

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

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IN THE MATTER OF:                   :  
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Pub Crawl Round Table               :  
  :  
  : Public  
  : Hearing  
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MARCH 4, 2015

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller, presiding.

PRESENT

- RUTHANNE MILLER, Chairperson
- NICK ALBERTI, Member
- DONALD BROOKS, Member
- HERMAN JONES, Member
- JAMES SHORT, Member

MICHAEL SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

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

1:35 p.m.

CHAIR MILLER: Good afternoon

everyone. I want to welcome you to the ABC Board Round Table on Pub Crawls in the District of Columbia. Thanks for joining us for what we hope will be a constructive dialogue on matters related to pub crawls and licensed alcohol establishments. The Board's hosting this round table because we'd like to hear from the community and pub crawl organizers on topics such as the licensing of events, the hours and duration periods for events, size limitations, establishment participation, cooperation with MPD and safety and security measures for participants, other establishment patrons and neighborhood residents and citizens. We welcome discussion and feedback on any other topics related to pub crawls.

Please note that our objective is to ensure that pub crawl organizers conduct safe and enjoyable events for their participants but at

1 the same time don't disturb neighboring  
2 residents. So, I'm sorry, that we have been  
3 permitting pub crawls on a case by case basis and  
4 we wanted to look at it on a more generic level  
5 and get some feedback from you all with respect  
6 to all these categories and I will begin by  
7 calling on those witnesses who notified the  
8 Agency in advance regarding their participation.

9 Each witness will be given no more  
10 than five minutes to speak though we may have  
11 some, yes, except the police, but we may have,  
12 we'll probably have more give and take, after  
13 those five minutes and we'll also, we'll  
14 entertain comments from other interested parties  
15 who wish to be heard even if you haven't signed  
16 up in advance and if there is additional time  
17 left and there's hearing time we may give more  
18 time to it, so, if you've got prepared written  
19 remarks when you come up you can hand them to Ms.  
20 Danette, who's to my right and she'll make sure  
21 that they're properly filed. So we have  
22 organized witnesses by panels and our first panel

1 is, well you can introduce yourselves, go ahead,  
2 Commander.

3 COMMANDER KISHTER: Do you mind if I  
4 stand up?

5 CHAIR MILLER: No, that's okay.

6 COMMANDER KISHTER: Hi, I'm Commander  
7 Kishter. I'm the commander of the third  
8 district. I've been there about six years at  
9 Adams Morgan, the U Street area. I guess that's  
10 where most of my pub crawl events would probably  
11 take place.

12 CHAIR MILLER: Can you hear? Excuse  
13 me, I just want to make sure the court reporter  
14 can catch you because the mics are actually on  
15 the table. Can you?

16 COMMANDER KISHTER: Can you hear me  
17 now? As I was saying, we have new night life  
18 officers on U Street and Adams Morgan and we've  
19 added additional officers up in Columbia Heights  
20 too, so we have sufficient manpower in the  
21 evenings, especially on the weekends to handle  
22 the usual type events. I guess for me, we just

1 want to know far enough in advance when these  
2 events are going to take place so we can  
3 adequately staff them. Like I said, most of our  
4 resources we use are in the evening into the  
5 early morning hours and I know sometimes these  
6 events happen during the day, so if we could just  
7 have information about numbers of tickets that  
8 have been sold we can just get constant updates I  
9 guess up until the day of the event. I know  
10 sometimes you guys sell tickets on the day of the  
11 event, which is okay as well just as long as we  
12 have a pretty good idea of expectations for  
13 crowds and any public safety issues that we might  
14 have.

15 MEMBER SHORT: Your name again,  
16 Commander?

17 COMMANDER KISHTER: I'm sorry?

18 MEMBER SHORT: Your name again, please.

19 COMMANDER KISHTER: Jacob Kishter.

20 MEMBER SHORT: Thank you.

21 COMMANDER REESE: Good afternoon  
22 everyone. My name is Commander Mike Reese from

1 the second district. I have a little bit of the  
2 downtown BID, all of the Golden Triangle and a  
3 Georgetown BID. We have a club action team in  
4 our central business nightlife area. There's  
5 special training for those officers. We also have  
6 overlapping shifts for the 14th Street Corridor  
7 and some of the P Street Corridor and M Street  
8 Corridor that overlaps with our power shift  
9 officers. One of the concerns is the nightlife  
10 there. They're pretty in tune what goes on and I  
11 think the businesses, we got a very positive  
12 feedback with our deployment from the residents  
13 and the businesses, so that's a good thing.

14 I will say that for the pub crawls,  
15 most of them have been pretty uneventful, but we  
16 have had some larger ones and I would say in my  
17 point of view I would rather see them during, in  
18 the summertime like be over by 9:00 and, because  
19 what happens is, it's not a big deal but I'll  
20 tell you what happens, when you do have  
21 occasionally people that, I mean just with the  
22 name, when they first came up with the name

1 everybody was like oh, my God, pub crawls. The  
2 people going to be crawling on the street  
3 intoxicated but we would say that's not the case.  
4 I would say that's not the case at all.

5 I haven't seen that but I have seen  
6 some pretty, people that were feeling good and I  
7 will say that every now and then again you do  
8 have the criminal element, they mark people like  
9 that. So, under the cover of darkness that's  
10 their, that helps them out so I would say if we  
11 could have them, happen during the daytime that  
12 would, that would help a lot. That would help  
13 ease the fear a lot because it does, say like if  
14 it ended at 9:00, we wouldn't really have to have  
15 extra resources because we deploy heavily on the  
16 evening time right now. If we can get around  
17 9:00, 9:30 after that, then it goes into shift  
18 change, so primarily, but we do have overlapping  
19 power shifts so we have the bulk of the manpower  
20 right there, so it wouldn't hurt us that much so  
21 I would say if we could have them do that and I  
22 would like some security plan.

1           A security plan is not called to me a  
2 week in advance or send an email hey, we have a  
3 pub crawl. That is not a security plan. That's  
4 a terrible plan. So and that's what we're doing  
5 and we have no way of gauging how many people  
6 we're going to have and I think the last one  
7 around New Year's Eve it was, there was a lot of  
8 people. That had a lot of people. It's just  
9 associated with a lot of people out on New Year's  
10 Eve anyway but I think that was the last one I  
11 saw.

12           So those are some of the things I  
13 would like to do is, I'd like to see happening in  
14 conjunction with Commander's Kishter's end but so  
15 a security plan would also, we might have to have  
16 some officers that know the, that mark the trail  
17 or the path of the participants and give special  
18 attention to that because what happens is some of  
19 them are pretty well spread out but most of them  
20 stay in the DuPont Circle area, right. We can  
21 use that area as just an example. We also, the X  
22 Factor is calls to service so if we get called to

1 service, that's going to pull resources to a  
2 matter of whatever type of call for service is.  
3 We don't know what that might be. That's the X  
4 Factor. But if we have, if a security plan  
5 included some dedicated officers for that they  
6 would, unless, not unless, there's flat out, all  
7 hands on deck type of emergency occur, they would  
8 be dedicated to monitor that and to track and I  
9 think that would be an extra added measure. I  
10 think that would go a long way to provide  
11 security and a safety for the neighborhood as  
12 well as the participants. That's all I have to  
13 say. Is there any questions?

14 CHAIR MILLER: I think we're going to  
15 have questions for all of you maybe after we hear  
16 everyone. Not everyone, I mean the three of you.

17 LIEUTENANT HARRINGTON: I'll be very  
18 brief. My name is Lieutenant Dan Harrington. I  
19 currently work out of the Executive Office of the  
20 Chief of Police and I am the nightlife  
21 coordinator for the department. Basically that  
22 position is I work with the commanders of the

1 first and second district and third district and  
2 their nightlife units and any issues that they  
3 have or concerns that the officers, the boots on  
4 the ground as it were, in the areas have, they  
5 kind of can bring to my attention and work on  
6 trying to coordinate a overall policy for  
7 deployment for any strategic initiatives like  
8 education, outreach, stuff like this with pub  
9 crawls. I guess I could be a point of contact for  
10 organizers just trying to make sure that we have  
11 an understanding of what the event is, how big  
12 it's going to be and how that may impact the  
13 districts, so that's my job is sort of be the  
14 coordinator between the Chief's office for night  
15 life issues and the various districts that have  
16 these night life units.

17 CHAIR MILLER: That's great. Is that  
18 a new position or is that a -

19 LIEUTENANT HARRINGTON: It is. It  
20 formally started July of last year, so, that's  
21 when I got tasked. I was previously the  
22 Lieutenant for PSA 305 which is the U Street

1 Corridor, so then in July of last year I was  
2 tasked with coming down to the Chief's office and  
3 working out of there on overall nightlife issues.

4 CHAIR MILLER: That's great. Well,  
5 let me start with Board questions. Mr. Short.

6 MEMBER SHORT: Good afternoon,  
7 Commanders and Lieutenant. Pretty much the  
8 question I have to ask you is dealing with public  
9 safety. When we start talking about five or six  
10 thousand people, four thousand, two thousand  
11 people and you have small sidewalks, let's make  
12 it U Street for an example. We know that the  
13 people can't be contained on the sidewalks, that  
14 sometimes they spill over into the street and I'm  
15 just thinking and I heard that hour 9:00 or 9:30,  
16 is that reasonable for all three of you the time  
17 ending that would be better for MPD? Is that the  
18 consensus or -

19 COMMANDER KISHTER: Yes, I mean  
20 because at that point then you have the usual  
21 nightlife crowd that will be coming in too, so  
22 you don't want to have twice as many people as

1 you would normally deal with, have to deal with.

2 MEMBER SHORT: So I would be right to  
3 put down 9:00 p.m. as probably a time to stop?

4 COMMANDER KISHTER: Yes. Yes.

5 MEMBER SHORT: Now the second thing  
6 would be the numbers. In your professional  
7 opinions what's an appropriate number for a pub  
8 crawl? I mean manageable for MPD based on you  
9 have to leave and go to another call and then you  
10 have all those people there without any, with the  
11 protection they should have, what numbers are  
12 manageable for all of those circumstances? What  
13 approximate numbers?

14 COMMANDER REESE: Well, I'd say that's  
15 a tough question to answer and I would say that  
16 because, say if it's, I mean it depends on the  
17 level of alcohol consumption, the crowd,  
18 everybody's different, some people handle it and  
19 they're nice and orderly, so, it's hard to say on  
20 that one. But, with the normal staffing for the  
21 general area, I would say 5000 people, that's a  
22 huge amount. That's a tough amount, since you

1       threw that number out there. That's, even 4000,  
2       that's a lot of people for a pub crawl in a  
3       concentrated area.

4                   MEMBER SHORT: What is the manageable,  
5       a reasonable, manageable number?

6                   COMMANDER REESE: Five hundred, I  
7       don't know.

8                   MEMBER SHORT: Hey, Commander, with  
9       all due respect, with all due respect, for the  
10      record, I understand with the business community  
11      and these people promoting, they want as many  
12      people as possible. They, could care less about,  
13      all they want is the dollars and cents, but we  
14      have to think about public safety and think about  
15      you officers who are on the street facing that  
16      every day so when you give these kind of numbers  
17      I'm, as a Board member, I can't speak for the  
18      other Board members, would very much look and  
19      tell these promoters these are the numbers that  
20      are manageable for the City and we're holding  
21      them to that if I have anything to do with it,  
22      but again, I'm only one vote.

1           COMMANDER REESE: Well, I would say  
2 this, let me say this. If it's, a thousand  
3 people, I would say at least you're going to  
4 have, I would say in conjunction with four, four  
5 reimbursable detail officers to manage and route  
6 and help out, I think that would be reasonable.

7           MEMBER SHORT: What's that again?

8           COMMANDER REESE: Four officers.

9           MEMBER SHORT: Four officers?

10          COMMANDER REESE: As an overtime  
11 detail to assist I think that's reasonable.

12          MEMBER SHORT: Four officers per a  
13 thousand?

14          COMMANDER REESE: Yes.

15          MEMBER SHORT: Thank you for your  
16 service all three of you and thank you Madam  
17 Chair.

18          CHAIR MILLER: Mr. Rodriguez.

19          MEMBER GONZALEZ: I'm happy to see my  
20 commander here, Commander Kishter from Adams  
21 Morgan, and three D. I am a resident of Adams  
22 Morgan and we do have crowds in Adams Morgan.

