

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Terry D. Gibbs :
2700 New York Ave., NE : Fact-
ANC-5C : Finding
: Hearing
(ABC Board request a Fact- :
Finding Hearing Regarding :
Temporary License Application) :
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October 16, 2013

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 Ruthanne Miller, presiding.

PRESENT:
RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT:
ABYIE GHENENE, ABRA Investigator

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

2 (1:15 p.m.)

3 CHAIRPERSON MILLER: We are back
4 on the record for the Board's afternoon
5 session. And the first case that we have this
6 afternoon is a Fact-Finding Hearing with
7 respect to Mr. Terry Gibbs. The address is
8 2700 New York Avenue, N.E., in ANC-5C.

9 Good afternoon. You are Mr.
10 Gibbs?

11 MR. GIBBS: Good afternoon.

12 CHAIRPERSON MILLER: Would you
13 just identify yourself for the record?

14 MR. GIBBS: Oh, my name is Terry
15 Darnell Gibbs.

16 CHAIRPERSON MILLER: Okay. So
17 this is a Fact-Finding Hearing and so there is
18 a transcription being made.

19 MR. GIBBS: Okay.

20 CHAIRPERSON MILLER: There is
21 going to be a transcript, but there is no
22 evidence or sworn testimony. It's not that

1 kind of a formal hearing. It's more of just
2 Fact-Finding. The Board has a few questions
3 and I can tell you that it is related to your
4 filing for application for many temporary
5 licenses.

6 MR. GIBBS: Right.

7 CHAIRPERSON MILLER: So Board
8 Members just want to ask you about those,
9 what's that all about, you know, what role are
10 you playing with respect to the applications
11 that you have filed. And I think it is for
12 one specific address.

13 MR. GIBBS: Right, correct.

14 CHAIRPERSON MILLER: Okay. All
15 right. Well, I'm going to let Board Members
16 who have the specific questions just take it
17 from here. I just wanted to -- unless you
18 have any questions for me about the
19 proceedings in general.

20 MR. GIBBS: No, no. I don't have
21 any questions on anything.

22 CHAIRPERSON MILLER: Okay. All

1 right. Who? Mr. Silverstein?

2 MEMBER SILVERSTEIN: Good
3 afternoon, Mr. Gibbs. Thanks for coming.

4 MR. GIBBS: Good afternoon, sir.

5 MEMBER SILVERSTEIN: Tell us about
6 the typical event that you have. Is there a
7 general way that you operate every week to do
8 these?

9 MR. GIBBS: Okay. Basically, I'll
10 explain what's going on. This is the hotel
11 that has a banquet room that is rented out to
12 different folks. And what we have learned
13 from past experience is that when they get
14 their license or the gentleman that used to
15 run it before -- I'm the night monitor. And
16 the events take place at night.

17 MEMBER SILVERSTEIN: You're an
18 employee of the hotel?

19 MR. GIBBS: Yes, sir. I work at
20 the hotel. And we learned that the people who
21 apply for the license that they are
22 responsible for certain things, such as being

1 there when the alcohol is being consumed,
2 making sure the event runs accordingly and
3 this wasn't happening.

4 And the hotel was getting warnings
5 and getting fines. And so when I took over
6 the responsibility of managing the banquet
7 room, I'm there. I have say so over the
8 drinking process. Me and security make sure
9 that there is no underage drinking. We make
10 sure that no alcohol leaves the premises. And
11 by the license being in my name, I have the
12 final say so if I feel as though they are
13 doing something that is against the law or
14 underage drinking or something, I can actually
15 shut it down. I can shut the whole event
16 down.

17 Since the two years that I have
18 been doing this, we haven't had any -- each
19 inspection has been approved and we haven't
20 had any problems. So we just found out that
21 this way the process is a lot more controlled,
22 things are in order with the guidelines for

1 the ABC Board.

2 The drinking, the consumption of
3 alcohol starts when it is supposed to and it
4 ends when it is supposed to.

5 CHAIRPERSON MILLER: Okay. Let me
6 stop you here for one second.

7 MR. GIBBS: Okay.

8 CHAIRPERSON MILLER: Because I
9 want the record to reflect that Mr. Ghenene is
10 here.

11 INVESTIGATOR GHENENE: Once again,
12 I apologize for my tardiness. ABRA
13 Investigator Abyie Ghenene.

14 CHAIRPERSON MILLER: And I also
15 want to let you know, in case you didn't hear
16 it before you came in, that Mr. Gibbs said
17 that he is an employee of the hotel.

18 INVESTIGATOR GHENENE: Thank you.

19 CHAIRPERSON MILLER: And that he
20 is making the arrangements for the use by
21 others of this banquet room.

22 INVESTIGATOR GHENENE: Thank you,

1 ma'am.

2 CHAIRPERSON MILLER: Okay.

3 MEMBER SILVERSTEIN: So you have
4 applied for 20 of these --

5 MR. GIBBS: Um-hum.

6 MEMBER SILVERSTEIN: -- since June
7 of 2012.

8 MR. GIBBS: Um-hum.

9 MEMBER SILVERSTEIN: Are these
10 open to the public?

11 MR. GIBBS: I'm sorry?

12 MEMBER SILVERSTEIN: Are these
13 events all open to the public? If I wanted to
14 go there, could I attend?

15 MR. GIBBS: Well, some of the
16 events they have tickets. They are like
17 reunions, birthday parties, social events. A
18 lot of the African culture has what they call
19 -- Sierra Leone have African events. And I'm
20 not really sure if the public can just come
21 and buy a ticket or pay to get in.

