

GOLDEN PARADISE RESTAURANT

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
4
5 - - - - -X
6 IN THE MATTER OF: :
7 Only Paradise Restaurant, Inc.
8 t/a Golden Paradise Restaurant Case Number 16-251-00131
9 3903 14th Street NW
10 License Number 98205
11 Retailer CR
12 ANC 4C
13 FACT FINDING HEARING
14 - - - - -X
15 Wednesday July 27, 2016
16 Whereupon, the above referenced matter came on for
17 hearing at the Alcoholic Beverage Control Board, Reeves
18 Center, 2000 14th Street, N.W., Suite 400S, Washington,
19 D.C. 20009.
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2 CHAIRPERSON:

3 DONOVAN W. ANDERSON, Presiding

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5 OTHER PERSONS PRESENT:

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7 JAMES SHORT, BOARD MEMBER

8 MIKE SILVERSTEIN, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: All right. Okay.

3 We're back on the record. We now have a fact finding

4 hearing, Case Number 16-251-00131, Golden Paradise

5 Restaurant, License Number 98205. Will the parties

6 please approach and identify themselves for the record

7 please. Who is Miss -- who is Miss Rosa Munoz? Is she

8 here? Where is she? Where is she?

9 UNKNOWN FEMALE: She had an emergency with
10 her daughter just now.

11 MR. MUNOZ: Yeah, she's got an emergency
12 right now. And she is making to somewhere. I don't
13 know exactly, but I tell her this is really important,
14 and she says well, this is important [inaudible 4:17:58].

15 CHAIRPERSON ANDERSON: I can't hear you,
16 sir.

17 MR. MUNOZ: Yeah. She got two little kids.
18 She -- the owner, like they call her that her daughter
19 like her is sick. I don't know. She's got pneumonia or
20 something to make [inaudible 4:18:18]. I know this is
21 really important, but, you know, that --

22 CHAIRPERSON ANDERSON: Well, I think the

1 problem that we're having is that the purpose of a fact
2 finding hearing, we need to have the owner here. And --
3 and we can't really have a hearing -- we have the police
4 officers here, and I mean I appreciate the fact that I
5 mean we do have family responsibilities. But I mean
6 we're not really given a reason. I mean you are
7 nonchalant in saying that, you know, she -- somebody
8 called her, she was here this morning, she left. You
9 told her it was important. But it doesn't appear to us
10 that this owner -- the owner is taking this serious.

11 [The interpreter, Ms. Kinkle, translating
12 for Mr. Jose Munoz, Ms. Rosa Munoz, and Mrs. Elsa
13 Catalina Hernandez.]

14 MR. MUNOZ: She's taking this issue -- this
15 case very seriously.

16 CHAIRPERSON ANDERSON: Well, she's not here
17 though. She's not here. I mean when did this --

18 MR. MUNOZ: It just happened. If you'd
19 like, I can go outside and call her and see if I can get
20 her to come back if that's -- I could -- if you give me
21 a few moments.

22 CHAIRPERSON ANDERSON: Well, let me ask you

1 a question. When did this happen? This hearing was
2 scheduled for 2:00. When -- when -- when did this
3 happen?

4 MR. MUNOZ: About 25 minutes ago.

5 CHAIRPERSON ANDERSON: But she wasn't here
6 at 2:00. How could it -- it's -- it's 2:47. But if it
7 just happened, this hearing was scheduled for 2:00. I
8 could understand if she was here, she got an emergency
9 25 minutes ago that something was wrong with her
10 daughter, and she had to leave. I'm fine with that.
11 But it's now 2:47. This hearing was scheduled for 2:00,
12 and you're telling me that she had a meeting -- she had
13 an emergency 25 minutes ago which was after this hearing
14 is scheduled and she's not here.

15 MR. MUNOZ: Well, I thought it was 25
16 minutes ago, but maybe it was before 2.

17 CHAIRPERSON ANDERSON: All right, sir. You
18 are the messenger. What is it that your sister told you
19 to tell The Board?

20 MR. MUNOZ: She didn't tell me what I should
21 say to you. She just said that she was going to have to
22 go and -- and go back to get her daughter. I can go

1 call her.

2 CHAIRPERSON ANDERSON: Yeah. We'll -- I
3 mean the police officers are here and I don't want to
4 waste their time. So yeah. We can wait another five
5 minutes for you go -- you go talk to -- go call her and
6 so she can give us a reason what's going on, sir.

7 MR. MUNOZ: Okay. That's great.

8 CHAIRPERSON ANDERSON: Thank you. We're at
9 recess for a couple of minutes.

10 (A recess was taken.)

11 CHAIRPERSON ANDERSON: Good afternoon.
12 We're back on the -- we're back on the record, and there
13 are only three -- three board members here, but we only
14 need three for a quorum. So it's myself, Mr. Short, and
15 Mr. Silverstein. So we do have a quorum so we can
16 conduct business. So -- so I'm recalling -- we have a
17 fact finding hearing, Case Number 16-251-00131, the
18 Golden Paradise Restaurant, License Number 98205. Will
19 the parties please identify themselves for the record
20 please. We can start with the officers.

21 OFFICER LYKE: Officer William Lyke assigned
22 to the 4th District at the time of the [inaudible]

1 4:22:24].

2 CHAIRPERSON ANDERSON: Thank you. Good
3 afternoon.

4 OFFICER MACDONALD: Good afternoon. Officer
5 Maurice MacDonald. We're with the Environmental Quality
6 of Life Enforcement Unit. It's a cross agency
7 enforcement initiative. We're assigned to the 4th
8 District right now.

9 CHAIRPERSON ANDERSON: Good afternoon.

10 INVESTIGATOR SWITH: Good afternoon.
11 Investigator John Swith with the Alcoholic Beverage
12 Regulation Administration.

13 CHAIRPERSON ANDERSON: Good afternoon. Yes,
14 sir. Before -- can you stand up please, ma'am. Can you
15 raise your right hand. Do you -- is this Spanish?

16 MS. KINKLE: Yes.

17 CHAIRPERSON ANDERSON: Do you swear or
18 affirm that you will faithfully translate these
19 proceedings from English to Spanish and Spanish to
20 English?

21 MS. KINKLE: I do.

22 CHAIRPERSON ANDERSON: Okay. Thank you. Go

1 ahead. So can -- can the parties identify themselves
2 please.

3 MR. MUNOZ: I'm going to speak solely in
4 Spanish because sometimes my English isn't that great,
5 and I think the interpreter's Spanish is more than
6 adequate from my understanding.

7 CHAIRPERSON ANDERSON: I'm fine, sir. All I
8 need you to do is to tell me your name, tell who you
9 are.

10 MR. MUNOZ: Jose.

11 CHAIRPERSON ANDERSON: Jose what?

12 MR. MUNOZ: Jose Munoz.

13 CHAIRPERSON ANDERSON: And who are you, sir?

14 MR. MUNOZ: I'm the owner for the
15 corporation.

16 CHAIRPERSON ANDERSON: The owner of the
17 corporation?

18 MR. MUNOZ: Yes.

19 CHAIRPERSON ANDERSON: Okay. Okay. Go
20 ahead.

21 MS. R. MUNOZ: My name is Rosa Munoz.

22 CHAIRPERSON ANDERSON: And what's her role

1 in the establishment?

2 MS. R. MUNOZ: The vice president of the
3 corporation.

4 CHAIRPERSON ANDERSON: Now, maybe somebody
5 can tell me in -- on our records it says that the -- it
6 says Rosa Munoz is the president of the Only Paradise
7 Restaurant, Inc. So that -- so that's the only name
8 that we have. So maybe you can explain to us what you
9 just stated.

10 MR. MUNOZ: So I'm almost never here because
11 I have another business in Baltimore. But everything
12 else, the corporation -- or I started the corporation,
13 then everything else, the name, the license, et cetera
14 is under Rosa Munoz's name.

15 CHAIRPERSON ANDERSON: Well, I think that
16 our record says that the -- the sole owner is Rosa
17 Munoz. So if that's not correct, then you need to
18 change the record, the ABRA records to have the -- the
19 owner of this establishment. So if -- if she's vice
20 president and you are president, the ABRA records need
21 to reflect that. Our records does not reflect that.
22 So --

1 MR. MUNOZ: So I got a little confused. I
2 said that I was vice president. I am the president and
3 I'm the owner of Golden Paradise Restaurant.

4 CHAIRPERSON ANDERSON: So who is he?

5 MR. MUNOZ: I started the corporation with
6 an accountant, but that's it. Everything else was in
7 her, and she's basically the owner.

