

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)	
)	
Empire DC, LLC)	Case No.: 21-CMP-00017
t/a Empire Lounge)	License No.: ABRA-110702
)	Order No.: 2022-307
Holder of a)	
Retailer's Class CT License)	
)	
at premises)	
1909 9th Street, N.W.)	
Washington, D.C. 20001)	

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ALSO PRESENT: Empire DC, LLC, t/a Empire Lounge, Respondent

Richard Bianco, Counsel, on behalf of the Respondent

Stephen Ortiz, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING OFFER IN COMPROMISE

On June 16, 2022, the above-mentioned parties presented an offer-in-compromise (OIC) to the Board in order to resolve the enforcement action described in the case identified above. The Board approved the OIC at the hearing.

ORDER

Therefore, on this 29th day of June 2022, the Board **APPROVES** the OIC presented by the parties, which shall be deemed to have gone into effect on June 16, 2022. The terms of the OIC are as follows:

- (1) Security Plan: Prior to the Board lifting the suspension, the Respondent shall submit a security plan to ABRA. The security plan shall be reviewed and accepted by the Board prior to lifting the suspension of the establishment's alcoholic beverage license. The security plan shall comply with all applicable laws and regulations, Title 25 of the D.C. Code, including D.C. Code §§ 25-113, 25-402 and 25-403, and incorporate the matters set forth below.
- (2) Security Personnel: On any night that the establishment is open, Respondent shall maintain, at a minimum, two on-duty security personnel from 10:00 p.m. until closing. The security plan shall detail the minimum number of security personnel that will be on-duty each day and their specific duty hours. The security plan shall detail the placement of security personnel within the establishment and shall include an explanation of the rationale regarding that placement.
- (3) Weapons Abatement Screenings: Respondent must not allow patrons to bring weapons into the establishment at any time. Security personnel will screen patrons through the use of physical searches, also known as "pat downs," and a magnetometer wand or similar device designed to detect weapons. All security personnel must be trained and be able to perform these weapons abatement screenings. When Respondent is required to have security personnel on-site, as outlined in paragraph (2), they must check all patrons who enter the establishment and must not allow any patron to reenter the establishment without conducting additional weapons screenings.
- (4) Confiscation of Weapons: Respondent shall document in the incident log, the type and number of weapons, and the date on which any weapons are recovered from patrons. Respondent shall surrender confiscated weapons to the Metropolitan Police Department (MPD). Respondent shall document the date and time of the consultation with MPD and shall include the officer's name and badge number.
- (5) Recording Incidents: Respondent shall maintain a log to record incidents of violence or injury at the establishment. The log shall include where possible the names and contact information of victims, witnesses, and assailants involved. The incident log shall be maintained on a standard form, include names of staff involved, and signed by the establishment's supervising authority. Incidents shall be recorded where possible within 24 hours. The incident log shall not be discarded for at least five years from the date of the occurrence and shall be made available to MPD or ABRA investigators upon request.
- (6) Security Plan Training: All security personnel shall be trained on the terms of the security plan, to include weapons abatement screening of patrons and the use of the magnetometer wand.

A copy of this Order shall be provided to the Parties.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: ac43cb9eb9d5f09e4b730093d1dccc8

Donovan Anderson, Chairperson

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James Short
Key: 547ae373f822de6ac8d1b332d42049e

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3fcafbw146d7f4b75bd7917d20d

Bobby Cato, Member

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Rafi Aliya Crockett, Member
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Rafi Crockett, Member

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Jeni Hansen, Member
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Jeni Hansen, Member

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Edward Grandis, Member
Key: 5027bda7f8f0040ec14adeb52541ce5

Edward S. Grandis, 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).