22 Most of these events are already

1 events that have been planned and people have
2 been invited. We haven't had -- in fact, I
3 can't recall any general public just coming to
4 this event. These are events that have been
5 scheduled.

6 And say for instance if you were
7 having a having a banquet or party, you would
8 let your friends know it's going to be here on
9 this day and at this time. So these are not
10 just like Friday or Saturday night club
11 activities. These are planned events by the
12 people that have them.

13 MEMBER SILVERSTEIN: Do these
14 people pay the Days Inn for the room?

15 MR. GIBBS: Yes. And rent the
16 hall, yes.

17 MEMBER SILVERSTEIN: Does the Days
18 Inn sell the liquor?

19 MR. GIBBS: No, no, no, no, no,
20 no. They pay Days Inn to rent the hall. They
21 pay for the license. I process it and they
22 handle their own liquor. We don't buy the

1 liquor. We don't sell the liquor. But we let
2 them know that they have to purchase the
3 liquor at an establishment in D.C., according
4 to the guidelines with the ABC Board.

5 MEMBER SILVERSTEIN: Is there a
6 cover charge for these events?

7 MR. GIBBS: Some of them have a
8 cover charge. Some of them do.

9 MEMBER SILVERSTEIN: And is there
10 a cash bar at all of these events?

11 MR. GIBBS: Not at all of them. I
12 find that information out before I apply for
13 the application, so I'll know what to put on
14 there. Some of the events they give it away.
15 Some of them they sell it.

16 MEMBER SILVERSTEIN: And these
17 events are essentially -- what you are telling
18 us is these are run by private individuals or
19 private groups --

20 MR. GIBBS: Um-hum.

21 MEMBER SILVERSTEIN: -- under the
22 supervision of Days Inn and Days Inn applies

1 through you?

2 MR. GIBBS: Right.

3 MEMBER SILVERSTEIN: You are the--
4 you are, essentially, not really running these
5 events. You are doing this in your role as an
6 employee?

7 MR. GIBBS: Right. I'm not having
8 the event. I'm basically monitoring the
9 event.

10 MEMBER SILVERSTEIN: I have a
11 better understanding now.

12 MR. GIBBS: Um-hum.

13 MEMBER SILVERSTEIN: I have no
14 further questions, at this time.

15 CHAIRPERSON MILLER: Okay. Thank
16 you. Mr. Alberti?

17 MEMBER ALBERTI: Good afternoon,
18 Mr. Gibbs.

19 MR. GIBBS: Good afternoon, sir.

20 MEMBER ALBERTI: Thank you for
21 coming. Just before we begin, did you sign
22 the --

1 MR. GIBBS: Yes, sir, I signed it.

2 MEMBER ALBERTI: Great, great.

3 Thank you. So these individuals who rent this
4 room, do they sign a contract with you or do
5 they sign a contract with --

6 MR. GIBBS: With the general
7 manager.

8 MEMBER ALBERTI: With the general
9 manager.

10 MR. GIBBS: Yes, sir.

11 MEMBER ALBERTI: Of Days Inn?

12 MR. GIBBS: Of the hotel, yes,
13 sir.

14 MEMBER ALBERTI: Is that correct?
15 It's the Days Inn is it not?

16 MR. GIBBS: Yes, it's the Days
17 Inn.

18 MEMBER ALBERTI: Great. And they
19 pay a fee for rental of the room?

20 MR. GIBBS: Right.

21 MEMBER ALBERTI: All right. And
22 for none of these events does the Days Inn --

1 if I understand you correctly, for none of
2 these events, the Days Inn supplies alcohol.

3 MR. GIBBS: No.

4 MEMBER ALBERTI: It's always up to
5 the individual who rents --

6 MR. GIBBS: Right, correct.

7 MEMBER ALBERTI: -- the room.

8 MR. GIBBS: Right. No, we don't
9 supply any alcohol at all.

10 MEMBER ALBERTI: Okay. What hours
11 do you work?

12 MR. GIBBS: My hours are from 7:00
13 p.m. to 2:00 a.m. normally. If the event is
14 going to go past that, then my hours are until
15 the event is over.

16 MEMBER ALBERTI: Are you always
17 there?

18 MR. GIBBS: I'm always there.

19 MEMBER ALBERTI: For the entire --

20 MR. GIBBS: I'm always there.

21 MEMBER ALBERTI: -- event? Okay.

22 MR. GIBBS: And that's one of the

1 issues we were having two years ago when
2 another gentleman was running it. He was not
3 there. He was a younger more less responsible
4 guy. He would be with somebody at the bowling
5 alley or -- and I kept telling him you can't
6 do this. We are going to get in trouble.

7 MEMBER ALBERTI: So --

8 MR. GIBBS: And I think we
9 actually got a couple of warnings back then
10 and everything. It just was really chaotic
11 before.

12 MEMBER ALBERTI: So who was that?
13 Do you know who?

14 MR. GIBBS: That was Preston
15 Walker.

16 MEMBER ALBERTI: Preston Walker.

17 MR. GIBBS: Right.

18 MEMBER ALBERTI: Okay. Okay. And
19 so he was sort of doing what you -- playing
20 the role that you are playing now?

21 MR. GIBBS: I'm sorry?

22 MEMBER ALBERTI: He was actually

1 fulfilling the role that you are --

2 MR. GIBBS: He was the assistant
3 manager of the hotel and the banquet room
4 manager. So I guess, yeah, you could say
5 that.

6 MEMBER ALBERTI: Okay.

7 MR. GIBBS: I'm not the assistant
8 manager of the hotel. I'm just more -- my
9 title is night monitor.

10 MEMBER ALBERTI: Okay.

11 MR. GIBBS: The night monitor.
12 And I monitor the whole activity of the hotel.
13 When we have an event, then my sole purpose is
14 to monitor the event to make sure that
15 everything is going orderly. Me and security,
16 we will go through to make sure that everybody
17 that is consuming alcohol is of age.

