

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
 :
Arm, LLC :
t/a Lux :
649 New York Avenue, NW : Fact Finding
Retailer CN : Hearing
License No. 71743 :
Case No. 12-251-00137 :
ANC 2C :
Patron Stabbed Inside of the :
Establishment :
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MAY 2, 2012

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th

Street, N.W., Washington, D.C., Ruthanne Miller, Chairperson, presiding.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

JEANNETTE MOBLEY, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

JABRIEL SHAKOOR, ABRA

OSCAR PEDROZO, MPD

JAMES PETTY, MPD

VINCENT NORRIS, MPD

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

4:10 p.m.

CHAIRPERSON MILLER: Okay. We're back on the record for I believe this is the last case of the afternoon. It's a fact finding hearing, Case No. 12-251-00137 for Lux at 649 New York Avenue, N.W., License No. 71743 in ANC 2C.

So why don't we start with the parties at the table introducing yourselves, please?

MR. KLINE: Yes, good afternoon, members of the Board. Andrew Kline on behalf of the Licensee.

MR. ANDARGIE: Henock Andargie, owner of Lux.

CHAIRPERSON MILLER: Okay. Mr. Andargie, that's your name?

MR. ANDARGIE: Yes.

CHAIRPERSON MILLER: Yes, got it. Okay.

And over here we have?

1 INVESTIGATOR SHAKOOR: ABRA

2 Investigator Jabriel Shakoor.

3 CHAIRPERSON MILLER: Yes, Mr.

4 Shakoor. Okay. And we have some officers
5 with us today.

6 OFFICER PEDROZO: Officer Oscar
7 Pedrozo.

8 OFFICER PETTY: Officer James
9 Petty.

10 CHAIRPERSON MILLER: Okay.

11 OFFICER NORRIS: Officer Vincent
12 Norris.

13 CHAIRPERSON MILLER: All right.
14 So there was an event at the establishment
15 where a patron was stabbed inside. And we
16 called this fact finding to get some more
17 information about it.

18 There isn't any testimony at the
19 hearing. We're not taking evidence, but we're
20 just gathering information in the event that
21 we determine that it should be sent to the
22 Office of the Attorney General to take further

1 action or not.

2 So let's see how we're going to
3 proceed now with this. First of all, I want
4 to say that, you know, I understand that your
5 time is precious, the officers here. So if
6 you have information that you want to start
7 with, we can start with you. Otherwise, we
8 can start with questions from the Board. Do
9 you have any -- no? Okay. Fine.

10 Or, Mr. Kline, if you have
11 anything in particular you want to say on
12 behalf of your client, otherwise, you know,
13 we'll go to the Board's questions.

14 MR. KLINE: I'll just -- in terms
15 of a brief overview, in looking at this
16 situation, it's unfortunate that there was a
17 stabbing. I mean, we'll start with that. But
18 in terms of the establishment, it looks, based
19 upon the investigation of Investigator
20 Shakoor, that the establishment complied with
21 the security procedures, reacted textbook in
22 terms of what they were supposed to do.

1 We look at these situations and
2 still try to say, all right, well, what did we
3 learn? What can we do? What might be better
4 next time? And at the end, we'll talk about
5 a couple of changes that the owner is
6 instituting to try to address those. There
7 may be others if we hear more today that we
8 may react to, so we'll save that for the end.
9 But based upon what we've seen from the report
10 and the information that's been provided, it
11 really looks like the establishment did as
12 best they could. It's unfortunate that
13 somebody got a weapon in, and we will talk a
14 bit about that as well.

15 CHAIRPERSON MILLER: Okay. Mr.
16 Shakoor, did you want to say anything yet
17 before we go to questions from the Board?

18 INVESTIGATOR SHAKOOR: Not at this
19 time.

20 CHAIRPERSON MILLER: Okay. Does
21 anybody else want to start with a question?
22 No? I thought that you did.

1 MEMBER ALBERTI: No.

2 CHAIRPERSON MILLER: I think there
3 certainly were questions about how a weapon
4 got into the club, if there's any information
5 that came out, you know, since this
6 investigative report. That's certainly one of
7 the questions out there.

8 MR. KLINE: We're not aware of
9 any. Presumably MPD may know something about
10 that and they also may be reluctant to share
11 it given that there's probably an ongoing
12 criminal prosecution anticipated.

13 CHAIRPERSON MILLER: Right.

14 MR. KLINE: But we don't know
15 anything. And I'll go ahead, and in terms of
16 looking at that issue, what the owner is going
17 to do. Mr. Andargie and I have talked about
18 this, and he's going to rotate the security
19 staff that does the pat down. His thinking is
20 if you use the same people all night, they may
21 get fatigued, they may not be paying as much
22 attention. So that's one of the things that

1 we've looked at.

2 They already wand. There are pat
3 downs done. They are also going to tighten up
4 the dress code in terms of loose fitting
5 clothing and other things. It's unfortunate
6 that unless you subject people to strip
7 searches, which is a little difficult to do
8 even in an airport, much less a hospitality
9 establishment, it's difficult to guarantee
10 that someone's not going to sneak something
11 in.

12 And we're certainly happy to hear
13 anything else that Investigator Shakoor might
14 suggest, that the Board might suggest, or even
15 MPD might suggest in terms of assuring the
16 safety of patrons.

17 CHAIRPERSON MILLER: Okay.

18 MEMBER ALBERTI: May I ask if we
19 could hear from Investigator Shakoor before --

20 CHAIRPERSON MILLER: We can do
21 that.

22 MEMBER ALBERTI: I'd like to hear

1 from Investigator Shakoor before I proceed
2 with any questions.

3 CHAIRPERSON MILLER: Did I not
4 ask --

5 MEMBER MOBLEY: To provide some
6 context for us.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER MOBLEY: Provide a summary.

9 CHAIRPERSON MILLER: I think I had
10 asked him and -- but I guess if there's a
11 specific request from the Board, if you feel
12 -- you know, we do have your report, your
13 investigative report. So would you like to
14 just summarize, highlight it?

15 MEMBER MOBLEY: Just a summary.

16 MEMBER JONES: Could you provide a
17 summary of your report?

18 MEMBER MOBLEY: Just to put it in
19 context for us.

20 INVESTIGATOR SHAKOOR: Yes. On
21 Saturday, April 14th of 2012, a patron was
22 stabbed in the torso while inside of Lux

1 Lounge on the third floor. I arrived on the
2 scene and spoke with Officer Pedrozo.

3 Officer Pedrozo stated that four
4 MPD reimbursable detail officers were
5 stationed outside. He was approached later on
6 that morning by the victim and a witness who
7 was stabbed in the torso. Officer Pedrozo
8 stated that a verbal altercation occurred
9 between the victim and an unknown group of
10 males. During that altercation the victim
11 observed a knife and was stabbed in the
12 abdomen.

13 I did speak with the managing
14 members, Henock Andargie. They stated that
15 Lux hosted an event with WKYS 93.9 radio
16 station, which included three DJs on three
17 separate floors.

18 I also spoke with Officer Kenan
19 Edwards. Officer Edwards stated that while
20 working the MPD reimbursable detail he did
21 observe Lux security personnel conducting very
22 thorough pat downs. Officer Edwards stated

1 that at approximately 2:15 a female security
2 person exited the establishment and notified
3 him that there was an incident on the third
4 floor. Officer Edwards, Norris and Petty
5 entered the establishment and canvased the
6 area and they were able to locate a two-inch
7 folding knife.

8 I spoke with head of security for
9 Lux James Elbridge. Mr. Elbridge stated that
10 Lux has an in-house security team of
11 approximately 20 security personnel, full
12 uniforms with black slacks, shirt with a Lux
13 logo. ID checks and pat downs are conducted
14 at the front door. Security personnel carry
15 flashlights. There are 32 security cameras
16 which record for 15 days.

17 I did speak with the security
18 guard who was involved in the altercation, Mr.
19 Charles Alston. Mr. Alston stated that he was
20 involved in both the altercations. The
21 physical altercation occurred between a group
22 of males after a heated verbal altercation.

1 he intervened and escorted and aggressive male
2 patron out of the establishment. He then
3 stated when he returned inside to the third
4 floor the altercation had become physical. At
5 that time he and two other security persons
6 separated the parties. By that time the
7 victim had been stabbed and the assailants
8 began to run out. They gave chase but were
9 unable to secure the assailants.

