

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD

4 - - - - -X

5 IN THE MATTER OF: :
6 Clinnie M. Dickens, :
7 t/a Dan's Café : Fact-finding
8 2315 18th Street, NW : Hearing
9 License #ABRA-785 :
10 Retailer CT : Case No.
11 ANC-1C : 15-251-00156
12 Assault Inside of the :
13 Establishment :

14 - - - - -X

15

16 Wednesday, December 2, 2015

17

18 Whereupon, the above-referenced matter
19 came on for hearing at the Alcoholic Beverage
20 Control Board, Reeves Center, 2000 14th Street,
21 N.W., Suite 400S, Washington, D.C. 20009.

22

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

9

10 ALSO PRESENT:

11 CLINNIE DICKENS, Owner

12 On behalf of Dan's Cafe

13 FELICIA DANTZLER, Investigator

14 On behalf of ABRA

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

2 [5:06 p.m.]

3 CHAIRMAN ANDERSON: All right. The next
4 case on our fact-finding agenda is Case No. 15-
5 251-00156, and Case No. 251-001-56A, Dan's Café,
6 License number 785.

7 Will the parties please step forward?
8 (Discussion off the record)

9 CHAIRMAN ANDERSON: There is a sign-in
10 sheet that I would like you to sign your name on,
11 and then introduce yourself.

12 Also -- we'll, I'll go one step at a
13 time. Introduce yourself, spell your name for
14 the record for the transcriber, and just give me
15 your role, please. We can start with the
16 investigator.

17 MS. DANTZLER: Investigator Felicia
18 Dantzler, last name spelled phonetically, D, like
19 David, A-N-T, Z, like zebra, L-E-R. F-E-L-I-C-I-
20 A.

21 CHAIRMAN ANDERSON: Your name?

22 MR. PATTERSON: Ricky Patterson, door man

1 at Dan's Café.

2 (Discussion off the record)

3 MR. PATTERSON: R-I-C-K-Y P-A-T-T-E-R-S-
4 O-N.

5 (Pause)

6 CHAIRMAN ANDERSON: And your name, sir?

7 MR. DICKENS: Clinnie Dickens. C-L-I-N-
8 N-I-E. Yes, sirree, they made a mistake on this.

9 (Discussion off the record)

10 MR. DICKENS: If you had corrected that
11 before (Inaudible) when I was here on the 5th.

12 CHAIRMAN ANDERSON: I'm sorry. You said
13 what, sir?

14 MR. DICKENS: (Spells name again)

15 CHAIRMAN ANDERSON: No, no. I didn't
16 hear the last thing you stated.

17 MR. DICKENS: Oh, I corrected that with
18 Ms. Walker when I was here on the 5th.

19 CHAIRMAN ANDERSON: Okay. And you are --
20 are you -- are they the owner?

21 MR. DICKENS: I'm the owner.

22 CHAIRMAN ANDERSON: Well, you see, I'm

1 new to this, sir, so that's why I'm just asking
2 who you are.

3 MR. DICKENS: Okay.

4 CHAIRMAN ANDERSON: All right. thank
5 you.

6 MALE SPEAKER: And I have it spelled
7 correctly on my document (Laughter).

8 MR. DICKENS: And all the other documents
9 I've got here are wrong (Inaudible).

10 CHAIRMAN ANDERSON: All right.

11 Okay, so, Investigator Dantzler, can you
12 give us some background, please?

13 MS. DANTZLER: Yes. I have a question,
14 first. Are we redoing the first case, 15-251-
15 0156?

16 CHAIRMAN ANDERSON: Well, on the fact-
17 finding hearing calendar, we're doing both cases.

18 MS. DANTZLER: Okay. I wasn't prepared
19 to do --

20 CHAIRMAN ANDERSON: What case do you
21 have?

22 MS. DANTZLER: I have the exact same

1 numbers with the exception of A. A, like Adam.
2 I was (Inaudible) testimony on that one.

3 (Simultaneous discussion)

4 (Pause)

5 CHAIRMAN ANDERSON: But we have the
6 investigator's report for both.

7 MS. DANTZLER: Yes.

8 CHAIRMAN ANDERSON: Yes.

9 MS. DANTZLER: And if you would like me
10 to testify from my original report, I would just
11 need a copy of it. I just found out as you were
12 reading the cases into the record.

13 (Discussion off the record)

14 CHAIRMAN ANDERSON: Which one were you
15 prepared to do, the A or -- tell me which one,
16 and you can do that one first.

17 MS. DANTZLER: 15-251-0156A, like Adam.

18 CHAIRMAN ANDERSON: Okay. So, we can do
19 that one first, and if you need to take a break -

20 -

21 MS. DANTZLER: Okay.

22 CHAIRMAN ANDERSON: -- to review the

1 other one, and then we'll do that.

2 MS. DANTZLER: Okay.

3 On Wednesday --

4 CHAIRMAN ANDERSON: I'm sorry. And Mr.
5 Dickens?

6 MR. DICKENS: Yes.

7 CHAIRMAN ANDERSON: You understand --

8 MR. DICKENS: Excuse me?

9 CHAIRMAN ANDERSON: You understand --

10 MR. DICKENS: There's two different
11 cases, is what you're saying.

12 CHAIRMAN ANDERSON: Right. But the one
13 thought we're doing first is the one with the A.

14 MR. DICKENS: Well, I don't have that.
15 The only one I have is (Inaudible portion) 0156.

16 CHAIRMAN ANDERSON: Hold on.

17 MR. DICKENS: That's the only one I've
18 got.

19 CHAIRMAN ANDERSON: This is the one that
20 there is an assault in the property on March --

21 MR. DICKENS: Both of them are the same,
22 I think. The hearings might be different, when

1 it came to -- but both of them are the same, I
2 think.

