

PRESENT:

DONOVAN W. ANDERSON, Chairperson
NICK ALBERTI, Member
DONALD ISAAC, SR., Member
JAKE PERRY, Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member

ALSO PRESENT:

DAVID McLEOD, Licensee
COUNTEE GILLIAM, Investigator, ABRA
KEVIN PUENTE, Investigator, ABRA
MARK BRASHEARS, Investigator, ABRA
ANDREW CREVELING, MPD
McCALL TYLER, MPD
SHELLYANN SEGOBIN, MPD
SHAWN ROONEY, MPD
BRANDON JAMES
TED GUTHRIE, ANC 1C

T-A-B-L-E O-F C-O-N-T-E-N-T-S

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

2 10:00 a.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. We are calling Fact-
5 Finding Hearing Case No. 17-251-00153 and Case
6 No. 17-251-00194, Phoenix Restaurant Lounge,
7 License No. 107011.

8 Will the parties, please, approach and
9 identify themselves for the record, please? Yes,
10 sir, go ahead. Identify yourself for the record,
11 please.

12 MR. McLEOD: David McLeod for N & D
13 Entertainment, LLC t/a Phoenix Restaurant Lounge.

14 CHAIRPERSON ANDERSON: I'm sorry, good
15 morning, Mr. McLeod?

16 MR. McLEOD: McLeod.

17 CHAIRPERSON ANDERSON: Yes, good
18 morning, sir. How do you spell your name for the
19 record, please.

20 MR. McLEOD: M-C-L-E-O-D.

21 CHAIRPERSON ANDERSON: Okay.

22 INVESTIGATOR GILLIAM: Investigator

1 Countee Gilliam, G-I-L-L-I-A-M.

2 CHAIRPERSON ANDERSON: Yes, sir, good
3 morning.

4 INVESTIGATOR PUENTE: And Investigator
5 Kevin Puente, P-U-E-N-T-E.

6 CHAIRPERSON ANDERSON: Good morning.
7 Yes, you can pull up a chair. If you are here
8 for -- this is the Phoenix Lounge, so if you are
9 here for this case, you can pull a chair up.
10 Good morning. Oh, no, I was saying if you are
11 here for this case you can come up, pull up a
12 chair and identify yourself for the -- we are
13 starting -- are you here for the Phoenix?

14 OFFICER CREVELING: Yes.

15 CHAIRPERSON ANDERSON: Yes. So you
16 can come up. So just pull up a chair and come up
17 and identify yourself for the record, please. So
18 if we can have all the officers introduce
19 themselves for the record, please?

20 OFFICER CREVELING: Yes, sir, Officer
21 Andrew Creveling.

22 CHAIRPERSON ANDERSON: All right.

1 Also, there is a sign-in sheet, so also sign your
2 name and also spell your name for the record,
3 please. All right.

4 OFFICER CREVELING: Good evening or
5 good morning, everybody. Officer Andrew
6 Creveling spelled C-R-E-V, as in Victor, E-L-I-N-
7 G. Do you need me to spell it again?

8 CHAIRPERSON ANDERSON: No, that's
9 fine. Thank you, Officer.

10 OFFICER TYLER: Okay. Good morning.
11 Officer McCall Tyler, M-C-C-A-L-L T-Y-L-E-R.

12 CHAIRPERSON ANDERSON: McCall Tyler?

13 OFFICER TYLER: McCall Tyler, yes.

14 CHAIRPERSON ANDERSON: Okay.

15 OFFICER SEEGOBIN: Officer Shellyann
16 Seegobin, that's S-E-E-G-O-B-I-N.

17 SGT. ROONEY: Sergeant Shawn Rooney,
18 S-H-A-W-N R-O-O-N-E-Y.

19 CHAIRPERSON ANDERSON: Good morning.

20 SGT. ROONEY: Good morning.

21 CHAIRPERSON ANDERSON: There are two
22 different cases, so let me ask which one of the

1 officers are here for the alleged assault and who
2 is here for -- I guess all the officers that are
3 here are here for the assault?

4 OFFICER SEEGOBIN: I'm here for the
5 sick person.

6 CHAIRPERSON ANDERSON: Okay. So,
7 okay, and the rest of the officers are here for
8 the assault. All right.

9 So let's start off with -- so I'll
10 have the Investigators start off and then we can
11 start off -- let's start off with the sick
12 person. So the Investigator Puente, you can
13 start.

14 INVESTIGATOR PUENTE: Okay.

15 CHAIRPERSON ANDERSON: Please.

16 INVESTIGATOR PUENTE: So on August 15,
17 2017, myself and Investigator Brashears were
18 monitoring Adams Morgan, the establishments at
19 Adams Morgan. We were approached by several MPD
20 Officers asking us to keep an eye on Phoenix
21 Lounge, due to possible after-hours they
22 believed. So we advised them that we will go in

1 at 3:15 to check and see if there is after-hours.

2 So at approximately 3:15 a.m., myself
3 and Investigator Brashears and Officer Seegobin,
4 we walked in. We met Mr. McLeod and his ABC
5 Manager, Mr. Anthony Ross. We spoke to them
6 about after-hours and the regulations regarding
7 that. There was no after-hours, at the time.

8 But while inside the establishment, we
9 observed a male kind of not conscious, he wasn't
10 alert, sitting by the door, kind of passed out.
11 Officer Seegobin attempted to try to wake him up
12 two times, it wasn't working. So they had to
13 call the ambulance to come and take him. He left
14 by ambulance.

15 While inside, Mr. McLeod stated that
16 he was a promoter for the establishment and he
17 was there drinking all night, it was his job to
18 party with the guests. He said he wasn't feeling
19 well since about 2:00 a.m., so I advised him that
20 from 2:00 to 3:15 was a long time and that he was
21 responsible for all the patrons and staff members
22 inside the club to call for help if someone

1 needed it.

