

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF: :

:

Umanzor Corporation, :

t/a Lesley's Grill :

4811 Georgia Avenue NW : Fact Finding

Retailer CT - ANC 4D : Hearing

License No. 104058 :

Case #19-251-00130 :

:

(Physical Altercation :  
 Inside the Establishment):

Wednesday  
 October 9, 2019

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  
 RAFI ALIYA CROCKETT, Member  
 JAMES SHORT, JR., Member

**ALSO PRESENT:**

KENDALL UMANZOR, APPLICANT (PHONETIC)  
 INVESTIGATOR GEORGE GARCIA, ABRA

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

2 3:37 p.m.

3 CHAIRPERSON ANDERSON: Our next case is  
4 a fact-finding hearing. It's Lesley's Grill,  
5 License No. 104058. Will the parties please  
6 approach and identify themselves for the record,  
7 please.

8 INVESTIGATOR GARCIA: ABRA  
9 Investigator George Garcia.

10 CHAIRPERSON ANDERSON: Good afternoon,  
11 Mr. Garcia.

12 MR. UMANZOR: Mr. Umanzor.

13 CHAIRPERSON ANDERSON: I'm sorry, your  
14 last name, sir?

15 MR. UMANZOR: Umanzor.

16 CHAIRPERSON ANDERSON: Mr. Umanzor.  
17 And who are you, sir?

18 MR. UMANZOR: I'm the representative  
19 of Lesley's Grill.

20 CHAIRPERSON ANDERSON: Do we have a  
21 letter stating that you are authorized to  
22 represent this?

23 MR. UMANZOR: Well, my name is on the  
24 license.

25 CHAIRPERSON ANDERSON: I'm sorry, sir?

1 MR. UMANZOR: My name is on the  
2 license.

3 CHAIRPERSON ANDERSON: All right, you  
4 said you were a representative. So when you said  
5 -- so you're a part of the ownership.

6 MR. UMANZOR: Yes.

7 CHAIRPERSON ANDERSON: All right, you  
8 didn't say. You just said you're a  
9 representative, and because you said you're a  
10 representative, that's why I asked for that. But  
11 if you say that you're part owner of the  
12 establishment, then.

13 MR. UMANZOR: Okay, I'm sorry.

14 CHAIRPERSON ANDERSON: Then that will,  
15 you'll say something to me. and then I will ask  
16 you another question. So that's why I always ask  
17 people to tell me who they are, their role.  
18 Okay, hold on one second, sorry.

19 All right, then, Mr. Garcia, state  
20 your name again for the record, please.

21 INVESTIGATOR GARCIA: George Garcia.

22 CHAIRPERSON ANDERSON: All right. And  
23 are you familiar with this facility?

24 INVESTIGATOR GARCIA: Yes.

25 CHAIRPERSON ANDERSON: And how are you

1 familiar with this facility?

2 INVESTIGATOR GARCIA: Sorry. I was  
3 the investigator assigned to the 251.

4 CHAIRPERSON ANDERSON: And so what,  
5 tell me the nature of the concern and the report  
6 that you wrote, sir.

7 INVESTIGATOR GARCIA: So a 251  
8 investigation was initiated as a result of a  
9 telephone call to the ABRA hotline from MPD  
10 regarding an assault.

11 On Saturday, July 27, 2019, at  
12 approximately 3:00 a.m., Investigator Garcia  
13 responded to Lesley's Grill and interviewed the  
14 ABC Manager, Lilian Contreras, Security Guard  
15 Devon Brannock, and MPD Officer Boria concerning  
16 the assault that took place at the establishment.

17 So two male patrons were at the  
18 establishment consuming alcohol, and shortly  
19 after three male patrons entered the  
20 establishment and sat themselves at the bar. All  
21 five of the male patrons were intoxicated. Three  
22 of the male patrons were hit by two of the male  
23 patrons with chairs.

24 Security Guard Mr. Brannock attempted  
25 to separate all five patrons while Ms. Contreras

1 called the police. Three of the male patrons  
2 left the establishment before the police arrived.  
3 MPD Officer Boria arrived on the scene and called  
4 the ambulance, but both of the male victims  
5 refused medical attention.

6 Three of the male patrons that fled  
7 threatened Ms. Contreras, and Officer Boria  
8 stayed outside the establishment to monitor.