3 (Simultaneous discussion)

4 MR. DICKENS: I have that. They brought
5 me that.

6 (Discussion off the record)

7 CHAIRMAN ANDERSON: Okay. Then, we are
8 addressing the incident first that the date of
9 occurrence of 11/6/2015.

10 MALE SPEAKER: 11/6?

11 CHAIRMAN ANDERSON: November 6th.

12 MR. ALBERTI: It's at the very top. The
13 second box at the very top. You'll see several
14 boxes at the very top. Do you have an
15 investigate report?

16 MR. DICKENS: No.

17 MR. ALBERTI: It looks like you do right
18 there.

19 MR. DICKENS: Right here?

20 MR. ALBERTI: Yeah, is that an
21 investigative --

22 MR. DICKENS: Yeah, this is 516.

1 CHAIRMAN ANDERSON: No, do you have the
2 other one that says 11/6/2015?

3 MR. ALBERTI: You have one that says
4 11/6?

5 MR. DICKENS: No.

6 MR. ALBERTI: Okay. We will try to get
7 that for you now.

8 MS. DANTZLER: Ms. Jenkins stated that
9 she's going to make him a copy right now.

10 MR. ALBERTI: Okay, great.

11 MR. DICKENS: Okay. That's November of
12 this year?

13 CHAIRMAN ANDERSON: Yes.

14 MALE SPEAKER: You had one in May and one
15 in November.

16 MR. ALBERTI: I'm going to give you --
17 until we get -- we're getting a copy made.

18 (Discussion off the record)

19 MR. DICKENS: Oh, you're talking about --
20 this is about the squirt bottle.

21 MS. MILLER: Yes (Laughter).

22 MALE SPEAKER: Yes.

1 MS. DANTZLER: Yes.

2 MR. DICKENS: Oh, okay. Okay, okay.

3 CHAIRMAN ANDERSON: All right, okay.

4 MR. DICKENS: All right. Yes, sirree. I
5 brought those with me so we could clear it. This
6 is something I've been doing over 30 years.

7 CHAIRMAN ANDERSON: All right.

8 MR. DICKENS: Almost (Laughter).

9 (Simultaneous discussion)

10 CHAIRMAN ANDERSON: Okay, the
11 investigator will --

12 MR. DICKENS: Okay, okay.

13 CHAIRMAN ANDERSON: I just want to make
14 sure that we're on the same page.

15 MR. DICKENS: Okay, okay, okay, okay.

16 CHAIRMAN ANDERSON: All right. All
17 right. Okay. Go ahead.

18 (Simultaneous discussion)

19 MS. DANTZLER: Okay. On Wednesday,
20 November 4th, 2015, ABRA board held a fact-
21 finding hearing regarding assault which occurred
22 at Dan's Café on May 16th of 2015.

1 From that hearing, MPD Christopher Diorio
2 (phonetic) testified that he observed patrons
3 consuming alcoholic beverages from a squirt
4 bottle. And also, during a previous fact-finding
5 held on October 12th, 2007, the owner, Mr.
6 Clinnie Dickens, advised the board that he would
7 install cameras and submit a security plan.

8 On October 7th, 2007, that fact-finding
9 was held with the ABC board regarding Dan's Café,
10 Case No. 8355, and from that hearing, the hearing
11 was reduced to a written report, and I have
12 included testimony from that hearing whereas Mr.
13 Dickens states on page 4 of that transcript from
14 2007 -- he agreed with ABC board member, Mr.
15 Gandhi (phonetic) that he would -- will install
16 cameras and have a security plan to the board
17 within 30 days.

18 To move further, on Friday, November 6th,
19 2015, from testimony of MPD Officer Diorio, who
20 stated that he observed patrons consuming
21 alcoholic beverages from a squirt bottle, I took
22 that information and visited the establishment on

1 Friday, November the 6th of 2015.

2 I met and spoke with Mr. Dickens, and Mr.
3 Dickens stated -- I explained to Mr. Dickens the
4 reason for the visit. And during that time, I
5 observed approximately 12 patrons consuming a
6 liquid substance from a bottle as described by
7 Officer Diorio on November the 6th.

8 The bottle was a plastic clear bottle
9 with a tip, and I observed patrons squirting a
10 liquid from that bottle into their mouths, and
11 then, some followed with soda after consumption,
12 and then others followed, who was doing the same
13 motion of squirting their liquid in to their
14 mouth. And then, it appeared that they gulped a
15 shot of another alcoholic beverage.

16 I mentioned this to Mr. Dickens, and Mr.
17 Dickens admitted that he has been serving
18 alcoholic beverages from a plastic bottle for a
19 number of years. And Mr. Dickens went on to say
20 that the cost for the container of -- the squirt
21 bottle, was \$10, and \$5 was held back in the
22 event that the patron held onto the bottle.

1 Mr. Dickens went on to say that the
2 bottle is a 16 ounce squirt bottle, and he puts
3 approximately 4.6 ounces of liquor into the
4 bottle.

5 And as I stated -- scratch that. Mr.
6 Dickens stated that he's been doing this for many
7 years, and that he was told that he -- because he
8 could not sell a fifth of liquor, Mr. Dickens
9 stated that he thought it was okay to serve the
10 alcohol in a manner that he was doing with the
11 squirt bottle.

12 I asked Mr. Dickens about the cameras and
13 the security plan that he stated to the board
14 that he would do, which was back in 2007, and Mr.
15 Dickens stated that the camera that he had on
16 display had not worked for two years. And he
17 stated to me that he will be going to Costco to
18 purchase a working camera.

