

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

IN THE MATTER OF:                   :  
   :  
Applicant: Allen M. Tubis:  
Event: Giant Barbeque           : Fact Finding  
Battle   : Hearing  
   :  
(Request for a Hearing)         :

Wednesday  
February 12, 2020

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:  
DONOVAN W. ANDERSON, Chairperson  
JENI HANSEN, Member  
BOBBY CATO, JR., Member  
RAFI ALIYA CROCKETT, Member  
JAMES SHORT, JR., Member  
REMA WAHABZADAH, Member

ALSO PRESENT:  
  
ALLEN M. TUBIS, Applicant  
INVESTIGATOR KEVIN PUENTE, DC ABRA  
COMMANDER JACKSON, Witness, DC MPD  
JULIE HANSON, Witness  
JOAN DAVIS, Witness

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

(10:30 a.m.)

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2  
3 MEMBER ANDERSON: Actually, let's go  
4 back to our regular schedule. Now we have a fact  
5 finding hearing, Mr. Allen S. Tubis. It's the  
6 Giant Barbeque Battle. Would all parties for  
7 that matter please appear? Would all parties  
8 introduce -- we'll go with the investigators.  
9 Introduce yourself for the record.

10 MR. PUENTE: Kevin Puente,  
11 investigator.

12 MEMBER ANDERSON: Good morning, Mr.  
13 Puente. Yes, sir.

14 MR. TUBIS: Yes, I'm Allen Tubis. I'm  
15 the event organizer of the Barbeque Battle event.  
16 With me here I have Julie Hanson, who is in  
17 charge of permits and compliance this year for  
18 the event and also Joan Davis, who is our  
19 volunteer coordinator for the event.

20 Captain Jackson, who handles the  
21 special police detail, should be arriving  
22 shortly.

23 MEMBER ANDERSON: You want us to wait?

24 MR. TUBIS: No. We can begin. I  
25 don't want to hold you up.

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MEMBER ANDERSON: Our morning is free, sir, so we can. If you have another witness and you believe that you want to be here, we can wait. But anyway. All right. I know this is a tortuous matter in a sense that the event occurred in June of 2019.

MR. TUBIS: Yes, sir.

MEMBER ANDERSON: And as all events we have, we sent investigators to go and monitor the event.

MR. TUBIS: Yes, sir.

MEMBER ANDERSON: It's my understanding the investigator -- we'll have the investigator give his report. But it's my understanding that in both days that we monitored the event, there were some serious infractions that our investigator saw.

MR. TUBIS: Yes, sir.

MEMBER ANDERSON: And that the investigator brought it to your attention the first day, and these infractions continued the second day. And so, and they were not addressed.

The ABC Board determined that because of the serious nature of the violation that we

1 were going to have a fact finding hearing. And  
2 for whatever reason when we initially had a fact  
3 finding hearing, you did not appear.

4 So the ABC Board went forward with its  
5 hearing. And the Board, based on the serious  
6 nature just was very concerned whether or not we  
7 should issue any further license for this event.

8 So you are here. So what I'm going to  
9 have occur again is I'm going to have the  
10 investigator tell -- report what happened for  
11 the event, and then you can respond. So you can  
12 respond -- yes, sir.

13 MR. TUBIS: May I address the Board?

14 MEMBER ANDERSON: Well, we're going to  
15 have the investigator. You're going to have an  
16 opportunity.

17 MR. TUBIS: No, no. It's not to  
18 respond to that.

19 MEMBER ANDERSON: It's what, sir?

20 MR. TUBIS: It's to respond to the  
21 Board directly.

22 MEMBER ANDERSON: No, but I'm saying  
23 you are going to have an opportunity to.

24 MR. TUBIS: Yes, sir.

25 MEMBER ANDERSON: So what I'm going to

1 say to you is that I'll have the investigator  
2 state what happened. You can provide us -- once  
3 the investigator's done, you can respond. You  
4 can also respond why is it that when we had our  
5 first hearing why you weren't here.

6 MR. TUBIS: Yes, sir.

7 MEMBER ANDERSON: So at that time, you  
8 can provide us a response. And the Board will  
9 move from there. So go ahead, Mr. Puente. Maybe  
10 you can just let us know what happened with this  
11 event.

12 MR. PUENTE: Yes. So Saturday, June  
13 22nd, and Sunday, June 23rd, myself and a team of  
14 our investigators were assigned to the Giant  
15 Barbeque Battle.

16 On the first day, Saturday, June 22nd,  
17 myself and Investigator Pleitez, Vanessa Pleitez,  
18 were walking around. We were near Beer Garden  
19 Number 1. We observed a female who was checking  
20 IDs, but at the same time she wasn't checking  
21 IDs.

22 When Ms. Pleitez approached her, the  
23 female had kind of an attitude with her, told her  
24 the guy looked like he was 21, so she's not going  
25 to ask for ID. Ms. Pleitez identified herself

1 and advised her per the policy of the event  
2 you're to check all IDs.

3 I went and notified Mr. Tubis right  
4 away about that who came over. We observed  
5 patrons with hand stamps and we observed patrons  
6 without hand stamps getting alcohol.

