

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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Inner Circle LLC :

t/a Dirty Martini Inn :

Bar/Dirty Bar :

1223 Connecticut Ave NW : Fact Finding

: Hearing

Retailer CN :

License No. 83919 :

ANC 2B :

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JULY 29, 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
- DONALD BROOKS, Member
- NICK ALBERTI, Member
- HECTOR RODRIGUEZ, Member
- MIKE SILVERSTEIN, Member
- JAMES SHORT, Member

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

2 1:45 p.m.

3 CHAIRPERSON MILLER: Okay, good
4 afternoon. The Board is back on the record. We
5 have a few fact finding hearings this afternoon.

6 The first fact finding hearing is Case
7 No. 14-251-00344, Dirty Martini Inn Barr/Dirty
8 Bar, located at 1223 Connecticut Avenue,
9 Northwest, License No. 83919 in ANC 2B.

10 Good afternoon. Captain Sledge, are
11 you here for that case, right? You can come take
12 a seat at this table.

13 CAPTAIN SLEDGE: Thank you.

14 CHAIRPERSON MILLER: Thank you. Why
15 don't we start with introductions for the record,
16 with the establishment?

17 MR. KLINE: Yes, good afternoon.
18 Andrew Kline on behalf of the licensee.

19 MR. REHMAN: Michael Romeo Rehman,
20 managing member.

21 MR. SEQUEIRA: Diego Sequeira,
22 manager.

1 CAPTAIN SLEDGE: David Sledge, Second
2 District Police.

3 CHAIRPERSON MILLER: Mr. Rehman, and
4 who else is here? I'm sorry, I missed your name.

5
6 MR. SEQUEIRA: Mr. Sequeira.

7 CHAIRPERSON MILLER: Could you spell
8 your last name?

9 MR. SEQUEIRA: S-E-Q-U-E-I-R-A.

10 CHAIRPERSON MILLER: Okay, so, this is
11 what we call a fact finding hearing. Nobody is
12 put under oath. We're not taking any evidence.
13 We're not prosecuting any case.

14 We had just -- sometimes we read about
15 incidents in the case reports, that give us some
16 concern, and we want to find out more information
17 about it, and sometimes if any action has been
18 taken since then, to address a situation.

19 This one is fairly old. It's December
20 14, 2014. I'm referring to -- well, it's the --
21 the case number is 14-251-00344, the case report
22 indicates that a female was standing in front of

1 the establishment, and was knocked to the ground
2 by a large crowd, as they were exiting Dirty Inn
3 Bar/Dirty Bar.

4 So, there is a concern about, you
5 know, control of the crowd and injuries in front
6 of the establishment.

7 I'm going to let Mr. Silverstein
8 actually articulate some of the concerns. This
9 is an area he's familiar with.

10 But if you have any questions before
11 we start, I'd be happy to, you know, entertain
12 them.

13 MEMBER SILVERSTEIN: I would first
14 like to ask Captain Sledge if he could give us a
15 brief idea of what occurred that night, and what
16 actions -- how the police found out about it,
17 what you heard as an agency, what you saw, what
18 you did, and the cooperation or lack of it, on
19 the licensee.

20 CAPTAIN SLEDGE: On December 14th,
21 2014, at approximately 3:00 a.m., the Complainant
22 was standing in front of 1223 Connecticut Avenue,

1 Dirty Martini, and a large crowd of people came
2 outside the establishment at 1223, and knocked
3 her to the ground, and approximately 30 or 40
4 people stepped over her. Someone stepped on her
5 and broke her leg. It's alleged that her leg was
6 broken.

7 The reporting officer, Officer Tristan
8 Hyland, H-Y-L-A-N-D, reported the -- he
9 encountered the victim, screaming out in pain,
10 and he asked her what happened, and she said that
11 she was standing in front and a crowd of people
12 came out and knocked her to the ground and
13 someone stepped on her leg.

14 He said her leg was twisted in an
15 unusual position. The police department summons
16 for emergency medical assistance. The fire
17 department showed up, ambulance, and then they
18 transported her to a local hospital for
19 treatment.

20 Then after that, Officer Hyland went
21 inside, I believe, 1223 Connecticut Avenue, spoke
22 with one of the managers there. He said they

1 were cooperative. No video footage was obtained
2 for the establishment.

3 MEMBER SILVERSTEIN: He say they were

4 --

5 CAPTAIN SLEDGE: Yes, he said they
6 were --

7 MEMBER SILVERSTEIN: -- cooperative?

8 CAPTAIN SLEDGE: -- cooperative, yes.

9
10 MEMBER SILVERSTEIN: All right.

11 CAPTAIN SLEDGE: No video footage was
12 obtained.

13 The officer prepared an incident
14 report relating to this event, which bears Report
15 No. 14192165, and it's titled "Injured Person to
16 Hospital". It's event number one and event
17 number two, ABC violation or incident.

18 MEMBER SILVERSTEIN: Where exactly, as
19 you can best tell us, did this occur? How close,
20 outside of the establishment, is it a very
21 indefinite location? How far away, as best as we
22 can tell is this --

1 CAPTAIN SLEDGE: Well, I talked to the
2 officer on Friday, it was July 24th, and my
3 preparation for coming here.

4 The officer stated that it happened
5 directly in front of the establishment.

6 MEMBER SILVERSTEIN: Okay, how likely
7 would it be, in a situation like that, that a
8 doorman or person involved would have seen or
9 known what was going on, directly in front of?

10 I assume that he's within eyesight and
11 within a few feet of the door.

12 CAPTAIN SLEDGE: If someone is there,
13 they probably should have saw it. We have
14 officers called the club action team, and they're
15 stationed right there in that block. So, they're
16 right out there also.

17 So, the officer are there, witnessing
18 the crowd coming out. So, I guess one of the
19 employees may have -- may have -- should have saw
20 it, the crowd coming out.

21 MEMBER SILVERSTEIN: I'm sorry, one of
22 the employees may?

1 CAPTAIN SLEDGE: I said they should
2 have saw it. I can't guarantee that they did,
3 but if they're standing out there, they should
4 have saw it also, in front of the establishment.

5 MEMBER SILVERSTEIN: Did Officer
6 Hyland or anybody talk to anybody from the
7 establishment?

8 CAPTAIN SLEDGE: Yes, Officer Hyland
9 said he did. He said they were cooperative. He
10 interviewed them. He asked to look at the video,
11 but video doesn't capture what occurred on the
12 sidewalk.

13 MEMBER SILVERSTEIN: There is no --
14 there was no capture of it at all, on the
15 sidewalk, because there were no cameras or the
16 cameras were not working or what --

17 CAPTAIN SLEDGE: Officer Hyland
18 reported to me that it was -- the video didn't
19 capture that incident at all.

20 MEMBER SILVERSTEIN: Okay, is there
21 anything else that we -- that you could offer us?
22 Anything that I should have asked, that I didn't,

1 Captain?

2 CAPTAIN SLEDGE: Not at this time,
3 sir.

4 MEMBER SILVERSTEIN: Can I ask if the
5 -- how he described the crowd? Was the crowd --
6 first of all, was the -- the crowd came from the
7 licensed establishment or was the crowd just a
8 crowd from all of the various clubs in that club
9 central area?

10 CAPTAIN SLEDGE: Officer Hyland stated
11 that the crowd came from outside -- from within
12 Dirty Martini, to outside.

13 MEMBER SILVERSTEIN: And he give any
14 reason as to why there was this type of behavior?

15 CAPTAIN SLEDGE: The establishment was
16 closing for the night.

17 MEMBER SILVERSTEIN: So, they trampled
18 people?

19 CAPTAIN SLEDGE: Well, in this
20 incident, it appears that -- what was reported is
21 that the Complainant was standing out front. The
22 crowd came out and someone knocked her to the

1 ground and someone injured her.

2 MEMBER SILVERSTEIN: Okay.

3 CAPTAIN SLEDGE: By stepping on her.

4 MEMBER SILVERSTEIN: It wasn't as
5 though there was some fight or something where it
6 spilled out into the --

7 CAPTAIN SLEDGE: I asked Officer
8 Hyland was there a fight that night and he said
9 no. he didn't witness a fight.

10 MEMBER SILVERSTEIN: Very well.

11 Anyone else?

12 CHAIRPERSON MILLER: Other Board
13 questions?

14 MEMBER ALBERTI: Of whom?

15 CHAIRPERSON MILLER: Of Captain
16 Sledge.

17 MEMBER ALBERTI: No.

18 CHAIRPERSON MILLER: Okay, Captain
19 Sledge, did the officer observe the female
20 actually falling or being knocked down or
21 whatever happened?

22 CAPTAIN SLEDGE: He said he saw her

1 standing out front, then when the crowd came out,
2 he heard someone screaming out and then he
3 located her, you know, as the crowd continued to
4 come out.

5 When it cleared a little and he heard
6 her screaming out, went over to her and he said
7 her leg was twisted in an unusual position.
8 That's when he immediately called for an
9 ambulance.

10 CHAIRPERSON MILLER: Okay, and one
11 other question. Was there anything unusual about
12 the way the crowd was let out of the
13 establishment?

14 CAPTAIN SLEDGE: He didn't report
15 anything, other than that it was a large crowd
16 that came out.

17 CHAIRPERSON MILLER: Okay, Mr. Kline,
18 do you want to ask Captain Sledge any questions?

19 MEMBER RODRIGUEZ: I have a question.

20 CHAIRPERSON MILLER: I'm sorry, while
21 you're thinking -- wait a second, I'm sorry. I
22 didn't -- I missed a Board Member.

1 MEMBER RODRIGUEZ: Captain, thank you
2 for your service and for being here.

3 CAPTAIN SLEDGE: Thank you, sir.

4 MEMBER RODRIGUEZ: My question is, was
5 it really ascertained that the crowd, you know,
6 that the -- that evidently perpetuated the
7 problem, came from this establishment?

8 There's a lot of people roaming
9 through that area. I've been by there once in a
10 while, and there's just a whole bunch of people
11 all over.

