

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :

FD, LLC, :

t/a Unity :

1936 9th Street NW : Fact Finding

Retailer CT - ANC 1B : Hearing

License No. 109064 :

Case #18-251-00202 :

(Assault With a Deadly :
 Weapon, Failed to :
 Preserve a Crime Scene, :
 Delayed an :
 Investigation, Provided :
 False or Misleading :
 Information, Failed to :
 Make a Copy of the :
 Security Camera Footage :
 Immediately Available) :

Wednesday
 January 16, 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

NICK ALBERTI, Member

BOBBY CATO, JR., Member

JAMES SHORT, Member

MIKE SILVERSTEIN, Member

REMA WAHABZADAH, Member

ALSO PRESENT:

ABEBE BEKELE, Licensee

CAMERON ROYSTER, ABRA

SERGEANT SHIPMAN, PROTESTANT

SIDON YOHANNES, Licensee's Counsel

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

2 (11:17 a.m.)

3 CHAIRPERSON ANDERSON: All right,
4 we're back on the record. Our next case is Case
5 Number 18-251-00202, Unity, License Number
6 109064. Would the parties please approach and
7 identify themselves for the record?

8 MS. YOHANNES: Sidon Yohannes on
9 behalf of the licensee.

10 CHAIRPERSON ANDERSON: Good morning,
11 Ms. Yohannes. I can't hear you, sir. As I said,
12 use your street voice. That's what a friend of
13 mine always says.

14 MR. BEKELE: My name is Abebe Bekele.

15 CHAIRPERSON ANDERSON: Mr. Bekele,
16 have you written your name down on the sign-in
17 sheet there, sir?

18 MR. ROYSTER: ABRA investigator,
19 Cameron Royster.

20 CHAIRPERSON ANDERSON: Good morning.
21 And you, sir?

22 MR. SHIPMAN: Sergeant Shipman with

1 Focused Beat 3D.

2 CHAIRPERSON ANDERSON: Good morning,
3 Mr. Shipman.

4 This is a fact-finding Hearing and
5 there was an incident where it appeared there was
6 an assault with a deadly weapon, failure to
7 preserve the crime scene, delayed investigation,
8 providing false or misleading information,
9 failure to make a copy of the security camera
10 footage and make it available.

11 And so basically, how we'll start this
12 process off, I'll have Investigator Royster give
13 us a summary of what had occurred, I'll have the
14 Sergeant, Sergeant Shipman, add his part, and
15 then on behalf of you, your attorney can provide
16 us some response.

17 So we'll start with Mr. Royster.

18 MR. ROYSTER: ABRA was contacted on
19 October 15, 2018. MPD requested assistance from
20 ABRA at Unity Lounge.

21 So I responded to that location at
22 approximately 2:00 a.m. that morning, and upon

1 approaching the establishment, as you can see in
2 Exhibits 2 through 4, there were two large pools
3 of blood, various pieces of clothing, and a lot
4 of bloody paper towels in front of the
5 establishment.

6 I proceeded to enter the establishment
7 and the first person I approached was MPD Officer
8 Malcolm.

9 And he had informed me that an assault
10 with a dangerous weapon had just occurred and he
11 showed me the location outside of the
12 establishment where the ADW crime occurred. As
13 you can see in Exhibit 6 through 9, it was in the
14 front part of the sitting area in of the
15 establishment next to the door area.

16 He also stated to me that when he, MPD
17 Officer Malcolm, entered the scene, he observed
18 employees cleaning up the crime scene with a mop
19 and paper towels and he immediately told them to
20 stop cleaning up the blood.

21 And I also spoke with MPD officer
22 Schwartz, who also informed me that employees of

1 the establishment weren't being cooperative with
2 him and he also had observed employees cleaning
3 up the crime scene.

4 When I first spoke with the owner, Mr.
5 Bekele, after a couple conversations he first had
6 initially told me that there was just some
7 pushing and shoving and not a fight that
8 occurred.