10 I made several attempts to contact
11 the victim and witnesses, but was unable to
12 reach them.

13 We did review security
14 surveillance footage. The footage does show
15 that at approximately 2:10 a.m. the victim is
16 engaged in an altercation with three male
17 patrons. The altercation consists mostly of
18 pushing and pulling by the victim to keep the
19 assailants away from him. At that time an
20 assailant is observed making stabbing
21 movements towards the victim, which is when we
22 assume he was stabbed the victim. Thank you.

1 CHAIRPERSON MILLER: Thank you.

2 MEMBER MOBLEY: Thank you.

3 CHAIRPERSON MILLER: So are their
4 Board questions? Mr. Alberti?

5 MEMBER ALBERTI: I just had a few.
6 Investigator Shakoor, so you reviewed the
7 video of the incident. You talked about two
8 incidents.

9 INVESTIGATOR SHAKOOR: Correct.

10 MEMBER ALBERTI: Did you review
11 the first incident?

12 INVESTIGATOR SHAKOOR: No, I did
13 not.

14 MEMBER ALBERTI: Okay. So you
15 don't really know what happened between that
16 one and this one from the video?

17 INVESTIGATOR SHAKOOR: The
18 clearest I got was the testimony from the
19 security guard who was actually involved in
20 both of them. The first one was a verbal
21 altercation between female patrons, he stated.
22 He said it had nothing to do with the second

1 more physical altercation.

2 MEMBER ALBERTI: Oh, they believe
3 it was two separate parties?

4 INVESTIGATOR SHAKOOR: Correct.

5 MEMBER ALBERTI: Oh, okay. And
6 I'm not sure, this is to you or anyone that
7 can answer this. Have you seen the pat down
8 and sort of the screening procedures at the
9 entrance of Lux?

10 OFFICER PEDROZO: Yes.

11 MEMBER ALBERTI: Officer? I'm
12 sorry, your name again?

13 OFFICER PEDROZO: Officer Pedrozo.

14 MEMBER ALBERTI: Pedrozo?

15 OFFICER PEDROZO: Yes.

16 MEMBER ALBERTI: So can you sort
17 of describe to me what their procedures are?

18 OFFICER PEDROZO: The procedures
19 now have gotten better. They're using wands
20 now. They're also doing a much thorough pat
21 down of the individuals. They make them pull
22 everything out of their pockets, whether it's

1 shirts, pants. You know, they review all the
2 contents of what they have on them. If
3 there's anything that they feel that they
4 can't bring inside, they'll leave them in a
5 box that they can later pick up when they
6 leave out. They're also making them take off
7 their shoes. They're looking through -- not
8 literally looking through the socks, but
9 they're just making sure that they're patting
10 down the socks and looking inside the shoes,
11 making sure that there's no contraband going
12 inside.

13 MEMBER ALBERTI: All right. And
14 they're using wands you said currently?

15 OFFICER PEDROZO: Yes.

16 MEMBER ALBERTI: Okay. At the
17 time of this incident were you aware of what
18 the procedures were and were they different?

19 OFFICER PEDROZO: At the time of
20 the incident that night, it was just a
21 thorough pat down of individuals that they
22 were doing. And at that point there wasn't a

1 dress code --

2 MEMBER ALBERTI: Okay.

3 OFFICER PEDROZO: -- in place as
4 of yet.

5 MEMBER ALBERTI: Okay. So by
6 contrast they really have made improvements?

7 OFFICER PEDROZO: Yes.

8 MEMBER ALBERTI: You would say?

9 OFFICER PEDROZO: Yes, they have.

10 MEMBER ALBERTI: Okay. Great.

11 Investigator Shakoor, were they cooperative
12 with your investigation?

13 INVESTIGATOR SHAKOOR: Very
14 cooperative. The surveillance that they had
15 worked very well. Head of security and
16 security personnel worked very well with the
17 situation. As obviously a weapon did get
18 inside, obviously someone was attempting to do
19 somewhat successful of getting a weapon
20 inside. But I don't believe it was much of a
21 shortcoming. Maybe something was overlooked
22 or maybe someone just tried very hard to get

1 it inside.

2 MEMBER ALBERTI: Okay. And
3 officers, anyone can answer this, were they
4 cooperative with you that evening?

5 OFFICER PEDROZO: Yes, they were.

6 PARTICIPANT: Yes.

7 MEMBER ALBERTI: Great. Thank
8 you. I have no further questions.

9 CHAIRPERSON MILLER: Others? Ms.
10 Mobley?

11 MEMBER MOBLEY: I just have one
12 question. This Lux Security Manual, there's
13 no date on it. Is this the original security
14 manual, or is this a revised manual?

15 MR. ANDARGIE: This is the
16 original.

17 MEMBER MOBLEY: Original?

18 MR. ANDARGIE: The one that I
19 think you have on file.

20 MEMBER MOBLEY: Okay. All right.
21 And have you revised it to incorporate some of
22 the changes that the officer was saying that

1 he observed you --

2 MR. ANDARGIE: No, I have yet to
3 revise it.

4 MEMBER MOBLEY: Okay. But you
5 plan to do so?

6 MR. ANDARGIE: Yes.

7 MEMBER MOBLEY: All right. Thank
8 you.

9 MR. KLINE: Just to clarify in
10 terms of the searching before, there were
11 wands in use, but they were not used on every
12 patron. Now they're being used across the
13 board. So, I mean, wands have been used, but
14 they were using a mixture of wands and pat
15 downs. And as you've heard from the officer,
16 now those procedures have been tightened up
17 even more.

18 CHAIRPERSON MILLER: Anybody? Mr.
19 Jones?

20 MEMBER JONES: I apologize if I
21 missed this, but once the individuals was
22 identified as being stabbed and in need of

1 medical attention, how was that addressed?

2 Investigator Shakoor, do you have any record
3 or knowledge of that?

4 INVESTIGATOR SHAKOOR: From the
5 video it appears that the victim didn't appear
6 to know how badly he was injured until later
7 on. He's on the video seen walking around --

8 MEMBER JONES: Okay.

9 INVESTIGATOR SHAKOOR: -- very
10 freely. He walked down the stairs by himself.
11 then I guess they saw how much more seriously
12 he was injured. But I don't think it was
13 anyone's observations how badly he was injured
14 at the time. There was blood on him, but I
15 think he was a bit in denial himself of how
16 bad he was injured.

17 MEMBER JONES: All right. Thank
18 you.

19 Thank you, Madam Chair.

20 CHAIRPERSON MILLER: Mr. Nophlin?

21 MEMBER NOPHLIN: Excuse me, were
22 you able to interview the victim?

1 INVESTIGATOR SHAKOOR: No, they
2 haven't returned my calls.

3 MEMBER NOPHLIN: Oh, but you're
4 still trying to?

5 INVESTIGATOR SHAKOOR: Absolutely.

6 MEMBER NOPHLIN: And you know who
7 it is?

8 INVESTIGATOR SHAKOOR: Yes.

9 MEMBER NOPHLIN: Wait,
10 somebody's --

11 CHAIRPERSON MILLER: Is that you,
12 sir?

13 MR. GILLIAM: It's me.

14 CHAIRPERSON MILLER: Oh, would you
15 like to come to the --

16 MR. GILLIAM: I've never seen this
17 guy. Ain't nobody ever called me. Nobody
18 never called me.

19 MS. GILLIAM: Well, we have
20 pictures.

21 CHAIRPERSON MILLER: Oh, my.
22 Okay.

1 MR. GILLIAM: We have pictures of
2 his injuries.

3 OFFICER PEDROZO: This is what
4 happened to me, right here.

5 MS. GILLIAM: And I still got his
6 clothes. I got his clothes outside in my car
7 right now, and his shoes.

8 CHAIRPERSON MILLER: Okay. I
9 don't think the court reporter can pick you up
10 back there, but, you know, you'll be able to
11 come to the table and tell us what you want to
12 tell us about this.

13 MR. GILLIAM: Yes, I went to the
14 police myself.

15 CHAIRPERSON MILLER: I have a
16 question for, you know, anyone at the table at
17 this point. But first of all, with the new
18 pat down procedures, how does that compare to
19 what other establishments, like establishments
20 do? Is it like the premiere of pat down?
21 Like nobody else makes you take off your shoes
22 and check your socks, or is this becoming like

1 more the norm?

2 OFFICER NORRIS: I work at several
3 clubs throughout the city and I haven't seen
4 a pat down like Lux' pat down. And no one's
5 been made to take off their shoes entering an
6 establishment. So they have gone far beyond
7 any other club that I've worked at.

