

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :
 :
Jaime T. Carillo, :
t/a Don Jaime :
3209 Mt. Pleasant :
Street, NW : Fact Finding
Retailer CT - ANC 1D : Hearing
License No. 21925 :
Case #18-251-00226 :
 :
(Simple Assault, Assault :
with a Dangerous Weapon, :
Failed to Cooperate with :
Investigators, and :
Provided False or :
Misleading Information) :

Wednesday,
March 6, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, NW, Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson

NICK ALBERTI, Member

BOBBY CATO, JR., Member

MIKE SILVERSTEIN, Member

ALSO PRESENT:

JAIME CARILLO, Licensee

ELMEKA GRANADOS, Licensee

MAGDALENA NAVARRO, Interpreter

VANESSA PLEITEZ, ABRA Investigator

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

2 3:26 p.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. Our next case is a Fact-
5 Finding Hearing, Case No. 18-251-00226, Don
6 Jaime, License No. 21925.

7 Would the parties, please, approach
8 and identify themselves for the record?

9 Ma'am, can you, please stand? What
10 language is this, please?

11 INTERPRETER NAVARRO: Spanish.

12 CHAIRPERSON ANDERSON: Can you raise
13 your right hand, please? I'm sorry, put your hand
14 down. Let me find what I'm supposed to ask you.

15 We are off the record.

16 (Whereupon, the above-entitled matter
17 went off the record and resumed following a brief
18 recess.)

19 CHAIRPERSON ANDERSON: All right. We
20 are back on the record.

21 All right. Raise your right hand,
22 please.

1 Do you solemnly affirm that you will
2 faithfully and accurately interpret the
3 proceedings in this matter from English to
4 Spanish and from Spanish into English to the best
5 of your ability?

6 INTERPRETER NAVARRO: I swear.

7 CHAIRPERSON ANDERSON: All right.
8 Have a seat. Can you, please, identify yourself
9 for the record and the role you are going to play
10 here today, ma'am.

11 INTERPRETER NAVARRO: Um-hum. My name
12 is Magdalena Navarro and I'll be a
13 Spanish/English Interpreter.

14 CHAIRPERSON ANDERSON: All right.
15 Thank you. There is a sign-in sheet. Can you
16 identify yourself?

17 MR. CARILLO: All right. Good
18 afternoon, Mr. Chair. My name is Jaime Carillo.
19 I am the owner of Don Jaime.

20 CHAIRPERSON ANDERSON: Good afternoon,
21 Mr. Carillo.

22 MR. CARILLO: I'm not -- he will need

1 a translator, but I --

2 CHAIRPERSON ANDERSON: And who is he?

3 MR. CARILLO: -- I can manage in the
4 English language.

5 CHAIRPERSON ANDERSON: Who is he? Who
6 is he?

7 MR. CARILLO: He is the person who was
8 in charge that particular night, Mr. Granados,
9 Elmeka Granados.

10 CHAIRPERSON ANDERSON: What is his--
11 okay. What is his full name?

12 MR. CARILLO: Elmeka Granados.

13 CHAIRPERSON ANDERSON: Elmeka?

14 MR. CARILLO: Elmeka Edgar Granados.

15 CHAIRPERSON ANDERSON: All right.

16 There is a sign-in sheet. Make sure he signs-in.

17 CHAIRPERSON ANDERSON: Go ahead.

18 INVESTIGATOR PLEITEZ: Investigator
19 Pleitez, Vanessa Pleitez.

20 CHAIRPERSON ANDERSON: Good afternoon,
21 Ms. Pleitez.

22 INVESTIGATOR PLEITEZ: Good afternoon.

1 CHAIRPERSON ANDERSON: Pull up a seat.
2 Pull up an extra chair, sir. So why don't you
3 have him move closer to you, since he is the one
4 who needs the translator.

5 All right. All right. This is a
6 Fact-Finding Hearing. An incident occurred and
7 the Board believed that it was significant enough
8 that we wanted to have a Fact-Finding Hearing.
9 There is -- all right. Hold on, I'm sorry.

10 This is a non-adversarial proceeding.
11 And so therefore, we are just trying to
12 investigate to find out -- to get more
13 information. At the end of this hearing, the
14 Board will decide either we take no further
15 action or we will refer this matter over to the
16 Attorney General for further action. Okay?

17 MR. CARILLO: Um-hum.

18 CHAIRPERSON ANDERSON: All right. So,
19 Ms. Pleitez, can you introduce yourself for the
20 record and tell us, from your perspective, why we
21 are here?

22 INVESTIGATOR PLEITEZ: Okay. I'm

1 Investigator Vanessa Pleitez. I was assigned to
2 investigate an incident that occurred at Don
3 Jaime.

4 CHAIRPERSON ANDERSON: You have to
5 speak up, please. Okay?

6 INVESTIGATOR PLEITEZ: At Don Jaime on
7 October 27, 2018 at approximately 2:10 a.m. My
8 investigation determination was based on an MPD
9 251 No. 18182099, interviews with the
10 establishment staff and owner, the victim and MPD
11 officer.