19 And that's the end of my testimony.

20 CHAIRMAN ANDERSON: Mr. Dickens, do you
21 have anything to state?

22 MR. DICKENS: Well, about the squirt

1 bottle, we've been doing that for over 30 years.
2 We've had investigators and everybody come in.
3 No one -- I haven't ever seen a law that states
4 what you can't serve. You got Mr. -- lieutenant
5 -- what was his name? Not this one, but the one
6 that acts as a community whatever. Not
7 (Inaudible) but the other one that came in, and
8 he reported that it was about the same as having
9 one of these quart containers of beer -- pitchers
10 of beer.

11 That's where you're -- you know, pacified
12 (Inaudible). So, this was the same idea, because
13 when the clientele started changing, a lot of
14 people wanted chilled shots. So, trying to
15 accommodate all these people and put it in a
16 shaker and do one shot at time, I had to come up
17 with the idea how could I -- I could accommodate
18 these people -- so many of them that wanted
19 these.

20 So, that's the idea I had. But the
21 reason I had a kind of squirt thing that I put it
22 in, and then I would pour it in the shot glasses.

1 So, as more people started coming wanted chilled
2 shots, the idea came to try to find a container
3 that I could put it in.

4 It wasn't against it -- and serve more
5 people at one time. And this is the idea that I
6 came up with. I was in one of these discount
7 places (Inaudible) have some wine glasses, and I
8 happened to see these squirt bottles with caps on
9 them. So, I bought a bunch of them.

10 And from there, that's the way the whole
11 thing -- and that was in the '80s. And that's
12 the way the whole thing started. And after they
13 went out of business, I started going to the
14 restaurant supply place, and they had these --
15 because you have to have something you can put
16 ice in to chill the shot.

17 And it has caught on to everybody. I've
18 never had a complaint about in almost 30 years,
19 and everybody comes in. This is what they want,
20 and this is what I give them. And I do charge a
21 \$5 deposit.

22 I advise everybody, you can't take these

1 out. It's an open container. And I give them
2 shot glasses. This is -- they only get 6.8
3 ounces, no more, no less. That's it. I give
4 them that. This is the bottle.

5 And then, I give them whatever mix they
6 want. And normally, they're consuming less
7 alcohol this way than they are with the Long
8 Island Iced Tea or Singapore Sling, because some
9 of those are in pint jars, and they have about
10 five or six different kinds of alcohol.

11 In this, they only get this. They have
12 either a 12 ounce can of soda or a bottle like
13 this. Whatever they want mixed. And then they
14 continue to put that in there. No more alcohol
15 is added. And this is the way it works.

16 So, it's not a gimmick, it's just
17 something convenient to serve more people at
18 once. And that's what all that is, and we've
19 been doing this for over 30 years, and we've
20 never had a complaint from the customer.

21 And we didn't have a complaint until this
22 came up, this one right here. This is the first

1 time in all these years we've ever had a
2 complaint. And it wasn't about you know,
3 somebody getting hurt with this, because nobody
4 can. A person can get hurt more with a bottle of
5 beer than they can with this, and they are not
6 going to outlaw a bottle, I don't think.

7 For the people, some of them want to
8 drink a bottle of a beer out of a glass, and some
9 of them want to drink it out of the bottle. You
10 know? So, he compared it to a pitcher of beer,
11 where you have -- before there weren't pitchers.

12 When they first started, we only had
13 about two different (Inaudible), so they would
14 put it in either a mug or a glass. And then as
15 now, some places have four different systems.
16 So, imagine me -- I'm trying to serve all these
17 people one at a time, with a mug or a glass.

18 So, they went to the pitchers. The
19 pitchers. And that's the same deal. It's --
20 that's what he preferred. That's the reason for
21 it.

22 CHAIRMAN ANDERSON: And you said that you

1 have been doing it for years, and --

2 MR. DICKENS: Well, since the '80s.

3 CHAIRMAN ANDERSON: And no one ever told
4 you --

5 MR. DICKENS: No one.

6 CHAIRMAN ANDERSON: -- that you couldn't
7 serve alcohol --

8 MR. DICKENS: No one.

9 CHAIRMAN ANDERSON: -- this way.

10 MR. DICKENS: Because we never had a
11 complaint from the customers about it. Nobody.
12 This is the first time.

13 CHAIRMAN ANDERSON: Well, it's not
14 necessarily a complaint from the customers. I
15 mean, I -- that's like -- that's -- an ABRA
16 investigator comes there and told you that it was
17 okay to do that?

18 MR. DICKENS: No, nobody. Never before.
19 This is the first time from anybody in almost 30
20 -- since the '80s.

21 (Discussion off the record)

22 MR. DICKENS: So, that's when I brought

1 it to show you exactly how it works.

2 (Discussion off the record)

3 CHAIRMAN ANDERSON: Are you prepared to
4 move forward in the next one -- next case, or are
5 you doing one --

6 MS. DANTZLER: Yes, sir.

7 CHAIRMAN ANDERSON: All right. We're
8 going to -- and then, we'll have questions.

9 The next case that, I guess that to have
10 the record clear -- that will be addressed is
11 Case No. 15-251-00156. And this is the event
12 that occurred at the establishment on May 16th,
13 2015.

14 (Mr. Alberti has discussion with
15 Chairman)

16 CHAIRMAN ANDERSON: Yes, Investigator,
17 yes?

18 MS. DANTZLER: Yes, sir.

19 On or about May 16th, 2015, MPD Officer
20 Diorio reported to ABRA that there were a set --
21 correction -- there were patrons who patronized
22 Dan's Café, and when one of the females reported

1 to the police that she was pushed out of the
2 establishment without warning and subsequently,
3 was struck in the face.

4 The complainant went on to state that she
5 wasn't sure if the employee of the establishment
6 intentionally struck her in the face, but she
7 sustained an injury to right eye.

8 From this PD-251 report, I obtained a
9 statement from Officer Diorio who stated besides
10 his official report, he was actually driver a
11 Mark cruiser when he was flagged down by the
12 complainant, known as Erin Rudy.