8 CHAIRPERSON ANDERSON: All right. I'm
9 confused. So I'll say that. So I'll just -- I'll just
10 say that. So as I said before --

11 MS. R. MUNOZ: I understand.

12 CHAIRPERSON ANDERSON: All right. So you
13 need to make sure that you comply with the law and the
14 ownership status of your corporation. So if -- if there
15 are other presidents or vice presidents of this Only
16 Paradise Restaurant, Inc. and if someone else owns more
17 than, what 25? If someone else owns more than 10
18 percent of this Only Paradise Restaurant, Inc., they
19 need to be registered at ABRA as owner.

20 MR. MUNOZ: There is no one else.

21 CHAIRPERSON ANDERSON: All right. Anyway,
22 Mr. Swith, we're here. Maybe you can start off us

1 please.

2 INVESTIGATOR SWITH: Yes, sir. So on June
3 the 9th of -- of this year I was forwarded an e-mail
4 from my supervisor relative to a complaint that had been
5 filed reference to disorderlies, noise, and in general
6 some type of goings-on in this location which is at 3903
7 to 3905 14th Street NW. There was some concern from the
8 neighbors that there was a lot of activity at this
9 location. And as part of the complaint I also received
10 a copy of a police report advising of a stabbing that
11 had occurred outside the establishment on May the 31st
12 of this year.

13 I had a chance to go to the establishment on
14 the 14th of June. I met with a ABC manager at that
15 point who put me in contact via telephone with the
16 gentleman, Mr. Jose Munoz who identified himself as the
17 owner of the business at that time. I asked Mr. Munoz
18 relative to the incident that occurred on May the 31st.
19 He had some knowledge of the incident, although he says
20 that as far as he knows it was a gentleman walked into
21 the establishment, pulled up his shirt to show his
22 numerous tattoos and advised that he was a member of the

1 18th Street gang. Some time after this that same
2 gentleman walked outside of the business and attempted
3 to stab someone. It appears that someone did get a -- a
4 minor cut. Thank goodness MPD was outside and arrested
5 the suspect on scene. As part of my conversation with
6 Mr. Munoz I asked for video of the incident since I was
7 advised they have 11 cameras. I wanted to see inside,
8 outside, whatever you have. We spoke about security.
9 I -- I was advised that this incident happened on a
10 Tuesday and was told that they don't have security
11 except for Thursdays through Sunday.

12 I met with a gentleman, Mr. Munoz on site on
13 -- let's see. Excuse me a moment. On June the 14th I
14 met there with him, and he advised me that the camera
15 system does not have the ability to record past maybe
16 eight days and that it records over itself and so he
17 could not provide me with video footage of the incident.
18 I immediately expressed to him that that amount of time
19 is somewhat short and may be unreasonable for the
20 purposes of something happening and either the police or
21 ourselves requiring a video footage of the incident.
22 And I suggested to him that he might want to increase

1 the -- the memory or whatever he needs to to get a
2 system that actually is more reasonable for our
3 purposes.

4 I also asked again about the security
5 situation. He says they only work through Thursday
6 through Sunday, and this incident occurred on a Tuesday.

7 I reviewed the settlement agreement that
8 Golden Paradise had with the ANC, and one of the
9 interesting points that I found was on the very second
10 page of the settlement agreement which is Order Number
11 2016-347 it says -- and I quote -- applicant shall
12 ensure that the cameras utilized by the establishment
13 are operational, any footage of a crime of violence or a
14 crime involving a gun is maintained for a minimum of 30
15 days, and the security footage is made available within
16 48 hours upon the request of ABRA or MPD.

17 I looked further, and although the page is
18 not numbered -- it might be probably Page 5 if it was
19 numbered, and the very last sentence under security
20 cooperation it says this will include providing an
21 appropriate number of security officers at all times
22 when the establishment is open to the public.

1 And so when I submitted my -- my case report
2 I -- I brought those things to bear, that they did not
3 have the required cameras or video footage I should say
4 and they also did not have security working when they
5 should which is whenever they're open for business.

6 Since the complaint was made I have made
7 numerous visits to the establishment. Fortunately most
8 of the times that I've been there MPD has had an officer
9 in that area close by or right across the street. Well,
10 I'm not certain if you're familiar with the area, but
11 Sabor Latino is right across the street from this
12 location, Golden Paradise, and usually Sabor Latino has
13 security outside and normally there's an officer working
14 there as well.

15 I've had opportunity to have some contact
16 with several MPD officers who expressed some concern
17 about this location and how many situations seemed to
18 have happened in or around this area. I've had --
19 between June 11th and probably July the 14th I think
20 I've been there maybe nine times just to let them see
21 that I'm there.

22 MR. SILVERSTEIN: Pardon me. How many

1 times?

2 INVESTIGATOR SWITH: About nine times that
3 I've been there. And I try to and do it when I'm
4 working the evenings so that I can have a presence when
5 they're -- when it's late and to get -- to get their
6 attention, I figure if they see me there, you know. I
7 spoke with the security there a couple of times. They
8 usually have two on the weekends, that's one outside and
9 one on the inside. However, most times that I go even
10 if it's not loud or whatever, there's usually two or
11 three people or more in that parking area that's located
12 right as part of the building. It's almost -- it's --
13 it's like a -- a parking lot, but it's on the sidewalk
14 almost, maybe I could put it that way. And that's --
15 that's where this corner is and where this building is
16 at.

17 My understanding however is that this place
18 has only been open since I believe February. I don't
19 think its been actually open for business that long. So
20 we have some concerns about how active that area is.
21 And -- and certainly if someone from some gang thinks
22 that this is -- I don't know -- their spot or whatever,

1 that's -- that's not a good sign.

2 CHAIRPERSON ANDERSON: Officer -- and I -- I
3 should have written the names down. But what can you
4 add to --

5 OFFICER MACDONALD: MacDonald. Like I
6 stated earlier, we're from the Environmental Quality of
7 Life Enforcement Unit which is a --

8 MR. SILVERSTEIN: I'm going to ask the
9 translator to keep it down just a little bit so we can
10 hear.

11 MS KINKLE: Okay. I apologize. I'm trying
12 to interpret for two people at once. So it's --

13 MR. SILVERSTEIN: May be you should sit
14 between them.

15 MS. KINKLE: Okay.

16 CHAIRPERSON ANDERSON: I -- I think Mr. --
17 also Mr. Silverstein, he doesn't hear well. He has a
18 hearing aid. So I just want to let you know that's --
19 that's -- all right.

20 OFFICER MACDONALD: Which is a cross agency
21 enforcement unit. We do enforcement with PPW, DCRA
22 DDOT. We enforce their regulations and can write NOBs

1 and things for -- for that.

2 On May 30th the mayor walked through that
3 area. In particular there was a mayor's walk through.
4 There was a set of deliverables which were generated
5 from the executive office of the mayor which they sent
6 to us to investigate in reference to that block, in
7 reference to that restaurant. There's a pool hall in
8 the block as well another market which has some alcohol
9 issues which ABRA visited that scene as well. On the
10 18th my partner and I visited the establishment just to
11 see what was going on in reference to these reports; one
12 from June 13th where an assault took place inside, a
13 simple assault, a woman was struck by a man; and then
14 the stabbing on May 31st.

15 We had -- we are in receipt of several
16 e-mails from concerned citizens that thought the
17 restaurant was going to be a family restaurant, and it
18 turned out it's a bar. They specifically complain about
19 individuals leaving the establishment with alcohol,
20 going into the concrete pad next to it which in fact was
21 a building that was taken down. It's not a parking lot.
22 It's just a flat piece of property where people drive

1 over the sidewalk in violation of district law. But
2 they were leaving the restaurant going outside and using
3 it as a beer garden. Now, these are from citizens that
4 are complaining about it.

5 My partner and I went inside to do business
6 license checks because we can write violations for DCRA,
7 Department of Health if we find that they're not in
8 keeping with those licensing measures. While we were
9 inside we made contact with Mr. Munoz and his wife. And
10 Mr. Munoz immediately when we contacted him -- he -- he
11 speaks pretty good English. We had a conversation with
12 him.

13 He stated he was the owner of the
14 restaurant, said he wasn't there very often because he
15 was at his other business in Baltimore. Stated he had
16 security which piqued our interest. We questioned him
17 more about his contract security that he hired. He said
18 that he has a them in Thursday, Friday, Saturday,
19 Sunday. I asked him if they were licensed. He couldn't
20 answer me.

