

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF: :

:

Green Island Heaven and :  
 Hell, Inc., :  
 t/a Green Island Café/ :  
 Heaven & Hell :  
 2327 18th Street NW : Fact Finding  
 Retailer CT - ANC 1C : Hearing  
 License No. 74503 :  
 Case #18-251-00111 :  
 :  
 (MPD Request for a Fact :  
 Finding Hearing) :

Wednesday  
 June 6, 2018

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  
 BOBBY CATO, JR., Member  
 MIKE SILVERSTEIN, Member  
 JAMES SHORT, Member  
 REMA WAHABZADAH, Member

**ALSO PRESENT:**

**MEHARI WOLDEMARIAM, Licensee**

**JON FARMER, Licensee's Counsel**

**DAVID AUGUSTINE, MPD**

**PAUL HREBENAK, MPD**

**SHAWN ROONEY, MPD**

**EARL JONES, ABRA Investigator**

**BRENDA SMITH, RDO Coordinator**

C-O-N-T-E-N-T-S

STATEMENTS

Captain David Augustine. . . . . .12  
Sergeant Shawn Rooney. . . . . .18  
Lieutenant Paul Hrebenak . . . . . 23/30  
Brenda Smith . . . . . 28/32  
Investigator Earl Jones. . . . . .33  
Jonathan Farmer, Licensee Attorney . . . . . 43/52  
Mehari Woldemariam, Licensee . . . . . .48

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

2 11:13 a.m.

3 CHAIRPERSON ANDERSON: All right. So  
4 let's move on with our calendar. The next case  
5 we have is a Fact-Finding Hearing, Case No. 18-  
6 251-00111, Green Island Café Heaven & Hell,  
7 License No. 74503.

8 Would all the parties for this case,  
9 please, appear and identify themselves for the  
10 record, please? Everyone who is here for Green  
11 Island, please, appear, please.

12 Is there an Investigator here for this  
13 case? So could everyone identify themselves for  
14 the record? We will start with the licensee. We  
15 will start with the licensee to identify  
16 yourself.

17 MR. FARMER: Oh, Jonathan Farmer on  
18 behalf of Green Island.

19 MR. WOLDEMARIAM: Mehari Woldemariam  
20 on behalf of Green Island.

21 CHAIRPERSON ANDERSON: Mr.  
22 Woldemariam, I know you have been here a lot, but

1 can you spell your name for the record, just for  
2 the --

3 MR. WOLDEMARIAM: M-E-H-A-R-I last  
4 name W-O-L-D-E-M-A-R-I-A-M.

5 CHAIRPERSON ANDERSON: All right.  
6 Good morning again. Mr. Jones?

7 INVESTIGATOR JONES: Investigator Earl  
8 Jones with ABRA.

9 CAPTAIN AUGUSTINE: Captain David  
10 Augustine, Metropolitan Police Department. The  
11 last name is spelled A-U-G-U-S-T-I-N-E.

12 SERGEANT ROONEY: Sergeant Shawn  
13 Rooney, Metropolitan Police Department, 3rd  
14 District.

15 CHAIRPERSON ANDERSON: Good morning.

16 SERGEANT ROONEY: Last name spelled R-  
17 O-O-N-E-Y.

18 CHAIRPERSON ANDERSON: Yes, sir.

19 LIEUTENANT HREBENAK: Lieutenant Paul  
20 Hrebenak, 3rd District. H-R-E-B, as in boy, E-N-  
21 A-K.

22 CHAIRPERSON ANDERSON: Ma'am, you need

1 to come up also, too, please, and introduce  
2 yourself for the record.

3 MS. SMITH: Brenda Smith, B-R-E-N-D-A  
4 S-M-I-T-H.

5 CHAIRPERSON ANDERSON: All right. The  
6 reason why we are having this Fact-Finding  
7 Hearing is that the Metropolitan Police  
8 Department had petitioned the Board to have a  
9 Fact-Finding Hearing.

10 Apparently, an incident occurred. The  
11 Metropolitan Department determined that based on  
12 the nexus of the incident to this licensee, that  
13 they were somewhat involved. I said somewhat.  
14 I'm looking at your facial expression, Mr.  
15 Farmer. Normally, it's the licensee who has the  
16 facial expressions, but today I see it on the  
17 attorney.

18 I'm just -- I'm not making any  
19 aspirations. I'm just stating what it is, why is  
20 it that -- a Fact-Finding Hearing we have here  
21 today. But anyway, so I think there was some  
22 allegations, at least from the Metropolitan

1 Police Department, that the licensee did not act  
2 promptly in turning over video, that I think that  
3 the MPD also stated that it was their position  
4 that there was no reimbursable detail during that  
5 period of time and there is a Board Order stating  
6 that there were supposed to be reimbursable  
7 detail during that period of time.

8 And the conclusion by MPD was that if  
9 reimbursable detail were at the facility as per  
10 the Board Order, that maybe the incident that  
11 occurred would have been preventable. And so  
12 therefore, they have requested that the Board  
13 hold a Fact-Finding Hearing on this matter.

14 Okay. So, yes, Mr. Farmer, before I--  
15 but I'm going to have -- what I'm going to do,  
16 I'm going to have the MPD present to the Board  
17 why they requested a Fact-Finding Hearing. Then  
18 I'll have the Investigator to give a report that  
19 he filed and then you can respond after. But if  
20 you want to say something at this juncture, you  
21 can.

22 But I mean, that's where -- I would at

1 least let them tell us why is it that they  
2 believe that you are responsible and on behalf of  
3 your client, then you can respond.

4 MR. FARMER: And as a matter of  
5 courtesy to the Board, at the same time, I'll  
6 just state that I'm somewhat appalled that we are  
7 here on that basis, but I will reserve my remarks  
8 until after they have made their presentation.

9 CHAIRPERSON ANDERSON: What basis,  
10 sir? Were you -- you were not told why we are  
11 having this Fact-Finding Hearing?

12 MR. FARMER: Yes, I was told, but  
13 again, I think my remarks go more to the  
14 substance of why we are here in terms of MPD. I  
15 agree that a Fact-Finding Hearing on the basis of  
16 the RDO and his compliance with the Board Order  
17 is prompt -- is appropriate. We may have asked  
18 for that ourselves.

19 But to be brought before the Board on  
20 the basis of an event that has absolutely no  
21 nexus to Green Island, I think, is -- I find this  
22 inappropriate. My legal sensibilities are



1 somewhat -- I just find it appalling.

2 CHAIRPERSON ANDERSON: Well, and I'm  
3 not saying I agree, but I'm just stating that the  
4 -- a request was made to the Board to have this  
5 Fact-Finding Hearing from MPD.

6 MR. FARMER: Understood.

7 CHAIRPERSON ANDERSON: And so in  
8 reviewing the request and in reviewing the  
9 allegations of the request, the Board deemed that  
10 it was appropriate to have this Fact-Finding  
11 Hearing.

12 By having this Fact-Finding Hearing  
13 today, the Board is not -- has not made any  
14 determination to say that this licensee did  
15 anything wrong. At least that's not my position.  
16 We are gathering facts to make a determination  
17 and as you know, it's just a Fact-Finding. We  
18 can either -- at the end of the day, we can say  
19 NFA or we can say that we are going to refer it  
20 somewhere else. I don't know where the Board is  
21 going to be, but we will -- so we will find out  
22 the information.

1 MR. FARMER: Just I would address  
2 this.

3 CHAIRPERSON ANDERSON: Yes.

4 MR. FARMER: Are we facing a certain  
5 charge? I can't --

6 CHAIRPERSON ANDERSON: I'm not aware.  
7 I'm not saying that. I'm not -- I said -- I'm  
8 just saying to you that I'm not there. I'm not  
9 there, so I don't know. We are just gathering  
10 information and I don't recall in reviewing --  
11 have you shared a copy -- have you received a  
12 copy of the report by the Investigator?

13 MR. FARMER: Yes, yes.

14 CHAIRPERSON ANDERSON: And I don't  
15 remember at the end of the Investigator's --

16 MEMBER SILVERSTEIN: This is -- they  
17 didn't have RDO there.

18 CHAIRPERSON ANDERSON: I believe that  
19 the conclusion that was brought by the  
20 Investigator is that the establishment did not  
21 have RDO that night.

22 MR. FARMER: Understood.

1                   CHAIRPERSON ANDERSON: And so whether  
2 or not this incident that had -- the nexus  
3 between the incident, where it occurred, I mean,  
4 that's not an issue. I think the issue, if there  
5 is any potential violation, it's whether or not  
6 the establishment had RDO that night based on the  
7 Board Order, and if they didn't have RDO that  
8 night, why is it that -- did they request RDO?  
9 And so therefore, the RDO did not show up?  
10 Because we can't hold you accountable to RDO if a  
11 request was made for it and then they are not  
12 there.

13                   So I think -- so that's the only  
14 potential charge I could see, at least at this  
15 moment from -- just by review this report,  
16 because I think that's what -- that was the  
17 conclusion of the Investigator. Okay?

18                   MR. FARMER: Am I understanding the  
19 scope of this hearing is limited to that  
20 particular evening?

21                   CHAIRPERSON ANDERSON: The scope of --  
22 all right. The MPD asked for this Fact-Finding

1 Hearing based on the event that occurred this day  
2 and I think MPD concluded that if RDO were  
3 available as they should have, maybe it could  
4 have been a preventable occurrence.

5 Maybe that's we are pre-supposing  
6 that, I don't know. And as I know as an  
7 attorney, I know you are saying that conclusion  
8 doesn't necessarily go together, but lay people  
9 think otherwise. I'll just say it that way.

10 MR. FARMER: Okay.

11 CHAIRPERSON ANDERSON: But all right.  
12 So let's let -- so where do we want to start? Do  
13 we want to start with Captain Augustine or  
14 Sergeant Rooney? Who wants to start?

15 CAPTAIN AUGUSTINE: Director, if I can  
16 sit there and say I'm Captain Augustine. I'm  
17 prepared to speak of the letter of why --

18 CHAIRPERSON ANDERSON: Yes.

19 CAPTAIN AUGUSTINE: -- I thought the  
20 letter was appropriate with a little back  
21 history. I brought Sergeant Rooney, who has been  
22 up there for the longest time of any of us up

1 there, he has the whole back history, so if there  
2 is back history questions, we have him for that.

3 He also was on the scene of the night  
4 the incident took place, so he has intimate  
5 knowledge of that, if you would like that shared  
6 first.

7 Lieutenant Hrebenak, he is our RDO  
8 Coordinator in the 3rd District, so he can speak  
9 to the lack of RDO Program that the  
10 establishments had for quite some time.

11 And then, obviously, you know, Ms.  
12 Smith, who is the MPD Coordinator overall of the  
13 RDO Program, also has a long knowledge of the  
14 history of the lack of RDO Program and the  
15 troubles that it inhibits on the Metropolitan  
16 Police Department for future fillings.

17 CHAIRPERSON ANDERSON: All right. So  
18 let's start with you, Captain. So you can let us  
19 know why is it that the chief requested this  
20 Fact-Finding Hearing?

21 CAPTAIN AUGUSTINE: So as you know, it  
22 was on April 16, 2007, the Board approved to

1 renew the establishment's Retailer Class C Tavern  
2 License with the following conditions:

3 (1) Install security cameras, so that  
4 all areas where patrons have access are visible  
5 to the footage to include all the sidewalks, cafe  
6 areas and the sidewalk in front.

7 (2) Hire at least two RDOs for a  
8 minimum four hours at least one hour after  
9 closing Thursday through Sunday.

10 (3) And then file a security plan with  
11 the Board that complies with DC Code and complies  
12 with the video requirements of DC Code 25-402.  
13 They have one, but I actually believe it's  
14 Section 4 in there.

15 I sat there and the reason why  
16 Metropolitan Police Department requested a Fact-  
17 Finding is it is evident that Heaven & Hell is  
18 not -- has not met or complied with any of the  
19 orders that was set forth in that order on August  
20 16th.

21 All right. Lieutenant Hrebenak's  
22 testimony reveals that -- will reveal that the

1 establishment is not complying with the RDO  
2 Program. All right. The RDO Program to the  
3 effect of even that day. All right. Initially,  
4 it was thought that the incident happened right  
5 out in front of Heaven & Hell. All right.

6 I will sit there and say that we  
7 believe it actually did not start there and I'll  
8 give you that, but the mere fact is they were  
9 supposed to have an RDO. You didn't have one.