1 Before these pub crawls start Adams Morgan is  
2 already active and a lot of people are already  
3 there, so it's more of a challenge for you,  
4 Commander, of course and so one thing you  
5 mentioned in your opening statement is early  
6 warning. You want to know in advance what kind  
7 of an event is taking place, how many people are  
8 anticipated. That prepares your department to  
9 respond then to the security situation and can  
10 you tell me, you I think are in line with the  
11 time as 9:00 at the maximum time that they can be  
12 held, right?

13 COMMANDER KISHTER: Right.

14 MEMBER GONZALEZ: Alright. I just  
15 wanted to verify and make sure that I'm clear on  
16 that but I'm glad you're here, Commander. Thank  
17 you for your interest.

18 CHAIR MILLER: Yes, Mr. Silverstein.

19 MEMBER SILVERSTEIN: Thank you very  
20 much, gentlemen. First, Mike, Commander Reese is  
21 retiring this week after 29 years of  
22 distinguished service in the city, the last four

1 as my Commander and it's just been just a joy and  
2 a pleasure working with you, Commander, and I  
3 wish you well. Fortunately you're sticking around  
4 and you'll be moving over to another agency and  
5 it is just a pleasure to have this opportunity to  
6 tell you how much we appreciate the work that  
7 you've done.

8                   COMMANDER REESE: Thank you very much.  
9 I appreciate that.

10                   MEMBER SILVERSTEIN: And this is not,  
11 this hearing is not about the heavy hand of  
12 government, but rather about making sure that one  
13 hand knows what the other is doing, that as we  
14 approve these things, as we move along we want to  
15 make sure that we're not posing any hardships on  
16 the police unknowingly or that we're not creating  
17 any difficulties for the promoters unknowingly  
18 and that we just simply have a better  
19 understanding of what's going on. Clarendon had  
20 a lot of problems with pub crawls, an awful lot  
21 of problems and yet we haven't and I guess my  
22 first question to all of you is, are we doing

1 something right? Did they do something wrong?  
2 Why did they have all, I mean it wasn't just like  
3 Arlingtonians being Arlingtonians. What -

4 COMMANDER REESE: When I look at the  
5 routes when I do get the routes I think what  
6 helps us out is that they're kind of spread out a  
7 little bit, so I think that helps out. Clarendon  
8 might be concentrated. I haven't been to one up  
9 there but I don't, I know I mark the ones we have  
10 and being spread out a little helps out a little.

11 MEMBER SILVERSTEIN: So the geography  
12 that you don't have this massive crush of people.  
13 But U Street has extremely narrow sidewalks and  
14 this is a concern that we are having here, how do  
15 you manage large crowds here with sidewalks that  
16 are sometimes only four feet across with a  
17 planter and steps involved, Commander,  
18 Lieutenant?

19 LIEUTENANT HARRINGTON: Well I think  
20 a large part, it's the focus, they call, we call  
21 them focus beat officers on U Street, is we're  
22 having them deployed from 9th Street to 14th Street

1 along that corridor and we have some in the on 9th  
2 Street in what's literally the opening of the  
3 bars and restaurants we have down there. So I  
4 think part of that is having the officers out  
5 there, having them very visible, the biggest  
6 challenge for them comes obviously at the closing  
7 time when you have all the bars emptying out at  
8 the same time and then there's the crush for the  
9 cabs and Uber or whatever the case may be.

10 So and that's something I think  
11 looking at this big picture wise is, is to get  
12 other DDOT at the table as well and look at the  
13 traffic flow, because one thing we notice is  
14 traffic gets backed up really bad and it impacts  
15 at 14th and U and is there a way, something to do  
16 with the traffic lights to keep the traffic  
17 flowing, to keep the cars moving, is there  
18 something with no turn, left turns on red from  
19 midnight to 2:00 a.m. or 3:00 a.m. whatever the  
20 case may be at 14th and U.

21 MEMBER SILVERSTEIN: How do we get a  
22 TCO?

1                   LIEUTENANT HARRINGTON:    Yes.  Well we  
2                   looking into that.  I know they had a, I think  
3                   they had a, I don't know if it was a grant or  
4                   what they had in Adams Morgan last summer and  
5                   they had some TCOs up there.  That would be great  
6                   on U Street at 14th and U as well.  I think that's  
7                   all part of the discussion is, is bringing the  
8                   right people to the table and having them  
9                   involved in this as well because our problem is  
10                  we are managing the crowds as they come out and  
11                  if something happens we can't be worried about  
12                  traffic control and the red lights and stuff like  
13                  that because you're dealing with sometimes some  
14                  serious incidents, but I think one of the things  
15                  to get dealt out out here or at the table and  
16                  have them part of the discussion.

17                  COMMANDER KISHTER:  Well, the critical  
18                  thing about having the early notice is that we  
19                  can bring all the agency partners to the table to  
20                  give this enough time, not that they're not  
21                  willing to help, but if we have enough time  
22                  because we're the 24/7 agency.  Most of the

1 agencies aren't. So we have to make special  
2 arrangements to have their teams available as  
3 well so as long as we have enough time we can  
4 organize it.

5 LIEUTENANT HARRINGTON: And I would go  
6 back if I could, part of it is managing the  
7 crowd. It's also managing the promoters that put  
8 on the pub crawls to make sure that they like the  
9 Commander said too, have a good security plan in  
10 place that we work with them to make sure it's a  
11 good security plan so that you manage those  
12 crowds effectively in that manner as well.

13 MEMBER SILVERSTEIN: Tell me what  
14 should be in, we have different ideas of what  
15 security plan means. Specifically what types of  
16 things should be addressed and are these, we meet  
17 with them. We have our staff meet with them, but  
18 what are the things that would be helpful to you  
19 if we addressed them?

20 COMMANDER REESE: Well, I would say  
21 the X factor is that, and we can't control it but  
22 is the amount of people that will be attending.

1 Make sure when they send it to me I make sure we  
2 know, my officers that are working know the  
3 routes. That will help out and we have had a  
4 couple where we have had a reimbursable detail  
5 and officers specifically patrolled those routes  
6 where they were and they were uneventful.

7 I know it's costly and sometimes a lot  
8 of people like everyone else, wait till the last  
9 minute to get their tickets so you can't do that,  
10 really get a gauge on the number and what  
11 Commander Kishter was referring to as for us and  
12 other government entities we have, for us to not  
13 incur an overtime cost it has to be two weeks  
14 out. Say if we know the big blockbuster pub  
15 crawl is coming up and we find out the last  
16 minute and say oh my goodness, we need more extra  
17 resources, then all of a sudden it's going to be  
18 extra cost to the citizens. We have to change  
19 someone's schedule within that two week period.  
20 We have to pay them overtime and that's a big  
21 deal right there, so, having notice and getting  
22 that route out and if it's a super large one, you

1 might want to have a point of contact, maybe some  
2 EMT services on staff and standby as well.

3           LIEUTENANT HARRINGTON: And I think  
4 that the preplanning, trumps reactive policing  
5 any time and sitting down with the promoters or  
6 the, and looking at and making sure that the bars  
7 where they're going to, that the staff is aware  
8 of, they're looking for overconsumption of these  
9 people that are on these pub crawls so that we're  
10 not having them getting all loaded up at one  
11 place and just sending them down the street to  
12 the next place where they start the clock all  
13 over again, or the counter all over again for  
14 drinks. So having that could be a part of the  
15 security plan is how you regulate how much  
16 alcohol can be consumed at any one venue as they  
17 make their way down to the different  
18 establishments.

19           COMMANDER REESE: And one last thing,  
20 maybe staff just to, just a name associated with  
21 a pub crawl maybe, pub tasting or something, a  
22 little softer would probably go a long way too,

1 because I tell you the first time you heard it  
2 everybody was up in arms and when they had it  
3 that was not nearly what everybody thought. Oh  
4 my God, college kids crawling around Pennsylvania  
5 Avenue drunk and that did not happen. That was  
6 the furthest from the truth. It was orderly and  
7 everything else.

8 MEMBER SILVERSTEIN: It sort of felt  
9 like everybody's ears perked up when you said  
10 RDO, and this when you are dealing with something  
11 like a pub crawl I assume there are times when an  
12 RDO is helpful to you?

13 COMMANDER REESE: Yes, largely, yes.

14 MEMBER SILVERSTEIN: How big should it  
15 be and how do you, if you're having RDO in front  
16 of an establishment that's one thing but how do  
17 you do something when it's three and four blocks  
18 in -

19 COMMANDER REESE: They patrol the  
20 route.

21 MEMBER SILVERSTEIN: They patrol the  
22 route?

1                   COMMANDER REESE: They patrol the  
2 route. They drive up and down the route.

3                   MEMBER SILVERSTEIN: We go with like,  
4 at some events we go with one security guard for  
5 X number of people. How, if we were going to do  
6 RDO on something like this, how would you do it?  
7 One, for -

8                   COMMANDER REESE: I would say one for  
9 every 250 is good for me. That's a good, safe  
10 number.

11                  MEMBER SILVERSTEIN: But if somebody,  
12 but if an event like this is going to last six  
13 hours, you're not going to have all 2000 people  
14 or all 1000 people at the same time, so how do  
15 you figure that?

16                  COMMANDER KISHTER: Well it's not, I  
17 mean it partially it is for the crowd control but  
18 it's actually for the public safety so whether  
19 you have 100 people or 2000 people you're still  
20 going to have those same issues depending on  
21 what's going on. So I wouldn't really just  
22 concentrate on one hour type thing, just make

1       sure you staff it for the whole event, because  
2       it's hard to plan when, how many will be there.  
3       Anything could happen at any time, so we're  
4       looking more at the outside area and how to plan  
5       for that.

6                   COMMANDER REESE:  And plus, if it's a  
7       reimbursable detail, that's voluntarily so you  
8       won't get anybody to sign up for the whole six  
9       hours.  They'll just say oh, we just want you for  
10      two hours or so.  You'll never get a staff like  
11      that, so you have to allow for four or six hours  
12      is good.

13                   MEMBER SILVERSTEIN:  Right.  Thank you  
14      very much, gentlemen.  No further questions.

15                   CHAIR MILLER:  Mr. Short.

16                   MEMBER SHORT:  Yes, gentlemen, I'm  
17      kind of familiar with the Mayor's Special Event  
18      Task Force and I know we have large festivals and  
19      things like that.  They have to come before that  
20      task force and then all these things are ironed  
21      out so there's plenty of time and notice.  The  
22      police officers' there, the fire department's

1 there, DDOT's there, public space people are  
2 there. Do you think these pub crawls should go  
3 through the same process and maybe that would  
4 give you plenty of time or, or that's just a  
5 suggestion. I'm just asking what do you think of  
6 that professionally?

7 COMMANDER REESE: I mean I wouldn't be  
8 opposed to it but I think that you'd probably  
9 kill it because I don't think the events would be  
10 that large and entail that much. I mean, yes, if  
11 we could sit down like that, if you had that  
12 luxury of planning, yes it would work well.

13 MEMBER SHORT: Then you wouldn't have  
14 any surprises.

15 COMMANDER REESE: Yes, yes.

16 MEMBER SHORT: You would know the  
17 numbers. They would have to have a security plan  
18 acceptable to the Task Force and by the time they  
19 came before this Board all of that would be  
20 settled.

21 LIEUTENANT HARRINGTON: I think that  
22 I mean if you sit down and across the table from

1 people you build those relationships and, like  
2 you said, you have the number of the point of  
3 contact that you can reach out to. If there is an  
4 issue you can get it resolved quicker. I mean,  
5 yes, I think any time, like I said, preplanning  
6 is better than being reactive to something like  
7 that or being surprised by something that wasn't  
8 in their plan or you weren't aware of.