9 After advising that I already had seen
10 the blood while entering the establishment
11 outside, he informed me that Mr. Bekele had
12 watched a video with MPD officers where he
13 observed that the ADW had occurred inside the
14 establishment.

15 CHAIRPERSON ANDERSON: I have a quick
16 question. Who did you speak to?

17 MR. ROYSTER: Mr. Bekele, the owner.

18 CHAIRPERSON ANDERSON: Which is this
19 young man here?

20 MR. ROYSTER: Yes.

21 CHAIRPERSON ANDERSON: All right, go
22 ahead.

1 MR. ROYSTER: And so he had informed
2 me that he reviewed the video with MPD officers a
3 short time prior and he had observed that the
4 assault did occur inside the establishment.

5 And he himself was first notified by
6 a security officer because Mr. Bekele was on the
7 second floor, I believe he stated, and the
8 security officer came and notified him.

9 And then he, Mr. Bekele, stated that
10 he tried to break up the fight when he could see
11 what he observed. I proceeded to ask Mr. Bekele
12 the security procedures of the establishment and
13 he stated that night he hires two security
14 officer directly and does not use a third-party
15 agency at all.

16 And he also stated to me that he has
17 a total of 14 cameras with one being outside of
18 the establishment placed in front of the
19 establishment.

20 So after speaking with Mr. Bekele
21 about the security procedures, I requested to
22 review the video footage that he and the MPD

1 officers had just observed, to which -- I'm not
2 sure if you guys want to -- I'll show you now.

3 MR. ROYSTER: The thing wasn't
4 working. Sorry, that's not the right case. So
5 this is a video that I was able to record off my
6 cell phone when I went to the scene when Mr.
7 Bekele was showing me the video.

8 The first initial portions that I
9 described in my report, that's what I was able
10 just to view on the scene, I didn't record those.
11 I was able to record from 1:27 and further
12 because at that time I expected I was going to be
13 able to see the video footage later on.

14 So you'll see here the patron on the
15 right here that I'm showing with the mouse is the
16 one who gets struck. And the one that strikes
17 him is this male sitting down right now.

18 CHAIRPERSON ANDERSON: What are we
19 looking at?

20 MR. ROYSTER: The assault is about to
21 occur here. So the patron on the right I believe
22 was pretty intoxicated here. Him and the guy

1 sitting down, they get in an argument here and
2 this is where you'll see this all occur.

3 So that's when he strikes the shot
4 glass out of the suspect's hand and then the
5 suspect stands up, and that's when you see him
6 grab something, a shot glass, and then strike.

7 And that's the security officer there
8 who observes it, and he immediately pulls out the
9 victim outside of the establishment, which is why
10 all that blood is outside of the establishment.

11 So while this is going on, I believe
12 about a minute or so later, while continuing to
13 view the footage, I observed -- let me show you
14 the other one.

15 Immediately after it happened, you'll
16 see a male in a white shirt and I believe a hat,
17 he immediately starts wiping up the blood here.
18 And he goes in the back and starts grabbing paper
19 towels.

20 And then the female here, she starts
21 cleaning up the hookah scene here. And then
22 later on you'll see, because in one of the

1 Exhibits I believe you'll see there's blood
2 spattered by the door.

3 So you'll see him grab a towel and I
4 believe he was attempting to wipe the door. So,
5 due to the significance of what I had observed at
6 that time, I proceeded to contact my supervisor
7 at that time, Sean Townsend, and he responded to
8 the scene immediately.

9 And approximately five minutes after
10 I called him, which is 2:25 a.m., he entered the
11 scene and he asked Mr. Bekele as well as to
12 review the video footage -- or Supervisor
13 Townsend requested to view the footage and he
14 also confirmed the same things that we all saw.

15 And so the first thing he asked Mr.
16 Bekele was who was the individual that cleaned
17 the scene? And the first initial thing that Mr.
18 Bekele said to him was I don't know, I've never
19 seen him before.