12 The MPD 251 stated the following: On
13 Saturday, October 27, 2018, at approximately 2:10
14 hours, R1 flagged the undersigned officer down in
15 front of 3146 Mt. Pleasant Street, N.W., D.C. R1
16 stated that he was assaulted by S1 while they
17 were having a verbal altercation while at 3102
18 Mt. Pleasant Street, N.W., D.C., Don Jaime, a
19 bar.

20 R1 stated that he was punched with a
21 closed fist a couple of times in the face. R1
22 sustained a minor cut to the left cheek. W1

1 stated that R1 started cursing at S1 regarding a
2 female and S1 started to punch R1 in the face.

3 W1 broke up both parties and left the
4 scene. W1 is the owner of the listed
5 establishment, Don Jaime.

6 On November 6, 2018, I contacted the
7 victim telephonically. The victim stated that he
8 was approached by an older male inside of the
9 establishment who had been picking fights with
10 him for months over a female employee of the
11 establishment.

12 The victim stated that he was attacked
13 with a pocketknife last -- sustaining a
14 laceration to the left cheek.

15 He stated, the victim stated, that he
16 exited the establishment and flagged down a
17 police officer who was about a block away from
18 the establishment.

19 On November 15, 2018, I contacted the
20 owner of the establishment, Mr. Jaime Carillo.
21 Mr. Carillo stated there were two patrons inside
22 of the establishment arguing on the second floor.

1 Mr. Carillo stated that he was located at the
2 first floor of the establishment, heard the
3 commotion and headed towards the second floor
4 when he witnessed the two patrons exiting the
5 establishment.

6 Mr. Carillo stated that there were
7 only two employees working the night of the
8 incident: himself and Mr. Granados. Mr. Carillo
9 stated he was currently in training, did not have
10 any contact information or telephone number, did
11 not know when the next time he was going to work.

12 Mr. Carillo stated that he -- when he
13 was questioned by the police officer, he was very
14 nervous, but he only reported that there was an
15 argument inside of the establishment and that he
16 only witnessed the patrons leaving the
17 establishment.

18 Mr. Carillo reiterated that there was
19 no fight inside of the establishment, that there
20 was just an argument. Mr. Carillo stated that
21 the establishment does not have a settlement
22 agreement, security plan, no cameras and they

1 don't have security on any night of the hours
2 that they are open.

3 On 11/29, I spoke to the officer, Mr.
4 Mucci, LeRoy Mucci. The officer stated that he
5 was flagged down about a block away from the
6 establishment by the victim. The victim stated
7 that he sustained a laceration to the cheek while
8 -- because he was punched by a patron inside of
9 the establishment.

10 Mr. Mucci stated that he entered the
11 establishment on the night of the incident and
12 spoke with Mr. Carillo. He stated that when he
13 entered the establishment, there was three
14 employees. There was one female. I'm sorry, one
15 male employee, which was Mr. Granados, and two
16 female employees.

17 Mr. Mucci stated that Mr. Carillo
18 initially provided him with the wrong description
19 of the suspect, but later recanted and provided
20 him with the accurate description.

21 Mr. Mucci stated that the
22 establishment rarely has complaints. However,

1 when they do, the owner of the establishment, Mr.
2 Carillo, is very -- is not very cooperative with
3 MPD.

4 On December 8, 2018, I visited Don
5 Jaime. Don Jaime stated that -- when he spoke
6 with me on the phone, he did not have all the
7 facts and he wanted to clarify that he did not
8 witness two male patrons fighting. Mr. Carillo
9 stated that he only witnessed the two male
10 patrons exiting the establishment.

11 I advised Mr. Carillo that his
12 statements were inconsistent and that he failed
13 to provide me with the information for the
14 employee that worked that night.

15 Mr. Carillo stated that he did not
16 have the whole story and didn't want to provide
17 any information.

18 CHAIRPERSON ANDERSON: He didn't have
19 what?

20 INVESTIGATOR PLEITEZ: The whole
21 story.

22 CHAIRPERSON ANDERSON: Okay.

1 INVESTIGATOR PLEITEZ: And didn't want
2 to provide any information regarding the
3 employee.

4 He stated the employee had been only
5 working for a week and that he was still in
6 training and that's why he didn't have any
7 information regarding his name and contact
8 information, but that the employee was on the
9 second floor on that day.

10 So on December 8th while at the
11 establishment, I spoke to Mr. Granados. Mr.
12 Granados stated that he had been working at the
13 establishment for approximately three months. He
14 stated that on the night of the incident, two
15 patrons entered the establishment together. He
16 stated that he refused to serve them alcohol
17 because one of the patrons was very intoxicated.

18 He stated that the two patrons began
19 having a physical altercation, but exited the
20 establishment. He stated that they were only
21 there for approximately five minutes.