21 Now, if you contract security into a
22 business in the District of Columbia, they have to have

1 security guard licenses. He called a gentleman by the
2 name of Chris. Again, he didn't have his last name,
3 didn't have the name of the security company. I spoke
4 with Chris on the telephone. Chris wouldn't give me his
5 last name. Chris said he was an independent contractor,
6 wouldn't tell me what company he worked for. Chris did
7 state however that he did not have a license to operate
8 as a security guard in the District of Columbia. He
9 would have to incorporate, get a business license plus
10 because he's a private contractor. He wasn't in there
11 as a member of the staff just checking IDs to protect
12 the ABRA license. They were actually security
13 contractors. The rest of the conversation he had with
14 my partner, Officer Lyke. And he can tell you the --
15 the rest of the stuff.

16 But that's -- that's what we have so far.
17 And we're continuing to investigate and report back to
18 the executive office of the mayor.

19 OFFICER LYKE: Basically just to add what my
20 partner was saying about the -- about the establishment
21 Mr. Munoz.

22 MR. MUNOZ: Munoz.

1 OFFICER LYKE: Munoz. Excuse me.

2 Mr. Munoz, upon looking at the documentation that

3 he provided as far as his license is he was [inaudible

4 4:39:00], but for the -- for the health -- for the

5 Department of Health for the chef they only have one

6 person listed which my partner and I both discussed,

7 that usually for a restaurant of that size you would

8 have more than one person cooking food or preparing

9 food. Also too we went online and we did some -- we got

10 some reviews. There was only two reviews about the

11 place, and it was negative. One was, quote, they're

12 violating their licenses by treating the outdoor space

13 like a patio, and negatively impacting the community

14 seems relevant to the customers. The second one was,

15 quote, while the place has two windows, one is blacked

16 out and the other is covered making it feel like they

17 don't really want you to come in. That's why just to

18 reiterate what my partner said, some of the complaints

19 we received was that the Golden Paradise was supposed to

20 have been a family restaurant, and although they are

21 licensed to have entertainment, it seemed more of a bar

22 club situation then it is a restaurant and they're

1 operating as such. That's -- that's basically all I can
2 add.

3 OFFICER MACDONALD: Just one point that we
4 did notice when we were in there. We were investigating
5 another business in the middle of the block, a pool hall
6 where different gangs go and play pool. That place
7 doesn't have a license. It generates a lot of
8 complaints as well, was on the executive office of the
9 mayor's list. There was an individual who saw us
10 coming, went into the -- the establishment and locked
11 the door so we couldn't get in. While we were in the
12 establishment talking to Mr. Munoz the same person came
13 in, felt comfortable enough to come into his
14 establishment, sit-down at the bar without any
15 recognition from the owners, and listen in on our
16 conversation. I didn't catch it right away. My partner
17 did because I was in conversation. Which when you tie
18 these criminal activities with the gang activity in the
19 block and this individual who had just basically -- we
20 didn't tell him to stop running. He wasn't running from
21 the police, but we were trying to contact him to see
22 what's going on because that's part of the complaint and

1 he did not make himself available. And the next thing
2 you know he's sitting at the end of the bar listening to
3 everything we have to say in reference to this
4 establishment. It didn't seem to phase the owners of
5 the establishment. So this might be something that's
6 normal in there, we're not exactly sure yet. But like I
7 said we're still continuing to investigate.

8 OFFICER LYKE: Exactly. And to add just a
9 little bit more my partner and I had also discussed
10 while we were there how at first Mr. Munoz was real
11 reluctant to talk to us. He was very evasive as far as
12 his involvement. Then he just brought it out and said
13 well, I'm the owner, I'm in control, this is what I do.
14 He said -- he told us about the security. He told us
15 about the security and other things. And once -- once
16 we started to press and to get more detail he just --
17 that's when all the inconsistencies started coming out
18 as far as the contract security not actually being
19 licensed, things of that nature. It just -- it just
20 appeared as if he had -- that he wasn't being truthful
21 as far as the information he was giving us. That was
22 just my impression.

1 CHAIRPERSON ANDERSON: Thank you. All
2 right. There is some confusion here so I'm -- I'm going
3 to ask some -- well, I'm going to have my other board
4 members ask some questions. But there is some confusion
5 here because as far as the ABRA records are concerned
6 Mrs. Munoz is the only and sole owner for this
7 establishment.

8 In reviewing the settlement agreement I mean
9 I'm hearing that our investigator and the police just
10 stated that Mr. Munoz stated that he's the owner. And I
11 just reviewed the settlement agreement that was signed
12 between the establishment and the ANC, and both
13 Mr. Munoz and Mrs. Munoz signed off on the settlement
14 agreement. So that kind of says -- I mean there are a
15 lot of inconsistencies -- says that there might be one
16 owner of this establishment. And what I'm telling you,
17 sir, is that you need to correct the ABRA records if
18 Ms. Munoz is not the sole owner of this establishment
19 because both verbal and the paperwork that we have here,
20 they are inconsistent. All right.

21 Now, regarding the issues that you're here
22 for the fact finding what if it's -- what if anything

1 that you can -- you can provide to us? And it's not
2 necessarily regarding -- this -- this hearing is not
3 regarding the ownership. That's not the purpose of this
4 hearing. I'm just saying that this just came up as an
5 aside. But this -- this matter about the incident that
6 occurred, the assault with a dangerous weapon and
7 whatever -- what is it that you can add to -- to what
8 you have heard so far?

9 MR. MUNOZ: I was there the day it happened.
10 So the man showed up. I was there, but I can't prohibit
11 anyone from entering. I don't know many people from
12 14th Street because I live in Maryland.

13 CHAIRPERSON ANDERSON: I'm sorry. Which
14 event? Are you talking about the -- which -- which --
15 which incident are you talking about?

16 MR. MUNOZ: So I just want -- I want to talk
17 about what happened that day, and on Tuesday, Wednesday
18 and Thursday I don't have security personnel.

19 CHAIRPERSON ANDERSON: Well, I'm sorry. I
20 just want to make sure you're talking about the day of
21 when the assault. That's the -- that's the incident
22 he's addressing, right?

1 MR. MUNOZ: I'm sorry. Which one?

2 CHAIRPERSON ANDERSON: He's addressing the
3 assault with a dangerous weapon. Is that what he's
4 addressing?

5 MR. MUNOZ: Yeah. The knife.

6 CHAIRPERSON ANDERSON: Oh, okay. Go ahead.
7 I'm sorry.

8 MR. MUNOZ: Okay. So the -- the man came
9 in, and I was sitting at a table where I always sit
10 where I have basically a view of everything that's going
11 on. So I saw -- I saw him come in. He said hello
12 to two individuals, and then he went over to another
13 table where people were having a couple of drinks,
14 pretty chill. And it was during that conversation that
15 I saw them speaking, and he lifted up his shirt. Twenty
16 minutes later he left, and that's when the incident
17 occurred. I was not outside. I didn't see what
18 happened. But the person to whom the -- the incident
19 occurred, the -- the victim, he did tell me what
20 happened because I -- I went outside immediately
21 afterwards. Okay. So I went out and I saw that the
22 police were -- I think the policeman's name was Nadina

1 (ph), he might be Latino and then another gentleman,
2 they were -- they were with the aggressor. And it's at
3 that point when I went outside that I -- I spoke to an
4 individual who had been inside and then left and gotten
5 in a fight with that other individual. They started
6 basically saying -- insulting each other, and that's
7 where the -- the fight started. I -- I really believe
8 in my opinion that people -- bad people do not go to --
9 to that establishment. I have never been a violent
10 person, and I -- so I don't always understand -- I
11 wouldn't always understand, and in that moment I was
12 very worried. But currently I can speak to the quality
13 of my clientele. I had never seen that person before.
14 It was the first time he had been to my restaurant.

15 MR. SILVERSTEIN: Say again please.

16 MR. MUNOZ: So that -- that person, that was
17 the first time I had ever seen him in the establishment,
18 the first time he had ever come in. It was the first
19 time I had ever seen him. I think that the police
20 arrested him because of what occurred, and I -- I never
21 heard of or about him again. And I'd like to address a
22 couple of the points that the police made if possible.

1 CHAIRPERSON ANDERSON: Sure. You're welcome
2 to.

3 MR. MUNOZ: The police officers here, they
4 said that I felt uncomfortable with some of the
5 questions. I never -- well, if I'm in the restaurant,
6 I'm available to whomever may need me for whatever
7 purpose. And everything is according to the regulations
8 and the way it should be. The police -- the police
9 officers know that all of my licenses are in order and I
10 responded to the questions to the best of my knowledge.
11 That being said, with the person that was there in
12 the -- the pool hall I -- what I remember is the -- the
13 individual entered. I don't know that person, although
14 I am under the impression that he helps -- or he'll come
15 sit down once in a while, he'll help my wife clean,
16 sweep up once in a while. And I have never actually
17 been to the billiards hall so I'm not -- I don't spend a
18 lot of time in the streets. I don't know how this works
19 or I don't know a lot of people.

