

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

2 10:44 a.m.

3 CHAIRPERSON ANDERSON: Good morning,
4 everyone. Welcome you to a special meeting of
5 the Alcoholic Beverage Control Board. Today is
6 November 8th, 2018.

7 Joining us today for this hearing is
8 Mr. Mike Silverstein to my immediate left. To my
9 immediate right is Mr. James Short. And My name
10 is Donovan Anderson, and I'm chairman of the
11 board.

12 The Board, we do have three members
13 here today, so we have a quorum to have a
14 hearing. The first case on our --

15 MEMBER SHORT: Correct yourself.

16 CHAIRPERSON ANDERSON: Oh, I'm sorry.
17 To my left, to my right is Mr. Bobby Cato. We
18 have four members here in attendance today, so we
19 can conduct business.

20 The first matter on our schedule
21 today, it's a fact-finding hearing regarding a
22 manager's application for Mr. Derrick Hampton.

1 Mr. Hampton, could you please identify yourself
2 for the record?

3 MR. HAMPTON: Derrick Hampton.

4 CHAIRPERSON ANDERSON: Good morning,
5 sir.

6 MR. HAMPTON: Good morning.

7 CHAIRPERSON ANDERSON: All right, you
8 did apply for a manager's license. And one of
9 the reasons why we brought you in today is the,
10 let me see, where is the rest of them, do you
11 have the rest of the, or was it handed over to
12 us?

13 You applied for a manager's license,
14 and as part of the application for a manager's
15 license, you have to do criminal background
16 check.

17 And so I don't have an issue as I said
18 before, so one doesn't, I need to, yes, I know,
19 but I don't have the, I don't have the rest of
20 it.

21 Oh, okay, so I'm now here. Okay. All
22 right, I think one of the things and maybe I was

1 incorrect. And I guess, yes, when someone
2 applies for an application, and it's more so we
3 know that things happen and everyone should have
4 a second chance.

5 But when it comes to a file we always
6 look at the application to see what is it that
7 someone write, when it says, like number A, "Have
8 you been convicted of a misdemeanor within the
9 past five years?"

10 And I think, or at least I thought
11 when I first saw the application the application
12 said, no. And when the application says, no, and
13 then when the person's criminal background check
14 comes in, then there's an issue.

15 And then the bottom line is that, why
16 can't you be honest on the application? I'm not
17 concerned about the incident itself, what I am
18 more, or what the Board is more concerned about
19 is whether or not you made a mistake and you own
20 up to it.

21 Especially if you have to provide an
22 agency with a background check, and that

1 information is going to come out anyway.

2 So maybe you can just tell us who you
3 are, sir. Where is it that you're currently
4 working and why is it that you require a
5 background check?

6 I'm sorry, why is it you require a
7 manager's license and maybe you can just give us
8 some context about what's on your record.

9 MR. HAMPTON: Yes, I'm Derrick
10 Hampton, of course. And I was applying for a
11 manager's license for work at Orchid bar on 8th
12 Street.

13 I checked, no, because I probably had
14 my dates off. I thought it was longer than the
15 five years. So my dates were clearly off in
16 terms of what I was asked on the application.

17 Since then, yes, I had some mishaps
18 and mistakes that has been rectified. I've been
19 to several, actually two alcohol intervention
20 classes through a church.

21 And went through an online class that
22 was required. So since then, you know, it was a

1 time I was going through some family issues and
2 had gotten a DUI, two DUIs.

3 CHAIRPERSON ANDERSON: Because the one
4 you have 2015 and -- are they, so there was an
5 event on 11/6/15, 11/23/15. Is that the same
6 event or is that two different events?

7 MR. HAMPTON: Two different events.

8 CHAIRPERSON ANDERSON: Oh, I'm sorry,
9 it's 11, okay, it's '15 and '16. So was 4/29/15,
10 so that's a different event. We have 4/29/15 and
11 11/6/15. They're the same event?

12 MR. HAMPTON: That had to be the same
13 event. It's two different events, so that's
14 probably the same event.

15 CHAIRPERSON ANDERSON: Now one was
16 4/29/15 attend operation after a vacation, and
17 then 11/16/15 driving under the influence. And
18 those are different events?