9 I was unable to contact any of the  
10 victims regarding the incident because of the  
11 lack of information provided to the MPD officer.  
12 But on Wednesday, July 31 of 2019, I visited  
13 Lesley's Grill and made contact again with Lilian  
14 Contreras, who identified herself at the as the  
15 ABC Manager on duty.

16 I conducted a regulatory inspection  
17 and found no ABRA violations at the time. And I  
18 attempted to obtain video footage of the  
19 incident, but their security cameras only record  
20 for 48 hours, and at the time of the, at that  
21 time, the video footage was outside the 48-hour  
22 window.

23 But on the night of the incident, the  
24 establishment provided entertainment by DJ Maria,  
25 who is also employed by the establishment. And I

1 noted that the security guard wore a black, solid  
2 shirt, did not utilize any communication  
3 equipment, and all patrons were patted down upon  
4 entry.

5 I did review ABRA records and  
6 discovered that the establishment did not have a  
7 settlement agreement or a security plan. But the  
8 establishment was very cooperative with both MPD  
9 and ABRA staff during my investigation.

10 CHAIRPERSON ANDERSON: I'm sorry, your  
11 name again, sir?

12 MR. UMANZOR: What is it?

13 CHAIRPERSON ANDERSON: Your name  
14 again, or your last name, please.

15 MR. UMANZOR: Oh, Umanzor.

16 CHAIRPERSON ANDERSON: Mr. Umanzor.  
17 Mr. Umanzor, are you familiar with this event?

18 MR. UMANZOR: The owner was --

19 CHAIRPERSON ANDERSON: Take your hand  
20 away from --

21 MR. UMANZOR: I wasn't in the location  
22 that day.

23 CHAIRPERSON ANDERSON: But are you  
24 familiar, are you, can you tell me anything about  
25 this incident from your establishment's

1 perspective?

2 MR. UMANZOR: The only thing that I  
3 could tell is like the same thing that he say.  
4 The manager told me that there were two customers  
5 inside, and then there were, there came in three  
6 more from outside. And just to start arguing  
7 with the two that were inside and then start like  
8 fighting. And then they called the police and  
9 the other three went away.

10 CHAIRPERSON ANDERSON: Now, does your  
11 establishment have a security plan?

12 MR. UMANZOR: Yes, and should be in  
13 the file. When we applied for a license, we  
14 submitted a security plan, and.

15 CHAIRPERSON ANDERSON: The reason why  
16 because we asked you, your establishment was in  
17 front of us in 2017, and we specifically asked  
18 are you agreed to provide us a security plan. And  
19 as Mr. Garcia just testified, he said that there  
20 is no security plan in, he was unable to locate  
21 one. So do you know when it's, when this plan  
22 was provided to our agency?

23 MR. UMANZOR: That was when we applied  
24 for the license.

25 CHAIRPERSON ANDERSON: And when was

1 that?

2 MR. UMANZOR: That was like around  
3 three years ago.

4 CHAIRPERSON ANDERSON: What year was  
5 that, like what year, about what year was that?

6 MR. UMANZOR: Like 2016, yeah.

7 CHAIRPERSON ANDERSON: Well, the  
8 reason I'm saying is we had a fact-finding here.  
9 So we had a yeah, so we, the reason why I'm  
10 saying that if you said 2016 I don't think that's  
11 correct. Because we had a fact-finding hearing  
12 in 2017, and as a result of that hearing in 2017,  
13 your establishment agreed to provide us a  
14 security plan.

15 So you're saying you have one. So  
16 will you be able to provide to us a security plan  
17 within the next 30 days?

18 MR. UMANZOR: Yes, I can do that.

19 CHAIRPERSON ANDERSON: Because that's  
20 the problem. Now, since, if you have a security  
21 plan, are you aware that if you have a security  
22 plan, that as far as the camera operation, that  
23 there needs to be, it can't be 24 -- 48 hours.  
24 That this information has to be available I think  
25 it was 30 days, I believe. Thirty days typically



1 in that security plan.

2 INVESTIGATOR GARCIA: Typically.

3 CHAIRPERSON ANDERSON: Typically. So

4 --

5 MR. UMANZOR: Okay.

6 CHAIRPERSON ANDERSON: I'm sorry?

7 MR. UMANZOR: I wasn't aware of that.

8 CHAIRPERSON ANDERSON: But that's one  
9 of the reasons why I need to see the security  
10 plan, what's in it, because with a security plan,  
11 that's an issue that needs to be addressed.