8 CHAIRPERSON MILLER: Mr. Kline,
9 have they gone that far because of this
10 incident, or --

11 MR. KLINE: Yes.

12 CHAIRPERSON MILLER: -- basically?
13 Okay.

14 MR. KLINE: I mean, they had
15 procedures in place before. That was I was
16 explaining. But, yes, they've definitely
17 tightened them up and they're more across the
18 board. Before it was more of a -- not a
19 random sample, but not everyone received the
20 same treatment and now they're doing it across
21 the board.

22 CHAIRPERSON MILLER: Okay. And so

1 the pat down procedure that Lux had before,
2 how did that compare with similar
3 establishments' pat down procedures? Can
4 anybody address that? Yes, Mr. Shakoor?

5 INVESTIGATOR SHAKOOR: I would
6 agree with Mr. Kline that it wasn't across the
7 board. And another thing was also not a
8 strict dress code in place.

9 CHAIRPERSON MILLER: Yes.

10 INVESTIGATOR SHAKOOR: Other
11 places have more strict dress codes,
12 therefore, they can easily pick out someone
13 who's different from the crowd and put a
14 little more attention on them. Like I said,
15 now they're doing it across the board. I
16 guess it seemed to make a difference.

17 CHAIRPERSON MILLER: So there's a
18 new dress code for the clientele? Is that it?
19 Not the security guards. I mean, we hear
20 that, like they need to be prominent. But the
21 clientele have to dress a certain way?

22 MR. KLINE: There is a dress code

1 and it's being more rigidly enforced than it
2 was being enforced before.

3 CHAIRPERSON MILLER: Oh, you had
4 one before?

5 MR. ANDARGIE: Yes.

6 CHAIRPERSON MILLER: What is the
7 dress code?

8 MR. ANDARGIE: No hats, no
9 athletic wear, no loose-fitting clothing.

10 CHAIRPERSON MILLER: Right.

11 MR. ANDARGIE: No Timberlands, no
12 boots.

13 CHAIRPERSON MILLER: So the point
14 of that is so people couldn't hide things like
15 weapons and stuff, or what?

16 MR. ANDARGIE: A mixture of
17 things. It's also the mentality, I guess. If
18 you come in looking good, you --

19 CHAIRPERSON MILLER: You're going
20 to act good?

21 MR. ANDARGIE: Yes, you're going
22 to act good.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: May I?

3 CHAIRPERSON MILLER: Yes, sure.

4 MEMBER ALBERTI: Mr. Andargie, I'm
5 looking at your security plan.

6 MR. ANDARGIE: Yes.

7 MEMBER ALBERTI: And I haven't had
8 a chance to look at it very closely, but does
9 it address the pat down procedures, your
10 security procedures at the front door at all?

11 MR. ANDARGIE: Yes, I believe it
12 does.

13 MR. KLINE: Yes, but the new ones
14 haven't been incorporated.

15 MEMBER ALBERTI: I understand
16 that, but where would it be? Because I didn't
17 see it at all, and I was just -- and then
18 we'll move onto where we're going in the
19 future, but I sort of want to know where we
20 are. And I apologize, I'm not a speed reader.

21 MR. KLINE: I'm not finding it,
22 but we'll find it.

1 MEMBER ALBERTI: And, Mr.

2 Andargie, how familiar are you with your
3 security plan? I mean, I have to ask.

4 MR. ANDARGIE: Yes, well, I'm
5 aware of it, but I just didn't know what --
6 exactly what paragraph it would be in. I know
7 we have it somewhere inside of the --

8 MEMBER ALBERTI: Do you a general
9 idea where it might be?

10 MR. ANDARGIE: That's what I'm
11 looking through right now.

12 CHAIRPERSON MILLER: We're looking
13 for the pat down?

14 MEMBER ALBERTI: Well, their
15 procedures, their security procedures at the
16 front door. I would describe them that way.

17 MR. ANDARGIE: Yes, I'm going to
18 have to say we're going to have to --

19 MEMBER ALBERTI: Okay. So but we
20 have a commitment from you that the security
21 plan will be updated to include procedures for
22 entrance?

1 MR. ANDARGIE: Yes.

2 MEMBER ALBERTI: Security
3 procedures for the entrance? Okay. Thank
4 you.

5 CHAIRPERSON MILLER: Other
6 questions? Ms. Mobley?

7 MEMBER MOBLEY: Yes, I did have
8 another question in terms of your security
9 procedures for your female clientele.

10 MR. ANDARGIE: Yes.

11 MEMBER MOBLEY: Because they're
12 probably not begin -- you have a female
13 security guards that pat down?

14 MR. ANDARGIE: Yes, we do.

15 MEMBER MOBLEY: Are you checking
16 pocketbooks?

17 MR. ANDARGIE: Yes, we do.

18 MEMBER MOBLEY: Okay. All right.
19 And do the other officers have anything that
20 they would like to share regarding this?

21 (No audible response.)

22 MEMBER MOBLEY: Okay. All right.

1 No further questions.

2 CHAIRPERSON MILLER: Mr. Jones?

3 MEMBER JONES: just for
4 clarification purposes. I'm just not sure of
5 the roles that the individual officers are
6 here today played on the night or the day.
7 Were you all three part of reimbursable
8 detail?

9 INVESTIGATOR SHAKOOR: Correct.

10 MEMBER JONES: Okay. And is that
11 your normal duty assignment, if you will, or
12 is that just a special event? That's the
13 first time you were there at Lux? Obviously
14 not. So is this a something that you do
15 frequently at Lux, or I guess you can each
16 speak.

17 You, sir, officer, would you mind
18 speaking on it?

19 OFFICER PEDROZO: Yes, I work
20 there frequently for RDO.

21 MEMBER JONES: For RDO?

22 OFFICER PEDROZO: Yes.

1 MEMBER JONES: Okay. So the night
2 in question, was that their -- the procedures
3 that they followed as you observed them on the
4 night in question were significantly similar
5 to the procedures that they followed previous
6 nights that you served on the RDO,
7 reimbursable detail?

8 OFFICER PEDROZO: Correct.

9 MEMBER JONES: Okay. And I know
10 you've already spoken to this, but you see a
11 distinct difference in what they do today
12 versus what they did on that occasion?

13 OFFICER PEDROZO: Absolutely.

14 MEMBER JONES: And what they do
15 today, do you feel like those changes would be
16 sufficient to address the shortfall that was
17 realized the night in question?

18 OFFICER PEDROZO: Yes.

19 MEMBER JONES: Okay. Thank you.
20 Would you other officers, would you also agree
21 with that? Do you also have experience with
22 serving in the RDO detail at Lux in the past?

1 OFFICER PETTY: Yes.

2 MEMBER JONES: Okay. Would you
3 also agree with this officer's statements?

4 OFFICER PETTY: Yes.

5 MEMBER JONES: Okay. You as well,
6 sir?

7 OFFICER NORRIS: Yes.

8 MEMBER JONES: Okay. Thank you.
9 Thank you, Madam Chair.

10 CHAIRPERSON MILLER: Okay. While
11 we're on that line of questioning, I just want
12 to ask though, I get the impression from Mr.
13 Shakoor's report that you don't think that
14 this establishment was at fault that night.
15 So do you want to address that question, or do
16 you think that they were somewhat at fault
17 with respect to, you know, the incident that
18 occurred or how they responded to it?

19 INVESTIGATOR SHAKOOR: I mean,
20 they responded like they were supposed to. I
21 don't think they were at fault because it's
22 hard to find everything. Even being a police

1 officer it's hard to find everything. So I
2 wouldn't necessarily say they were negligent
3 to a certain person.

4 CHAIRPERSON MILLER: Okay. Mr.
5 Brooks?

6 MEMBER BROOKS: Yes, I'm a bit
7 dismayed as how they were checking folks as
8 they came in. Sounds like it was kind of
9 haphazard. Some they patted down and some
10 they wanded. And I'm not clear. What was the
11 distinction? What made some people eligible
12 for a pat down and some people eligible for
13 wanding?

14 MR. ANDARGIE: Everyone is patted
15 down, though wanding is for any large articles
16 of clothing like big jackets and whatnot. If
17 they can't feel it outright, they'd use the
18 wand.

19 MEMBER BROOKS: Okay. Because the
20 fact of the matter is we're here.

21 MR. ANDARGIE: Yes.

22 MEMBER BROOKS: Somebody got a

1 knife inside.

