

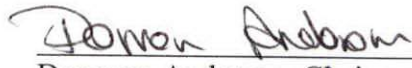
ORDER

Therefore, on this 9th day of January 2019, the Board **APPROVES** the offer-in-compromise submitted by the parties subject to the following:

1. the Respondent shall follow all terms and conditions attached to this Order, which are binding and must be followed by the license holder as a condition of licensure.
2. the Respondent shall have its license returned and have the suspension lifted once the Board is satisfied that the Respondent has complied with the OIC's terms.

The ABRA shall deliver copies of this Order to the Government and the Respondent.


District of Columbia
Alcoholic Beverage Control Board



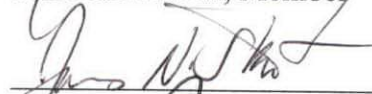
Donovan Anderson, Chairperson



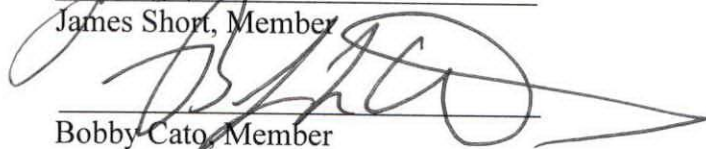
Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Bobby Cato, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202-879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App. Rule 15(b) (2004).

In the Matter of: Sollosso, Inc. t/a El Rincon

Officer/owner: Mr. Manuel Sollosso

Case number: 18-251-00234 Hearing Date: January 9, 2018

Incidents occurring on: December 30, 2018

For the Charge: Summary Suspension proceeding.

Statutory Authority: D.C. Official Code §25-826(a) (2012 Repl.)

This offer in compromise (OIC) will be presented to the Alcoholic Beverage Control Board by the Assistant Attorney General (OAG) at the summary suspension proceeding. Please be advised that this is a proposed OIC. Accordingly, it is the discretion of the Board to accept or reject this offer.

The OIC consists of the Respondent agreeing to and complying with all the following terms:

- (1) Revised Security Plan – The Respondent shall submit a revised Security Plan to ABRA and OAG. The Security Plan shall be reviewed and accepted by the Board prior to lifting the suspension of the establishment’s alcoholic beverage license. The revised Security Plan shall be in full compliance with all applicable laws and regulations including all requirements for a Security Plan under Title 25 of the D.C. Official Code, and which incorporates, specifically, the following, as well as all matters listed in the OIC and those required by law:
 - a. Hired ABC Manager on duty shall have access to and be responsible for all areas of the premises at all times, including the basement which is part of the licensed premises.
 - b. The establishment’s procedures for handling violent aggressors.
 - c. De-escalation of violent incidents.
 - d. Compliance with the requirement to use “wands” at the entrance to the establishment for the purpose of detecting metal objects, including weapons, carried by patrons. The wands will be used in conjunction with physical “pat down” searches as specified in the Respondent’s Security Plan.
 - e. Proper “pat down” procedures.
 - f. Procedure for preserving a crime scene.
 - g. Procedure to call MPD or for medical assistance (Call 911).

- (2) Security Personnel – The Respondent shall maintain, at a minimum, two security persons, who will be on duty on Friday and Saturday nights between 10:00 p.m. and 2:00 a.m. The security persons may not be the owner of the establishment. The Respondent shall document and submit no later than 5:00 p.m. on Tuesday, January 15, 2019 a list of all security personnel or the name of the security company employed by the establishment which shall be kept on the licensed premises with the job title or role of each employee listed. Such list shall be updated upon the hiring or termination of each security employee or

company, and shall be available at the establishment upon request by MPD or ABRA. The establishment's Security Plan shall detail the placement of security personnel within the establishment and shall include an explanation of the rationale regarding that placement.