18 If we encounter somebody that is
19 not of age, then we will ask them to leave and
20 we will give the person that sponsored the
21 event a warning, one warning. And if it
22 happens again, I actually shut it down.

1 MEMBER ALBERTI: So okay. So when
2 I see an event that says 50th birthday party.

3 MR. GIBBS: Um-hum.

4 MEMBER ALBERTI: Who is invited to
5 that?

6 MR. GIBBS: Whoever the person
7 that is having the event invites.

8 MEMBER ALBERTI: Do you --

9 MR. GIBBS: For instance, if you
10 are having your 50th birthday party and you
11 come in and you rent out the banquet room,
12 then they will explain the process to you.
13 And I'll apply for the permit, the license.
14 Actually, I will talk to you to find out if
15 it's going to be a cash bar, if you are going
16 to sell tickets to get whatever.

17 Basically, whoever you invite to
18 your birthday part is who comes. It will be
19 up to them as to whether anybody can walk in
20 off the -- we don't really have people walk in
21 off the street for that, because they don't
22 know that there is an event going on. It's

1 not promoted publicly.

2 MEMBER ALBERTI: Okay.

3 MR. GIBBS: They don't know that
4 there is an event going on.

5 MEMBER ALBERTI: Okay.

6 MR. GIBBS: Now, I have had a few
7 guests at the hotel ask me what is going on
8 and I'll say well, someone is having a
9 birthday party. And they say well, can we go
10 and I'll say well, you have to ask them. I'm
11 not sure.

12 MEMBER ALBERTI: Okay.

13 MR. GIBBS: And then we will find
14 out.

15 MEMBER ALBERTI: Sure. Okay. So
16 does the hotel sign a contract with these
17 individuals?

18 MR. GIBBS: Yes.

19 MEMBER ALBERTI: Okay. And so
20 they would have records of those contracts?

21 MR. GIBBS: Um-hum, yes.

22 MEMBER ALBERTI: And they would

1 have records of the individuals with whom they
2 have contracted. Is that correct?

3 MR. GIBBS: Correct.

4 MEMBER ALBERTI: Okay. Because I
5 would be interested in finding out whether we
6 have different people sign contracts each week
7 or each event or whether we have repeat
8 takers, so to speak. That would be of
9 interest.

10 MR. GIBBS: When you say takers?

11 MEMBER ALBERTI: If you could --
12 well, repeat renters.

13 MR. GIBBS: Well, I pretty much --

14 MEMBER ALBERTI: People who
15 contracted.

16 MR. GIBBS: Right. I pretty much
17 have a sit-down talk.

18 MEMBER ALBERTI: Well, do you know
19 -- can you tell me how many times you have the
20 same person contracting or the same group?

21 MR. GIBBS: Very rare. Now, if
22 it's an organization like Sierra Leone, they

1 may be the same individuals, but that's
2 usually like a church-type event. But very
3 rarely does one individual repeatedly rent the
4 banquet hall.

5 MEMBER ALBERTI: Well, I see -- I
6 don't see anything with Sierra Leone. I mean,
7 I see social event, fundraising, dance for
8 nonprofit, 50th year.

9 MR. GIBBS: Well --

10 MEMBER ALBERTI: I see wedding,
11 birthday, DJ, birthday, live band and dancing.

12 MR. GIBBS: Right. Well --

13 MEMBER ALBERTI: So --

14 MR. GIBBS: -- Sierra Leone is the
15 name of the group that the organization
16 belongs to and it may be a different member of
17 the group who is having that event. That's
18 why you may not see the same name or the name
19 Sierra Leone, because we actually put the
20 contract in that person's name.

21 MEMBER ALBERTI: Okay. Okay.

22 MR. GIBBS: So maybe --

1 MEMBER ALBERTI: So other than the
2 -- what's the organization, the Sierra Leone?

3 MR. GIBBS: No, no, no. I work
4 for the hotel.

5 MEMBER ALBERTI: No, the Sierra
6 Leone, what organization is that?

7 MR. GIBBS: It's an African --
8 it's like most of the time it's a fundraiser
9 where they raise funds and clothing and stuff
10 to send back to Africa --

11 MEMBER ALBERTI: Okay.

12 MR. GIBBS: -- to less fortunate
13 people.

14 MEMBER ALBERTI: Okay.

15 MR. GIBBS: This is the definition
16 that they give us.

17 MEMBER ALBERTI: So some
18 organization, you don't know whether it is a
19 nonprofit, but it's some organization that you
20 are aware of?

21 MR. GIBBS: Right, right.

22 MEMBER ALBERTI: That does this.

1 MR. GIBBS: Right. We don't know
2 if it's nonprofit or --

3 MEMBER ALBERTI: Okay.

4 MR. GIBBS: I mean, we don't -- we
5 haven't had a reason to ask them.

6 MEMBER ALBERTI: Are there other
7 individuals or organizations that frequently
8 contract for this room?

9 MR. GIBBS: I'm sorry?

10 MEMBER ALBERTI: Are there other
11 people or organizations who frequently or more
12 than twice have had it?

13 MR. GIBBS: Not that I can think
14 of off the top of my head.

15 MEMBER ALBERTI: All right.

16 MR. GIBBS: The reason why Sierra
17 Leone stands out is because they do have a lot
18 of events there.

19 MEMBER ALBERTI: Okay.

20 MR. GIBBS: And most of the time
21 somebody from their country will come and
22 perform. There was a couple of events that

1 the -- what is the name of it? Where all of
2 the ladies -- I'm trying to think of the name
3 of it. They may have had two events within a
4 one year period.