12 MR. UMANZOR: Okay.

13 CHAIRPERSON ANDERSON: And so I, so  
14 you're saying that you can provide us, if you  
15 have it, you provide it within 30 days, and we'll  
16 review it and let you know whether or not it's  
17 legally sufficient and compliant.

18 MR. UMANZOR: Okay.

19 CHAIRPERSON ANDERSON: So I would ask  
20 what is it, what would it take for you currently  
21 to change your retention policy on your camera?

22 MR. UMANZOR: Camera is at least, it's  
23 going to take me at least 30 days.

24 CHAIRPERSON ANDERSON: To what?

25 MR. UMANZOR: To like upgrade the

1 system to a 30 days recording.

2 CHAIRPERSON ANDERSON: I didn't  
3 understand what you just said. You said it's  
4 going to do what to what?

5 MR. UMANZOR: To upgrade it, to  
6 upgrade the system to a 30 days recording.

7 CHAIRPERSON ANDERSON: Oh, so you're  
8 saying you would have to upgrade the system?  
9 Well, and that's, that's what I'm saying. I'm  
10 curious, if you have a security plan, that would  
11 already have to be in your security plan that you  
12 camera would have to be able to be, you're going  
13 to have to maintain incidents for 30 days.

14 So but that's something that you need  
15 to be aware of that if you have your, if you have  
16 a security plan currently, that's, I know that we  
17 would not approve a security plan without that  
18 provision being a part of it.

19 MR. UMANZOR: I'm a little bit  
20 confused. We're talking about security plan,  
21 it's like I have to have like a log, step by step  
22 on any incident, or what are you talking about  
23 when you say security plan?

24 CHAIRPERSON ANDERSON: Well, they  
25 asked you if you had a security plan and you said

1 you had a security plan. So basically, it's a  
2 plan --

3 MR. UMANZOR: That when I first apply  
4 for the license, I pay somebody else to do it --

5 CHAIRPERSON ANDERSON: You paid  
6 somebody to do what?

7 MR. UMANZOR: The application, to fill  
8 out the application, because I was new in the  
9 city, so I pay somebody else to do it. So they  
10 supposed to submit a security plan.

11 CHAIRPERSON ANDERSON: And that's one  
12 of the reasons why I said to you, it was not with  
13 the initial application.

14 MR. UMANZOR: Okay.

15 CHAIRPERSON ANDERSON: There was a  
16 fact-finding hearing that your establishment had  
17 in front of us in 2017.

18 MR. UMANZOR: Okay.

19 CHAIRPERSON ANDERSON: And as a result  
20 of that fact-finding hearing in 2017, your  
21 establishment had agreed to provide us a security  
22 plan. So the, so all I'm asking you to do is to  
23 provide it to the Agency, because it's not  
24 apparent that you know what a security plan is or  
25 what it is. Because our agencies, we've been

1 told by our agency that they have searched our  
2 records and they don't see one.

3 MR. UMANZOR: Okay.

4 CHAIRPERSON ANDERSON: So therefore  
5 you then have to provide this security plan to  
6 the agency that was, that we were supposed to  
7 have gotten two years ago.

8 MR. UMANZOR: Okay.

9 CHAIRPERSON ANDERSON: And if you  
10 don't know what a security plan is then you can  
11 reach out to our agency and we can direct you  
12 what it is or what should be in a security plan.  
13 Right, because that's something that you have to  
14 provide to this agency.

15 MR. UMANZOR: Okay, I understand. And  
16 our question is once that we submit the security  
17 plan to the Agency, do we supposed to keep one at  
18 the establishment too?

19 CHAIRPERSON ANDERSON: Yeah, well, a  
20 security plan -- a security plan is basically  
21 when incidents occurred at your establishment,  
22 you're a CT so you're a tavern. So tell me about  
23 if it's -- tell me what type of business do you  
24 own. It's a tavern, but when is most of your  
25 business? What type of crowd hangs out? I mean,

1 is it late night? Tell my typically, tell me  
2 about your establishment.