2 MR. ANDARGIE: Correct.

3 MEMBER BROOKS: And seems to me if
4 it was done -- and I understand you can't
5 catch everything, as the officer indicated,
6 but, you know, if a better job was done,
7 obviously we would not have been sitting here
8 with a person being stabbed.

9 So that's my concern, Madam Chair.

10 CHAIRPERSON MILLER: Okay.

11 Anybody else?

12 (No audible response.)

13 CHAIRPERSON MILLER: Mr. Kline, I
14 think you said that Lux was taking some steps
15 now to improve security based on -- because
16 that problem.

17 MR. KLINE: Yes. As we mentioned,
18 one is not only a more consistent tighter pat
19 down and wandng procedure, but they're also
20 rotating personnel --

21 CHAIRPERSON MILLER: Right.

22 MR. KLINE: -- who will be doing

1 that. As I said before, the idea being that
2 fatigue might be a factor.

3 They've also tightened up the
4 dress code, as we've talked about.

5 They have also increased their
6 cameras from 32 to 40, including an additional
7 camera outside. We don't know that that was
8 -- there was any specific issue that was
9 raised by this incident, but Mr. Andargie just
10 wanted to be sure with the coverage and that
11 there are no blind spots in the event
12 something like this were to happen again in
13 the future.

14 CHAIRPERSON MILLER: Okay. Mr.
15 Shakoor, did you have any other
16 recommendations for the establishment?

17 INVESTIGATOR SHAKOOR: At this
18 time, no. If they've already increased the
19 cameras and they have changed the pat down
20 procedures, we're good with that.

21 CHAIRPERSON MILLER: Okay. So and
22 the security manual is going to be updated?

1 MR. ANDARGIE: Yes.

2 CHAIRPERSON MILLER: Okay. So
3 would that be filed with the Agency?

4 MR. KLINE: Yes.

5 MEMBER ALBERTI: Can we find out
6 when?

7 CHAIRPERSON MILLER: Yes, sure.
8 When?

9 MR. KLINE: Ten days. We'll have
10 it long before that, but within 10 days.

11 MEMBER ALBERTI: Within 10 days?

12 CHAIRPERSON MILLER: Within 10
13 days? Okay.

14 MEMBER MOBLEY: I'm sorry, Madam
15 Chair. Excuse me. I apologize for that. I
16 was asking the question -- were you finished?
17 I wanted to ask another question.

18 MEMBER ALBERTI: Yes, I am.

19 CHAIRPERSON MILLER: Yes.

20 MEMBER MOBLEY: Okay. Have you
21 replaced security personnel as a result of
22 this incident?

1 MR. KLINE: No.

2 MEMBER MOBLEY: Okay.

3 MR. KLINE: And the reason is we
4 didn't find that that was an issue.

5 MEMBER MOBLEY: Okay.

6 MR. KLINE: Our understanding is
7 security responded promptly and quickly
8 according to all the reports that we've seen.

9 MEMBER MOBLEY: Yes.

10 MR. KLINE: They do have -- there
11 were 17 on duty that night and that's
12 typically what they have --

13 MEMBER MOBLEY: Okay.

14 MR. KLINE: -- in the
15 establishment.

16 MEMBER MOBLEY: Okay. Thank you,
17 Mr. Kline.

18 MR. KLINE: Sure.

19 CHAIRPERSON MILLER: Okay. Well,
20 at this point, you know, we have the gentleman
21 in back here who's -- if we can make room at
22 the table, perhaps we can hear from him.

1 Did you want to say something for
2 the record, sir? Were you stabbed at the --

3 MR. GILLIAM: Yes, well it was
4 more or less like --

5 CHAIRPERSON MILLER: Wait, wait.
6 Come take a seat and give us --

7 MR. GILLIAM: Who is this guy? Do
8 you have my phone number?

9 INVESTIGATOR SHAKOOR: Yes.

10 MEMBER JONES: Sir. Sir. Sir.

11 MR. GILLIAM: When did you try to
12 call me?

13 MEMBER JONES: Sir. Sir. With
14 all due respect, can you direct your attention
15 to the Chair?

16 MR. GILLIAM: Yes.

17 MEMBER JONES: Okay?

18 CHAIRPERSON MILLER: Okay.

19 MEMBER JONES: Thank you.

20 CHAIRPERSON MILLER: All right.

21 First would you -- this is being transcribed.

22 Okay?

1 MR. GILLIAM: Oh, my name is Wali
2 Gilliam.

3 CHAIRPERSON MILLER: Wali Gilliam?
4 Okay. What's your address?

5 MR. GILLIAM: 720 East 36th
6 Street, Baltimore, Maryland.

7 CHAIRPERSON MILLER: Okay. I'm
8 not holding the officers here, but if you want
9 to hear what he has to say, you're welcome to
10 stay. I know that you all have a busy
11 schedule, but if any -- you know, you're more
12 than welcome to stay. I just want to let you
13 know that if you need to go, that's okay, too.

14 All right. Sir? Ma'am, did you
15 want to take a seat at the table, too?

16 MS. GILLIAM: Oh, yes, ma'am.

17 CHAIRPERSON MILLER: Okay.

18 MS. GILLIAM: I have some pictures
19 that I wanted to Board to see.

20 CHAIRPERSON MILLER: I guess you
21 can get that.

22 MS. GILLIAM: Good afternoon. My

1 name is JoAnn Gilliam. I'm Wali Gilliam's
2 mother.

3 CHAIRPERSON MILLER: JoAnn
4 Gilliam?

5 MS. GILLIAM: Yes, I'm his mother.

6 CHAIRPERSON MILLER: His mom?
7 Okay. All right. What do you want to tell us
8 about -- you were the victim that was
9 stabbed --

10 MR. GILLIAM: Yes.

11 CHAIRPERSON MILLER: -- that
12 night?

13 MR. GILLIAM: Yes, ma'am.

14 CHAIRPERSON MILLER: Okay. What
15 do you want to tell us about what happened?

16 MR. GILLIAM: Well, it was more or
17 less like we was at the bar and we got our
18 drinks. And we was -- I was with three
19 females. And as we walking through the crowd,
20 because it was kind of tight, and I went to
21 turn around to grab the female to tell her
22 come on, she was squinching and looked like

1 something was wrong with her. So I asked her
2 what was wrong with her and she a guy had put
3 like something sharp up her butt. So she
4 threw the drink and slapped him or something
5 and he threw the drink back. So I guess
6 that's why she was squinching.

7 So I said what guy? And as she
8 said what guy it was, I'm not going to lie, I
9 threw my drink in his face. So a melee, a
10 brawl ensued and the securities, they grabbed
11 the guys and put them out. Then they must of
12 knew like it wasn't my fault, because they
13 didn't grab me. So they grabbed the guys and
14 put them out.

15 And there was like a little nick
16 on my face. There was a bathroom right there.
17 So as I go in the bathroom to wipe the little
18 nick off, I come back out, the guys popped
19 back up, and the guy had the knife out. So as
20 he got the knife out, I pushed the females to
21 the side. So it's five guys and a knife
22 against me. So they swinging at me, stabbing

1 me. First time he stabbed me on the side, I
2 really didn't feel it. So I was just fighting
3 for my life.

4 So it took a minute. And he
5 stabbed me in my stomach. I could feel the
6 blood. So as I feel the blood, I tried to
7 grab the knife. When I grabbed the knife,
8 that's when he like stopped. And security
9 came again, and I don't know what they did
10 with the guys or whatever. But I went out
11 like the back way. I wasn't walking around.
12 I knew I was stabbed. I hit the fire escape
13 and got out of there.

14 And as I go down, I see a
15 policeman and I told him I'm stabbed. And he
16 said are you? And I lift my shirt up and show
17 him the blood. So I guess they called the
18 paramedics or whatever. So as the guys was
19 coming out, I remember one of them because of
20 his red shirt. And I said that's one of the
21 guys. And the girl, they pointed out another
22 guy. So, but it wasn't none of these police

1 that's here though. It was some other police.
2 And I guess that's when they called and the
3 ambulance came. And that's what happened.

4 CHAIRPERSON MILLER: All right.

5 MR. GILLIAM: The security had put
6 the guys out, I guess. That's what I'm
7 guessing. Next thing I know they popped back
8 up. So it wasn't more or less like they
9 grabbed the guys and threw them out, and it
10 already had happened the first time. This was
11 the second time.