5 MEMBER ALBERTI: We have an
6 advertisement for The Gold Experience here.

7 MR. GIBBS: The who?

8 MEMBER ALBERTI: The Gold
9 Experience.

10 MR. GIBBS: I'm not familiar with
11 that one.

12 MEMBER SILVERSTEIN: Privately
13 named.

14 MR. GIBBS: That name.

15 MEMBER ALBERTI: Yeah. And I
16 don't see it listed here, but --

17 INVESTIGATOR GHENENE: Mr.
18 Alberti, I think the second sheet says the
19 date, May 25th.

20 MEMBER ALBERTI: May 25th?

21 INVESTIGATOR GHENENE: And it
22 correlates with an entry that says woman

1 party.

2 MR. GIBBS: Okay. That may be.

3 MEMBER ALBERTI: Okay. So that --
4 oh, okay, so that makes sense. Okay. Yeah,
5 that makes sense.

6 So other than your pay that you
7 get for your usual job at the hotel or the
8 motel, do you get any additional pay or
9 compensation for --

10 MR. GIBBS: Well, I do --

11 MEMBER ALBERTI: -- addressing
12 this?

13 MR. GIBBS: -- get additional pay
14 for the banquet room events, because most of
15 them are held on my day off. I work Sunday
16 through Thursday and most of the events are on
17 Fridays and Saturdays. So I do get additional
18 pay for being there.

19 MEMBER ALBERTI: Okay. Is that
20 pay -- is the hotel paying you as --

21 MR. GIBBS: The hotel pays me.

22 MEMBER ALBERTI: -- an employee

1 for that?

2 MR. GIBBS: Yes, yes.

3 MEMBER ALBERTI: Or as a contract
4 employee?

5 MR. GIBBS: No, no, no. The hotel
6 pays me.

7 MEMBER ALBERTI: As a regular
8 employee?

9 MR. GIBBS: Right.

10 MEMBER ALBERTI: Okay. So that
11 gets reported on your taxes and you get --

12 MR. GIBBS: Um-hum, sure.

13 MEMBER ALBERTI: -- the -- all
14 right.

15 MR. GIBBS: Yes.

16 MEMBER ALBERTI: Okay.

17 MR. GIBBS: I'm not getting paid
18 anything extra to do the license process or
19 nothing. All of that is part of my job
20 description.

21 MEMBER ALBERTI: Okay. This has
22 been very helpful. Thank you for your time.

1 I have no further questions.

2 CHAIRPERSON MILLER: Okay. I just
3 have one question and then I'll turn it over
4 to our investigator.

5 So for these parties, some of them
6 are in your name, but are other ones in the
7 contracting party's name when you go for the
8 license? I mean, are they --

9 MR. GIBBS: I'm sorry, I didn't
10 hear you.

11 CHAIRPERSON MILLER: When you go
12 for the -- when these groups or individuals
13 have parties or events at the Days Inn and you
14 monitor all of them, you said?

15 MR. GIBBS: Correct.

16 CHAIRPERSON MILLER: Okay. Do you
17 submit an application for all of them or some
18 of them submit it by the group themselves?

19 MR. GIBBS: No. I am the only one
20 that is authorized to submit an application
21 for a liquor license at the hotel.

22 CHAIRPERSON MILLER: Okay. So you

1 are --

2 MR. GIBBS: Because of experiences
3 we have had in the past.

4 CHAIRPERSON MILLER: Okay. And
5 that's just one place at the hotel, the
6 banquet room?

7 MR. GIBBS: Yes. Just one place,
8 just upstairs in the banquet room.

9 CHAIRPERSON MILLER: Okay. All
10 right. Thank you.

11 MR. GIBBS: Now, I would have
12 tried to get a permanent license, but I didn't
13 know if I qualified to get one under these
14 circumstances. So that's my question to you.
15 If it would be better or simpler under these
16 circumstances, would I qualify to get like a
17 one-year license or should I continue to do it
18 the way we are doing it?

19 CHAIRPERSON MILLER: Okay.

20 MR. GIBBS: Or are we doing
21 anything wrong? Let me ask you that.

22 CHAIRPERSON MILLER: Okay. I

1 don't think we are ready to address that.

2 MR. GIBBS: Oh, okay.

3 CHAIRPERSON MILLER: You know.

4 MR. GIBBS: Okay.

5 CHAIRPERSON MILLER: But there's
6 the question of, you know, you versus the
7 hotel.

8 MR. GIBBS: Right.

9 CHAIRPERSON MILLER: I mean, I
10 think. Anyway --

11 MR. GIBBS: Well, we wanted to
12 make sure we was doing everything in
13 accordance with the ABC Board.

14 MEMBER ALBERTI: Mr. Gibbs, I
15 would suggest --

16 MR. GIBBS: Um-hum.

17 MEMBER ALBERTI: It's possible. I
18 mean, there are two options.

19 MR. GIBBS: Okay.

20 MEMBER ALBERTI: And I don't know
21 who qualifies, but, you know, you could apply
22 or the Days Inn could apply --

1 MR. GIBBS: Okay.

2 MEMBER ALBERTI: -- as a
3 corporation. I'm not saying I know whether
4 you qualify, but I would suggest that you talk
5 to our licensing specialist and our general
6 counsel, Martha Jenkins, with those questions
7 about --

8 MR. GIBBS: Okay.

9 MEMBER ALBERTI: -- what would it
10 take to qualify if you wanted to go that
11 route.

12 MR. GIBBS: Okay. How can I set
13 up that appointment?

14 MEMBER ALBERTI: Well, Martha
15 could you give a card?

16 MS. JENKINS: Yes.

17 CHAIRPERSON MILLER: She is here.

18 MEMBER ALBERTI: Martha will give
19 you her contact information and you can call
20 her and she can help you with that.