20 So one other thing and that is the comment
21 about people leaving the restaurant with alcoholic
22 drinks to consume outside.

1 MR. SHORT: What was that again?

2 CHAIRPERSON ANDERSON: The comment about
3 people taking alcohol.

4 MR. SHORT: Oh, the comment. Okay.

5 CHAIRPERSON ANDERSON: Taking it outside.

6 Yeah.

7 MR. MUNOZ: So in that area I do have the
8 problem, and that is that there are many people who are
9 coming off the streets already with drinks in their
10 hands into our -- in that surrounding area consuming
11 those -- those drinks. I've been discussing with my
12 security personnel and also with various police
13 officials about the possibility of them maintaining
14 those people or keeping them farther away from the
15 restaurant because I do want a family restaurant.
16 It's -- I'm just starting out though, and it's very
17 difficult to get -- to attain that given what's
18 happened.

19 In terms of the security cameras I did not
20 have a lot of experience when we started this business,
21 and I didn't -- I was not aware of the fact that the
22 cameras only were set to record for a week and then

1 re-record. But at this point -- and this is going to
2 cost me \$2,000 -- I'm purchasing another memory system
3 to be able to record more than a month's worth of camera
4 footage. And I do believe that at this point I will be
5 the only restaurant in the vicinity that has 12 cameras
6 that reach basically from a block up to a block down
7 in -- in relation to the restaurant. And it would be a
8 pleasure for me to give you the -- to give you access to
9 the cameras, the footage every two to three days, once a
10 week, it would be a pleasure.

11 So I -- what I am looking -- what I really
12 want is support from the community in -- in this matter.
13 I want to see my business and my restaurant grow. This
14 incident has very much affected me. And thank God at
15 the beginning there were people who I don't believe were
16 the best -- they might have been gang members, I don't
17 know -- who were coming in. But my wife and myself both
18 made sure to put a stop to that and told them that this
19 was a family restaurant and that they were causing us
20 issues. And they no -- are no longer coming.

21 There's something else I'd like to mention.
22 There are people who have called to speak poorly,

1 negatively of us, and it -- I guess it doesn't matter so
2 much to me that people have spoken poorly of us, but in
3 the long run it has affected me and it has affected my
4 business. And this despite the fact that we are
5 following the law, we are following regulations. I
6 could also suggest that one of my -- one of the members
7 of my security team works with me on Thursdays and whose
8 worked in almost all of the restaurants and has a lot
9 more experience in these matters speak with whomever
10 because he'd be able to give a better idea of how to
11 combat this issue.

12 And one -- one more comment in terms of the
13 Yelp reviews I -- about a month ago I went online and I
14 saw five reviews. There were the two negative reviews,
15 but there were also three positive reviews but they have
16 been erased for whatever reason, I don't know. Just a
17 comment.

18 CHAIRPERSON ANDERSON: Is that it? Do you
19 have any --

20 MR. MUNOZ: I'd like to answer whatever --
21 whatever questions you may have. Please continue to
22 direct questions my way because I know what's going on.

1 I'm -- I'm paying attention to what's going on in my
2 business.

3 CHAIRPERSON ANDERSON: I -- I guess the
4 reason why I'm asking you, sir, you know everything
5 that's going on and you're paying, but you don't have --
6 you're not the owner of the establishment. You don't
7 have any -- you don't have any ownership interest in the
8 restaurant. So why are you -- why are you sitting there
9 talking about everything about the owner, telling
10 everybody that you're the owner, but you're not --
11 you're not telling me that you own -- the paperwork here
12 says you're not the owner. She's the owner. I need her
13 to tell me what's going on at her restaurant. If --
14 if -- are you the ABC manager that -- does she have you
15 running the restaurant while she's there which is fine?
16 You tell me.

17 MR. MUNOZ: I -- I started the
18 incorporation. So after construction began -- and I was
19 in charge of construction.

20 MR. SILVERSTEIN: Say that again please.

21 MR. MUNOZ: After construction began and I
22 was the one who started the construction project I

1 decided to put everything under my sister's name.

2 That's really not a problem. I can change all the
3 paperwork so it is under her name. That causes --
4 that's no issue for me whatsoever.

5 CHAIRPERSON ANDERSON: Well, there's --
6 there's -- there's a difference about something under
7 her name and who is the owner of the restaurant. Who
8 is -- who is it that we can hold accountable when
9 something happens?

10 MR. MUNOZ: The owner, she is responsible
11 for it.

12 CHAIRPERSON ANDERSON: Well, then if she's
13 responsible for it, then I want her -- what can she --
14 what can she tell me? Suppose you just be quiet for a
15 moment and have her, the owner of the restaurant tell me
16 about her restaurant and what's going on there.

17 MR. MUNOZ: I like your point. Okay. So
18 she is the owner. I took care of construction, the
19 incorporation. But she can't always be there, and so
20 that's why my wife is there. And -- and just one
21 clarification. And for the alcohol license -- the
22 responsible parties for the alcohol license are my

1 sister, my wife Carlina (ph), who is the woman who was
2 here before -- she left to go park the car, she's
3 sitting right there -- and his other -- my other sister.
4 So the people who spend the most time there are myself
5 and my wife. But if there's a problem with the -- the
6 incorporation, I can change it immediately. I don't see
7 a problem though because I registered it with the public
8 accountant and I went to DCRA. We did everything
9 according to the law.

10 CHAIRPERSON ANDERSON: All right. You know,
11 you can file a piece of paper to say that -- that this
12 person is the owner, that person is the owner on paper.
13 But if you -- if you -- if you kind of look further, you
14 realize that that person is not the owner because you're
15 the owner. You're the one who -- who makes all the
16 decision, and her name is just on it for -- for show.
17 So who can we hold accountable? If something happens,
18 the owner of the establishment is a person who is listed
19 as the owner of the establishment. But you have been
20 telling everyone that you are the owner. So if you're
21 telling people you're the owner, it's -- now you're
22 saying, you know, I can go change the paperwork. And

1 I'm not telling you how to -- I'm not telling you, sir,
2 how to run your business -- or well, I'm not telling you
3 how to run the paper -- the business or how to -- or
4 whose name that needs to be on the paperwork or if it
5 goes to DCRA, it goes wherever. The only thing I'm
6 saying to you as far as ABRA is concerned Ms. -- I'm
7 sorry -- Ms. -- no, there -- there are several Munoz
8 here because his wife -- my assumption is his -- his
9 wife earlier said she was the owner. So she -- and I
10 think part of the confusion, your wife who I think is
11 sitting in the audience said earlier that I'm the wife
12 of the owner. Okay. That's what she said earlier when
13 we were waiting for this Ms. Munoz to show up. Okay.
14 So you guys have to get your story straight. And when
15 this hearing is over you need to let ABRA -- ABRA's
16 records needs to establish who is the owner of this
17 establishment because you're not giving clarity. You're
18 telling the police officers, you're telling the
19 investigator that you're the owner, and then you're
20 telling me that -- and then even the person who said
21 that she's the owner she introduced herself today to say
22 she's the vice president of this organization.

1 MR. MUNOZ: In the -- in the corporation she
2 said that very clearly.

3 CHAIRPERSON ANDERSON: But it can't -- but
4 okay. So you're saying that the corporation owns the
5 restaurant? The corporation is -- I'm sorry. Where's
6 my --

7 MR. SILVERSTEIN: Is this what you're
8 looking for, Mr. Chairman?

9 CHAIRPERSON ANDERSON: But I wasn't even
10 looking at this. I'm just looking at the -- the -- the
11 report that we have here.

12 MR. SILVERSTEIN: That's what I wanted to
13 read into the record.

14 CHAIRPERSON ANDERSON: What do you have?

15 MR. SILVERSTEIN: May I?

16 CHAIRPERSON ANDERSON: What's that? All
17 right. The report that we have here it says that --

18 MR. SILVERSTEIN: This is what I want to
19 read here.

20 CHAIRPERSON ANDERSON: No. This is not it.

21 MR. SILVERSTEIN: We're going to get the
22 license. Mr. Chairman --

1 CHAIRPERSON ANDERSON: All right. The --
2 okay. You're -- what's the name of the restaurant, sir?
3 Golden Paradise is the name of the restaurant; is that
4 correct?