19 MR. HAMPTON: That's a different
20 event, correct.

21 CHAIRPERSON ANDERSON: Then '15 was a
22 bad year for you.

1 MR. HAMPTON: It wasn't a good year.

2 CHAIRPERSON ANDERSON: Like I said
3 before, my goal, I mean, especially your request
4 for a manager's license. I mean, you are in a
5 position to make a determination to sell or serve
6 alcohol to someone who might be tipsy.

7 So what assurances can you give the
8 Board that you will prevent someone from doing
9 what you did? Since you as a manager, you're in
10 this power of authority as far as selling or
11 serving alcohol to folks who come into this
12 establishment.

13 MR. HAMPTON: Well, I had a situation,
14 I want to say two weeks ago where the patron that
15 was very assertive about having another drink.

16 It was clear that she was intoxicated,
17 so one of the other bartenders that was there
18 said, "I don't know how to handle this situation
19 she's really, really adamant about getting
20 another drink."

21 So I said to her, I said, "I'll be
22 down there, and I'll handle the situation." So

1 basically I said, "Ma'am, you know, right at this
2 time, I just don't think that it's a good idea
3 for you to have another drink but you're more
4 than welcome to have some water."

5 So I gave her a glass of water, she
6 drank it, and then she ended up leaving. So it
7 was a situation where she was able to get home
8 safely. She got into a cab; I made sure that
9 happened, and then that was it.

10 CHAIRPERSON ANDERSON: All right, any
11 other board members have any questions they want
12 to ask?

13 MEMBER SHORT: Yes, I'm going to make
14 this short, I guess. Mr. Hampton.

15 MR. HAMPTON: Yes.

16 MEMBER SHORT: And I see you live on
17 Flagler Place Northwest?

18 MR. HAMPTON: Yes.

19 MEMBER SHORT: Right there off of
20 North Capitol Street?

21 MR. HAMPTON: Mm-hmm.

22 MEMBER SHORT: That's a very, very --

1 that street has a lot of, how old are you if you
2 don't mind me asking?

3 MR. HAMPTON: 39.

4 MEMBER SHORT: 39, so you wouldn't
5 know the history of Flagler Place. And African
6 Americans, you would probably have a clue, but I
7 just have something to say to you.

8 But a lot of African Americans who
9 became very influential during the Civil Rights
10 period and during a period of time when
11 Washington D.C. wasn't so welcoming to people
12 that looked like you and myself, African
13 Americans.

14 So when you checked the wrong box on
15 the application, and why did that happen again?

16 MR. HAMPTON: I clearly had my dates
17 off, so in terms of that was just an erroneous
18 mistake.

19 MEMBER SHORT: I don't think anybody
20 on this panel wants to see you not have your
21 manager's license. But the reason why you were
22 called in is because when you have responsibility

1 of being the ABC manager of an alcohol
2 establishment.

3 Then you have some choices to make as
4 you said with the young lady you put in the cab.
5 And it could be a terrible choice if you make the
6 wrong decision or you make an indecision that
7 isn't in the best interest of your business, the
8 client, or yourself.

9 So when we look at these applications,
10 and you get your dates, as your testimony's been,
11 incorrect, then we want to bring you in, and we
12 want talk to you.

13 We want to see if you truly are a
14 person who should have an ABC manager's license.
15 So explain to the Board what this license would
16 mean to you, and how you would benefit the
17 alcohol industry here in Washington D.C. by you
18 having a manager's license.

19 Please explain that to us.

20 MR. HAMPTON: By me having my
21 manager's license, it would afford me the
22 opportunity, of course, to continue working at

1 the establishment that I am at now.

2 MEMBER SHORT: Which establishment is
3 that again?

4 MR. HAMPTON: Orchid, Orchid on 8th
5 Street.

6 MEMBER SHORT: What is the address?

7 MR. HAMPTON: 520, 520 8th Street
8 North, Southeast. So it's a whole restaurant
9 group, so it's Orchid. I work at Finn McCool's
10 and Lola's, so I'm between the three operations
11 there. So that will afford me, of course, to
12 keep my job there.