20 And so when he stated that, I started
21 to look around the establishment and I saw there
22 were still some people that were sitting down

1 inside of the establishment.

2 And one of the individuals was the
3 same person I saw in the video in the white shirt
4 and hat, so I proceeded to ask that individual if
5 he was an employee of the establishment, to which
6 he said he was.

7 And Supervisor Townsend heard that as
8 well so we proceeded to ask Mr. Bekele again if
9 he was an employee. And Mr. Bekele stated he
10 helps out with football sometimes on Sundays.

11 So both myself and Supervisor Townsend
12 here could clearly get that Mr. Bekele was trying
13 to hide the fact that he was an employee of the
14 establishment.

15 So I proceeded to ask Mr. Haleform why
16 he was cleaning up the blood, and he stated that
17 he thought it was because it was messy that he
18 immediately thought to clean up all the blood.

19 So, I requested from Mr. Bekele
20 specifically the camera times from 11:20 p.m. to
21 2:00 a.m. from cameras 3, 4, and 5 so I could
22 view the entire scope of the incident from when

1 first the suspect and the victim first entered
2 the establishment all the way until after the
3 incident.

4 And he stated to me that this guy
5 would come immediately to fix the cameras and
6 then retrieve the video for me, to which I agreed
7 with him.

8 So prior to entering the
9 establishment, I also conducted a regulatory
10 inspection that night and there was no settlement
11 agreement on the scene.

12 And the same day, the evening hours,
13 Mr. Bekele had contacted me and stated that his
14 video cameraman needed some more time and since
15 it was the same day, I advised him that it would
16 be okay if he could have some more time.

17 So between that conversation from
18 10/15/18 and 10/25/2018, we had numerous contacts
19 with me requesting the video footage at various
20 times.

21 And the first video footage I received
22 from him when I attempted to look at the footage,

1 it would only open up as a music file which had
2 no music.

3 So I also attempted to look at it on
4 one of my coworker's computers and then also my
5 supervisor, Sean Townsend, he also attempted to
6 look at the video as well and we were all
7 unsuccessful.

8 So I contacted Mr. Bekele and informed
9 him that the footage was inoperable, to which he
10 stated that he would get me a new copy.

11 And I suggested to him that since he
12 stated the video footage worked for him, to put
13 the music player that Mr. Bekele had on his
14 system on the drive, which he did do.

15 So on the second video footage, with
16 the drive in that footage, for some reason when I
17 would attempt to open it, it would say it
18 encountered an error, I remember.

19 And so I attempted as well on my
20 coworker's computer and then also Supervisor
21 Townsend, he attempted as well and it was
22 inoperable.

1 So I contacted Mr. Bekele again and
2 informed him that the second USB did not work and
3 he informed me that he had provided that same USB
4 to MPD officers so they could view the footage.

5 So I asked Mr. Bekele if that footage
6 was the same cameras in the time period as I had
7 originally requested him on the day-to-day
8 incident. And Mr. Bekele stated to me that it
9 was those same times.

10 So I informed him that I would try and
11 track down that footage that MPD has since he
12 stated that the footage was working for MPD but
13 just wasn't for me.

14 So after a final tracking, I was able
15 to track down that Detective Matos was the one
16 that was assigned to the incident and had the
17 footage. And the footage that he had, it was
18 only a minute and 30 seconds long so that's
19 nothing of what I requested.

20 So, I contacted Mr. Bekele again and
21 advised him that the footage that MPD had was not
22 what -- I contacted Mr. Bekele again and informed

1 him that the footage that MPD had was not what I
2 originally had requested.

3 And between that period of time, I was
4 able to interview Sonny Brown, the head of
5 security, and he confirmed to me that he was the
6 one that pulled the victim and grabbed him
7 outside.

8 And he immediately flagged down MPD
9 after so the security officer notified MPD. And
10 I was able to speak with the victim as well and
11 he had informed me that he had received 85 to 100
12 stitches on the night of the incident, and he
13 would not also be returning to the establishment
14 because of that incident.

