

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

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In the Matter of:	)	
	)	
Chloe, LLC	)	Case No.: 14-CMP-00003
t/a District	)	14-251-0003(a)
	)	License No: 92742
Holder of a	)	Order No: 2015-123
Retailer's Class CR License	)	
	)	
at premises	)	
2473 18th Street, N.W.	)	
Washington, D.C. 20009	)	

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**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member  
Hector Rodriguez, Member  
James Short, Member

**ALSO PRESENT:** Chloe, LLC, t/a District, Respondent  
  
Alireza Hajaligholi, Owner, on behalf of the Respondent  
  
Amy Schmidt, Assistant Attorney General  
Office of the Attorney General for the District of Columbia  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND ORDER**

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**INTRODUCTION**

The Alcoholic Beverage Control Board (Board) finds Chloe, LLC, t/a District, (hereinafter "Respondent" or "District") cleaned up the scene of a multiple stabbing inside the establishment, which interfered with the investigation of the Metropolitan Police Department (MPD) in violation of District of Columbia (D.C.) Official Code § 25-823(5). Based on the

serious nature of the offense, as well as misrepresentations made by the owners as to the type of events District intended to hold, the Board determines that revocation is the only appropriate penalty.

### ***Procedural Background***

This case arises from the Notice of Status Hearing and Show Cause Hearing (Notice), which the Board executed on April 2, 2014. *ABRA Show Cause File No., 14-CMP-00003*, Notice of Status Hearing and Show Cause Hearing, 2 (Apr. 2, 2014). The Notice charges the Respondent with one violation, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice charges the Respondent with the following violation:

Charge I: [On January 1, 2014,] you interfered with an investigation conducted by the Metropolitan Police Department and ABRA . . . [in violation of] D.C. Official Code § 25-823(5) . . . .

Notice of Status Hearing and Show Cause Hearing, 2.

The Show Cause Status Hearing occurred on May 21, 2014. The Board rescheduled the Show Cause Hearing in this matter several times, but it finally occurred on March 11, 2015.

### **FINDINGS OF FACT**

The Board, having considered the evidence, the testimony of the witnesses, the arguments of the parties, and all documents comprising the Board's official file, makes the following findings:

#### **I. Background**

1. District holds a Retailer's Class CR License at 2473 18th Street, N.W., Washington, D.C. *ABRA License No. 92742*. On January 8, 2014, the Chief of Police ordered the summary suspension of District's license due to the stabbing of multiple people at the establishment. *Investigative History*, ABRA License No. 092742 (Mar. 17, 2015).

#### **II. MPD Officer Gregory Hill**

2. Officer Gregory Hill works for the Metropolitan Police Department. *Transcript (Tr.)*, March 11, 2015 at 12. Officer Hill has been assigned to patrol the Third District. *Id.*

3. On December 31, 2013, Officer Hill was walking on the sidewalk near District. *Id.* at 14. In front of the establishment, he found a woman bleeding from her hand near 2473 18th Street, N.W. *Id.* The victim told the officer that she was stabbed inside District. *Id.*

4. During his conversation with the woman, people, in a state of panic, began streaming outside the establishment. *Id.* at 15, 20. He noticed that another woman in the crowd had blood on her, but he was unable to assist her due to the crowd. *Id.* at 15. Furthermore, a male patron informed Officer Hill that he had been stabbed inside the establishment. *Id.* Officer contacted MPD's dispatch and requested an ambulance, as well as further support. *Id.* at 16. Eventually, he was joined by other officers and they entered District's premises. *Id.* at 17.

5. Upon entering District's second floor, Officer Hill observed broken glass and blood on the floor and people exiting out the establishment's rear door. *Id.* He observed the establishment's staff cleaning and picking up debris on the floor, which disturbed the crime scene. *Id.* at 32-33, 35; *see also id.* at 87. Officer Hill noted that this act hindered MPD's ability to determine the area of the stabbings and the type of weapon used. *Id.* at 37.

6. A detective accompanying Officer Hill ordered the people on the second floor to cease cleaning. *Id.* Officer Hill directed the people to stand by the bar in order to collect contact information and statements. *Id.* at 17-18. None of the people remaining inside the establishment were aware that a stabbing had occurred, although they were aware that a fight occurred. *Id.* at 33, 38.