2 So we advised him that a case would be
3 documented, and they would go before the ABC
4 Board.

5 CHAIRPERSON ANDERSON: Okay. Officer,
6 I wrote your name down, but I'm --

7 OFFICER SEEGOBIN: Seegobin.

8 CHAIRPERSON ANDERSON: Seegobin. All
9 right. What can you add to this for us please?

10 OFFICER SEEGOBIN: So I was in the
11 2400 Block of 18th Street.

12 MEMBER SILVERSTEIN: Can you move the
13 microphone over? I have a hearing impairment.

14 OFFICER SEEGOBIN: Sorry. So I was in
15 the 2400 Block of 18th Street, and we were
16 approached by the ABRA Investigators asking us to
17 do a walk-through with them inside of the Phoenix
18 Lounge.

19 As soon as I entered the lounge, I
20 looked around, and I saw a male passed out on the
21 sofa. As I approached him, the owner of the club
22 seemed confused, and there was also another

1 promoter while I was talking to -- trying to wake
2 the male that is passed out, they were sort of
3 brushing me off, telling me he is fine. He is
4 just asleep.

5 So as I tried to wake him up and get
6 him medical attention, the owner of the club he
7 was telling me sort of saying that why am I here?
8 He was -- he looked upset that I was actually
9 trying to get him medical attention. They were
10 trying to get us out of the club.

11 So I called the ambulance. While we
12 were waiting for the ambulance, the other
13 promoter approached us and tried to take him
14 home. Tried to take him from our --

15 MEMBER SILVERSTEIN: Who did?

16 OFFICER SEGOBIN: The other promoter
17 tried to like pick him up and take him away from
18 us, and we had to stop him, and we had to explain
19 to them that we have to get him medical
20 attention. We tried to wake him up. He is not
21 even opening his eyes.

22 So at that time, the ambulance came,

1 and I was trying to get his name. And no one in
2 the club knew his name, not the promoter that he
3 was working with and not the owner who hired him.
4 No one knew his name.

5 The ambulance came. They took him to
6 the hospital, and we did the proper police
7 procedures.

8 CHAIRPERSON ANDERSON: Thank you. Mr.
9 McLeod, any response to what was just stated,
10 sir?

11 MR. McLEOD: What happened was I
12 brought the guy in as an employee. He is behind
13 me right here.

14 CHAIRPERSON ANDERSON: Does he want to
15 come testify?

16 MR. McLEOD: Yes.

17 CHAIRPERSON ANDERSON: Well, he can
18 come up and introduce himself for the record.

19 MR. JAMES: How you doing today?

20 CHAIRPERSON ANDERSON: What's your
21 name, sir?

22 MR. JAMES: Brandon James.

1 CHAIRPERSON ANDERSON: I'm sorry?

2 MR. JAMES: Brandon James.

3 CHAIRPERSON ANDERSON: Mr. James.

4 MR. JAMES: Yes, sir.

5 CHAIRPERSON ANDERSON: There is a
6 sign-in sheet. Please, sign your name in, too,
7 also.

8 MR. McLEOD: On the night in question,
9 ABRA came in about 3:15 with officers. I walked
10 up, and I asked what was going on. They
11 explained to me what was going on, Investigator
12 Puente what was going on.

13 As the officer stated, that she looked
14 around and noticed that Brandon was here and this
15 whole other side was open, knocked out. But
16 Brandon came to me earlier that night and said
17 hey, man, I'm not feeling well. I said well, why
18 don't you go -- we have like a sofa-type
19 furniture in the front of the establishment, why
20 don't you go sit down and take it easy?

21 He said all right, cool. He went over
22 there, and he sat down. I checked on him

1 periodically, but he was fine. He was awake. So
2 as I went on observing everything that was going
3 on in the establishment, later on that -- by
4 morning when they came in, he was knocked out. I
5 thought he was sleeping, but he was knocked out.

6 So I didn't go over to him. They
7 walked over to him, and they said hey, he is not
8 coherent. So I was like well -- then I told the
9 officer, I was like well, I didn't know that.
10 When I talked to him earlier, he was over -- he
11 was fine and said he wasn't feeling well. And he
12 just sat down there, so I guess he fell asleep.

13 I did not brush the officer off. I
14 would never do that. I've been doing this too
15 long. I didn't ignore what she was saying. I
16 wasn't angry. I wasn't -- I didn't make no
17 attempt to get him up or walk out the door with
18 him. I didn't see if my staff did that either,
19 but she said it happened. So but I didn't see
20 them try to grab him and pick him up.

21 I asked her -- she said well, are you
22 going to get medical attention? She said she was

1 going to call medical attention for him. I said
2 fine. I didn't have a problem with that, because
3 I know him. And as for his name, I know him as
4 Bo, that's a nickname. As Brandon James, I don't
5 know him, because I have a marketing director who
6 hires my promotion men. So I just know him as
7 his nickname, so, no, I did not know his physical
8 name was Brandon James. I know him as his
9 nickname, Bo. I have known him for five years
10 and that's all I have ever called him.

11 And as for he works for us, why would
12 I not get him medical attention? I would not
13 just let him sit there and something happen to
14 him.

15 CHAIRPERSON ANDERSON: And that's it?

16 MR. McLEOD: Yes.

17 CHAIRPERSON ANDERSON: Mr. James,
18 what, if anything, do you want to add what is
19 going on? What, if anything, do you want to add,
20 sir?

21 MR. JAMES: That day I wasn't feeling
22 well. Probably some -- probably upset on my

1 stomach or something, whatever the case may be,
2 but that night it was just an average night. I'm
3 saying, maybe had a couple of drinks or something
4 the case may be, but I went to sleep. But other
5 than that, I'm fine that night.

