

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

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6 IN THE MATTER OF: :

7 E.Z. LLC : Case #15-CC-00086

8 t/a Brookland Market :

9 3736 10th Street Northeast :

10 License #88495 :

11 Retailer Class A :

12 ANC 5B :

13 Request Extended Safekeeping :

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15 Wednesday, May 25, 2016

16
17 Whereupon, the above-referenced matter
18 came on for hearing at the Alcoholic Beverage
19 Control Board, Reeves Center, 2000 14th Street,
20 N.W., Suite 400S, Washington, D.C. 20009.

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2 BOARD MEMBERS PRESENT

3 NICK ALBERTI, BOARD MEMBER

4 RUTHANNE MILLER, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7

8 OTHER PERSON PRESENT

9 MILEN TEWOLDE

10 EZGARHARIA GEBREAB

11 TEWOLDE BUKURU

12

13

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

2 FACT FINDING HEARING

3 CHAIRPERSON ANDERSON: The next case on
4 our hearing -- we have a Fact Finding Hearing on
5 Case #15-CC-00086, Brookland Market, License
6 #88495. Will the parties please approach. You
7 can come and have a seat. If you haven't signed
8 in your name, there's a sign-in sheet, you can
9 sign your name. So, you can sign your name on
10 the sheet and then identify yourself for the
11 record, please.

12 MR. TEWOLDE: I'm Milen. I'm going to
13 help --

14 CHAIRPERSON ANDERSON: I need you to
15 speak up, I can't hear you.

16 MS. TEWOLDE: Can you hear me?

17 CHAIRPERSON ANDERSON: Yeah.

18 MS. TEWOLDE: Okay, I'm Milen and I'm
19 going to help interpret anything that they don't
20 understand. This is Ezagaharia, the store owner,
21 and this is my father, Tewolde Bukuru when the
22 officer came in that had the issue with was with

1 him.

2 CHAIRPERSON ANDERSON: All right, so why
3 don't you have them identify themselves for the
4 record, just they can state what their names are.

5 MS. GEBREAB: My name is Ezgaharia
6 Gebreab, I am owner of Brookland Market.

7 MR. BUKURU: My name is Tewolde Bukuru.

8 CHAIRPERSON ANDERSON: Are you going to
9 be doing straight interpretation or do they
10 understand?

11 MS. TEWOLDE: I mean, if there's
12 something they don't understand I'll interpret it
13 for them.

14 CHAIRPERSON ANDERSON: But they do
15 understand.

16 MS. TEWOLDE: They hear. They can't
17 probably answer the way maybe you know, it's kind
18 of hard for --

19 CHAIRPERSON ANDERSON: No, I just want to
20 make sure that you're just here, you're not here
21 interpreting, you're here assisting. There's a
22 big -- to me there's a difference.

1 MS. TEWOLDE: Yeah, both, 'cause about,
2 you know I'll tell them in my language if they
3 don't understand exactly what you guys are
4 asking.

5 CHAIRPERSON ANDERSON: All right. You
6 see, I'm trying to figure if I need to swear you
7 in, that's why -- that's why I'm asking the
8 question.

9 UNKNOWN SPEAKER: -- this type of hearing
10 -- there's no.

11 CHAIRPERSON ANDERSON: I know, but I want
12 to make.

13 UNKNOWN SPEAKER: -- first action that
14 we'll take --

15 CHAIRPERSON ANDERSON: I know but I
16 wanna, all right, all right. Huh?

17 MS. MILLER: When in doubt --

18 CHAIRPERSON ANDERSON: Yeah, all right,
19 why don't you stand up and raise your hand
20 please. And what language is this?

21 MS. TEWOLDE: Tigrinya.

22 CHAIRPERSON ANDERSON: Tigrinya?

1 MS. TEWOLDE: Tigrinya.

2 CHAIRPERSON ANDERSON: Do you swear or
3 affirm to accurately interpret what you've been
4 told from English to Tigrinya and from Tigrinya
5 to English to the best of your ability?