13 Officer Diorio stated that Ms. Rudy
14 advised him that an employee of the establishment
15 struck her. Officer Diorio stated that he went
16 inside to talk with the employees of the
17 establishment, and from that, he was unable to
18 readily identify who was a security person and
19 who was an employee.

20 No one had clothes that had any type of
21 identifying markings on them that stated that
22 they were security or employees. Officer Diorio

1 stated that as he was interviewing the
2 complainant, one of the employees (Inaudible) as
3 though he was a street lawyer, and encouraged the
4 employees not to cooperate with their -- the
5 police investigation.

6 Also, on Saturday, June 20th of 2015, I
7 visited Dan's Café and spoke with Rick Patterson,
8 who identified himself to me as the doorman. Mr.
9 Patterson stated that he was working on the night
10 of the incident, but what he recalls is that
11 another employee came to him asking of him (sic)
12 to assist him with two females that was dancing
13 atop the tables and chairs.

14 Mr. Patterson stated that he witnessed
15 the females on top of the table, and he asked the
16 females to get down off of the tabletops. Mr.
17 Patterson went on to say that although the
18 females complied, they did so reluctantly.

19 Mr. Patterson also stated that he was the
20 one who called the police for assistance, because
21 the ladies had some gentlemen with them, and the
22 ladies and the gentlemen became aggressive.

1 Also, on Saturday, June 20th of 2015, I
2 interviewed Antoine Dickens, who stated that he
3 was working at the establishment on the night of
4 the incident as a bar back. And Mr. Dickens
5 stated that he did approach Mr. Patterson and
6 asked him to assist him in removing the group
7 from the establishment, and as he was doing so --
8 as Mr. Dickens was doing so, one of the females
9 pushed Mr. Dickens in his back.

10 Mr. Dickens stated that he did push the
11 female back. Then, all of the sudden, the men
12 who were with the females became involved, and
13 Mr. Dickens added that Mr. Patterson was
14 successful in helping him to remove the group
15 from the premises.

16 And Mr. Dickens did state that they did
17 not have any cameras working. And that's the end
18 of my testimony.

19 CHAIRMAN ANDERSON: All right. You have
20 heard the report for the second --

21 MR. DICKENS: Yes, sir.

22 CHAIRMAN ANDERSON: So, what responses,

1 if any, do you have regarding this?

2 MR. DICKENS: Well, the only response I
3 have is, I would probably just not respond at
4 all, because I was in the back when they were on
5 the table dancing, so I didn't see that, because
6 my son, Tracy, he did not mention it in the
7 report.

8 When I came out of the back, he was out
9 there. The two females were swinging their arms.
10 That's when Antoine -- well, actually, he had
11 sent Antoine over, because they were dancing over
12 there. Antoine had went over, asked them to get
13 off the table and (Inaudible) go on the chair.
14 So, they got down.

15 When Antoine went back around the bar,
16 they got back on the table and the chair. And
17 so, my son Trey (phonetic) said -- told him to go
18 around and ask them to get out again, and he did.

19 And that's when they started arguing and
20 swinging. And Tracy went out there and got in
21 between. Nobody hitting anybody. (Inaudible
22 portion) So, he asked him to go out there again.

1 So, he told Antoine to go and get Rick to come
2 and have -- escort them out of the place.

3 In the report, now I hear it states that
4 one of them got hit in the face back there, and
5 was -- she (Inaudible portion). But then, in --
6 and you go on through the report, it's only
7 stated once that she got hit, and she thinks that
8 was unintentional when she was at the door. And
9 Antoine never went back to the door.

10 Once they were escorted out, he went back
11 -- everybody went back behind the bar. So,
12 that's -- all I can is that happened. That's all
13 I saw. That's all I know. That's the end of it.

14 CHAIRMAN ANDERSON: So, what type of
15 security --

16 (Simultaneous discussion)

17 MR. DICKENS: You know that --

18 CHAIRMAN ANDERSON: Hold on.

19 Previously, you had agreed that you're
20 going to have a security plan. You're going to
21 have ABRA --

22 MR. DICKENS: Yeah, I submitted a plan,

1 and I did have two cameras. I want to explain
2 what happened in that case. I have a --

3 (Pause)

4 MR. DICKENS: What I have in here now
5 (Inaudible portion) -- did I bring it?

6 (Pause)

7 MR. DICKENS: This is one of the -- it's
8 four -- this is a remote system that I have
9 installed since that time. It has a split, full
10 camera, as you can see. But it operates on this
11 new type of stuff, so it -- you know, I can turn
12 it on. I probably can even bring it up -- some
13 of the other stuff on there.

14 But I do have two hard -- I have six
15 cameras in there. I do have two hard ones.
16 Before, I had two cameras in there. I had a VCR,
17 which used the eight-track tape. It went out
18 (Laughter). So, what I -- I'm used to that. I
19 would rather have that now.

20 CHAIRMAN ANDERSON: Now, you're --

21 MR. DICKENS: You know?

22 CHAIRMAN ANDERSON: I think the younger

1 generation doesn't know what an eight-track or
2 VCR (Inaudible portion) --

3 (Simultaneous discussion)

4 MR. DICKENS: (Inaudible)

5 CHAIRMAN ANDERSON: All right.

6 MR. DICKENS: So, I ran it into that, and
7 then, into the monitor. So, after the VCR went
8 out. I ran -- took it out, and ran it directly
9 into the monitor.

10 So, whenever they asked me if I've got a
11 working camera, it worked. It was working. I
12 have taken it down since I put -- installed the
13 new one. But I couldn't have a playback, because
14 the VCR had went out.

15 CHAIRMAN ANDERSON: So, the --

16 MR. DICKENS: So, no system showing --
17 you know, I could show what was happening
18 immediately. But I couldn't back it up, because
19 the VCR had went out.