6 CHAIRPERSON ANDERSON: Sir, do you
7 know how long you were unresponsive? Do you know
8 what time -- do you know or do you remember or
9 can you tell us how long you told Mr. McLeod that
10 you weren't feeling well and Mr. McLeod stated
11 that you went and sat on the couch, so do you
12 know what time that was and what time that the
13 ambulance came? Do you know?

14 MR. JAMES: To say no, I couldn't
15 remember, but Mr. McLeod he is a good guy. He
16 always take care of me.

17 CHAIRPERSON ANDERSON: So you don't
18 know how long?

19 MR. JAMES: No, sir.

20 CHAIRPERSON ANDERSON: So, Mr. McLeod,
21 I'm reading the report. The report says that the
22 video showed that it was from 11:00. Oh, I'm

1 sorry. I'm reading the wrong thing. I'm reading
2 the wrong thing.

3 I have the right report, but the video
4 was -- so, Mr. McLeod, just how long -- do you
5 recall what time he said he wasn't feeling well
6 and he went to sit on the porch?

7 MR. McLEOD: It was around 2:00,
8 because we shut down at 2:30. We shut down half
9 an hour before 3:00, so I can get everyone out.
10 So it was around about 2:00. I figured, you
11 know, he had half an hour to take it easy, and we
12 would just sort it out at the end of the night.
13 It was around 2:00.

14 CHAIRPERSON ANDERSON: Mr. Puente,
15 based on the video surveillance, about how long
16 did it appear to -- based on the video, did it
17 appear that the victim was in that condition?

18 INVESTIGATOR PUENTE: I never received
19 video from the establishment. I asked the ABC
20 Manager, Mr. Ross, for a copy of the video. He
21 said he will pass it along to his supervisor.

22 MR. McLEOD: And I never got that. I

1 have no problem getting the video. I get video
2 for -- I have no problems getting the video, but
3 I never received that.

4 CHAIRPERSON ANDERSON: So do you know,
5 Mr. Puente, why the video was never provided?

6 INVESTIGATOR PUENTE: I never heard
7 back from Mr. Ross about the video.

8 CHAIRPERSON ANDERSON: Maybe I heard
9 before, but do you have any idea how long this
10 man was in that state, that he was in?

11 INVESTIGATOR PUENTE: Oh, no. Mr.
12 McLeod, when we asked him, he said it had been
13 since about 2:00. So I took it from that
14 probably from about 2:00 on possibly.

15 CHAIRPERSON ANDERSON: Any questions
16 by any Board Members for any of the parties?
17 Yes, Mr. Alberti?

18 MEMBER ALBERTI: Mr. James, you were
19 taken to the hospital?

20 MR. JAMES: Yes, sir.

21 MEMBER ALBERTI: And what was the
22 result of their examination?

1 MR. JAMES: Nothing. I mean --

2 MEMBER ALBERTI: Were you kept
3 overnight?

4 MR. JAMES: I woke up, and they
5 released me.

6 MEMBER ALBERTI: What time?

7 MR. JAMES: I don't remember.

8 MEMBER ALBERTI: Was it 8:00 in the
9 morning? Was it before 8:00? I mean, when did
10 you wake up? When did you -- what time,
11 approximately, did you leave the hospital?

12 MR. JAMES: Say about 9:00.

13 MEMBER ALBERTI: About 9:00?

14 MR. JAMES: Yes, sir.

15 MEMBER ALBERTI: Okay. And you don't
16 know what your treatment was?

17 MR. JAMES: No, sir.

18 MEMBER ALBERTI: Okay. What's your
19 position with the establishment?

20 MR. JAMES: Promotion.

21 MEMBER ALBERTI: Promotion. Are you
22 a regular employee or just a contract employee

1 for promotion?

2 MR. JAMES: Just promotion.

3 MEMBER ALBERTI: That's not my
4 question. Are you a regular employee or do you
5 have -- are you a contract employee with the
6 establishment?

7 MR. JAMES: Um.

8 MEMBER ALBERTI: Are you a regular
9 employee? Do you -- are you permanently on --
10 Mr. McLeod, have him answer.

11 Are you currently on staff or you have
12 a contract with them?

13 MR. JAMES: No contract. It's just
14 hearsay.

15 MEMBER ALBERTI: Hearsay? What do you
16 mean hearsay?

17 MR. JAMES: Um, well, the events you
18 just come to the club and just word of mouth, I
19 would say.

20 MEMBER ALBERTI: Meaning? I'm not
21 sure word of mouth. I mean, what -- on what
22 basis does Mr. McLeod hire you? How often are

1 you hired?

2 MR. McLEOD: It all depends.

3 MEMBER ALBERTI: Wait, wait, wait.

4 I'll get there. How often does Mr. McLeod hire
5 you?

6 MR. JAMES: I don't understand the
7 question.

8 MEMBER ALBERTI: Pardon?

9 CHAIRPERSON ANDERSON: He said he
10 doesn't understand the question.

11 MR. JAMES: I don't understand the
12 question.

13 MEMBER ALBERTI: How often do you work
14 at this establishment?

15 MR. JAMES: Not often.

16 MEMBER ALBERTI: What's not often?
17 How often? You must have -- give me some figure.
18 Is it once a year? How often do you work here?