10 The next thing is the cameras. We  
11 came that night, Detective Gamble came that night  
12 and requested the cameras. The employees were on  
13 their way out and were not helpful in getting  
14 those cameras. If that would have happened right  
15 there and then, then you know what, maybe things  
16 would have been different and we would have known  
17 right there that the investigation or the  
18 incident didn't start right in front. But that  
19 delayed our investigation for actually a couple  
20 of days.

21 On February -- yeah, so here actually  
22 -- here is the facts on that. On February 25th at

1 04:00 hours, Detective Gamble went to the  
2 location to review footage of an incident  
3 believed to have started in front of Heaven &  
4 Hell. Employees were leaving and told Detective  
5 Gamble that he had to come back.

6 Detective Dowling responded back a day  
7 later and was told they had -- they didn't have  
8 the pass code. The video was turned over to  
9 Detective Gamble on February 27, 2018 and that  
10 actually might have been Detective Dowling also  
11 in the evening, clearly 48 hours after the time  
12 limit.

13 Failure to retrieve that video,  
14 obviously, delays the investigation. It can  
15 delay us trying to identify suspects. In this  
16 case so many months later, you still believe that  
17 the incident happened in front, so we give it to  
18 them that it appears it did not, but it has also  
19 delayed that.

20 And go back to even the pass codes and  
21 this incident happened in February. The Board  
22 mandate was -- or to renew the license in the



1 District was in August. So that's almost six  
2 months later and they still didn't know how to  
3 operate their cameras. Either the employees  
4 didn't want to cooperate and then the excuse that  
5 we didn't know the pass code, I just find very --  
6 that very, very unacceptable.

7 So that's why MPD is requesting the  
8 Fact-Finding. They have not been good partners  
9 to the community. We know the long history,  
10 which we have Sergeant Rooney to testify to. I  
11 believe there is an ANC Commissioner here that  
12 may be able to testify to and there is -- this  
13 isn't the first Fact-Finding Hearing.

14 With them blatantly disregarding what  
15 is -- the conditions of their renewal, I don't  
16 find that they are being partners to the  
17 community. All the hard work that everybody has  
18 gone into to make Adams Morgan a lot safer than  
19 it was even years ago, we don't want to regress.

20 And for someone blatant disregard to  
21 such as RDO Programs and the cameras and  
22 cooperating with the police when there is -- this

1 was a stabbing. I mean, this wasn't just a  
2 regular fight. This wasn't a disagreement  
3 between two patrons. This was a stabbing,  
4 something very, very serious.

5 And even with them not cooperating  
6 with the cameras, that delays us going to get  
7 that person, you know? And hopefully they don't  
8 commit another crime. That's what I have to say  
9 about that.

10 CHAIRPERSON ANDERSON: Sergeant  
11 Rooney, I know that you have been here before and  
12 I know that there are more issues, but I want you  
13 more so to talk about this night, because I don't  
14 necessarily want to open up to say their long  
15 history of whether or not they are compliant or  
16 not compliant, because they are not necessarily  
17 prepared for that.

18 So more so talk about this night and  
19 this establishment, yes.

20 SERGEANT ROONEY: Sure. Thanks for  
21 having me, Mr. Chair --

22 CHAIRPERSON ANDERSON: Thank you.

1                   SERGEANT ROONEY:  -- and the Board.  
2           On this particular night, just like the Captain  
3           testified to, had two RDOs been there, it could  
4           have been -- it might have been prevented.  We  
5           don't know.  And just to let you know when  
6           someone says a stabbing, this particular person  
7           was stabbed in the abdomen area.  I mean, his  
8           intestines were actually hanging out of his skin  
9           and out of his body.

10                   So it was very serious.  It could have  
11           turned into something more serious, to a homicide  
12           type.  So when we need video and things like  
13           that, we expect to have it that night.

14                   But to go back to this particular  
15           night, I went to the hospital to check on the  
16           victim of the stabbing and I listened to some of  
17           the interview.  I had spoke to some of the  
18           females that were, I guess, girlfriend, one was a  
19           girlfriend of the actual victim.  They said that  
20           they had met them inside right outside of Heaven  
21           & Hell and there was guys that were coming out  
22           and they were jaw-jacking with each other.

1           Okay. The stabbing didn't occur right  
2 outside of the Heaven & Hell, but a lot of times  
3 we if have RDOs right in that block, because the  
4 RDO if you read the general order for us, they  
5 cleanup the whole block. We make sure that, you  
6 know, we send -- that if there is two parties  
7 there kind of jaw-jacking or going, to prevent  
8 anything from escalating, we could send them in  
9 different directions.

10           You know, and then if they come back  
11 towards this way, we might be able to lock them  
12 up for something like inciting violence or, you  
13 know, some sort of disorderly threat before it  
14 gets to that level.

15           Unfortunately, they walked up the  
16 street and I guess the two parties were close,  
17 you know, with each other and this is from what I  
18 heard from the interview and from what the girls  
19 had told me. They were jaw-jacking all the way  
20 up the street and it could have been prevented is  
21 what Captain Augustine had said and what I  
22 believe that it could have been.

1                   According -- you know, Mehari, the  
2 owner, had brought us in to walk us around inside  
3 the establishment, which I commend him for those  
4 efforts. And he does have video inside there,  
5 but not having the use of it and the ability to  
6 get it when we need it right away is super, super  
7 concerning.

8                   The other thing is with the RDOs, he  
9 hadn't paid the RDOs, so it had just been  
10 recently that he had paid the RDO fees, so that  
11 we could get the program implemented or back  
12 established. You know, having that hardship,  
13 officers, we have a hard time filling those spots  
14 as it is because of the demand and because of the  
15 volatility of the club.

16                   So the other thing is that the  
17 security plan, you know, as the Captain had  
18 mentioned on August 17th, I believe it was August  
19 6 or August 16, 2017, you know, they were  
20 supposed to have a security plan. I had gone and  
21 talked to Mehari. I haven't seen the security  
22 plan. I'm not sure if he has a security plan.

1       However, there are still two security guards  
2       which I have a pretty good rapport with right now  
3       and they are really good guys, they definitely  
4       need more security in there for the summer time  
5       as it gets busier.

6                 However, Mehari has walked us around  
7       and showed us the video room that he does have,  
8       but having it and delivering it is two things.  
9       So I can only go off the history of what we have  
10      had.

11                And on Thursday and Sunday nights, I  
12      know I had just met with Mehari regarding  
13      Thursday and Sunday nights. Yes, it is currently  
14      not busy on those particular nights and he does  
15      close his doors, but he still has patrons inside  
16      of there up until that point. So I'm sure he  
17      will go ahead and testify regarding that, but  
18      it's still a sanction by the Board that he is  
19      supposed to have RDOs on Thursday nights, Friday  
20      nights, Saturday nights and Sunday nights and we  
21      hadn't had any.

22                So thank you for having me. If there

1 is any questions that I can answer or anything  
2 else, I would be happy to.

3 CHAIRPERSON ANDERSON: Just a quick --  
4 do you know why RDOs were not there that night?

5 CAPTAIN AUGUSTINE: Could we have  
6 Lieutenant Hrebenak testify about that?

7 CHAIRPERSON ANDERSON: Whoever can --

8 CAPTAIN AUGUSTINE: Since he  
9 coordinates all of that?

10 CHAIRPERSON ANDERSON: Yes, sure.

11 LIEUTENANT HREBENAK: Board Members,  
12 it's good to see you again, Board Members.

13 CHAIRPERSON ANDERSON: Well, I'm not--  
14 when the police is showing up, I'm not quite sure  
15 if that's -- that's a good thing. That tells us  
16 that something is not going on correctly in the  
17 community, but it's good to see you. Okay.

18 LIEUTENANT HREBENAK: As I mentioned  
19 before in my previous testimony with Howard  
20 Theatre, I am in charge of the RDO Program. So  
21 Brenda Smith, who you may speak to later, sends  
22 me a request that comes from the owner or from

1 the Board as mandated. I fill that request with  
2 officers.

3 We were having issues specifically  
4 with Heaven & Hell, who had just gotten off the  
5 suspension list and Ms. Smith can talk to more  
6 about why it was on the suspension list in a  
7 minute, but it had just -- they had just come  
8 current with their payments required to the DC  
9 Government and had been reinstated in the RDO  
10 Program.

11 And hence, we were scheduling -- we  
12 schedule officers for Thursday, Friday, Saturday  
13 and Sunday as Sergeant Rooney mentioned. I  
14 believe at that time period in February, it was  
15 still suspended during the incident. It has been  
16 on and off the suspension list several times.

17 CHAIRPERSON ANDERSON: Why are they  
18 suspended? Can you just explain to us why?

19 LIEUTENANT HREBENAK: The threshold  
20 that Ms. Smith has, and I'm not sure of the exact  
21 dollar amount of past due amount to the RDO  
22 Program, so the hourly bill that she sends to the



1 owner, the check is required to be paid, I think.

2 SERGEANT ROONEY: To ensure the  
3 payment.

4 LIEUTENANT HREBENAK: Yeah.

5 SERGEANT ROONEY: If they are not  
6 paying the bill.

7 CHAIRPERSON ANDERSON: Okay.

8 LIEUTENANT HREBENAK: Yeah, so we --  
9 yes, I'm sorry. So they hadn't paid their bill.  
10 So what happens when they would be reinstated on  
11 Thursdays and Sundays specifically, they would  
12 close early, officers would -- so officers would  
13 show up and the doors would be closed. They  
14 would have to go home and only be paid two hours  
15 instead of four hours. It made it very difficult  
16 to staff, because officers didn't want to work  
17 it, because we were having issues with them  
18 closing early or they were frequently suspended  
19 on and off the program.

20 That night specifically, they were  
21 still suspended from the program because of non-  
22 payment to the DC Government, so we were unable

1 to send officers to them at that point.

2 CHAIRPERSON ANDERSON: Well, let me  
3 ask a question. I thought for the RDO that it  
4 had to be for four hours. So explain to me when  
5 you are saying that if they close early, then you  
6 only pay them two hours. I thought that it was  
7 for a block of time, that it had to be for four  
8 hours.

9 LIEUTENANT HREBENAK: Correct.  
10 Correct. Per the agreement they make with MPD,  
11 it is four hours, two officers at four hours.  
12 The rate is dependent on when the officers are  
13 showing up if it's during the ABRA subsidized  
14 time or whatever or during normal business hours.

15 However, what was happening -- what  
16 happens sometimes, what specifically happened  
17 with Heaven & Hell, is the officers would show up  
18 and the door would be closed, the lights would be  
19 off or the door would be closed and he wouldn't  
20 answer the door and they wouldn't be able to have  
21 their form signed. In effect, it would appear  
22 that the bar was closed.

1           So in those instances, what happens is  
2           MPD still bills the owner of the establishment  
3           for two hours, even though the bar may be closed,  
4           because the officers showed up and that's the  
5           mandatory union, we call that time for officers,  
6           whether they show up for 5 minutes, 10 minutes,  
7           20 minutes, they are mandated two hours payment  
8           for showing up to a detail, even if the bar is  
9           closed, even if the owner, in some cases, refuses  
10          to open up the door and sign their sheet, their  
11          time sheet. Does that answer the question?

12                   CHAIRPERSON ANDERSON: Yeah. But so  
13          for this particular establishment, is it that  
14          they have to request the RDO? Whether or not  
15          they are suspended or not, just in a perfect  
16          world --

17                   LIEUTENANT HREBENAK: Um-hum.

18                   CHAIRPERSON ANDERSON: -- for this  
19          there is a Board Order saying that they are  
20          supposed to have Thursday, Friday and Saturday  
21          and Sunday. So how is it that -- does the RDO  
22          automatically show up or does he have to request

1 that they show up? How does that go?

2 LIEUTENANT HREBENAK: I'll let Ms.  
3 Smith talk about how it's specifically requested  
4 and then I'll talk about --

5 CHAIRPERSON ANDERSON: Yes, for this  
6 particular -- because since I'm hearing that,  
7 okay, the RDO might show up and the doors are  
8 locked and so how does -- for this particular --  
9 since we know there is a Board Order stating that  
10 they are supposed to have RDOs for those nights,  
11 how does it work for this? Because I was told by  
12 other facilities that they have to request the  
13 RDO and then you send it. If they are available,  
14 you will send. So is it automatic or how does it  
15 go for this particular establishment?

16 MS. SMITH: So when --

17 CHAIRPERSON ANDERSON: Identify  
18 yourself first, Ms. Smith. I know who you are,  
19 but for the record.

20 MS. SMITH: Brenda Smith, RDO  
21 Coordinator.

22 So when an establishment decides to

1 voluntary get RDO services and they want the same  
2 days and the same time, it's a standard detail  
3 and I provide that every month. They don't have  
4 to contact me monthly. I automatically write up  
5 the schedule for it and send it to the District.