21 MR. GIBBS: Okay. Okay. That's
22 fine.

1 CHAIRPERSON MILLER: Okay. Good.

2 MR. GIBBS: The one thing we want
3 to make sure is that we're doing it the way we
4 are supposed to.

5 CHAIRPERSON MILLER: Okay.

6 MR. GIBBS: All right. That's
7 what we want to make sure of.

8 MEMBER ALBERTI: That's why you
9 are here.

10 MR. GIBBS: Right.

11 MEMBER ALBERTI: We appreciate
12 that, Mr. Gibbs.

13 MR. GIBBS: Okay.

14 CHAIRPERSON MILLER: Yes. All
15 right. Do you have some questions? Yes,
16 okay.

17 INVESTIGATOR GHENENE: Okay.
18 Thank you.

19 CHAIRPERSON MILLER: Uh-huh.

20 INVESTIGATOR GHENENE: How long
21 have you been an employee at the hotel, sir?

22 MR. GIBBS: Let's see, they opened

1 back up in 2008. Approximately, five years.
2 I have been off and on back then.

3 INVESTIGATOR GHENENE: Okay.

4 MR. GIBBS: So with this -- yes,
5 let's say for the last two and a half years.

6 INVESTIGATOR GHENENE: Okay. In
7 this capacity two and a half years? However,
8 overall five years?

9 MR. GIBBS: Probably longer.

10 INVESTIGATOR GHENENE: Okay.

11 MR. GIBBS: Because it had
12 actually changed management. You know, they
13 closed for three years for renovations. And
14 I worked there prior to that. And then when
15 they reopened, I worked there.

16 INVESTIGATOR GHENENE: Okay. Do
17 you remember if they have ever had a liquor
18 license?

19 MR. GIBBS: Well, the thing -- not
20 for the ballroom, but they do have a
21 restaurant with a bar.

22 INVESTIGATOR GHENENE: Um-hum.

1 MR. GIBBS: But that was subleased
2 and each person that subleased it had to get
3 the license in the name of the restaurant.

4 INVESTIGATOR GHENENE: Um-hum.

5 MR. GIBBS: That address has had a
6 license, but it's different sections of the
7 hotel. I do know that the Hong Kong
8 Restaurant at one time had a license. The
9 Panda, which it is now, I believe they have a
10 license. And prior to that it was something
11 else. I'm not sure, but they may have had a
12 license also.

13 INVESTIGATOR GHENENE: Okay.
14 Okay. And how many security staff members or
15 guards does the hotel employ?

16 MR. GIBBS: The hotel has a
17 security company that is subcontracted.

18 INVESTIGATOR GHENENE: Okay.

19 MR. GIBBS: On a regular night
20 it's me and one security officer. On the
21 nights that we --

22 INVESTIGATOR GHENENE: Excuse me.

1 I apologize for interrupting you. But when
2 you say it's me and another person, do you
3 work for the security company?

4 MR. GIBBS: No, no, no. I work
5 for the hotel.

6 INVESTIGATOR GHENENE: Okay. So
7 on a regular night, how many security guards?

8 MR. GIBBS: It's me. It's one
9 security guard and me.

10 INVESTIGATOR GHENENE: One
11 security guard.

12 MR. GIBBS: But on the nights that
13 we have the events, there is six security
14 officers and me.

15 INVESTIGATOR GHENENE: So on an
16 event night, there is six?

17 MR. GIBBS: Right. That's what is
18 required. That's what we are required to
19 have. I think we are required to have four,
20 but we always have six.

21 INVESTIGATOR GHENENE: When you
22 say you are required, who requires it?

1 MR. GIBBS: The ABC Board.
2 Depending on the amount of attendance that is
3 expected.

4 INVESTIGATOR GHENENE: Okay.
5 Okay. And what's the name of that company?
6 Do you know?

7 MR. GIBBS: Capitol Protective
8 Services.

9 INVESTIGATOR GHENENE: Okay. And
10 outside of this night monitoring, what other
11 responsibilities do you have as an employee of
12 the hotel?

13 MR. GIBBS: Maybe minor
14 maintenance if someone gets locked out of
15 their room or if someone's toilet gets stopped
16 up or --

17 INVESTIGATOR GHENENE: Okay.

18 MR. GIBBS: -- if someone -- you
19 know, minor maintenance.

20 INVESTIGATOR GHENENE: Okay.

21 MR. GIBBS: Minor maintenance.

22 INVESTIGATOR GHENENE: And then on

1 the night of events, what are your
2 responsibilities?

3 MR. GIBBS: The event only.

4 INVESTIGATOR GHENENE: So what
5 does that entail?

6 MR. GIBBS: Monitor the event.
7 Whatever needs to be done as far as the event
8 goes. If they may need more tissue for the
9 restroom or hand soap or to make sure that the
10 alcohol stays inside the event and don't come
11 out into the public area.

12 INVESTIGATOR GHENENE: Um-hum.

13 MR. GIBBS: To make sure that
14 there is no underage drinking.

15 INVESTIGATOR GHENENE: So are you
16 required to -- are you responsible for
17 checking identifications?

18 MR. GIBBS: I am -- yes, I am. I
19 assign a security officer to do that.

20 INVESTIGATOR GHENENE: Okay. So
21 the security company does that?

22 MR. GIBBS: The security company

1 is responsible.