15 So, approximately on Thursday October
16 25, I visited -- sorry about that.

17 After the second USB did not work and
18 the MPD did not work, when I contacted Mr. Bekele
19 I informed him how it could be a violation for a
20 delay in my investigation with all these USBs for
21 some reason not working and the MPD video as well
22 being not what I requested.

1 So for the third video footage, after
2 seeing the video that MPD had, I decided to visit
3 the establishment again and that was on --

4 CHAIRPERSON ANDERSON: Was it the
5 video that --

6 MR. ROYSTER: It was a 1:30 of just
7 the incident, not of the 11:20 p.m. to 2:00 a.m.
8 I wanted to see the full scope of how many both
9 of them had to drink, just basically the whole
10 investigation to see what was going on.

11 So, on November 5, that's when I
12 visited the establishment again for I believe the
13 fourth time and I approached Mr. Bekele and
14 informed him how the video that MPD was not what
15 I requested.

16 So Mr. Bekele informed me that he had
17 a third copy and he could give me that copy, and
18 I informed him again that if that's not what I
19 requested there would still be a delay. And so
20 we were able to get that footage to work.

21 I forgot how but it was only 20
22 minutes of footage on that one camera period,

1 from 1:20 a.m. to 1:40 a.m. from the one camera
2 that you guys had already observed.

3 So throughout my investigation I
4 wasn't able to get the outside camera, which was
5 what I requested, so I could see the victim
6 outside of the establishment, plus another camera
7 that was inside, plus the whole 11:20 p.m. to
8 2:00 a.m.

9 So I concluded with my investigation
10 that he had delayed my investigation and that the
11 establishment also failed to preserve the crime
12 scene by cleaning and mopping up blood, and also,
13 during my regulatory inspection, he did not have
14 a settlement agreement.

15 Even though the establishment has a
16 settlement agreement, he did not have it
17 available on site so that was also in violation
18 as well.

19 CHAIRPERSON ANDERSON: Thank you, Mr.
20 Royster. Sergeant Shipman, do you have anything
21 you want to add to this incident?

22 MR. SHIPMAN: All I can do is confirm

1 the information that I was on scene there. The
2 security guard was the one that flagged my
3 officers down but he was not forthcoming of where
4 it actually happened.

5 It took at least a few minutes, if not
6 longer, to discover that it may have happened in
7 the lounge. So even though he was employed
8 there, he didn't let us know it actually happened
9 in the location.

10 So by the time we got in there, they
11 were already cleaning it up. So that was a
12 problem.

13 CHAIRPERSON ANDERSON: And from your
14 perspective, did they cooperate? Was the
15 establishment cooperative with your
16 investigation?

17 MR. SHIPMAN: Eventually but it was
18 taking a lot of --

19 CHAIRPERSON ANDERSON: So what you're
20 saying is initially they were not?

21 MR. SHIPMAN: It was a lot of
22 questioning over and over again to get maybe one

1 step to get into the place. Oh, it possibly
2 happened inside. Oh, it did happen inside. Do
3 we have the footage? Well, maybe.

4 And then continue to pursue and take
5 another hour just to get to the point where maybe
6 we can view it.

7 So eventually we did but it shouldn't
8 have taken that -- it should have been, yes, we
9 have footage, let's go see it right away instead
10 of delaying it an hour or two hours.

11 CHAIRPERSON ANDERSON: Thank you. Ms.
12 Yohannes, how is it that your client responds to
13 the findings here?

14 MS. YOHANNES: I think this stemmed
15 from an unfortunate incident that occurred. A
16 fight occurred and there were some serious
17 injuries as a result of the fight.

18 However, his security officer, as the
19 investigator has stated, did exactly what he was
20 supposed to do, he intervened, he took the two
21 people that were fighting outside of the
22 establishment, and he flagged down a police

1 officer.

2 So thereafter, we acknowledge that
3 there may have been some communication issues,
4 there may have been a little bit of hesitancy
5 from staff in responding, but they were
6 cooperative. He did give footage to the
7 investigator.