5 MR. MUNOZ: As it's declared a new
6 corporation, it's Only Paradise.

7 CHAIRPERSON ANDERSON: And the name of the
8 corporation is Only Paradise Restaurant Corporation; is
9 that correct?

10 MR. MUNOZ: Exactly.

11 CHAIRPERSON ANDERSON: So who are the
12 members of the Only Paradise Restaurant Incorporated?
13 Who are the officers in that -- in the Only Paradise
14 Restaurant Incorporation?

15 MR. MUNOZ: So I'll -- I'll explain. When I
16 opened the corporation I was listed as the only owner,
17 and I left her as vice president.

18 CHAIRPERSON ANDERSON: All right.

19 MR. MUNOZ: That was it. So I -- I was in
20 charge of this up until we started construction, and
21 then when it came time for the alcohol license I left
22 everything in her name. So in practical terms she is

1 the owner of Golden Paradise Restaurant because I
2 changed the name after I spoke with someone who told me
3 that I could do so through DCRA or ABRA, I don't
4 remember which. I explained the situation to them.
5 They said it was fine, that I could do it that way. And
6 so as it -- as it stood I was the owner of Only Paradise
7 Restaurant, and she --

8 MR. SHORT: When he says them, who do you
9 mean them?

10 CHAIRPERSON ANDERSON: DCRA.

11 MR. SHORT: I'm going to need that on the
12 record.

13 MR. MUNOZ: DCRA.

14 CHAIRPERSON ANDERSON: DCRA.

15 MR. MUNOZ: And so as it stands I was the
16 owner of Only Paradise Restaurant Incorporated, and she
17 was the owner of Golden Paradise Restaurant.

18 CHAIRPERSON ANDERSON: All right. But that
19 still doesn't explain the process. Because the -- our
20 form says she is the president of Only Paradise
21 Restaurant, Inc.

22 MR. MUNOZ: But I just explained this to

1 you.

2 CHAIRPERSON ANDERSON: No. But, sir -- all
3 right. You know -- you know, normally as the chair I
4 don't ask questions, but I'm confused. And the only
5 reason why I'm getting here because you're not giving
6 any explanation about who owns this restaurant. If you
7 state to me -- maybe it would have made better sense if
8 you said to me that she owns Golden Paradise Restaurant,
9 if you -- if you said that she was the owner of Golden
10 Paradise Restaurant and that you -- you were the owner
11 of Only Paradise -- Only Paradise Restaurant Inc., maybe
12 it would have made a little better sense to me. But she
13 said that -- this is what she says. We're going to move
14 on from there because that's not where we are. But I'm
15 just saying to you is that this is an issue that needs
16 to be addressed, and it needs to be addressed
17 immediately. All right. Go ahead, Mr. Silverstein.

18 MR. SILVERSTEIN: Thank you, Mr. Chairman.
19 I want to -- I want to put this to bed, get a little
20 clarity, and move it quickly. First, Mr. Munoz, who is
21 Anna De Leon?

22 MR. MUNOZ: Who is who?

1 MR. SILVERSTEIN: Anna De Leon.

2 MR. MUNOZ: She is the person who counseled
3 me, who advised me through the whole process of starting
4 the business from the point of conception to opening it
5 with all the licenses.

6 MR. SILVERSTEIN: Okay. Also I'm a
7 little -- I want to say get clear the -- the members of
8 your family. Who is Rosa Munoz?

9 MR. MUNOZ: She is Rosa Munoz.

10 MR. SILVERSTEIN: Rosa Munoz is your sister?

11 MR. MUNOZ: We're brother and sister.

12 MR. SILVERSTEIN: Okay. This was the
13 application. I want to put this on the record, it's
14 very quick. To the licensing specialists my name is
15 Anna De Leon. I am the agent for Only Paradise
16 Incorporated, et cetera and the person submitting this
17 application on behalf of the owner, Rosa Munoz. Should
18 you need to reach me or need any other documentation,
19 please do so at -- then the phone number. Thank you for
20 your help, respectfully submitted, Anna De Leon. Next
21 the business entity -- and that was submitted to ABRA,
22 and that is why we have her down as the -- as the owner.

1 And this was submitted to ABRA February 5th, 2015.
2 Prior to that the business entity clean hands
3 certification listed Rosa I. Munoz as president, had
4 Rosa I. Munoz's signature, and that is the dated January
5 8th, 2015. When did things change or did they?

6 MR. MUNOZ: No, it did not. It has not
7 changed.

8 MR. SILVERSTEIN: I'm sorry?

9 MR. MUNOZ: That has not changed at all.

10 MR. SILVERSTEIN: It did not change at all?

11 Okay. Very good. Let's move on. Several issues
12 involving the settlement agreement. I -- I would like
13 to point out as -- as did Mr. Swaro (ph) Article 6 of
14 the settlement agreement -- well, Article 6 says the
15 applicant will make sure the inside of the facility is
16 clearly visible from the street, the windows are not
17 tinted, and that the windows aren't obstructed by signs,
18 curtains, blinds, or any other methods. I would ask the
19 gentleman Mr. Swaro or the two police officers is that
20 the case? Are the windows -- is it -- is there a clear
21 and unobstructed view into the establishment?

22 OFFICER MACDONALD: No.

1 OFFICER LYKE: No.

2 INVESTIGATOR SWITH: No, sir, it is not.

3 MR. SILVERSTEIN: Would you describe the --
4 the state of the windows and visibility.

5 OFFICER MACDONALD: Yeah. The -- the
6 windows are -- the windows are blocked. You can't see
7 into the establishment. I'm not quite sure exactly what
8 it is that are blocking it. I didn't make note, but
9 made note you couldn't see in.

10 MR. SILVERSTEIN: Okay. Article 8 of the
11 voluntary agreement, applicant -- which Investigator
12 Swaro spoke to -- applicant will maintain in working
13 order at all times security cameras that entirely cover
14 the adjacent lot, the interior of the restaurant, and
15 the sidewalk. The footage from these cameras shall be
16 kept for at least a month and shall be made available
17 hours easily and quickly during business to MPD, ABRA,
18 community members, and other interested parties upon
19 their request.

20 Investigator Swaro, were these videos
21 available a month after?

22 INVESTIGATOR SWITH: They were not, sir.

1 MR. SILVERSTEIN: How long were they being
2 kept for?

3 INVESTIGATOR SWITH: I was advised that the
4 camera system records over itself every eight days. And
5 I have no video that I can [inaudible 5:15:15].

6 MR. SILVERSTEIN: Very well. This -- this
7 establishment is being operated under a license as a CR
8 restaurant license. Mr. Munoz or Ms. Munoz, a CR
9 license has certain requirements. One of those
10 requirements is to file -- is to sell a certain amount
11 of food and to file reports four times a year, quarterly
12 reports to ensure compliance with food sale
13 requirements. Are you up to date on your quarterly
14 reports?

15 MR. MUNOZ: I have all the reports. I'm up
16 to date in terms of reports. But the part you mentioned
17 about the food requirements is new to me. I don't
18 understand.

19 MR. SILVERSTEIN: So then you're not up to
20 date on the quarterly reports that certify that more
21 than 45 percent of your sales are food?

22 MR. MUNOZ: I would like my wife to respond

1 to that question. She's the one who works there most.

2 MR. SILVERSTEIN: Okay. I'm sorry. I
3 didn't hear that.

4 MR. MUNOZ: I'd like my wife to respond to
5 that question because she is the one who works there
6 most.

7 MR. SILVERSTEIN: What did she say?

8 MR. SHORT: He wants his wife to respond.

9 MR. SILVERSTEIN: Okay. Go ahead.

10 CHAIRPERSON ANDERSON: No. That's not --
11 that's his sister. The wife is sitting back there.
12 Is -- is she going to come up to respond or --

13 MR. SILVERSTEIN: If she wishes to, yes.

14 CHAIRPERSON ANDERSON: He said he wants her
15 to respond. So I would assume she would come up and
16 respond.

17 MR. SILVERSTEIN: We -- we do not -- I'm --
18 I'm told we do not have these in our records and I want
19 to learn if they have been filed.

20 MR. MUNOZ: We can -- we can turn them in.
21 It would be my pleasure. So the restaurant is in my
22 name, and I'm of the opinion that like we're selling the

1 same quantity of food consistently. There are a lot of
2 people who come in. A lot of people are eating. We
3 have great food, and -- but I think that maybe she could
4 give a somewhat clearer answer.