22 I spoke to Mr. Carillo on December 8th

1 before I left the establishment. I informed him
2 that he provided several different versions of
3 the incident to MPD and myself along with
4 refusing to provide information regarding the
5 employees and, therefore, it was interfering with
6 an ABRA investigation and provided false
7 statements.

8 After review of ABRA records, the
9 establishment does not have a settlement
10 agreement or security plan. That's it.

11 CHAIRPERSON ANDERSON: What specific
12 false statement did he provide to you?

13 INVESTIGATOR PLEITEZ: So he stated
14 that the employee was only working for a week and
15 that's why he didn't have his information, last
16 name. He only knew that his first name was
17 Elmeka. And when I went back to speak to Mr.
18 Elmeka, Mr. Elmeka stated that he had been
19 working there for three months.

20 CHAIRPERSON ANDERSON: So that's the
21 false statement?

22 INVESTIGATOR PLEITEZ: Yes. Also, I'm

1 sorry, he -- the night of the incident when he
2 spoke to the officer, he stated that he broke up
3 the fight to the officer. He stated that he
4 broke up the fight and that they exited the
5 establishment. But then stated that he didn't
6 witness the fight, that he only witnessed the two
7 patrons exit the establishment.

8 CHAIRPERSON ANDERSON: So who did he
9 tell that he had broke up the fight?

10 INVESTIGATOR PLEITEZ: To the officer.

11 CHAIRPERSON ANDERSON: The police?
12 And so he told you that he didn't --

13 INVESTIGATOR PLEITEZ: He didn't
14 witness anything, because he was on the first
15 floor. He stated that he was nervous when he
16 spoke to the police officer as well.

17 CHAIRPERSON ANDERSON: All right. Mr.
18 Carillo?

19 MR. CARILLO: Carillo, yes.

20 CHAIRPERSON ANDERSON: So what
21 happened, sir, from your perspective?

22 MR. CARILLO: Well, that particular

1 night, I was on the first floor and I hear some
2 noises, so I went out and I opened the door to
3 the second floor and I hear people arguing, but
4 two individuals come in, one after the other.

5 So I didn't know what happened. And
6 I asked Mr. Granados what happened. He said that
7 they were arguing upstairs and he didn't want to
8 serve them and he throw them out.

9 So after like 20 minutes, the police
10 came in and they start asking me questions. I
11 didn't have firsthand information. And they pull
12 out my license and everything else, but I didn't
13 have any information.

14 After, I think, November, the
15 Investigator called me, but to be honest, I
16 didn't want to give him any information because
17 sometimes they retaliate against him.

18 CHAIRPERSON ANDERSON: They what?

19 MR. CARILLO: They will retaliate
20 against him, because I don't know who I was
21 speaking to.

22 CHAIRPERSON ANDERSON: What

1 Investigator called you?

2 MR. CARILLO: In Spanish. This is the
3 first time that I ever hear from ABC Board
4 someone talk to me in Spanish. I'm in business
5 for 25 years, this is the first time that someone
6 talked to me in Spanish, mentioning that he was
7 an ABC Investigator. But I provide, the person
8 who was on the phone, with Elmeka name, but I
9 didn't want to give him his phone number, because
10 I didn't want -- wasn't sure maybe -- I wasn't
11 sure who was the person on the line.

12 CHAIRPERSON ANDERSON: So --

13 MR. CARILLO: I don't -- I didn't have
14 any firsthand information. I didn't witness the
15 fight, nothing else. And I don't recall even
16 talking to the police saying that I broke the
17 fight, that's not true.

18 CHAIRPERSON ANDERSON: So what
19 happened? I mean, so what happened?

20 MR. CARILLO: He was --

21 CHAIRPERSON ANDERSON: I'm asking you.
22 So you don't know what happened?

1 MR. CARILLO: No. To be honest, no.
2 I saw two people come in, one after the other.

3 CHAIRPERSON ANDERSON: So do you want
4 him to speak?

5 MR. CARILLO: No, they -- yes, they
6 walk --

7 CHAIRPERSON ANDERSON: No.

8 MR. CARILLO: -- past me and --

9 CHAIRPERSON ANDERSON: I said do you
10 want Mr. Granados --

11 MR. CARILLO: Yes. He will --

12 CHAIRPERSON ANDERSON: -- to speak?

13 MR. CARILLO: -- he has the firsthand
14 information.

15 CHAIRPERSON ANDERSON: So, Mr.
16 Granados, can you state your name for the record?

17 MR. GRANADOS: My name is Elmer
18 Granados.

19 CHAIRPERSON ANDERSON: And where are
20 you currently employed, sir?

21 INTERPRETER NAVARRO: Excuse me,
22 clarification. You asked him where is he

1 currently employed right now?