7. Based on the investigation conducted by MPD, five people were stabbed inside the establishment. *Id.* at 22. There is no evidence that the establishment called for emergency services during the incident. *Id.* at 16.

### **III. ABRA Investigator Felicia Dantzler**

8. Alcoholic Beverage Regulation Administration (ABRA) Investigator Felicia Dantzler reported to the establishment after the incident in order to conduct an investigation. *Id.* at 50. She observed police tape placed around District's entrance. *Id.* at 50.

9. She first spoke to James Brown, District's head of security. *Id.* Mr. Brown indicated that a fight occurred inside the establishment. *Id.* Mr. Brown indicated that security escorted three people outside the establishment. *Id.* at 51. However, he was not aware that anyone had been hurt inside the establishment until after he escorted the patrons outside the establishment. *Id.* at 55.

10. Investigator Dantzler attempted to obtain footage from the establishment's security camera system. *Id.* at 58. Nevertheless, one owner, Ari Wilder, admitted to the investigator that the camera system was not functioning. *Id.* at 59, 76; *see id.* at 82.

### **IV. Alireza Hajaligholi**

11. The owner of District, Alireza Hajaligholi admitted that the two other owners of the establishment appeared to have a promoted event on the night of the incident, even though District assured the Board in 2013 that the establishment would no longer use promoters during a Fact Finding Hearing. *Id.* at 99-100.

## CONCLUSIONS OF LAW

12. The Board has the authority to fine, suspend, or revoke the license of a licensee who violates any provision of Title 25 of the District of Columbia Official Code pursuant to District of Columbia Official Code § 25-823(1). D.C. Official Code § 25-830; 23 DCMR § 800, *et seq.* (West Supp. 2015). Furthermore, after holding a Show Cause Hearing, the Board is entitled to impose conditions if the Board determines “that the inclusion of the conditions would be in the best interests of the locality, section, or portion of the District in which the establishment is licensed.” D.C. Official Code § 25-447.

13. Under § 25-823(5), it is an offense for a licensee to “. . . interfere with an investigation.” D.C. Official Code § 25-823(5). In this case, the record shows that quickly after the fight occurred, the licensee’s employees began cleaning the scene of the crime, which interfered with the investigation of MPD. *Supra*, at ¶¶ 4-6. Therefore, the Board finds sufficient evidence in the record to sustain Charge I.

### I. Penalty

14. The Board has the discretionary authority to revoke a license regardless of the licensee’s operating history. § 25-823; *Alemayehu v. D.C. Alcoholic Beverage Control Bd.*, No. 13-AA-518, 2014 WL 8006910, at \*5 (D.C. 2014) (“ . . . it is true that the Board also based the revocation penalty on its ‘discretionary ... powers’”). In this case, the violent incident in this case occurred during a promoted event; an activity that the license holders promised the Board would not occur at the establishment. *Supra*, at ¶ 11. Based on this dishonesty, the lack of mitigating circumstances, and the serious nature of the offense, the Board has no faith that the license holders have the character or ability to comply with the law in the future.

## ORDER

Therefore, the Board, on this 22nd day of April 2015, finds that Chloe, LLC, t/a District, guilty of violating D.C. Official Code § 25-823(5) and **REVOKES** the Retailer’s Class CR License held by the Respondent.

**IT IS FURTHER ORDERED**, in accordance with 23 DCMR § 800.1, the violation found by the Board in this Order shall be deemed a primary tier violation.

**IT IS FURTHER ORDERED** that the Board’s findings of fact and conclusions of law contained in this Order shall be deemed severable. If any part of this determination is deemed invalid, the Board intends that its ruling remain in effect so long as sufficient facts and authority support the decision.

**IT IS FURTHER ORDERED** that the protest of this license is rendered **MOOT**, but shall be revived if the license is reactivated.

The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia  
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member

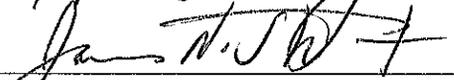


Herman Jones, Member

Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to 23 DCMR § 1719.1, any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App. Rule 15(b) (2004).