19 MR. JAMES: Just at night.

20 MEMBER ALBERTI: Just at night. Do
21 you come to this establishment as a patron often?

22 MR. JAMES: Adams Morgan, yes.

1 MEMBER ALBERTI: To this -- to Phoenix
2 Lounge, do you come often as a patron?

3 MR. JAMES: No, sir.

4 MEMBER ALBERTI: You don't come as a
5 customer?

6 MR. JAMES: Sometimes, yes, sir.

7 MEMBER ALBERTI: How often?

8 MR. JAMES: Throughout the week, yes.

9 MEMBER ALBERTI: Pardon?

10 MR. JAMES: I said throughout the
11 week, yes.

12 MEMBER ALBERTI: Throughout the week?

13 MR. JAMES: Yes, sir.

14 MEMBER ALBERTI: Often throughout the
15 week? Every week usually?

16 MR. JAMES: Yes.

17 MEMBER ALBERTI: Okay. How do you
18 know Mr. McLeod?

19 MR. JAMES: Adams Morgan.

20 MEMBER ALBERTI: Can you give me
21 something more specific on how you know him?
22 Where did you meet him?

1 MR. JAMES: Adams Morgan.

2 MEMBER ALBERTI: Where?

3 MR. JAMES: Adams Morgan.

4 MEMBER ALBERTI: Where in Adams
5 Morgan? Adams Morgan has got a lot of places.
6 On the street?

7 MR. JAMES: Phoenix Lounge.

8 MEMBER ALBERTI: Pardon?

9 MR. JAMES: Phoenix Lounge.

10 MEMBER ALBERTI: Oh, you met him at
11 Phoenix Lounge?

12 MR. JAMES: Yes, sir.

13 MEMBER ALBERTI: Okay. How long ago?

14 MR. JAMES: Um, I've known the guy a
15 couple years.

16 MEMBER ALBERTI: Okay.

17 MR. JAMES: Yes.

18 MEMBER ALBERTI: How does Mr. McLeod
19 pay you?

20 MR. JAMES: I don't understand.

21 MEMBER ALBERTI: How does he pay you?

22 MR. JAMES: Well.

1 MEMBER ALBERTI: How though?

2 MR. JAMES: I don't understand.

3 MEMBER ALBERTI: What do you mean you
4 don't? I don't understand. How does he pay you?
5 Does he give you free drinks? I mean, how does
6 he pay you? Does he tell you you are a nice guy,
7 and that is your payment? How does he pay you?

8 MR. JAMES: I don't know.

9 MEMBER ALBERTI: You don't know? How
10 much were you paid for that evening?

11 MR. JAMES: I don't know.

12 MEMBER ALBERTI: You don't know. All
13 right. I lost my other train of thought on this
14 one, Mr. McLeod.

15 Mr. McLeod, do you have a security
16 plan? First of all, let me step back. How large
17 is this establishment?

18 MR. McLEOD: How large is it? Three
19 floors.

20 MEMBER ALBERTI: Three floors. How
21 many people?

22 MR. McLEOD: 183.

1 MEMBER ALBERTI: 183. And you have a
2 DJ often there?

3 MR. McLEOD: Occasionally, yes.

4 MEMBER ALBERTI: Yeah. And do you
5 have promoters coming in?

6 MR. McLEOD: I don't have promoters
7 come in, but I do have a marketing team. I do
8 hire promoters through my marketing team, which
9 is with Phoenix, yes.

10 MEMBER ALBERTI: Okay. Do you have a
11 security plan?

12 MR. McLEOD: We have the 02020 Plan in
13 the place, but I have to readjust it.

14 MEMBER ALBERTI: A 2020? Oh, an 02020
15 Plan.

16 MR. McLEOD: Yes.

17 MEMBER ALBERTI: A security plan. Did
18 you file it with ABRA?

19 MR. McLEOD: It should be in the
20 record with ABRA. When I did the application, I
21 had --

22 MEMBER ALBERTI: I don't really see --

1 I see a settlement agreement. I don't see a
2 security plan here.

3 MR. McLEOD: When I filed the
4 application --

5 MEMBER ALBERTI: Pardon? Oh, okay.
6 So when did you become the owner of this
7 establishment?

8 MR. McLEOD: In -- I bought it in
9 March, but --

10 MEMBER ALBERTI: Okay. And this is
11 the old Marrakech?

12 MR. McLEOD: Yes.

13 MEMBER ALBERTI: All right.

14 MR. McLEOD: I just bought it in
15 March.

16 MEMBER ALBERTI: So there is --

17 MR. McLEOD: We didn't start operating
18 until June.

19 MEMBER ALBERTI: Okay. Of this year?

20 MR. McLEOD: Yeah.

21 MEMBER ALBERTI: Did you submit that
22 security plan to ABRA in June?

1 MR. McLEOD: I submitted. I had two
2 applications. I had a rental application and
3 then I did the transfer application. With my
4 rental application, I submitted the security
5 plan.

6 MEMBER ALBERTI: But not with the
7 transfer application?

8 MR. McLEOD: No.

9 MEMBER ALBERTI: Okay.

10 MR. McLEOD: I thought that that
11 information was --

12 MEMBER ALBERTI: When that was
13 transferred to this location.

14 MR. McLEOD: I know my third
15 application, they were all going into play. It
16 was just all the information there was to the --

17 MEMBER ALBERTI: Okay. Could you make
18 -- would you be willing to submit that to ABRA
19 and have us make sure that it comports with all
20 the requirements of the security plan?

21 MR. McLEOD: No problem.

22 MEMBER ALBERTI: And our statutes?

1 MR. McLEOD: Okay.

2 MEMBER ALBERTI: Because it sounds
3 like you got a busy place there and --

4 MR. McLEOD: We are not busy.

5 MEMBER ALBERTI: -- we just want to
6 make sure that -- we just -- I'm sorry. We just
7 want to make sure that you and ABRA are on the
8 same page as with respect to what needs to be
9 done to ensure public safety. That's -- so we
10 would appreciate if you would do that.

11 MR. McLEOD: I will.

12 MEMBER ALBERTI: Thank you. I have no
13 further questions.

14 CHAIRPERSON ANDERSON: Any other
15 questions by any other -- Mr. Silverstein?

16 MEMBER SILVERSTEIN: Yes. My
17 questions are for Officer Seegobin. Now that you
18 have heard the testimony of Mr. McLeod and Mr.
19 James, do you have any response to any of that or
20 any clarifications that you would make in terms
21 of what you saw?