3 MR. UMANZOR: We sell food all day.  
4 And most of the time when it's pretty much busy  
5 is in the night, during the night. So it's --

6 CHAIRPERSON ANDERSON: And so operate,  
7 I mean, you operate till when?

8 MR. UMANZOR: Till 2:00 a.m.

9 CHAIRPERSON ANDERSON: Till 2:00 a.m.  
10 And so I mean is there music? And I'm not asking  
11 to, because I don't know about your  
12 establishment. So is there music, is there a DJ?  
13 I mean --

14 MR. UMANZOR: Yeah, it's a karaoke.

15 CHAIRPERSON ANDERSON: All right, so  
16 people come there to, and -- all right. So  
17 clearly, I don't know what happened in 2017, why  
18 you were here before and why you were asked to do  
19 a security plan. So a security plan is basically  
20 you have written instructions, the staff is  
21 trained that when whatever incident occurs in the  
22 facility, this is how we address it.

23 MR. UMANZOR: Address it.

24 CHAIRPERSON ANDERSON: Right. So that's  
25 what it is. So of course you're going to have a

1 copy, you're going to train your staff on the  
2 procedures. And once we come to your facility,  
3 we're going to do an investigation. We're going  
4 to look at the security plan that you have.

5 And if for example, if you had a  
6 security plan and our investigator came and asked  
7 a copy of the video, and if you said that my  
8 system only operates for 24 hours, then that  
9 would a violation of your security play.

10 MR. UMANZOR: Okay.

11 CHAIRPERSON ANDERSON: Because you  
12 have a specific, you have provided ABRA with a  
13 specific plan that states if we have an incident,  
14 we will have, our camera will maintain for 30  
15 days. And it will be given to the investigator  
16 in due course. So it can't be we come back 48  
17 hours or the next day and you're like saying,  
18 well, I'm sorry our camera's off.

19 So what I'm saying to you now is that  
20 based on the fact that you're going to provide us  
21 a security plan, you need to update your camera  
22 system to ensure that it records for 30 days, it  
23 maintains for 30 days.

24 MR. UMANZOR: That's the minimum  
25 requirement of the security plan?

1 CHAIRPERSON ANDERSON: In the security  
2 plan, yes.

3 MR. UMANZOR: Okay.

4 CHAIRPERSON ANDERSON: That's a minimum  
5 requirement in security plan, which is standard  
6 in the industry. Of course, security plans are  
7 not necessarily required for taverns, but clearly  
8 something happened at your establishment before,  
9 why the Agency required that you have a security  
10 plan.

11 MR. UMANZOR: Okay.

12 CHAIRPERSON ANDERSON: Yes, any other  
13 questions by any other Board members? All right,  
14 so Mr. Garcia, so you stated that the  
15 establishment was compliant with you in this  
16 investigation?

17 INVESTIGATOR GARCIA: Correct, they  
18 were.

19 CHAIRPERSON ANDERSON: Anything else  
20 you want to share with us?

21 INVESTIGATOR GARCIA: No.

22 CHAIRPERSON ANDERSON: And you didn't  
23 see any ABRA violations at the establishment, no?

24 INVESTIGATOR GARCIA: No.

25 CHAIRPERSON ANDERSON: All right. I

1 make a motion that we take no more, no further  
2 action in this matter. Is there a second?

3 MEMBER CATO: Second.

4 CHAIRPERSON ANDERSON: Mr. Cato has  
5 seconded the motion. All those in favor say aye.

6 (Chorus of ayes.)

7 CHAIRPERSON ANDERSON: Those opposed?  
8 All right, the matter passed 4-0-0.

9 So when you're leaving here today,  
10 sir, you are, you, based on the agreement that  
11 was made, the order, the agreement that was made  
12 in 2017, you are required to provide us a  
13 security plan within the next 30 days.

14 MR. UMANZOR: Okay.

15 CHAIRPERSON ANDERSON: And I'm not, I  
16 see that something was handed to you. If you  
17 don't know what a security plan is, you can reach  
18 out to the Agency, you can talk to Mr. Garcia.  
19 Our agency will give you some guidance what is  
20 needed and what is required. Okay?

21 MR. UMANZOR: All right.

22 CHAIRPERSON ANDERSON: Thank you for  
23 being here today. Thank you.

24 (Whereupon, the above-entitled matter  
25 went off the record at 3:53 p.m.)



A	B	C	D
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In the matter of: Lesley's Grill

Before: DCABRA

Date: 10-09-19

Place: Washington, DC

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*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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