13 MEMBER SHORT: Well, everybody wants
14 you to keep your job, but we want to make sure
15 whenever you deal alcohol from now on, any time
16 or way that you put truthfully on applications
17 who you are, what you stand for.

18 And how again, the question I asked
19 you was not about you. How would a manager's
20 license for you benefit Washington D.C. and the
21 tourist industry and ABC establishments of
22 Washington D.C. business?

1 MR. HAMPTON: I would assure that the
2 patrons that I serve are safe. I would make sure
3 that you know, going forward that I will adhere
4 to the laws and make sure that everything would
5 happen in the orderly, according to the
6 regulations of the alcohol board.

7 MEMBER SHORT: Mr. Hampton, I'd like
8 for you to know that I'm a person who's had
9 second chances in my life and I have something to
10 say this to you. I believe in second chances,
11 but I really want people to understand that you
12 can't go through life checking the wrong boxes on
13 applications.

14 You can't go through life having an
15 ABC license and then not fulfilling what the
16 license stands for and what your job is. So I
17 believe your testimony today is believable.

18 And we're hoping the very best for
19 you, and we're hoping we don't see you here
20 again.

21 MR. HAMPTON: Thank you.

22 MEMBER SHORT: Because most ABC

1 licenses, ABC manager's licensees, we don't see
2 them unless they have a problem where they have
3 gone asunder of the law. You're not going to be
4 one of those kinds of persons?

5 MR. HAMPTON: No, sir.

6 MEMBER SHORT: All right, thank you.
7 That's all I have Mr. Chair. Thank you.

8 CHAIRPERSON ANDERSON: Any other
9 questions from any other board members? As I
10 said, I'm sorry, Mr. Hampton. I didn't call you
11 in because of what's on your record. That's not
12 the purpose why we called you in.

13 Because as Mr. Short says, everyone is
14 deserving of a second chance but one of the
15 things that we look when recommendations when it
16 comes in.

17 It's what is it that the person says
18 on their application? And if we cannot believe
19 that you will be truthful and owning up to what
20 errors that you have made, we give you this
21 license; you're in a position to make decisions
22 on other folks.

1 How do we know that you will do the
2 right thing? Okay. So that's one of the reasons
3 why you're brought in here today. Is there
4 anything else you want to say?

5 MR. HAMPTON: That's basically it.

6 CHAIRPERSON ANDERSON: All right.

7 With that said, I make a motion that we grant
8 this application. Is there a second?

9 MEMBER SHORT: Second.

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Both Mr. Short
12 and Mr. Silverstein have seconded the motion.

13 All those, all those, all those in favor say aye.

14 (Chorus of ayes.)

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passes four, zero, zero. So, sir, I'm
17 going to sign this off, and you can get, this is
18 the 8th. Right? Today is July?

19 MR. HAMPTON: Yes, the 8th.

20 CHAIRPERSON ANDERSON: July 8th. I'm
21 sorry, November the 8th. I don't know where I
22 am. November the 8th, 2018. And the members

1 will sign off on this, sir, and you can go to the
2 front desk and go pick up your application.

3 And I do hope that while I'm on the
4 Board, we don't see you in front of us for, are
5 you bartender?

6 MR. HAMPTON: Bartender at will, but
7 also work in the building on Wednesdays, so you
8 will see me but not here.

9 CHAIRPERSON ANDERSON: Well, when I
10 said see, I mean see you sitting at this table.
11 And when I said that one of the things that we
12 do, one of the things that we do when we do sale
13 to minor, it's not just on the establishment.
14 It's also on your license.

15 So, therefore, if there's a sale to
16 minor in the establishment you work at, it will
17 be on your license. So I do hope that we don't
18 see you in front, at least we'll see you but not
19 sitting at a table and asking you questions about
20 why you did what you did. Okay? Good luck, sir.

21 MR. HAMPTON: Thank you.

22 CHAIRPERSON ANDERSON: You're welcome.

1 Okay, okay, so we'll wait for 11:00 to
2 show up.

3 (Whereupon, the above-entitled matter
4 went off the record at 10:59 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: DERRICK HAMPTON

Before: ALCOHOLIC BEVERAGE CONTROL BOARD

Date: 11-08-18

Place: WASHINGTON, DC

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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