12 CHAIRPERSON MILLER: So there was
13 a fight before with the drinks and they were
14 taken outside?

15 MR. GILLIAM: Yes, as I thought.

16 CHAIRPERSON MILLER: Right. You
17 thought they were taken outside?

18 MR. GILLIAM: Right.

19 CHAIRPERSON MILLER: And then
20 where did you go?

21 MR. GILLIAM: To the bathroom.
22 It's like -- on the way going to the exit

1 there's a unisex bathroom that's right there.

2 CHAIRPERSON MILLER: Okay.

3 MR. GILLIAM: And I could feel
4 something running down my face, so I wanted to
5 go wipe that off. And when I came back out,
6 they popped back up. And I could see the
7 knife because it was long and shiny.

8 CHAIRPERSON MILLER: Okay. There
9 were five of them?

10 MR. GILLIAM: There was five guys
11 and a knife against me, and I was with three
12 females.

13 CHAIRPERSON MILLER: And did you
14 see any security?

15 MR. GILLIAM: After awhile, like
16 it wasn't like -- it was awhile. It wasn't
17 like right away like. Wasn't like the first
18 time I got stabbed and then it was still --
19 there was something going on like.

20 CHAIRPERSON MILLER: So the police
21 didn't contact you, or did they?

22 MR. GILLIAM: They said -- there

1 was a Detective Kevin something. He said he
2 was going to come to the hospital, but --

3 MS. GILLIAM: Yes, they came.

4 MR. GILLIAM: -- after that, I was
5 out. I was out. I didn't wake up until
6 Tuesday, so I don't know.

7 CHAIRPERSON MILLER: What night
8 did this occur on?

9 MR. GILLIAM: It was Friday the
10 13th, Saturday 14th morning.

11 CHAIRPERSON MILLER: Wow. You
12 didn't wake up until Tuesday?

13 MR. GILLIAM: No, I didn't wake up
14 until Tuesday.

15 CHAIRPERSON MILLER: Did you have
16 a lot of surgery?

17 MR. GILLIAM: I had three
18 surgeries. Because they had to remove my
19 spleen and diaphragm and was bleeding on my
20 lungs. And my airways -- no, I showed it to
21 them, all these stitches. They had to open me
22 up because the bleeding wouldn't stop.

1 CHAIRPERSON MILLER: So since then
2 you haven't talked to the police, or you
3 haven't talked to --

4 MS. GILLIAM: Yes, of course.

5 CHAIRPERSON MILLER: Oh, you did
6 talk to the police?

7 MS. GILLIAM: Yes, the homicide
8 was coming, because he came in critical
9 condition.

10 CHAIRPERSON MILLER: Oh.

11 MS. GILLIAM: I still have his
12 clothes, but his clothes was right outside my
13 car. His clothes is bloody. I still have
14 them and I still have the shoes. He came in
15 critical condition. When I got to the
16 hospital that Saturday, the doctor was putting
17 me on the side because they thought he was
18 going to be gone. And the homicide was coming
19 and they found the knife on the third floor.
20 I wasn't there, but I got it on record. They
21 found the knife on the third floor, and they
22 did make two arrests. So that --

1 MR. GILLIAM: And that was from me
2 pointing the guy out. I pointed one guy out
3 and the girls I was with pointed another guy
4 out. And the other guy, he had blood on him.

5 MS. GILLIAM: And, I mean, that's
6 who had been coming was the homicide, because
7 they wasn't expecting him to live. This is my
8 only child I have. The homicide, they were
9 showing up around the clock. And I stayed
10 there for -- he was in the hospital for 11
11 days and they wasn't -- they had him on
12 Prodacal because that's how bad a shape he
13 was. And the homicide was coming around the
14 clock. Each time they'd change a shift, then
15 they send another. They wasn't expecting him
16 to live.

17 And then when they finally had
18 woke him up, when they finally woke him up,
19 then they didn't stop coming. They start --
20 I started getting letters from the Department
21 of Justice. But the Lux Club, they never came
22 to the hospital no time at all. Nobody never

1 contact. They never contacted me, never sent
2 a letter. And his information was public,
3 because the police, they had exchanged the
4 homicide. And I've been to the police station
5 to get the report.

6 CHAIRPERSON MILLER: Which
7 hospital were you in?

8 MS. GILLIAM: MedStar.

9 MR. GILLIAM: MedStar.

10 MS. GILLIAM: He was in MedStar.

11 MR. GILLIAM: Washington.

12 MS. GILLIAM: Yes, MedStar
13 Washington Hospital. And I had to go -- I
14 went to the police. I found out it was the
15 3rd District. I went to the 3rd District
16 police station to get the report myself,
17 because I wanted to see exactly what happened.
18 When I got to the hospital, the girls, they
19 didn't even have shoes on. They ran out their
20 shoes. They didn't have no shoes on. And the
21 hospital had gave them scrubs. So they stay
22 at the hospital with him. They ran out their

1 shoes and everything.

2 MR. GILLIAM: And there wasn't no
3 kind of way that I could have been walking
4 around. I hit the fire escape and got out of
5 there.

6 MS. GILLIAM: I mean, because if
7 you want me to, I could go get his clothes.

8 MR. GILLIAM: And I didn't see
9 nobody get wand that night. They were just so
10 worried about making the money, they were just
11 patting people down, just getting them in
12 there.

13 MS. GILLIAM: Well, they charge
14 him \$20 actually because one of the ladies
15 wasn't dressed properly and he had to pay \$20
16 extra.

17 MR. GILLIAM: Yes, and I paid to
18 get in that club and got stabbed.

19 MS. GILLIAM: He had to pay \$20
20 extra because they charge \$20 a person,
21 because she had sweat pants on, the doorman
22 told him to give him \$20 extra and they'll

1 allow her in there. Now I'm a liquor
2 inspector myself in Baltimore and my whole --
3 and I had a tavern for 18 years. And when I
4 seen the way they was dressed, that was my
5 question was how -- why would they even allow
6 them in? That was my whole concern. Because
7 this is supposed to be like a upscale club.
8 They should not been allowed to even come
9 inside that place.

10 CHAIRPERSON MILLER: How did you
11 hear about your hearing today?

12 MS. GILLIAM: Oh, they sent the
13 letter.

14 CHAIRPERSON MILLER: They sent a
15 letter to you?

16 MR. GILLIAM: That's what I'm
17 saying now. I've been in contact --

18 MS. GILLIAM: No, that's what I'm
19 saying, man. Everybody -- we gets a lot of
20 mail. We've been getting mail -- like they
21 sent the letter. This is his name right here,
22 Wali Gilliam, the Complainant and telling --

1 you know, this is an invitation to come. I
2 mean, I know I ain't supposed to walk up --

3 CHAIRPERSON MILLER: Who signed
4 the letter?

5 MS. GILLIAM: I'm not supposed to
6 walk up front, but we want -- or you could
7 send somebody.

8 CHAIRPERSON MILLER: Yes.

9 MR. GILLIAM: Mr. Walker.

10 MS. GILLIAM: Walker. Yes,
11 whoever Walker is. They sent the letter to
12 us, so that's how we found out about the
13 hearing.

14 CHAIRPERSON MILLER: Okay.

15 MS. GILLIAM: But the U.S. Justice
16 Department, you know, the guys, they've been
17 arrested. They went in jail. And then they
18 sent the letter one time saying --

19 MR. GILLIAM: That's why when he
20 say he never talked to me or get in contact,
21 like we've been in contact. I'd have called
22 somebody back.

1 MR. GILLIAM: This ain't something
2 that we can print our self. I know they got
3 new stuff with the computers, but this ain't
4 something you can print yourself, you know?

5 CHAIRPERSON MILLER: No, no, no.
6 No, we believe you. I just didn't know who
7 sent it to you.

8 MS. GILLIAM: Well, it's right
9 here.

10 CHAIRPERSON MILLER: Okay. So the
11 Agency's aware of you.

12 Mr. Shakoor, do you want to
13 address anything? So you're not in contact
14 with --

15 INVESTIGATOR SHAKOOR: No,
16 obviously if he stayed in the hospital for 11
17 days, that's probably why.

18 COURT REPORTER: Ma'am, I can't
19 hear.

20 CHAIRPERSON MILLER: Oh, I'm
21 sorry. Can you come to the table?

22 INVESTIGATOR SHAKOOR: I said if

1 he was in the hospital for 11 days, that's
2 probably why.

3 CHAIRPERSON MILLER: Okay.

4 INVESTIGATOR SHAKOOR: Yes.

5 MS. GILLIAM: And what number did
6 you call, because I want to know. I want to
7 know what number do you have and what address
8 to you have.