6 Also when a club is mandated, that is  
7 the same procedure, so I automatically set up the  
8 schedule and send it to the District and they  
9 were scheduled. However, when it comes to being  
10 suspended, there is a process. You are not just  
11 automatically suspended.

12 We get a payroll's list from OCFO's  
13 office and that list details all outstanding  
14 invoices for every RDO establishment. I will  
15 send the establishment a notice, a delinquency  
16 notice. When I send them the delinquency notice,  
17 they are already 31 days past due on the bill. I  
18 give them additional three days to make the  
19 payment.

20 When they don't make that payment,  
21 then I suspend them. And then I send out the  
22 notice to the establishment and to the District

1 that the club is suspended.

2 CHAIRPERSON ANDERSON: Okay. All  
3 right. Thank you.

4 LIEUTENANT HREBENAK: Thank you. I  
5 will note that year-to-date, there is at least 30  
6 instances where Heaven & Hell has been open  
7 without an RDO present. And more specifically,  
8 again, they have canceled Thursday and Sunday RDO  
9 services, notifying us that not to send an  
10 officer on those days, because they would not be  
11 open past midnight, which is when they are  
12 mandated to have an RDO.

13 CHAIRPERSON ANDERSON: But are they  
14 open past midnight?

15 LIEUTENANT HREBENAK: We -- since they  
16 have canceled those Thursdays and Sundays, as of  
17 this month, we have not had any record of them  
18 being open.

19 Prior to when they were suspended from  
20 the program completely, as Ms. Smith mentioned at  
21 -- because of delinquency, that's when we had 30,  
22 approximately, reports that we have taken of them

1 being open without an RDO officer being present.

2 MEMBER SILVERSTEIN: How many?

3 LIEUTENANT HREBENAK: 30.

4 CAPTAIN AUGUSTINE: And that's a  
5 minimum number, I think.

6 LIEUTENANT HREBENAK: Right, yeah.  
7 And that -- it doesn't include every time they  
8 are open. Those are the times we have had an  
9 officer available to go by, confirm that they  
10 were open and then write the report.

11 CAPTAIN AUGUSTINE: Yes, we have  
12 documented. And like I said, that's just when we  
13 started documenting, which was right around the  
14 beginning of the year, if I'm not mistaken.

15 LIEUTENANT HREBENAK: That's year-to-  
16 date, yes.

17 CAPTAIN AUGUSTINE: And that's, yes,  
18 year-to-date and that's -- when we document them  
19 not having RDO, that -- we are documenting  
20 because it's a violation of what is in the order  
21 from the Board. That's not just like a Monday  
22 through Tuesday, that's actually them in

1 violation of the order.

2 MS. SMITH: May I explain --

3 CHAIRPERSON ANDERSON: Yes, Ms. Smith,  
4 go ahead.

5 MS. SMITH: -- the two hour situation?

6 So Heaven & Hell is scheduled to have four hours  
7 detail from Thursday through Sunday. So if they  
8 decide they are going to close early, the  
9 agreement states that they have to provide us 48  
10 hour notice of the closure. That gives me time  
11 to contact the District, so they can contact the  
12 officers that were scheduled to work, so they  
13 don't show up to an establishment that is closed.

14 Because of the union law, it states  
15 that those two hours are for traveling time for  
16 the officers, so they receive some type of  
17 compensation. So when the club does not give me  
18 that notice, the officers will automatically get  
19 paid for two hours and we charge establishments  
20 for two hours per officer.

21 CHAIRPERSON ANDERSON: Okay. All  
22 right. Mr. Jones, did you write a report for



1 this regarding this incident?

2 INVESTIGATOR JONES: I did, sir.

3 CHAIRPERSON ANDERSON: Can you share  
4 with us what is it that you were able to find  
5 out?

6 INVESTIGATOR JONES: Unfortunately, I  
7 can't really offer too much more. I mean, you  
8 guys kind of went right into what the issues are.  
9 So I don't really have a lot more to offer, at  
10 this point.

11 CHAIRPERSON ANDERSON: But as a  
12 result, what -- did you see any potential  
13 violations? What is it that when you did your  
14 investigation, what is it, if anything, did you  
15 conclude? Did you find that the applicant -- I'm  
16 sorry, that the licensee was in compliance or did  
17 you find that there was a potential violation?

18 And if there was a potential  
19 violation, what specific violation did you  
20 conclude occurred?

21 INVESTIGATOR JONES: So I will address  
22 a couple of things. One of the issues I know

1 that MPD had was the cooperative business as far  
2 as Mr. Woldemariam was concerned with the  
3 surveillance footage.

4 I did encounter the same thing with  
5 him. However, when I was there, he immediately  
6 tried to contact his technician. And I know I  
7 have had cases with him before where he has never  
8 known the password. And he has always had to  
9 contact his technician. His technician would  
10 come in, he would download the footage.

11 So he also did that when I was there.  
12 He immediately tried to contact his technician.  
13 He left him a voicemail as well as a text  
14 message. He contacted me the very next day and  
15 said that he had the footage and I can come down  
16 to the establishment.

17 I did review the footage while at the  
18 establishment, the entire night that they were  
19 open for the night in question. I didn't see any  
20 incident of hostility, any type of verbal  
21 exchange, any type of violent exchange inside the  
22 establishment.

1           While closing, one of the cameras, the  
2 outside front camera, there was a lot of  
3 condensation on the camera due to it raining that  
4 evening, but you can see that there was some sort  
5 of skirmish that took place in the middle of 18th  
6 Street, barely.

7           MPD seemed to immediately get there.  
8 They diffused it and that's all that you could  
9 really see that took place on that evening.

10           With regards to me looking into the  
11 establishment's records as far as orders or  
12 anything like that, I did notice that they do  
13 have a Board Order with reference to having a  
14 reimbursable detail, an MPD reimbursable detail  
15 and it indicates that they are supposed to have  
16 one for a minimum of four hours and at least one  
17 hour after close of business between Thursday and  
18 Sunday.

19           I asked Mr. Woldemariam about that at  
20 the time. He said that he has had issues with  
21 MPD's detail, MPD detail, because he advised that  
22 they would show up and then five minutes later,

1 they would be gone and wouldn't come back for the  
2 rest of the evening. So he indicated that that  
3 was the reason why they weren't there. Okay.  
4 Fine.

5 So after that, I tried to contact the  
6 victim. I tried to contact the witnesses, nobody  
7 wanted to cooperate. Nobody wanted to talk.  
8 There was one witness that indicated they had  
9 never even been to Adams Morgan.

10 Lastly, I contacted Ms. Brenda Smith,  
11 who is the RDO Coordinator, you already spoke to  
12 her, and she sent me over a spreadsheet of,  
13 basically, a report of the balances as far as the  
14 -- what was outstanding and she did indicate that  
15 Mr. Woldemariam was suspended since February 13,  
16 2018 and the balance, at that time, was \$1,541.23  
17 and that's why he did not have a reimbursable  
18 detail on the night of the incident.

19 CHAIRPERSON ANDERSON: Just maybe  
20 either yourself or probably Ms. Smith can let me  
21 know, for -- and I don't know if this is true. A  
22 lot of times, you know, a licensee comes and say

1 that I don't see them. The officers disappeared.  
2 So when the officers show up at 12:00 and if  
3 there is an emergency and they have to leave,  
4 does the licensee still pay for that four hours  
5 or how does that go?

6 MS. SMITH: So when an officer shows  
7 up for a detail or does not show for a detail, it  
8 is usually indicated, I believe, by the Watch  
9 Commander that will give that officer an  
10 emergency leave. When that happens, that the  
11 club is not charged for.

12 CHAIRPERSON ANDERSON: All right.

13 MS. SMITH: If no one works, they  
14 don't get charged. Only in the cases of not  
15 notifying us in time for an early closure.

16 CHAIRPERSON ANDERSON: No, but I'm  
17 saying if the officers, say for example, only  
18 works for an hour because there is -- they have  
19 to be called away, so do the -- does the -- do  
20 they have to still pay for the four hours? I'm  
21 just trying to find out.

22 CAPTAIN AUGUSTINE: Actually, the ABC

1       Manager on duty, all right, has a -- it's called  
2       a PD-157, which is the overtime sheet for the  
3       reimbursable detail. They must sign  
4       acknowledging the officer is there and give the  
5       time. They are then required to sign at what  
6       time the officer left and initial it.

7                 So if there has been any issues where  
8       officers have not been or have not been seen,  
9       then why is the form being signed if the officer  
10      isn't there? If there is another issue with  
11      these officers, why hasn't it been brought to  
12      Sergeant Rooney's attention and my attention, the  
13      coordinator's attention or since we have video  
14      cameras for the establishment, why that has not  
15      been turned over to us to address any of this?

16                 So I kind of call into question that.

17                 CHAIRPERSON ANDERSON: Yes, I just  
18      want to make sure, because I'm hearing folks are  
19      saying, you know, the officers -- you know, we  
20      are paying for officers and we never see them,  
21      because they are --

22                 CAPTAIN AUGUSTINE: Right.

1                   CHAIRPERSON ANDERSON:  -- down the  
2 block.  So I'm just -- I'm not saying that --

3                   CAPTAIN AUGUSTINE:  If you want, we  
4 can email you a blank form to show you what that  
5 form looks like that has the manager's  
6 acknowledgement that hey, they showed up, the  
7 date and time that they left.

8                   CHAIRPERSON ANDERSON:  All right.  Go  
9 ahead.

10                  SERGEANT ROONEY:  And I'm on -- like  
11 I'm on duty, I'm always up and down 2300 and 2400  
12 Block of 18th Street.  I usually sign or the RDO  
13 Sergeant, Sergeant Barron, usually will sign to  
14 document that hey, look, we see them here.  We  
15 saw the ABC Manager there.  They had not just the  
16 ABC Time Manager sign or if he refused to sign,  
17 but it has us documenting that they are there at  
18 the establishment.

19                  CHAIRPERSON ANDERSON:  All right.  
20 That's fine.  The reason I'm asking the question  
21 is because I'm being proactive because I've done  
22 this enough that I know that some of the comments

1 that is coming from the licensee is that they are  
2 saying well, we never see them. Why are we  
3 paying for them and they are never here?

4 So that's why I'm asking. I'm not  
5 saying that this is what this licensee is saying,  
6 but I'm just asking a general question. So once  
7 I hear a response, then at least I'm hearing your  
8 official position to say if the officer is not  
9 there for that period of time, that he or -- that  
10 that licensee is not paying.

11 CAPTAIN AUGUSTINE: Sergeant Rooney  
12 and I met with Mehari a few months ago and when  
13 we did a walk-through of the establishment, not  
14 one time was a complaint such as that made to us.  
15 So he has had access to both of us.

16 CHAIRPERSON ANDERSON: Okay.

17 LIEUTENANT HREBENAK: And it's my  
18 responsibility every week to go over those time  
19 sheets and confirm --

20 CHAIRPERSON ANDERSON: Speak up. I  
21 think Mr. Silverstein is --

22 MEMBER SILVERSTEIN: Yeah.



1                   CHAIRPERSON ANDERSON:  -- having  
2                   difficulty hearing.

3                   LIEUTENANT HREBENAK:  Oh, sorry.  Yes,  
4                   so this is Lieutenant Hrebenak.  It is my  
5                   responsibility each week to go over those 157  
6                   sheets that Captain Augustine was speaking about  
7                   and confirm the time the officers checked in and  
8                   checked out.  And then I put those hours from Ms.  
9                   Brenda Smith to receive and then actually bill.

10                   So if there is any discrepancy, it  
11                   goes through several points of review and if they  
12                   are asking for emergency leave, I will also note  
13                   that on the report.

14                   To note, there has never been a time  
15                   an officer has not shown up at Heaven & Hell.

16                   CHAIRPERSON ANDERSON:  All right.  All  
17                   right.

18                   LIEUTENANT HREBENAK:  So they have  
19                   been reinstated.

20                   CHAIRPERSON ANDERSON:  All right.  All  
21                   right.  Mr. Farmer?

22                   MR. FARMER:  Yes.

1                   CHAIRPERSON ANDERSON: Now it's your  
2 opportunity to --

3                   MR. FARMER: All right.

4                   CHAIRPERSON ANDERSON: Hold on, hold  
5 on. What is the question, Mr. Silverstein?

6                   MEMBER SILVERSTEIN: My question, I  
7 would still like further clarification of what  
8 the Chair is asking.

9                   You are not -- your RDO is not  
10 tethered to 2327 18th Street. If there is a fight  
11 across the street or if somebody is yelling at  
12 something, they might be able to go over there,  
13 correct?