7 I think the biggest issue with the  
8 event was the patrons were getting multiple  
9 drinks at one time. Some were carrying three to  
10 four drinks. None of the drinks were being  
11 opened.

12 A lot of the drinks were being served  
13 in closed containers. There was mini bottles of  
14 wine being served. And I was following some  
15 people and observed people giving it to other  
16 people.

17 And that was the biggest issue there.  
18 When we brought it up to Mr. Tubis, we had him  
19 come over to Beer Garden Number 2. We observed  
20 himself and Ms. Pleitez went over to the young  
21 female.

22 And let me backtrack, asked why they  
23 weren't opening the alcohol. The response we got  
24 was their hands were getting cold because the  
25 alcohol was cold. They didn't want to break

1 their fingernails.

2 I advised you should probably buy some  
3 bottle openers, can openers to help that process.  
4 When they went to speak to the young female, the  
5 young female threw their hands up in the air and  
6 said you can have this and walked off her job  
7 because she was frustrated.

8 And I found out that each of the Beer  
9 Gardens were being run by organizations, so I  
10 think that's one of the issues here. These  
11 people who are coming from the organizations,  
12 there's no blowback on them essentially.

13 So they don't really have a dog in the  
14 fight, so they're going to do what they wanted to  
15 do. And most of the time, it's hot. It's hot in  
16 June, so it was very hot that day.

17 And some of these volunteers are hot,  
18 and they're going to start just giving multiple  
19 drinks out. Then on the second day, we advised  
20 Mr. Tubis of the violations.

21 On the second day, it's Sunday, and  
22 myself and the team were out there working. We  
23 observed the same issues. What was most  
24 concerning was from Beer Garden Number 1.

25 I observed a volunteer walk from

1 behind the Beer Garden with a 30-pack of Bud  
2 Light and just went out. And him and his friends  
3 were just drinking it and walking off. And they  
4 walked off to the -- I believe was a Go-Go band  
5 performing and watched the Go-Go band perform.

6 MEMBER ANDERSON: Now did you bring  
7 this to the attention of Mr. Tubis?

8 MR. PUENTE: I did not. It was hard.  
9 I was trying to track him down, but I couldn't  
10 get to him. It was just towards the end of the  
11 event, a lot of people. Usually this event draws  
12 almost 20,000 people a day. And I believe that  
13 day was the headline concert, so he was just hard  
14 to find.

15 MEMBER ANDERSON: Have you -- is this  
16 the first time you have monitored this event?

17 MR. PUENTE: No, sir. I worked this  
18 event the last four years.

19 MEMBER ANDERSON: And how was that,  
20 just if you can recall?

21 MR. PUENTE: Usually, they're pretty  
22 good. I think who they had performing this year  
23 brought more of a crowd, more people. I think  
24 another big issue is Mr. Tubis is running around.

25 I see him running around these events



1 all day, and he has a lot going on. I think  
2 there has to be someone assigned to the Beer  
3 Gardens making sure the staff is following.

4 It may need to be an manager that he  
5 trusts or he has someone at each Beer Garden  
6 assuring that they're complying with the  
7 policies.

8 MEMBER ANDERSON: Thank you. Anything  
9 else you want to add at this juncture? We'll  
10 probably have more questions.

11 MR. PUENTE: Okay.

12 MEMBER ANDERSON: All right. Mr.  
13 Tubis, you have the floor.

14 MR. TUBIS: Yes, sir. First of all,  
15 I would like to apologize to the Board. I have  
16 tremendous respect for the Board. I've been  
17 working with District agencies for almost 30  
18 years.

19 I've been producing this event for 28  
20 years. We've been in full compliance for  
21 decades. We've raised literally millions of  
22 dollars for nonprofit groups.

23 I did include some information on the  
24 USO. We work with our partner, Giant, most of it  
25 in-store, but also from the event over \$2 million

1 has been raised in the past three years just for  
2 the USO.

3 Over the years we've also benefits  
4 through the Police Boys and Girls Clubs, which is  
5 now the Boys and Girls Clubs and now the Food  
6 Bank, which was part of our situation this past  
7 year in transition.

8 I do not dispute anything. I was not  
9 aware of the case of beer because that's theft.  
10 I did not know it was volunteers. I thought it  
11 was carried in through the gate in a duffle bag  
12 or something.

13 I would have contacted the police, and  
14 they would have intervened because that was theft  
15 in that cause if a volunteer stole that. Again,  
16 I don't dispute anything.

17 I am responsible. My name is on the  
18 permit. I take that very seriously. I do not  
19 want to serve underage people. I do not want to  
20 over serve. I do not want to not comply and have  
21 a situation like this because for many years I  
22 would abide and tried to abide this year.

23 I do agree that I've spread myself too  
24 thin. I am responsible for all the permits. I'm  
25 constantly being called over. If there's a

1 restaurant where there's a problem or there's a  
2 fire hydrant blocked or whatever the case is.

3 This year, we brought in a new  
4 nonprofit group. We wanted to. We've been  
5 working with a food bank donating food. We  
6 wanted to generate money.