2 CHAIRPERSON ANDERSON: Yes.

3 MR. GRANADOS: I work with them at the
4 first floor.

5 MR. CARILLO: Second floor he works.

6 INTERPRETER NAVARRO: Second floor.

7 CHAIRPERSON ANDERSON: Sir, you can't
8 say nothing. He is the one who is speaking now.
9 Okay. He is telling me where he works. All
10 right. So --

11 MR. CARILLO: I understand.

12 CHAIRPERSON ANDERSON: -- I don't need
13 you to say nothing.

14 MR. CARILLO: He mentioned first
15 floor, that's why I wanted to clarify.

16 CHAIRPERSON ANDERSON: Well, he has to
17 know where he works, sir. I mean, if he says he
18 works on one floor and you say --

19 MR. CARILLO: No, no, I want to
20 clarify that. He works at the second floor.

21 CHAIRPERSON ANDERSON: No, but he must
22 -- he should know where he works.

1 So what is it that you want to add,
2 sir?

3 MR. GRANADOS: I heard them arguing as
4 they were making their way upstairs. And when
5 they reached my floor and they asked for a drink,
6 I said no, because they were clearly intoxicated.

7 CHAIRPERSON ANDERSON: So what
8 happened?

9 MR. GRANADOS: So they left.

10 CHAIRPERSON ANDERSON: And so nothing
11 happened?

12 MR. GRANADOS: No.

13 CHAIRPERSON ANDERSON: So you know
14 nothing about this fight that occurred?

15 MR. GRANADOS: They did not fight.
16 They were arguing on the way up, but when they
17 reached the second floor and they asked for
18 drinks, I said no. And then they were there for
19 approximately two minutes and then they left.

20 CHAIRPERSON ANDERSON: And when was
21 this? What month? What date?

22 MR. GRANADOS: I don't remember the

1 date exactly.

2 CHAIRPERSON ANDERSON: How long have
3 you been working for this establishment?

4 MR. GRANADOS: I went there because I
5 just wanted to see what the job was like, because
6 I needed a job.

7 CHAIRPERSON ANDERSON: All right. So
8 this -- the night when this incident occurred,
9 you were the bartender. Is that correct?

10 MR. GRANADOS: Yes, to see what it was
11 like.

12 CHAIRPERSON ANDERSON: What do you
13 mean to see what it was like?

14 MR. GRANADOS: To see what was it like
15 working there.

16 CHAIRPERSON ANDERSON: So who else was
17 working with you?

18 MR. GRANADOS: Two other girls.

19 CHAIRPERSON ANDERSON: And what were
20 their jobs?

21 MR. GRANADOS: They were waitresses.

22 CHAIRPERSON ANDERSON: All right.

1 Maybe I'm missing something. You just showed up
2 to go find out what this job is about?

3 MR. GRANADOS: Um-hum.

4 CHAIRPERSON ANDERSON: And then you
5 start working as a bartender?

6 MR. GRANADOS: I was just there to see
7 what was it like to work at the -- to man the
8 bar.

9 CHAIRPERSON ANDERSON: All right. Mr.
10 Carillo?

11 MR. CARILLO: Yes?

12 CHAIRPERSON ANDERSON: I'm sorry,
13 Officer, are you here for Don Jaime?

14 OFFICER MUCCI: Yes, sir, sorry I'm
15 late.

16 CHAIRPERSON ANDERSON: Oh, no, I
17 thought you weren't coming. Come up.

18 OFFICER MUCCI: I called to let them
19 know I was coming.

20 CHAIRPERSON ANDERSON: Come forward.
21 I was told an officer was going to be here and
22 then we were told that an officer wasn't going to

1 be here, so we started.

2 Can you identify yourself for the
3 record, please?

4 OFFICER MUCCI: Officer Mucci. Now,
5 I work for the 2nd District, but, at that time, I
6 worked for the 4th District.

7 CHAIRPERSON ANDERSON: What's your
8 last name?

9 OFFICER MUCCI: Mucci.

10 CHAIRPERSON ANDERSON: Mucci?

11 OFFICER MUCCI: Just like Gucci with
12 an M.

13 CHAIRPERSON ANDERSON: You are just
14 full of jokes. I'm sorry. All right.

15 OFFICER MUCCI: It's an easy way to
16 say it.

17 CHAIRPERSON ANDERSON: All right.
18 Have a seat, please.

19 OFFICER MUCCI: No problem.

20 CHAIRPERSON ANDERSON: You know what,
21 Mr. -- I'm going to have you speak. Mr. Carillo?

22 MR. CARILLO: Yes, sir?

1 CHAIRPERSON ANDERSON: I'm confused,
2 okay? And this is why I'm confused.

3 Mister -- what's his name?

4 MR. CARILLO: Granados, Elmeka
5 Granados.

6 CHAIRPERSON ANDERSON: Mister who?

7 MR. CARILLO: Granados.

8 CHAIRPERSON ANDERSON: Mr. Granados.

9 MR. CARILLO: Yes.

10 CHAIRPERSON ANDERSON: He is telling
11 me that he just happened to show up this night to
12 see what it's like to be a bartender.