9 INVESTIGATOR SHAKOOR: The
10 number's on the notebook from the police
11 officer that we checked.

12 MS. GILLIAM: Because he had the
13 same address for 30 years.

14 MR. GILLIAM: What days did you
15 call, try to contact?

16 MS. GILLIAM: We called for about
17 a week out.

18 MR. GILLIAM: So you didn't leave
19 a message or nothing?

20 MS. GILLIAM: At the time the
21 voicemail was full.

22 MS. GILLIAM: because I've been at

1 the hospital, too. I mean, this is serious.
2 My son could have died, so that's the reason
3 why the -- you know, this is a time to tell
4 the truth. I know he's trying to protect the
5 business. You know, you're not going to stop
6 being in business, but you --

7 INVESTIGATOR SHAKOOR: I don't
8 work for the business.

9 MS. GILLIAM: Well, you work for
10 somebody. You should be more truthful though,
11 that's all. Because he could have died. If
12 he had died and, you know, everything was
13 still --

14 CHAIRPERSON MILLER: You can talk
15 to each other after the hearing.

16 MS. GILLIAM: Okay. Oh, yes.

17 CHAIRPERSON MILLER: Okay? So we
18 just want to gather any other information you
19 all want to provide to us. And then later you
20 can talk to anybody here, you know, outside.

21 Okay. I don't know if anybody,
22 Mr. Kline or anybody else wants to respond to

1 anything that's been said with respect to
2 security or the pat down or anything.

3 MR. KLINE: No. I mean, I think
4 that we've set forth our understanding of what
5 occurred in terms of security and what
6 occurred in terms of the incident.

7 CHAIRPERSON MILLER: Okay.

8 MR. KLINE: There certainly are
9 some new allegations tonight and we'll go back
10 and try to determine how they related to what
11 went on. And certainly, you know, the police
12 will be continuing their investigation.

13 CHAIRPERSON MILLER: Okay.

14 MS. GILLIAM: Oh, I do have one
15 more thing to add, too.

16 CHAIRPERSON MILLER: Good
17 afternoon.

18 MS. GILLIAM: So far his doctor
19 bill is 16,000. This just so far. This not
20 even total. But for the first five days, it's
21 \$16,000.

22 CHAIRPERSON MILLER: Okay. Was

1 somebody's hand up?

2 MEMBER MOBLEY: Mr. Jones.

3 CHAIRPERSON MILLER: Okay.

4 MEMBER JONES: Just for
5 clarification, what was your name again, sir?

6 MR. GILLIAM: Wali Gilliam.

7 MEMBER JONES: Wali Gilliam. So,
8 Mr. Gilliam, you went there. Did you go --
9 where do you live?

10 MR. GILLIAM: In Baltimore?

11 MEMBER JONES: You live in
12 Baltimore? So you came in from Baltimore to
13 the District of Columbia?

14 MR. GILLIAM: Yes.

15 MEMBER JONES: And you came
16 with --

17 MR. GILLIAM: Three females.

18 MEMBER JONES: -- three other
19 people in your party?

20 MR. GILLIAM: Three females.

21 MEMBER JONES: Three females? Did
22 you come with the intention of going to Lux?

1 MR. GILLIAM: Well, first we was
2 going to go to Adams Morgan, but then time had
3 went past, so Lux was right there. So we just
4 went to Lux.

5 MEMBER JONES: Okay. Did you come
6 with the intention of going, I guess, to --
7 for lack of a better expression, to go
8 clubbing or to go party?

9 MR. GILLIAM: Well, we just was
10 going to go out. It wasn't really like -- we
11 just was going to go out.

12 MEMBER JONES: So you came from
13 Baltimore to D.C. with the intention --

14 MR. GILLIAM: I come to D.C. all
15 the time.

16 MEMBER JONES: I don't question or
17 challenge that. I'm just trying to get
18 clarification. So you came from Baltimore to
19 D.C. with the intention --

20 MR. GILLIAM: To have a good time.
21 We was more looking for a good time.

22 MEMBER JONES: More looking for a

1 good time? And I'm just trying to get
2 understand from the -- how were you dressed?

3 MR. GILLIAM: Well, I had some
4 Seven jeans, I had a Old Bay T-shirt and I had
5 some New Balance on.

6 MEMBER JONES: Okay. And you say
7 you come to D.C. quite a bit?

8 MR. GILLIAM: Yes.

9 MEMBER JONES: Do you go to clubs
10 quite a bit in D.C.?

11 MR. GILLIAM: I been to a couple
12 clubs in D.C.

13 MEMBER JONES: And the attire that
14 you had on was what you considered to be
15 normal attire?

16 MR. GILLIAM: No, most of the time
17 I had shoes on and like a button-down
18 something.

19 MEMBER JONES: Okay. And you said
20 you paid extra --

21 MR. GILLIAM: Yes.

22 MEMBER JONES: -- to get one of

1 the female in your party into the club?

2 MR. GILLIAM: Yes.

3 MEMBER JONES: Now did that
4 transaction go down?

5 MR. GILLIAM: Give me \$20 extra
6 dollars.

7 MEMBER JONES: So this is the
8 bouncer? Was it the owner?

9 MR. GILLIAM: The guy that was
10 collecting the money at the door.

11 MEMBER JONES: The people
12 collecting money at the door?

13 MR. GILLIAM: Yes.

14 MEMBER JONES: Okay. And were you
15 patted down?

16 MR. GILLIAM: Yes.

17 MEMBER JONES: Were your female
18 parties?

19 MR. GILLIAM: Yes.

20 MEMBER JONES: The people in your
21 party were patted down?

22 MR. GILLIAM: (No audible

1 response.)

2 MEMBER JONES: Okay. Were you any
3 of you wanded?

4 MR. GILLIAM: No.

5 MEMBER JONES: No? And once you
6 got into the establishment you said a fight
7 occurred between you --

8 MR. GILLIAM: Yes, the first --

9 MEMBER JONES: -- and some other
10 individual that --

11 MR. GILLIAM: This was the first
12 time.

13 MEMBER JONES: Just let me finish
14 this question real quick. There was a fight
15 that broke out between you and another
16 individual that assaulted one of the females
17 in your party?

18 MR. GILLIAM: Yes.

19 MEMBER JONES: Okay. Was there a
20 physical exchange in terms of you put your
21 hands on that person, that person put their
22 hands on you, or was it just the pouring of

1 drinks that you mentioned?

2 MR. GILLIAM: No, when I threw the
3 drink, then that's when his homeboy hit me.

4 MEMBER JONES: Okay. So you were
5 struck?

6 MR. GILLIAM: Yes.

7 MEMBER JONES: Okay. So at that
8 point did security jump in?

9 MR. GILLIAM: Yes.

10 MEMBER JONES: Security did jump
11 in and they, to your knowledge, your
12 expectation was that they were going to escort
13 these other individuals out?

14 MR. GILLIAM: As I thought. As I
15 thought.

16 MEMBER JONES: That's what you
17 thought? Okay. So then you went to the
18 bathroom. How long do you think you were in
19 the bathroom?

20 MR. GILLIAM: I'll say about maybe
21 -- three, four minutes maybe.

22 MEMBER JONES: Three or four

1 minutes in the bathroom just trying to get
2 yourself cleaned up, whatever?

3 MR. GILLIAM: Yes.

4 MEMBER JONES: And at that point
5 had you been stabbed in the stomach?

6 MR. GILLIAM: No.

7 MEMBER JONES: Okay. What
8 injuries did you have at that point?

9 MR. GILLIAM: Just the nick on my
10 face.

11 MEMBER JONES: Just the nick on
12 your face?

13 MR. GILLIAM: (No audible
14 response.)

15 MEMBER JONES: Okay. So you went
16 in the bathroom for three or four minutes to
17 try and clean up the nick on your face. Do
18 you happen to have any idea of where the other
19 members of your party were located at that
20 time?

21 MR. GILLIAM: They was right
22 outside the door. They was waiting for --

1 MEMBER JONES: They were waiting
2 for you? So they were waiting for you to come
3 out?

4 MR. GILLIAM: Yes.

5 MEMBER JONES: Okay. So when you
6 came out of the bathroom, all of a sudden
7 those other individuals, one of which who
8 assaulted you, showed up again?