7 We made a \$20,000 donation aside from  
8 the other beneficiaries for them to help with  
9 some volunteers. The problem was they had a new  
10 volunteer coordinator, the problem as I see it.

11 We did train volunteers or give them  
12 training information. We had some of our own  
13 people in the booths, but the volunteers, some of  
14 the volunteers that were even trained ended up  
15 not coming.

16 And they brought in other volunteers  
17 at the last minute. They also added more shifts,  
18 so we constantly -- we would run around. I  
19 would. I was constantly, as soon as I would hear  
20 there was a problem, that they were serving more  
21 than one or not checking an ID, I would run over  
22 the address that, work with their volunteer  
23 coordinator and physically myself go to all the  
24 booths.

25 I even put up the instructions and

1 taped them to every booth to make sure. The  
2 problem was the shift would change. Other people  
3 would come, and some of the volunteers, as I  
4 said, would tell me they're breaking their  
5 fingernails or they don't want to touch the beer.

6 That's not the Barbeque Battle.  
7 That's not the system we've had for decades.  
8 What I've done in the hopes that we can correct  
9 it and get back to where we have always been,  
10 I've brought in Julie Hanson of Hanson  
11 Productions and also Joan Davis.

12 Joan Davis is a volunteer coordinator.  
13 Julie Hanson and Joan both do major events,  
14 including Cherry Blossom and other very  
15 successful events.

16 Julie is going to handle all of our  
17 permitting. She's going to be the person onsite.  
18 And she can -- and they could both speak to this,  
19 who would actually interact with the other parts  
20 of the District government, the D.C. Fire  
21 Department, the Health Department to make sure  
22 everything else is running smoothly throughout  
23 the weekend.

24 She also has a team that, and she  
25 could explain the spotters. We're going to bring

1 in our own spotters. Commander Jackson is, I  
2 guess he's running late.

3 We bring in Capital City Protective  
4 Service aside from MPD. Capital City are special  
5 police. They have arrest power. We're adding  
6 shifts. We're enclosing our beverage areas, and  
7 there's a lot of additional training that would  
8 be going on.

9 If you want to go through the packet,  
10 I'm happy to go through the packet. But  
11 essentially, we are going back to wristbands,  
12 which we always did.

13 We tried last year for the first time  
14 the hand stamps, which the wristbands are much  
15 more effective for visibility. We're going back  
16 to that. We're also going to cordon off our  
17 beverage stations.

18 Even though the whole event site is  
19 fenced, so anyone going into a beverage area,  
20 before they can get to a server or volunteer,  
21 they have to confirm that they have been ID'd and  
22 they have a wristband on.

23 So basically, we're taking the  
24 responsibility away from the volunteer to ID  
25 check. Anyone in that area will be 21. We're

1 putting the responsibility on the special police  
2 to do that. So would you like me to go through  
3 the layout, or would you like to --

4 MEMBER ANDERSON: You requested it,  
5 sir.

6 MR. TUBIS: Yes.

7 MEMBER ANDERSON: We had our hearing.

8 MR. TUBIS: Yes.

9 MEMBER ANDERSON: We made our  
10 decision. You didn't show up.

11 MR. TUBIS: If I could just --

12 MEMBER ANDERSON: So you can --

13 MR. TUBIS: Okay.

14 MEMBER ANDERSON: So the floor is  
15 yours to tell us why is it that -- what is that  
16 --

17 MR. TUBIS: Sure.

18 MEMBER ANDERSON: Why should the Board  
19 reconsider its position?

20 MR. TUBIS: If I could speak to first  
21 of all why I didn't show up. The notices were  
22 being sent to an old email address that I have  
23 not used in years and put on any paperwork in  
24 years.

25 I did have my correct email address

1 here. So I did not get the notices. I did get a  
2 call telling me that there was a hearing  
3 scheduled coming up.

4 I was 11 flight hours away from here  
5 at the time. It was a few days later because I  
6 would have flown here. I said can it be  
7 rescheduled and very graciously, you did  
8 reschedule.

9 At that time, I was told there was a  
10 1:00 slot available. I was planning on being  
11 here at 1:00 with my business partner. I had it  
12 in my calendar. I had all my information.

13 The hearing, from what I understand,  
14 I received a call at about 10:00, or I think it  
15 was 10:00 saying the hearing's going on. Where  
16 are you? I said, I have 1:00. And it was like  
17 no, it's 10:00.

18 And I said I can come right now.  
19 It'll take me 40 minutes to get there. I was  
20 told just wait. We'll call you back. Don't  
21 come. I received a call back, and I was told the  
22 hearing went on without me. I would absolutely  
23 never not show up for a hearing. So I'm just  
24 saying --

25 MEMBER ANDERSON: Do you recall who is

1 it that you were communicating with? Who gave  
2 you all of this information?

3 MR. TUBIS: I believe Dee Dee was  
4 sending out all of the information. The first  
5 email that I looked back on AOL, the email said  
6 to be here at 2:00. There was a letter attached  
7 that said 11:00, so that was inconsistent.

8 The second time, I just went on the  
9 time that I was told, which was 1:00. I don't  
10 know what to tell you other than I would have  
11 been here earlier. I was planning on being here  
12 at noon, but it was already -- the hearing was  
13 going on beforehand. I've never been late to a  
14 hearing in 27 years.