8 There were three USBs that were given
9 and if you look at the timeline here, his
10 intention was not to delay anything. Each time
11 he called his technician to come back.

12 He thought that he saw the USB before
13 it went out and he gave it to the investigator,
14 and each time the investigator called, he tried
15 to give him the footage again.

16 So the investigator was at the scene,
17 so were the police, and they both were able to
18 view the footage at the establishment the night
19 of so he wasn't trying to hide anything.

20 In terms of the technology there and
21 the cameras functioning and him being able to
22 provide footage in the future, he has changed his

1 system due to the issues that he was having with
2 the investigator.

3 So he changed the camera system, he's
4 updated it to be able to immediately give over
5 footage if necessary. I do also want to remind
6 the Board that this establishment was not
7 required to have security cameras. They do have
8 security cameras and they have now updated that.

9 The owner also, due to this incident,
10 understands that more procedure was needed with
11 his employees and his staff. So he's willing to
12 train these employees to ensure compliance in the
13 future to make sure that they know how to handle
14 situations like this.

15 So if an incident were to occur, they
16 know how to address it. We are willing to agree
17 to a security plan. We're actually already
18 working on one.

19 And in terms of any questions that you
20 have, he's here to answer.

21 CHAIRPERSON ANDERSON: All right,
22 thank you for making that suggestion around the

1 security plan. Since you have put it out there
2 and it's a fact-finding Hearing, no, I can't
3 agree.

4 I can't order you but since you have
5 volunteered, are you able then to provide us with
6 a legally sufficient security plan within the
7 next 30 days?

8 MR. SHIPMAN: Yes.

9 CHAIRPERSON ANDERSON: Now, I'm
10 sitting here and I'm hearing at least from the
11 Sergeant and from our investigator, and I've
12 heard your presentation but there's something
13 missing.

14 Now, does your client know who works
15 for him? Does he know who works in his
16 establishment?

17 MR. SHIPMAN: He does, and he can
18 speak to that. The person that they're referring
19 to, he's a relative. He's a relative who comes
20 in and who helps.

21 So in saying that he was being honest,
22 however, he does understand that anybody who was

1 helping him or who is doing anything of that
2 nature needs to also be trained.

3 CHAIRPERSON ANDERSON: That's even
4 worse. I think it would have been better if you
5 told me it was an employee, it was a new
6 employee, and he didn't know his name, he didn't
7 know who he is.

8 But now you're telling me he's a
9 relative and he still said he doesn't know who
10 the person is, and that's worse.

11 Because if you're telling me that
12 there's a relative who comes in and who helps him
13 and you don't know who he is, I think the better
14 response would be, you know what, he's a new
15 employee, my general manager or somebody else
16 hired him, I didn't immediately recognize him so
17 that's why I didn't know who he was.

18 And on the video that I see, I saw
19 somebody coming out with a mop and mopping. So I
20 don't understand what it means, whether he's a
21 relative or he comes to help, what was that. But
22 I digress.

1 MR. SHIPMAN: Can I be clear in terms
2 of the statement I made? What I'm saying is the
3 I don't know who he is, that's a statement that
4 he refutes.

5 He didn't say he didn't know who he
6 was. I was speaking to the he's not an employee.
7 I just want to clear that up.

8 CHAIRPERSON ANDERSON: Now, does your
9 client know how to operate his camera system?

10 MR. SHIPMAN: Yes, and do you want to
11 speak about your camera system and let the Board
12 know, tell them about where it is and how many
13 cameras you have, and the technician and your
14 recent communications with him?

15 MR. BEKELE: We have 18 cameras inside
16 the establishment and they all work good.

17 CHAIRPERSON ANDERSON: I can't hear
18 you. Speak up please.

19 MR. BEKELE: We have 18 cameras inside
20 the establishment and outside they're all working
21 fine.

22 When we did the record onto USB, we

1 gave one to the investigator of the ABC Board and
2 another one to the lawyer of the guy, the other
3 guy. They don't have any problem with that view,
4 it was clear and they were seeing everything.