12 Was it ascertained that they actually
13 came from this establishment?

14 CAPTAIN SLEDGE: Yes, sir. Officer
15 Hyland said he was standing out front, and he
16 observed the crowd come out. He said that the
17 victim, Complainant was standing directly in
18 front of the establishment, then the crowd came
19 out and that he lost sight of her, then he heard
20 someone screaming out and then as the crowd -- as
21 the crowd cleared, he saw her on the ground.

22 MEMBER RODRIGUEZ: Okay, my next

1 question is, was it ascertained whether the
2 person who was injured was -- had been in the
3 establishment? Was that established or was she
4 out there from somewhere else? Had this person
5 been in the establishment?

6 CAPTAIN SLEDGE: I don't have the
7 answer to that.

8 MEMBER RODRIGUEZ: Okay, sir, thank
9 you.

10 CHAIRPERSON MILLER: Okay, any other
11 questions?

12 (No audible response.)

13 CHAIRPERSON MILLER: Okay, Mr. Kline,
14 whenever you're ready.

15 MR. KLINE: Yes, good afternoon,
16 Captain Sledge.

17 CAPTAIN SLEDGE: How are you doing,
18 sir?

19 MR. KLINE: None of this, in terms of
20 these details, were indicated in the officer's
21 report, correct?

22 CAPTAIN SLEDGE: Are you referring to

1 the club action team?

2 MR. KLINE: Well, I'm referring to
3 Officer Hyland's incident report.

4 CAPTAIN SLEDGE: What details are you
5 referring to?

6 MR. KLINE: In terms of where she was
7 when it happened, what he observed, what he
8 didn't observe.

9 CAPTAIN SLEDGE: Well, the officer
10 states in the narrative report that Officer
11 Hyland prepared, it states that the Complainant
12 was standing at that location, and he mentions in
13 there, the Dirty Martini Bar at 1223 Connecticut
14 Avenue.

15 MR. KLINE: Right, but he doesn't say
16 whether he observed that or whether she reported
17 that to him, correct?

18 CAPTAIN SLEDGE: When I interviewed
19 him, he told me that she reported to him that she
20 was standing there.

21 MR. KLINE: Okay.

22 CAPTAIN SLEDGE: And he was standing

1 there also. He told me that.

2 MR. KLINE: Do you have any idea why
3 he didn't respond to the ABC investigator's
4 inquiries concerning this matter?

5 CAPTAIN SLEDGE: I have no knowledge
6 of that, sir.

7 MR. KLINE: Okay, and you indicated
8 there was a club action team out there that
9 night?

10 CAPTAIN SLEDGE: Yes.

11 MR. KLINE: Did anyone talk to them,
12 as to what they might have observed?

13 CAPTAIN SLEDGE: No, I only spoke to
14 Officer Hyland, the officer who prepared the
15 report.

16 MR. KLINE: Okay, all right. That's
17 all I have. Thank you.

18 CHAIRPERSON MILLER: Okay, do you have
19 anything you want to say about this incident?

20 MR. KLINE: No, we don't really know
21 very much, that it's -- Investigator Jones's
22 report starts out with Investigator Jones was

1 unable to determine that on Sunday, December 14th
2 at approximately 3:10 a.m., an injured person to
3 the hospital incident occurred.

4 I mean, that's his conclusion in this
5 report. We don't really know anything, other
6 than, you know, the report was made and the
7 establishment was cooperative, and I'm not sure
8 that there's a whole lot that we can add. I
9 mean, we're certainly willing to answer any
10 questions.

11 But you know, they were asked about
12 incident log and what have you. From their
13 standpoint, they are unaware of any incident.
14 So, it's a little difficult to talk about things
15 of which we just -- we don't have any knowledge
16 of.

17 CHAIRPERSON MILLER: Okay, I think
18 that this may be a few Board questions then.

19 I have one, and then I'm going to
20 defer to my colleagues.

21 On page two of the report, in the last
22 sentence of the fourth paragraph, it says that

1 the alleged incident was not captured due to
2 being out of camera range.

3 So, I guess I'm speculating, that the
4 camera that they're talking about would be one
5 that would be over the front, right? So, can you
6 just say what the range of that camera is,
7 because --

8 MR. KLINE: You know, I think you're
9 in the best position to --

10 CHAIRPERSON MILLER: Okay.

11 MR. KLINE: -- answer that.

12 MR. SEQUEIRA: The canape area.

13 MR. KLINE: The canape area in front
14 of the establishment.

15 MR. SEQUEIRA: It would be the --

16 MR. KLINE: If you look, so, in terms
17 of looking at Exhibit-3 to the report, is the
18 canape shown on there?

19 MR. SEQUEIRA: Yes.

20 MR. KLINE: All right, so, describe
21 for the Board, with reference to that picture,
22 what area is covered by the video --

1 MR. SEQUEIRA: That would be the --

2 MR. KLINE: Let me finish because the
3 reporter can't get us both talking.

4 What area is covered by the video
5 camera?

6 MR. SEQUEIRA: The right to the left
7 side of the --

8 MEMBER SILVERSTEIN: Can you speak up?

9 MR. SEQUEIRA: From that area, the
10 right side -- from the right side to the left
11 side, the canape will be captured.

12 MR. KLINE: Okay, so, the video
13 coverage is of the area that's covered by the
14 canape?

15 MR. SEQUEIRA: Yes.

16 MR. KLINE: Okay, and that is the area
17 immediate adjacent to the front interior entrance
18 of Dirty Martini?

19 MR. SEQUEIRA: Correct.

20 MR. KLINE: And that video was
21 reviewed for the night in question?

22 MR. SEQUEIRA: Yes.

1 MR. KLINE: Okay, and was there any
2 evidence of this incident occurring in front of
3 Dirty Martini, based upon review of that video?

4 MR. SEQUEIRA: The ABC investigator
5 and I couldn't find anything.

6 MR. KLINE: Okay.

7 CHAIRPERSON MILLER: Okay, looking --
8 is this what we're looking at?

9 MR. KLINE: Yes.

10 CHAIRPERSON MILLER: Okay, the
11 photograph, okay. So, there's a lamp post in
12 front of Dirty Martini. It looks like a street
13 sign and then another sign, all these signs and
14 the lamp post.

15 There are these three -- are those
16 three -- I don't know, three squares the cameras
17 that are on top of each other, or what are --
18 what is that?

19 MR. REHMAN: Those are lights you're
20 looking at, ma'am.

21 CHAIRPERSON MILLER: Those are just
22 lights?

1 MR. REHMAN: The lights.

2 CHAIRPERSON MILLER: They're not the
3 cameras?

4 MR. REHMAN: No.

5 CHAIRPERSON MILLER: There are no
6 cameras there. So, we can't observe your
7 interior? You don't have any cameras that go
8 beyond the canape, correct, like onto the
9 sidewalk or -- so, if there was a -- if there was
10 an incident on the sidewalk, it would not be in
11 range?

12 MR. REHMAN: You wouldn't be able to
13 see it from the Dirty Martini camera. You might -
14 - can you see it from the Dirty Bar camera?

15 MR. SEQUEIRA: No.

16 MR. REHMAN: No?

17 MR. SEQUEIRA: No.

18 CHAIRPERSON MILLER: Okay.

19 MR. REHMAN: You won't be able to see
20 the sidewalk there, no.

21 CHAIRPERSON MILLER: Okay, just within
22 -- under the canape, all right. I don't have any

1 other questions right now.

2 Does anyone have questions? Mr.
3 Rodriguez?

4 MEMBER RODRIGUEZ: Yes, looking at the
5 picture here, so, the incident -- someone tell me
6 where the incident actually took place, as far as
7 the front there.

8 MR. KLINE: We don't know from our
9 side.

10 MEMBER RODRIGUEZ: Nobody knows?

11 MR. KLINE: Don't have any knowledge.

12 MEMBER RODRIGUEZ: Okay.

13 CAPTAIN SLEDGE: Mr. Rodriguez, the
14 only thing I can refer to -- looking at the
15 narrative report, again, which the officer states
16 that the Complainant reported that she was
17 standing in front of the Dirty Martini Bar
18 located at 1223 Connecticut Avenue.

19 MEMBER RODRIGUEZ: Okay.

20 CAPTAIN SLEDGE: So, exactly where she
21 was standing, I don't have knowledge of that.
22 Only thing I can refer to is what --

1 MEMBER RODRIGUEZ: So, I see Lucky Bar
2 is right next to it.

3 CAPTAIN SLEDGE: Yes, it's fairly
4 close.

5 MEMBER RODRIGUEZ: Real close to it,
6 so --

7 CAPTAIN SLEDGE: Very close.

8 MEMBER RODRIGUEZ: -- how does one
9 know if they didn't come from Lucky Bar or -- I
10 mean, your officer did confirm that they came out
11 of Dirty Martini?

12 CAPTAIN SLEDGE: Yes, sir, he said he
13 was standing right there. He watched, as the
14 patron exited the establishment.

15 MEMBER RODRIGUEZ: Okay.

16 CHAIRPERSON MILLER: Okay?

17 MEMBER RODRIGUEZ: No more questions.

18 CHAIRPERSON MILLER: Mr. Brooks has a
19 question.

20 MEMBER BROOKS: Let me follow up on
21 that.

22 CHAIRPERSON MILLER: All right.

1 MEMBER SILVERSTEIN: Mr. Rehman, how
2 many --

3 CHAIRPERSON MILLER: Sorry, Mr.
4 Brooks.

5 MEMBER SILVERSTEIN: -- if you walk us
6 through this picture, you have how many doors to
7 your establishment?

8 MR. REHMAN: We have two double-doors
9 for the restaurant, when you walk in, glass
10 doors. Then you have another glass door in front
11 of Dirty Bar.

12 MEMBER SILVERSTEIN: And is it
13 possible -- Dirty Bar and Dirty Martini are
14 generally considered the same establishment, is
15 that a fair --

16 MR. REHMAN: Yes.

17 MEMBER SILVERSTEIN: Now, if this
18 incident happened as is stated here, arguably,
19 would it be more likely that it happened at the
20 Dirty Bar door? Do people -- are people going
21 down steps? Is that the kind of a situation
22 where people would be literally forced out into

1 the street at closing time, because nobody wants
2 to get stuck on a stairwell?