14                  CAPTAIN AUGUSTINE: In a sense, yes.  
15 It's technically tethered to that establishment  
16 to ensure that the peace in front of that  
17 location, the side areas are done. But, yes, if  
18 an officer sees some type of violence or some  
19 type of issue directly in their span, then, yes,  
20 we expect them to take care of it.

21                  MEMBER SILVERSTEIN: And when they do  
22 that, Lieutenant, they don't have to sign a thing

1 saying we went across the street because we  
2 wanted to break up a potential fight and so the  
3 licensee should not be charged for the 12 minutes  
4 that I went over there and broke that up?

5           LIEUTENANT HREBENAK: Right. It's not  
6 going to be a sign-off procedure like that.  
7 Generally, like I said, it's usually their span  
8 of control, so whatever they are doing in front  
9 of that establishment, when that block is helping  
10 everybody, so they are still tethered to that  
11 establishment.

12           But on the same token, say there is  
13 something at 18th and Columbia at the top, all  
14 right, like a fight, we do not expect our RDO to  
15 go from the 2300 Block of 18th Street all the way  
16 up to the McDonalds, all right, to take care of  
17 that, because we have other officers that are  
18 within the District to handle that.

19           Now, if we did something like that and  
20 the manager complained to us, then yes, we would  
21 sit there and make a judgment call to adjust  
22 times if needed. But usually if they are

1 handling something, it may not be necessarily  
2 their club, because that's the other confusion is  
3 the RDO is not club security. All right?

4 MEMBER SILVERSTEIN: Pardon? The RDO  
5 is not?

6 CAPTAIN AUGUSTINE: Is not club  
7 security. All right. So we are not going inside  
8 managing folks and all that stuff. It's meant  
9 there because there has been issues or there is a  
10 potential to have public safety issues within  
11 that establishment.

12 So as internal security is escorting  
13 people out that are trouble, then they come out  
14 to us and we can make sure there is not trouble  
15 on the street. And we can make sure patrons  
16 amongst guards especially are informing police  
17 with so many ABRA establishments together to  
18 ensure the peace.

19 We ensure that patrons that are coming  
20 to any of the establishments are not coming to  
21 victimize other folks, so it's really kind of --  
22 does that kind of answer your question?

1                   MEMBER SILVERSTEIN: Yes, it does,  
2                   Lieutenant.

3                   LIEUTENANT HREBENAK: Okay.

4                   MEMBER SILVERSTEIN: So for the  
5                   record, you are outside the establishment, but in  
6                   the immediate vicinity of the establishment to  
7                   maintain order in the immediate vicinity of the  
8                   establishment and that is not strictly defined  
9                   because you are dealing with public safety issues  
10                  that are fluid?

11                  LIEUTENANT HREBENAK: And it  
12                  specifically says that in the agreement, Ms.  
13                  Smith says, and the general order that the  
14                  officers are required to follow. It says you are  
15                  not to be inside the establishment and it says  
16                  specifically the whole block.

17                  So for example, when I was testifying  
18                  previously before the Board, the Kiss RDOs ran  
19                  across the street to deal with something  
20                  happening at the Howard Theatre. So they are,  
21                  actually in the agreement, in charge of the  
22                  entire block and they are supposed to patrol the

1 entire block, not stand directly in front of the  
2 club for all four hours.

3 MEMBER SILVERSTEIN: Thank you for  
4 clarifying that.

5 CHAIRPERSON ANDERSON: Thank you. Mr.  
6 Farmer?

7 MR. FARMER: Yes. Let me begin with  
8 just explaining. Right now, the club itself is  
9 current with all its billings and it has been  
10 fully reinstated in the RDO Program. We still  
11 have issues with it, with both the billing and  
12 the performance of the officers.

13 CHAIRPERSON ANDERSON: What? Can you  
14 be specific? What's the problem? What's --  
15 because, I mean, you are being accused of now  
16 having RDOs. So what is it that -- what is the  
17 problem that you are having? And so since it  
18 appears that every officer or the command  
19 structure is here, so whatever problems that you  
20 are having, they are requesting a Fact-Finding  
21 because they are saying you did not have RDO.  
22 And if you had had RDO, this incident might not

1 have occurred.

2 So if you have problems with the RDO,  
3 this is the issue, this is the time, an  
4 opportunity for you to say these are the specific  
5 problems with we have had with the RDO. These  
6 are the reasons why yes, we have not been in  
7 compliance with the Board Order because or I'm  
8 not saying -- because this hasn't happened.

9 We have requested that the RDO show  
10 up, they haven't shown up or they have come and  
11 that they just sign-in and we never see them  
12 again. So yes. I'm not trying to put you in a  
13 box, Mr. Farmer, but you put it out there by  
14 saying you have problems, so I want to know what  
15 the problems are.

16 MR. FARMER: Okay. The box that you  
17 have put me in is I didn't want my client to  
18 speak, but he is going to have to speak to these  
19 issues. So if --

20 CHAIRPERSON ANDERSON: And I have  
21 always said to you, Mr. Farmer, because I'm an  
22 attorney also and we need to control what our

1 clients say. If you need a minute to talk to  
2 your client, so you know what is coming out of  
3 his mouth, you can do that, because as an  
4 attorney, I appreciate that.

5 MR. FARMER: Um-hum, yes.

6 CHAIRPERSON ANDERSON: I know that  
7 it's the client that you have, that you  
8 represent, but sometimes your client wants to say  
9 certain things that might not necessarily be  
10 advantageous to the client.

11 MR. FARMER: Okay. With that  
12 admission, I will let Mr. Woldemariam explain his  
13 problems and I will attempt thereafter to put it  
14 in proper perspective.

15 CHAIRPERSON ANDERSON: Yes, Mr.  
16 Farmer. Go ahead, sir.

17 MR. WOLDEMARIAM: Hello. Thank you,  
18 Your Honor. I'm a business person. I've been  
19 long enough to learn how businesses run and how  
20 you incorporate person. And I respect the Board  
21 the way they handle my case, but it's true it  
22 came from left and right we have do your job, I



1 have respect for that.

2 First of all, I'm a small business  
3 person, very clean and it's not even necessary  
4 RDO, MPD all that stuff, but I defense myself  
5 with the fact what I learned from this Board. I  
6 have been told four month, almost seven months  
7 ago you have to have a videotape everywhere in  
8 the premises. I even chose to put outside across  
9 street very clear camera to show everything, even  
10 whose officers stand out there.

11 Who is officer going to the bathroom.  
12 I tape them and everything and I can provide you  
13 with the last seven months. I tape every day,  
14 every hour, 24 hours and I can show the Board  
15 right now through my computer, bring it up here,  
16 who are the witnesses.

17 Whatever they say, I will never put  
18 myself under oath with a pledge to tell no truth.  
19 I will never do that. I'm going to tell the  
20 truth. I have every detail, every ABRA  
21 Investigator came, I provide them. I respect  
22 them as much as they are doing their job, a good

1 job.

2 But with this MPD, I do have  
3 problems. I even asked him, Officer Rooney, why  
4 do they come up here and they put from 12:00 to  
5 4:00 already written? And he want me to sign for  
6 it. I don't know what time they leave. Don't do  
7 my job, that's what he told me. My God as my  
8 witness. This is my job, don't do my job. I say  
9 okay, I quiet, because he is an officer, I have  
10 to respect him.

11 Second. In the videotape, they come  
12 after I sign them, they go across the street.  
13 They go across the street and across the street  
14 have nothing to do with my business. They can  
15 sit down outside cafe. I have chair on there.  
16 They can stand at the front door. Why am I  
17 paying for the RDO and the officer come and sign  
18 and I didn't see them sometimes all night. I am  
19 not going to pay the total Adams Morgan all night  
20 because the officer want me to do so.

21 I'm willing to cooperate and work with  
22 every system, every Board, ABC tell me what to

1 do, I'm trying to comply. That's what my license  
2 is for. With all respect, they can say whatever  
3 they want to say. The truth is always true. I  
4 have never been delay of payment. My delay of  
5 payment, I overpaid to the MPD. I overpaid.

6 But the way they work sloppy job, I'm  
7 not going to pay for, but I'm still do. And I  
8 also I don't close Thursday and Sunday early  
9 because the officers, who wants to kill his own  
10 business? Why do you open the door? Why did I  
11 pay rent \$15,000 every month? Well, there is no  
12 business tax Thursday and Sunday. There used to  
13 be, but no more Adams Morgan.

14 And every ABRA Investigator knows what  
15 is going on in Adams Morgan. Leave the officer  
16 there, I'm not safe, they might not see it, but I  
17 have also -- I make up every day what I do with  
18 myself. If I'm selling two drinks all night, do  
19 I need MPD on the premises?

20 If I'm selling \$80 that pay my  
21 kitchen, does that pay my employees, does that  
22 pay myself, does that pay my bartender, does that

1 pay my server? And on top of that MPD? Where  
2 are we coming from? I will not be give up. I  
3 will never be out of business, but if the system  
4 is going the other way, I'll be out of business.  
5 If that's the way of the whole city, I'll be  
6 happy to. Okay. Because I am done. I'm sick of  
7 it. Thank you.

8 CHAIRPERSON ANDERSON: Go ahead, Mr.  
9 Farmer.

10 MR. FARMER: If you would like, I  
11 would like to address the specifics if that's  
12 proper, at this point?

13 CHAIRPERSON ANDERSON: You can go,  
14 yes, go ahead.

15 MR. FARMER: In terms of the RDO  
16 Program, I'm going to skip over the night in  
17 question, because from our standpoint, that had  
18 no relevance or relation to the club itself,  
19 despite the officers stating that if an RDO had  
20 been present. Again, this incident occurred so  
21 far away from this club, that I mean it's only  
22 speculative whether an RDO would have had any

1       affect on that whatsoever.

2                   They have already stated that the  
3       incident occurred in the middle of 18th Street  
4       away from the club.   So we don't know.

5                   And in the Inspector's review of the  
6       tapes, you can't tell.   You don't know even if  
7       those people were even there, even though they  
8       may have said that.   We don't know.   So that's  
9       all speculative.

10                   But in terms of the operation of the  
11       RDO Program, you know, I wish the Board would  
12       recognize immediately after that was -- that  
13       order was imposed upon my client, we filed a  
14       Motion for Reconsideration in relation to  
15       Thursday and Sunday nights, basically for the  
16       fact that we -- there is no business and there  
17       was really no need for an RDO.

18                   Recognizing that the Board was  
19       concerned with, obviously, public safety in the  
20       area, but on those particular nights, it really  
21       was not necessary.

22                   We have discussed this with the police

1 department. We have come to an accommodation  
2 about notifying them, so that's, I mean, an issue  
3 which I think the Board needs to address in terms  
4 of the order for at least Thursday and Sunday  
5 nights. We can provide financial evidence that  
6 he is unable to stay open, that he just doesn't--  
7 the customer base isn't there. So that's a  
8 concern.

9 In terms of the RDO Program when it  
10 first started, the billing has been problematic,  
11 but if you review the monthly bills and payments,  
12 you will see that at any given -- in any given  
13 month since last September, he has always paid.  
14 We have had disputes about the bills, how much  
15 was owed.

16 Ms. Smith has been kind to work with  
17 us. I have been involved in the accounting since  
18 February. But even before, there were  
19 discrepancies, which were noted. They have been  
20 trying -- they tried to work out the programs,  
21 but again, his payments were continuing. It was  
22 not that he -- there is no intention of not

1 complying with the Board's Order.

2           You know, it has been explained to us  
3 that where the discrepancy was sound or be  
4 credited, a delay in -- there would be a delay in  
5 the payment of the credits. So the amounts that  
6 were rendered were not always in compliance with  
7 the books. The books were being adjusted, my  
8 understanding, through Mrs. Smith, at three  
9 different levels.

10           If they chose to suspend the program,  
11 it wasn't -- it truly wasn't because of non-  
12 payment. It was non-payment of specific amounts  
13 which may have been in dispute.

14           So again, I don't want this Board to  
15 think that there was any intention of my client  
16 to not comply. He was doing everything in his  
17 power to comply. And I've got to say that, at  
18 least from my standpoint and from what I have  
19 seen, it's not always clear as to what is being  
20 paid for and whether the accounting is correct.  
21 But again, he may -- he was making his payments  
22 at any given time.

1 I could go through, you know, a month-  
2 by-month. I don't think that's within the --  
3 what the Board wants to hear at this particular  
4 time, but, if necessary, we can provide that  
5 evidence. In a like manner, we can provide the  
6 evidence on the Sunday and Thursday nights of his  
7 receipts, albeit proprietary, that is there is no  
8 reason for him to have an RDO on those particular  
9 nights.