5 MR. SHORT: Yes, she must.

6 MRS. MUNOZ: And to what would you like me
7 to respond?

8 CHAIRPERSON ANDERSON: Well, hold on. Your
9 husband volunteered you. So -- so she needs to clarify
10 with her husband what is that he wants her to respond
11 to. Hold on a minute. Hold on. I will -- I'm going to
12 have her introduce herself. However, her husband is the
13 one who volunteered to say she can answer the question.
14 So maybe her husband needs to tell her the question she
15 needs to respond to.

16 MR. MUNOZ: Which -- from the part of
17 Mr. Munoz, what questions would you like her to respond
18 to?

19 MR. SILVERSTEIN: Have you filed the
20 quarterly report showing your food sales and your
21 alcohol sales, the numbers for?

22 CHAIRPERSON ANDERSON: Can you introduce --

1 yeah. I'm going to have you say who's speaking now
2 before you -- before you start to translate.

3 MR. SILVERSTEIN: What was it? I couldn't
4 hear.

5 CHAIRPERSON ANDERSON: I couldn't hear.

6 MS. FERNANDEZ: My name is Elsa Catalina
7 Hernandez.

8 MR. SILVERSTEIN: Elsa Hernandez. Okay.

9 CHAIRPERSON ANDERSON: Okay. Go ahead.
10 You're now stating what she stated. Yeah.

11 MS. HERNANDEZ: Her -- Elsa Catalina
12 Hernandez's spontaneous to your question was yes, we
13 have the -- the machine that we use to plug in alcohol,
14 drink, food sales. At the end of the night we have a
15 statement that lists what quantity of our sales is from
16 food and what quantity is from alcohol.

17 CHAIRPERSON ANDERSON: But our records have
18 indicated that you have not filed your quarterly
19 statements in -- within --

20 MR. SILVERSTEIN: To the agency.

21 CHAIRPERSON ANDERSON: -- to the agency. So
22 before you leave here today at least we want to -- want

1 you to meet with the auditor who probably can explain to
2 you what is it that you need to do.

3 MS. HERNANDEZ: That's great.

4 MR. SILVERSTEIN: And finally, there are --
5 there is the issue of people coming in or going out
6 without with alcohol. Are these people, Mr. Munoz,
7 coming in with alcohol off of the street? Are they
8 walking out with it? What is -- I -- you know, you say
9 that this is a difficult situation because people are
10 cavalier, don't -- you know, they -- they don't pay much
11 attention, they just come in and out and drink. Tell me
12 about that.

13 MS. HERNANDEZ: Can I sit down?

14 CHAIRPERSON ANDERSON: Sure.

15 MR. SILVERSTEIN: Thank you, Ms. Hernandez.

16 CHAIRPERSON ANDERSON: All right. Just on
17 an unrelated point, we have Ms. Monica Clark who is
18 sitting back there. Could you identify yourself please.
19 And -- and prior to your leaving today I need you to
20 meet with the translator with her, and she will explain
21 to you what is it that you need to do in -- in filing
22 your quarterly reports because you have not filed these

1 reports with the agency, which is a violation of the
2 law.

3 MR. SILVERSTEIN: Every restaurant must file
4 these reports.

5 MR. MUNOZ: I'd like to therefore apologize.
6 I have a system, a machine that has POS system is what
7 it's called. It records everything in terms of sales.
8 I have all of the information. And I will use that
9 information, all of those receipts to do whatever I need
10 to do with Ms. Clark. And my -- my wife can explain to
11 her better because she's the one who's in charge of all
12 that. And I appreciate you explaining that to me
13 because I don't know that much about -- about that
14 aspect of the regulations. And I -- I do want to
15 reiterate that what we really want is for this
16 restaurant to work well. We want it to be a family
17 restaurant, and I know that through continued effort
18 that we will be able to achieve that.

19 CHAIRPERSON ANDERSON: I have a quick
20 question. You said -- you said you have another
21 business in Baltimore. What business do you have in
22 Baltimore?

1 MR. MUNOZ: That's a whole another category.
2 It's appliances.

3 CHAIRPERSON ANDERSON: Okay.

4 MR. MUNOZ: I don't -- so I don't know much
5 about restaurants.

6 CHAIRPERSON ANDERSON: Okay. All right.
7 It's not a restaurant. Okay. Okay. All right.

8 MR. MUNOZ: No. Because I'm a -- I'm a
9 technician.

10 CHAIRPERSON ANDERSON: No. The reason why
11 I'm asking because if you had like another establishment
12 in Baltimore that sells liquor, it's not that different
13 from what you have to do in Baltimore from what you have
14 to do in D.C. But since it's a different industry,
15 we're fine. Go ahead, Mr. Silverstein.

16 MR. SILVERSTEIN: And we were asking about
17 people coming in and out with alcohol.

18 MR. MUNOZ: He just -- he -- Mr. Munoz has
19 said I just want to emphasize that we've been working
20 really, really hard and we want to continue making an
21 effort to improve.

22 MR. SILVERSTEIN: Please speak a little

1 louder and closer to the mic.

2 MR. MUNOZ: I just wanted to reiterate that
3 we've been working very hard and we want to continue to
4 work to improve the situation.

5 MR. SILVERSTEIN: Okay. Well, we're --
6 we're pointing out the areas where there are concern so
7 that you can focus on those. To -- to say everything is
8 going wonderfully would not be of any help to you. So
9 tell me what is the problem with people come -- are you
10 saying that people are coming in without alcohol from
11 other establishments or that -- that the people are
12 leaving and you can't stop them or -- or what?

13 MS. KINKLE: Ms. -- Mrs. Munoz said that
14 they would like to let him speak.

15 MR. MUNOZ: No. He would like to say
16 something.

17 CHAIRPERSON ANDERSON: Who is he?

18 MR. MUNOZ: It's -- he work on Thursday, my
19 security that we have, this -- this man.

20 CHAIRPERSON ANDERSON: Oh, he can come up
21 and identify himself for the record please.

22 MR. SHORT: Why don't you pull up a chair?

1 CHAIRPERSON ANDERSON: You can pull up a
2 chair, sir. Could also -- could -- there is a sign-in
3 sheet. Could everyone also sign their name in on the
4 sign-in sheet. But can you identify yourself for the
5 record please, sir.

6 MR. SCOTT: My name is Don Scott.

7 CHAIRPERSON ANDERSON: I'm sorry?

8 MR. SCOTT: Don Scott.

9 CHAIRPERSON ANDERSON: Don Scott. Okay.
10 And who are you, sir?

11 MR. SCOTT: A retired MPD officer that helps
12 them out.

13 CHAIRPERSON ANDERSON: Huh?

14 MR. SCOTT: Retired MPD officer that helps
15 them out on Thursday.

16 MR. SILVERSTEIN: Okay.

17 CHAIRPERSON ANDERSON: You're there on
18 Thursday?

19 MR. SCOTT: The security -- yes. The
20 security company that he has is run by Bob Davis.

21 CHAIRPERSON ANDERSON: So would -- go ahead.

22 MR. SCOTT: And on Thursday -- on

1 Thursday -- on Thursday all I do is just check the IDs.
2 I just know -- it's -- it's only like -- it's not even a
3 lot of people in there on Thursdays. So I just go ahead
4 check IDs. I go ahead and help them out. I've known
5 Jose and Carolina (ph) since '99. When I was on the
6 police department I had a -- another buddy of mine that
7 owned a company that did the security for Johanna's
8 (ph), La Libertad, La Molienda's, Aquario, El Amino
9 (ph), Mama San (ph). And I would do, you know, just
10 check in. That's when the police department would let
11 you do it, I would check in with all the [inaudible
12 5:27:11] because it was a buddy of mine, and I got to
13 know the owners. And I would just go by there and check
14 on all the security, all the security needs, and all
15 that. Matter of fact, for Carolina's (ph) I prepared --
16 I prepared Carolina's, Johanna's, and La Molienda's
17 security -- their security package for the -- for ABRA.

18 MR. SILVERSTEIN: Okay. Well, I think
19 you've established you're bona fide pretty well,
20 Mr. Scott.

21 CHAIRPERSON ANDERSON: Hold on -- hold on,
22 Mr. Silverstein. I think the officer wanted to say

1 something.

2 OFFICER MACDONALD: Mr. Scott has identified
3 himself as a retired Metropolitan police officer. Could
4 he produce a retirement credential that we could see
5 real quick?