9 MR. GILLIAM: Popped back up, yes.

10 MEMBER JONES: Popped back up?
11 And at that point in time you were stabbed,
12 during that exchange?

13 MR. GILLIAM: Assaulted and
14 stabbed, yes.

15 MEMBER JONES: Assaulted and
16 stabbed? Okay. So once you were stabbed, you
17 then -- how did you get away from the group?
18 That's what I'm trying to figure out. You had
19 five people on you. You got stabbed. You
20 were getting beat down. How did you get away
21 from these five people to make your way out of
22 the establishment?

1 MR. GILLIAM: It was more or less
2 like when I went to go grab the knife, then
3 that's when he kind of stopped. So as he kind
4 of stopped, I tried to like cut my way through
5 the crowd, but it was so big I couldn't. But
6 as I was doing that, a bouncer did like come
7 over. So I tried to say something to him, but
8 he didn't even -- he just went for the guys
9 again. So I guess at this -- I guess that's
10 when they was just start like moving the guys
11 out the way. As I seen that, I knew the fire
12 escape was right there, so I just went for the
13 fire escape and excuse me, excuse me, excuse
14 me, excuse me, excuse me, excuse me, excuse
15 me, excuse me, excuse me.

16 MEMBER JONES: And then you
17 climbed down the fire escape?

18 MR. GILLIAM: I walked -- like ran
19 down the fire escape. It's a --

20 MEMBER JONES: Okay. You were on
21 the third floor --

22 MR. GILLIAM: Yes.

1 MEMBER JONES: -- at this point?
2 So you went down essentially two floors, two
3 levels?

4 MR. GILLIAM: Yes.

5 MEMBER JONES: From three to two
6 and then two to one? And then at point you
7 were on the ground?

8 MR. GILLIAM: Yes.

9 MEMBER JONES: Okay. And then you
10 made your way over to a police officer?

11 MR. GILLIAM: Well, as I was
12 coming out the little alleyway, I could see a
13 police right there. I was telling him what
14 happened. And he was like are you sure? And
15 as I said I'm sure, I lift my shirt up and I
16 show him the blood coming out, and that's when
17 he started making calls.

18 MEMBER JONES: Okay. And then
19 what happened to you at that point? Did you
20 just stay there and wait for the ambulance to
21 come?

22 MR. GILLIAM: Yes, I had to stay

1 there to wait for the ambulance.

2 MEMBER JONES: Okay.

3 MR. GILLIAM: And as I'm standing
4 there waiting for the ambulance, I see the
5 guys coming out the club. So I tell the
6 police and he go track down one of the guy,
7 bring him back. And at this time, they see
8 another one of the guys, so they tell him and
9 the police grab him.

10 MEMBER JONES: When you say
11 "they," you're talking about your females that
12 were in your party?

13 MR. GILLIAM: Yes.

14 MEMBER JONES: Okay. So between
15 you and the people in your party you
16 identified two individuals --

17 MR. GILLIAM: Yes.

18 MEMBER JONES: -- of the five that
19 assaulted you --

20 MR. GILLIAM: Yes.

21 MEMBER JONES: -- inside of the
22 establishment?

1 MR. GILLIAM: Yes.

2 MEMBER JONES: Okay. Thank you.

3 Thank you, Madam Chair.

4 CHAIRPERSON MILLER: Mr. Alberti?

5 MEMBER ALBERTI: Mr. Gilliam,
6 there's a piece that I think I didn't hear you
7 speak to. After the first incident, all
8 right, now I think you said that preceding
9 your involvement in the first incident your
10 friend was jabbed in the leg?

11 MR. GILLIAM: In her butt.

12 MEMBER ALBERTI: When did you find
13 that out?

14 MR. GILLIAM: As I turned around,
15 she was squinching and wiping her face.

16 MEMBER ALBERTI: What did she say
17 to you? Did she tell you that --

18 MR. GILLIAM: She was like
19 somebody stuck something sharp in my butt, so
20 I slapped him and threw my drink in his face.

21 MEMBER ALBERTI: Okay. All right.
22 So threw your drink in someone else's face and

1 there was a verbal altercation?

2 MR. GILLIAM: No, it wasn't
3 nothing verbal. Once I threw the drink in his
4 face, his homeboy hit me.

5 MEMBER ALBERTI: Okay.

6 MR. GILLIAM: So it was a fight
7 that ensued.

8 MEMBER ALBERTI: Right. Okay. So
9 now security comes over, right, and they
10 separate the two parties?

11 MR. GILLIAM: They grabbed the
12 guys.

13 MEMBER ALBERTI: All right. Did
14 you or your companions, the other people in
15 your party -- did you have a conversation with
16 security at that point?

17 MR. GILLIAM: No.

18 MEMBER ALBERTI: Did they ask you
19 what happened?

20 MR. GILLIAM: No.

21 MEMBER ALBERTI: Do you know if
22 they were aware what happened to your friend?

1 MR. GILLIAM: No, because that was
2 when they came out and the police were talking
3 to her. They realized she had a hole in her
4 sweatpants.

5 MEMBER ALBERTI: Okay. So that's
6 when it was. Okay. So after the first
7 incident and they separated you, it's your
8 impression that they took these guys away,
9 they pulled these guys away and then you don't
10 -- you thought they were taking them out, but
11 they pulled them away from you. And they
12 didn't speak to you at all?

13 MR. GILLIAM: No.

14 MEMBER ALBERTI: And you were just
15 free to go?

16 MR. GILLIAM: Yes.

17 MEMBER ALBERTI: Okay. I have no
18 further questions.

19 CHAIRPERSON MILLER: Okay. Mr.
20 Nophlin?

21 MEMBER NOPHLIN: Yes, real quick.
22 Did the officers take a report, write a report

1 on this incident, do you know?

2 MR. GILLIAM: As I was in the
3 ambulance he was writing stuff down.

4 MEMBER NOPHLIN: Okay. What about
5 the investigator when he went to the hospital
6 to see what was wrong with you? Did he ever
7 fill out a report, write a report?

8 MR. GILLIAM: Yes, I was out.
9 Once I went to the hospital --

10 MEMBER NOPHLIN: Oh, I'm sorry.

11 MR. GILLIAM: -- they put me
12 under.

13 MEMBER NOPHLIN: Maybe your mother
14 knows.

15 MS. GILLIAM: Yes.

16 MEMBER NOPHLIN: Did you get a
17 copy of that report?

18 MS. GILLIAM: Yes, I had gotten
19 the police report.

20 MEMBER NOPHLIN: You don't have it
21 with you?

22 MS. GILLIAM: No.

1 MEMBER NOPHLIN: Okay.

2 MS. GILLIAM: I had went to the
3 police station to get the report, because I
4 had to get a copy. I mean, I wanted a copy so
5 I could read, you know, what really happened.
6 So I went to the 3rd District and I obtained
7 a report.

8 MEMBER NOPHLIN: Okay. Thank you,
9 Madam Chair.

10 CHAIRPERSON MILLER: Any other
11 questions?

12 MEMBER JONES: Just for
13 clarification purposes. Your hand, are those
14 -- how did you hurt your hand?

15 MR. GILLIAM: I tried to grab the
16 knife.

17 MEMBER JONES: So defensive
18 wounds?

19 MR. GILLIAM: Yes.

20 MEMBER JONES: Okay. What's the
21 nature of the injuries to your hand?

22 MR. GILLIAM: Two lacerations.

1 The nerves, the tendons had fell and they had
2 to pull them back up.

3 MEMBER JONES: In which finger?
4 The whole hand?

5 MR. GILLIAM: These two fingers
6 right here.

7 MEMBER JONES: Those two fingers?
8 Okay.

9 COURT REPORTER: I'm sorry, can
10 you say verbally which fingers you're
11 referring to?

12 MR. GILLIAM: Right hand index and
13 middle finger.

14 MEMBER JONES: Thank you.
15 Thank you, Madam Chair.

16 CHAIRPERSON MILLER: Okay. I just
17 want to ask the officers, you were at the
18 scene that night, right?

19 OFFICER PEDROZO: Correct.

20 CHAIRPERSON MILLER: Did anything
21 Mr. Gilliam said resound with you, with your
22 memory of --

1 OFFICER PEDROZO: That's correct.
2 I was the first one that he saw when him and
3 the three females were coming around from the
4 back. I was standing outside, outside the
5 front.

6 CHAIRPERSON MILLER: Okay.

7 OFFICER PEDROZO: And he was
8 coming through the -- like once you come down
9 the back way, there's like a little walk
10 alley --

11 CHAIRPERSON MILLER: Yes.

12 OFFICER PEDROZO: -- that you can
13 walk out towards the front. And then that's
14 when they approached me and told me what was
15 going on. Then like he said, he told me he
16 was stabbed and I said are you sure. It was
17 like simultaneously his girl had asked him let
18 me see how bad it is. And that's like when
19 simultaneously all those questions and
20 whatever, that's when he pulled up his shirt
21 and I saw all the blood on his belly. And
22 that's when I called for the ambulance to

1 respond.