3 MR. REHMAN: What happens is, we let
4 Dirty Martini out first at 2:30, we start closing
5 up, and usually, Dirty Martini is not that busy
6 either, depending on what night it is. As people
7 start clearing Dirty Martini out slowly, then we
8 put lights on, you know, the patio outside,
9 slowly. So, not everybody comes at one time --

10 MEMBER SILVERSTEIN: Sure.

11 MR. REHMAN: -- and I could be wrong,
12 but what I think happened, the reason why I'm
13 saying this, if you look at the picture in the
14 front, the cruisers, which are very, very
15 helpful, they usually out front over here and at
16 that time, they were doing a lot of construction.
17 There wasn't that much space in the street. They
18 had the poles out.

19 So, what I think happened is, it
20 happened on this side.

21 MEMBER SILVERSTEIN: On the Dirty Bar
22 side?

1 MR. REHMAN: Yes, but CitiBank,
2 towards where CitiBank is, because if it happened
3 out front, somebody would have seen it from the
4 inside, you know, because people are letting
5 people out and the guys, they're grabbing
6 glassware, we're cleaning up, putting things
7 away, and also, a police officer is always there,
8 right here, because people are letting out.

9 They would have seen it, if it
10 happened out front. That's just what I think
11 happened. So, it would make more sense that way,
12 because somebody would have definitely seen it.

13 MEMBER SILVERSTEIN: Does your camera
14 capture the sidewalk area in front of the door to
15 Dirty Bar?

16 MR. REHMAN: See the camera is angled,
17 like if it was in the corner right over there, it
18 would cover the whole patio pretty much. Maybe -
19 - it would cover --

20 MEMBER SILVERSTEIN: Not the patio.
21 I am not concerned about the patio. I'm
22 concerned about that door on the left, that's

1 next to the CitiBank or whatever that --

2 MR. REHMAN: We have another camera
3 right there.

4 MEMBER SILVERSTEIN: You do have a
5 camera that covers that?

6 MR. REHMAN: It points down in front
7 of Dirty Bar, yes.

8 MEMBER SILVERSTEIN: Okay, that was my
9 question. Okay, nothing further.

10 CHAIRPERSON MILLER: Okay, Mr. Brooks?

11 MEMBER BROOKS: Thank you, Madam
12 Chair. I understand what Mr. Rehman is alluding
13 to, and it could -- possibility, it could been
14 near the bank, but because I'm looking at the
15 space here, and this picture seems to me, I see a
16 date up in the corner. It was taken in June. Is
17 that correct, and the incident occurred in
18 December?

19 I'm just trying to get a feel for how
20 recent is this picture?

21 MR. SEQUEIRA: This is the --

22 MEMBER BROOKS: Yes, you see the left-

1 hand corner?

2 MR. KLINE: Yes, I mean, we see June
3 2014, but we don't -- this was attached to the
4 investigative report.

5 MEMBER BROOKS: Yes, yes, I
6 understand, and I'm just trying to figure out are
7 these barriers -- were these barriers there in
8 December? The orange and white.

9 MR. REHMAN: They were there for a
10 long time. I don't recall, they were there for a
11 few months. I'm not 100 percent sure.

12 MEMBER BROOKS: Okay, no, I'm just
13 looking at the amount of space.

14 MR. REHMAN: That is how much space --

15 MEMBER BROOKS: None at all.

16 MR. REHMAN: None, no.

17 MEMBER BROOKS: And approximately how
18 many people were there that night, or that
19 morning?

20 MR. REHMAN: I don't recall, but one
21 thing I do know is, I can tell you is when this
22 big -- this thing was there, it's -- this --

1 MR. KLINE: Concrete thing?

2 MR. REHMAN: -- concrete thing --

3 MEMBER BROOKS: Yes.

4 MR. REHMAN: -- it was in the way of
5 people coming in and out or walking by, because
6 people walk in and out, crossing this way and
7 even the police officers were having a hard time
8 working around this. It was very, very
9 difficult.

10 I think everybody overall, worked
11 pretty well together, because they put these
12 yellow things next to it, then they try to block
13 it off a few times, but it was there for a long
14 time.

15 MEMBER BROOKS: Okay, yes. This looks
16 like a temporary hook up for the street signs,
17 the street lights, I guess.

18 MR. REHMAN: Yes, it was -- I think
19 this was -- you know what? To be honest with
20 you, it was there in December, because they put
21 that before New Year's Eve, because they added
22 extra cameras over there also, an extra light.

1 So, yes, it was there in December.

2 MEMBER BROOKS: It was?

3 MR. REHMAN: Yes.

4 MEMBER BROOKS: Yes, now, I'm just
5 looking at, from my perspective, it's not much
6 room for -- you know, if a crowd of people came
7 out the same time, and I don't know how many
8 people we're talking about, but I could see it
9 being very congested. I mean, that's just my
10 perspective.

11 MR. REHMAN: Because the whole
12 sidewalk is blocked off at that time too, because
13 it was across the street first, then they came on
14 this side.

15 MEMBER BROOKS: Okay.

16 MR. REHMAN: What I'm saying is,
17 around that area, that whole block was pretty
18 much blocked off a lot.

19 MEMBER BROOKS: Okay.

20 MR. REHMAN: As far as people walking
21 around and moving around.

22 MEMBER BROOKS: Now, at closing time,

1 do you have someone out there letting people out
2 or seeing if anything is going on?

3 MR. REHMAN: Yes.

4 MEMBER BROOKS: You do?

5 MR. REHMAN: We always have a security
6 -- we always have security person out there.

7 MEMBER BROOKS: Okay, and that
8 employee did not see anything?

9 MR. REHMAN: No.

10 MEMBER BROOKS: Okay, all right.

11 Thank you, Madam Chair.

12 CHAIRPERSON MILLER: Mr. Rodriguez?

13 MEMBER RODRIGUEZ: Yes, sir, referring
14 back to the picture, the sign to the left of
15 Dirty Martini Restaurant, are those cameras there
16 right under the sign? I see like three white
17 protrusions. Are those cameras or --

18 MR. REHMAN: I'm sorry, you're looking
19 at the Dirty Martini canape, right?

20 MEMBER RODRIGUEZ: Yes.

21 MR. REHMAN: Are you looking at the
22 part that says bar and longue, or it just says

1 restaurant?

2 MEMBER RODRIGUEZ: The tall, white
3 sign.

4 CHAIRPERSON MILLER: Why don't you
5 show him? Show him. You mean the yellow sign?

6 MEMBER RODRIGUEZ: Right here? The
7 yellow sign here.

8 MEMBER ALBERTI: The Dirty Bar sign.

9 CHAIRPERSON MILLER: No.

10 MEMBER RODRIGUEZ: Dirty Bar sign,
11 right?

12 MR. REHMAN: Yes.

13 MEMBER RODRIGUEZ: The tall, white
14 sign. Are those cameras underneath there?

15 MR. REHMAN: Yes, that's one camera
16 down there, yes.

17 MEMBER RODRIGUEZ: Okay.

18 MR. REHMAN: Yes.

19 MEMBER RODRIGUEZ: All right, okay,
20 and that's the one they said it didn't pick up
21 anything there?

22 MR. REHMAN: It picks up everything in

1 front of Dirty Martini.

2 MEMBER RODRIGUEZ: Right.

3 MR. REHMAN: Right in the front area,
4 yes. That was the whole front of --

5 MEMBER RODRIGUEZ: And then earlier
6 you stated that possibly, that's where the
7 situation took place.

8 MR. REHMAN: No, no, I don't think it
9 -- at the time, I don't think it happened here,
10 right in the front.

11 MEMBER RODRIGUEZ: Okay.

12 MR. REHMAN: Okay, because the reason
13 why, there's police officers there.

14 MEMBER RODRIGUEZ: Right.

15 MR. REHMAN: Letting -- when it's
16 letting time out, they always have a cruiser
17 there, especially when you have all this
18 construction going on there.

19 MEMBER RODRIGUEZ: Right.

20 MR. REHMAN: I think it happened a
21 little bit away from this.

22 MEMBER RODRIGUEZ: Okay.

1 MR. REHMAN: I'm not 100 percent sure,
2 but because if it happened out here, it would
3 have been an incident report also, we would have
4 -- somebody would have --

5 MEMBER RODRIGUEZ: Well, the cameras
6 there would have got it, right?

7 MR. REHMAN: They would have seen it,
8 if she was leaning on here. Nobody saw anything
9 so --

10 MEMBER RODRIGUEZ: All right.

11 MR. REHMAN: So, that's what I'm
12 thinking.

13 MEMBER RODRIGUEZ: Okay, all right.

14 MR. REHMAN: Maybe she fell here and
15 then walked over there.

16 CHAIRPERSON MILLER: Any other
17 questions?

18 MEMBER ALBERTI: Yes.

19 CHAIRPERSON MILLER: Mr. Alberti?

20 MEMBER ALBERTI: I have a quick
21 question for Captain Sledge. Captain Sledge, I
22 don't know, to the left of Dirty Martini, I don't

1 know what that building is. Do you know what
2 that building is?

3 MR. KLINE: I'll help you out, since my
4 office is around the corner. I believe it's
5 vacant, and I think it has been for some time.

6 MEMBER ALBERTI: That it's what?

7 CHAIRPERSON MILLER: Vacant.

8 MR. KLINE: Is it part of the World
9 Bank? Okay, but there's no public access. You
10 can't --

11 MEMBER ALBERTI: Well, my question to
12 Captain Sledge is, there's obviously a camera
13 there. Do you see it?

14 CAPTAIN SLEDGE: Yes, I see it.

15 MEMBER ALBERTI: Did anyone see if --
16 did anyone -- and maybe there's good reason why
17 you wouldn't, I don't know how -- the level of
18 this incident, but did anyone try to get footage
19 from that camera?

20 CAPTAIN SLEDGE: Not to my knowledge,
21 sir.

22 MEMBER ALBERTI: Okay, all right, and

1 I understand --

2 CAPTAIN SLEDGE: And I can tell you
3 again --

4 MEMBER ALBERTI: This isn't a level of
5 a crime, so you might not go --

6 CHAIRPERSON MILLER: Yes.

7 CAPTAIN SLEDGE: Exactly.

8 MEMBER ALBERTI: -- there, but I just
9 --

10 CAPTAIN SLEDGE: This was just an
11 unfortunate incident.

12 MEMBER ALBERTI: All right.

13 CAPTAIN SLEDGE: All I can say is that
14 when I interviewed the officer, and he is there
15 every night, Officer Hyland, part of the club
16 action team, they're stationed in that block
17 every night.