13 MR. CARILLO: No, I don't think he
14 understood.

15 CHAIRPERSON ANDERSON: Well, then --
16 sir, okay. And that's why I'm asking you,
17 because --

18 MR. CARILLO: Right.

19 CHAIRPERSON ANDERSON: -- you know,
20 you asked for a translator. I think I speak very
21 clearly.

22 MR. CARILLO: Right.

1 CHAIRPERSON ANDERSON: This is not--
2 the translator and I'm asking a question and it
3 was repeated over and over. So yes, he clearly
4 understands.

5 MR. CARILLO: I don't know.

6 CHAIRPERSON ANDERSON: He clearly
7 understands, because I keep on asking the
8 question. So he was working that night as a
9 bartender. Isn't that true?

10 MR. CARILLO: Yes, yes.

11 CHAIRPERSON ANDERSON: And how long
12 was he working as a bartender?

13 MR. CARILLO: Previous to that, he
14 came for a couple months just to see how the job
15 -- how it was doing that, but he was only
16 employed for one week before the incident
17 happened.

18 CHAIRPERSON ANDERSON: But if he was
19 employed, how can he -- if he was employed for
20 one week, I mean, you two need to get your story
21 right.

22 Was he an employee the night of the

1 incident?

2 MR. CARILLO: Yes, he was.

3 CHAIRPERSON ANDERSON: So why is he
4 stating that he was just coming to try to find
5 out what it's like?

6 MR. CARILLO: I don't know, but maybe
7 the -- he is not understanding the question or
8 the translator is not -- there is not clear
9 communication there.

10 CHAIRPERSON ANDERSON: All right. You
11 two can get the story right in a couple of
12 minutes.

13 Officer?

14 OFFICER MUCCI: Yes, sir.

15 CHAIRPERSON ANDERSON: I'm sorry, sir,
16 can you tell us about what is it that you know
17 about this incident at Don Jaime, please?

18 OFFICER MUCCI: Do you want me to
19 stand or sit?

20 CHAIRPERSON ANDERSON: You can sit,
21 please.

22 OFFICER MUCCI: On that day, I was

1 flagged down by a patron from there who said he
2 was assaulted. So we went to investigate. At
3 first, he wasn't that cooperative. He didn't
4 know what the suspect looked like. Then later
5 on, we got the right -- the suspect, the matching
6 description that our complainant gave and him
7 finally matched after a little while.

8 So my only issue with him, at the time
9 --

10 CHAIRPERSON ANDERSON: Him, who? Who
11 is him?

12 OFFICER MUCCI: Mr. Carillo. It was
13 because he never called the police after the
14 assault happened at his establishment. So that
15 was my first issue.

16 And then second, him being
17 uncooperative with giving us the right lookout or
18 right description of the person who assaulted
19 another patron of his.

20 CHAIRPERSON ANDERSON: Well, what do
21 you mean by an assault occurred at the
22 establishment? Be specific, because you missed

1 the beginning and I'm trying --

2 OFFICER MUCCI: Okay.

3 CHAIRPERSON ANDERSON: -- because the
4 bartender says nothing happened. People were
5 coming up the stairs. Two guys were coming up
6 the stairs arguing. When they came to him to
7 serve, he didn't serve them and they left. So he
8 doesn't know what happened.

9 Mr. Carillo is saying that he was
10 downstairs. He didn't know nothing, so nothing
11 happened.

12 So that's why I need you to be very
13 specific --

14 OFFICER MUCCI: Got it. I understand.

15 CHAIRPERSON ANDERSON: -- when you are
16 telling me what happened, because they are saying
17 they don't -- nothing happened. The bartender is
18 now stating that he wasn't really working. He
19 was just trying to find out -- he was just trying
20 to find out what it is like to be a bartender.

21 OFFICER MUCCI: Okay.

22 CHAIRPERSON ANDERSON: So that's why

1 I'm trying to be specific with you for you to
2 tell me.

3 OFFICER MUCCI: I understand. Sorry
4 about that. We were flagged down by the
5 complainant that an assault happened. He was
6 inside the establishment drinking, so him and the
7 suspect were both drinking at this bar.

8 Supposedly an argument, it's not
9 clear, but from what I -- we gathered it was over
10 a female waitress or a bartender in the
11 establishment.

12 Now, they were both exiting, I guess,
13 at that time, because the fight happened on the
14 stairwell on the way out. From Mr. Carillo's
15 point of view, he told me that he broke up the
16 fight originally at the stairwell, because he was
17 downstairs, which is normally where he sits
18 because most of the bar activity is upstairs of
19 this establishment.

20 So that's where the assault happened.
21 And then the complainant ran out. We usually sit
22 like two blocks down on Mt. Pleasant. He came

1 down to the police car and then told us his
2 story. And then we went to investigate.