15 MEMBER ANDERSON: I see that you have  
16 someone. A new person joined the table. Could  
17 that person --

18 MR. TUBIS: Yes.

19 MEMBER ANDERSON: -- introduce  
20 himself, please.

21 MR. TUBIS: Yes, sir.

22 MR. JACKSON: Commander Jackson,  
23 Capital City Protective Services.

24 MEMBER ANDERSON: Good morning, sir.  
25 There's a sign-in sheet. Please sign in.



1 Anything else you want to say, sir? The floor is  
2 yours.

3 MR. TUBIS: Yes, sir. If I could have  
4 --

5 MS. HANSON: Good morning. As Allen  
6 mentioned, I am going to be in charge of  
7 permitting and compliance onsite. We have also  
8 added compliance monitors to each beverage  
9 station, who will be there from start to finish.

10 And they will be monitoring the  
11 volunteers to ensure that the regulations are  
12 upheld during the process, including that --

13 MEMBER ANDERSON: Excuse me. Your  
14 name again?

15 MS. HANSON: Julie Hanson. So that  
16 only one beverage is given out at a time, that  
17 they are wearing their wristband and anything  
18 else that is required of that beverage station.

19 So that is new for this year. And I  
20 think it would really benefit the issues that we  
21 had last year. We will also have additional  
22 shift monitors come in to spell (phonetic) the  
23 people so they don't get too tired and et cetera,  
24 so that everybody's alert and doing their job.

25 And then we also have brought on Joan

1 Davis who will be overseeing the volunteers and  
2 giving briefings and such. And I'll let you  
3 speak to that as well.

4 MS. DAVIS: I'm Joan Davis, and I work  
5 with Hanson Productions. I will be working with  
6 the volunteer coordinators securing the actual  
7 individuals and assigning shifts.

8 We'll be doing preliminary training so  
9 that the individuals who will be volunteering are  
10 aware of what their responsibilities are and are  
11 comfortable with them before they actually show  
12 onsite so there are no issues actual day of.

13 Day of we'll be doing group briefings  
14 before everyone is sent out to the individual  
15 beverage stations. And then as Allen mentioned,  
16 we'll have monitors in each tent to ensure that  
17 the volunteers are actually complying with the  
18 instructions that they've been given.

19 I think having the special police  
20 monitoring access into the area before the guests  
21 are in there will ensure that they are 21 and  
22 over. And we will definitely be having gloves  
23 and can openers, bottle openers so that we don't  
24 have the broken fingernail and cold hands issues  
25 moving forward.

1                   And then the transitions from one  
2 shift to the next, again we'll be meeting with  
3 the groups before they're sent out to relieve the  
4 existing volunteers and then we'll again monitor  
5 that transition time to ensure that there's full  
6 compliance.

7                   MEMBER ANDERSON: So who's in -- ah,  
8 who provides the volunteers?

9                   MR. TUBIS: The Capital Area Food Bank  
10 would like to be beneficiary. I explained the  
11 situation to them. They said they do need  
12 assistance. Their volunteer coordinator is now  
13 going into her second year.

14                   That was her first year, but we have  
15 our own volunteer coordinator who will work with  
16 them training the volunteers, picking out the  
17 volunteers. And there are a number of events  
18 that you've both worked on.

19                   MEMBER ANDERSON: The reason I'm  
20 asking is because --

21                   MR. TUBIS: Sure.

22                   MEMBER ANDERSON: All right. Prior to  
23 last year, who were the volunteers?

24                   MR. TUBIS: The volunteers came from  
25 the Boys and Girls Club, and they had done it for

1 15 years. Then we switched to the USO. The USO  
2 has a very good volunteer training program.

3 The Boys and Girls Club, they'd just  
4 been doing it for year. We tried to bring in the  
5 food bank to raise more money for the food bank  
6 because we shifted around some other  
7 opportunities for the USO.

8 And in this case, they were not  
9 prepared to conduct the training. I did not  
10 physically go to all of their training. I went  
11 to their basic managers hoping the information  
12 will then get communicated to volunteers. It  
13 didn't.

14 And some volunteers came in at the  
15 last minute. So we're working now to ensure that  
16 everyone, if they're to be in a booth, that they  
17 get through training.

18 And that's where I'm turning to Hanson  
19 Productions so I don't have to rely on the  
20 nonprofit group. We have a history of bringing  
21 in nonprofit groups who have been successful.

22 Your inspectors do a great job of  
23 making sure that everyone is safe and everything  
24 is served properly. And I really appreciate they  
25 allow me to be proactive to handle situations

1 before they develop into something, like get  
2 extra signage or you need more ID checkers.

3 We've been very successful in the  
4 past. This year, it did fall apart this past  
5 year. I'm doing everything I can, and I  
6 recognize that your organizations have to come  
7 into it.

8 And that's why we're going to heavy up  
9 on our special police at the event, and we're  
10 also brining in professionals who've done a lot  
11 of other events very successfully in the hopes of  
12 continued working with nonprofit groups and not  
13 be sitting here again in front of you having to  
14 deal with situations like this.