18 So, I think he would know exactly
19 which establishment it was, you know, the patron
20 exited.

21 MEMBER ALBERTI: I have no doubt that
22 --

1 CAPTAIN SLEDGE: It says 1223 --

2 MEMBER ALBERTI: I'm convinced that --

3 CAPTAIN SLEDGE: This unfortunate
4 incident --

5 MEMBER ALBERTI: Yes, okay.

6 CAPTAIN SLEDGE: As far as the other
7 establishment, I don't know.

8 He was adamant about, the incident
9 occurred at 1223.

10 MEMBER ALBERTI: Okay.

11 CHAIRPERSON MILLER: Others? Captain
12 Sledge, is there a problem with crowd control in
13 that area?

14 CAPTAIN SLEDGE: There are quite a few
15 establishments there, and they basically, all of
16 them let out close to the same time, I believe.

17 So, it does become very congested in
18 that area.

19 CHAIRPERSON MILLER: Does?

20 CAPTAIN SLEDGE: Yes, and that's one
21 of the reasons why we have that club action team
22 there, for safety reasons and to direct

1 pedestrian and motor vehicle traffic, and also,
2 to try to make sure there are not a lot of
3 violent incidents occurring in that vicinity.

4 But it is a large amount of people
5 that let out at that time, from those
6 establishments.

7 CHAIRPERSON MILLER: They let out
8 around the same time?

9 CAPTAIN SLEDGE: Yes.

10 CHAIRPERSON MILLER: And Mr. Kline --

11 CAPTAIN SLEDGE: That's for both sides
12 of the street.

13 CHAIRPERSON MILLER: Yes. Both sides?

14 CAPTAIN SLEDGE: Yes.

15 CHAIRPERSON MILLER: Could you just --
16 could one of you address what your crowd control
17 policy is?

18 MR. REHMAN: Like I said, we let each
19 -- Dirty Martini dies out pretty early anyway.

20 CHAIRPERSON MILLER: One-thirty?

21 MR. REHMAN: The first level, the main
22 level. People start clearing out like around

1 1:00, 1:30, 2:00. They leave pretty early. We
2 put the lights up.

3 What happens, like he said, in this
4 area, it gets congested. It's not just the bars
5 letting out. Then you have a place, like
6 Empanada Place, that's open, you know, Empanada
7 Place.

8 CHAIRPERSON MILLER: Empanada?

9 MR. REHMAN: Yes.

10 CHAIRPERSON MILLER: I thought you
11 said Palada.

12 MR. REHMAN: I'm sorry.

13 CHAIRPERSON MILLER: Okay.

14 MR. REHMAN: It's open until like six
15 in the morning. Then you have -- what happen,
16 when people are letting out, then you have a long
17 line coming that way, then the pizza place is
18 open late night.

19 So, people are letting out of the
20 bars, even if they let out early or late. So,
21 each way, when you have people letting out, one
22 way or another way, you still have lines lining

1 up for the food.

2 So, then people are bumping into one
3 another. Nobody really knows who came out of
4 where. Police are trying to be helpful, but it's
5 hard, because you have so much going on, and you
6 can't really control Empanada Place or the pizza
7 place, because they don't carry liquor or
8 anything, so, it's hard. It gets a little bit
9 tough over there, but it works out okay, overall.
10 But every now and then, you have things like this
11 that happen.

12 CHAIRPERSON MILLER: So, I just want
13 to put out this question, or whatever.

14 I mean, it may be that if somebody
15 falls and gets hurt, it's not any establishment's
16 fault, per se, but I am wondering, I know that
17 there is police out there to try to control it,
18 but do you think there should be any other
19 actions that the businesses could take to prevent
20 it?

21 You know, such as, you know, different
22 hours of closing or do you see any other

1 suggestions we could possibly --

2 MR. REHMAN: It's hard because --

3 MR. KLINE: Madam Chair, it's hard
4 because we don't know exactly what happened here.

5 CHAIRPERSON MILLER: I know, I'm just
6 talking general.

7 MR. KLINE: Okay.

8 CHAIRPERSON MILLER: This is not the
9 -- it's just general crowd -- yes.

10 MR. REHMAN: The one eating places,
11 they're a late night. Before, it was only
12 Empanda Place that was a late night eating place.

13
14 Now, you have the pizza place. You
15 have another place across the street that's open
16 late. There's no seating inside. Everybody is
17 outside. So, when people are standing outside
18 eating it just -- it takes a little bit more
19 time, but overall, there's like a lot of police
20 officers that are -- pretty much, help out a lot.

21 CHAIRPERSON MILLER: I mean, you think
22 that that's fine? That's the solution, that the

1 police are there and --

2 MR. REHMAN: It helps a lot, yes, it
3 does. I mean, they're going to listen to them
4 more than they will listen to anybody else, yes.
5 Plus, when something goes wrong, they can radio
6 more help right away. They can call an ambulance
7 right away, if somebody needs help. So, it makes
8 it easier.

9 CHAIRPERSON MILLER: Okay.

10 MR. REHMAN: I mean, the place is
11 pretty lit up. So, it's not like a dark place.

12 CHAIRPERSON MILLER: Okay, anything
13 else? Mr. Silverstein?

14 MEMBER SILVERSTEIN: Mr. Rehman, how
15 many people -- what is your occupancy upstairs?

16 MR. REHMAN: Mezzanine level, sir?

17 MEMBER SILVERSTEIN: At Dirty Bar,
18 just the top floors.

19 MR. REHMAN: Three-hundred something,
20 390 or 395.

21 MEMBER SILVERSTEIN: On a Saturday
22 night, or Sunday night, if it's a good Sunday

1 night, how many people are there around closing
2 time?

3 MR. REHMAN: On Sunday night?

4 MEMBER SILVERSTEIN: Yes, or Saturday.

5 MR. REHMAN: I would say like 40 or 50
6 people.

7 MEMBER SILVERSTEIN: I'm sorry?

8 MR. REHMAN: Forty or 50 people.

9 MEMBER SILVERSTEIN: And on Saturday?

10 MR. REHMAN: On Saturday, if it's a --
11 if the weather it good and it's busy, we'll
12 probably do like 300 people in there.

13 MEMBER SILVERSTEIN: How many?

14 MR. REHMAN: About 300 people.

15 MEMBER SILVERSTEIN: Now, they're all
16 going down the stairs right?

17 MR. REHMAN: Yes.

18 MEMBER SILVERSTEIN: To get out?

19 MR. REHMAN: Yes.

20 MEMBER SILVERSTEIN: How do you get
21 them all down the stairs? Do you stagger them
22 out?

1 MR. REHMAN: Well, yes.

2 MR. SEQUEIRA: They take their time.

3 MR. REHMAN: Yes, I mean, the thing is
4 it's -- I mean, I'm lucky at Dirty Martini. Up
5 in the midtown, the staircase was like this.
6 Dirty Martini or the Dirty Bar, it's a pretty
7 wide staircase and lit up.

8 So, people are letting out at Dirty
9 Martini, by the time they let out, the upstairs
10 opens up and people -- you know, they just --
11 everyone just leaves. They got their jackets.
12 They're closing their tabs. They're talking to
13 their friends, and you know, Skip was a big help
14 in this.

15 Before we used to be like, "Get out,"
16 at 3:00, "Everybody get out." It was bad because
17 everybody let out at one time.

18 CHAIRPERSON MILLER: Right.

19 MR. REHMAN: Now, honestly, overall,
20 I think everybody in the area does a pretty
21 decent job, letting people out, and most places
22 there have staircases, and there kind of is a

1 staircase, across the street you have a -- it's
2 all buildings. It's a lot of places. Public has
3 a staircase. The place next to public has a
4 staircase, and all those are very, very narrow
5 staircases.

6 I had the same staircase in midtown.
7 But we do, do that because it makes our life
8 easier, and it makes sense, people closing their
9 tabs. It takes time to get them out.

10 Before, the old mentality was like,
11 get out, get out. Now, people -- we let each
12 level out slowly, but like I said, when people
13 let out, then they go somewhere else to eat
14 afterwards. They're waiting for their car to
15 come out. It just takes time.

16 But either way, something else is
17 going to hold them back up, valet or their car or
18 they go out to somewhere to eat across the street
19 or next door.

20 MEMBER SILVERSTEIN: Just looking at
21 these pictures, I don't see where you're going to
22 fit 150 or 200 people on this sidewalk.

1 MR. REHMAN: Well, I mean --

2 MEMBER SILVERSTEIN: So, that is not
3 pointing a finger at you. That's just a question
4 of geometry or something. I mean, you know, where
5 -- how -- do you have any ideas or suggestions?

6 MR. REHMAN: Well, I mean --

7 MEMBER SILVERSTEIN: Captain, is that
8 -- does that seem to be any kind of thing that's
9 a serious problem here? That you got too many
10 people and not enough sidewalk, in this area,
11 just in general?

12 CAPTAIN SLEDGE: I think because like
13 Mr. Romeo said, you have a lot of establishments
14 in that small area, and those foods
15 establishments probably could attribute to the
16 people standing around longer, keeping the area
17 congested longer.

18 But the police department, we have
19 assigned 15 officers and a sergeant to that area,
20 just to that area alone. So, they're there every
21 night.

22 MEMBER SILVERSTEIN: So --

1 CAPTAIN SLEDGE: Other than that, like
2 what the Chairwoman said, staggering the release
3 times for the establishments, because that can
4 become problematic also. I don't know what else
5 we can do.

6 From a safety standpoint, as far as,
7 we try to keep people on the sidewalk, but it's
8 just so congested, people are going to be out in
9 the street.