5 And the investigator called, it's not
6 working for him. We were calling each other,
7 it's not that I'm trying to make a delay. I was
8 trying to give him something that works for him.

9 I gave him something that works but it
10 wasn't working into his computer. So I called my
11 technician and I told him the investigator is
12 saying it's not working.

13 My technician came, we tried it on my
14 laptop, it works, we tried it on his laptop, it
15 works. And then he said there might be some kind
16 of Window problem with his computer, that's what
17 he said, the technician, but he will try to do it
18 in some kind of AVI system or something.

19 He said he's going to change it to
20 that way. He changed it and we gave him another
21 copy and he told me it's not working still. So
22 we took it to a bigger company so we can make it

1 work for him.

2 Anyway, I was calling him, I was
3 contacting him with what is going on. It's not
4 only on text message, even on the phone we were
5 talking. I was even telling him I was not trying
6 to make it a delay.

7 I was giving you a copy that I gave to
8 the other lawyers. So we gave him the last
9 footage and after that, I never heard from him if
10 it works or not.

11 CHAIRPERSON ANDERSON: So, I assume by
12 having a security plan the security plan will
13 basically talk about crime scene, preservation of
14 crime scene.

15 So what type of training, if any, is
16 being provided to any of the employees?

17 MR. SHIPMAN: Yes, the security plan
18 will definitely address that and he understands
19 that. Him as well as the employees, the security
20 personnel, all need to know what to do when
21 incidents like this occur, conflict resolution,
22 calling MPD, cooperating, and preserving the

1 crime scene.

2 CHAIRPERSON ANDERSON: Any questions
3 by the Board? Yes, Mr. Short?

4 MEMBER SHORT: This question is for
5 Mr. Bekele. Mr. Bekele, when someone gets
6 assaulted and has an injury of 85 to 100
7 stitches, that person could have died. I saw the
8 blood on the front.

9 Why was he taken outside? Why didn't
10 you just lay him on the floor, start
11 administering first aid and call MPD in the
12 ambulance?

13 Take that person outside, you had a
14 lot of liability of that person died. From what
15 we saw on the film, he was assaulted inside of
16 your establishment.

17 Is that correct?

18 MR. BEKELE: Yes.

19 MEMBER SHORT: So the next time
20 someone's assaulted like that, what would you do?
21 What's the first thing you're going to do when
22 somebody's assaulted if it happens again inside

1 of your establishment?

2 MR. BEKELE: Like what we did that
3 time, we called the police right away.

4 MEMBER SHORT: No, forgive me. What
5 I would say to you is the safest thing to do is
6 shut your door, close your door. Nobody should
7 come or leave walking through that blood until
8 the police get there.

9 Nobody should have a mop in their hand
10 mopping up anything. The person outside could
11 have died, that's a very serious injury. That's
12 a lot of blood that was out there.

13 I know that your security plan will
14 address that from now on. Who is going to do the
15 training for you and your staff? Who is going to
16 do the training?

17 MR. BEKELE: My business lawyer got a
18 guy, he trained this guy I know for a security
19 client.

20 MEMBER SHORT: Does he have a company
21 registered with the City to train for security?

22 MR. BEKELE: That's what my lawyer

1 said.

2 MEMBER SHORT: Will he be a registered
3 person, Ms. Yohannes?

4 MS. YOHANNES: Not this lawyer who
5 said that but, yes, we'll ensure that it's a
6 security company that is registered.

7 MEMBER SHORT: And there's another
8 suggestion I'd like to make since we can't make
9 you do anything.

10 But if you're going to do that, when
11 the training's taking place, one of our
12 investigators should be there to see the
13 training's going so that anything dealing with
14 ABRA, you have that as a part of your training.