15 MEMBER ANDERSON: Now will -- all  
16 right, so you're saying that the -- so how many  
17 areas will there be, will alcohol be served?

18 MR. TUBIS: We've consolidated. We  
19 had four last year. We're now going to have  
20 three areas. Two are beer and wine. One is beer  
21 and wine, but it is also some wine and microbrew  
22 samplings. It has the vendors there talking  
23 about the product.

24 But they're all enclosed in barrier  
25 rack with special police at the entrance and the

1 exit. So people will come in with a wristband,  
2 be properly ID'd or they will not be let in.

3 Once they're in, our volunteer  
4 coordinator, Joan, and Hanson Productions will  
5 make sure that our staff, not just the volunteers  
6 but our staff are there in the booth on the  
7 ground.

8 So if there's any problem, we can  
9 relieve it right away. What we should have done  
10 is, I should have closed some of the beverage  
11 booths. And I should have sent some of the  
12 volunteers home or told the volunteer coordinator  
13 we've got to sift through the volunteers because  
14 some volunteers, to me, not only nonresponsive  
15 but absolutely like I don't need this.

16 It was out of control last year. I  
17 apologize to the Board and to the inspectors that  
18 had to run around trying to help us deal with the  
19 situation. We will not have that again. At  
20 least that is what we're trying to do to make  
21 sure that we're covering every base.

22 MEMBER ANDERSON: So how many of your  
23 -- let me -- I'm going for a better choice of  
24 words. How many of your employees will you have  
25 who will be in each tent monitoring the

1 volunteers.

2 MR. TUBIS: That's what Joan and --

3 MEMBER ANDERSON: So how many people?

4 How many of your -- and that's why I said

5 employees. How many?

6 MR. TUBIS: I'm going with the  
7 recommendation beyond what I think is appropriate  
8 to go with you.

9 MS. HANSON: So the space itself is  
10 20-by-20?

11 MR. TUBIS: Yes, around 20-by-20.

12 MS. HANSON: So there's a tent that's  
13 20-by-20 that will have --

14 MR. TUBIS: And the outside area will  
15 be cordoned.

16 MS. HANSON: Right. And then the  
17 stations for each of the volunteers, which is  
18 three to four stations that volunteers can hand  
19 out alcohol. So we will have one compliance  
20 person monitoring those volunteers --

21 MR. TUBIS: At each station.

22 MS. HANSON: -- at each beverage  
23 station. And then we also have an additional  
24 four compliance people that are roaming to make  
25 sure that things are compliant and then taking

1 shifts with the compliance people that are within  
2 the 20-by-20 area distributing the beverages.

3 MR. TUBIS: And we're doubling the  
4 special police. Instead of one per booth, it's  
5 going to be two per booth making sure that we  
6 seal off the entrance and exit and everyone is  
7 properly ID'd.

8 MEMBER ANDERSON: So will folks be  
9 able to leave the area with alcohol?

10 MR. TUBIS: Yes. The event is fenced  
11 in.

12 MEMBER ANDERSON: No, I'm talking  
13 about will they -- no, will they be able to leave  
14 the fenced in area?

15 MR. TUBIS: Yes. The fenced in area  
16 -- the overall event is fenced in. People go to  
17 the music stage. They want to have the barbecue  
18 and their beer, sit at a dining table.

19 Each person that comes in will be able  
20 to get one drink. They will be 21 years or  
21 older. They are responsible for the drink, and  
22 they will have a wristband on and will understand  
23 they have to retain the wristband.

24 But yes, once they purchase a drink,  
25 they can go sit and eat their barbecue and have



1 their beer. That's the -- we don't sell a lot of  
2 alcohol at our event.

3 But we feel we have to have it because  
4 some people won't come to the event unless they  
5 know they can get their barbecue ribs and a beer  
6 or a glass of wine.

7 So anyone that has a beer in their  
8 hand, any adult, will be able to move around, but  
9 we're going to make sure that they are 21 or  
10 over. They recognize, you know, they only have  
11 one drink. They don't have two drinks in their  
12 hands or three drinks.

13 MS. HANSON: But they can't leave the  
14 site.

15 MR. TUBIS: They cannot leave the  
16 event site. The event site is completely fenced  
17 in. We have police at every single point on the  
18 event site.

19 We're going to have between 14 and 20  
20 Metropolitan Police Officers coming throughout  
21 the event site also. And they're also available  
22 to the inspectors. If there's a problem, they  
23 can have the police there.

24 MEMBER ANDERSON: The part that I'm --  
25 what's the role? Because she said that we're

1 going to have -- I'm sorry. Your name, sir?

2 MR. JACKSON: Commander Jackson.

3 MEMBER ANDERSON: Commander Jackson  
4 and his staff are going to be at the tent. So  
5 what is it that -- what's their role there?

6 MR. TUBIS: Their role is in the past,  
7 this past year, if you -- you could come to the  
8 tent. You can get ID'd right at the tent. You  
9 can purchase a beer, and you can walk off.

10 In order to even get to the tent, you  
11 have to be ID'd first, have a wristband. Then  
12 you have to enter a cordoned off area.