9 MEMBER SHORT: Thank you. I just  
10 wanted to get that on the record.

11 CHAIR MILLER: Mr., yes, go ahead.

12 COMMANDER KISHTER: I just want to add  
13 something. I mean there's some business owners  
14 here, some owners of establishments and we have a  
15 real good working rapport with all of them so I  
16 mean it's not like we're making a big issue about  
17 this because we're not. They've worked well with  
18 MPD. We work hand in hand. We haven't had  
19 issues to date, so I mean it's good that we're  
20 having this open forum and having them here to  
21 participate as well. Thank you.

22 CHAIR MILLER: Yes. Thank you. Mr.

1 Alberti.

2 MEMBER ALBERTI: Gentleman, thank you  
3 for coming. Just, a couple sort of quick  
4 questions. First of all, in terms of advance  
5 notice, what's the optimal advance notice in  
6 terms of, in your view, and what is absolutely  
7 necessary? Can you speak to that?

8 COMMANDER KISHTER: Yes, I mean,  
9 ideally I think 90 days would be good.

10 (Laughter)

11 COMMANDER KISHTER: I mean these  
12 things don't usually just come up at the last  
13 minute. Sometimes they deal in terms of the  
14 large events. As soon as the initial dates and  
15 ideas are being thrown out we'd like to be  
16 involved from the get go.

17 MEMBER ALBERTI: Okay.

18 COMMANDER KISHTER: So as soon as the  
19 businesses, the establishments know they're going  
20 to have these events, the sooner -

21 MEMBER ALBERTI: Well, what's the  
22 minimum time you would need in advance notice to

1 know like the details, to know the route, who's  
2 participating, approximate numbers, that kind of  
3 information? What's sort of the minimum lead time  
4 that you would need?

5           COMMANDER REESE: For a detail, it'd  
6 be 30 days but the good thing about a detail, say  
7 if you had a large influx of tickets at the last  
8 minute, then the detail is put out there  
9 initially asking for two and say like at the last  
10 minute, you had an influx of 2000 people, you  
11 could, if the ground work is already settled, you  
12 have a better chance of staffing it and to  
13 increase numbers for a reimbursable detail if  
14 that's what you're going to do.

15           But one thing I've been getting is  
16 like not much notice, two or three days, hey,  
17 Commander Reese we're having a crawl. I'm like  
18 alright, what am I supposed to say? Don't do it,  
19 it's already been approved already so, I just,  
20 and I put the route out and everything else and  
21 whatever happens, happens. That's how it's been  
22 happening in the past for the most part.

1 Sometimes we get advance notice but not that  
2 often.

3 MEMBER ALBERTI: Thank you. Thank you.

4 And my second question is one of the requirements  
5 is four days; I mean you may not be aware of  
6 this, but one of the requirements that we've had  
7 of people applying for pub crawls is that they  
8 notify you. They come before us. We always ask  
9 did you notify MPD. So do you, when they notify  
10 you, do you engage them in any way or do you just  
11 say, oh, okay, we're noticed and that's good? Do  
12 you have a conversation with them? How does that  
13 work?

14 COMMANDER REESE: Commander Reese,  
15 we're having a, I'm sending you an email. We're  
16 having a pub crawl. That's it.

17 (Laughter)

18 COMMANDER KISHTER: But generally when  
19 they notify us, that's when we make the  
20 partnership and the plan to start the PSA  
21 Lieutenant, who is responsible for that area or  
22 whatever with whoever's there and dedicate a

1 series of meetings and information that's shared  
2 with both parties and the planning board and -

3 COMMANDER REESE: See, I feel slighted  
4 now because I wasn't getting that type of  
5 gratuity, right.

6 MEMBER ALBERTI: Well, I will just put  
7 this out there and this is maybe just my opinion,  
8 what I think the others will agree, if you're not  
9 getting cooperation, if people aren't calling you  
10 back and having discussion when you try to engage  
11 them, we would like to know. Just for the  
12 future, it's important for us to know how these  
13 people are operating, so. Thank you for coming.

14 CHAIR MILLER: Mr. Jones.

15 MEMBER JONES: Thank you, madam chair.  
16 Just from my perspective I'm trying to find a way  
17 to facilitate the pub crawl distance to try and  
18 help it work without it compromising public  
19 safety. So my questions are probably going to be  
20 from a different perspective from that  
21 standpoint, so let's talk about the 9:00 or 9:30  
22 end time. Is that nice to have or is that a must

1 have?

2           COMMANDER REESE: I would say to me I  
3 think it's a nice to have an end like that  
4 especially in particular the summertime because I  
5 mean you're looking at the cover of light.  
6 That's when it just starts to get dark at 9:00,  
7 so the people that get marked and we have that  
8 doesn't happen a lot but it does happen, if  
9 they're too intoxicated get marked to be robbed  
10 or something like that.

11           MEMBER JONES: Right.

12           COMMANDER REESE: So that would,  
13 that's an extra added, to me the light is, the  
14 natural light is an extra added layer of security  
15 in the public safety realm, so -

16           COMMANDER KISHTER: Because what  
17 you'll have is you'll have an overlap. You'll  
18 have the pub crawl still going on. Then you'll  
19 have people that aren't really associated with  
20 the pub crawl coming to have dinner and hang out  
21 afterwards so then you'll have almost twice the,  
22 possibly twice as many people, a whole group

1 that's already maybe possibly been drinking for  
2 most of the day and then other folks coming in as  
3 well, so then you'll have pretty much population  
4 down there. At that point it might become  
5 unmanageable.

6 MEMBER ALBERTI: So from a pub crawl  
7 business owner standpoint, what could that  
8 individual do or that company do or that entity  
9 do to help mitigate that risk? So, I understand  
10 it's nice to have and those are situations that  
11 from your perspective you're trying to keep from  
12 being a problem. What can the pub crawl offer to  
13 you or to us to help us understand how they're  
14 potentially mitigating that risk, because it's  
15 not a guarantee, it's a risk? These are possible  
16 things that could happen.

17 I'd hate for a pub crawl to shut down  
18 because of the possibility that this might happen  
19 and they can't operate after 9:00 because of the  
20 possibility that this might happen but they may  
21 be able to offer us and incorporate it in their  
22 business model how they could potentially

1 mitigate that risk to work in conjunction with  
2 you from that standpoint, so I'm trying to find  
3 out are there options or is it a non-starter?

4           COMMANDER REESE: Well one thing he  
5 mentioned earlier was that if you could have a  
6 way of making sure that no overconsumption for  
7 students occurs.

8           MEMBER JONES: Okay.

9           COMMANDER REESE: That's one good way  
10 right there.

11           MEMBER JONES: So if they had built in  
12 some type of something, I don't know, some type  
13 of contingency, some type of oversight, some type  
14 of review, whatever, to ensure that to the best  
15 of their ability that there's no overconsumption  
16 taking place with their participants that'd be  
17 one way where it could mitigate the issues and  
18 you would not have as much of a problem with it  
19 taking place after 9:00; i.e. ending at 10:00,  
20 ending at 11:00, some reasonable time but not  
21 that hard stop at 9:00? Is that fair?

22           COMMANDER REESE: Most of them end at

1 11:00 anyway I think.

2 MEMBER JONES: I'm sorry?

3 COMMANDER REESE: Most of them  
4 probably end at 11:00.

5 MEMBER JONES: Yes, and that's  
6 probably really what I'm having heartburn about  
7 is most of these pub crawls that I've had the  
8 opportunity to review aren't going extremely late  
9 into the night. It's not that much after 9:00 so  
10 maybe 9:00 isn't an issue for them. I don't know.  
11 I can't speak from an industry standpoint but I  
12 never like hard and fast without there being  
13 alternatives.

14 So, yes, you can go after 9:00 but  
15 it's going to cost you more because you're going  
16 to need to do more things. Is that an option  
17 that can even be entertained or from your  
18 standpoint it's a hard and fast 9:00. I don't  
19 want to hear anything after that, because it  
20 can't work and what I'm not getting from you is  
21 that it's a hard and fast. It's just that it's  
22 not ideal but these are things that industry

1 could do to help mitigate what's not ideal. Is  
2 that a fair characterization?

3 LIEUTENANT HARRINGTON: Yes, that's  
4 fair.

5 MEMBER JONES: Okay. Thank you. Now,  
6 size wise, same question but different metric.  
7 Sizing of the event, is that somewhat from a  
8 standpoint of how it impacts public safety? Is it  
9 fair to say that that's going to be somewhat  
10 contingent on the environment in which it's in?  
11 So for example, Board Member Silverstein's  
12 assessment of a narrow sidewalk versus a wide  
13 sidewalk or a more closed area versus a more open  
14 area. Is that something that would weigh in on  
15 what you would deem to be an appropriate size is  
16 going to be contingent on the environment in  
17 which the activity is taking place or is it just  
18 a defacto 1000 need four RDO because I don't  
19 care where it is. If it's in an open area or a  
20 narrow area it's going to be the same issues that  
21 we have to deal with or does the location play a  
22 role in that and if so, what?

1                   COMMANDER KISHTER: Yes, I think the  
2 location does. Of course the greater the  
3 location there's probably the more officers  
4 you're going to need. I think with more crowd  
5 you potentially could have.

6                   MEMBER JONES: Right.

7                   COMMANDER KISHTER: So, yes, it  
8 definitely depends on where it's at and also the  
9 hours, but it also depends on how many officers  
10 you want have.

11                  MEMBER JONES: Okay.

12                  COMMANDER KISHTER: Because most crime  
13 doesn't usually happened during the day. A lot  
14 of crime usually happens between, you know, 6:00  
15 p.m. and 4:00 a.m. later at the night when it  
16 starts to get a little bit darker.

17                  MEMBER JONES: Right, right.

18                  COMMANDER KISHTER: So it depends on  
19 the hours and the location.

20                  MEMBER JONES: Okay.

21                  COMMANDER REESE: I think you're  
22 right, he's right.

1                   COMMANDER KISHTER: Yes, thanks.

2                   MEMBER JONES: Thank you. That's all  
3 I have for now. Thank you very much.

4                   COMMANDER REESE: I will tell you  
5 this.

6                   MEMBER JONES: Oh, yes, sir.

7                   COMMANDER REESE: If the criminality  
8 is looking at the same stuff you're looking at,  
9 so, they come to big events so don't think,  
10 they're out there. They monitor the same social  
11 media, the same advertisements, so if they look  
12 at something and they go where the picking is  
13 good.

14                   MEMBER JONES: Right.

15                   COMMANDER REESE: Not going where they  
16 can't make good breaking in cars or street  
17 robberies and stuff like that so, that's  
18 something and I think that's one thing that just  
19 needs to be in the back of everybody's mind.

20                   MEMBER JONES: Fair enough.

21                   COMMANDER REESE: Not to paint a doom  
22 and gloom picture but I think that's something

1 that would, we're really trying to -

2 COMMANDER KISHTER: And another  
3 important thing is the time of the event. We  
4 wanted to get adjourned -- Howard Homecoming, a  
5 large crowd so that would increase -

6 MEMBER JONES: Understood, understood.  
7 And just as a I guess maybe more of a statement  
8 than a question, but, I guess the general sense  
9 that I'm getting from the three of you is pub  
10 crawls as they have been operating to date isn't  
11 one of your top major issues that you feel like  
12 you have to tackle and fight as it has been, as  
13 they have been operating to date. Now we  
14 recognize that it's a growing industry, so we're  
15 trying to get in front of that before it becomes  
16 an issue and we're trying to put things in place  
17 to help mitigate problems as it grows but to date  
18 it's not one of those major thorns in your side  
19 in terms of how they've been operating and the  
20 number of problems they've been causing or am I  
21 mischaracterizing my interpretation of the  
22 feedback that I'm getting from you?

1           COMMANDER KISHTER: Yes, like I said  
2 earlier it hasn't been an issue in 2D nothing  
3 that has rise to the level of we're totally  
4 against this to work to make -

5           MEMBER JONES: Fair enough.

6           LIEUTENANT HARRINGTON: I was at a  
7 panel last year in Montgomery County and  
8 Arlington Police Department was there and  
9 specifically addressed the pub crawl issues.