2 INVESTIGATOR GHENENE: Okay.

3 MR. GIBBS: My responsibility is
4 to assign someone to do that.

5 INVESTIGATOR GHENENE: Okay. As
6 far as the security is concerned, how far in
7 advance to you hire the security for each
8 different event?

9 MR. GIBBS: A week in advance
10 probably.

11 INVESTIGATOR GHENENE: A week in
12 advance.

13 MR. GIBBS: Actually, the general
14 manager takes care of that.

15 INVESTIGATOR GHENENE: Okay.

16 MR. GIBBS: But to my
17 understanding, it's a week in advance.

18 INVESTIGATOR GHENENE: The general
19 manager?

20 MR. GIBBS: Correct.

21 INVESTIGATOR GHENENE: What's the
22 general manager's name?

1 MR. GIBBS: Mike Siz, S-I-Z.

2 INVESTIGATOR GHENENE: S-I ?

3 MR. GIBBS: Z.

4 INVESTIGATOR GHENENE: Z.

5 MR. GIBBS: I believe that's how
6 you spell it.

7 INVESTIGATOR GHENENE: Okay. And
8 you can correct me if I'm wrong.

9 MR. GIBBS: Um-hum.

10 INVESTIGATOR GHENENE: Is your
11 parking lot contracted out for parking for
12 other establishments in the area?

13 MR. GIBBS: I'm not sure about
14 that part.

15 INVESTIGATOR GHENENE: Okay.

16 MR. GIBBS: Okay. They do have a
17 company called Tag B.

18 INVESTIGATOR GHENENE: Um-hum.

19 MR. GIBBS: We have a very big
20 lot.

21 INVESTIGATOR GHENENE: Um-hum.

22 MR. GIBBS: We have one side that

1 is -- the way the hotel is made, we have one
2 side that is behind on New York Avenue that's
3 just open.

4 INVESTIGATOR GHENENE: I'm
5 familiar.

6 MR. GIBBS: And then the other
7 side where the rooms are actually at.

8 INVESTIGATOR GHENENE: Um-hum.

9 MR. GIBBS: And I think they may
10 have subcontracted the side that is open to
11 Tag B.

12 INVESTIGATOR GHENENE: Um-hum,
13 closer to Bladensburg. Okay.

14 MR. GIBBS: Right. Now, and they
15 probably have because when we have an event,
16 I instruct whoever is running that parking lot
17 if they are operating it, that the people for
18 our events get to park there free.

19 INVESTIGATOR GHENENE: Okay.

20 MR. GIBBS: Because that's part of
21 the contract.

22 INVESTIGATOR GHENENE: Okay.

1 Okay. And I heard you say earlier that you
2 handle the licensing, alcohol licensing for
3 the hotel. So does that mean that there are
4 no events that have alcohol in that ballroom
5 without you getting the license?

6 MR. GIBBS: That is correct.

7 INVESTIGATOR GHENENE: Okay. And
8 I'm sorry, I should have asked you this first,
9 but is there any ownership from the hotel here
10 today?

11 MR. GIBBS: Say that again?

12 INVESTIGATOR GHENENE: Did any of
13 the owners of the hotel come with you today?

14 MR. GIBBS: No, they didn't. They
15 knew about the hearing, but I didn't know if
16 they needed to be here or not.

17 INVESTIGATOR GHENENE: So you are
18 in contact with them?

19 MR. GIBBS: Oh, sure.

20 INVESTIGATOR GHENENE: What are
21 their names?

22 MR. GIBBS: The owners?

1 INVESTIGATOR GHENENE: Um-hum.

2 MR. GIBBS: The owner's name is
3 Sammy. I don't know his last name.

4 INVESTIGATOR GHENENE: Sammy?

5 MR. GIBBS: But the general
6 manager, as I just told you, his name is
7 Michael Siz.

8 INVESTIGATOR GHENENE: Okay.
9 Okay. And on a typical event night -- and I'm
10 sorry if I'm asking a lot.

11 MEMBER ALBERTI: No, please.

12 INVESTIGATOR GHENENE: But on a
13 typical event night, can you explain to me
14 what the security procedures are? Say that --
15 I'll give you a scenario. Say that somebody
16 is walking up and I'm familiar with where the
17 ballroom is.

18 MR. GIBBS: Um-hum.

19 INVESTIGATOR GHENENE: You go up a
20 couple flights of stairs.

21 MR. GIBBS: Right.

22 INVESTIGATOR GHENENE: What does

1 that person go through or what are they
2 subject to or what kind of things happen?

3 MR. GIBBS: Well, the only way
4 that we would know that that person is not
5 supposed to be there is if the person who is
6 actually having the event brings it to our
7 attention.

8 INVESTIGATOR GHENENE: Okay.

9 MR. GIBBS: Other than that, the
10 person who is having the event, they usually
11 have someone on the front door --

12 INVESTIGATOR GHENENE: Okay.

13 MR. GIBBS: -- to monitor who
14 comes and who goes.

15 INVESTIGATOR GHENENE: Okay.

16 MR. GIBBS: Once they bring it to
17 our attention that someone is not supposed to
18 be there, then me and security will go and ask
19 that person to step outside.

20 INVESTIGATOR GHENENE: Okay. So
21 what if they are supposed to leave?

22 MR. GIBBS: I don't understand the

1 question.

2 INVESTIGATOR GHENENE: So do you
3 guys do searching, pat-downs? You talked
4 about ID checks. Maybe ticket verification.
5 Anything of that nature?

