caught so much attention, but if it happens on
11 a regular basis to other individuals that we
12 don't know about it.

13 You know, DC Eagle, my experience over
14 the years, I have not got those calls there,
15 calls for service. I have not had to respond to
16 a lot of calls there. But it is in a tucked away
17 location. My concern would be that if other
18 things were happening or that ABRA is not aware
19 of, based on them having no security policies or
20 plans in place or police position.

21 CHAIRPERSON ANDERSON: Thank you. Mr.
22 Peru? Mr. Lloyd?

1 MR. LLOYD: Yes, sir?

2 CHAIRPERSON ANDERSON: Any final
3 comments?

4 MR. LLOYD: We are revising the
5 security plan based on Mr. Grover's email and we
6 will submit that soon. Again, we regret this
7 egregious incident and it does not happen. This
8 is an unfortunate incident and I apologize.

9 CHAIRPERSON ANDERSON: All right. Mr.
10 Lloyd, as stated by Mr. Peru and -- it has been
11 brought to the attention of the Board because of
12 the -- because of who it has been.

13 MR. LLOYD: I understand.

14 CHAIRPERSON ANDERSON: But I don't
15 look at it that way, because as he stated, if it
16 happened to someone else, someone who is much
17 younger, someone who looks like me, it might not
18 have come to our attention, because -- and my
19 goal is to make sure that whoever comes into your
20 establishment, that they are treated
21 professionally and courteously.

22 I've been on this Board for -- this is

1 my third year that I have been Chair of this
2 Board and we have had other things happen at
3 other establishments, but I have never seen
4 something like this before where an individual
5 has been thrown out of an establishment and the
6 only reason why he is thrown out of an
7 establishment is because he did not have his date
8 of birth on his ID.

9 I have had other people come here and
10 state that folks are aggressive and, you know, we
11 have looked at -- we look at video. Although we
12 don't justify, we are not saying that -- it puts
13 things in context to say, you know, the person
14 was drunk, the person was belligerent and your
15 security guard was defending themselves and this is
16 how they had to defend themselves.

17 But based on the video, I mean, there
18 is just -- it's unexcusable. And so it is the
19 most egregious thing that I have seen in the
20 three years I have been here. And so I'm sorry,
21 sir, but this is just -- this is wrong. It needs
22 to change.

1 The recommendation I'm making to the
2 Board is that I make a motion that we send this
3 matter over to the OAG for a Show Cause. Is
4 there a second?

5 MEMBER SILVERSTEIN: I second, Mr.
6 Chairman.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passes 5-0-0. This matter is
13 adjourned. Thank you for being here today, sir.

14 MR. LLOYD: Thank you for your time.

15 CHAIRPERSON ANDERSON: All right.

16 (Whereupon, the Fact-Finding Hearing
17 was concluded at 3:49 p.m.)

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21

22

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This is to certify that the foregoing transcript

In the matter of: DC Eagle

Before: DCABRA

Date: 12-12-18

Place: Washington, DC

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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