22 OFFICER SEGOBIN: Yes. Earlier I

1 said that when we were inside the establishment,
2 myself and my partner, I said that wasn't the
3 owner that was picking up the complainant here.
4 It was actually another promoter picking him up
5 and wanting to take him away while we were trying
6 to get him medical attention.

7 So I never said it was you. It was
8 your other promoter.

9 MEMBER SILVERSTEIN: Okay. When you
10 saw Mr. James asleep or unconscious, was there
11 any specific reason for you to be concerned for
12 his well-being?

13 OFFICER SEGOBIN: Well, he was
14 sitting down. His head was facing down and he
15 was slumped down. And we tried to wake him up
16 and we tried to, you know, shake his chest, try
17 to alert him and he wasn't opening his eyes. He
18 wasn't even -- he was just --

19 MEMBER SILVERSTEIN: He was
20 unresponsive?

21 OFFICER SEGOBIN: -- not responsive.
22 Yeah. Not even opening his eyes. Not saying a

1 word.

2 MEMBER SILVERSTEIN: When he was
3 finally awakened or at least brought out of his--

4 OFFICER SEGOBIN: I never --

5 MEMBER SILVERSTEIN: -- deep sleep,
6 was there any reason -

7 OFFICER SEGOBIN: -- at any time on-
8 scene from us first seeing him to him getting
9 into the ambulance, he was still unconscious and
10 non-responsive.

11 MEMBER SILVERSTEIN: What does your
12 training tell you in a situation like that?

13 OFFICER SEGOBIN: Based on my
14 training, you said earlier -- he said earlier he
15 had a few drinks and he was fine.

16 MEMBER SILVERSTEIN: Can you speak up?

17 OFFICER SEGOBIN: He said earlier
18 that he had a few drinks and he was fine. I
19 believe that he had too much to drink. Maybe he
20 had taken some type of drug or who knows that he
21 over -- he was over his limit.

22 MEMBER SILVERSTEIN: Is that type of

1 situation, based on your training, Officer, a
2 situation that can lead a person into grave
3 danger if there is a combination of alcohol and
4 some sort of drug?

5 OFFICER SEEGOBIN: Yes, sir,
6 absolutely.

7 MEMBER SILVERSTEIN: Your training
8 tells you that in all cases similar to that, that
9 person should have medical attention immediately?

10 OFFICER SEEGOBIN: Immediately,
11 correct, yes, sir.

12 MEMBER SILVERSTEIN: Is there anything
13 else you would like to add, Officer?

14 OFFICER SEEGOBIN: No, sir.

15 MEMBER SILVERSTEIN: Thank you.

16 OFFICER SEEGOBIN: Yes.

17 CHAIRPERSON ANDERSON: Mr. Short?

18 MEMBER SHORT: Yes. This is for the
19 owner.

20 MR. McLEOD: Yes.

21 MEMBER SHORT: Mr. McLeod?

22 MR. McLEOD: Yes.

1 MEMBER SHORT: And you said you have
2 been operating since June?

3 MR. McLEOD: June is when I started
4 operating, yes.

5 MEMBER SHORT: Okay. How do you
6 normally pay anyone who works for your
7 establishment?

8 MR. McLEOD: Check.

9 MEMBER SHORT: Everybody gets a check?

10 MR. McLEOD: Right. His thing is with
11 him though, he doesn't get paid by me. I pay my
12 marketing director, which pays him. I don't --
13 I'm never -- I don't really engage with him.
14 What we do is the marketing director gets a
15 budget and out of that budget, he writes checks
16 for the promotion team that he has on his team.

17 MEMBER SHORT: Okay. But ultimately,
18 you are responsible for everything that happens
19 in the club?

20 MR. McLEOD: Right. They get
21 paychecks.

22 MEMBER SHORT: The answers I got from

1 Mr. James through one of the other Board Members'
2 questions didn't sound quite correct. Can you
3 explain? Do you have in your security plan or
4 anything in your establishment what happens if
5 someone is sick or unresponsive? Is there a
6 first aid plan? Do you have anything to deal
7 with emergencies such as people passed out in
8 your establishment?

9 MR. McLEOD: Yes, we call 911. I
10 applaud the Officer for sending him to the
11 hospital, by all means, because --

12 MEMBER SHORT: Why didn't you?

13 MR. McLEOD: Because when I talked --
14 when I engaged with him, he was coherent. He
15 talked to me. He was sitting up. Then I went
16 around and I just did my rounds. When we came --
17 after we closed, he was slumped over. Like I
18 said to the Officer, I told her thank you. I
19 applaud her for calling the ambulance, because I
20 don't want no one to get hurt under my watch.
21 And I know him, so that would even be hurt for
22 me.

1 MEMBER SHORT: Okay. Let me ask you
2 this. That was one person slumped over. Suppose
3 you had two or three slumped over? Would you let
4 them all just like Mr. James did?

5 MR. McLEOD: No. I have no problem
6 calling 911.

7 MEMBER SHORT: I understand that.

8 MR. McLEOD: If they are not feeling
9 well, you pass out, if you passed out in my
10 establishment --

11 MEMBER SHORT: Mr. McLeod, why did the
12 police officer have to do your job for you then
13 or your club's job? Why did this Officer have to
14 call for first aid or medical help for Mr. James
15 and not someone in your establishment?

16 MR. McLEOD: I can't really speak on
17 that, because like I said when I went over to
18 check on him, I did check on him, he was fine.

19 MEMBER SHORT: Where is your ABC
20 License, meaning you as an owner of an
21 establishment who says I don't know what
22 happened, someone else had to call. He was just

1 passed out. Is that your -- is that normal
2 operating procedure?