6 MR. SCOTT: Well, I don't have -- I don't
7 have it on me.

8 OFFICER MACDONALD: Are you a retired
9 Metropolitan police officer?

10 MR. SCOTT: Former -- yeah. Former D.C.
11 police officer.

12 OFFICER MACDONALD: Are you a former police
13 officer or are you retired from the Metropolitan Police?

14 MR. SCOTT: Former D.C. police officer.

15 OFFICER MACDONALD: So you're not a retired
16 Metropolitan police officer?

17 MR. SCOTT: Not retired from there.

18 OFFICER MACDONALD: How did you leave the
19 Metropolitan Police Department.

20 MR. SCOTT: You said how did I leave? I
21 left on my own standing.

22 OFFICER MACDONALD: You left at your own

1 standing?

2 MR. SCOTT: Yes, sir.

3 OFFICER MACDONALD: So you're not retired?

4 MR. SCOTT: No.

5 OFFICER MACDONALD: Okay. Thank you.

6 CHAIRPERSON ANDERSON: All right. Go ahead,
7 Mr. --

8 MR. SILVERSTEIN: Thank you. My question
9 was are people entering this establishment with alcohol
10 of their own or from other establishments or are they
11 leaving with -- without being stopped or refusing to be
12 stopped with alcohol?

13 MR. SCOTT: No. What he's -- what he's --
14 what he's referring to is the people that -- that --
15 some people live around there, they go across the street
16 to the store, buy beer, and they go sit on the lot that
17 this gentleman was -- was talking about. They go sit on
18 the side lot of their building and drink beer and leave
19 their bottles. He cleans it up, and that's been a
20 problem. That's been a problem -- that was -- that's
21 one of the other problems for the club.

22 MR. SILVERSTEIN: So it's public -- it's

1 public -- it's poca (ph), but it is not related to the
2 club?

3 MR. SCOTT: Right. It's not related to the
4 club. Now, as far as the gang members one of the -- one
5 of the clubs down the street, a lot of those guys were
6 barred out from every club around there, they can't go
7 into any club around there. They'll -- -- they'll go
8 down to -- they'll go down to the Golden Paradise
9 because they haven't been barred from there.

10 MR. SILVERSTEIN: Why not?

11 MR. SCOTT: They haven't caused a problem in
12 the club.

13 MR. SILVERSTEIN: Oh, okay.

14 MR. SCOTT: But every other club they have
15 been barred from. When I'm there I don't -- when I'm
16 there there's only like ten to 15 people in the club.
17 There's nobody -- there's nobody really coming in the
18 club, in and out the club. There's no problems in the
19 restaurant.

20 MR. SILVERSTEIN: I see, you know, that the
21 Metropolitan Police Department has their hands full with
22 the things that have been going on nationally and here

1 as well. And they need all the cooperation that they
2 can get. And I see here according to their logs 11
3 calls for service this year alone, and of those the vast
4 majority appear to be related to this establishment.
5 I'm going to -- I'm going to walk you through every one
6 of these. January 11th, assisting a -- assisting with
7 an ambulance an intoxicated male; January 14th accident
8 D.C. Government involved, that may not have been -- that
9 may not be related to their operations. February 20th,
10 disorderly; March 6th, assault; April 7th, disorderly,
11 April 12th, destruction of property; April 22nd,
12 disorderly; April 27th, theft second degree;
13 February 7th -- May 7th check on the welfare. That may
14 not have been involved -- any problem. May 13th,
15 intoxicated person -- or disorderly; and July 10th,
16 robbery holdup. I would like to ask the police officers
17 what you can tell us about these events and about the
18 general demeanor first of the area. Because if it's not
19 their fault that stuff is happening around there, we
20 should get that out there, but also whether the
21 operations of this establishment have anything to do
22 with what's going on.

1 OFFICER MACDONALD: That block itself is a
2 bad block, it really is.

3 MR. SILVERSTEIN: The block itself is a bad
4 block.

5 OFFICER MACDONALD: Is the block itself is a
6 bad block.

7 MR. SILVERSTEIN: So they -- they have that
8 to deal with?

9 OFFICER MACDONALD: They have that to deal
10 with. We're investigating three open complaints as we
11 speak that were identified by the mayor's walk with the
12 mayor. This isn't the only business. This isn't the
13 worst business.

14 MR. SILVERSTEIN: This is not the worst
15 business on the block? What -- what is or what are the
16 bad --

17 OFFICER MACDONALD: There's Astrid's Pool
18 Hall where the gang members congregate, they bring in
19 beer off the street, this is what's alleged. We're not
20 able to -- to get in there because they lock the door on
21 us, but they're seen bringing beer in there. They
22 conduct whatever they conduct in there. DCRA has pulled

1 their license. I believe it was 5/31 of this year
2 pulled their license to operate. That seems to be where
3 a lot of issues stem from as well as the JK Market which
4 is 3933 on the same side of the street. They deal with
5 selling -- what they do is they sell 22 ounce beers.
6 They rubber band two of them together which is in
7 violation. ABRA is -- is investigating that now. But
8 what that does is it brings down all the drunks in the
9 neighborhood, right? And they come out, they urinate,
10 they -- they're disorderly, they assault each other. To
11 be fair this isn't all their business. However, these
12 two serious incidents from -- one from May 31st and one
13 from June 13th where somebody was stabbed and these are
14 just -- now, remember they don't have licensed security
15 in there. So we don't know what's being reported and
16 what's not being reported. We have an ABW (ph) knife as
17 well as an assault that have been reported from that
18 establishment. But the block -- to be fair the block
19 is -- it's a bad block, it just is.

20 MR. SILVERSTEIN: Is there anything else you
21 want to add Officer Lyke or Investigator Swaro?

22 INVESTIGATOR SWITH: No, sir.

1 OFFICER LYKE: Just to piggyback what my
2 partner said, that is not the worst business in the
3 block. It is the Astrid Pool Hall. I -- if they had
4 the proper security, the licensed security and adhere to
5 the regulations as far as their windows being opened,
6 not being covered and other things, a lot of their
7 problems would be minimized; however, I don't know if
8 they would go away. But like my partner said that is a
9 very, very tough block. But the worst is the Astrid.

10 MR. SILVERSTEIN: So thank you very much
11 because you've -- you've actually provided a couple
12 of --

13 MR. SHORT: There's another officer back
14 there.

15 MR. SILVERSTEIN: Yes. Come on up, Officer.
16 You've provided several suggestions, and I want to make
17 sure that they heard that; one of which is to provide
18 licensed security when you are open, and the other is to
19 abide by the settlement agreement and make your windows
20 transparent, that you can see through it. Yes, sir.

21 CHAIRPERSON ANDERSON: All right. Hold on.
22 No. Hold on a minute. Hold on please. Hold on.

1 Identify yourself for the record please, Officer.

2 OFFICER PUJOLS: Officer Freddie Pujols,
3 Metropolitan Police Department 4th District.

4 CHAIRPERSON ANDERSON: There's a microphone,
5 sir. Can -- or you can sit behind there. There's
6 another microphone if you just sit behind there.

7 MS. KINKLE: I'm sorry to interrupt, but I
8 -- interpreters are only supposed to work for a half an
9 hour. I'm getting -- I can't really keep going. I've
10 been going for an hour. So I'm not sure --

11 CHAIRPERSON ANDERSON: Oh, so you're talking
12 about -- oh, so you're only supposed to --

13 MS. KINKLE: I'm pretty -- I'm not able to
14 continue at the same rate. It's like you're getting --
15 I'm getting fatigued.

16 CHAIRPERSON ANDERSON: Okay. All right. So
17 how much -- how much longer do you have -- can you --

18 MS. KINKLE: We've gone 15 minutes longer
19 than I'm supposed to go. Usually you're supposed to
20 hire two if it's going to go over half an hour so you
21 can switch.

22 CHAIRPERSON ANDERSON: All right.

1 MS. KINKLE: I apologize. I just -- I can't
2 provide the same quality of interpreting.

3 CHAIRPERSON ANDERSON: Okay. All right. I
4 think part of the problem here is that there was an
5 interpreter provided for Ms. Rosa Munoz and Ms. Munoz
6 has not opened her mouth this entire time that we've
7 been here, and the interpreter has been interpreting for
8 Mr. Jose Munoz who as far as ABRA records state he is
9 not an owner of the establishment. So we have been
10 using the interpreter for someone who ABRA does not
11 recognize, and I'm not quite sure how to address that.
12 I do understand as far as the interpreter is concerned,
13 and I -- we're probably going to bring this -- these
14 proceedings to an end momentarily.

15 MR. SHORT: I just have one statement.

16 CHAIRPERSON ANDERSON: I'm just wanting
17 to -- what -- what is it Mr. Short?

18 MR. SHORT: Well, the -- the only statement
19 I'd like to make, Mr. Scott says he's a retired -- or
20 he -- he referred to this establishment as a club and I
21 want to know why he would use the club.