10          MEMBER JONES: Okay.

11          LIEUTENANT HARRINGTON: So it might be  
12 interesting to, in going forward in the working  
13 group to invite them in and say okay, what were  
14 your problems. Why did -

15          MEMBER JONES: Right, right.

16          LIEUTENANT HARRINGTON: -- how did you  
17 mitigate these problems because they've dealt  
18 with it head on and -

19          MEMBER JONES: While being at the  
20 wheel.

21          LIEUTENANT HARRINGTON: -- at least  
22 last year, so I think they would be a good

1 resource of someone to say well these are some  
2 things you might want to look at to avoid issues  
3 as we go forward.

4 MEMBER JONES: Fair enough.  
5 Excellent. Thank you. Thank you, Madam Chair.

6 CHAIR MILLER: Others? Yes. I just  
7 have a couple questions because most of mine have  
8 been asked and answered. One is about the RDO  
9 and security. I know you've mentioned that it  
10 would be a good idea for them to have RDO, is  
11 that right, if there are certain numbers? I  
12 would ask you sometimes I think we hear that they  
13 have their own security. What do you think about  
14 that?

15 COMMANDER REESE: Well their security  
16 is internal. The reimbursable detail would  
17 handle public space. They can't, by the nature  
18 of the way the security laws are, they can't go,  
19 well they'll be out there but they can't mark the  
20 path of where the pub crawls are so.

21 CHAIR MILLER: They can't do the same  
22 things that MPD can do?

1                   LIEUTENANT HARRINGTON: No, but I  
2 think that they could be a key component as far  
3 as like I talked about, the monitoring that  
4 overconsumption and making sure that what's  
5 happening inside the ABC establishment, not just  
6 taking the problems from inside and then putting  
7 them out and down the road for the next one.

8                   CHAIR MILLER: Right.

9                   LIEUTENANT HARRINGTON: So I think  
10 that they're a part of that discussion, but.

11                   COMMANDER KISHTER: And the other  
12 thing, they're responsible for checking IDs.  
13 MPD's known for checking IDs so that's something  
14 else that is tasked for them to do.

15                   CHAIR MILLER: So currently do the pub  
16 crawl organizers go over those things with you?  
17 The security?

18                   LIEUTENANT HARRINGTON: Yes, I mean  
19 that's one of the first things we ask, can we see  
20 a security plan. We want something written  
21 that's detailed. That way we know being in touch  
22 we can make suggestions. One of the other big

1 things that we like for all establishments to  
2 have is video cameras as well. God forbid  
3 something happened, you have that, you can access  
4 the video and hopefully ID whoever's involved in  
5 those incidents, so that's another thing that's  
6 helpful as far as the security plan.

7 CHAIR MILLER: And then the other  
8 thing is with the numbers because we've been  
9 having these pub crawls for a few years and I'm  
10 pretty sure that most of them are over 1000 or  
11 they apply for over 1000. I don't know if it  
12 ends up being over 1000 and we haven't heard that  
13 there've been problems so I guess that's what I  
14 wanted to ask about this number thing one more  
15 time. I think I understand that we should be  
16 looking at, it may be different for narrow  
17 sidewalks versus wide ones or whatever, so that  
18 isn't a hard number, per se, it's just a ball  
19 park and then look at the circumstances or what?

20 COMMANDER KISHTER: Yes, because I  
21 mean on any given Friday, Saturday you'll have a  
22 couple thousand people on U Street in Adams

1 Morgan easily.

2 CHAIR MILLER: Mm-hmm.

3 COMMANDER KISHTER: So, we're able to  
4 manage that. That's what I was saying the cut  
5 off time is what's important to be able to  
6 manage, be able to manage those numbers but then  
7 manage 8000 people.

8 CHAIR MILLER: Right.

9 COMMANDER KISHTER: So it all depends  
10 on what you were talking about, the situations,  
11 time of the year, time of the day, so that's one  
12 of the things we would look at.

13 LIEUTENANT HARRINGTON: And I think  
14 part of the problem too, maybe is delineating  
15 what part of that crowd is the pub crawl crowd  
16 and what part is the regular Adams Morgan or U  
17 Street crowd and somehow tracing it back and  
18 saying either through a report that we take or  
19 whatever, however it comes about that you  
20 identify that the people involved and whatever  
21 are related to the pub crawl so you can say well  
22 this pub crawl had X number of people; we had

1 this amount of problems. Because part of the  
2 problem right now is you can't really necessarily  
3 once they start blending together separate out  
4 who was, who was where, and if it was an issue  
5 related to the promoter or the person putting on  
6 that event and how they handled the pub crawl  
7 versus just Friday and Saturday night with the  
8 influx of people we get and, night life areas.

9 CHAIR MILLER: So following up on that  
10 point, I think it's come to our attention for the  
11 first time that there was an instance where two  
12 pub crawl organizations have applied for the same  
13 night and so I don't know, again, I mean it  
14 somewhat seems like common sense, okay one at  
15 least look the numbers for each so that you're  
16 not exponentially increasing the numbers of  
17 people but do you see any other problems with  
18 more than one pub crawl in a close area or the  
19 same area in a night?

20 COMMANDER KISHTER: It depends if it's  
21 the same establishments and the same area then  
22 yes, you're still managing the same area with the

1 same amount of resources but if its spread out  
2 even further, then you're really thinning out  
3 those resources. It would be much harder to  
4 manage. Two, going on simultaneously and just  
5 from a business sense it wouldn't make any sense  
6 to me to have two of them going on at the same  
7 time because then somebody's losing business but  
8 you definitely wouldn't want them to overlap  
9 because I think it would a lot harder to manage.

10 CHAIR MILLER: Any other questions?

11 MEMBER GONZALEZ: One quick question.

12 CHAIR MILLER: Yes.

13 MEMBER GONZALEZ: Commanders, do you  
14 keep a registry of all the pub crawlers that  
15 companies that contact you?

16 COMMANDER KISHTER: Yes, because I  
17 mean for every event we have, we create our own  
18 plan --

19 MEMBER GONZALEZ: So you have your  
20 own, so you have a contact list?

21 COMMANDER KISHTER: keep track of all  
22 that stuff.

1 MEMBER GONZALEZ: Great. Thank you.

2 CHAIR MILLER: Yes, Mr. Silverstein

3 MEMBER SILVERSTEIN: So if you have,  
4 would it be easier for you if we limited to one  
5 pub crawl at a time in a location or does it  
6 matter that we could have two going on at the  
7 same time and the difficulties that would cause  
8 you or is this just not, not a problem?

9 COMMANDER REESE: I would say in  
10 working with the business community I would say  
11 just don't have a hard fast rule. Look at the  
12 totality of it. It may or may not, just like  
13 Commander Kishter said if it overlaps we might  
14 want to reconsider, but in our, like in second  
15 district, it could be two different areas, and it  
16 wouldn't I think it would be spread out. I don't  
17 think it would have an impact, so.

18 MEMBER SILVERSTEIN: And speaking of  
19 the business community, there's a lot more than  
20 just licensed establishments. There are retail  
21 establishments, things like this. These increase  
22 foot traffic, but are they good for business, bad

1 for business for retail? What effect does this  
2 have on the rest of the, on the rest of the  
3 business community?

4 COMMANDER REESE: I haven't, in my  
5 area, I haven't heard anything negative.

6 COMMANDER KISHTER: Yes, I mean, I  
7 think it's good for everybody, so the more  
8 business, the better.

9 MEMBER SILVERSTEIN: Thank you very  
10 much, gentlemen.

11 CHAIR MILLER: I have one last  
12 question. Just about our processes. I mean  
13 because I understand that the organizers come to  
14 you first and work with you and then they come  
15 before us and to me it might be helpful if when  
16 they come before us they could be able to have  
17 something from you saying that, yes, you're okay  
18 with this or then it gives is a lot more  
19 confidence in their numbers or in their whatever  
20 else they're showing if that doesn't create too  
21 much work for you it would be helpful for us I  
22 think. Mr. Jones.

1                   MEMBER JONES: I think and not to make  
2                   it too onerous I think primarily what we're  
3                   looking for is just confirmation of the fact that  
4                   they actually have contacted you and as opposed  
5                   to them just giving us lip service to the fact  
6                   that they have and they said they talked to  
7                   someone on the phone that they don't know their  
8                   name and can't remember when they called. If you  
9                   could just acknowledge receipt of okay  
10                  acknowledge that you've contacted us. Thank you.  
11                  Just so they have that piece of paper from an  
12                  email that's official just helps us have a warm  
13                  and fuzzy that they've done some due diligence to  
14                  make you aware, provide that notice and not  
15                  within three days.

16                  COMMANDER KISHTER: Understood.

17                  CHAIR MILLER: Do you have any other  
18                  questions for us or anything? Well thank you  
19                  very much for coming down. It was very helpful.  
20                  Our second panel, Melvin Hines from D City Smoke  
21                  House, John Gross, resident in Acre 121 in Lou's  
22                  City Bar and Kevin Sign of the Whale, does that

1 sound familiar to anybody? That's what I have on  
2 my panel. Nobody in that panel? Alright. You  
3 can't hear me? Okay. I'm sorry. Let me repeat  
4 the list, Melvin Hines. Is Melvin Hines here?  
5 Come on up. You don't want to come up.

6 MR. HINES: Yes, that's fine.

7 CHAIR MILLER: Oh, you submitted  
8 testimony?

9 MR. HINES: Yes.

10 CHAIR MILLER: Okay, fine. I will  
11 make note of that. John Gross. Are you here?  
12 No. Alright. Then I have Sign of the Whale.  
13 Kevin from Sign of the Whale. Alright. Panel  
14 three, Ted Guthrie, ANCLC and on ABC Public  
15 Safety Committee; Denis James, Keller Ames  
16 (phonetic) Citizens Association; Benedicte  
17 Aubrun, RCNA. Doesn't matter today. Yes. And,  
18 Benedicte Aubrun isn't here? Okay. She's  
19 outside. And then I have Coralee Farlee chairing  
20 RNC60 and ABC Committee. Ms. Coralee, that's  
21 you. Come on up, yes. Let me see if I did this.  
22 So, I may or may not do this five minute thing.

1 I'll try. You're first, Mr. Guthrie. You ready?

2 MR. GUTHRIE: Yes.

3 CHAIR MILLER: Okay.

4 MR. GUTHRIE: I don't have any  
5 prepared testimony for you.

6 CHAIR MILLER: Okay.

7 MR. GUTHRIE: I just wanted to be  
8 clear with the Board that my board and ANCLC have  
9 worked very hard to minimize pub crawls in our  
10 area because we recognize the potential problems  
11 that to me seemed inherent to the pub crawl and  
12 to do that we have included in nearly all of our  
13 summary datas, the prohibition on pub crawls.

14 Part of the reason that the police may  
15 not have experienced problems with pub crawls in  
16 Adams Morgan is that they really don't seem to  
17 happen much and when they do there's maybe one or  
18 two bars that are involved. To me one of the  
19 questions I have is who's paying for the  
20 reimbursable detail officers? Are the promoters  
21 paying for these reimbursable detail officers or  
22 are we taxpayers or the BID or someone else

1 basically paying for a cost of their doing  
2 business and I have a real problem with that.

3 A lot of these pub crawls that I've  
4 heard about promote themselves as something  
5 that's in the benefit of the community because a  
6 certain amount is going to a charity of some  
7 sort. Frequently my guess would be a lot of the  
8 costs associated with putting it together will  
9 end up eating up most of the money that they make  
10 off of this and I have serious doubts as to that  
11 it's getting to a charity. I think the whole  
12 point of a pub crawl from a consumer point of  
13 view is to get the optimum amount and quantity of  
14 alcohol for the cheapest possible rate. It's the  
15 Wal-Mart of the alcohol industry and it does not  
16 seem to me in the interest of the neighborhoods  
17 that they would be in from a quality of life  
18 perspective as well as from a public safety  
19 perspective to encourage this.