3 CHAIRPERSON ANDERSON: Now, did you
4 speak to the bartender?

5 OFFICER MUCCI: I asked everybody if
6 they seen anything. Everybody told me they
7 didn't see anything.

8 CHAIRPERSON ANDERSON: Which is what
9 everybody is saying today that they didn't see
10 nothing, so nothing happened.

11 OFFICER MUCCI: Yes, now Mr. Carillo
12 said he seen it in the stairwell and then broke
13 up the fight.

14 CHAIRPERSON ANDERSON: Right.

15 OFFICER MUCCI: So that's all we
16 gathered that day.

17 CHAIRPERSON ANDERSON: So anything you
18 want to say, Mr. Carillo?

19 MR. CARILLO: Well, I probably was too
20 nervous, but actually I didn't broke any fight.
21 When I saw them both, they were arguing and they
22 were exiting, you know. So if I didn't see any

1 fight, how I would call the police. I don't
2 think that how -- if I didn't see any fight, how
3 I would call the police.

4 CHAIRPERSON ANDERSON: Well, he said
5 that -- the officer just said that you told him
6 you broke up the fight.

7 MR. CARILLO: No, I -- maybe I
8 misspoke, but the truth of the matter was that I
9 hear some arguing and when I opened the door,
10 those people were coming down.

11 CHAIRPERSON ANDERSON: Now --

12 MR. CARILLO: I know the person by
13 sight, but not by his name. So when I saw that
14 he was walking down, I don't know if they
15 fighting outside, nothing like that I saw.

16 CHAIRPERSON ANDERSON: So how long
17 were these people in your establishment?

18 MR. CARILLO: He is saying that --

19 CHAIRPERSON ANDERSON: I'm asking you.
20 How long were they in your establishment?

21 MR. CARILLO: I didn't see coming in,
22 because, you know, I was doing something else on

1 the first floor.

2 CHAIRPERSON ANDERSON: So where is
3 alcohol served in your establishment?

4 MR. CARILLO: I'm sorry?

5 CHAIRPERSON ANDERSON: Where is
6 alcohol served in your establishment?

7 MR. CARILLO: Both floors.

8 CHAIRPERSON ANDERSON: So who serves
9 alcohol on the first floor?

10 MR. CARILLO: I do. And I serve food
11 also.

12 CHAIRPERSON ANDERSON: So now who
13 serves alcohol on the first floor? You?

14 MR. CARILLO: Yes.

15 CHAIRPERSON ANDERSON: So you are the
16 bartender on the first floor?

17 MR. CARILLO: Yes.

18 CHAIRPERSON ANDERSON: Did you serve
19 alcohol to these guys on -- in --

20 MR. CARILLO: No, they didn't come to
21 the first floor.

22 CHAIRPERSON ANDERSON: And your

1 bartender is saying that he didn't serve alcohol
2 to them.

3 MR. CARILLO: No.

4 CHAIRPERSON ANDERSON: That day?

5 MR. CARILLO: That's what he is
6 saying. It's a matter he will -- you will
7 believe him or not, because he is saying
8 something about the --

9 CHAIRPERSON ANDERSON: I'm asking you.
10 I'm asking you. He is your employee.

11 MR. CARILLO: Right.

12 CHAIRPERSON ANDERSON: I mean, well,
13 as far --

14 MR. CARILLO: I'm taking his word,
15 because he knows that he is not allowed to serve
16 people who is intoxicated.

17 CHAIRPERSON ANDERSON: No, but as far
18 as he is concerned, he isn't even working for you
19 that night. That's what I'm saying.

20 MR. CARILLO: Oh, sure he was working.
21 He misunderstood the question.

22 CHAIRPERSON ANDERSON: And he said

1 that they came up the stairs. He heard them
2 arguing and he never served them.

3 MR. CARILLO: That's what he is
4 saying.

5 CHAIRPERSON ANDERSON: And Officer,
6 you are saying that the two guys stated that they
7 were drinking in the establishment?

8 OFFICER MUCCI: They were drinking in
9 the establishment.

10 MR. CARILLO: But there is no true
11 fact about that, because who saw them drinking?

12 CHAIRPERSON ANDERSON: You broke them
13 up.

14 MR. CARILLO: I didn't broke up
15 nothing.

16 (Simultaneous speaking)

17 OFFICER MUCCI: You stated --

18 MR. CARILLO: I don't know --

19 CHAIRPERSON ANDERSON: Hold on, hold
20 on. One person --

21 MR. CARILLO: I'm sorry.

22 CHAIRPERSON ANDERSON: -- no, I'm just

1 -- Officer, I appreciate you being here, but go
2 ahead, Officer.

3 OFFICER MUCCI: I have him listed as
4 a witness in the report stating to me that he
5 broke the fight up in the stairwell of this
6 establishment. The bottom part of the
7 establishment never serves alcohol at night
8 because everything -- the bottom is closed. He
9 sits downstairs. Everything that happens is
10 upstairs in his establishment.