6 MS. TEWOLDE: Yes.

7 CHAIRPERSON ANDERSON: Okay, thank you. I
8 just want to make sure that they understand just
9 in case your interpreter and that you're doing a
10 great job in interpreting for them. The reason
11 why we're having the fact finding hearing today
12 is for an incident that occurred on July 17,
13 2015, and there was an investigator showed up and
14 there was some aggressive action between the --
15 someone in the establishment and the investigator
16 and we want to make sure that you fully
17 appreciate and understand the facts that if there
18 is an incident at your establishment with an
19 investigator that you're supposed to fully
20 cooperate with the investigator. If you have
21 specific concerns with the investigator, then you
22 can address it with the agency, but we want to

1 make sure that -- and that's the purpose of the
2 hearing that you understand that no matter what
3 if an investigator comes you are to fully
4 cooperate with them and if you believe that
5 they're being unprofessional or whatever other
6 concerns that you might have about their behavior
7 and their interaction with you, then you should
8 contact the agency and ask for a supervisor and
9 complain. Because, as you know, the
10 investigators that are coming out, they don't
11 have guns, I mean, they're there by themselves,
12 so they're just doing their job and their job is
13 not to harass you and we're hoping that the
14 interaction that occurs between an investigator
15 and you should be as pleasant as it can be under
16 the circumstances, okay? So, that's the opening.
17 If you guys -- I'm sorry --

18 [inaudible 4:55 to 5:41 -- I cannot
19 understand who is speaking or when it's the
20 interpreter if she's the one speaking]

21 CHAIRPERSON ANDERSON: Now, was he the
22 clerk who -- is there anything that he wants to

1 state from -- this is not about the sale to
2 minors, it's about the -- the -- his interaction
3 with the investigator.

4 INTERPRETER: He wants to apologize. He
5 knows that he was wrong at the time, you know,
6 stressed out, worked 17 hours a day, like after
7 he leaves the store he has another job so I think
8 when he explained to me that he was just
9 overwhelmed and he didn't kind of mean to be
10 aggressive towards the agent that came by and he
11 said sincerely. He said it was his fault. He is
12 taking that fault and understands and wants to
13 apologize, not only to you guys, but I don't know
14 who the agent is, he wanted to apologize again to
15 him.

16 CHAIRPERSON ANDERSON: Thank you. Mr.
17 Alberti might have some questions for you.

18 MR. ALBERTI: So, I just wanted to say
19 something. So, Mr. Bukuru?

20 MR. BUKURU: Yes?

21 MR. ALBERTI: Our report says that you
22 actually did apologize to the investigator when

1 they came back, and I appreciate that greatly. I
2 appreciate you recognizing that your behavior was
3 not appropriate and that you did own up to it and
4 take responsibility and apologized, and I very
5 much appreciate it. I wanted -- firstly, I
6 wanted you to come forward just so that you know
7 that whenever this happens in any establishment
8 we want everyone to know that it gets our
9 attention. I think it's just important for
10 everybody to understand that. It's important for
11 our investigators to understand that because we
12 support them fully. But, I thank you, again, for
13 coming and I thank you for owning up to what
14 happened and recognizing its severity. Thank
15 you.

16 CHAIRPERSON ANDERSON: Any other?

17 MR. SILVERSTEIN: I concur with Mr.
18 Alberti that -- I wanted to impress the best I
19 could which was very effectively explained by
20 Board member Alberti that the officials that come
21 out to your stores or your businesses are there
22 to assist you and the city really cares a lot

1 what they do for us. We also care about our
2 businesses and I would just like to say to you
3 that we appreciate you realizing your error and
4 apologizing for it, and hopefully we won't see
5 you again about anything like this. Thank you,
6 that's all I have Mr. Chair.