3 MR. McLEOD: That's not normal. We
4 should have been more alert to him sitting over
5 in the corner. But I guess by him being an
6 employee, you know, and he was coherent when I
7 talked to him, he wasn't like -- like he wasn't a
8 patron, but like I said I am glad that he is fine
9 and I applaud the officer for doing her job.

10 MEMBER SHORT: He works for you, but
11 you don't pay him. Someone else pays him.

12 MR. McLEOD: Well, my marketing
13 director pays him. Like we have managers who
14 deals with different organizations. I really
15 don't deal with promotions, so we have a manager,
16 Jonathan Kraft, he deals with promotions. And
17 like he will hire himself a team, which Brandon
18 was under his team.

19 MEMBER SHORT: Okay.

20 MR. McLEOD: And --

21 MEMBER SHORT: Mr. McLeod, what
22 exactly are his duties?

1 MR. McLEOD: His duty is to -- pretty
2 much to promote the party, get people to come out
3 to the spot, endorse the food and so forth,
4 that's just mainly his duties. Some nights he
5 don't make any money.

6 MEMBER SHORT: I'm going to ask
7 questions, but now I'm kind of cloudy. So what
8 was your last statement? He doesn't make any
9 money?

10 MR. McLEOD: Yes, some nights he does
11 not make any money. Promoters gets paid. The
12 marketing in an establishment, a lounge,
13 promoters get paid as what they bring to the
14 table. He might not --

15 MEMBER SHORT: This is your normal
16 business model?

17 MR. McLEOD: But this is the promotion
18 model of it. When it's -- this is just the
19 promotion model for years. This is how it has
20 been for years, it's just the promotion model of
21 it. Like promotions --

22 MEMBER SHORT: My last question for

1 you why do you think you are here today before
2 this Board? Why are you answering these
3 questions?

4 MR. McLEOD: I'm here before the Board
5 because this was not addressed on my part,
6 because I had a guy in my establishment who was
7 slumped over and an officer called --

8 MEMBER SHORT: So you know why you're
9 here?

10 MR. McLEOD: Exactly.

11 MEMBER SHORT: What are you going to
12 do to correct it?

13 MR. McLEOD: I'm going to make sure we
14 are more alert. Even if it's staff, patrons or
15 so forth.

16 MEMBER SHORT: I'm going to remember
17 that. Thank you very much, Mr. McLeod.

18 MR. McLEOD: Okay.

19 MEMBER SHORT: Thank you, Mr. Chair.

20 CHAIRPERSON ANDERSON: Any other
21 questions by any other Board Members? Go ahead,
22 Mr. Alberti.

1 MEMBER ALBERTI: So I have questions
2 for Mr. James. Mr. James, who is the marketing
3 director?

4 MR. JAMES: I forgot his name.

5 MEMBER ALBERTI: Pardon?

6 MR. JAMES: I forgot his name.

7 MEMBER ALBERTI: You forgot his name.

8 MR. McLEOD: It's --

9 MEMBER ALBERTI: Wait. Mr. McLeod,
10 I'm asking Mr. James, and I am expecting him to
11 answer my questions, not you.

12 MR. McLEOD: Okay.

13 MEMBER ALBERTI: Who is the guy who
14 hires you?

15 MR. JAMES: I forgot his name.

16 MEMBER ALBERTI: You don't know his
17 first name?

18 MR. JAMES: (No audible answer.)

19 MEMBER ALBERTI: How do you get in
20 touch with him?

21 MR. JAMES: (No audible answer.)

22 MEMBER ALBERTI: Do you want me to

1 repeat the question?

2 MR. JAMES: What's the question?

3 MEMBER ALBERTI: How do you get in
4 touch with him? Mr. McLeod, let him speak,
5 please.

6 MR. JAMES: At Phoenix Lounge.

7 MEMBER ALBERTI: Pardon?

8 MR. JAMES: At Phoenix Lounge, sir.

9 MEMBER ALBERTI: Do you see him
10 personally there?

11 MR. JAMES: Yes, sir.

12 MEMBER ALBERTI: So explain to me how
13 you promote, what steps do you take to promote an
14 event at Phoenix Lounge.

15 MR. JAMES: Social media.

16 MEMBER ALBERTI: Now, can you be more
17 specific?

18 MR. JAMES: Yes, so word of mouth.

19 People --

20 MEMBER ALBERTI: What's that mean?

21 MR. JAMES: -- well, people on the
22 street, like Adams Morgan is -- if you know,

1 Adams Morgan is a busy strip. Walking down the
2 busy strip, hey, we're having a party, come party
3 at Phoenix Lounge.

4 MEMBER ALBERTI: Do you use that -- do
5 you --

6 MR. JAMES: Walking down the street.

7 MEMBER ALBERTI: Just when you walk
8 down the street and talk to people?

9 MR. JAMES: Say it again, sir?

10 MEMBER ALBERTI: Do you just walk down
11 the street and talk to people?

12 MR. JAMES: Yes, sir.

13 MEMBER ALBERTI: How do you give them
14 information about the event?

15 MR. JAMES: Talk to them.

16 MEMBER ALBERTI: I have no further
17 questions. Thank you.

18 CHAIRPERSON ANDERSON: All right. Any
19 other questions?

20 MEMBER ALBERTI: I will tell you, I'm
21 just going to tell you, for the record, I do not
22 believe that Mr. James was a promoter that

1 evening, was hired by you that evening, Mr.
2 McLeod. That's where my questioning is going.

