

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

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|------------------------------------|---|-------------|--------------|
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| <b>In the Matter of:</b>           | ) |             |              |
|                                    | ) |             |              |
| Caribbean Vibes, Inc.              | ) |             |              |
| t/a Club Timehri                   | ) |             |              |
|                                    | ) | Case No.    | 12-251-00103 |
| Holder of a Retailer's             | ) | License No. | ABRA-077730  |
| Class CT License                   | ) | Order No.   | 2012-118     |
| at premises                        | ) |             |              |
| 2439 18 <sup>th</sup> Street, N.W. | ) |             |              |
| Washington, D.C.                   | ) |             |              |
|                                    | ) |             |              |
| Respondent                         | ) |             |              |
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**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member  
Jeannette Mobley, Member

**ALSO PRESENT:** Christopher Wells, on behalf of the Respondent  
  
Michael Stern, Senior Assistant Attorney General  
Office of the Attorney General for the District of Columbia  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

**ORDER ON SUMMARY SUSPENSION**

On March 14, 2012, the Alcoholic Beverage Control Board (Board) served a Notice of Summary Suspension (Notice), dated March 14, 2012, on Caribbean Vibes, Inc., t/a Club Timehri (Respondent), at premises 2439 18<sup>th</sup> Street, N.W., Washington, D.C.

Pursuant to the Notice, the Board ordered the suspension of Respondent's license in accordance with D.C. Official Code § 25-826 (2008) and 25-827(a) (2005). The suspension was based upon an investigation conducted by Alcoholic Beverage Regulation Administration (ABRA) Investigator Vincent Parker, where the Board determined that the establishment presented an imminent danger to the health and safety of the public.

Additionally, the Board's suspension of the Respondent's license was based upon the written request of the Chief of Police Cathy L. Lanier, MPD, dated March 10, 2012, pursuant to D.C. Official Code § 25-827(a), which included a determination made by Chief Lanier that the establishment presented an imminent danger to the health and safety of residents and visitors in the District of Columbia.

On Friday, March 16, 2012, the Respondent requested a Summary Suspension Hearing pursuant to D.C. Official Code § 25-826(c), which was held on March 20, 2011. At the time of the hearing, the Board continued the suspension of the license and approved the attached Offer in Compromise (OIC) setting forth conditions to be placed on the Respondent pursuant to 23 DCMR § 1601.1. All of the conditions are to be met to the Board's satisfaction before the Board will consider lifting the suspension of the license.

### **ORDER**

As a result of the resolution of the Notice of Summary Suspension filed against the Respondent, the Board does hereby, this 21st day of March, 2012, **ORDER** that the suspension of the Respondent's Retailer's Class CT License, held by Club Timehri, Inc., t/a Club Timerhi, located at premises 2734 18<sup>th</sup> Street N.W., Washington, D.C., be and is hereby **SUSPENDED** effective March 20, 2012, for ten (10) days or until compliance with the terms of the OIC, whichever date is later.

It is further **ORDERED** that the Board does approve the terms and conditions set forth in the attached OIC conditions. The OIC is **INCORPORATED** as a part of this Order and its terms are binding on the Respondent.

It is further **ORDERED** that ABRA Case No. 12-251-00103 will be forwarded to the Office of the Attorney General for consideration of further enforcement action.

It is further **ORDERED** that the Licensee shall return to the Board for a Status Hearing within forty-five (45) days from the date of this Order to ensure compliance with the terms of the OIC.

It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia  
Alcoholic Beverage Control Board

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Ruthanne Miller, Chairperson



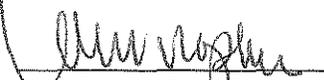
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Nick Alberti, Member



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Donald Brooks, Member



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Calvin Nophlin, Member



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Jeannette Mobley, Member



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Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001.

However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App Rule 15 (b) (2004).

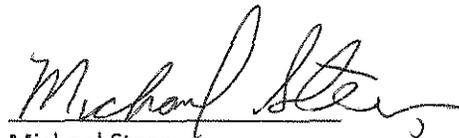
1. Install recording camera system (8 DVR night sensitive cameras with 30 day backup capability)
2. Implement mandatory quarterly professional training for all security staff and the owner on Timehri's security procedures and plan. Training will include:
  - a. Learning how to spot and identify individuals displaying questionable behavior.
  - b. Ensure security is aware they are to deny entry to any individuals displaying questionable behavior. Training will also include how to properly pat down (as needed) and confiscate any objects which could risk the safety of others. Staff will trained on how to handle unruly patrons and at what times MPD is to be called.
  - c. Educate security on their legal obligation to maintain the integrity of any incident site or evidence to facilitate any investigation by MPD or ABRA. (Security manager will be responsible for training security staff on our Security Operations Policy and Procedures outlined/documentated in our security plan. Any incident involving security must be communicated to Head of Security and Management Staff. All incidents must be documented.)
3. Create a test for security personnel on Timehri's security procedures to ensure all security personnel familiar with the contents of the security plan and the training sessions.
4. Creation of a nightly log which will be maintained by security personnel. Logbook will be used to report any incidents that may have occurred during the shift. Security personnel on duty will be required to sign the book after each shift, even if no incidents occurred. This will allow management to review the activities of the evening and address any matters that were handled or reported improperly. (The head of security will also use this logbook to note any issues with security staff on duty, including improper attire, conduct, failure to observe potential dangers).
5. Amendments to Timehri's security plan to include all of the points above and a section on responding to violent crimes, such as the incident that occurred on March 10th, i.e. not tampering with evidence. Timehri's security plan shall comply with D.C. Official Code § 25-403 and shall also include the establishment's plan for uniforms for security employees, process for contacting MPD, and maintaining employee contact information on file at the premises to be made available to MPD and ABRA. Security footage shall be provided to ABRA and MPD within 72 hours of being requested. The establishment shall be responsible for having someone who can download the establishment's security footage when requested.
6. Ensure each security personnel, at the front door, is equipped with an operational hand held metal detector. Also, ensure nightly equipment checks before the start of each shift. To ensure checks are being completed - an equipment check log book will be placed with the nightly logbook. The

establishment shall have a functioning back-up hand held metal detector available, in case of malfunction of one of the regularly used metal detectors.

7. Ensure that door security is equipped with a clicker, to keep track of the number of patrons inside. The clicker should be able to count up and down, so management always has an accurate count of the number of people in the establishment at any one time. Management shall insure that the count does not exceed 48 at any time in the evening pursuant, Occupancy Permit No 149899.

8. The establishment shall remain closed for ten days until March 30, 2012, or until all security personnel have completed Blueline Security's "Security Officer I" training course, a new security plan has been approved by ABRA and all cameras are installed and operational as described above, whichever is longer.

9. Continued Summary Suspension Status Hearing shall be set within 45 days.



Michael Stern  
Senior Assistant Attorney General



Jonathan Wells  
Owner, Club Timehri