20 I understand the Board's interest in  
21 setting some guidelines so that since these are  
22 able to happen at least through portions of the

1 District that you're able to monitor and regulate  
2 those. I fully understand that, but please don't  
3 make it that well if they can do it in this  
4 neighborhood, they should be able to do it in  
5 this neighborhood. We don't want them in Adams  
6 Morgan. We've got more than enough problems in  
7 Adams Morgan without having people doing what  
8 amounts to binge drinking for a period of three  
9 to four hours. I don't care when it is. It  
10 doesn't make any difference to me whether they're  
11 urinating on my front yard at 6:00 p.m. or 9:00  
12 p.m. I don't like it, so we would ask that you  
13 take that into consideration as you mold your  
14 rules and please don't eliminate prohibitions  
15 against pub crawls in subdivisions. Thank you.

16 CHAIR MILLER: Okay. Thank you.

17 MR. JAMES: Good afternoon, Dennis  
18 James. I do have some written testimony for the  
19 Board.

20 CHAIR MILLER: Okay.

21 MR. JAMES: But I'll start off with a  
22 couple of introductory remarks. Even though we

1 do have essentially a pub crawl free neighborhood  
2 because of a settlement agreement situation where  
3 it's in, I think it might be in every settlement  
4 agreement, that's been done since the year 2000,  
5 an agreement not to participate. Until that was  
6 in place we did experience pub crawls regularly  
7 and I would say it probably ceased around the  
8 year 2004 and they were very ugly events, at  
9 least taking place in Adams Morgan with port-a-  
10 potties lined up in an alley outside apartment  
11 bedroom windows for instance and all manner of  
12 hygiene taking place in the public streets, kids,  
13 people being pushed around in shopping carts  
14 going between establishments for the pub crawls,  
15 obviously public urination, public vomiting and  
16 so forth.

17 So we, it's not like oh, well, please,  
18 please know that we have experienced them, those  
19 of us who've lived there for a long time, so to  
20 get to the point of your letter addressing items  
21 in your letter, licensing of pub crawls, it's my  
22 understanding that the Board thought of creating

1 the pub crawl license to be able to more  
2 effectively regulate such events.

3 The question the Board should ponder  
4 is whether to give these events even a blush of  
5 respectability by granting a license and more  
6 rules that's making them more a part of the local  
7 ABC industry than they already are or to ban pub  
8 crawls entirely. What residential community  
9 wants an all-day binge drinking marathon taking  
10 place within its nearby commercial areas? What  
11 business association or BID would consider such  
12 events to be good for all area businesses when  
13 the signs that your neighborhood is experiencing  
14 a pub crawl are public urination and vomiting,  
15 rowdy drunken participants making life unpleasant  
16 for all around them, more security personnel  
17 needed and more and portable toilets lined up in  
18 the public space.

19 If a business is so marginal that it  
20 needs pub crawls to survive, then the Board  
21 should do nothing to prolong the life of such  
22 establishment. The Counsel and the Board are

1 licensing binge drinking by accepting such  
2 events. Is this the way that we teach people  
3 about how to responsibly use alcohol? Should the  
4 Board however, decide to continue to allow pub  
5 crawls licensing fees should be high, licenses  
6 should be protestable, no holder of another DC  
7 ABC license should be allowed to become a  
8 participant in a pub crawl license business,  
9 stricter enforcement rules should apply to these  
10 business, the hours and duration periods for  
11 events should the Board decide to allow pub  
12 crawls to continue and to attempt to regulate  
13 them, they should not be allowed to be all day  
14 affairs. A much shorter time span should be in  
15 effect, say four hours. They should never  
16 continue into the latter hours of operations, say  
17 beyond 10:00 p.m. In this way establishments  
18 that participate would not become overly  
19 dependent on them for revenue.

20 Size limitations for events. If pub  
21 crawls must exist, then the fewer participants  
22 the better, say no more than 500 persons.

1 Establishment participation. No establishment  
2 with a primary tier violation within the previous  
3 year should be eligible. No establishment with a  
4 sale to minor violation within the previous two  
5 years should be eligible. No establishment with  
6 two secondary tier violations within the last  
7 year or four secondary tier violations within the  
8 last two years should be eligible.

9 Safety and security measures for  
10 participants, establishments patrons and  
11 neighborhood services. Each establishment should  
12 have dedicated staff to check IDs and to control  
13 patrons' behavior to prevent aggression, violence  
14 and noise. Any incidents of violence must be  
15 reported to MPD and ABRA. Having a readily  
16 available supply of food in connection with a pub  
17 crawl should be a requirement to help temper the  
18 effects of the alcohol. Limitations should be  
19 placed on drink specials. That's it.

20 CHAIR MILLER: Thank you.

21 MS. AUBRUN: Ready, yes, good  
22 afternoon. This is Benedicte Aubrun from the

1 Reed-Cooke Neighborhood Association. I apologize  
2 I don't have a written testimony but RCNA is  
3 sharing the concerns of our ANClC. Also the  
4 concerns that of MPD that is understaffed and is  
5 already having a hard time in controlling and  
6 managing crowds especially in Adams Morgan.

7 I think the Board should concentrate  
8 more on the operation in Adams Morgan and make  
9 sure that there are necessary funds to stop all  
10 the chaos that is happening in June until  
11 September and have the operation at Adams Morgan  
12 being more of a success than it is now. Also,  
13 allowing pub crawl also is a violation of peace  
14 of order and quiet for a neighborhood especially  
15 like Adams Morgan and also it will be an issue  
16 for parking because we're oversaturated and for  
17 the safety of the pedestrians and patrons.

18 If you want to allow pub crawls I  
19 think that not just MPD should be notified. I  
20 think the ANCs and the neighborhood associations  
21 should be notified of such an event. The license  
22 fees should be higher than that. You should

1 restrict also the number of patrons allowed.  
2 RCNA consider that Adams Morgan does not need  
3 more drinkers because this is all about drinking  
4 and it's going to turn into the whole anarchy  
5 that Adams Morgan no, especially when the nice  
6 weather is coming back, so we need in Adams  
7 Morgan more staff even for the MPD on a monthly  
8 basis. RCNA will consider more like asking the  
9 BID or the establishments to provide the adequate  
10 staff and hire police officers at night because I  
11 don't believe that the citizens or our taxpayers  
12 money should pay for this kind of event  
13 especially if most of the majority of people or  
14 residents is against is and also in Section 712.4  
15 the third sentence, The Board may place  
16 restriction upon the number.

17 I don't believe that may is adequate  
18 in this language. It should be shall because my  
19 concern is that may, may be totally subjective  
20 and it depends on the situation or the event. It  
21 should be consistent with the beginning of the  
22 new amendment of this pub crawl and shall should

1 apply for every paragraph, so this paragraph  
2 712.4 and 712.5. Maybe I believe also that the  
3 application should be submitted more than 30 days  
4 if the Board decides to go along with the pub  
5 crawl, so the community can get organized and,  
6 because it's not just about the event or the  
7 establishment to get organized. It's also how  
8 the residents are going to react to it and how  
9 the ANC or neighborhood association are going to  
10 be able to inform or communicate with the  
11 residents.

12 I think that the Board or ABRA should  
13 reach out more to the community and not just with  
14 today because I don't believe that there is such  
15 a good turnout, especially with residents and  
16 other ANCs. It's important to have the community  
17 present so I know that you sent emails but we all  
18 are volunteers, we all have a life and a job and  
19 I just think that because of the importance of  
20 this amendment the community and ANC Board  
21 association should be really more involved before  
22 any changes have to be made. And also I as for

1 the fact that most of our settlements agreement  
2 in Adams Morgan prohibit the pub crawls and they  
3 should be kept as is. Thank you very much.

4 CHAIR MILLER: Ms. Farlee.

5 MS. FARLEE: Well I support the  
6 recommendation to notify the ANC the same on a  
7 manner that other notices are made. A suggestion  
8 on this previous discussion about who's in a pub  
9 crawl and who's an ordinary, regular, usual  
10 resident, how about badges for the pub, people  
11 who have paid into this pub crawl event so that  
12 even the next establishment knows that they're  
13 part of the pub crawl? I have three other  
14 questions. It was just mentioned the peace,  
15 order and quiet, the noise control law generally  
16 applies to noise exiting from an establishment  
17 but how about the noise that travels with the pub  
18 crawlers on the sidewalk and to the main entrance  
19 of residents, is there any plan to have some  
20 monitoring or what do you do about that,  
21 notifying the people to be quiet as you're  
22 traveling through the neighborhood or what?

1 We've done that in our neighborhood when people  
2 exit the cruise boats and head towards the subway  
3 they're usually very noisy or used to be very  
4 noisy and we have signs now that the cruise boat  
5 operators say be very quiet when traveling along  
6 the street to the subway, so maybe something like  
7 that to just be considerate of the neighbors.  
8 But I have two other questions about how this  
9 fits in with the new gun law, pistols -

10 MEMBER GONZALEZ: Ms. Farlee, excuse  
11 me, could you put the microphone a little closer  
12 to you. Thank you.

13 MS. FARLEE: Yes. Two questions about  
14 how, well one, one thing before that or as a part  
15 of that. I don't see a definition of what a pub  
16 crawl means. That is, is there a size of a drink  
17 that could be relevant that in connection with  
18 the gun law tasting, small sample, tasting  
19 permits are some of the premises that are  
20 excluded from the prohibition for carrying  
21 pistols so if pub crawls have Class As, whatever,  
22 have pub crawls and tastings then they can have

1 guns there, right? And similarly so the first  
2 suggestion is to perhaps have some definition of  
3 the drink size or something in each pub crawl. I  
4 don't know if that's possible for what the  
5 establishments do but if their drinks are small  
6 then it may be a tasting and how do you compare  
7 that? But my other question regarding the  
8 pistols and the gun law is what if people go  
9 first to where guns are okay according to that  
10 law, that is a CR, and later want to crawl to a  
11 CT where they're prohibited? What do they do  
12 with the gun? My questions.

13 CHAIR MILLER: Thank you. More  
14 questions? No. I want to thank you for raising  
15 some points that the Board will look into and  
16 we're looking at this regulation. There isn't  
17 going to be a regulation, but.

18 MS. FARLEE: There are going to be  
19 ABRA regulations about guns?

20 CHAIR MILLER: Oh, I don't think. I  
21 don't know. I can't answer that.

22 MS. FARLEE: And CRs and CTs?

1 CHAIR MILLER: I can't answer that but  
2 I can tell you that we will look at the laws and  
3 consider those points.

4 MS. FARLEE: Yes, it's confusing  
5 because where it's prohibited in everything but  
6 CRs, DRs, CH, DH, temporary or caterer license  
7 and this is a temporary, so this would be okay, a  
8 street festival for instance will not, the  
9 prohibition shall not apply to a caterer license  
10 or premises with small sample tasting permits.

11 CHAIR MILLER: We'll certainly take a  
12 careful look at that.

13 MS. FARLEE: Thank you.

14 CHAIR MILLER: Anything else?  
15 Alright. Thank you. Oh, I'm sorry, go ahead,  
16 Mr. Rodriguez.

17 MEMBER GONZALEZ: Mr. James, thank you  
18 for coming by and presenting testimony. Just on  
19 the licensing you recommend that pub crawls have  
20 licensing if they're to be approved. Could you  
21 expand on that a little bit more?

22 MR. JAMES: Well for them to be found

1 appropriate for companies put on pub crawls.  
2 Sometimes it's a one up but other times there's  
3 permanent companies in place and if the Board  
4 wants to really be able to regulate them then it  
5 seems that is a license under consideration so  
6 that you can properly assess penalties if there's  
7 transgressions and so forth. It seemed to me the  
8 Board's direction actually. So, if there is a  
9 license then it should be protestable.

10 I don't think that the Board should  
11 envision it as a temporary thing. It's probably  
12 going to actually create an industry of more  
13 companies that do this whereas there might be the  
14 sort of casual thing of people who do an one up  
15 once a year or a few people getting together to  
16 do it but there certainly have been companies in  
17 the past and I'm not up to date on all those  
18 possible companies right now. I imagine that  
19 there are some, so that's why I just, I think  
20 that's what's going, needs to happen, if there's  
21 a licensed company that is putting on events and  
22 they are problematic in a given community then

1 the residents should be able to protest and bring  
2 their concerns to the Board.