6 MR. GIBBS: No, we don't do ticket
7 verification, because we don't exactly know
8 what the ticket looked like.

9 INVESTIGATOR GHENENE: Okay.

10 MR. GIBBS: That's up to the people
11 that is having the event.

12 INVESTIGATOR GHENENE: All right.

13 MR. GIBBS: That's what we're
14 concerned with.

15 INVESTIGATOR GHENENE: What about
16 searching?

17 MR. GIBBS: Searching? We would
18 do searching.

19 INVESTIGATOR GHENENE: So --

20 MR. GIBBS: We don't particularly
21 do pat-downs. Most of the events that we have
22 are people in the age of 30 and older and we

1 kind of stand there and monitor, but it's kind
2 of -- we know it's a safety thing, but it's
3 kind of like if you walk in, I would feel like
4 I would be embarrassing you if I tell you to
5 raise your hands, so that I can pat you down.

6 INVESTIGATOR GHENENE: Um-hum.

7 MR. GIBBS: Because it's not
8 something that is generally open to the public
9 where any and everybody can come in.

10 INVESTIGATOR GHENENE: So when do
11 you make the determination that a pat-down or
12 a search might happen?

13 MR. GIBBS: If a person is over-
14 dressed. In my opinion, if it's 85 or 90
15 degrees and you come in there with a big coat
16 on.

17 INVESTIGATOR GHENENE: Okay.

18 MR. GIBBS: Because I'm basically
19 also checking to see if you sneak -- take --
20 bringing in or taking out liquor at the same
21 token.

22 INVESTIGATOR GHENENE: Okay.

1 Okay. I just had an overall question. You
2 know, on the -- your applications it says that
3 you are getting the applications or the
4 licenses for yourself. Is there any reason
5 that you didn't put you were getting them for
6 the Days Inn or for the, as you put it, Sierra
7 Leone group or whatever it is?

8 MR. GIBBS: Well, that's just
9 probably ignorance on my part. I didn't know
10 whether or not I was supposed to put that on
11 there.

12 INVESTIGATOR GHENENE: Okay.
13 Okay. And are you aware of any kind of --
14 well, are you aware of the types or parties
15 and the types of entertainment that is being
16 offered in that ballroom area?

17 MR. GIBBS: Prior to the event?

18 INVESTIGATOR GHENENE: Yes.

19 MR. GIBBS: Yes. We are. We
20 don't allow live bands.

21 INVESTIGATOR GHENENE: Oh, so
22 there haven't been any live bands?

1 MR. GIBBS: No. We don't allow
2 live bands.

3 INVESTIGATOR GHENENE: Has that
4 always been the rule or is that something new?

5 MR. GIBBS: That has always been
6 the rule. We did find out, however, prior to
7 me taking over that the other guy that used to
8 run it had tried to schedule a couple of go-go
9 bands. Well, he had actually scheduled them,
10 a couple of go-go bands. And when we found
11 out the night of the event, we didn't let it
12 happen.

13 INVESTIGATOR GHENENE: Okay.

14 MR. GIBBS: We didn't let it
15 happen. And I was also a disc jockey for 36
16 years and I know how things can go with a
17 band.

18 INVESTIGATOR GHENENE: Okay. And
19 have you guys -- what about nude dancing?

20 MR. GIBBS: No. Strippers and
21 things like that?

22 INVESTIGATOR GHENENE: Um-hum.

1 MR. GIBBS: No. Now, they have
2 had a couple of events where they have had a
3 stripper there, but we don't actually have
4 stripper parties and stuff like that.

5 INVESTIGATOR GHENENE: Can you
6 explain?

7 MR. GIBBS: The all-ladies event
8 that you were speaking off, they had a couple
9 of lady dancers there, but they can't take
10 everything off. They are not allowed to take
11 everything off. They dress down to a bikini
12 outfit or, I guess, a thong outfit or
13 whatever. But they can't actually be nude,
14 totally nude.

15 But as far as having these type of
16 events, no. They may have a person show up to
17 do it, a skit or whatever.

18 INVESTIGATOR GHENENE: A skit,
19 okay. And as far as the licensed parties that
20 you are getting license for, is it the person
21 hosting the party or is it the hotel that
22 determines the age?

1 MR. GIBBS: The hotel determines
2 the age.

3 INVESTIGATOR GHENENE: So for
4 instance -- well, what goes into that
5 decision?

6 MR. GIBBS: Well, the fact of the
7 matter, if there is going to be alcohol
8 served, you have to be 21 and over to attend.

9 INVESTIGATOR GHENENE: Period?

10 MR. GIBBS: Period.

11 INVESTIGATOR GHENENE: Okay.

12 MR. GIBBS: Period.

13 INVESTIGATOR GHENENE: So these
14 events that say family party event or
15 fundraiser or whatever it is, there is no one
16 under 21 allowed?

17 MR. GIBBS: They still have to be
18 21 if you are going to serve alcohol.

19 INVESTIGATOR GHENENE: Okay.

20 MR. GIBBS: And we explain that to
21 them. Well, the general manager explains that
22 to them when they apply or when they inquire

1 about the room, because when we don't enforce
2 that, then we really have to put more
3 attention on who is in there drinking and who
4 is not. Who is of age and who is not. That
5 attention can be used somewhere else if we
6 know that everybody that is going in there is
7 21 and over.

8 INVESTIGATOR GHENENE: Okay. And
9 then finally, what precautions do you take to
10 ensure -- well, do patrons of your parties, of
11 the individual parties, in the ballroom are
12 they generally patrons of the hotel as well?

13 MR. GIBBS: Not necessarily, no.

14 INVESTIGATOR GHENENE: Does it
15 happen sometimes?

16 MR. GIBBS: Sometimes. Well, most
17 of the time when they rent the banquet room,
18 they will also rent maybe four or five rooms.