11 CHAIRPERSON ANDERSON: How do you know
12 that, Officer?

13 OFFICER MUCCI: Because it's my beat
14 and I'm in -- I pay attention to all my alcohol
15 establishments on my area.

16 CHAIRPERSON ANDERSON: And how long
17 did you work that beat?

18 OFFICER MUCCI: That area I have
19 worked for two years.

20 CHAIRPERSON ANDERSON: Two years. And
21 so you are very familiar with?

22 OFFICER MUCCI: I'm very familiar with

1 all of the alcohol establishments on Mt.
2 Pleasant.

3 CHAIRPERSON ANDERSON: Okay. I wanted
4 you to put that on the record, that's why.

5 OFFICER MUCCI: Yes, sir.

6 CHAIRPERSON ANDERSON: All right. All
7 right. Go ahead, Mr. Alberti.

8 MEMBER ALBERTI: Officer Mucci?

9 OFFICER MUCCI: Yes, sir.

10 MEMBER ALBERTI: So you -- during the
11 two years, did you recognize these two
12 individuals? Had you seen them on the street
13 before?

14 OFFICER MUCCI: The two patrons?

15 MEMBER ALBERTI: The two patrons, yes.

16 OFFICER MUCCI: I think my
17 complainant, I have seen him going up and down
18 and he is a frequent to Mt. Pleasant. I never
19 seen the suspect, because he had fled the scene.

20 MEMBER ALBERTI: Okay. So you didn't
21 see the suspect.

22 OFFICER MUCCI: Yeah.

1 MEMBER ALBERTI: But the complainant,
2 you --

3 OFFICER MUCCI: But I have seen the
4 complainant just in the area.

5 MEMBER ALBERTI: Okay. So you know he
6 frequents the area.

7 OFFICER MUCCI: Yes.

8 MEMBER ALBERTI: Okay. Mr. Carillo?

9 MR. CARILLO: Yes, sir.

10 MEMBER ALBERTI: You said that you
11 recognized at least one of them. Did you
12 recognize both of them?

13 MR. CARILLO: Yeah, I can identify if
14 I see them. One of them drives a motorcycle.

15 MEMBER ALBERTI: Okay. So and you
16 recognize -- had they been in your establishment
17 before?

18 MR. CARILLO: Yes, a couple of times
19 probably, but I don't even know their names, the
20 customers.

21 MEMBER ALBERTI: No, that's fine. You
22 don't know their names.

1 MR. CARILLO: Right.

2 MEMBER ALBERTI: But you recognize
3 them as being repeat customers?

4 MR. CARILLO: Yes, but probably not
5 together, yes.

6 MEMBER ALBERTI: Okay.

7 MR. CARILLO: Right.

8 MEMBER ALBERTI: Okay. Will you allow
9 them to come in again?

10 MR. CARILLO: No. I don't think so
11 because they cause me this coming here.

12 MEMBER ALBERTI: So will you get a
13 stay away order so that you can order them not to
14 come in?

15 MR. CARILLO: Yes.

16 MEMBER ALBERTI: Then I would
17 recommend that, because in the report -- wait.
18 In the report, and I'm just telling our
19 Investigator that they had an argument over a
20 woman who used to work at your establishment.

21 I take it from that, that they are
22 familiar with your establishment. And this isn't

1 going to go away.

2 MR. CARILLO: Right.

3 MEMBER ALBERTI: So you know, given
4 this trouble, I recommend that you find a way to
5 bar them from your establishment, if you really
6 mean to not having trouble at your establishment.

7 MR. CARILLO: Yes. Yes, sir.

8 CHAIRPERSON ANDERSON: Any other
9 questions by any other Board Members?

10 Officer, any final comments you want
11 to make, please?

12 OFFICER MUCCI: No, I don't have
13 anything, sir.

14 INVESTIGATOR PLEITEZ: No.

15 CHAIRPERSON ANDERSON: Let's -- I
16 guess, did you see any ABRA violations as a
17 result of this? Any ABRA violations did you see?

18 INVESTIGATOR PLEITEZ: Other than I
19 believe him interfering with the investigation
20 and providing false statements, no.

21 CHAIRPERSON ANDERSON: But --

22 INVESTIGATOR PLEITEZ: He doesn't have

1 a settlement agreement. He doesn't have a
2 security plan.

3 CHAIRPERSON ANDERSON: Speak up,
4 please, yes.

5 INVESTIGATOR PLEITEZ: Oh, he doesn't
6 have a settlement agreement or a security plan.
7 He stated that he doesn't have security guards,
8 because he doesn't have a big cliental. So other
9 than the interference and the prohibited
10 statements --

11 CHAIRPERSON ANDERSON: Let me ask you
12 a question. So in your interaction with him, did
13 you speak English or did you speak Spanish?

14 INVESTIGATOR PLEITEZ: I spoke
15 Spanish.

16 CHAIRPERSON ANDERSON: All right. Mr.
17 Carillo, any final comments you want to make,
18 sir?

19 MR. CARILLO: Well, I don't see any
20 misleading statements that are made. Probably
21 the situation was that that night, that
22 particular night, I didn't know what was

1 happening. And then there was this clash and the
2 police came and they pull my license, you know,
3 without -- if I didn't know that night what
4 happened, how would I call the police?