- (3) Handling Violent Altercations – The Security Plan shall contain detailed procedures on how the Respondent's security personnel are to handle violent altercations in the establishment, including appropriate methods for separating and handling victims and aggressors, detaining and controlling aggressive patrons, and handing victims and aggressive patrons over to MPD. The Security Plan should also contain detailed procedures on how to fully cooperate with ABRA and MPD when a violent incident occurs inside the establishment. Upon request, the Respondent shall immediately provide accurate and complete information to MPD and ABRA investigators, including information regarding the involved parties.
- (4) Crime Scene – The Respondent shall not knowingly clean up a crime scene under any circumstances, nor authorize anyone to clean up the crime scene, without the prior consent of MPD.
- (5) Lights and Music – The Respondent shall use all reasonable efforts to turn on its lights and turn off or stop any recorded or live music or entertainment within one minute of a violent incident occurring. The Security Plan shall detail the establishment's procedures for ensuring that lights are turned on and music or entertainment is turned-off or stopped within the one-minute requirement.
- (6) Reporting Incidents – The Respondent shall call 911 to report incidents of violence. The Respondent's security plan shall document the means and method for calling 911. The security plan shall set forth the Respondent's plan to maintain an incident log and prepare an incident report within 24 hours of occurrence recording all violent incidents that occur inside of or in front of the establishment. The security plan shall address the proper protocol for drafting and maintaining incident log entries, to include the names and contact information of any victims and witnesses to an incident. The Respondent shall make the incident log available to MPD and ABRA investigators upon request. In cases of crime or violence, incident logs must be signed by an ABC manager or owner. The incident log shall not be destroyed.
- (7) Confiscation of Weapons – The Respondent shall document the incident log, the type and number of weapons, and the date on which any weapons are recovered from patrons. The Respondent shall surrender confiscated weapons to MPD for disposition of the weapons and shall also turn over to MPD knives or other property of the establishment that are used to assault the establishment's patrons or employees. The Respondent shall document the date and time of the consultation with MPD and will include the officer's name and badge number.
- (8) Security Camera System--The Respondent agrees to maintain a sufficient number of working cameras to ensure that there are no blind spots inside the establishment or in front of the establishment. The security plan shall state that all cameras will be operational and actively recording at the establishment at all times and cover any existing blind spots. The

security plan shall detail the number of cameras to be operational, the location of the cameras, and how the cameras are to be mounted to best observe patrons while they are in the establishment eliminating all blind spots. The security plan shall contain a diagram of all of the cameras inside and outside of the establishment. No camera shall be blocked by a curtain, door, pillar or other barrier.

- (9) Maintenance of Security Camera Video – The Respondent must maintain video footage for at least thirty (30) days. The Respondent shall make video recordings for incidents occurring after January 9, 2019 available for review within forty-eight (48) hours of a request from an ABRA investigator or MPD.
- (10) Assessment of Security Camera System – Prior to lifting the suspension of the establishment’s alcoholic beverage license, an ABRA investigator shall conduct a walk-through of the licensed premises with the Respondent to evaluate the location and number of security cameras. This assessment will also include an identification of any blind spots to ensure that they are adequately covered by the camera system.
- (11) Training – All employees will be trained no later than February 9, 2019 in how to preserve a crime scene as well as the general procedure for preserving a crime scene. The Respondent’s security plan will detail this training. All personnel shall be trained on the terms of the security plan prior to lifting the suspension of the establishment’s alcoholic beverage license. Proof of the training as well as written information regarding who conducted the training shall also be submitted to ABRA prior to opening. The security plan shall provide that all security personnel be trained in proper security procedures within thirty (30) days of hire. All security personnel shall receive refresher training on an annual basis following the initial training at hire. To the extent necessary, the Respondent shall conduct all required trainings within thirty (30) days in Spanish.
- (12) Rendering Aid – The security plan shall state the procedure in which all employees will ensure that all patrons receive appropriate medical care. This includes, but is not limited to, administering first aid and calling an ambulance.
- (13) Employee Discipline – The security plan shall set forth what disciplinary actions will apply for any security personnel or other employee who does not comply with the security plan.
- (14) Security Camera System Operators – Prior to lifting the suspension of the establishment’s alcoholic beverage license, the Respondent shall provide the Board in writing with the name(s) of the individuals that are able to operate and retrieve footage from the Respondent’s security cameras. The Respondent shall notify the Board within ten (10) calendar days of any change in the name(s) of the individuals that are able to operate and retrieve security camera footage.
- (15) Operational Security Camera System – The Respondent’s security camera system must be operational and recording at all times. If at any time, a camera or other part of the system is inoperable or taken off-line for purposes of up-grading during a time that the

establishment is open to the public, the Respondent shall notify the Board in writing within ten (10) calendar days of learning that one or more of the Respondent’s security cameras is not operational. As part of its written notification to the Board, the Respondent shall notify the Board of the steps taken to fix the non-working camera(s) and include the date by which the cameras will be fixed.

(16) This matter shall be referred to the OAG for a Show Cause review.

Licensee hereby agrees to the foregoing conditions in resolution of the summary suspension in this matter.

_____/_____/_____
Licensee

_____/_____/_____
Attorney for Licensee