10 I stand for your questions now.

11 CHAIRPERSON ANDERSON: I'll say this,  
12 Mr. Farmer, I'm aware that there was an order.  
13 You had put in a Motion to Reconsider the order  
14 and it's the Board, and the majority of the Board  
15 did not support that. I did support it. I mean,  
16 in the sense that I would have modified the  
17 order, but it's the majority of the Board did not  
18 support that.

19 But if the owner determines that  
20 Sundays and -- Thursdays and Sundays, that there  
21 is no need for RDO because there is no business  
22 after 12:00, then you need to change your hours,



1 because I don't feel the Board is going to change  
2 its order.

3 The consensus of the Board or the  
4 majority of the Board is not in favor of that,  
5 based on the history of this establishment, based  
6 on what was provided to us by MPD, that they --  
7 whether or not it's -- and I remember during the  
8 renewal, rightly or wrongly, what was stated that  
9 my establishment is not responsible for all the  
10 violence on 18th Street.

11 I mean, I remember that was the  
12 argument that was made by Mr. Woldemariam. And  
13 so there are issues there, but there is a Board  
14 Order that has to be complied with. And the only  
15 way that if it's determined that the -- it's not  
16 -- from a business perspective on those nights,  
17 the RDO only takes effect at midnight, then he  
18 needs to request from the Board that you change  
19 your hours those nights.

20 And so if you change your hours those  
21 nights to 12:00 and you are closed those nights,  
22 then there is no need to have an RDO. But until

1 and unless you change your hours, this Board is  
2 not going to remove -- they are not going to  
3 modify the order, because based on the document  
4 in history, there are issues there. And as -- if  
5 you had even seen the order that came out, if I  
6 remember correctly that the order that is here,  
7 that even Mr. -- one Board Member had voted that  
8 he wanted to change the hours.

9 Even stating that there -- you should  
10 have RDO, but that he wanted to cut short your  
11 hours, based on the testimony that was presented  
12 about different incidents on that block, which  
13 might or might not necessarily be involved with  
14 your establishment, but unfortunately through a  
15 Protest Hearing, evidence, facts comes maybe for  
16 these other establishments if their license is up  
17 for renewal and there is a Protest hearing, maybe  
18 that will occur. And we have -- we would have to  
19 state that these other establishments have to  
20 have RDO.

21 But unfortunately, your club, you are  
22 the only facility at the time whose license was

1 protested and that was a testimony. And based on  
2 the testimony, the Board came up with solutions  
3 to address the issue. So that's all I can say  
4 from that perspective, but you have an option to  
5 change your hours. And if you change your hours  
6 to midnight for those slow nights, since you are  
7 saying it's not -- you are not -- it's not -- you  
8 are not making any money at that time, it's not  
9 the Board -- at least it's not my intent as Chair  
10 to put you out of business. I support all  
11 business.

12 So that's not my intent, but we have  
13 to control, we have to ensure that public safety  
14 isn't an issue. And as I said before, when your  
15 license was up for renewal, it was protested and  
16 that was information that was presented. I don't  
17 live in the neighborhood. I can only go with  
18 information that is presented to us and we make  
19 information, the Board makes information based on  
20 what is presented to us, based on what is in the  
21 best interest of the District. I just want to  
22 state that. Okay.

1                   MR. FARMER: Well, the other issue  
2                   that, you know, we have to address is also -- I  
3                   mean, even within the Inspector's report, is the  
4                   notion of non-cooperation with both police and  
5                   ABC.

6                   Again, when asked, Mr. Woldemariam's  
7                   response is I don't know my password. You know,  
8                   I will attempt to provide information as quickly  
9                   as possible. The Inspector -- your Inspector has  
10                  testified that he called his technician,  
11                  etcetera. I do -- I don't want to leave this  
12                  hearing with the Board under the impression that  
13                  he is uncooperative.

14                  CHAIRPERSON ANDERSON: Well, it was --  
15                  at least I didn't take it that way. I think  
16                  Investigator -- I was -- initially I scratched my  
17                  head by saying how do you not know the password  
18                  for your own system? But based on the testimony,  
19                  at least in my view, at least he was consistent,  
20                  in the sense that when he met with -- he was not  
21                  trying not to be uncooperative just with the  
22                  police. It's that when our folks came in with

1 the same, it was -- he did not know, but he took  
2 every effort to retrieve the password.

3 And, at least in my view, from the  
4 testimony from Mr. Jones was that the information  
5 was provided to ABRA timely. So that was -- at  
6 least that's what -- at least to ABRA, that's  
7 what I gathered from my report.

8 As far as MPD is concerned, they are  
9 on a different time line. They are on a  
10 different time line in the sense that so I'm not  
11 saying that he was uncooperative, but what was  
12 testified and the Captain stated is that it -- in  
13 order for us to do our investigation, in order  
14 for us to close a case and find out who the  
15 suspect is, although maybe he responded within 48  
16 hours, but for us based on the urgency of the  
17 matter, 24 hours, we needed 24 hours or we need  
18 12 hours or we need 2 hours to get the  
19 information, so we can track down leads.

20 So that's something that the -- we  
21 will look at that, but I do hear. I do hear  
22 that. If I had heard -- if Mr. Jones had made

1 the same comment as the MPD, then I would say  
2 that he is being uncooperative, but I'm not  
3 hearing that across the Board, at least in my  
4 view anyway.

5 MR. FARMER: Right. And in terms of  
6 whether or not the presence of an RDO at that  
7 particular -- on that particular instance on that  
8 particular night would have made a difference, I,  
9 you know, would have to say to the Board, that's  
10 only speculative. We don't know where the -- we  
11 don't know who was -- really who was involved.  
12 We don't know what their nexus or the relation  
13 was with this particular club.

14 Mr. Jones stated -- or I believe MPD  
15 stated that the incident occurred in the middle  
16 of 18th Street and it was quickly diffused by  
17 officers. I don't -- again, for him to -- I  
18 don't think it's fair for him to face that as a  
19 particular issue in this particular case.

20 Again, they have already stated that  
21 the issue had been diffused. It was quickly  
22 addressed in the middle of 18th Street. Again,

1 the nexus with the club is unknown and indeed  
2 unproven. So that's where I think we can leave  
3 it.

4 As I stated before, we are currently  
5 in compliance. It has been difficult from the  
6 beginning to be fully compliant with the  
7 billings, because of the discrepancies. Ms.  
8 Smith has explained the various layers it has to  
9 go through, but again, if you look at the record,  
10 he has paid every month regardless, whether or  
11 not they decide to suspend him. He can't,  
12 obviously, control that, but he is making  
13 payments and making efforts and has made efforts  
14 consistently to comply with the Board's Orders.

15 CHAIRPERSON ANDERSON: Well, one thing  
16 I am going to -- and I'm going to suggest is  
17 between Ms. Smith, the Lieutenant, it's -- there  
18 is a Board Order that says you have to have RDO.  
19 And each time there is no RDO, the Board is going  
20 to fine you by saying there is no RDO, if an  
21 Investigator goes out and finds out that there is  
22 no RDO.

1 I'm asking that you sit and figure out  
2 to solve this problem.

3 LIEUTENANT HREBENAK: If I may?

4 CHAIRPERSON ANDERSON: Yes?

5 LIEUTENANT HREBENAK: He said that he  
6 was in compliance. I wanted to say that he is in  
7 100 percent. There is an accommodation Ms. Smith  
8 has made and that I have made where we don't send  
9 officers out Thursday and Sunday any more with  
10 the understanding that they are just not going to  
11 be open, but they are not having RDO details on  
12 Thursday and Sunday.

13 They are not being billed the two  
14 hours, because we are not sending an officer out.  
15 They have been courteous enough to tell us we are  
16 not going to comply with the Board Order. We are  
17 going to close early. We are not going to have  
18 an RDO. But to be fair, they are not having  
19 those four hours staffed by an RDO officer on a  
20 weekly basis.

21 CHAIRPERSON ANDERSON: Well, that's as  
22 of recent?



1                   LIEUTENANT HREBENAK: That's as of  
2 since they have been reinstated.

3                   MR. FARMER: Yes. We have made -- I  
4 think I can fairly say that we reached that  
5 accommodation with Ms. Smith in March when we  
6 discussed that as a particular issue and she  
7 explained the need to give them two business days  
8 notification, etcetera, and we have been  
9 following that ever since.

10                   When I say we are recently in  
11 compliance, as of May 5th, we paid the bills  
12 despite the dispute over whether credits were to  
13 be given or whether money was truly owed, we just  
14 paid all outstanding bills, so, yes, we are in  
15 compliance 100 percent as of today.

16                   CHAIRPERSON ANDERSON: Well, and I  
17 just want to let you know that we are having an  
18 emergency order to change the percentage to 65  
19 percent, so that's less, so it's now 60, so as  
20 soon as the City Council votes on it, which will  
21 occur very shortly, we are going to change it.  
22 We are going to raise the percentage to 65

1 percent, so therefore, that is less for the  
2 licensee to pay.

3 So I just wanted to let you know that  
4 is coming on board real soon. Yes, Ms. Smith?

5 MS. SMITH: May I say something in  
6 regards to the statement of RDO officers not  
7 showing up? As the Captain stated, there is an  
8 overtime form that the officers have to present  
9 to the ABC Manager. And that individual signs  
10 the time and date that the officer comes and the  
11 time and date that he leaves out.

12 So once that is done, that form  
13 eventually gets generated into the payroll  
14 system.

15 CHAIRPERSON ANDERSON: Right.

16 MS. SMITH: So when that pay -- it  
17 goes to the payroll system, then it generates an  
18 invoice. I receive multiple invoices and some  
19 invoices may contain up to 10 different entries  
20 of officers working.

21 What I have started doing now with  
22 Heaven & Hell, because it's such -- it's

1       problematic, is that every time they have an  
2       invoice, I go through their invoice comparing the  
3       times on the invoice against the PD-157(c) which  
4       is a timely process to ensure that they are being  
5       charged correctly. I don't do that with any  
6       other licensee that I have.

7                 In addition to that, there was an  
8       invoice that was incorrect and I informed Mr.  
9       Mehari that it was not correct. A lot of the  
10      charges that was going to them wound up being  
11      charged back to the District. So the District  
12      had to pay for that.

13                I informed Mr. Mehari of it. I asked  
14      him not to pay that invoice until it was  
15      corrected. He paid it anyway. Therefore, it  
16      wasn't overpayment, because credits have to be  
17      applied to that invoice.

18                On the invoice history that I did for  
19      them, I think it was somewhere between 13 and 15  
20      payments made. Nine of those payments were late.  
21      He may pay them, but he pays them late.

22                CHAIRPERSON ANDERSON: What do you

1 call late?

2 MS. SMITH: So the invoice --

3 CHAIRPERSON ANDERSON: What do you  
4 consider late?

5 MS. SMITH: -- is due 30 days --

6 CHAIRPERSON ANDERSON: Right.

7 MS. SMITH: -- after it is sent to the  
8 licensee. I get a report from the OCFO on all  
9 invoices due, whether they are current or over 90  
10 days old. I in turn take that report, condense  
11 it down to the particular licensee. I take any  
12 invoices that are 31 days or more and send that  
13 to the licensee letting them know that these  
14 items or these invoices are delinquent. I ask  
15 them to make a payment.

16 Usually I'll get the report on a  
17 Thursday or a Friday. I immediately send out the  
18 delinquency notices to the establishments letting  
19 them know that they need to pay it by Tuesday or  
20 Wednesday. That gives me time that if the  
21 payment is not made, that I can suspend them and  
22 provide notice to the District, so they can

1 cancel the officers that were scheduled to work  
2 that establishment.

3 CHAIRPERSON ANDERSON: So you are  
4 saying late, we are talking about what maybe 40  
5 days?

6 MS. SMITH: It could go up to 40 days.

7 CHAIRPERSON ANDERSON: No, no, the  
8 reason I'm asking when -- because I want to make  
9 sure that when we said late, that we are having a  
10 time line. So late meaning that they are being  
11 considered late because the invoice has not been  
12 paid after --

13 MS. SMITH: Correct.

14 CHAIRPERSON ANDERSON: -- within 30  
15 days.

16 MS. SMITH: Correct.

17 CHAIRPERSON ANDERSON: And so by the  
18 time you get to them, maybe you are talking about  
19 35 maybe 40 --

20 MS. SMITH: Yes.

21 CHAIRPERSON ANDERSON: -- days by the  
22 time you inform them. Okay. One thing was

1       thrown out there, Sergeant Rooney, because your  
2       name was chosen, so that's why I'm asking you.  
3       Mr. Woldemariam stated that you told him, maybe  
4       I'm wrong, maybe I heard it wrong, that you know,  
5       he has to fill in this four hour slot. I think  
6       that's what he said.