10 MEMBER SILVERSTEIN: Sounds like we
11 have an over-concentration --

12 CAPTAIN SLEDGE: And the barrier is a
13 major --

14 MEMBER SILVERSTEIN: -- or something.

15 CAPTAIN SLEDGE: Connecticut Avenue is
16 a major corridor in D.C., so, then you have all
17 the vehicular traffic coming through also. It's
18 a logistical nightmare there, especially on warm
19 nights.

20 MEMBER SILVERSTEIN: Thank you,
21 Captain, and thank you for your service.
22 Michael, what is your thought on that?

1 MR. REHMAN: A lot happens on the
2 street. You know, you've got Ambassadors going
3 up and down, and sometimes all the traffic is
4 like held for like 20 or 30 minutes, nobody can
5 move.

6 These are the things that happen and
7 I don't think there is much solution for it, to
8 be honest with you.

9 I think on their side, they got enough
10 officers out there. I think everybody overall
11 does the best they can. You know, the city has
12 different shifts. You know, people go to work at
13 9:00 to 5:00, then you got happy hours, then you
14 got late night dining, then you got after dining.
15 So, it takes -- I mean, you have a lot of
16 businesses there at the same time. So, the
17 businesses have the same time, but I mean, I
18 think overall, having so many venues there, it's
19 -- incidents aren't that bad overall.

20 Honestly, whatever we can control, we
21 control it, and everybody works pretty well on
22 that block together.

1 MEMBER SILVERSTEIN: Thank you.

2 CHAIRPERSON MILLER: Mr. Rodriguez?

3 MEMBER RODRIGUEZ: Yes, Captain,
4 obviously, there is saturation there at closing
5 time.

6 CAPTAIN SLEDGE: Yes, sir.

7 MEMBER RODRIGUEZ: The businesses are
8 close, but what about the taxis that stop there
9 or people stop there to pick up people? That
10 adds to the congestion.

11 So, what about to the right of the
12 Dirty Martini, where there is more room to pick
13 up people in taxis or cars, whatever, so that
14 they don't, you know, get congested, in terms of
15 the front of these establishments, the Lucky Bar
16 and all these establishments, I can see taxis and
17 cars.

18 If you were able to find some way to
19 not allow taxis and cars there to pick up and
20 move down further, that might cut down. I don't
21 know.

22 CAPTAIN SLEDGE: It's going to be a

1 lot of traffic, regardless, even if you did that.

2 Yes, maybe that's something that DDOT
3 should do a study on, you know.

4 MEMBER RODRIGUEZ: Yes.

5 CAPTAIN SLEDGE: You know, look at the
6 environmental design there and stuff, and see
7 what we can do.

8 MR. REHMAN: It's gotten actually
9 better, because people Uber a lot. Sorry, they
10 Uber a lot, and you know, Uber tells you when
11 they're coming, where they're meeting you at, and
12 most likely, they tell you, "Hey, we can't pull
13 up in the front," because the officers don't let
14 them pull up.

15 CAPTAIN SLEDGE: Exactly.

16 MR. REHMAN: So, it's gotten easier,
17 as far as that -- they go to Uber and usually
18 they move off the street a little bit.

19 MEMBER RODRIGUEZ: All right.

20 MR. REHMAN: Yes.

21 MEMBER RODRIGUEZ: Okay.

22 MR. REHMAN: It made it easier, in

1 that sense, so you don't have cabs just lined up.
2 Before, you had cabs lined up, police officers
3 had a hard time moving cabs back and forth.

4 MEMBER RODRIGUEZ: Right, okay.

5 CAPTAIN SLEDGE: It was basically a
6 late night rush hour.

7 MEMBER RODRIGUEZ: Yes, I've been by
8 there. I've driven by there myself. Probably
9 added to the congestion myself.

10 CHAIRPERSON MILLER: Can you just
11 remind me what time you start to let people out?

12 MR. REHMAN: Dirty Martini, around
13 2:30.

14 CHAIRPERSON MILLER: Okay.

15 MR. REHMAN: Yes, you know --

16 CHAIRPERSON MILLER: Is that like last
17 call or is that --

18 MR. REHMAN: We start putting light on
19 downstairs around like 1:30, 1:45, slowly be
20 lighting up. We have so much lighting there.
21 It's a restaurant.

22 CHAIRPERSON MILLER: Yes, okay.

1 MR. REHMAN: So, slowly, slowly, we
2 keep bringing lights up and then cleaning up,
3 people get the hint, they're closing up. So,
4 they start leaving.

5 The downstairs crowd overall leaves
6 early, anyway, and by the time people come down
7 the staircase, the other people are grabbing
8 their car, they're getting an Uber, so it's -- it
9 flows all right, but at that time, it was very,
10 very difficult. Just so you guys know --

11 CHAIRPERSON MILLER: Right.

12 MR. REHMAN: -- in this five or six
13 months, there was a nightmare on our side, and
14 before, there was a nightmare across the street,
15 same thing happened. So, that was -- at that
16 time, it was a little bit worse.

17 CHAIRPERSON MILLER: Right, so that --
18 that's good to hear.

19 MR. KLINE: You're talking about from
20 the pylons and the --

21 MR. REHMAN: Yes, pylons, the sidewalk
22 not being done.

1 CHAIRPERSON MILLER: Yes.

2 MR. REHMAN: Yes.

3 MR. KLINE: Okay.

4 CHAIRPERSON MILLER: I mean, it's good
5 to hear that it's a better situation now.

6 MR. REHMAN: It is, yes, it's a lot
7 better now.

8 CHAIRPERSON MILLER: Okay.

9 MR. REHMAN: They made the sidewalks
10 bigger also, redid the sidewalks, the pathway is
11 safer now, when you cross the street, it's a lot
12 wider.

13 CHAIRPERSON MILLER: Okay, okay, good.
14 All right, any other questions? Okay, not
15 hearing any, I want to thank you all for coming
16 down. The Board was just a little bit concerned
17 about following up about, is there a problem with
18 crowds and injuries and -- or is this just a one
19 time thing or whatever.

20 In any event, what you've told us was
21 very helpful and I believe it's a consensus on
22 the Board, that there's not going to be any

1 action taken in this case. But we appreciate you
2 taking the time to fill us in more on what is
3 happening down there, and I'm glad that you have
4 a crowd policy and that the police are there and
5 --

6 MR. REHMAN: That's Skip's idea.

7 CHAIRPERSON MILLER: It was Skip's
8 idea to have what? The police?

9 MR. REHMAN: No, no, the crowd
10 control.

11 CHAIRPERSON MILLER: The crowd
12 control, yes.

13 MR. REHMAN: He's changed that policy.

14 CHAIRPERSON MILLER: That's good. I'm
15 glad to hear that. I'm glad to hear that. So,
16 yes, well, yes, we missed him not having anymore
17 of his ideas.

18 MR. REHMAN: Thank you.

19 CHAIRPERSON MILLER: Okay, thank you
20 very much.

21 (Whereupon, the above-entitled matter
22 went off the record at 2:23 p.m.)

A

a.m 4:21 16:2
ABC 6:17 15:3 19:4
able 20:12,19 48:18
above-entitled
 53:21
access 34:9
action 3:17 7:14
 14:1 15:8 35:16
 36:21 53:1
actions 4:16 39:19
adamant 36:8
add 16:8
added 28:21 50:9
address 3:18 37:16
adds 48:10
adjacent 18:17
afternoon 2:4,5,10
 2:17 13:15
agency 4:17
Alberti 1:20 10:14
 10:17 31:8 33:18
 33:19,20 34:6,11
 34:15,22 35:4,8
 35:12,21 36:2,5
 36:10
Alcoholic 1:3,14,15
alleged 5:5 17:1
allow 48:19
alluding 26:12
Ambassadors 47:2
ambulance 5:17
 11:9 41:6
amount 27:13 37:4
ANC 1:11 2:9
Andrew 2:18
angled 25:16
answer 13:7 16:9
 17:11
anybody 8:6,6 41:4
anymore 53:16
anyway 37:19 51:6
appears 9:20
appreciate 53:1
approximately 4:21
 5:3 16:2 27:17
area 4:9 9:9 12:9
 17:12,13,22 18:4

18:9,13,16 25:14
 29:17 32:3 36:13
 36:18 38:4 43:20
 45:10,14,16,19,20
arguably 23:18
articulate 4:8
ascertained 12:5
 12:12 13:1
asked 5:10 8:10,22
 10:7 16:11
assigned 45:19
assistance 5:16
assume 7:10
attached 27:3
attribute 45:15
audible 13:12
Ave 1:9
Avenue 2:8 4:22
 5:21 14:14 21:18
 46:15

B

back 2:4 30:14
 44:17 50:3
bad 43:16 47:19
bank 26:14 34:9
bar 1:9 2:8 4:3
 14:13 20:14 21:17
 22:1,9 23:11,13
 23:20 24:21 25:15
 26:7 30:22 31:8
 31:10 41:17 43:6
 48:15
Bar/Dirty 1:9 4:3
Barr/Dirty 2:7
barrier 46:12
barriers 27:7,7
bars 38:4,20
based 19:3
basically 36:15
 50:5
bears 6:14
behalf 2:18
behavior 9:14
believe 5:21 34:4
 36:16 52:21
best 6:19,21 17:9
 47:11

better 49:9 52:5,7
Beverage 1:3,14,15
beyond 20:8
big 27:22 43:13
bigger 52:10
bit 32:21 39:8 40:18
 49:18 51:16 52:16
block 7:15 28:12
 29:17 35:16 47:22
blocked 29:12,18
Board 1:3,14 2:4
 10:12 11:22 16:18
 17:21 52:16,22
brief 4:15
bringing 51:2
broke 5:5
broken 5:6
Brooks 1:19 22:18
 22:20 23:4 26:10
 26:11,22 27:5,12
 27:15,17 28:3,15
 29:2,4,15,19,22
 30:4,7,10
building 1:15 34:1
 34:2
buildings 44:2
bumping 39:2
bunch 12:10
businesses 39:19
 47:16,17 48:7
busy 24:5 42:11

C

cabs 50:1,2,3
call 3:11 41:6 50:17
called 7:14 11:8
camera 17:2,4,6
 18:5 20:13,14
 25:13,16 26:2,5
 31:15 34:12,19
cameras 8:15,16
 19:16 20:3,6,7
 28:22 30:15,17
 31:14 33:5
canape 17:12,13,18
 18:11,14 20:8,22
 30:19
Captain 2:10,13 3:1