19 INVESTIGATOR GHENENE: Okay.

20 MR. GIBBS: Yes, so that once it's
21 over, they can just go to their rooms and
22 retire for the night.

1 INVESTIGATOR GHENENE: Okay. So
2 what precautions do you have in place to make
3 sure that the party is not continuing
4 elsewhere in the hotel after the ballroom
5 closes?

6 MR. GIBBS: Me and the security.

7 INVESTIGATOR GHENENE: Okay.

8 MR. GIBBS: Me and the security.
9 When it is time to shut it down, we shut it
10 down. We have actually had situations where
11 I have turned off the circuit breaker to the
12 DJs equipment and then after that, me and the
13 security patrol the hotel to make sure.

14 They are only allowed four people
15 in a hotel room anyway, that's number one.
16 And when we encounter that, I give them one
17 warning and I explain to them if this happens
18 again, I'm going to ask you to leave and you
19 will not be refunded your money.

20 INVESTIGATOR GHENENE: Okay. And
21 then finally, under what circumstances do you
22 contact the police or EMTs or ambulance?

1 MR. GIBBS: If someone gets
2 injured or if there is a fight and it appears
3 as though it's not going to -- that it is
4 going to get out of control, then we will call
5 the police or if it spills out in the parking
6 lot. We haven't had many. One, maybe two
7 that we have had to call the police in. And
8 that is actually once it got out to the
9 parking lot.

10 Normally, we would separate the
11 parties involved. Take one outside and keep
12 one inside.

13 INVESTIGATOR GHENENE: Um-hum.

14 MR. GIBBS: And whoever -- if, in
15 my opinion, whoever the aggressor is, I will
16 make them -- ask them to leave the property.
17 If they refuse, then I will call the police to
18 do a bar notice on that person.

19 INVESTIGATOR GHENENE: Okay.

20 MR. GIBBS: And then after that
21 point, it's trespassing. They can actually
22 arrest the person. You know, if I got a

1 person outside that is just trying to get away
2 from everybody to get back in there, then in
3 my opinion, that's the aggressor.

4 INVESTIGATOR GHENENE: Okay.

5 MR. GIBBS: Okay. Sir, ma'am, you
6 need to leave the property.

7 CHAIRPERSON MILLER: Um-hum.

8 INVESTIGATOR GHENENE: And do you
9 guys keep a log of when you have had to
10 contact the police when you had incidents
11 there?

12 MR. GIBBS: Yes. We pretty much
13 do keep a lot. Whenever there is an incident,
14 the security company does an incident report.

15 INVESTIGATOR GHENENE: So --

16 MR. GIBBS: And me, too, as well.

17 INVESTIGATOR GHENENE: -- have you
18 guys maintained that log on the premises?

19 MR. GIBBS: Um-hum.

20 INVESTIGATOR GHENENE: Okay.

21 MR. GIBBS: Yes.

22 INVESTIGATOR GHENENE: And I can

1 view it?

2 MR. GIBBS: Yeah, it's on the
3 property.

4 INVESTIGATOR GHENENE: Okay.

5 MR. GIBBS: Yes, you can view it.

6 INVESTIGATOR GHENENE: Okay.

7 MEMBER ALBERTI: Just one other
8 quick question.

9 MR. GIBBS: Yes, sir.

10 MEMBER ALBERTI: Mr. Gibbs, sir,
11 is there a standard contract to rent this
12 room?

13 MR. GIBBS: I'm sorry?

14 MEMBER ALBERTI: Is there a
15 standard contract to rent this room, written
16 contract?

17 MR. GIBBS: I believe so.

18 MEMBER ALBERTI: Okay.

19 MR. GIBBS: I'm not familiar with
20 the contract procedures. The general manager
21 handles all that. Once he signs the contract
22 then he will inform me on the event, what type

1 it is and then I'll actually contact the
2 person that is having it to find out what kind
3 of event it is, what kind of food they will be
4 serving, whether they will sell or give away
5 alcohol, things of that nature.

6 MEMBER ALBERTI: All right.

7 MR. GIBBS: And then I'll meet the
8 person normally a week before the event and
9 the night of the event.

10 MEMBER ALBERTI: Okay. So we may
11 ask Mr. Ghenene to --

12 MR. GIBBS: I'm sorry?

13 MEMBER ALBERTI: We may ask Mr.
14 Ghenene to see if he can get a copy of that
15 contract.

16 MR. GIBBS: Okay. Yes, they have
17 all that documentation.

18 MEMBER ALBERTI: All right.

19 MR. GIBBS: That's not a problem.

20 MEMBER ALBERTI: Okay. Thanks a
21 lot.

22 MEMBER SILVERSTEIN: Is there

1 anything anyone else would have on this? If
2 not, I want to thank you, Mr. Gibbs, for being
3 here and we know a lot more about this now and
4 we can move forward.

5 MR. GIBBS: Okay.

6 MEMBER SILVERSTEIN: Thank you
7 very much. Thank you all.

8 MR. GIBBS: Thank you. You're
9 welcome.

10 MEMBER SILVERSTEIN: We have
11 another issue here at 1:30, a Protest Hearing,
12 and our Chair is back.

13 CHAIRPERSON MILLER: Thank you.
14 Thank you very much for coming down.

15 MR. GIBBS: Thank you so much.

16 CHAIRPERSON MILLER: We really
17 appreciate it.

18 MR. GIBBS: Okay.

19 CHAIRPERSON MILLER: Okay.

20 (Whereupon, the Fact-Finding
21 Hearing in the above-entitled matter was
22 concluded at 1:48 p.m.)

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