7                   SERGEANT ROONEY: The form.

8                   CHAIRPERSON ANDERSON: The form, yeah.

9                   SERGEANT ROONEY: I have a couple  
10       different things.

11                   CHAIRPERSON ANDERSON: So that's why  
12       I'm giving you an opportunity to address that.

13                   SERGEANT ROONEY: Sure. There is a  
14       couple different things that I want to clarify.  
15       One is this sheet itself. He needs to sign it.  
16       If he wants to refuse, he likes to refuse, I  
17       really confirm that the officers were there. And  
18       just so that the Board knows, I know and maybe  
19       Mr. Mehari was a little bit confused regarding  
20       the date, I said he had made a statement that,  
21       you know, I told him, you know, don't tell me how  
22       to do my job.

1                   There was a day we were super busy and  
2 what happens -- and he is right, he -- we did  
3 have a conversation like that and I wanted to  
4 explain to the Board what transpired. He was  
5 trying to order the officers directly in front of  
6 the club too volatile and too dangerous. I  
7 ordered my officers back across the street.

8                   What happens is the east side of the  
9 street on -- where Heaven & Hell is, there is a  
10 lot of volume of people there. There is tons of  
11 people. There is other bars there. On the west  
12 side of the street you get like a really good  
13 view and a picture of what is transpiring across  
14 the street. You can see the owner. You can see  
15 him upstairs on the actual platform. There are  
16 some stairs that lead up to Heaven & Hell's front  
17 doors where the owner takes the money there.

18                   So what happens is you can see him  
19 with a ball of cash. You can see people going  
20 up, being frisked. If you are standing directly  
21 in front of the club, I was trying to explain it  
22 to him, and he got a little bit upset, so I said

1 look don't tell me how to do what I'm trying to  
2 do here. So it was and I think there is a little  
3 bit of miscommunication.

4 The communication though has gotten  
5 better between him and I and also he has showed  
6 us around the club, showed us the video and  
7 things like that, but as far as the RDO sheet  
8 itself goes, what it is is we want to document  
9 that he sees them there and then I have them go  
10 across the street.

11 But to clarify one last thing, if  
12 there is any kind of major event that occurs in  
13 like the block or whatever and there is an arrest  
14 you need to make, we don't have normally the RDOs  
15 take the arrest, but they are completely out of  
16 the area. It's a different officer. So I make  
17 sure that the officers are pretty much directly  
18 in front of the club, but at an advantage point  
19 where they can see if there is a fight, you know,  
20 starting to transpire or whether or not they have  
21 to take police -- immediate police action.

22 So I just wanted to make that



1 clarification.

2 CHAIRPERSON ANDERSON: Yes, Mr.

3 Woldemariam?

4 MR. WOLDEMARIAM: Yes, thank you, Your  
5 Honor. With all due respect and every person  
6 with the officer and all that stuff, okay,  
7 otherwise you learn from your business how they  
8 get involved in my case and all that stuff, okay?  
9 I learn a lot. And thanks to you, because if you  
10 don't know the enemy, you can't fight it.

11 If I'm making mistakes, I have to  
12 correct myself with the Board, especially as a  
13 licensee. And I have great respect for that.  
14 What I learn from the officers right now, when  
15 they come in, they got Heaven & Hell, they arrive  
16 12:30. It's saying right there and they put it  
17 at 4:00 a.m., but they have not finished the job.  
18 So I tell them every officer who is here from now  
19 on, give me a copy, so I keep my copy, because I  
20 don't want a sloppy job.

21 I keep my copy what time they come,  
22 what time they go, but I also ask officers before

1 you leave, let me sign, because I'm there until  
2 5:00 in the morning. I never see them. I am  
3 there with the table, I can prove you 100  
4 percent.

5 CHAIRPERSON ANDERSON: So who signs-  
6 off on these documents?

7 MR. WOLDEMARIAM: Huh?

8 CHAIRPERSON ANDERSON: Who signs-off  
9 on the documents so they get paid?

10 MR. WOLDEMARIAM: I do.

11 CHAIRPERSON ANDERSON: But so -- but  
12 when do you sign it?

13 MR. WOLDEMARIAM: When they come in.  
14 After that, we don't see them. Never. They put  
15 4:00 on themselves. I say I put my time, I put  
16 my signature. I put myself, but I never see  
17 them.

18 CHAIRPERSON ANDERSON: Hold on.  
19 Captain?

20 MR. WOLDEMARIAM: We never see 4:00  
21 officer at all.

22 CHAIRPERSON ANDERSON: Hold on.

1 MR. WOLDEMARIAM: Even 3:00.

2 CHAIRPERSON ANDERSON: I'm coming.

3 Captain, go ahead.

4 CAPTAIN AUGUSTINE: I find that very  
5 concerning. And just so -- and let's just put  
6 this out here. All right. Obviously, Mr. Mehari  
7 has some issues of the way the RDO Program runs.  
8 All right. It's concerning to me that he has had  
9 an opportunity to see us. He is in constant  
10 communication with Ms. Smith. All right. And  
11 that specific issue is being brought up now. And  
12 I find that very concerning.

13 If he has a problem with signing it,  
14 then why isn't he signing it at the end?

15 CHAIRPERSON ANDERSON: Um-hum.

16 CAPTAIN AUGUSTINE: All right? So  
17 that's really on him, because --

18 CHAIRPERSON ANDERSON: I'm coming  
19 back. I'm coming -- hold on, hold on. Let him--  
20 I'm coming back to you, sir. Go ahead.

21 CAPTAIN AUGUSTINE: So I just find  
22 that very concerning if he is sitting there

1 signing this stuff with his signature, how can  
2 you sit there and sign something and saying this  
3 happened and then come back months later, all  
4 right, and I would love to know the date of that,  
5 all right, months later at a Fact-Finding Hearing  
6 and say all of a sudden I have this problem. I'm  
7 signing this, but the officer really isn't there.

8 CHAIRPERSON ANDERSON: All right.

9 MR. WOLDEMARIAM: I have --

10 CHAIRPERSON ANDERSON: Mr. --

11 MR. WOLDEMARIAM: -- a question, Your  
12 Honor, please.

13 CHAIRPERSON ANDERSON: What's the  
14 question, sir, go ahead?

15 MR. WOLDEMARIAM: You know who I am,  
16 right?

17 CAPTAIN AUGUSTINE: I do. We have  
18 met.

19 MR. WOLDEMARIAM: Did he ever come  
20 about MPD with me or did you ever give me your  
21 card to come and get if we have any questions?

22 CAPTAIN AUGUSTINE: We actually walked

1 through your establishment together, sir. You  
2 showed me your video system.

3 MR. WOLDEMARIAM: No, no, no. You  
4 come to see the video one time. Okay. You can  
5 be across the street, but let me tell you, as a  
6 business person, I respected every officer MPD.  
7 That's my obligation. But doing the job, sloppy  
8 job, I will not accept it.

9 I tell him he is wrong what he told  
10 me, as well as you're wrong again with the point,  
11 because I am paying. I don't even know who they  
12 are. You want me to sign everything. I never  
13 refused to sign. A single officer I never  
14 refused to sign. They cannot tell you, all the  
15 person with you, the first thing I do, I respect  
16 them as the Board Order, so that officer respect,  
17 that is my class, that's my quality.

18 And then they sign it, you tell them  
19 they can get close to the cliff across street, I  
20 never see them. Is that wrong? And I can prove  
21 you with the tape. You been -- sorry.

22 SERGEANT ROONEY: Can I make a

1 statement?

2 CHAIRPERSON ANDERSON: Go ahead.

3 SERGEANT ROONEY: I ensure that the  
4 RDOs are there. If there is any RDOs that are in  
5 the block that are paid for by the BID or by  
6 Heaven & Hell, I ensure that they are out there  
7 no matter what. Every Friday and Saturday night  
8 that I --

9 MR. WOLDEMARIAM: I want them in front  
10 of my door.

11 SERGEANT ROONEY: -- the RDU or the  
12 RDO Sergeant --

13 MR. WOLDEMARIAM: That's what I'm  
14 paying for.

15 SERGEANT ROONEY: -- there will ensure  
16 that they are there. The one thing that I did  
17 want to clarify with the actual 157, sometimes  
18 you have officers that have never worked -- they  
19 have worked overtime, but never worked a  
20 reimbursable detail. The difference is there is  
21 a sheet that they have to fill out.

22 So sometimes they don't come up to him

1       until 12:30 and get it signed or they don't know  
2       who the -- an ABC Manager is, they are not  
3       familiar, so what happens is I'll provide them  
4       with a sheet maybe-- you know, but they are  
5       usually there like, you know, at the station  
6       11:30 or whatever. They go up to his  
7       establishment. They are outside out in front of  
8       the -- across the street normally in the block  
9       there. So they are there. I sign for them and  
10      they are there.

11                   LIEUTENANT HREBENAK: And the  
12      agreement that Ms. Smith sends them tells them to  
13      contact the Watch Commander. I believe it has  
14      the Watch Commander's cell phone number listed  
15      and they are supposed to contact the Watch  
16      Commander and say my reimbursable detail has not  
17      shown up or my reimbursable detail has left and I  
18      can't find them.

19                   CAPTAIN AUGUSTINE: And so what I wish  
20      really the Board would take into consideration  
21      is, obviously, we are not going to agree on this  
22      and I don't want to get into a back and forth. I

1 just would like to put out there, obviously,  
2 there are so many different ways for Mr. Mehari  
3 to contact the Metropolitan Police Department, to  
4 contact ABRA.

5 And at least on our end, since he --  
6 this has been mandated in August, a lot of these  
7 concerns that he is bringing up or bringing them  
8 up almost a year later and this which I find  
9 concerning.

10 MR. FARMER: Can I address that?

11 CHAIRPERSON ANDERSON: Yes, Mr.  
12 Farmer.

13 MR. FARMER: These concerns have been  
14 raised and discussed since the inception of this  
15 requirement.

16 MR. WOLDEMARIAM: Thank you.

17 MR. FARMER: This is not new. I  
18 mean --

19 CHAIRPERSON ANDERSON: Who? With  
20 whom? Who --

21 MR. FARMER: Mr. Woldemariam was,  
22 obviously, having conversations with Sergeant



1 Rooney. Officer Rooney and then he was having  
2 conversations with, I guess, whoever his --  
3 whoever the officer was. I'm aware that he was  
4 raising concerns with Ms. Smith in September as  
5 well, so I don't -- I mean, to say that this is  
6 being brought up a year later, I think is  
7 inaccurate.

8 CAPTAIN AUGUSTINE: You are right.  
9 I'll sit there and I'll concede that. So maybe  
10 let me correct this. As big as the problem, yes,  
11 there has been issues here and there that have  
12 been brought up, but to the magnitude of saying  
13 hey, I'm not having an RDO Program because of  
14 this, I don't think that has been addressed  
15 lately.

16 MR. FARMER: That's not the  
17 requirement that the come up and say that I am  
18 not having an RDO. He is raising issues with MPD  
19 over the performance of the RDO.

20 CAPTAIN AUGUSTINE: And you have an  
21 order from the Board that mandates an RDO detail.

22 MR. WOLDEMARIAM: No.

1 MR. FARMER: No, no.

2 CHAIRPERSON ANDERSON: All right.

3 Hold on, hold on, hold on. All right. I think  
4 there is a fundamental difference and I think  
5 maybe Mr. Woldemariam maybe in his view, I'm  
6 paying for RDO, so because I'm paying for the  
7 RDO, then they need to be standing in front of my  
8 building. I think I'm hearing --

9 MR. WOLDEMARIAM: That is correct.

10 CHAIRPERSON ANDERSON: I'm coming --  
11 I'm -- no, I'm coming.

12 CAPTAIN AUGUSTINE: I need to address  
13 that.

14 CHAIRPERSON ANDERSON: I'm -- but  
15 that's what I'm saying --

16 CAPTAIN AUGUSTINE: Yes, sir.

17 CHAIRPERSON ANDERSON: -- I think that  
18 is his viewpoint. And I think what I'm hearing  
19 the officers are saying, and I will say this to,  
20 Mr. Woldemariam, I mean, the Board did -- we went  
21 out to go view the city in a van and we were in a  
22 van driving up 18th Street and we saw what was

1 explained by the officer of where you were.