4:14,20 6:5,8,11
 7:1,12 8:1,8,17
 9:1,2,10,15,19
 10:3,7,15,18,22
 11:14,18 12:1,3
 12:14 13:6,16,17
 13:22 14:4,9,18
 14:22 15:5,10,13
 21:13,20 22:3,7
 22:12 33:21,21
 34:12,14,20 35:2
 35:7,10,13 36:1,3
 36:6,11,14,20
 37:9,11,14 45:7
 45:12 46:1,12,15
 46:21 48:3,6,22
 49:5,15 50:5
capture 8:11,14,19
 25:14
captured 17:1
 18:11
car 44:14,17 51:8
carry 39:7
cars 48:13,17,19
case 2:6,11 3:13,15
 3:21,21 53:1
central 9:9
certainly 16:9
Chair 26:12 30:11
 40:3
Chairperson 1:16
 1:19 2:3,14 3:3,7
 3:10 10:12,15,18
 11:10,17,20 13:10
 13:13 15:18 16:17
 17:10 19:7,10,21
 20:2,5,18,21
 22:16,18,22 23:3
 26:10 30:12 31:4
 31:9 33:16,19
 34:7 35:6 36:11
 36:19 37:7,10,13
 37:15,20 38:8,10
 38:13 39:12 40:5
 40:8,21 41:9,12
 43:18 48:2 50:10
 50:14,16,22 51:11
 51:17 52:1,4,8,13

53:7,11,14,19
Chairwoman 46:2
changed 53:13
Circle 1:8
CitiBank 25:1,2
 26:1
city 47:11
cleaning 25:6 51:2
cleared 11:5 12:21
clearing 24:7 37:22
close 6:19 22:4,5,7
 36:16 48:8
closing 9:16 24:1,4
 29:22 39:22 42:1
 43:12 44:8 48:4
 51:3
club 7:14 9:8 14:1
 15:8 35:15 36:21
clubs 9:8
CN 1:10
colleagues 16:20
COLUMBIA 1:1
come 2:11 11:4
 12:16 22:9 44:15
 51:6
comes 24:9
coming 7:3,18,20
 28:5 38:17 46:17
 49:11 52:15
Complainant 4:21
 9:21 12:17 14:11
 21:16
concern 3:16 4:4
concerned 25:21
 25:22 52:16
concerning 15:4
concerns 4:8
conclusion 16:4
concrete 28:1,2
confirm 22:10
congested 29:9
 36:17 38:4 45:17
 46:8 48:14
congestion 48:10
 50:9
Connecticut 1:9
 2:8 4:22 5:21
 14:13 21:18 46:15

consensus 52:21
considered 23:14
construction 24:16
 32:18
continued 11:3
control 1:3,14,15
 4:5 36:12 37:16
 39:6,17 47:20,21
 53:10,12
convinced 36:2
cooperation 4:18
cooperative 6:1,7,8
 8:9 16:7
corner 25:17 26:16
 27:1 34:4
correct 13:21 14:17
 18:19 20:8 26:17
corridor 46:16
cover 25:18,19
coverage 18:13
covered 17:22 18:4
 18:13
covers 26:5
crime 35:5
cross 52:11
crossing 28:6
crowd 4:2,5 5:1,11
 7:18,20 9:5,5,6,7
 9:8,11,22 11:1,3
 11:12,15 12:5,16
 12:18,20,21 29:6
 36:12 37:16 40:9
 51:5 53:4,9,11
crowds 52:18
cruiser 32:16
cruisers 24:14
cut 48:20

D

D.C 1:16 46:16
dark 41:11
date 26:16
David 3:1
DDOT 49:2
December 3:19
 4:20 16:1 26:18
 27:8 28:20 29:1
decent 43:21

defer 16:20
definitely 25:12
department 5:15,17
 45:18
depending 24:6
describe 17:20
described 9:5
design 49:6
details 13:20 14:4
determine 16:1
Diego 2:21
dies 37:19
different 39:21
 47:12
difficult 16:14 28:9
 51:10
dining 47:14,14
direct 36:22
directly 7:5,9 12:17
Dirty 1:8 2:7 4:2 5:1
 9:12 14:13 18:18
 19:3,12 20:13,14
 21:17 22:11 23:11
 23:13,13,20 24:4
 24:5,7,21 25:15
 26:7 30:15,19
 31:8,10 32:1
 33:22 37:19 41:17
 43:4,6,6,8 48:12
 50:12
District 1:1 3:2
doing 13:17 24:16
DONALD 1:19
door 7:11 23:10,20
 25:14,22 44:19
doorman 7:8
doors 23:6,10
double-doors 23:8
doubt 35:21
downstairs 50:19
 51:5
driven 50:8
due 17:1

E

earlier 32:5
early 37:19 38:1,20
 51:6

easier 41:8 44:8
 49:16,22
eat 44:13,18
eating 40:10,12,18
either 24:6 44:16
emergency 5:16
Empanada 38:6,6
 39:6
Empanda 40:12
Empandada 38:8
employee 30:8
employees 7:19,22
encountered 5:9
entertain 4:11
entrance 18:17
environmental 49:6
especially 32:17
 46:18
established 13:3
establishment 2:16
 4:1,6 5:2 6:2,20
 7:5 8:4,7 9:7,15
 11:13 12:7,13,18
 13:3,5 16:7 17:14
 22:14 23:7,14
 35:19 36:7
establishment's
 39:15
establishments
 36:15 37:6 45:13
 45:15 46:3 48:15
 48:16
Eve 28:21
event 6:14,16,16
 52:20
everybody 24:9
 28:10 40:16 43:16
 43:17,20 47:10,21
evidence 3:12 19:2
evidently 12:6
exactly 6:18 21:20
 35:7,18 40:4
 49:15
Exhibit-3 17:17
exited 22:14 35:20
exiting 4:2
extra 28:22,22
eyesight 7:10

F

fact 1:9 2:5,6 3:11
fair 23:15
fairly 3:19 22:3
falling 10:20
falls 39:15
familiar 4:9
far 6:21 21:6 29:20
 36:6 46:6 49:17
fault 39:16
feel 26:19
feet 7:11
fell 33:14
female 3:22 10:19
fight 10:5,8,9
figure 27:6
fill 53:2
find 3:16 19:5 48:18
finding 1:9 2:5,6
 3:11
fine 40:22
finger 45:3
finish 18:2
fire 5:16
first 2:6 4:13 9:6
 24:4 29:13 37:21
fit 44:22
five 51:12
floors 41:18
flows 51:9
follow 22:20
following 52:17
food 39:1
foods 45:14
footage 6:1,11
 34:18
forced 23:22
forth 50:3
Forty 42:8
found 4:16
fourth 16:22
Friday 7:2
friends 43:13
front 3:22 4:5,22
 5:11 7:5,9 8:4
 9:21 11:1 12:15
 12:18 17:5,13
 18:17 19:2,12

21:7,17 23:10
 24:14,15 25:3,10
 25:14 26:6 32:1,3
 32:4,10 48:15
 49:13
further 26:9 48:20

G

general 40:6,9
 45:11
generally 23:14
geometry 45:4
getting 51:8
give 3:15 4:14 9:13
glad 53:3,15,15
glass 23:9,10
glassware 25:6
go 20:7 35:5 44:13
 44:18 47:12 49:17
goes 41:5
going 4:7 7:9 16:19
 23:20 30:2 32:18
 39:5 41:3 42:16
 44:17,21 46:8
 47:2 48:22 52:22
good 2:3,10,17
 13:15 34:16 41:22
 42:11 51:18 52:4
 52:13 53:14
gotten 49:8,16
grabbing 25:5 51:7
ground 4:1 5:3,12
 10:1 12:21
guarantee 8:2
guess 7:18 17:3
 28:17
guys 25:5 51:10

H

H-Y-L-A-N-D 5:8
hand 27:1
happen 38:15
 39:11 47:6
happened 5:10 7:4
 10:21 14:7 23:18
 23:19 24:12,19,20
 25:2,10,11 32:9
 32:20 33:2 40:4

51:15
happening 53:3
happens 24:3 38:3
 47:1
happy 4:11 47:13
hard 28:7 39:5,8
 40:2,3 50:3
hear 51:18 52:5
 53:15,15
heard 4:17 11:2,5
 12:19
hearing 1:10,15 2:6
 3:11 52:15
hearings 2:5
HECTOR 1:20
held 47:4
help 34:3 40:20
 41:6,7 43:13
helpful 24:15 39:4
 52:21
helps 41:2
Hey 49:12
hint 51:3
hold 44:17
honest 28:19 47:8
honestly 43:19
 47:20
hook 28:16
hospital 5:18 6:16
 16:3
hour 50:6
hours 39:22 47:13
hurt 39:15
Hyland 5:8,20 8:6,8
 8:17 9:10 10:8
 12:15 14:11 15:14
 35:15
Hyland's 14:3

I

idea 4:15 15:2 53:6
 53:8
ideas 45:5 53:17
immediate 18:17
immediately 11:8
incident 6:13,17
 8:19 9:20 14:3
 15:19 16:3,12,13

17:1 19:2 20:10
 21:5,6 23:18
 26:17 33:3 34:18
 35:11 36:4,8
incidents 3:15 37:3
 47:19
indefinite 6:21
indicated 13:20
 15:7
indicates 3:22
information 3:16
injured 6:15 10:1
 13:2 16:2
injuries 4:5 52:18
Inn 1:8 2:7 4:2
Inner 1:8
inquiries 15:4
inside 5:21 25:4
 40:16
interior 18:17 20:7
interviewed 8:10
 14:18 35:14
introductions 2:15
investigative 27:4
investigator 15:21
 15:22 19:4
investigator's 15:3
involved 7:8

J

jackets 43:11
JAMES 1:21
job 43:21
Jones 15:22
Jones's 15:21
July 1:13 7:2
June 26:16 27:2

K

keep 46:7 51:2
keeping 45:16
kind 23:21 43:22
 45:8
Kline 2:17,18 11:17
 13:13,15,19 14:2
 14:6,15,21 15:2,7
 15:11,16,20 17:8
 17:11,13,16,20