2 And then at that point, like he
3 said, that's when some patrons were walking
4 out and then one of the females points out a
5 gentleman to me that she described. And
6 that's when I had tracked him down going
7 towards 6th Street and I brought him back to
8 the scene to get an identification on him.

9 CHAIRPERSON MILLER: And did you
10 see the man that he was describing that the
11 security put out and then came back in? Did
12 you see any of that happen?

13 OFFICER PEDROZO: No.

14 CHAIRPERSON MILLER: No? Okay.

15 Thank you.

16 Mr. Jones, you had a question for
17 the officer?

18 MEMBER JONES: A general question.
19 I'm not sure who's the best person to answer
20 this one, but in reviewing the videotape is
21 this the gentleman that you observed as the
22 victim on the videotape, where it was noted

1 the stabbing victim was seen walking around as
2 if everything was okay?

3 INVESTIGATOR SHAKOOR: The video
4 wasn't clear enough to actually ID someone by
5 their face.

6 MEMBER JONES: Got it. Okay.
7 Fair enough. Thank you.

8 Thank you, Madam Chair.

9 CHAIRPERSON MILLER: Mr. Alberti?

10 MEMBER ALBERTI: Officers, if
11 someone is escorted out of the establishment,
12 are reimbursable detail officers routinely
13 notified, or is it a case-by-case basis?

14 OFFICER PEDROZO: It's usually on
15 a case-by-case basis.

16 MEMBER ALBERTI: Okay.

17 OFFICER PEDROZO: Because
18 sometimes patrons are thrown out for other
19 reasons.

20 MEMBER ALBERTI: Okay. And just
21 curious, you know the status of this case?
22 Has an arrest been made?

1 OFFICER PEDROZO: Two arrests were
2 made. The two individuals that were arrested
3 didn't hold up for the charge.

4 MEMBER ALBERTI: So charges have
5 not been brought, you're saying?

6 OFFICER PEDROZO: Well, the U.S.
7 Attorney's Office and the detective's office
8 I believe are still investigating further on.

9 MEMBER ALBERTI: Okay. Great.
10 Thank you very much.

11 CHAIRPERSON MILLER: How many RDOs
12 were there that night, do you know?

13 OFFICER PETTY: Four.

14 CHAIRPERSON MILLER: Four? Okay.
15 Mr. Shakoor, are you doing anymore
16 investigation on this, or are you finished?

17 INVESTIGATOR SHAKOOR: I'm still
18 waiting on the detective to get back with
19 additional information, and I'll speak with
20 the victim here.

21 CHAIRPERSON MILLER: Okay. Good.
22 Mr. Shakoor works for the government, works

1 for ABRA. He doesn't work for Lux. So, you
2 know, works on behalf of the people of the
3 District of Columbia to make sure that
4 establishments are, you know, safe and things
5 like that. Okay. So you apparently weren't
6 able to connect, but now that's good that you
7 came so you can talk to him.

8 Okay. Anything else?

9 (No audible response.)

10 CHAIRPERSON MILLER: Okay. We're
11 basically going to take all this under
12 advisement. We're not going to do anything
13 today, you know? A lot's been said. I'm very
14 glad, Mr. Gilliam, that you came and can
15 connect now with our investigator and the
16 police officer, whoever.

17 So we're completing our hearing.
18 If there's anything else anybody wants to say
19 before I close the hearing -- okay.

20 MEMBER MOBLEY: I just want to say
21 for the record, Ms. Gilliam, that as a mother
22 I understand your pain and stress around your

1 son's incident.

2 And we're so glad to see, Mr.
3 Gilliam, that you're on the road to recovery.
4 Thank you.

5 MR. GILLIAM: Yes, ma'am.

6 MEMBER MOBLEY: Thank you.

7 MS. GILLIAM: Thank you for your
8 time.

9 MEMBER ALBERTI: Thank you again
10 for coming.

11 CHAIRPERSON MILLER: Yes, well
12 said. Yes, I agree. I'm glad you're doing
13 better and I'm sorry for a such a traumatic
14 accident that you had.

15 Go ahead.

16 MEMBER SILVERSTEIN: Often it is
17 so difficult to get people who have been
18 involved in these things, and especially the
19 victims, to come and testify. Thank you for
20 coming from Baltimore. Thank you for
21 testifying. Thank you for being here. We
22 appreciate it deeply.

1 MEMBER MOBLEY: Yes. And thank
2 you, officers.

3 CHAIRPERSON MILLER: Ms. Gilliam,
4 if you have any other questions, you can ask
5 them now or when you make connection with Mr.
6 Shakoor, he'll be able to help you with
7 anything else you're concerned about, you
8 know, after this hearing.

9 MS. GILLIAM: I just want to know
10 after today, I mean, what's the results?

11 CHAIRPERSON MILLER: The result of
12 what's going to --

13 MS. GILLIAM: Yes, what's going to
14 happen?

15 CHAIRPERSON MILLER: Well, what
16 our job is, we're looking in to see if we
17 should have the government look into taking
18 any action against the establishment. That's
19 one thing. I know that the establishment has
20 represented today that they're taking actions
21 to improve their security.

22 You know, you may have a lot of

1 other types of issues. What's going to happen
2 with the arrest is kind of in the police
3 department's job. What's going to happen with
4 your hospital bills is, you know, something
5 else, somebody else. I don't know.

6 MS. GILLIAM: Well, we just
7 starting, so -- I mean, he have a long road.
8 He got a lot of more appointments that he have
9 to go.

10 CHAIRPERSON MILLER: Yes.

11 MS. GILLIAM: He got a cast on his
12 hand and he still got to get that cast
13 removed. So we not even at the halfway point
14 yet.

15 CHAIRPERSON MILLER: Yes. Yes.

16 MS. GILLIAM: And so, this was
17 just one step that we just needed to come
18 today.

19 CHAIRPERSON MILLER: Well, I'm
20 glad you did.

21 And as far as anything this Agency
22 can do, Mr. Shakoore, you're their contact at

1 least for right now.

2 So it's good you came.

3 MS. GILLIAM: Okay. Thank you so
4 much.

5 CHAIRPERSON MILLER: Okay.

6 MEMBER MOBLEY: Thank you.

7 CHAIRPERSON MILLER: All right.

8 This concludes this case and our hearings for
9 this afternoon.

10 As Chairperson of the Alcoholic
11 Beverage Control Board for the District of
12 Columbia and in accordance with Section 405(b)
13 of the Open Meetings Amendment Act of 2010, I
14 move that the ABC Board hold a closed meeting
15 for the purpose of seeking legal advice from
16 our counsel on Investigation Case No. 12-251-
17 00137, Lux, per section 405(b)(4) of the Open
18 Meetings Amendment Act of 2010, and
19 deliberating upon Investigation No. Case 12-
20 251-00137, Lux, for the reasons cited in
21 405(b)(13) of the Open Meetings Amendment Act
22 of 2010.

1 Is there a second?

2 MEMBER ALBERTI: Second.

3 CHAIRPERSON MILLER: Now that it's
4 been seconded, I will take a roll call vote of
5 the motion before us.

6 Mr. Nophlin?

7 MEMBER NOPHLIN: I agree.

8 CHAIRPERSON MILLER: Mr. Brooks?

9 MEMBER BROOKS: I agree.

10 CHAIRPERSON MILLER: Mr. Alberti?

11 MEMBER ALBERTI: I agree.

12 CHAIRPERSON MILLER: Ms. Miller
13 agrees.

14 Mr. Silverstein?

15 MEMBER SILVERSTEIN: I agree.

16 CHAIRPERSON MILLER: Ms. Mobley?

17 MEMBER MOBLEY: I agree.

18 CHAIRPERSON MILLER: Mr. Jones?

19 MEMBER JONES: I agree.

20 CHAIRPERSON MILLER: Then the vote
21 on the motion is 7-0-0 and the motion is
22 passed.

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I hereby give notice that the ABC Board will hold a closed meeting in the ABC Board conference room today pursuant to the Open Meetings Amendment Act of 2010.

And that's it. Okay. Thank you all. Have a good night.

(Whereupon, the hearing was concluded at 7:34 p.m.)

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