2 And so if you are up on the block, you  
3 can't really see what is going on. So I'm not --  
4 so I understand maybe why the officers are across  
5 the street, because they can have a better view.  
6 But I think in your viewpoint, you believe that  
7 because I'm paying for the RDO, they need to be  
8 standing on my block in front of my facility.

9 MR. WOLDEMARIAM: Yes. Thank you.

10 CHAIRPERSON ANDERSON: And I think  
11 that's where the problem is.

12 MR. WOLDEMARIAM: It is.

13 CHAIRPERSON ANDERSON: And I think  
14 that's -- and I think this is something that the  
15 officers need to sit and better explain to him  
16 how the process works, because he is saying I'm  
17 paying for the RDOs, they should be in front of  
18 my facility. And I know the four might say  
19 something else, and it might have been explained,  
20 but I think that's still the fundamental issue.

21 I'm paying for them. Why are they  
22 across the street in front of somebody else's

1 business?

2 MEMBER SHORT: Mr. Chair?

3 CAPTAIN AUGUSTINE: Is that right now?

4 CHAIRPERSON ANDERSON: Let -- I'll  
5 come to you, Mr. Short. You can reply, yes.

6 SERGEANT ROONEY: Okay. Mr. Chair,  
7 that's why I had brought up that specific --

8 CHAIRPERSON ANDERSON: Right.

9 SERGEANT ROONEY: -- incident. I  
10 tried to explain to him that our orders don't say  
11 that and I ordered the officers not to do that  
12 and he got a little bit upset about that. And  
13 now that was his feeling, but I can understand  
14 how he could feel that way, because he wants it  
15 specifically inside --

16 CHAIRPERSON ANDERSON: Right.

17 SERGEANT ROONEY: -- outside. They do  
18 come up in the block, don't get me wrong, but I  
19 prefer them to be across the street. And I  
20 express that to them and I tried to express that  
21 to Mehari, but I definitely understand how he  
22 could see that as a concern.

1                   CAPTAIN AUGUSTINE: Perhaps his legal  
2 counsel could explain that to him.

3                   CHAIRPERSON ANDERSON: But and as I  
4 said, because I see -- hold on. Let me -- Mr.  
5 Short wants to speak. Go ahead, Mr. Short.

6                   MEMBER SHORT: I have to say this for  
7 the record. Having worked in public safety for  
8 33 years of my life, and I could tell you that  
9 having those officers directly in front of your  
10 door and people try to exit if there is an  
11 emergency, the people won't get out. There will  
12 be a problem. You can't block the sidewalk that  
13 way.

14                   As the Chairman said, we rode past  
15 your establishment. We saw the lines on your  
16 side of the street trying to get up the steps to  
17 pay you the money. Across the street, the  
18 officers would have a better vantage point. And  
19 they would not be blocking egress from your club.

20                   So because you aren't a public safety  
21 person, you might not understand that, but they  
22 cannot be directly where you want them to be.

1 They are there to help you and help the block.

2 Now, Mr. Woldemariam, the reason why  
3 you were ordered to have an RDO, the club there  
4 has been some situations. Would you agree with  
5 that at your establishment?

6 MR. WOLDEMARIAM: (No audible answer.)

7 MEMBER SHORT: Have there been  
8 violations at your establishment?

9 MR. WOLDEMARIAM: No.

10 MEMBER SHORT: Never?

11 MR. WOLDEMARIAM: No. Not inside.

12 Never.

13 MEMBER SHORT: Never. Okay. Can I  
14 ask you in looking at your record here --

15 MR. WOLDEMARIAM: Yeah.

16 MEMBER SHORT: -- on the first --  
17 January 1, 2012 --

18 MR. WOLDEMARIAM: Um-hum.

19 MEMBER SHORT: -- you were cited by  
20 this Board and because there was a felony assault  
21 in front of your -- in your establishment.

22 MR. WOLDEMARIAM: That's true.

1                   MEMBER SHORT: And you paid a fine of  
2 \$6,000 to the Board. Do you remember that?

3                   MR. WOLDEMARIAM: I do remember that.

4                   MEMBER SHORT: Do you remember that?

5                   MR. WOLDEMARIAM: Yes.

6                   MEMBER SHORT: Okay. That's only one.  
7 That's going back to 2012. So you have a  
8 business, --

9                   MR. WOLDEMARIAM: Yes.

10                  MEMBER SHORT: -- so take care of it.

11                  MR. WOLDEMARIAM: I do.

12                  MEMBER SHORT: Okay. Now, another  
13 thing, you said with the cameras you don't have  
14 the password.

15                  MR. WOLDEMARIAM: No.

16                  MEMBER SHORT: So if I have a car and  
17 I don't know how to use the brakes, is that an  
18 excuse?

19                  MR. WOLDEMARIAM: That's not an  
20 excuse.

21                  MEMBER SHORT: Okay.

22                  MR. WOLDEMARIAM: But I will tell you

1 something, and the camera I was starting with my  
2 technician how to use it and all that stuff.  
3 Among all of that, these things happen. It's not  
4 that it happened, it happens in Columbia Road,  
5 but it comes in inside. Of course, I also  
6 careful what I give to any officer, because I  
7 give to the officer, two officers and I give to  
8 two ABRA Investigators, none of them provide the  
9 truth.

10 Gentlemen talk about I give it to them  
11 exactly, because I gave my computer. And he did  
12 it in front of me.

13 MEMBER SHORT: Mr. Farmer?

14 MR. WOLDEMARIAM: I give --

15 MEMBER SHORT: Mr. Farmer is going to  
16 be having some conversations with you about this  
17 hearing, I'm quite sure, and that's all I have,  
18 Mr. Chair. Thank you very much.

19 MR. WOLDEMARIAM: But I do have that--  
20 Your Honor, I do have provide all that stuff.

21 CHAIRPERSON ANDERSON: All right.

22 MR. WOLDEMARIAM: But I have one



1 question if you allow me, please?

2 CHAIRPERSON ANDERSON: Yes. And you  
3 are next, Mr. Jones. I know you have been very  
4 patient.

5 INVESTIGATOR JONES: Thank you.

6 CHAIRPERSON ANDERSON: Okay.

7 MR. WOLDEMARIAM: Thank you.

8 CHAIRPERSON ANDERSON: And, Mr.  
9 Woldemariam, that's one of the reasons I'm  
10 sitting here. I can see in the room. Now, if I  
11 was right in front of you, I couldn't see what is  
12 going on over here. So what I'm trying to say, I  
13 understand, sir, but that's why I want to try to  
14 say to you is that one of the reasons why the  
15 officers are not necessarily in front of the  
16 establishment, the further distance they are,  
17 they can more so see what is going on, as I'm  
18 seeing what is going on from here.

19 MR. WOLDEMARIAM: After it happen --

20 CHAIRPERSON ANDERSON: But go ahead.

21 MR. WOLDEMARIAM: -- after that  
22 happened, after this damage, they come from

1 across the street. I want them in front of my  
2 door before any damage happens. This damage we  
3 are talking about in Columbia Road if we know the  
4 people we can say oh, it wasn't in front of me,  
5 they wouldn't care. Wouldn't even insist on  
6 doing it that way.

7 CAPTAIN AUGUSTINE: Because we can  
8 be --

9 MR. WOLDEMARIAM: Oh, the officers did  
10 they see what happened? I don't need them across  
11 the street. Across the street is inefficient. I  
12 have -- don't worry about my business how I run  
13 it. If the officer is going to enter my  
14 business? No. The officer is my safety and  
15 public safety. And I expect them to be in front  
16 of my door. Okay?

17 There is a walk-in the staff. There  
18 is walkway. There is an alley. There is more  
19 than enough space. But if they go across the  
20 street, I might do my job, I'm going to look for  
21 the officers in the street.

22 CHAIRPERSON ANDERSON: Okay.

1 MR. WOLDEMARIAM: Allow me if I'm  
2 right or wrong. Thank you very much.

3 CHAIRPERSON ANDERSON: Mr. Jones and  
4 then you, Ms. Smith.

5 MS. SMITH: Thank you.

6 CHAIRPERSON ANDERSON: Maybe you might  
7 have forgotten the point that you had half an  
8 hour ago.

9 INVESTIGATOR JONES: As an ABRA  
10 Investigator, we are not supposed to interject  
11 our opinion into things, that's not what we are  
12 supposed to do, because we're supposed to state  
13 the facts.

14 My question is to, just for  
15 clarification, Ms. Smith. You mentioned about  
16 the -- is it a sign-in sheet or the invoice where  
17 you said officers can sign-in and out throughout  
18 the night. Is that correct?

19 MS. SMITH: That -- there is the  
20 157(c), I believe that's what Mr. Mehari held up.  
21 I couldn't fully see it, but it is a 157(c). The  
22 top portion of it is the officer's name.

1 MR. WOLDEMARIAM: There.

2 MS. SMITH: Thank you. The top  
3 portion of it is what is usually filled in by the  
4 District, which has the club name, the date and  
5 start time of the detail and then the officer's  
6 name.

7 INVESTIGATOR JONES: Um-hum.

8 MS. SMITH: Below that is the  
9 establishment's area where it tells where -- when  
10 the officer goes to the club, he is supposed to  
11 go to the --

12 INVESTIGATOR JONES: The owner or ABC  
13 Manager?

14 MS. SMITH: -- ABC Manager.

15 INVESTIGATOR JONES: Okay.

16 MS. SMITH: Present the form, that  
17 person signs-off, puts the date and the time that  
18 they start. They take that form back or either  
19 keep it with the ABC Manager, that part I'm not  
20 sure. But when the detail is over, they have to  
21 sign-out that officer. The establishment should  
22 not be signing the start and end time when the

1 officer comes there. You sign it when the  
2 officer comes in. You sign it when the officer  
3 leaves.

4 MR. WOLDEMARIAM: Thank you.

5 MS. SMITH: So there should -- so  
6 there actually -- so what I'm kind of getting the  
7 feel is that when the officers goes to the  
8 establishment, they sign the start time and end  
9 time at the same time.

10 CHAIRPERSON ANDERSON: That's what  
11 happens.

12 MS. SMITH: So you -- that you can't  
13 do.

14 INVESTIGATOR JONES: Right. And that  
15 was my -- that was a part of my question, because  
16 I heard you mention about multiple entries on one  
17 night.

18 MS. SMITH: Yes.

19 INVESTIGATOR JONES: Why are officers  
20 signing in and out, in and out, in and out?

21 MS. SMITH: So we are told -- when I  
22 was talking about the multiple entries, I was

1 speaking of the invoice. So what happens is that  
2 sometimes --

3 MR. WOLDEMARIAM: They never -- yeah.

4 MS. SMITH: -- invoices are generated  
5 according to actual man hours worked. So an  
6 establishment could have four or five details in  
7 one week. So you have all those officers that  
8 worked that detail listed on the invoice. And in  
9 some cases, it's one officer, two officers,  
10 three, it has even been up to four officers on  
11 one evening, so that's what I was talking about  
12 that the invoice has a list of different detail  
13 times that officers worked.

14 CHAIRPERSON ANDERSON: Okay.

15 MR. FARMER: And if --

16 CHAIRPERSON ANDERSON: Yes, Mr.

17 Farmer?

18 MR. FARMER: Okay. I would like to  
19 back clean-up here. I think Mr. Woldemariam is  
20 saying that when he is presented with the list  
21 earlier in the evening, they don't come back for  
22 sign-out. He is -- the times that are on the

1 list is what he signs-off on. There is no going  
2 back and forth. There is not two visits.

3 CHAIRPERSON ANDERSON: Well, the  
4 reason why there is no back and forth, what I'm  
5 hearing is that Mr. Woldemariam signs them in and  
6 signs the officer out. Now, he is being told  
7 that when the officer shows up, you sign when he  
8 gets there. And so therefore, in order for the  
9 officer to get paid, he needs to come back and  
10 you sign when he leaves.

11 MR. WOLDEMARIAM: Thank you.

12 CHAIRPERSON ANDERSON: I think that's  
13 what I'm hearing.

14 CAPTAIN AUGUSTINE: Even on top of  
15 that, there is a supervisor from the Metropolitan  
16 Police Department --

17 MR. WOLDEMARIAM: No, we don't need  
18 it.

19 CAPTAIN AUGUSTINE: -- who immediately  
20 signs that form to verify that officer was there.  
21 And in Adams Morgan --

22 MR. WOLDEMARIAM: We want to deal with

1 every officer.