18:2,12,16,20
 19:1,6,9 21:8,11
 27:2 28:1 34:3,8
 37:10 40:3,7
 51:19 52:3
knocked 4:1 5:2,12
 9:22 10:20
know 4:5,11 11:3
 12:5 15:20 16:5,6
 16:11 17:8 19:16
 21:8 22:9 24:8
 25:4 27:21 28:19
 29:6,7 33:22 34:1
 34:1,17 35:18,19
 36:7 38:6 39:16
 39:21,21 40:4,5
 43:10,13 45:4
 46:4 47:2,11,12
 48:14,21 49:3,5
 49:10 50:15 51:10
knowledge 15:5
 16:15 21:11,21
 34:20
known 7:9
knows 21:10 39:3

L

lack 4:18
lamp 19:11,14
large 4:2 5:1 11:15
 37:4
late 38:18,20 40:11
 40:12,16 47:14
 50:6
leaning 33:8
leave 38:1
leaves 43:11 51:5
leaving 51:4
left 18:6,10 25:22
 30:14 33:22
left- 26:22
leg 5:5,5,13,14 11:7
letting 25:4,8 30:1
 32:15,16 38:5,16
 38:19,21 43:8,21
level 34:17 35:4
 37:21,22 41:16
 44:12

License 1:11 2:9
licensed 9:7
licensee 2:18 4:19
life 44:7
light 28:22 50:18
lighting 50:20,20
lights 19:19,22 20:1
 24:8 28:17 38:2
 51:2
line 38:17
lined 50:1,2
lines 38:22
lining 38:22
liquor 39:7
listen 41:3,4
lit 41:11 43:7
literally 23:22
little 11:5 16:14
 32:21 39:8 40:18
 49:18 51:16 52:16

LLC 1:8
local 5:18
located 2:8 11:3
 21:18
location 6:21 14:12
log 16:12
logistical 46:18
long 27:10 28:13
 38:16
longer 45:16,17
longue 30:22
look 8:10 17:16
 24:13 49:5
looking 17:17 19:7
 19:8,20 21:4,14
 26:14 27:13 29:5
 30:18,21 44:20
looks 19:12 28:15
lost 12:19
lot 12:8 16:8 24:16
 29:18 37:2 40:19
 40:20 41:2 44:2
 45:13 47:1,15
 49:1,9,10 52:6,11
lucky 22:1,9 43:4
 48:15

M

ma'am 19:20
Madam 26:11 30:11
 40:3
main 37:21
major 46:13,16
manager 2:22
managers 5:22
managing 2:20
Martini 1:8 2:7 5:1
 9:12 14:13 18:18
 19:3,12 20:13
 21:17 22:11 23:13
 24:4,5,7 30:15,19
 32:1 33:22 37:19
 43:4,6,9 48:12
 50:12
matter 1:7 15:4
 53:21
mean 16:4,9 22:10
 27:2 29:9 31:5
 39:14 40:21 41:3
 41:10 43:3,4 45:1
 45:4,6 47:15,17
 52:4
medical 5:16
meeting 1:5 49:11
member 1:19,20,20
 1:21,21 2:20 4:13
 6:3,7,10,18 7:6,21
 8:5,13,20 9:4,13
 9:17 10:2,4,10,14
 10:17 11:19,22
 12:1,4,22 13:8
 18:8 21:4,10,12
 21:19 22:1,5,8,15
 22:17,20 23:1,5
 23:12,17 24:10,21
 25:13,20 26:4,8
 26:11,22 27:5,12
 27:15,17 28:3,15
 29:2,4,15,19,22
 30:4,7,10,13,20
 31:2,6,8,10,13,17
 31:19 32:2,5,11
 32:14,19,22 33:5
 33:10,13,18,20
 34:6,11,15,22
 35:4,8,12,21 36:2

36:5,10 41:14,17
 41:21 42:4,7,9,13
 42:15,18,20 44:20
 45:2,7,22 46:10
 46:14,20 48:1,3,7
 49:4,19,21 50:4,7
mentality 44:10
mentions 14:12
met 1:15
Mezzanine 41:16
Michael 2:19 46:22
midtown 43:5 44:6
MIKE 1:21
Miller 1:16,19 2:3
 2:14 3:3,7,10
 10:12,15,18 11:10
 11:17,20 13:10,13
 15:18 16:17 17:10
 19:7,10,21 20:2,5
 20:18,21 22:16,18
 22:22 23:3 26:10
 30:12 31:4,9
 33:16,19 34:7
 35:6 36:11,19
 37:7,10,13,15,20
 38:8,10,13 39:12
 40:5,8,21 41:9,12
 43:18 48:2 50:10
 50:14,16,22 51:11
 51:17 52:1,4,8,13
 53:7,11,14,19
minutes 47:4
missed 3:4 11:22
 53:16
months 27:11
 51:13
morning 27:19
 38:15
motor 37:1
move 47:5 48:20
 49:18
moving 29:21 50:3

N

N.W 1:15
name 3:4,8
narrative 14:10
 21:15

narrow 44:4
near 26:14
needs 41:7
New 28:21
NICK 1:20
night 4:15 9:16
 10:8 15:9 18:21
 24:6 27:18 35:15
 35:17 38:18 40:11
 40:12 41:22,22
 42:1,3 45:21
 47:14 50:6
nightmare 46:18
 51:13,14
nights 46:19
Northwest 2:9
number 3:21 6:16
 6:17
NW 1:9

O

oath 3:12
observe 10:19 14:8
 20:6
observed 12:16
 14:7,16 15:12
obtained 6:1,12
obviously 34:12
 48:4
occupancy 41:15
occur 6:19
occurred 4:15 8:11
 16:3 26:17 36:9
occurring 19:2 37:3
offer 8:21
office 34:4
officer 5:7,7,20
 6:13 7:2,4,17 8:5
 8:8,17 9:10 10:7
 10:19 12:14 14:3
 14:9,10 15:14,14
 21:15 22:10 25:7
 35:14,15
officer's 13:20
officers 7:14 28:7
 32:13 40:20 45:19
 47:10 49:13 50:2
okay 2:3 3:10 7:6

8:20 10:2,18
 11:10,17 12:22
 13:8,10,13 14:21
 15:7,16,18 16:17
 17:10 18:12,16
 19:1,6,7,10,11
 20:18,21 21:12,19
 22:15,16 26:8,9
 26:10 27:12 28:15
 29:15,19 30:7,10
 31:17,19 32:11,12
 32:22 33:13 34:9
 34:22 36:5,10
 38:13 39:9 40:7
 41:9,12 49:21
 50:4,14,22 52:3,8
 52:13,13,14 53:19
old 3:19 44:10
once 12:9
One-thirty 37:20
open 38:6,14,18
 40:15
opens 43:10
orange 27:8
outside 5:2 6:20
 9:11,12 24:8
 40:17,17
over-concentrati...
 46:11
overall 28:10 39:9
 40:19 43:19 47:10
 47:18,19 51:5

P

P-R-O-C-E-E-D-I-...
 2:1
p.m 2:2 53:22
page 16:21
pain 5:9
Palada 38:11
paragraph 16:22
part 30:22 34:8
 35:15
pathway 52:10
patio 24:8 25:18,20
 25:21
patron 22:14 35:19
pedestrian 37:1

people 5:1,4,11
 9:18 12:8,10
 23:20,20,22 24:6
 25:4,5,8 27:18
 28:5,6 29:6,8,20
 30:1 37:4,22
 38:16,19,21 39:2
 40:17 41:15 42:1
 42:6,8,12,14 43:8
 43:10,21 44:8,11
 44:12,22 45:10,16
 46:7,8 47:12 48:9
 48:9,13 49:9
 50:11 51:3,6,7
percent 27:11 33:1
perpetuated 12:6
person 6:15 7:8
 13:2,4 16:2 30:6
perspective 29:5
 29:10
photograph 19:11
pick 31:20 48:9,12
 48:19
picks 31:22
picture 17:21 21:5
 23:6 24:13 26:15
 26:20 30:14
pictures 44:21
pizza 38:17 39:6
 40:14
place 21:6 32:7
 38:5,6,7,17 39:6,7
 40:12,12,14,15
 41:10,11 44:3
places 40:10 43:21
 44:2
Plus 41:5
pointing 45:3
points 26:6
poles 24:18
police 3:2 4:16 5:15
 25:7 28:7 32:13
 39:4,17 40:19
 41:1 45:18 50:2
 53:4,8
policy 37:17 53:4
 53:13
position 5:15 11:7

17:9
possibility 26:13
possible 23:13
possibly 32:6 40:1
post 19:11,14
preparation 7:3
prepared 6:13
 14:11 15:14
PRESENT 1:18
presiding 1:16
pretty 25:18 28:11
 29:17 37:19 38:1
 40:20 41:11 43:6
 43:20 47:21
prevent 39:19
probably 7:13
 42:12 45:15 50:8
problem 12:7 36:12
 45:9 52:17
problematic 46:4
prosecuting 3:13
protrusions 30:17
public 34:9 44:2,3
pull 49:12,14
put 3:12 24:8 28:11
 28:20 38:2 39:13
putting 25:6 50:18
pylons 51:20,21

Q

question 11:11,19
 12:4 13:1 18:21
 22:19 26:9 33:21
 34:11 39:13 45:3
questions 4:10
 10:13 11:18 13:11
 16:10,18 21:1,2
 22:17 33:17 52:14
quick 33:20
quite 36:14