20 CHAIRMAN ANDERSON: Well, the report said
21 when the -- at least when one of the incidents
22 occurred, that it said that --

1 MR. DICKENS: Yeah, when the VCR wasn't
2 working. See, that's what I'm saying. It's not
3 that the cameras didn't work. So, a lot of
4 times, I didn't even turn the monitor on. The
5 camera was recording, but it was an old playback.
6 There was no way to play it back. That's what
7 happened in that case.

8 And since that time, I have two hard-
9 wired and I'm -- and this particular monitor will
10 take four. I'm going to add two more, because I
11 like the hard wire a lot better.

12 This goes in and out, the remote, because
13 the signal can be blocked.

14 CHAIRMAN ANDERSON: So, this is a -- the
15 report said you were going to go to Costco to go
16 buy --

17 MR. DICKENS: I went to Costco. I went
18 to Best Buy. I bought two systems at Best Buy.
19 Costco had the six system. I haven't gotten it
20 yet, which I plan to get it installed, so you can
21 (Inaudible) -- I'm even planning to put some of
22 them outside.

1 CHAIRMAN ANDERSON: So specifically, tell
2 me, what type of cameras do you have in the
3 establishment right now?

4 MR. DICKENS: I wish I had brought the
5 book, but I --

6 (Simultaneous discussion)

7 CHAIRMAN ANDERSON: Just tell me --

8 MR. DICKENS: It's two different types.

9 CHAIRMAN ANDERSON: Tell me what --
10 basically what --

11 MR. DICKENS: The one that goes over this
12 with the remote. This is the remote. It has an
13 antenna on it. I'll show you what I have. This
14 is the remote one.

15 CHAIRMAN ANDERSON: Okay.

16 MR. DICKENS: But the signal can be --
17 you know -- but I like the hard wired better,
18 because you can't block the signal on that.

19 CHAIRMAN ANDERSON: So, how does that
20 system --

21 MR. DICKENS: It remotely picks up the
22 system from all the cameras. It's four cameras.

1 I already have those four.

2 CHAIRMAN ANDERSON: Okay.

3 MR. DICKENS: Yeah. Well, by not being
4 close to the, you know, camera, you can't see it.
5 I did have a picture in here that I had recorded,
6 but it'll come up by --

7 CHAIRMAN ANDERSON: All right. So, does
8 it record? It does everything. See, that's what
9 I'm saying. I did have a picture in here from
10 two of the cameras that had been recorded.

11 CHAIRMAN ANDERSON: And so --

12 MR. DICKENS: You can see that --

13 CHAIRMAN ANDERSON: So, how long does
14 that stay?

15 MR. DICKENS: It depends upon what Sims
16 card you have. It's a eight number -- it's an
17 eight gigabyte Sims card in here, which will last
18 for, I think it's 30 some hours. Maybe you can
19 get a 32 gig -- I guess they call (Inaudible
20 portion) -- I'm saying the right gigabyte or
21 whatever -- all this new stuff I'm not familiar
22 with.

1 CHAIRMAN ANDERSON: All right.

2 MR. DICKENS: And we can record up to 114
3 hours.

4 CHAIRMAN ANDERSON: Right. So, which one
5 do you have, and how long --

6 MR. DICKENS: This is the eight gigabyte.
7 This is 32 hours.

8 CHAIRMAN ANDERSON: And so, how long do
9 you keep the recording for?

10 MR. DICKENS: Well, after so many hours,
11 I -- you know, I just put these systems in, so I
12 haven't you know, really -- and I only use when -
13 - I'm only there three days a week, so I turn
14 everything off when I leave.

15 So, this should last for quite a while.

16 CHAIRMAN ANDERSON: Yeah, but I'm just
17 saying, though, once it's recorded --

18 MR. DICKENS: Yeah.

19 CHAIRMAN ANDERSON: -- how long is -- how
20 long does it remain --

21 (Simultaneous discussion)

22 MR. DICKENS: It will stay in the system

1 once it's recorded, until it uses up that many
2 hours. And then, if I had a -- not a mouse.
3 What do you call it? The thing that you use Wi-
4 Fi for. Like I said, I'm not familiar -- and I
5 could save it forever.

6 CHAIRMAN ANDERSON: So, how long do you
7 save it for, since you don't have --

8 MR. DICKENS: Well, I just started, so it
9 still would be in here. You know? On the Sims
10 card. It's a Sims card that goes in here.

11 CHAIRMAN ANDERSON: All right.

12 MR. DICKENS: And the Sims card is right
13 there. I can take it out and put up to 32
14 gigabytes --

15 CHAIRMAN ANDERSON: All right.

16 MR. DICKENS: -- Sims card in there.

17 CHAIRMAN ANDERSON: All right.

18 MR. DICKENS: And that's what holds the
19 recording. You know.

20 CHAIRMAN ANDERSON: Okay. All right.

21 MR. DICKENS: Yeah.

22 CHAIRMAN ANDERSON: Do you have anything

1 else to add, based on -- I'm going to -- do you
2 have anything else to add --

3 MR. DICKENS: Not that I can think of.

4 CHAIRMAN ANDERSON: All right. So, Mr.
5 Patterson?

6 MR. PATTERSON: Yes.

7 CHAIRMAN ANDERSON: What can you add to -
8 - we can talk about both events --

9 (Simultaneous discussion)

10 MR. PATTERSON: We can talk about --
11 first, talk about Mr. Diorio stating he didn't
12 know who I was.

13 When this officer started out, before
14 they started in cars, bikes, segways, they got to
15 walk up (Inaudible) around, turn the corner on
16 18. I'm the first person they see, including
17 him. They have to start off that way, and
18 they've been doing it for years.

19 So, for him not to know who I was, that's
20 kind of crazy. Because they used to nod heads to
21 me when they walked past. You could set your
22 watch to them turning that corner every Friday

1 and Saturday.