15 Is that okay, Ms. Yohannes?

16 MS. YOHANNES: Yes, that's okay.

17 MEMBER SHORT: Okay, now cooperation.
18 You have a liquor license given by this Agency
19 and that's not a given that you can have and keep
20 that if this kind of event keeps happening at
21 your establishment.

22 Are you aware of that?

1 MR. BEKELE: Yes.

2 MEMBER SHORT: Okay, so when our
3 investigator or police officer comes to you and
4 asks you questions and you aren't truthful to
5 them, do you think that's worthy of you keeping
6 your license?

7 MR. BEKELE: I can answer for that.

8 MEMBER SHORT: Please do.

9 MR. BEKELE: The first time they asked
10 me what happened, I told them exactly, I don't
11 know where this is coming from. What I said is
12 different to what they are saying now.

13 MEMBER SHORT: What did you say?

14 MR. BEKELE: They asked me if there
15 was a fight and the investigator said, no, it was
16 a push and pull. That's not what I said. I said
17 there was a fight.

18 And about minutes, less than 10
19 minutes or 5 minutes, there was another
20 investigator. A police officer came with an
21 investigator, a detective came. That's the first
22 person I met.

1 MEMBER SHORT: Let me ask a question.

2 MR. BEKELE: I gave all the videos to
3 him.

4 MEMBER SHORT: When all this was going
5 on, were you still selling alcohol and had people
6 coming and going in your establishment?

7 MR. BEKELE: No.

8 MEMBER SHORT: You stopped selling at
9 that time?

10 MR. BEKELE: I stopped selling
11 everything.

12 MEMBER SHORT: Locked your door?

13 MR. BEKELE: We locked the door, yes.

14 MEMBER SHORT: After you mopped up?

15 MR. BEKELE: Yes.

16 MEMBER SHORT: You won't do that
17 again, will you?

18 MR. BEKELE: No, I won't.

19 MEMBER SHORT: I hope not.

20 Okay, so the bottom line is I, and I
21 think all of the Board Members, but I'm speaking
22 for myself now as a Board Member, expect owners

1 of businesses who have licenses, when we have a
2 police officer and an ABRA investigator that
3 comes to your establishment, you give them your
4 full time and attention.

5 You don't blow them off or have
6 anybody else there blow them off. If you have a
7 person who works there and you tell them he
8 doesn't work there or someone says he doesn't
9 work there, that's lying to an official of the
10 Government.

11 That really could be another charge on
12 you that the Police Department could bring on
13 you.

14 Are you aware of that?

15 MR. BEKELE: Yes.

16 MEMBER SHORT: So from now on you
17 would tell the truth when you have an incident at
18 your place?

19 MR. BEKELE: I will, I will tell the
20 truth.

21 CHAIRPERSON ANDERSON: Any other
22 questions by any of the Board Members?

1 Investigator Royster, do you need to respond to
2 anything that was stated or just let the record
3 speak for itself?

4 MR. ROYSTER: I'll let the record
5 speak for itself.

6 CHAIRPERSON ANDERSON: Sergeant
7 Shipman, any final comments you want to make?

8 MR. SHIPMAN: I would say the only
9 inconsistency I happen to have is towards the end
10 of when all this was happening, we still didn't
11 have the video, he was talking to the detectives
12 and trying to get them to stop putting our
13 spotlight into their establishment because they
14 were still open.

15 So, I'm not sure who's saying it was
16 closed, it was bothering the patrons inside that
17 our light was shining into where the crime scene
18 was and said if that light was turned off, maybe
19 we could get that video.

20 And then I told him, no, you provide
21 us the video, then maybe we'll turn the light
22 off.

1 CHAIRPERSON ANDERSON: Ms. Yohannes,
2 you heard what the Sergeant stated. I'm not
3 asking you to respond, I'm just saying for
4 future, you've heard what was stated by the
5 Sergeant.

6 I wasn't there, neither were you, you
7 can only go by the representation by your client,
8 but you've heard what the Sergeant said.