3 CHAIRPERSON ANDERSON: Do you want to
4 say something, sir? Please, identify yourself
5 for the record also.

6 INVESTIGATOR BRASHEARS: Yes, sir.
7 Investigator Brashears from ABRA.

8 I was with Investigator Puente the
9 night of the incident at the establishment. One
10 of the -- I know we have covered a lot of ground,
11 but one of the more disconcerting things to me
12 was we had an ABC Manager and an owner present,
13 and my concern was if we had not walked in, and I
14 asked the owner, Mr. McLeod, I said had we not
15 walked in, this individual has been sitting over
16 here unresponsive all this time, would you have
17 called an ambulance? Would he have just been
18 taken out, because another individual did try to
19 walk him out.

20 To me, that was probably one of the
21 more egregious things. We had two people
22 responsible for the operation of the

1 establishment and neither took steps to help the
2 unresponsive patron.

3 CHAIRPERSON ANDERSON: Thank you, Mr.
4 Brashears.

5 All right. Any -- Investigator
6 Puente, any final thoughts you want to make?

7 INVESTIGATOR PUENTE: No, I do not.

8 CHAIRPERSON ANDERSON: Officer
9 Seegobin?

10 OFFICER SEEGOBIN: Yes, sir. Just to
11 add to that, I did speak to the -- Mr. McLeod,
12 the owner of Phoenix, and he said that part of
13 the promoters job is to party with the customers,
14 to drink with the customers and patrons, that is
15 part of his job description.

16 And also to add to that, the
17 condition, the state that the complainant was in
18 that night, I can tell you, based on my training
19 and experience, that was not only alcohol. That
20 was -- my suspicion is there was more than
21 alcohol involved.

22 CHAIRPERSON ANDERSON: All right.

1 Thank you.

2 Mr. McLeod, any final thoughts you
3 want to make?

4 MR. McLEOD: No. Except that I was
5 negligent on my part, and I do take that
6 responsibility.

7 CHAIRPERSON ANDERSON: All right. All
8 right. The Board will take this matter under, at
9 least the first matter, advisement.

10 So let's move on to the other case,
11 and now let's talk about Case No. 17-251-00194.

12 All right. Investigator Gilliam, let
13 us -- provide some background on this case,
14 please.

15 INVESTIGATOR GILLIAM: Okay. On
16 Wednesday, September 20th, at 8:30, we had a
17 situation at Phoenix that resulted in assault
18 with significant bodily injury, robbery and theft
19 1st degree.

20 To give you background, once I arrived
21 on the scene, had a large MPD presence outside
22 the --

1 CHAIRPERSON ANDERSON: How did you get
2 to the scene anyway? What brought you there?

3 INVESTIGATOR GILLIAM: The Agency was
4 made aware.

5 CHAIRPERSON ANDERSON: Okay.

6 INVESTIGATOR GILLIAM: I got a call
7 from the Chief, I need to report out there and
8 give a description of what happened. So somebody
9 called ABRA, and that's how we was aware.

10 PARTICIPANT: It was me.

11 INVESTIGATOR GILLIAM: Okay. All
12 right.

13 CHAIRPERSON ANDERSON: All right.

14 INVESTIGATOR GILLIAM: Well, I didn't
15 know that, that's why I didn't put it on the --
16 okay.

17 CHAIRPERSON ANDERSON: See, the record
18 is being filled in as we move along.

19 INVESTIGATOR GILLIAM: Exactly. Okay.
20 So once on the scene, I talked to several
21 officers, including Officer Andrew Creveling, and
22 come to find out that Victim 1, V1, I'm just

1 going to describe him as S3, because that's
2 basically what -- to be clear, I don't want to be
3 going back and forth.

4 S3 was assaulted by S1, and S1 is the
5 establishment Head of Security. MPD said they
6 witnessed S1 assault S3 through the upper window
7 of the front door of the establishment. They
8 said they actually had to stand on the railing of
9 the front door to look inside, because they
10 couldn't -- what happened was a witness came out
11 and stated that his friend was inside getting
12 beat up.

13 MPD tried to enter the establishment,
14 but the door was locked. So MPD had to go around
15 the back to get inside the establishment. Once
16 inside the establishment, they made contact with
17 S1 and detained him and then they started the
18 investigation.

19 Through further investigation, it was
20 found out that S3 was auditioning for a DJ
21 position that night and he had stole,
22 approximately, \$4,000 of the establishment's

1 money. According to the establishment, it was
2 mainly left from the night before. They was
3 waiting to make the bank drop.

4 So S3 stole the money, took it outside
5 and hid it in the vehicle. S2 who was a part
6 business owner of the establishment realized that
7 the money was stolen, so he confronted S3. S3
8 denied the allegations. Then S2 went back to the
9 video camera system, made a copy of the video
10 showing that he stole the money.

11 S3 continued to deny it. At this
12 point, S1 began to assault. S2 first, he -- S2
13 he shoved him first preventing him from leaving,
14 because S1 was the establishment head of
15 security. Again, the assault lasted over 10
16 minutes continuously, only stopping for breaks, I
17 guess, to get oxygen. It started with -- they
18 started with punches and then ended up to the
19 bar. S1 was hitting S3 with a bottle and this
20 lasted for about 10 minutes.

21 Then the MPD was finally about to get
22 inside the establishment. So once they got

1 inside the establishment, they placed S1 under
2 arrest. At that time, it wasn't known that S3
3 had stolen the money. So once the establishment
4 was locked, I got in contact with Mr. McLeod to
5 come to the establishment because there was no
6 employees there and MPD decided to lock the
7 establishment.

8 So he came and he advised me that S3
9 had actually stole the money. I got in contact
10 with the Detective on the scene. And the process
11 went from there, I talked to a Sergeant Burns and
12 explained to him what I had found out. And then,
13 at that point, S3 just came out of nowhere and
14 MPD detained him and placed him under arrest for
15 theft.

16 My main concern was that during the
17 assault, S3 was trying to get out of the
18 establishment and he kept trying to get loose and
19 try to get out. The establishment personnel
20 wouldn't let him leave out and he continued --
21 they continued to assault him.