2 Now, an assault occurred, but it's not
3 documented. The assault they have on here was an
4 accident. She was smacked by her friend. I
5 know, because when I tried to get past him, he
6 stuck his hand out.

7 CHAIRMAN ANDERSON: Him who? Him who?

8 MR. PATTERSON: The guy that was with
9 him.

10 CHAIRMAN ANDERSON: Okay.

11 MR. PATTERSON: Because they was all
12 dressed -- all had on red shirts. That was their
13 thing for the night, to dress alike.

14 So, when I tried to get past him to run
15 to the front door to get the police, which was --
16 they was usually hanging across the street, but
17 they wasn't there (sic), so I asked the guy in
18 the field to call them.

19 I went back inside. He was outside
20 talking to her. When he came to me, it just
21 seemed like he already had his mind made up. And
22 I told him it's two sides to every story.

1 I told him about the girl hitting Antoine
2 in the back of the head. It's not documented. I
3 told him about the guy, her friend, smacking her
4 in the face -- hence, right side of her face,
5 because if I go down -- if I go down the
6 (Inaudible) bar which is narrow, there's no way I
7 can turn around and hit him with a back hand, or
8 turn all the way. I would never take my eye off
9 of him.

10 He would put me in the choke hold. He
11 could do anything. He didn't say nothing. I
12 guess he was feeling kind of guilty, because it
13 was his hand that hit her.

14 She wasn't assaulted. She wasn't pushed
15 out the door. That happened right here at the
16 second booth inside the bar. So, it never
17 happened at the door. And he smacked her.

18 MR. DICKENS: And it wasn't at closing
19 time.

20 MR. PATTERSON: No.

21 MR. DICKENS: It was earlier.

22 MR. PATTERSON: It's not the truth.

1 MR. DICKENS: About 10 or 11:00.

2 MR. PATTERSON: And the assault was left
3 off. This was an accident, not unless her friend
4 meant to do it, and I don't think he meant to do
5 it. But he tried to stop me from going to the
6 front door, which I was going to go to the front
7 and look for the police, which usually hang
8 across the street from the bar, but they wasn't
9 there (sic).

10 So, I asked the guy to call them. I
11 don't know if he called them or not. Like he
12 said, she got -- (Inaudible) got flagged down.
13 But he was talking to her when I got back to the
14 door.

15 When I told him what happened, he didn't
16 write nothing down. Where was that assault at?
17 You know? So, they put a lot of things in this
18 report, you know, to hurt the establishment.
19 They put something in there about we got three or
20 four assaults.

21 He's not telling the whole story. He's
22 not telling that one of those guys was

1 handcuffed, and the other guy -- they asked me
2 both times, did I want to press charges, and I
3 told them no.

4 So, where was the assault against me at?
5 So, you've got to catch some guy altering the
6 story, because ya'll wasn't there. So, he could
7 say anything. But did he leave words out? Then
8 you're not telling the whole story.

9 (Pause)

10 CHAIRMAN ANDERSON: All right. Yes, Mr.
11 Short? And board members, you can ask questions
12 on both the squeeze bottle, and also the assault
13 that was in the report.

14 MR. SHORT: I think some of the problems
15 could be solved with this establishment, if they
16 had commercial cameras for a business.
17 Commercial cameras that could record the whole
18 information for at least 30 days, which is
19 required by the code.

20 And then, when you have cameras in your
21 establishment, they must work. That way, you
22 would have had a picture of what you are

1 describing, and it would have indicated it on the
2 scene.

3 MR. DICKENS: I -- it's my fault.

4 MR. SHORT: Okay, now I'm not -- not a
5 problem.

6 (Simultaneous discussion)

7 MR. SHORT: But here's what I'm going to
8 ask -- since you're the owner --

9 MR. DICKENS: Right.

10 MR. SHORT: -- I'm going to ask you,
11 would you have a problem with an investigator
12 coming out there and helping you put the cameras
13 in the right place, and suggesting what you --
14 the type of cameras you should have in your
15 establishment?

16 (Simultaneous discussion)

17 MR. DICKENS: Not at all.

18 (Simultaneous discussion)

19 MR. SHORT: Wait a minute. I'm just
20 asking him a question.

21 MR. DICKENS: None at all. I already
22 have six, and I plan to put more.

1 MR. SHORT: So --

2 MR. DICKENS: So, no problem at all.

3 MR. ALBERTI: We can't give him advice on
4 set up of cameras. We can't give him advice --
5 we can give him advice on placement.

6 MR. SHORT: Okay. Well, that's -- I
7 think that's what I was saying there.

8 MR. DICKENS: Okay, well, what I'll do,
9 I'll --

10 (Simultaneous discussion)

11 MR. SHORT: What I was suggesting is what
12 he has is not commercial.

13 MR. DICKENS: Okay, okay. Well, what
14 I'll do -- I'll record this and I'll take
15 pictures. And I'll submit them to the board to
16 show where the camera -- well, I'll take pictures
17 to show where the cameras are placed all -- what
18 I have in there and then (Inaudible portion) --

19 (Simultaneous discussion)

20 MR. SHORT: That's a little different
21 than what I just --

22 MR. DICKENS: Right, right.

1 MR. SHORT: I was asking you -- and you
2 might want to help him out a little bit.

3 MR. DICKENS: Yes.

4 (Simultaneous discussion)

5 MR. SHORT: Maybe --

6 MR. DICKENS: But I'll --

7 MR. SHORT: Maybe Investigator Dantzler
8 will come over --

9 MR. DICKENS: Right.

10 MR. SHORT: -- see where they're placing
11 them and where the cameras are going to be.

12 MR. DICKENS: Right. Where they already
13 are. They're already installed.

14 MR. SHORT: But are they working?

15 MR. DICKENS: Yeah. Yeah, they're
16 working now.

17 MR. SHORT: Okay, well --

18 MR. DICKENS: I just installed them
19 within the last month. New cameras. The other
20 ones was working, but it wasn't attached to the
21 VCR. This is what I'm saying. There wasn't any
22 camera wasn't working.