13 Like if you're servers at the tent, in  
14 order to get there, I would have to go through a  
15 fenced area, past a special -- one or two special  
16 police officers that will verify that I've been  
17 ID'd properly in order even to get over to order  
18 a beer.

19 You cannot even go there unless you  
20 pass the special police officer who will approve  
21 you to then move forward. So what I've done is  
22 the volunteers are going to be instructed.

23 Anyone coming into the area has  
24 already been ID'd. You should still look to make  
25 sure they have a wristband on because that's what

1 the special police do. And you can serve them  
2 one drink. That's it, one drink.

3 In the past, they would -- again,  
4 people could just walk right up to the booth.  
5 They can't do that anymore because we're going  
6 with barrier rack and fencing. We're going to  
7 close off the area.

8 Once you have a drink, once someone  
9 has a drink, they've shown with an ID they're 21  
10 years old or older. They're an adult. They only  
11 have one drink per person. We're trusting that  
12 adult to finish their drink and be responsible on  
13 the site.

14 MEMBER ANDERSON: But they can leave  
15 the fenced in beer area and go out in the larger  
16 area with their drink?

17 MR. TUBIS: And the larger area is  
18 sealed.

19 MEMBER ANDERSON: Yeah, I know, right.

20 MR. TUBIS: Yes.

21 MEMBER ANDERSON: But they can leave  
22 that inner fenced in bar area to go outside,  
23 still --

24 MR. TUBIS: The inner fenced in area  
25 is not large enough --

1 MEMBER ANDERSON: Right.

2 MR. TUBIS: -- for a whole beer garden  
3 because of the way the event site and we have to  
4 maintain fire lanes. So yes, that individual  
5 with a wristband on can then leave.

6 And that's another thing also. When  
7 they walk out with a beer or a wine, they will  
8 also verify, make sure that they check them on  
9 the way out. So we'll check them on the way in  
10 to make sure they have a wristband to get in and  
11 on the way out, we'll tell them to keep their  
12 wristband on.

13 So this is something that we had done  
14 years ago. We have changed the way the layout  
15 is, and apparently our safety -- we had a number  
16 of different safety measures.

17 Apparently, with the way things went  
18 last year didn't work. So we are going back. We  
19 are redoing everything and then adding to it.  
20 That has remained -- kept us remaining in full  
21 compliance for 20-something years.

22 MEMBER ANDERSON: I'm sorry. Go  
23 ahead.

24 MR. TUBIS: I'm a TIPS trainer to make  
25 sure that I can train volunteers. I've been I

1 think 14 years now. It was actually the  
2 recommendation of a Board member that I should  
3 look into the TIPS program, the Training for  
4 Intervention Procedures.

5 So we're going to utilize that also to  
6 make sure that all of our spotters are trained,  
7 all of our managers. And we also have trained  
8 Capital City Protective Service officers. So  
9 they'll also be trained in the TIPS program.

10 MEMBER ANDERSON: Go ahead, Ms.  
11 Hansen.

12 MEMBER HANSEN: The training process.

13 MR. TUBIS: Sure.

14 MEMBER HANSEN: Do you have written  
15 policies? I plan a lot of events.

16 MR. TUBIS: Yes.

17 MEMBER HANSEN: So I mean I also  
18 consider my volunteers. I do have some paid  
19 staff and then volunteers, so I know the  
20 importance. But I do hold the volunteers as  
21 liable.

22 MR. TUBIS: Yes.

23 MEMBER HANSEN: Otherwise I'm liable.

24 MR. TUBIS: Yes, and they are liable.

25 MEMBER HANSEN: Do you have written

1 procedures? What is the training process, and  
2 how many hours? What does it entail in person?  
3 I mean because posting things doesn't work.

4 MR. TUBIS: That actually moves to  
5 Joan Davis.

6 MEMBER HANSEN: Okay.

7 MR. TUBIS: She would be the one  
8 training and --

9 MS. DAVIS: So we have not written  
10 them yet since my involvement. My plan is to  
11 review the procedures that have been written in  
12 the past and then amp them up.

13 And we will have, as I said, a  
14 training session prior to the actual event date  
15 to make sure that everyone is familiar. We'll  
16 distribute them via email so that everyone has  
17 them to review in advance.

18 We will ask them to sign that they've  
19 read everything so that there's an element of  
20 responsibility and that they are aware that this  
21 is serious. And then we will do a training that  
22 morning before every shift before we distribute  
23 people out into their individual assigned areas.

24 MEMBER HANSEN: My recommendation  
25 would be, whatever your training policies are

1 that they have -- it's a form where they're  
2 initialing, and it needs to be in person where  
3 they're initialing on every line item that they  
4 understand, not just at the bottom of the page.

5 MS. DAVIS: Okay.

6 MEMBER HANSEN: Because I think that  
7 holds them responsible for reading, you know,  
8 everything that's important and that it is done  
9 in person. And if you have last minute changes  
10 that those people are held to the same standards.

11 MR. TUBIS: Yeah, they will be aware  
12 they're dispensing a controlled substance like a  
13 pharmacist. When I do my TIPS training, I try to  
14 make them aware of that. It is a controlled  
15 substance.