9 I'll just say that I'm going to make
10 a recommendation that -- the Board believes this
11 is a very serious incident so we have sent this
12 matter over to the OAG for them to make a
13 determination whether or not it sufficiently
14 meets the standard.

15 One of the reasons why we had this
16 Hearing is to bring you in, sir, to let you know
17 that we believe this is something that's very
18 serious and we want to make sure that we know
19 what immediate action you have taken to increase
20 the security of your place.

21 I know that you stated that because
22 you're a tavern so, therefore, there a lot of

1 things that you don't necessarily have to have
2 because you're a tavern. But it's good that you
3 have cameras.

4 The cameras are not for us, they're
5 for you, they're for your own protection and
6 having a security plan, it's also for your
7 protection.

8 And one of the reasons, at least since
9 I've been here, it's not the fact that the
10 incident occurred. That's not preventable, you
11 can't monitor something happening like from I saw
12 in the video, you can't.

13 And your security guard immediately
14 came in and separated the folks, but how you get
15 in trouble is how you respond. You got in
16 trouble because an employee came in and was
17 cleaning the blood up.

18 Yes, it probably was messy and maybe
19 he had good intentions but you can't do that.
20 And so one of the things that I always see here
21 is that people don't know how to operate their
22 own camera system.

1 You have a business and you have a
2 camera and you don't know how to operate it,
3 that's one of the reasons I asked you that.

4 So, it's for your own protection and
5 if your establishment had acted, at least in our
6 view, appropriately, you would have been here
7 today and it's like, you know what, you came, you
8 cooperated, at least from our view, you gave our
9 investigator all that he needed.

10 You cooperated with the police, you
11 preserved the crime scene, they didn't come and
12 mop it, then, okay, fine, you did what you're
13 supposed to do.

14 So this is a learning exercise for you
15 to make sure that you don't have this type of
16 incident anymore. As I stated before, we've
17 already decided to send this over to OAG so we'll
18 see whatever decision the Government makes.

19 But what your lawyer basically stated
20 today is that you guys would provide us a
21 security plan, a legally sufficient security
22 plan, within the next 30 days.

1 I know that Mr. Short had asked, and
2 you had agreed to do it, so whenever you're
3 having the training, I would then ask that you
4 let us know and Mr. Royster know that you're
5 having the training and that he can come to see
6 what's going on and maybe provide some tips to
7 you.

8 Because our job is not to bring you
9 in, it's to make sure you operate and so
10 therefore, you continue to be a safe business in
11 the District of Columbia.

12 Yes, Mr. Short?

13 MEMBER SHORT: I would be remiss if I
14 didn't thank the Sergeant for his testimony and
15 coming in today.

16 We really encourage police officers to
17 come in and give their point of view. And thank
18 you to our investigator for an excellent report.

19 CHAIRPERSON ANDERSON: Thank you, Mr.
20 Short. Again, thank you, Sergeant Shipman, thank
21 you for being here today, Mr. Royster, and
22 everyone else.

1 Yes, Mr. Silverstein?

2 MEMBER SILVERSTEIN: I would also like
3 to thank Investigator Royster, thank the
4 Sergeant, and thank my colleagues.

5 The concern that we all have here, our
6 primary job is to ensure the safety of all the
7 people who come to enjoy the hospitality of
8 District of Columbia.

9 And you don't have the ability always
10 to restrain people before the fact. People do
11 stupid things, people do bad things, but where
12 you do have your discretion is afterwards and the
13 response to this was deeply troubling on many
14 different levels.

15 I want to thank my colleagues for
16 asking for a security plan and I want to thank
17 you for moving forward on it. This is just
18 troubling in many ways, the way you responded,
19 and I hope that we not see you again.

20 CHAIRPERSON ANDERSON: Thank you, Mr.
21 Silverstein, thank you for being here today.
22 This matter is adjourned, thank you.

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(Whereupon, the above-entitled matter
went off the record at 11:54 a.m.)

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In the matter of: Unity

Before: DCABRA

Date: 01-16-19

Place: Washington, DC

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