3 MEMBER GONZALEZ: Thank you.

4 CHAIR MILLER: Thank you very much.

5 MS. FARLEE: Thank you.

6 CHAIR MILLER: Hillary Espinoza? Is  
7 she here?

8 MEMBER SILVERSTEIN: Hillary Espinoza?

9 CHAIR MILLER: From Golden Triangle  
10 BID. Chris Miller, ANC6C05; Noah Smith, ANC  
11 chair 2B09. Okay, we'll go on to panel 5. Rob  
12 Brady, DC resident and organizer; Dave Lindy,  
13 Lindy Productions and Shane Springer, Lindy  
14 Productions. Are they here? Okay, panel, oh.

15 MR. LINDY: Hi.

16 CHAIR MILLER: Hi, what's your name?

17 MR. LINDY: Dave Lindy and I'm with  
18 Lindy Promotions.

19 CHAIR MILLER: Okay, you're Dave  
20 Lindy?

21 MR. LINDY: Yes.

22 CHAIR MILLER: Okay, so -

1 MR. LINDY: I've been called that.

2 CHAIR MILLER: And Shane Springer is  
3 not -

4 MR. LINDY: He's back there.

5 CHAIR MILLER: Oh, do you want to come  
6 forward or no? No. Okay.

7 MR. LINDY: I'll speak for both of us.

8  
9 CHAIR MILLER: Alright. Well, I don't  
10 know. Alright. Is Albert Fall here from  
11 gocrawling.com and is John Gable here from  
12 barcrawls.com? Do you want to testify or? Okay.  
13 And then is there a Scott Jacobs here? Did you  
14 want to testify? No. Alright, so that's all the  
15 names I have so far so why don't we hear from Mr.  
16 Lindy and then see if there's anybody else after  
17 that.

18 MR. LINDY: Cool. I don't really have  
19 anything prepared to say. I wasn't planning to  
20 speak.

21 CHAIR MILLER: Oh, okay.

22 MR. LINDY: But since I'm the only

1 organizer here who's willing to I'm happy to  
2 because I think a lot of what I've heard so far  
3 is from the officers is very positive and you  
4 guys asked a lot of really good questions. It  
5 seems that you really do want to make this safer  
6 for public and residents in the neighborhoods. I  
7 took some notes from the first panel and I just,  
8 I was surprised that you guys didn't hand out the  
9 actual law as it is for the existing pub crawls  
10 because a lot of what you guys went over with the  
11 officers is already in law, which decides or  
12 mandates how far in advance you need to apply for  
13 these so it's surprising to me that the officers  
14 aren't aware that these are happening if we've  
15 applied with enough lead time and you approve  
16 them with enough lead time then how do they not  
17 know it's happening. And nowhere in the law does  
18 it state we need to talk, we need to contact the  
19 officers in advance and I know the law because I  
20 actually wrote the law. I've been doing this for  
21 23 years in DC. The first one was in 1992 and  
22 you guys came to me in 2000 and asked me to help

1 draft these regulations so that they were not the  
2 wild west and that ABRA would know what was going  
3 on and really most importantly know what bars  
4 were involved so that you guys would be able to  
5 have input on say a licensee who had a few  
6 incidents of underage drinking or, or fights or  
7 whatever. So basically what we had been doing, I  
8 put into writing and you guys accepted it  
9 verbatim and that's been the law as how we've  
10 been applying for permits for the last 12 to 14  
11 years, maybe 15 years.

12 As you heard from the officers there  
13 really haven't been any incidents regardless the  
14 hours, regardless the number of people and I  
15 think that means we've done a good job as the  
16 organizers as you guys, basically mandating who  
17 gets the permit, who doesn't and as us putting on  
18 a safe event, I know that my company hires city  
19 security who is the owner, Ed Lewis, is a former  
20 DC cop and he works with 2D. We only do them in  
21 the DuPont Circle area by the way. We don't go  
22 to U Street, we don't go to Adams Morgan. I

1 think Adams Morgan as you heard has self, polices  
2 itself, so I don't even think that's an issue  
3 anymore. They don't happen there. They can't  
4 because the bars can't do them.

5 But going back to the security and  
6 making the event safe we've always had an open  
7 dialogue with our security team and the District  
8 Commander as to when they're happening, how many  
9 people to expect, what our security plan would be  
10 which is hiring his company to be a force within  
11 whatever they call as they referred to the root,  
12 but we also hire another company to check IDs,  
13 bonded and licensed and insured, so that we're  
14 covered on all bases and we've been doing these  
15 things for so long that our permits get approved  
16 all the time and I think what's happened is the  
17 market's become saturated with other companies  
18 who may or may not take as many precautions,  
19 spend the money on their own security, ID  
20 checkers as well do and then some bad things may  
21 come out of it, which is a segue into what's  
22 happened in Arlington and Clarendon.

1                   They didn't have the same permit  
2                   process that we have here and people, whoever had  
3                   200 Facebook friends would put on a pub crawl and  
4                   sometimes the bars wouldn't know they were  
5                   coming. The police certainly didn't know they  
6                   were coming. There was security and they just  
7                   got out of hand and so they were being reactive  
8                   where you guys have been proactive. So I think  
9                   what we have is not broken, it may not need to be  
10                  fixed, but yes, it can be further regulated. I  
11                  don't think it's a bad idea the way this is  
12                  written up to get a license per company for the  
13                  year. I don't have a problem spending the money  
14                  to be one of those licensed companies. I think  
15                  that's a good revenue generator for the city and  
16                  I, most of these I have no problem with at all  
17                  and I think the biggest thing that came out of  
18                  the first panel was that those guys just want to  
19                  be notified so they can be prepared for it and I  
20                  think we have those regulations in place already.  
21                  It's just that somehow I think Mr. Silverstein  
22                  mentioned the right hand, one hand doesn't know

1 what the other was doing and so the cops were  
2 getting blindsided three days out because they  
3 didn't know it was coming and then they're forced  
4 to have to hire extra people or what have you so,  
5 that's it for me.

6 CHAIR MILLER: Is that it, because I  
7 think you were being very responsive to his  
8 admissions, so if you have anything more.

9 MR. LINDY: Oh, I mean I pretty much,  
10 the notes I took, oh the only other thing was the  
11 name. For years we didn't refer to ours as pub  
12 crawl or bar crawl. We called them bar tours for  
13 that exact reason and also our sponsor, which is  
14 the beer companies, wouldn't allow us to call  
15 them pub crawls because of the negative  
16 connotation but once it went into law as pub  
17 crawls, I mean the cat's out of the bag.  
18 Everybody knows what it is. You can call it  
19 whatever you want but at the end of the day it's  
20 a pub crawl but we were being proactive in not  
21 even calling them that and we still don't as a  
22 matter of fact. We have different names for

1       them. Leprechaun Lap, Midtown Liberty Bar Tour,  
2       stuff like that.

3                       We don't promote to college kids at  
4       all. We stay away from the college campuses  
5       because we know that nothing good is going to  
6       come out of those guys coming. We need to market  
7       to young professionals in the District, Maryland  
8       and Virginia suburbs and my last, two more  
9       things. The Special Event Task Force was  
10      mentioned. I think that's a really bad idea  
11      because I've been through that to go to have a  
12      festival for and it is not a pleasant experience.  
13      For what we're doing I don't think it's  
14      necessary. And lastly, everyone's mentioning the  
15      cost to put these things on and as far as the  
16      city's absorbing, but no one's mentioned the  
17      positives that come out of the actual money  
18      that's coming into the District in Metro  
19      ridership, in taxi ridership, Ubers and all of  
20      the tax that the city's collecting on all of the  
21      beer and the alcohol that guests and patrons are  
22      consuming and the bars are paying, not to mention

1 the jobs and everybody else.

2 The bars are bringing on extra  
3 bartenders, extra ID guys, so it's creating more  
4 income for the employees and also at the end of  
5 the day, people are going to go to the  
6 restaurants. They're going to go to McDonald's,  
7 they're going to go eat pizza and it's just  
8 generating revenue for the whole neighborhood,  
9 which I think you heard from Officer Reese. And  
10 that's all I've got.

11 CHAIR MILLER: Thank you. I'm sure  
12 there are questions.

13 MR. LINDY: Sure.

14 CHAIR MILLER: I have a few actually,  
15 just, basically questions that were raised before  
16 the first panel with the officers so I think it  
17 was, well I'm not sure if it was Commander Reese  
18 or another one, but he talked about that your  
19 private security doesn't cover the route. Like  
20 if there are problems, bunches of people along  
21 the route in between establishments. Can you  
22 address that because I, and he talked about

1 having, therefore, RDO.

2 MR. LINDY: I think those need to be  
3 taken by a case by case basis based on the  
4 history of the promoter and the events that  
5 they've had, any problems that have occurred. I  
6 know what we do is we have static officers in the  
7 registration bar or bars as it may be and then we  
8 have guys that patrol just like they do. Now they  
9 don't have the necessary authority that our  
10 private, they them special officers, do but  
11 they're there so if they see something, first of  
12 all they're dressed in uniform and they have a  
13 presence about them. They can notify an MPD  
14 officer right away so that's basically more eyes  
15 out there and a presence at the same time.

16 CHAIR MILLER: How about the size  
17 question? I think it came up, I don't remember  
18 now, it's 500 or 1000 as the max or something?

19 MR. LINDY: Speaking from experience,  
20 I go back to the same answers. Some companies are  
21 equipped to handle thousands of people. Others  
22 are not and I think that comes into you guys

1 deciding who you want or who you allow to put on  
2 events of a certain size. We spend the money to  
3 have the security and the protection. We have  
4 enough staff to, so that we can get the people  
5 through so there aren't lines on the sidewalk and  
6 it's a natural, to me obvious, you don't want to  
7 go over a certain number because the quality  
8 event is going to suffer because of the people  
9 can't get into the establishments because there's  
10 a line at every bar, they're not going to come  
11 back and so what we've done is get more  
12 establishments or we stop selling tickets.

13 CHAIR MILLER: So what do you think is  
14 a reasonable number?

15 MR. LINDY: I can't answer that  
16 because --

17 CHAIR MILLER: You can't even say that  
18 for ten establishments a reasonable number is  
19 1000, or you -

20 MR. LINDY: I mean then you can just  
21 do the math. It's how many, what's the occupancy  
22 of each place and as you mentioned earlier,

1 sometimes they are over a six or seven hour  
2 period so if you took the occupancy, if everybody  
3 was there at one time, which they don't, it  
4 doesn't happen that way, you have people that  
5 come right when it starts and then they go do  
6 something else. You have people that come at the  
7 very end just to get their wristband and then  
8 they just, they stay around all night. So it's  
9 not an exact science and I think everyone has to  
10 realize that when coming up with these  
11 regulations that it really is not an exact  
12 science. I think again its all preparation,  
13 communication with the, with the District that's  
14 the events are taking place in.

15 CHAIR MILLER: Yes, Mr. Short.

16 MEMBER SHORT: You mentioned the first  
17 panel and then you had to hear us talk about the  
18 hours, the 9:00, 9:30 was mentioned. You sound  
19 like a very experienced not call it pub crawl,  
20 what's the right terminology you said?

21 MR. LINDY: Pub tour, bar tour, pub  
22 crawl.

1 MEMBER SHORT: Pub tour.

2 MR. LINDY: I mean it is what it is.

3 MEMBER SHORT: Alright, well I'll just  
4 say this, hours. What do you think of one of the  
5 police officers, one of the commanders mentioned  
6 the hour of 9:00 or 9:30 because of their shift  
7 change? How does that affect your pub crawl or  
8 your pub tour?

9 MR. LINDY: It really depends on which  
10 one, and I'll give you three examples. Our St.  
11 Patrick's Day, it already ends at 9:00. It's a  
12 daytime thing. We do one on July 3rd which it  
13 starts at 5:00 after people get off of work, so  
14 that one tends to go a little bit later. And  
15 then for Halloween we do one that starts in the  
16 evening, like I think the registration's 4:00 or  
17 5:00 and that tends to go later than 9:00 because  
18 it's Halloween and people that dress up usually  
19 don't go out during the day. It's just a matter  
20 of the way, the way people's behavior is and this  
21 is -

22 MEMBER SILVERSTEIN: How late does it

1 go?