16 It is a legal substance used, you  
17 know, to relax or something like that, but it  
18 could also be abused. And so we will -- I will  
19 turn over all the information.

20 But again, I'm very open to expanding  
21 what we've done in the past to make sure that  
22 this, having to appear before you like this does  
23 not happen again.

24 MEMBER ANDERSON: Any other questions  
25 by any of the other Board members? Yes, Mr.

1 Short.

2 MEMBER SHORT: Mr. Tubis, why did you  
3 stop wristbanding? Why did you stop using  
4 wristbands last year?

5 MR. TUBIS: Well, I actually stopped  
6 using wristbands because another event that has  
7 been approved started doing hand stamps. I asked  
8 around, and some of the feedback I got was well,  
9 you know, a hand stamp you can't take off.

10 But wristbands -- a hand stamp is also  
11 hard to spot. You can't spot it. People wash  
12 their hands. I tried it because I thought bars  
13 do wristbands and other events have been approved  
14 for wristbands -- I mean I'm sorry, hand stamps.  
15 We never had a problem.

16 MEMBER SHORT: I don't mean to cut you  
17 off, sir.

18 MR. TUBIS: Yes, sir. With  
19 wristbands.

20 MEMBER SHORT: Your situation is not  
21 like a bar. Okay. We're talking about --

22 MR. TUBIS: I realize that now, sir.

23 MEMBER SHORT: -- 20,000 people. You  
24 probably realized it years and years ago. How  
25 many years you been doing it?



1 MR. TUBIS: 28 years now, sir.

2 MEMBER SHORT: 28 years.

3 MR. TUBIS: Yes, sir.

4 MEMBER SHORT: Ms. Hanson, you do the  
5 Cherry Blossoms for the city. Correct?

6 MS. HANSON: Not specifically the  
7 Cherry Blossoms, but other large events.

8 MEMBER SHORT: Special events?

9 MR. TUBIS: Didn't you work with  
10 Cherry Blossom?

11 MEMBER SHORT: Can we have her  
12 testify? Excuse me, Mr. Tubis. That's kind of  
13 disrespectful. Don't you think?

14 MR. TUBIS: I'm sorry, sir.

15 MEMBER SHORT: Thank you. Just Ms.  
16 Tumis, have ever been before the Mayor's  
17 Committee on Special Events?

18 MR. TUBIS: Several years, sir.

19 MEMBER SHORT: Not you. I'm asking  
20 Miss -- please, sir, please. Calm down.

21 MS. HANSON: Many times, sir.

22 MEMBER SHORT: Okay. Have you ever  
23 applied for a special permit for events like  
24 this?

25 MS. HANSON: Events like a Barbeque

1 Battle --

2 MEMBER SHORT: Yeah.

3 MS. HANSON: -- or large scale?

4 MEMBER SHORT: Large scale.

5 MS. HANSON: Yes.

6 MEMBER SHORT: So if Giant were to say  
7 to you this year, we'd rather have you get the  
8 permit from this ABC Board rather than the  
9 persons who have been doing it before with the  
10 problems, would you consider that?

11 MS. HANSON: I personally can't do it  
12 because as I understand it, it has to be from the  
13 organization itself, Barbeque Battle, Inc. So I  
14 wouldn't be able to do it, I don't think.

15 MEMBER SHORT: Okay. Well, I'll just  
16 simply say you heard the testimony today, and you  
17 heard what the investigator said. People were  
18 walking away with six-packs.

19 People were just having backup drinks,  
20 wine and just walking. That's very unacceptable,  
21 and I was very, very displeased and hurt that the  
22 sponsor of the event couldn't come to a hearing.

23 He's been before this Board many, many  
24 times. He knows how important this is to this  
25 Board. And when we get reports that this

1 particular event, which is a great event for the  
2 city and raises a lot of money for a lot of  
3 different organizations, which is greatly needed.

4 And we don't want to ever see this  
5 event stopped. The city looks forward to this  
6 battle of the barbecue every year, but just  
7 because one person has their name on the permit  
8 doesn't mean that the event can't go on. Is that  
9 true or not?

10 MS. HANSON: That is true, sir.

11 MEMBER SHORT: Okay. Well, again, I  
12 thank you very much. And it sounds like the  
13 training is going to be taken care of by Ms. --

14 MS. DAVIS: Davis.

15 MEMBER SHORT: -- Davis. How many  
16 people, like they say, have you been involved in,  
17 Ms. Davis?

18 MS. DAVIS: Over the course of 32  
19 years, hundreds.

20 MEMBER SHORT: Have you ever been  
21 involved with this event before?

22 MS. DAVIS: I have not.

23 MEMBER SHORT: Okay. So you heard the  
24 testimony from the investigator. Has anything  
25 like that ever happened with any event you've

1       been involved with?

2                       (No audible response.)

3                       MEMBER SHORT: This is for the  
4       commander. How long have you worked in the  
5       District, sir, as a special police officer?

6                       MR. JACKSON: Going on six years.

7                       MEMBER SHORT: Six years. Have you  
8       ever been involved with an event like this before  
9       or any major events?