7 CHAIRPERSON ANDERSON: All right. Mr.
8 Silverstein?

9 MR. SILVERSTEIN: Yes, I want to
10 underscore that the second biggest
11 industry/business in this city, after government,
12 is hospitality, and we have fewer than two dozen
13 investigators whose job it is to regulate the
14 industry that takes care of almost 60,000 jobs
15 and 2.8 billion dollars a year. We will do
16 whatever it takes to defend and protect and back
17 up our investigators and anything that is done to
18 get in their way is not a very good thing to do.
19 Thank you for realizing the error, but that
20 doesn't make it go away.

21 CHAIRPERSON ANDERSON: Yes, Ms. Miller.

22 MS. MILLER: Yes, yes, well I want to

1 recognize that one of our investigators, Mr.
2 Ghenene, is here and I didn't know whether you
3 wanted to add anything to the conversation.

4 CHAIRPERSON ANDERSON: No, Mr. Ghenene
5 was not the investigator who it occurred -- he
6 was tge -- I think he -- I think and it's my
7 understanding that he was on a follow-up visit --

8 MS. MILLER: Okay, right.

9 CHAIRPERSON ANDERSON: -- and he was
10 apologized. I mean I read in the report that the
11 owner had -- the clerk had apologized to Mr.
12 Ghenene for his behavior to the other person.

13 MS. MILLER: Okay, okay.

14 CHAIRPERSON ANDERSON: So that's one of
15 the reasons why I didn't ask him to come up.

16 MS. MILLER: Okay, okay. The other thing
17 I just want to ask is, you know I appreciate that
18 you apologized and everything, but I want to ask
19 how do we know that this won't happen again or,
20 you know -- it was kind of a scary thing for --
21 in reading it for someone at the establishment to
22 go after our investigator, so can you just

1 address that a little bit for some reassurance,
2 sir?

3 MS. TEWOLDE: He said basically he knows
4 it was his fault and he understands, and this is
5 out of his character. He'd been, you know,
6 working hospitality, like, he understands. So,
7 he just said it was just stress and overwhelm
8 that day but he said this is not his character to
9 [inaudible 11:20].

10 CHAIRPERSON ANDERSON: Any other
11 questions from any Board members? Is there
12 anything that you'd like to add?

13 MR. GEBREAB: No, I'm sorry, I apologize,
14 I know it's everything, I'm very sorry,
15 [inaudible 11:38] of everything.

16 CHAIRPERSON ANDERSON: I want to thank
17 you for coming here today and I apologize for
18 starting late. I know that you were here all
19 afternoon, and so I really appreciate that. But
20 I just -- and I know that you had apologized
21 before, but I just want you to know that -- how
22 the Board feels, and as I said before -- and I'll

1 say this to you -- I'm not there so I don't know
2 what the interface is between you and the
3 investigator and so that's one of the reasons why
4 I'm saying that if you have concerns with an
5 investigator, if you believe that investigator
6 has been rude to you, then you need to report
7 that to the agency. The same way we have you in
8 today for you to express to us how we feel about
9 how you treat our investigator, then if you make
10 a complaint about our investigator through our
11 agency then we're going to do the same thing, for
12 you to know it's not just one sided, we're not --
13 we're being -- we're supportive of both parties.
14 So, I just again want to thank you for coming
15 today and I hope that I never have to see you
16 again for any issues. Not just for this one, but
17 for any issues, because you will always comply
18 with the law and so you don't have to take time
19 off and come back here, although I love seeing
20 you, but I don't -- I know -- but you understand.

21 MR. GEBREAB: All right, okay.

22 CHAIRPERSON ANDERSON: You understand

1 what I mean when I said "if I never see you
2 again." It's in love. Okay?

3 MR. GEBREAB: Thank you.

4 MS. TEWOLDE: Thank you for your time.

5 CHAIRPERSON ANDERSON: Thank you very
6 much.

7 (Whereupon, the above-entitled matter was
8 concluded.)