5 CHAIRPERSON ANDERSON: How large is
6 this place?

7 MR. CARILLO: Oh, it's very small.
8 It's 50 seating on both floors.

9 CHAIRPERSON ANDERSON: How many?

10 MR. CARILLO: 50.

11 CHAIRPERSON ANDERSON: 50?

12 MR. CARILLO: Yes.

13 (Simultaneous speaking.)

14 CHAIRPERSON ANDERSON: All right. Is
15 there anything that Mr. Granados wants to say?
16 Do you know, since he works for you?

17 MR. CARILLO: No.

18 CHAIRPERSON ANDERSON: Let me just ask
19 you one last question, sir.

20 So this incident occurred on October
21 27, 2018, correct?

22 (No audible response.)

1 CHAIRPERSON ANDERSON: When did you
2 start visiting this place to find out what this
3 job was about?

4 MR. GRANADOS: A week prior.

5 CHAIRPERSON ANDERSON: A week prior?

6 MR. GRANADOS: Um-hum.

7 CHAIRPERSON ANDERSON: All right. Did
8 you start working there a week prior or did you
9 start visiting there a week prior?

10 MR. GRANADOS: No, no, no. Just to see.

11 CHAIRPERSON ANDERSON: So you start
12 visiting there a week prior?

13 MR. GRANADOS: Yes, correct.

14 CHAIRPERSON ANDERSON: So when you
15 were visiting, were you being paid?

16 MR. GRANADOS: No.

17 CHAIRPERSON ANDERSON: So when did you
18 start getting paid?

19 INTERPRETER NAVARRO: I need
20 clarification. All right.

21 MR. GRANADOS: Two weeks after, I
22 started working for him.

1 CHAIRPERSON ANDERSON: And when was
2 that?

3 MR. GRANADOS: It's going to be three
4 weeks now.

5 CHAIRPERSON ANDERSON: What?

6 MR. GRANADOS: Three weeks now.

7 CHAIRPERSON ANDERSON: Wait, wait,
8 wait.

9 MR. GRANADOS: It has been three weeks
10 since I started working for him.

11 CHAIRPERSON ANDERSON: All right. Can
12 you make sure that he understands? Because I'm
13 not sure he doesn't understand the English, this
14 English that I'm telling you and you are speaking
15 Spanish to him.

16 INTERPRETER NAVARRO: Um-hum.

17 CHAIRPERSON ANDERSON: Does he speak --
18 does he understand Spanish?

19 MR. GRANADOS: Yes.

20 INTERPRETER NAVARRO: Yes, he
21 understands Spanish.

22 CHAIRPERSON ANDERSON: And so you are

1 telling me, sir, today -- today is what date?

2 What date is today? Ask him.

3 MR. GRANADOS: The 6th.

4 CHAIRPERSON ANDERSON: Of what month?

5 MR. GRANADOS: Okay. You are asking

6 me what? You are asking me when did I start

7 working for him?

8 CHAIRPERSON ANDERSON: Yes, that's

9 what I'm asking you.

10 MR. GRANADOS: I started working for

11 him two weeks ago, that I have been working with

12 him.

13 CHAIRPERSON ANDERSON: Two weeks ago?

14 MR. GRANADOS: Yes.

15 MR. CARILLO: No, no.

16 MR. GRANADOS: No.

17 CHAIRPERSON ANDERSON: All right. All

18 right. We will take this matter under advisement.

19 Thank you very much for being here

20 today. And thank you, Officer. I'm sorry, give

21 me your name again, sir, please?

22 OFFICER MUCCI: Officer Mucci.

1 CHAIRPERSON ANDERSON: Sorry?

2 OFFICER MUCCI: Mucci.

3 CHAIRPERSON ANDERSON: Mucci?

4 OFFICER MUCCI: Yes, sir.

5 CHAIRPERSON ANDERSON: You being here
6 added a lot of clarity to the situation, so I
7 really appreciate the fact that you came here
8 today. Okay. Thank you very much.

9 OFFICER MUCCI: I'm sorry I was late.

10 CHAIRPERSON ANDERSON: No, you weren't
11 late. I was told that -- no, I was told that you
12 weren't going to be here, that's why we started.
13 So if I had known, I would have waited. So thank
14 you for being here today.

15 Thank you, Ms. Pleitez, for being
16 here. And thank you Mr. Carillo. All right.

17 Did you sign-in on the sign-in sheet?

18 MR. CARILLO: Yes, I did.

19 CHAIRPERSON ANDERSON: All right.

20 Thank you very much. Have a great day.

21 (Whereupon, the above-entitled matter
22 was concluded at 4:02 p.m.)

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This is to certify that the foregoing transcript

In the matter of: Don Jaime

Before: DC ABRA

Date: 03-06-19

Place: Washington, DC

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