1 MR. SHORT: I understand, and I'm trying
2 to work with you.

3 MR. DICKENS: Okay.

4 MR. SHORT: Now, how many years have you
5 -- how many years have you been --

6 MR. DICKENS: Fifty.

7 MR. SHORT: Fifty years.

8 MR. DICKENS: On July 1st.

9 MR. SHORT: In that same place?

10 MR. DICKENS: Same place. And those are
11 the only incidents I have had in 50 years. And
12 some of that stuff in that report wasn't true.
13 It didn't come out of my place. It came -- I
14 know where it came from.

15 MR. SHORT: I've got to ask you a
16 question. And you might be able to answer this
17 and you might not.

18 MR. DICKENS: Okay.

19 MR. SHORT: Fifty years ago, who owned
20 Keys Restaurant at 7th and T Street?

21 MR. DICKENS: I remember Keys, but I
22 don't know who owned it.

1 MR. SHORT: Okay. All right.

2 MR. DICKENS: See, I'm bad with names.

3 I'm bad with --

4 MR. SHORT: I understand.

5 MR. DICKENS: I don't really get around -

6 -

7 MR. SHORT: Well, I'll just say this.

8 Most people in business in our community is new.

9 MR. DICKENS: Right, right.

10 MR. SHORT: Before Mr. Chicktoff

11 (phonetic).

12 MR. DICKENS: Right.

13 MR. SHORT: That's another thing.

14 Investigator Dantzler, you're going to go over

15 and give him a hand with some things --

16 MS. DANTZLER: Yes, sir.

17 MR. SHORT: -- as far as (Inaudible) --

18 (Simultaneous discussion)

19 MR. DICKENS: She has seen pictures of

20 what is already in there.

21 MS. DANTZLER: Yes, sir.

22 MR. DICKENS: Yeah.

1 (Simultaneous discussion)

2 MR. SHORT: Wait. Wait a minute.

3 MR. DICKENS: She (Inaudible) take
4 pictures --

5 MALE SPEAKER: I got a --

6 MR. DICKENS: -- and make sure they are
7 working.

8 MS. DANTZLER: Yes, sir.

9 MR. PATTERSON: I've got a problem with
10 the police. They kind of like --

11 MR. SHORT: Well, I'm not here to talk
12 about the police.

13 (Simultaneous discussion)

14 MR. PATTERSON: No, it's regarding these
15 IDs. It's regarding these IDs. I done seen ABC
16 members handcuff people for having fake ID. And
17 I have police officers tell me they're novelty
18 items, and give them back.

19 MR. SHORT: I think you need to talk to
20 our attorney about that. I wouldn't -- I, as a
21 board member, I've heard some things about.

22 MR. PATTERSON: All right.

1 MR. SHORT: But at any rate, I know we've
2 had some cases in the city, and you need to --

3 (Simultaneous discussion)

4 MR. PATTERSON: (Inaudible) IDs you give
5 back. Man, somebody near the cop (Inaudible) --

6 MR. SHORT: I understand.

7 MR. PATTERSON: Okay.

8 MR. SHORT: Here's what I'm asking you to
9 do.

10 MR. PATTERSON: All right.

11 MR. SHORT: Get in contact with our
12 attorney.

13 MR. PATTERSON: All right.

14 MR. SHORT: Ms. Jenkins -- Martha
15 Jenkins. And she could probably give you proper
16 guidance --

17 MR. PATTERSON: Okay.

18 MR. SHORT: -- on what you should do,
19 because handing them back is really not a good
20 answer.

21 MR. PATTERSON: Right, right.

22 MR. SHORT: So, those are confiscated IDs

1 there?

2 MR. PATTERSON: A lot of them, I throw
3 away. They're averaging two a night. Not just
4 here. Not just at our bar.

5 MR. SHORT: Well, I'm glad to hear you --
6 I'm glad you're taking them. I'm glad to hear
7 that you're doing that. And pat down before they
8 come down and all of those things, so you don't
9 have any --

10 MR. PATTERSON: I'll start that, but --
11 I'll start that.

12 (Simultaneous discussion)

13 MR. SHORT: You don't want anybody
14 bringing a gun and a knife in there, do you?

15 (Simultaneous discussion)

16 MR. PATTERSON: Okay, I'll do that. I
17 got you. I got you.

18 CHAIRMAN ANDERSON: Do we have any
19 questions from any other board members? Yes, Mr.
20 Alberti?

21 MR. ALBERTI: (Inaudible)

22 CHAIRMAN ANDERSON: Okay.

1 (Discussion off the record)

2 CHAIRMAN ANDERSON: We're still on the
3 record. Mr. Alberti is going to ask a question.

4 MR. ALBERTI: So, Mr. Dickens, I'm
5 intrigued by the squeeze bottle (Laughter).

6 MR. DICKENS: Thank you. Thank you. And
7 that's what I'm --

8 (Simultaneous discussion)

9 MR. ALBERTI: Just let me ask the
10 questions. This will go quicker --

11 MR. DICKENS: Okay.

12 MR. ALBERTI: -- if you just let me ask
13 questions and you answer them.

14 MR. DICKENS: Okay.

15 MR. ALBERTI: All right?

16 So, how do you measure the amount of
17 alcohol that goes into them?

18 MR. DICKENS: I showed you.

19 MR. ALBERTI: So that's -- that little
20 bottle?

21 MR. DICKENS: Yeah, that little bottle.
22 That's the only thing -- no more.

1 MR. ALBERTI: Okay. So, you put one of
2 those bottles in there.

3 MR. DICKENS: In there, and give them the
4 big can of soda.

5 MR. ALBERTI: And that bottle is open?

6 MR. DICKENS: Right.

7 MR. ALBERTI: Okay.

8 (Simultaneous discussion)