10                      MR. JACKSON: Yes, sir.

11                      MEMBER SHORT: Which? Can you name  
12       some of them?

13                      MR. JACKSON: I've done the Japanese  
14       Festival. I think it was Caribbean Fest over at  
15       RFK Stadium.

16                      MEMBER SHORT: Oh.

17                      MR. JACKSON: And --

18                      MEMBER SHORT: How did that go?

19                      MR. JACKSON: You know, fairly a  
20       little rough because, you know, the nature of the  
21       event and, you know, things didn't --

22                      MEMBER SHORT: So lessons learned, you  
23       would be a little better if you had to do it  
24       again?

25                      MR. JACKSON: Yes, sir.

1                   MEMBER SHORT: Especially on  
2                   Pennsylvania Avenue.

3                   MR. JACKSON: Correct.

4                   MEMBER SHORT: In light of -- we know  
5                   that you had incidents all around the world and  
6                   in this country where people take advantage,  
7                   especially people who don't mean any good to this  
8                   country.

9                   But a situation where people are  
10                  walking around with six beers in their hand and  
11                  nobody checking and nobody seeming like they  
12                  care. So that wouldn't happen with you being  
13                  there. Correct?

14                  MR. JACKSON: No, sir.

15                  MEMBER SHORT: All right. Well, I'll  
16                  just simply say this. This hearing is for Mr.  
17                  Tubis. Mr. Tubis, again, I'm very disappointed,  
18                  very disappointed with you, not the event.

19                  MR. TUBIS: I understand, sir.

20                  MEMBER SHORT: Very disappointed. And  
21                  even more hurt that you did not come when we  
22                  subpoenaed you to talk about this. So that's all  
23                  I have for right now, Mr. Chair. And thank you  
24                  for a great report, Mr. Investigator.

25                  MR. TUBIS: Mr. Short, if I could just

1 say, sir, I had every intention. I had my  
2 materials ready. I was going to be here that  
3 day. I apologize for the miscommunication.

4 If I could have been here 9:00 in the  
5 morning waiting around for the afternoon, I would  
6 have. I did not know to be here at that time.

7 MEMBER SHORT: Thank you for those  
8 words, sir.

9 MR. TUBIS: That's all I can say, sir.  
10 I did not mean disrespect to anyone, and I  
11 understand what you do. And it's extremely  
12 important. It literally can affect saving a  
13 life. I understand that. I do understand that.

14 MEMBER SHORT: Well, the reason why I  
15 have this passion is because I was once a public  
16 safety person for the city, and I know what can  
17 happen. And I do know what happens when we have  
18 people who run great events like this who don't  
19 do their due diligence.

20 It could cause this city a very big  
21 embarrassment. It could cause a lot of hurt,  
22 harm and danger to our hospitality community and  
23 events like this. Pennsylvania Avenue is a  
24 sacred place.

25 MR. TUBIS: Yes, sir.

1                   MEMBER SHORT: But you didn't act like  
2 that on that last year. Correct?

3                   MR. TUBIS: No, sir.

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

6                   MEMBER SHORT: Any other questions by  
7 any other Board members? Mr. Puente, any other,  
8 any questions that you need, you want to ask?

9                   MR. PUENTE: No. I'll just add  
10 Supervisor Jason Peru sits in on the Mayor's  
11 Event Task Force.

12                   On last weekend, he met with Ms.  
13 Hanson, talked about issues and concerns. And we  
14 gave her a recommendation, so we're pleased that  
15 she took that and offered it.

16                   MEMBER SHORT: We are very happy to  
17 see her today. She's got a great, stellar  
18 reputation in this city. Thank you very much for  
19 that.

20                   MEMBER ANDERSON: Any final comments  
21 you want to make, sir?

22                   MR. TUBIS: Sir, you --

23                   MEMBER ANDERSON: There's somebody at  
24 the back of the room. I guess maybe they want to  
25 talk to you.

1                   MR. TUBIS: Oh, yes. Oh, this is my  
2 wife, Suzanne Tubis, who is also my partner in  
3 putting together the Barbeque Battle. Suzanne  
4 said she's willing to put her name on the permit  
5 and be responsible if that's an issue.

6                   I trust that you know what's best for  
7 the city and for safety. I do ask for another  
8 chance. I don't know if I deserve another  
9 chance, but it's entirely up to you, whatever you  
10 think is right.

11                   I will, in any capacity, make sure  
12 that we are in full compliance and that everyone  
13 is safe at the event and everything works well at  
14 the event. Again, from a historical standpoint,  
15 I have done everything that I could in the past.

16                   I did not -- I was not effective this  
17 past year. I just hope that if you choose and  
18 you trust that I can be responsible this year, I  
19 would like to be responsible. But it's entirely  
20 up to you, whatever course you see fit.

21                   MEMBER ANDERSON: All right. Anything  
22 else? No other questions? That's it. Thank you  
23 for being here this morning, sir.

24                   MR. TUBIS: Thank you again for seeing  
25 me. I really appreciate it.





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In the matter of: Giant Barbeque Battle

Before: DCABRA

Date: 02-12-20

Place: Washington, DC

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