R

radio 41:5
range 17:2,6 20:11
read 3:14
ready 13:14
Real 22:5
really 12:5 15:20

16:5 39:3,6
reason 9:14 24:12
 32:12 34:16
reasons 36:21,22
recall 27:10,20
record 2:4,15 53:22
redid 52:10
Reeves 1:15
refer 21:14,22
reference 17:21
referring 3:20
 13:22 14:2,5
 30:13
regardless 49:1
Rehman 2:19,19
 3:3 19:19 20:1,4
 20:12,16,19 23:1
 23:8,16 24:3,11
 25:1,16 26:2,6,12
 27:9,14,16,20
 28:2,4,18 29:3,11
 29:16,20 30:3,5,9
 30:18,21 31:12,15
 31:18,22 32:3,8
 32:12,15,20 33:1
 33:7,11,14 37:18
 37:21 38:9,12,14
 40:2,10 41:2,10
 41:14,16,19 42:3
 42:5,8,10,14,17
 42:19 43:1,3,19
 45:1,6 47:1 49:8
 49:16,20,22 50:12
 50:15,18 51:1,12
 51:21 52:2,6,9
 53:6,9,13,18
relating 6:14
release 46:2
remind 50:11
report 3:21 6:14,14
 11:14 13:21 14:3
 14:10 15:15,22
 16:5,6,21 17:17
 21:15 27:4 33:3
reported 5:8 8:18
 9:20 14:16,19
 21:16
reporter 18:3

reporting 5:7
reports 3:15
respond 15:3
response 13:12
restaurant 23:9
 30:15 31:1 50:21
Retailer 1:10
review 19:3
reviewed 18:21
right 2:11 6:10 7:15
 7:16 14:15 15:16
 17:5,20 18:6,10
 18:10 20:22 21:1
 22:2,13,22 25:8
 25:17 26:3 30:10
 30:16,19 31:6,11
 31:19 32:2,3,10
 32:14,19 33:6,10
 33:13 34:22 35:12
 41:6,7 42:16
 43:18 48:11 49:19
 50:4 51:9,11,17
 52:14
roaming 12:8
Rodriguez 1:20
 11:19 12:1,4,22
 13:8 21:3,4,10,12
 21:13,19 22:1,5,8
 22:15,17 30:12,13
 30:20 31:2,6,10
 31:13,17,19 32:2
 32:5,11,14,19,22
 33:5,10,13 48:2,3
 48:7 49:4,19,21
 50:4,7
Romeo 2:19 45:13
room 1:15 29:6
 48:12
rush 50:6
Ruthanne 1:16,19

S

S-E-Q-U-E-I-R-A
 3:9
safer 52:11
safety 36:22 46:6
saturation 48:4
Saturday 41:21
 42:4,9,10
saw 4:17 7:13,19
 8:2,4 10:22 12:21
 33:8
saying 24:13 29:16
says 16:22 30:22
 30:22 36:1
screaming 5:9 11:2
 11:6 12:20
se 39:16
seat 2:12
seating 40:16
second 3:1 11:21
security 30:5,6
see 20:13,14,19
 22:1 25:16 26:15
 26:22 27:2 29:8
 30:8,16 34:13,14
 34:15 39:22 44:21
 48:16 49:6
seeing 30:2
seen 7:8 25:3,9,12
 33:7
sense 25:11 44:8
 50:1
sentence 16:22
Sequeira 2:21,21
 3:6,6,9 17:12,15
 17:19 18:1,6,9,15
 18:19,22 19:4
 20:15,17 26:21
 43:2
sergeant 45:19
serious 45:9
service 12:2 46:21
shifts 47:12
SHORT 1:21
show 31:5,5
showed 5:17
shown 17:18
side 18:7,10,10,11
 21:9 24:20,22
 29:14 47:9 51:13
sides 37:11,13
sidewalk 8:12,15
 20:9,10,20 25:14
 29:12 44:22 45:10
 46:7 51:21

sidewalks 52:9,10
sight 12:19
sign 19:13,13 30:14
 30:16 31:3,5,7,8
 31:10,14
signs 19:13 28:16
Silverstein 1:21 4:7
 4:13 6:3,7,10,18
 7:6,21 8:5,13,20
 9:4,13,17 10:2,4
 10:10 18:8 23:1,5
 23:12,17 24:10,21
 25:13,20 26:4,8
 41:13,14,17,21
 42:4,7,9,13,15,18
 42:20 44:20 45:2
 45:7,22 46:10,14
 46:20 48:1
sir 9:3 12:3,14 13:8
 13:18 15:6 22:12
 30:13 34:21 41:16
 48:6
situation 3:18 7:7
 23:21 32:7 52:5
six 38:14 51:12
Skip 43:13
Skip's 53:6,7
Sledge 2:10,13 3:1
 3:1 4:14,20 6:5,8
 6:11 7:1,12 8:1,8
 8:17 9:2,10,15,19
 10:3,7,16,19,22
 11:14,18 12:3,14
 13:6,16,17,22
 14:4,9,18,22 15:5
 15:10,13 21:13,20
 22:3,7,12 33:21
 33:21 34:12,14,20
 35:2,7,10,13 36:1
 36:3,6,12,14,20
 37:9,11,14 45:12
 46:1,12,15 48:6
 48:22 49:5,15
 50:5
slowly 24:7,9 44:12
 50:19 51:1,1
small 45:14
solution 40:22 47:7

somebody 25:3,12
33:4 39:14 41:7
sorry 3:4 7:21
11:20,21 23:3
30:18 38:12 42:7
49:9
Sounds 46:10
space 24:17 26:15
27:13,14
speak 18:8
speculating 17:3
spell 3:7
spilled 10:6
spoke 5:21 15:13
squares 19:16
stagger 42:21
staggering 46:2
staircase 43:5,7
44:1,3,4,6 51:7
staircases 43:22
44:5
stairs 42:16,21
stairwell 24:2
standing 3:22 4:22
5:11 8:3 9:21 11:1
12:15,17 14:12,20
14:22 21:17,21
22:13 40:17 45:16
standpoint 16:13
46:6
start 2:15 4:11 24:4
24:7 37:22 50:11
50:18 51:4
starts 15:22
stated 7:4 9:10
23:18 32:6
states 14:10,11
21:15
stationed 7:15
35:16
stepped 5:4,4,13
stepping 10:3
steps 23:21
stop 48:8,9
street 1:15 19:12
24:1,17 28:16,17
29:13 37:12 40:15
44:1,18 46:9 47:2

49:18 51:14 52:11
stuck 24:2
study 49:3
stuff 49:6
suggestions 40:1
45:5
summons 5:15
Sunday 16:1 41:22
41:22 42:3
sure 16:7 24:10
27:11 33:1 37:2

T

t/a 1:8
table 2:12
tabs 43:12 44:9
take 2:11 39:19
43:2
taken 3:18 26:16
53:1
takes 40:18 44:9,15
47:15
talk 8:6 15:11 16:14
talked 7:1
talking 17:4 18:3
29:8 40:6 43:12
51:19
tall 31:2,13
taxis 48:8,13,16,19
team 7:14 14:1 15:8
35:16 36:21
tell 6:19,22 21:5
27:21 35:2 49:12
tells 49:10
temporary 28:16
terms 13:19 14:6
17:16 48:14
thank 2:13,14 12:1
12:3 13:8 15:17
26:11 30:11 46:20
46:21 48:1 52:15
53:18,19
thing 21:14,22
27:21,22 28:1,2
43:3 45:8 51:15
52:19
things 16:14 25:6
28:12 39:10 47:6

think 16:17 17:8
24:12,19 25:10
28:10,18 32:8,9
32:20 34:5 35:18
39:18 40:21 43:20
45:12 47:7,9,10
47:18
thinking 11:21
33:12
thought 38:10
46:22
three 19:15,16,16
30:16
Three-hundred
41:19
time 9:2 24:1,9,16
27:10 28:7,14
29:7,12,22 32:9
32:16 34:5 36:16
37:5,8 40:19 42:2
43:2,9,17 44:9,15
47:16,17 48:5
50:3,11 51:6,9,16
52:19 53:2
times 28:13 46:3
titled 6:15
told 14:19 15:1
52:20
top 19:17 41:18
tough 39:9
traffic 37:1 46:17
47:3 49:1
trampled 9:17
transported 5:18
treatment 5:19
Tristan 5:7
try 28:12 34:18 37:2
39:17 46:7
trying 26:19 27:6
39:4
twisted 5:14 11:7
two 6:17 16:21 23:8
type 9:14

U

Uber 49:9,10,10,17
51:8
unable 16:1

unaware 16:13
underneath 31:14
understand 26:12
27:6 35:1
unfortunate 35:11
36:3
unusual 5:15 11:7
11:11
upstairs 41:15 43:9
usually 24:5,15
49:17

V

vacant 34:5,7
valet 44:17
various 9:8
vehicle 37:1
vehicular 46:17
venues 47:18
vicinity 37:3
victim 5:9 12:17
video 6:1,11 8:10
8:11,18 17:22
18:4,12,20 19:3
violation 6:17
violent 37:3

W

wait 11:21
waiting 44:14
walk 23:5,9 28:6
walked 33:15
walking 28:5 29:20
want 3:16 11:18
15:19 39:12 52:15
wants 24:1
warm 46:18
Washington 1:16
wasn't 10:4 24:17
watched 22:13
way 11:12 25:11
28:4,6 38:17,21
38:22,22 44:16
48:18
we'll 42:11
we're 3:12,13 16:9
19:8 25:6 29:8
weather 42:11

went 5:20 11:6
 53:22
white 27:8 30:16
 31:2,13
wide 43:7
wider 52:12
willing 16:9
witness 10:9
witnessing 7:17
wondering 39:16
work 47:12
worked 28:10
working 8:16 28:8
works 39:9 47:21
World 34:8
worse 51:16
wouldn't 20:12
 34:17
wrong 24:11 41:5

X

Y

Year's 28:21
yellow 28:12 31:5,7

Z

0

1

1:00 38:1
1:30 38:1 50:19
1:45 2:2 50:19
100 27:11 33:1
1223 1:9 2:8 4:22
 5:2,21 14:13
 21:18 36:1,9
14 3:20
14-251-00344 2:7
 3:21
14192165 6:15
14th 1:15 4:20 16:1
15 45:19
150 44:22

2

2:00 38:1
2:23 53:22

2:30 24:4 50:13
20 47:4
200 44:22
2000 1:15
2014 3:20 4:21 27:3
2015 1:13
24th 7:2
29 1:13
2B 1:11 2:9

3

3:00 4:21 43:16
3:10 16:2
30 5:3 47:4
300 42:12,14
390 41:20
395 41:20

4

40 5:3 42:5

5

5:00 47:13
50 42:5,8

6

7

8

83919 1:11 2:9

9

9:00 47:13