9 MR. ALBERTI: And how big is that bottle?

10 MR. DICKENS: It's 16 ounce.

11 MR. ALBERTI: No, no, that -- no.

12 MR. DICKENS: Oh, it's 6.8.

13 MALE SPEAKER: Half pint. A half pint.

14 MR. DICKENS: It's not even a half pint.

15 It's 6.8. And by --

16 MALE SPEAKER: 6.8?

17 MR. DICKENS: Yeah. You put the ice and
18 all -- you got 12 ounces of soda. You cannot --

19 MR. ALBERTI: By the way, is there a
20 label that tells you the size? Is it
21 milliliters?

22 MR. DICKENS: Yeah.

1 MR. ALBERTI: Yeah, it's just like

2 (Inaudible) --

3 (Simultaneous discussion)

4 MR. DICKENS: 200 milliliters.

5 MR. ALBERTI: What does it say? How many
6 milliliters?

7 (Laughter)

8 MR. ALBERTI: 250?

9 MR. DICKENS: Two hundred even.

10 MR. ALBERTI: Two hundred? Is that what
11 it says on there?

12 MR. DICKENS: Yeah. Yeah.

13 MR. ALBERTI: Okay, I'm just curious.

14 (Laughter)

15 MR. DICKENS: Here we are. You can see
16 it. It's 200.

17 (Simultaneous discussion)

18 MR. DICKENS: And this is only 35 proof.

19 And they love this. They love this (Inaudible
20 portion). They love it.

21 (Laughter)

22 MR. ALBERTI: So it's 200 milliliters?

1 MR. DICKENS: Right.

2 MR. ALBERTI: All right, great. Thank
3 you. This is --

4 MR. DICKENS: And that's all they get.
5 This is what they get.

6 (Simultaneous discussion)

7 MR. ALBERTI: I just wanted to follow.
8 This is what you give them.

9 MR. DICKENS: This is it.

10 MR. ALBERTI: All right, I got you. Now
11 I understand what you're doing. All right, thank
12 you.

13 MR. DICKENS: Yeah. It's not a gimmick.
14 You know?

15 (Laughter)

16 MR. DICKENS: It's just a quick way --
17 they (Inaudible portion) -- you know that?

18 MR. ALBERTI: It's unique.

19 (Laughter)

20 MR. DICKENS: Yeah.

21 MR. ALBERTI: It is (Laughter).

22 MR. DICKENS: I (Inaudible) a change, and

1 that's what they want. They liked it. And over
2 50 percent of them, this is what they want. If
3 they don't want it this way, we give them a
4 bucket of ice and glasses.

5 Or either we give them direct shots.

6 MR. ALBERTI: Okay.

7 (Simultaneous discussion)

8 MR. DICKENS: That's it.

9 MR. ALBERTI: Thank you.

10 CHAIRMAN ANDERSON: Any of the --
11 questions by board members?

12 (No response heard)

13 CHAIRMAN ANDERSON: All right. Hearing
14 none, I thank you for your presentation today.

15 MR. DICKENS: Thank you.

16 CHAIRMAN ANDERSON: And I guess I just
17 want to correct the record. There was a hearing,
18 I think it was scheduled for last week, I think.

19 MR. DICKENS: This is what I wanted to
20 get to.

21 CHAIRMAN ANDERSON: And I was told that
22 you got the dates mixed up.

1 (Simultaneous discussion)

2 MR. DICKENS: I didn't get the dates --
3 they did.

4 (Laughter)

5 MR. DICKENS: They never sent me the
6 notice.

7 CHAIRMAN ANDERSON: All right. As I
8 said, that there was an --

9 (Simultaneous discussion)

10 MR. DICKENS: I'm going to (Inaudible) --
11 came in on -- and two weeks ahead of that, he
12 gave me the 5th, which was the Thursday after. I
13 came back on the 5th.

14 He gave me a 2:00. Then, Ms. Walker
15 called me that evening and left a message. And I
16 called her back on the 5th, and she told me the
17 hearing was scheduled for 3:30 that evening.

18 CHAIRMAN ANDERSON: Well, I just want to
19 --

20 (Simultaneous discussion)

21 MR. DICKENS: So, the mistake came from
22 here, not from me.

1 CHAIRMAN ANDERSON: Well, I just want to
2 -- I have the record cleared to say that --

3 MR. DICKENS: Right, right.

4 CHAIRMAN ANDERSON: -- there was an issue
5 (Inaudible) --

6 (Simultaneous discussion)

7 MR. DICKENS: I was there (Inaudible) --
8 that's what -- I wasn't here. I would have been
9 here if I had known.

10 (Simultaneous discussion)

11 CHAIRMAN ANDERSON: As I said before, I
12 just wanted the record to be clear that --

13 MR. DICKENS: Okay, okay.

14 CHAIRMAN ANDERSON: -- that there was an
15 issue with notice.

16 MR. DICKENS: Right, right.

17 CHAIRMAN ANDERSON: That's why you
18 weren't here the last time.

19 MR. DICKENS: Not from me. I don't ask
20 that.

21 (Discussion off the record)

22 CHAIRMAN ANDERSON: All right. So, thank

1 you.

2 MR. DICKENS: Thank you.

3 CHAIRMAN ANDERSON: All right. With this
4 as chairman of the Alcohol Beverage Control Board
5 for the District of Columbia, and in accordance
6 with Section 45 of the open meetings, Amendment
7 Act of 2010 --

8 (Discussion off the record)

9 [Whereupon, at 5:46 p.m. the
10 above-entitled matter concluded.]

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