22 MR. SCOTT: Why would I use it as a club?

1 MR. SHORT: No. Why -- why do you say --
2 you called it a club.

3 MR. SCOTT: I call all of them a club. I
4 call all -- all the ones that I had are all restaurants,
5 and they're -- and they --

6 MR. SILVERSTEIN: I'd like to get [inaudible
7 5:37:22].

8 CHAIRPERSON ANDERSON: I'm -- I'm running
9 this hearing so I'm -- I'm trying to do that. Yeah.

10 MR. SILVERSTEIN: Okay.

11 CHAIRPERSON ANDERSON: Yeah, I know. I
12 know.

13 MR. SCOTT: That's just what I call it.

14 MS. KINKLE: Mr. Munoz says I would like to
15 ask her the question.

16 CHAIRPERSON ANDERSON: All right. Hold on.
17 Hold on. Hold on. Okay. Let's reset for a minute.
18 Officer, what do you need to add and then I'll --

19 MR. SILVERSTEIN: First of all, if you could
20 give us your name again, Freddie --

21 OFFICER PUJOLS: It's Freddie Pujols,
22 Metropolitan Police, the 4th district. I just wanted to

1 add with my coworker, what he said a seven-year member
2 of the narcotics unit for the 4th District, I work the
3 area pretty well. I'm -- and it's -- it is -- the
4 block, it's -- it's not the nicest block in the area.
5 We -- way before they were around we dealt with a lot of
6 the drugs and the same -- the same situations that we're
7 seeing now as a -- as narcotic unit. That's all I
8 wanted to add.

9 MR. SILVERSTEIN: All right. Thank you.

10 CHAIRPERSON ANDERSON: All right. Thank
11 you.

12 MR. SILVERSTEIN: I have no further
13 questions.

14 CHAIRPERSON ANDERSON: All right. All
15 right. What --

16 MS. KINKLE: You're not supposed to because
17 I can't do it as well. It's not -- I could stay here as
18 long as you want, but I need -- I need a partner. Yes.
19 I apologize.

20 CHAIRPERSON ANDERSON: No. I'm -- I'm fine.
21 I'm fine. What -- all right. I'm going to have you --
22 sir, I'm going to have you make the final -- you -- you

1 can state your -- you're going to state, then I'll
2 just -- I'm going to wrap this up because, you know, to
3 be fair for the interpreter so we can have the quality
4 interpretation that we need that will have it done. So,
5 yes, sir, you can state what you have to state.

6 MR. SCOTT: Like I was explaining, I -- and
7 I told the officer there in the middle, I -- I don't
8 remember his name, the place that they're talking about,
9 Astrid's, that's where the majority of all that comes
10 from with all the beers and the people. I've even threw
11 one guy -- I've even -- I've even threw one guy or
12 talked to one guy down at Roberto's Pool Hall. He was
13 trying to come to Roberto's Pool Hall to buy beer for
14 the other pool hall, wanted to come by a case of beer
15 for Astrid's Pool Hall.

16 CHAIRPERSON ANDERSON: All right.

17 MR. SCOTT: And I told him that he couldn't
18 do that. So the whole thing about it -- and even though
19 you have a call there, it doesn't necessarily mean it's
20 coming from that club. At Carolina Palace they had a
21 car broke down. The guy made the call -- made a phone
22 call to the police, somebody was bothering him. He used

1 Carolina Palace address which is 3700 14th Street. That
2 went on the ABRA report.

3 CHAIRPERSON ANDERSON: All right.

4 MR. SCOTT: It had nothing to do with the
5 club itself. It's just that when he called he was in
6 front of there, he was in front of the club. The club
7 was closed. He was in front of the club and reported
8 that address and that came, up on the ABRA report. A
9 lot of the people that's -- a lot of the people that's
10 there that's drinking around the side of the building
11 not necessarily come out of the club. They don't bring
12 liquor in the club. They'll go across the street, buy
13 beers like he stated, and sit out there and drink. And
14 he's -- and he has to go pick -- he has to go pick and
15 clean up or get somebody to come clean up all the beer
16 and all that and everything.

17 CHAIRPERSON ANDERSON: All right.

18 MR. SCOTT: Last Thursday there was a guy
19 sitting out there. He's sitting on somebody's Moped.
20 The guy comes out the club -- one of the neighborhood
21 guys, they get into an altercation.

22 CHAIRPERSON ANDERSON: All right.

1 MR. SCOTT: So it has nothing to do -- it
2 didn't have anything to do with the club per se. It's
3 just that people around there, when they see a new place
4 that's open -- and its been going on since '99 because
5 that's how long I've been doing it, since 1999. So its
6 been going on that long. It's the same exact problem.
7 When I was with the Violent Gangs and Drug Unit at NSID
8 there was the same exact problem up there, and we
9 were -- we were citywide. It's the same problem that's
10 going on. It's just a younger generation that came up
11 after everybody else left. And everybody up there claim
12 that they're a gang member until the real gang members
13 show up. And when the real gang members show up now
14 it's a fight because if you're not from the gang, that's
15 a no-no. So they can claim they're from any type of
16 gang they want to claim and then come into the
17 restaurant and say that they're -- you know, they're
18 from the gang to intimidate the owners. But once the
19 real gang members show up then there's a problem.

20 CHAIRPERSON ANDERSON: All right. All
21 right. Okay. Thank you, sir. I'm -- I'm going to end
22 this -- I need to end this hearing because of the

1 translator because I -- in -- in -- because of the
2 translator. But I know, Ms. -- Mrs. Munoz, you have
3 stated that I have not asked you any questions. You
4 have elected not to ask any -- not -- not -- not to
5 respond to any questions here. It has been perfectly
6 clear that I've stated that the ABRA records stated that
7 you are the owner of this establishment. However, you
8 have stayed quiet, and your brother has responded to
9 every -- every time a question was asked it was asked,
10 and your brother has elected to respond. And so it's
11 not that I have not asked you questions. We have asked
12 questions. I've asked questions about the ownership,
13 and at no point have you ever said -- outside of
14 introducing yourself for the record have you ever stated
15 that I am the true owner of this establishment. Okay.
16 So the purpose of this hearing was -- was to have a fact
17 finding hearing on the -- the incidents that -- that
18 occurred here, the assault with a deadly weapon. But
19 because of the introduction it -- it became -- it's
20 clear to us that there are some ownership issues here.
21 And so I'm asking you that you need to clarify with the
22 ABRA records who actually is the owner of this

1 establishment.

2 You also have not filed the proper -- your
3 quarterly statements with ABRA. Ms. Clark is in the
4 audience, and before you leave here today you need to
5 find out from Ms. Clark what it is that you need to do,
6 Ms. Munoz, to file the ABRA quarterly statements.

7 MS. MUNOZ: What -- what is clear to me is
8 that I am the owner. And the fact that my brother was
9 answering all the questions made it clear to me that he
10 did not want me to respond to the questions.

11 CHAIRPERSON ANDERSON: You know what, we're
12 going to end this hearing. If I'm the owner, I'm not
13 going to sit here and have some -- some other person who
14 has no interest in my business speak for me. Okay. So
15 it's clear. So if you allow him to speak for you, what
16 that says to me is that you are not the owner of this
17 establishment, he is and that's why he's making all the
18 decisions. Everyone -- he has publicly stated that he's
19 the owner of the establishment. You have introduced
20 yourself as the vice president, although you have told
21 ABRA that you are the president. Okay. So all I'm
22 saying to you is that your establishment is in violation

1 of the law and you need to do whatever you need to do to
2 comply with the ABRA law. Okay. Thank you.

3 I would like to thank the officers for --
4 they have been here for a substantial period of time,
5 and I do appreciate the time and effort you have spent
6 today to be here. Thank you very much. And this
7 hearing is adjourned. Thank you.

8 (Whereupon, the above-entitled matter was
9 recalled.)

10 CHAIRPERSON ANDERSON: The next case --
11 there's another -- we have another fact finding hearing
12 on Case Number -- Case Number 16-251-00131, Golden
13 Paradise Restaurant, License Number 98205.
14 Mr. Silverstein.

15 MR. SILVERSTEIN: I move we refer this case
16 to the Office of Attorney General for show cause.

17 CHAIRPERSON ANDERSON: Is there a second?

18 MR. SHORT: Second.

19 CHAIRPERSON ANDERSON: Mr. Short has
20 seconded the motion. Those in favor say aye. [Chorus
21 of ayes]. Those opposed. [No audible response]. The
22 matter passed three-zero-zero. All right. Thank you.

1 (Whereupon the above-entitled matter was
2 concluded.)

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