2 MR. LINDY: Which one?

3 MEMBER SILVERSTEIN: Halloween.

4 MR. LINDY: I think we've been  
5 midnight, specials end at midnight. So when I say  
6 go, I must define, our registration period when  
7 they can come redeem their ticket for the event  
8 wristband or buy a ticket is usually a five hour  
9 window from 5:00 to 10:00. The specials that  
10 they have the wristband for, she mentioned  
11 wearing a badge of some sort so that everyone  
12 knows they're part of it, we give them a  
13 wristband because they want the bars to know  
14 they're part of it so they get the specials and  
15 then Halloween, a lot of the bars that we work  
16 with won't let anybody in unless they have the  
17 wristband because they know we're going to do  
18 enough business that they can do that. So the  
19 Halloween, the registration period ends at 10:00  
20 but the specials will go till midnight.

21 MEMBER SHORT: So you're saying hour  
22 wise it depends on the event and you're also

1 saying you haven't experienced any problems with  
2 the hours that you've been using so far?

3 MR. LINDY: No.

4 MEMBER SHORT: Historically  
5 everything's worked out well?

6 MR. LINDY: Yes, 23 years.

7 MEMBER SHORT: So you, but you're  
8 saying -

9 MR. LINDY: And like three times a  
10 year, something like that.

11 MEMBER SHORT: But you're saying what  
12 you're experiencing and you've never had any  
13 problems and you can handle the large crowds but  
14 you're saying every operator of pubs, pub events  
15 isn't, what would be the standard?

16 MR. LINDY: I'm speaking from  
17 experience.

18 MEMBER SHORT: What, in your opinion,  
19 what would be the standard? How could this Board  
20 or how could this government say let's say a,  
21 some kind of standard for an operator to have a  
22 certain number of people? Do you have any

1 suggestions?

2 MR. LINDY: So, you're asking about  
3 the hours or the attendance?

4 MEMBER SHORT: Well, I'm speaking of  
5 experience and you were speaking that you, that  
6 you've never had a problem in all the year, 20  
7 some years, and so apparently you know what  
8 you're doing. But you did mention there are some  
9 operators who cannot handle the volume you  
10 handle. What should be a standard?

11 MR. LINDY: I didn't say that. I said  
12 there may be some operators that don't have the  
13 experience or don't spend the, make the  
14 investment in security and I don't know. I heard  
15 you rattle off a few up there. I don't really  
16 know much about what other people are doing.

17 MEMBER SHORT: Thank you. That's it  
18 from where I stand. Thank you.

19 CHAIR MILLER: Yes, Mr. Rodriguez.

20 MEMBER GONZALEZ: Somebody mentioned  
21 in our previous testimony about licensing the  
22 businesses. Can you give me your response to

1 that, reaction to that?

2 MR. LINDY: That's pretty much what is  
3 in here, right? In the proposed rules? Isn't  
4 that what it says? I mean I just got handed this  
5 today. I didn't know I was going to be speaking.  
6 I didn't know that this was even out there, so a  
7 lot of this is just off the cuff based on what  
8 I've been hearing. To me this says promoter or  
9 organizer of a pub crawl should be required to  
10 obtain a pub crawl license. So you're asking  
11 what I think about it? I think its fine. We're  
12 already doing that. We're getting permits per  
13 event. This covers the entire year. I think this  
14 is even better.

15 MEMBER GONZALEZ: Good. Good  
16 response. Thanks.

17 CHAIR MILLER: Others?

18 MEMBER ALBERTI: I'm going to ask sort  
19 of a trick question. Since you said you wrote the  
20 law and you have been running I'll say, well  
21 you've been conducting well run events.

22 MR. LINDY: Thank you.

1                   MEMBER ALBERTI: Well, that's your  
2 statement. I will tell you that you have a  
3 reputation for, that is your reputation because  
4 we had not experienced any problems with the  
5 events you've run. So what did it, and you wrote  
6 this law, so what do you think it is in the  
7 current law that makes, that makes a good pub  
8 crawl? I mean the District has been lucky. We  
9 haven't had the problems that Arlington has had  
10 and I think it is because of this law. I agree,  
11 but so, but I want to focus in on what you think  
12 are the critical elements of this law that have  
13 helped to have such a I'll call it success in the  
14 both for the businesses and for the public in  
15 with our pub crawls?

16                   MR. LINDY: Basically the lines of  
17 communication have been open. So you guys know  
18 what's going on and that way you can be proactive  
19 in policing licensees that have had maybe some  
20 bad marks on their record and then that's  
21 happened with us. You said, hey, you have twelve  
22 bars but two of them we can't allow, so we would

1 go to them and say, look guys you guys can't be  
2 on here because you had whatever and then they  
3 would go to you to try to sort through that or  
4 they wouldn't participate, so I think that's  
5 number one. I think having the responsibility in  
6 writing knowing that you have to answer to this  
7 if something were to go wrong forces the  
8 organizers to go the extra step to provide the  
9 security, pay for the extra guys there, do it the  
10 right way and I mentioned wild west a little bit  
11 ago. I think this has basically corralled that  
12 and made us more responsible as per the letter of  
13 the law where before there was nothing about  
14 anything in the law. We could have done whatever  
15 we wanted for the most part.

16 MEMBER ALBERTI: Thank you.

17 CHAIR MILLER: Others? Yes, Mr.  
18 Short.

19 MEMBER SHORT: My last question for  
20 you is also with the proposed rulemaking, \$250 do  
21 you think that's an appropriate amount of money  
22 for a replicable pub event?

1 MR. LINDY: For the year?

2 MEMBER SHORT: For the year, yes.

3 MR. LINDY: I think its fine.

4 MEMBER SHORT: Thank you.

5 CHAIR MILLER: Others? I have a  
6 question. So what we heard from the police and  
7 from you all is that often people sign up last  
8 minute so it's hard to predict exactly how many  
9 people you're going to have. Do you try to  
10 employ any incentives so that people will sign up  
11 earlier, such as -

12 MR. LINDY: Oh, yes.

13 CHAIR MILLER: It's cheaper at the  
14 beginning, earlier? You do that.

15 MR. LINDY: Yes.

16 CHAIR MILLER: Okay. So that helps  
17 only, that helps somewhat, but?

18 MR. LINDY: It helps, and I think it's  
19 evolved completely and it's been a complete shift  
20 where the majority of people would come day of  
21 years ago and then as the internet and the people  
22 having more comfort of buying tickets on the

1 internet and getting used to it I'm noticing that  
2 it's easier on them to not to have cash on them  
3 the day of and they also get the discount that  
4 our numbers have skewed way the other way. I'd  
5 say the majority of them now buy in advance,  
6 which helps us because we have a feel on how many  
7 are coming so we know how to staff appropriately  
8 and we can tell 2D what our numbers are really  
9 going to be close to.

10 CHAIR MILLER: So by how far out, do  
11 you have a reasonable assessment of how many  
12 people are coming? Like a week out do you, are  
13 you pretty much know or?

14 MR. LINDY: I mean we track sales per  
15 day every year, so we know where we're tracking  
16 from last year through five years ago and we know  
17 where we ended up on those days so we can kind of  
18 come within a close estimate but things like  
19 weather, things like competition of other events  
20 time of year summer tends to be slower. People  
21 are traveling, stuff like that, will always weigh  
22 into it so like it's not an exact science but we

1 have a pretty good feel of where we're going to  
2 end up.

3 CHAIR MILLER: So, no, I hear you but  
4 I'm just wondering a week out could you tell them  
5 okay, it looks like it's going to be like 1000?

6 MR. LINDY: Yes, yes.

7 CHAIR MILLER: Okay. It's not going to  
8 be 2000; it's not going to be 500?

9 MR. LINDY: Right. And when we do  
10 the, I can't speak for everyone, when we do the  
11 application we always overestimate just for that  
12 reason. Like we shoot as close as we think we can  
13 be and give a little cushion.

14 CHAIR MILLER: And then do you have  
15 any suggestions for how the process can be  
16 improved or do you basically like it the way it  
17 is? I mean look at the process now just starting  
18 with the way it has been now, as with do you have  
19 suggestions there?

20 MR. LINDY: I think if it's not broken  
21 don't fix it. Overregulation to me doesn't sound  
22 like a good idea. It just creates the heavy hand

1 of the government and just may not necessarily be  
2 needed and if you're looking for a revenue stream  
3 I think that's fine. I don't think it's a bad  
4 thing that everyone kicks in some money for this.  
5 I read through this once because I was trying to  
6 listen to everybody's testimonies but this  
7 doesn't seem too bad for me as long as it doesn't  
8 get too crazy and I think you guys having the  
9 leeway and not making it to fit in such a box  
10 that everyone's got to fit into, I think that  
11 gives us that have been doing this and doing it  
12 the right way for so many years the opportunity  
13 to continue doing what we're doing without have  
14 to suffer because other companies or regulations  
15 are now made so that we're limited based on hours  
16 or size or even number of in the same day, I mean  
17 that's going to be tough. How do you decide  
18 that? Who gets that?

19 CHAIR MILLER: Mm-hmm. Well that is  
20 the question though I'd like you just to address  
21 perhaps where you have two organizations vying  
22 for the same day.

1           MR. LINDY: It happens all the time.  
2           And I think the promoters that do a better job  
3           promoting get the business and there's enough to  
4           go around apparently or we wouldn't all be  
5           sitting here. There's plenty of people that want  
6           to do it and there's plenty of companies that  
7           want to organize it and so I think that at the  
8           end of the day the companies that aren't getting  
9           the business are going to fall by the wayside or  
10          they're going to decide to promote something else  
11          or, and that's just the, nature happening.

12           CHAIR MILLER: Okay.

13           MR. LINDY: Survival of the fittest.

14           CHAIR MILLER: Alright. Any other  
15          questions? Thank you very much. Oh.

16           MS. FARLEE: Since this is a round  
17          table, could I comment?

18           CHAIR MILLER: Is there anybody else  
19          who hasn't testified who wants to testify? Yes,  
20          let's get, let's hear.

21           MS. FARLEE: The badge would tell  
22          people on the street and MPD guys know that they

1 were participants.

2 CHAIR MILLER: Okay.

3 MS. FARLEE: We don't see the  
4 wristband and that's the for going into the  
5 establishment, right?

6 MR. LINDY: Yes, the problem is with  
7 the wristband, they can't take it off and give it  
8 to someone who's underage. With a badge, they  
9 could hand it to their friends that aren't 21.  
10 We haven't had any issues with that so.

11 CHAIR MILLER: So I think the point is  
12 though that people who participate in pub crawls,  
13 they have to wear wristbands or whatever so they  
14 can be identified.

15 MS. FARLEE: Yes, in the  
16 establishments.

17 CHAIR MILLER: No, outside. I mean  
18 once, right, for the whole event. Once they get  
19 it.

20 MR. LINDY: They want people to know  
21 it's on them. That's why they get it.

22 CHAIR MILLER: Okay. Mr. Kramer?

1 Thank you very much.

2 MR. LINDY: Thank you guys. I  
3 appreciate the time.

4 CHAIR MILLER: Anybody else want to  
5 come up?

6 MR. KRAMER: Good afternoon, Daniel  
7 Kramer, Beerathon, LLC. I wanted to thank the  
8 Board and the members of the community and ABRA  
9 overall for, for hosting this and inviting us.  
10 Like the prior speaker I didn't know, I didn't  
11 prepare anything or know that there were proposed  
12 rule changes coming so I don't have any prepared  
13 remarks.

14 CHAIR MILLER: Could you identify who  
15 you're with?

16 MR. KRAMER: With Beerathon, LLC is  
17 the name of our company.

18 CHAIR MILLER: Thanks.

19 MR. KRAMER: I remember coming right  
20 here I guess now four years ago for the first  
21 hearing for our first event and I remember that  
22 that was the first of two or maybe three hearings

1 because we were a new company doing a new thing  
2 and there was an amount of, lack of familiarity,  
3 and I'm proud of the relationship that we have  
4 with our venue partners over 50 different places  
5 across the city that we've partnered with and  
6 it's not because I'm a nice guy, it's because  
7 it's good for business.