2 CAPTAIN AUGUSTINE: -- alone, there is  
3 what, five other RDO details that go on there, so  
4 he is not the only one that has RDOs up in there.  
5 And if I could just ask, and maybe I'm out of  
6 place and please, let me know if I am, since this  
7 is a back and forth of the things that -- the  
8 rules that have been actually stated, and there  
9 is some dispute to them, can we go on record, so  
10 he knows exactly what he is required to do and  
11 what he should do and what best practices are --

12 CHAIRPERSON ANDERSON: Yeah.

13 CAPTAIN AUGUSTINE: -- at this  
14 hearing?

15 CHAIRPERSON ANDERSON: Yes.

16 CAPTAIN AUGUSTINE: So if this ever  
17 comes up again, we can't use this as an excuse?

18 CHAIRPERSON ANDERSON: Yes.

19 INVESTIGATOR JONES: That's why I  
20 brought it up.

21 MS. SMITH: And I'm sorry, the best  
22 way for that to be done is for him to read and



1 understand the RDO agreement. All of this, what  
2 we are discussing, is in the agreement. The  
3 problem comes it is that licensees do not read  
4 the agreements.

5 CAPTAIN AUGUSTINE: Is it a signed  
6 agreement?

7 MS. SMITH: Yes, it is a signed  
8 agreement.

9 CAPTAIN AUGUSTINE: When this --

10 CHAIRPERSON ANDERSON: Well, this is  
11 what I would like and we all sign documents. The  
12 Board impose an RDO on him rightly or wrongly you  
13 should never sign something you don't read. The  
14 Board impose an RDO. I don't know, I guess he  
15 signs it.

16 But what I'm hearing, Mr. Woldemariam,  
17 is that you are now told the officer comes, you  
18 sign when he gets there. In order for that-- the  
19 officer should not ask or demand that you sign  
20 him out when you sign him in. That -- the  
21 officer is supposed to come back. Yes, Sergeant  
22 Rooney?

1 SERGEANT ROONEY: One last thing.

2 CHAIRPERSON ANDERSON: Yes.

3 SERGEANT ROONEY: When he shuts his  
4 doors and he has not made himself available to  
5 officers towards the end of the night, I usually  
6 just tell them that if he is not willing to sign  
7 it, just put closed or --

8 CHAIRPERSON ANDERSON: And Mr.  
9 Woldemariam, does this -- so this is now up to  
10 you. The officer is supposed to be there for  
11 four hours. And so therefore, if the officer  
12 signs-in and if he comes back four hours later  
13 and your business is closed, then he is going to  
14 charge for four hours, because you are not there  
15 to sign him out.

16 MR. WOLDEMARIAM: He is not even in  
17 Adams Morgan.

18 CHAIRPERSON ANDERSON: But, Mr.  
19 Woldemariam, you cannot -- if you are supposed to  
20 -- from what I'm told, if you are going to close  
21 early, you are supposed to provide them 48 hours  
22 notice.

1 MR. WOLDEMARIAM: I do.

2 CHAIRPERSON ANDERSON: Now, if you do  
3 not provide -- if you decide Thursday night there  
4 is only two people in my establishment and I'm  
5 going to close, that's not 48 hours notice.

6 MR. WOLDEMARIAM: No, we do, but not  
7 from 48 hours.

8 CHAIRPERSON ANDERSON: So that is not  
9 48 hours notice, so, therefore, they are supposed  
10 to charge for the four hours, because that's you.  
11 You agreed to give them 48 hours notice. You did  
12 not and so, therefore, when the shift is over, if  
13 you are not there, because you closed at 12:30 or  
14 1:00 or whenever time you have closed early, then  
15 the sign-out is going to be the four hours. I  
16 hope that is now understood, sir.

17 MR. WOLDEMARIAM: It's not understood.

18 CHAIRPERSON ANDERSON: Why is it not  
19 understood?

20 MR. WOLDEMARIAM: Because the business  
21 is -- not only in my establishment, everywhere in  
22 Adams Morgan some business stays late when they

1 have entertainment, live band or something. I am  
2 here next door as District of Columbia citizen as  
3 well. I stay closing decision until midnight,  
4 12:30, but in Heaven & Hell, by 10:30, 11:00,  
5 there is nobody. There is nobody at all, 10:00.

6 MR. FARMER: Mr. Chairman?

7 CHAIRPERSON ANDERSON: Mr. Farmer?

8 MR. FARMER: Yes. Mr. Chairman, just  
9 so you -- so it's understood. I think you have  
10 to look at this discussion in terms of past  
11 practices and what we have already agreed to. As  
12 I stated before, we have reached this  
13 accommodation at least with Mrs. Smith in terms  
14 of giving notification of early closing.

15 CHAIRPERSON ANDERSON: Right.

16 MR. FARMER: We have asked that from  
17 a certain point in the future, the business will  
18 be, on Thursdays and Sundays, closed by 11:00.  
19 So I think that is understood.

20 What -- and I think what we are now  
21 discussing is what occurred in the past before  
22 that agreement was made.

1 CHAIRPERSON ANDERSON: All right.

2 Okay.

3 MR. FARMER: So we don't need that.

4 CHAIRPERSON ANDERSON: Well, moving  
5 forward, I think if nothing else is accomplished  
6 at this Fact-Finding Hearing, it is clear what  
7 the responsibilities are from each side. Yes,  
8 Captain?

9 CAPTAIN AUGUSTINE: So Mr. Farmer and  
10 Mehari has the phone number which I believe has  
11 already been provided, but just so we are clear,  
12 I am going to give you the 3rd District Watch  
13 Commander's phone number, which under your RDO  
14 sheet instructs you if there are any issues, the  
15 phone number to call.

16 I generally work on Friday nights for  
17 Saturdays. Lieutenant Hrebenak generally, who is  
18 the coordinator, works on Saturday night for  
19 Sundays.

20 So if I can provide that Board or if  
21 the Board --

22 CHAIRPERSON ANDERSON: Yes.

1                   CAPTAIN AUGUSTINE:  -- allows me to  
2 provide that phone number --

3                   CHAIRPERSON ANDERSON:  Please, go  
4 ahead.

5                   CAPTAIN AUGUSTINE:  -- so you have it  
6 and so it's clear, if there are any issues that  
7 night, we request, the Metropolitan Police  
8 Department requests, that you call and contact  
9 that number, so those can be addressed.

10                  MS. SMITH:  And follow-up with an  
11 email to me.

12                  CAPTAIN AUGUSTINE:  And follow-up with  
13 an email to Ms. Smith.  The phone number is (202)  
14 276 --

15                  CHAIRPERSON ANDERSON:  Go a little bit  
16 slower, he is writing.

17                  CAPTAIN AUGUSTINE:  Fair enough.  
18 (202).

19                  MR. WOLDEMARIAM:  (202).

20                  CAPTAIN AUGUSTINE:  276.

21                  MR. WOLDEMARIAM:  276.

22                  CAPTAIN AUGUSTINE:  74 --

1 MR. WOLDEMARIAM: 74.

2 CAPTAIN AUGUSTINE: -- 62.

3 MR. WOLDEMARIAM: 62. The name?

4 CAPTAIN AUGUSTINE: That is the Watch  
5 Commander of the 3rd District, which oversees the  
6 Adams Morgan area. That's a 24-hour phone  
7 number.

8 MR. WOLDEMARIAM: Thank you.

9 CHAIRPERSON ANDERSON: All right. You  
10 wanted to say something, Mr. Silverstein?

11 MEMBER SILVERSTEIN: Yes, I do. And  
12 I'm going to speak directly to Mr. Woldemariam.

13 MR. WOLDEMARIAM: Yes.

14 MEMBER SILVERSTEIN: Sir, your license  
15 to sell and serve alcoholic beverages included  
16 the RDO requirement as part of the license  
17 renewal, because the Board ruled that an RDO is  
18 necessary to maintain peace, order and quiet in  
19 the neighborhood.

20 Speaking for myself, and only for  
21 myself, I felt that given your long record, the  
22 presence of an RDO was necessary for public

1 safety and the lack of an RDO could pose a danger  
2 to public safety.

3 In this case, someone was stabbed and  
4 his intestines were eviscerated. His guts were  
5 hanging out. This is not the first case  
6 involving -- that is on the record. These are  
7 things that happen inside and outside of your  
8 establishment and this is why we need an RDO.

9 This is just from the record here from  
10 the past couple of years, three years: Simple  
11 assault, simple assault/resisting arrest, sale to  
12 minor, simple assault, assault on police officer,  
13 simple assault, resisting arrest, assault on  
14 police officer, sick person to hospital, assault  
15 with significant bodily injury, assault with  
16 intent to commit first degree sex abuse, simple  
17 assault.

18 You may not have been directly  
19 responsible for any of those things, but these  
20 are reasons why we have to have an RDO to  
21 maintain the public safety. Our order is  
22 attached to your license. Your license to sell



1 and serve alcoholic beverages is not a right,  
2 sir. It is a privilege with limitations and  
3 requirements that can legally be attached and  
4 must be followed.

5 This book, sir, is not a cafeteria.  
6 You can't pick and choose which parts of the law  
7 and which of our orders you can decide to follow.  
8 You must follow them all, but none are more  
9 critical than those portions of the law, Mr.  
10 Woldemariam, which deal with public safety.

11 Heaven help you and Heaven help Green  
12 Island Heaven & Hell if there is another such  
13 serious incident as this stabbing in the future  
14 where you are without an RDO in violation of our  
15 Board Order. You say you are in compliance. I  
16 trust you are, but you must remain in compliance,  
17 sir, so that you do not become an imminent threat  
18 to public safety.

19 This is all about the safety of our  
20 people, our neighbors, the community and the  
21 police officers. This isn't a game, sir.  
22 Please, be in compliance.

1 MR. WOLDEMARIAM: Thank you, Your  
2 Honor.

3 CHAIRPERSON ANDERSON: All right.

4 MR. WOLDEMARIAM: May I respond?

5 CHAIRPERSON ANDERSON: Yes. Well, let  
6 me -- I'm going to close the hearing. I'm going  
7 to let you have -- I'm going to give you the last  
8 word. Okay? So I'm going to close the hearing.  
9 So I'll start off with the officers, if there is  
10 any closing statements that they want to make?

11 CAPTAIN AUGUSTINE: No, sir.

12 LIEUTENANT HREBENAK: No, sir.

13 CHAIRPERSON ANDERSON: Mr. Jones?

14 INVESTIGATOR JONES: No, sir.

15 CHAIRPERSON ANDERSON: Mr. Farmer, do  
16 you wish your client to speak?

17 MR. FARMER: I really do not, but I  
18 have no further statements to make, at this  
19 point.

20 CHAIRPERSON ANDERSON: Mr.  
21 Woldemariam, your lawyer doesn't want you to  
22 speak, but --

1 MR. WOLDEMARIAM: It's all right.

2 CHAIRPERSON ANDERSON: Huh? All  
3 right.

4 MR. FARMER: It's time he takes my  
5 advice.

6 CHAIRPERSON ANDERSON: All right.  
7 It's always good to follow. And I say this in  
8 all seriousness, I'm an attorney. I'm actually  
9 the one -- I'm an attorney and Ms. Wahabzadah is  
10 also an attorney, too, and I look at things  
11 differently. And so my job here is never to get  
12 you. And I'm -- I will always caution the  
13 licensee that you need to speak to your attorney,  
14 because sometimes we believe that we need to say  
15 what we need to say, but that's not necessarily  
16 in your best interest.

17 And so I, as an attorney, take that  
18 seriously in this incident. And so whether or  
19 not I -- that's just -- I take -- maybe another  
20 Board Chair would not, but I take that seriously  
21 to make sure that -- because it's not my job to  
22 got you for you to get yourself in trouble.

1                   I want to make sure that all the  
2 parties, they comply with the law. I want to  
3 thank the officers who are here. I think I'm  
4 seeing these officers too often, that I now know  
5 who they are and that is good and that's  
6 unfortunate, because that just says to me that  
7 something is not going right in the community.  
8 And we want to make sure that things are right in  
9 the community.

10                   I do not enjoy seeing licensees here.  
11 The only time -- because normally when I see a  
12 licensee, it's because something is not right and  
13 that's not what I want to occur. I want  
14 licensees to be out in the community making the  
15 District a better place. And so I don't really  
16 enjoy that and I have never taken my position as  
17 a got you.

18                   I try to look at these things as Chair  
19 and make individual decisions and not look at a  
20 history to say because you have had a bad  
21 history, you're going to have a bad future. So I  
22 just want you to know that in that position.

1                   So I want to thank everyone for being  
2 here today. The Board will take this matter  
3 under advisement. All right. Thank you for  
4 being here today. Okay.

5                   (Whereupon, the Fact-Finding Hearing  
6 was concluded at 12:49 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

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Before: Alcoholic Beverage Control Board

Date: 06-06-18

Place: Washington, D.C.

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