8 I'm proud of the charities, local and  
9 national, that we've partnered with and I'm proud  
10 that we've gotten an ABRA permit in the existing  
11 framework which already exists for every single  
12 event that we've done and that we've never had an  
13 incident come back to us from MPD or fire or  
14 anyone and our business is growing I think in  
15 part because we do things the right way. So, I  
16 just wanted to thank the Board and the community  
17 for being proactive in this and including the  
18 business community, the operational side,  
19 promoter, whatever you want to call us as well as  
20 members of the residential community and the  
21 regulatory bodies in this because I think we all  
22 have an interest in making sure that what doesn't

1 happen let's just say on the other side of the  
2 Key Bridge that that can be their problem but  
3 that by licensed, giving permits to responsible  
4 operators to work at responsible venues in like  
5 The Last Beaker, I've had lists that say we want  
6 to use, we want to partner with these X venues  
7 and they, the investigator has said actually  
8 these two or three or one are not allowed to  
9 participate and we said fine. You know what, I  
10 don't want to participate with them. Great. So,  
11 I just applaud the Board for doing this and happy  
12 to answer questions or whatever you may need and  
13 I appreciate your time.

14 CHAIR MILLER: Thank you. Questions?

15 MEMBER ALBERTI: I'll let Mr.  
16 Silverstein go first and then I have a question.

17 CHAIR MILLER: Mr. Silverstein.

18 MEMBER SILVERSTEIN: Thanks for  
19 coming, Mr. Kramer. Talk to me about how it's  
20 good for business in these establishments and  
21 also about the charity events. Because there is  
22 some issue here about public good.

1           MR. KRAMER:  There, I'm actually going  
2           to expand your question because it's not just  
3           about the businesses that host, the ABRA licensed  
4           venues that host, that participate in the events.  
5           Prior speaker mentioned transportation systems,  
6           metro, okay all of that.  We partnered or had  
7           sponsorship arrangements, etcetera, with Hoover  
8           and Lyft and groups like that.  I know the other  
9           companies do similar stuff as well.  We've also  
10          had groups of international visitors from as far  
11          away as Sweden and the United Kingdom and Germany  
12          come here to our events.  That means they're going  
13          through our airports, they're staying at our  
14          hotels and that's money that I don't see but I  
15          have a friend who works at a hotel and he was  
16          talking to me about the hotel room tax.  That tax  
17          so I know there's money coming into the District  
18          around these events that I can't quantify.  I just  
19          know that it happens.  That's beyond what goes on  
20          in the venues which are generating sales day of  
21          and repeat business after the event that again,  
22          tough for me to quantify.  I just know it happens.

1  
2 Ten percent of every sale is funding  
3 DC government. Great. In terms of charity  
4 partnerships, we've partnered with small local  
5 non-profit organizations that are basically a  
6 volunteer hobby of a friend or colleague of mine  
7 to larger more institutional program charities.  
8 We are never going to be, unless things really  
9 take off, we're not going to be the \$10,000 a  
10 plate fundraiser at the fancy hotel. Our  
11 strength is more about getting that charity in  
12 front of hundreds of people, however many it is  
13 that didn't know about it and can find out about  
14 the work that they're doing, whether it's about,  
15 we've done child literacy, domestic violence  
16 prevention and education, diabetes, lots of  
17 things.

18 MEMBER SILVERSTEIN: Do you have any  
19 idea how much the city would realize in one of  
20 your pub crawls in sales tax?

21 MR. KRAMER: No.

22 MEMBER SILVERSTEIN: How many people

1 do you get in on a -

2 MR. KRAMER: Sometimes hundreds,  
3 sometimes four digits. It would also be tough  
4 because I don't know if they're going to make one  
5 purchase and then go visit Mike's Bar next or if  
6 they're going to camp out at Mike's Bar for the  
7 afternoon and do lunch, a big lunch with a couple  
8 of appetizers as well while they're having a beer  
9 or whatever it is, so and -

10 MEMBER ALBERTI: Or ten percent, you  
11 have no idea what the window is that you, that  
12 somebody would, that the entire group at your pub  
13 crawl might spend.

14 MR. KRAMER: Well, they'll spend,  
15 different price points at different places and  
16 I'm proud to have good relationships with a lot  
17 of bar owners. They're not necessarily the type  
18 of people who tell you what their sales and  
19 profit margins are, so even if I asked I don't  
20 know if I would get an answer.

21 MEMBER SILVERSTEIN: One issue, and  
22 Dave, you might want to stick around for this,

1 that cleaning up afterwards was a problem in  
2 Clarendon. It hasn't seemed to be as much of a  
3 problem here or is it or?

4 MR. KRAMER: I don't do any business  
5 in the Commonwealth of Virginia so I can't -

6 MEMBER SILVERSTEIN: Good for you.

7 MR. KRAMER: I don't, I just can't  
8 speak to that and we, I like to work with  
9 responsible venue partners who if they're  
10 allowing messes to be made there's plenty of  
11 people who would take a cell phone picture of  
12 that and there's plenty of ways for that kind of  
13 bad press to get around.

14 MEMBER SILVERSTEIN: These things  
15 happen on a Saturday, so if it was a real -

16 MR. KRAMER: No, no.

17 MEMBER SILVERSTEIN: usually.

18 MR. KRAMER: Mostly. Not entirely.

19 MEMBER SILVERSTEIN: If it was a real  
20 God awful mess it would still be there on Monday  
21 but it doesn't seem like we, you and I both in  
22 the DuPont are and it doesn't seem to be a whole

1 lot worse. Do you after a pub crawl than it is  
2 on an average, if worse at all. Do you have some  
3 sort of a way of making sure that people clean up  
4 or how do you, how do you handle the -

5 MR. KRAMER: Well, if you're following  
6 the letter of the existing law or if you're just  
7 a law abiding citizen in general there shouldn't  
8 be any consumption, I mean this isn't New  
9 Orleans, you can't on the streets so -

10 MEMBER SILVERSTEIN: Oh, the absence  
11 of food.

12 MR. KRAMER: Well, I mean and so I  
13 haven't noticed that to be a problem and I hope  
14 it remains not a problem.

15 MEMBER SILVERSTEIN: Okay.

16 MEMBER GONZALEZ: You said that in New  
17 Orleans they're not allowed to drink in the  
18 streets?

19 MR. KRAMER: No, I think they are.

20 MEMBER GONZALEZ: Huh?

21 MR. KRAMER: I think in New Orleans  
22 you are.

1 MEMBER GONZALEZ: Oh, yes, they are.

2 MR. KRAMER: Not here.

3 MEMBER GONZALEZ: Last time I was  
4 there they were. The Adams Morgan, the panel  
5 that had the Adams Morgan group is basically  
6 against pub crawls in Adams Morgan.

7 MR. KRAMER: I gathered as such, yes.

8 MEMBER GONZALEZ: What answer would  
9 you have for them to satisfy their concern?

10 MR. KRAMER: Well I think the Adams  
11 Morgan community from what I understand about it  
12 has taken advantage of the process that is  
13 already in place for liquor license applications  
14 overall and they have been proactive and they've  
15 been effective and that's fine. So, the reason,  
16 so there were, before I lived in the District or  
17 whenever these things happened in Adams Morgan  
18 and apparently from what I've heard were  
19 problematic well there's a process that happens  
20 in this room to address that and from what I  
21 gather they're effective. We don't do events in  
22 Adams Morgan anymore. I think we've done a total

1 of one, maybe two and there have been subsequent  
2 venues that we had partnered with in Adams Morgan  
3 in the past who had a renewal or a  
4 recertification of their regular ABRA license and  
5 included in that was a new amendment to their  
6 voluntary agreement or settlement agreement, I  
7 can't remember what it's called, now, which said  
8 that they are no longer allowed to participate  
9 and they said, sorry buddy, you can't do this  
10 anymore and I said fine and that's what you see  
11 or that's actually what you don't see, is you  
12 don't see these kind of events in Adams Morgan.  
13 That's fine. There are other places in the city  
14 that welcome them with open arms.

15 MEMBER SILVERSTEIN: Thank you.

16 MR. KRAMER: Thank you, sir.

17 MEMBER SILVERSTEIN: You've been very  
18 open. Appreciate it.

19 CHAIR MILLER: MR. Alberti.

20 MEMBER ALBERTI: I'll be quick. Thank  
21 you for coming, Mr. Kramer. So I just want to  
22 make sure I'm understanding you correctly and I

1 think I heard this from the previous speaker that  
2 from the organizer's point of view the current  
3 regs are working pretty well.

4 MR. KRAMER: I don't want to speak for  
5 anyone else.

6 MEMBER ALBERTI: For yourself.

7 MR. KRAMER: For me, I'll say that  
8 there's a process in place and if you follow the  
9 rules and run your events professionally and well  
10 then the result is what the three uniformed  
11 gentlemen, the two commanders and the lieutenant  
12 said at the beginning of the thing, of this  
13 conversation, was that to date there have not  
14 been issues here in the District. I'm only going  
15 to speak about the things that I do. Nothing has  
16 come back to me as bad from participants or venue  
17 hosts or MPD or anyone else since 2012. My goal  
18 is to keep it that way and if there is going to  
19 be some changes along some of these lines or  
20 whatever the Board has shown a willingness to be  
21 open with all members of this subset of the ABC  
22 community and I look forward to maintaining a

1 presence in that conversation.

2 MEMBER ALBERTI: Thank you. One last  
3 question, though. One big change that we're  
4 looking at is, is the licensing fee, annual  
5 licensing fee. Any comments about that?

6 MR. KRAMER: I'm proud of the business  
7 and tax revenue that our company events generate  
8 for the District of Columbia. I can't say I'm,  
9 it, if it's a cost of doing business it's one  
10 that I will happily bear.

11 MEMBER ALBERTI: Okay.

12 MR. KRAMER: How about that?

13 MEMBER ALBERTI: I'm just going to  
14 actually comment one of the reasons here is that  
15 you know we, like yourself, we don't bring you in  
16 for every event because you have been successful.  
17 Part of the license, the goal I think on the  
18 licensing is so we can keep track of who's out  
19 there and if we have someone who's a first time  
20 applicant we can bring them in, have the kinds of  
21 discussions we've had with you and I think that  
22 that's helpful so I will tell you that's part of

1 the aim of the licensing is monitoring, but -

2 MR. KRAMER: I mean to be fair, there  
3 are, I'm probably going to pinch myself later for  
4 saying this but that's fine. There are fees  
5 associated with a number of government related  
6 permits and processes in this, in all parts of  
7 this building and in that office that relate to  
8 special events, manager's licenses and the like.  
9 So if there's going to be one for tasting tours.

10 MEMBER ALBERTI: It's not a deal  
11 killer for you then? That's what I'm hearing. I  
12 won't put words in your mouth but thank you so  
13 much.

14 CHAIR MILLER: Other questions? Oh,  
15 I have one more. I asked Mr. Lindy this I think  
16 as well. Do you have any suggestions of  
17 improving the process at all that you would like  
18 the Board to consider? You can think about it if  
19 you don't have it now. Just, if you did, I'd be  
20 open to hearing it.

21 MR. KRAMER: I'll say what I said  
22 before, which is that, that licensees and, ABRA

1 licensees, licensed venues and people who do what  
2 I do exist within a regulatory framework that has  
3 contributed to the District of Columbia being one  
4 of the best drinking, cocktailing, dining and  
5 restaurant scenes in the United States. If it  
6 ain't broke.

7 CHAIR MILLER: Mm-hmm. Yes. Alright.  
8 So anybody else who wants to testify? Testify,  
9 speak?

10 MR. KRAMER: Thanks for your time.

11 CHAIR MILLER: Thank you very much. I  
12 want to say that if the Board decides to publish  
13 rules on this issue we will do it probably later  
14 this month and you'll have an opportunity to  
15 comment again on actually what the rule being  
16 proposed is. Today was an opportunity to get  
17 your input and feedback on ideas we're  
18 considering. Okay? So thank you very much for  
19 coming today and for your contributions. We  
20 appreciate it.

21 (Whereupon, the hearing was concluded  
22 at 3:24 p.m.)

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