22 And the assault lasted for a period of

1 approximately 10 minutes.

2 CHAIRPERSON ANDERSON: All right. Mr.
3 McLeod, is Mr. James a part of this case or was
4 he just here for the first case?

5 MR. McLEOD: Just the first case.

6 CHAIRPERSON ANDERSON: So, Mr. James,
7 you can step back if you want, if you so desire.
8 All right. Mr. -- Officer Creveling?

9 OFFICER CREVELING: Creveling.

10 CHAIRPERSON ANDERSON: Yes, okay, sir,
11 tell us what -- how you became aware of this.

12 OFFICER CREVELING: Okay. Thank you,
13 Mr. Chairman. On September 20th at about 8:30,
14 Officer Greg Kurtz was flagged down by a witness
15 who stated that his friend was inside Phoenix
16 Lounge getting beat up.

17 Officer Kurtz asked for additional
18 units to respond. Myself and Officer Tyler were
19 the first two officers to respond.

20 Officer Seegobin actually responded a
21 few moments later, and her and Officer Kurtz went
22 to the rear of the location.

1 We knocked on the door. We banged on
2 the door. We hit the door with our flashlight
3 and no response. The door was locked. It has
4 got two deadbolts, one at the top and one at the
5 bottom, and it appeared that the top deadbolt was
6 locked.

7 This was at about 8:45 in the evening,
8 normal operating business hours for this
9 location.

10 As we were banging on the door, the
11 front facade of the location is covered in
12 curtains. I saw that somebody pulled back a
13 curtain real quick, saw us and shut it. I never
14 got a good clear look on what that -- who that
15 person was, what they looked like. I had no
16 description of their identity at all.

17 But it was at this point that I had
18 Officer Tyler and another Officer Kerry, both
19 tall officers, step up onto the railing at the
20 front door and they were able to see through a
21 top window that was not obstructed by anything.
22 And at this point, Officer Tyler observed an

1 individual that we identified as Mr. Parrotte
2 beating on who was described by Investigator
3 Gilliam as S1 beating on an individual identified
4 later as Mr. Dyson, who Investigator Gilliam
5 described as S3.

6 We banged on the door. We continued
7 to bang on the door. There was no response at
8 the front door at any time. We called our
9 breaching kit to come up and we began to breach
10 the front door to break it down in order to get
11 in. It was at this time that Officer Seegobin
12 and Officer Kurtz were able to make entry through
13 the rear door without having to break anything
14 and they let us in.

15 When myself and several other officers
16 responded to the top floor, there we found Mr.
17 Dyson sitting down as well as Mr. Parrotte
18 sitting down. Mr. Dyson was bleeding profusely
19 from the head and facial area and he was -- had
20 blood all over his shirt.

21 I immediately put Mr. Parrotte in
22 cuffs. He walked right up to me. He had long

1 dreads. He had a white shirt on, if I recall
2 correctly, and he had blood all down the front of
3 his shirt.

4 The upstairs was disheveled. There
5 was broken glass everywhere. There was furniture
6 that had been strewn about. And there was blood
7 pooling on the ground from Mr. Dyson's face and
8 head.

9 I interviewed both of them separately
10 as best as I could. Mr. Parrotte did make
11 mention and make allegation of a theft. However,
12 at that time, we were unable to investigate the
13 theft, because nobody else was in the
14 establishment.

15 We spoke with Mr. Dyson. Mr. Dyson
16 did tell us that he had been beaten by Mr.
17 Parrotte. And during this time, during the
18 beating, he had attempted to either call 911 or
19 he had attempted to use his phone and Mr.
20 Parrotte took the phone from him and placed it in
21 his own pocket.

22 We asked Mr. Dyson for the phone

1 number. We called the phone. We called the
2 number and it rang on a phone that we found in
3 Mr. Parrotte's front right pocket, if I recall
4 correctly.

5 Following this, we -- Mr. Dyson
6 identified Mr. Parrotte as the one who had
7 assaulted him. We went ahead and placed him
8 under arrest for felony assault and robbery. It
9 was at this point that Mr. Dyson became very
10 uncooperative. He wouldn't speak to me. We had
11 approximately four or five detectives and
12 multiple sergeants who responded on-scene.

13 As was stated by Investigator Gilliam
14 here, he was not allowed to leave the location.
15 I brought it up to my superiors as to investigate
16 it as a kidnapping and they decided that --
17 against, based on the element of the crime, that
18 they would not investigate it as a kidnapping.
19 But it is my observation and I won't speak for
20 Officer Tyler, he will, that Mr. Dyson was unable
21 and not allowed to leave that location under his
22 own free will.

1 During this time, following the arrest
2 of Mr. Parrotte, we were unable to and still have
3 not closed the case on the second suspect that
4 beat on Mr. Dyson. Mr. Dyson was allowed to
5 leave. Again, we didn't know about the theft.

6 Mr. McLeod responded to the scene. We
7 were able to further understand the picture of
8 the theft that had happened. It was during this
9 time that under his own free will Mr. Dyson did
10 return back to the scene along with a fourth
11 individual and the car where he had stashed the
12 cash.

13 More investigation was done by the
14 detective and Officer Tyler and it was, at this
15 point, that we made the determination that Mr.
16 Dyson had stolen the cash and Mr. Dyson was
17 placed under arrest for Theft 1. I'm sorry, 1st
18 Degree Theft. In layman's terms anything more
19 than \$1,000.

20 CHAIRPERSON ANDERSON: Okay. It's
21 very interesting that --

22 OFFICER CREVELING: Thank you,

1 Chairman.

2 CHAIRPERSON ANDERSON: -- he came back
3 to the scene. All right. So but Officer McCall
4 Tyler, what can you add, if anything, to this
5 investigation, sir?

6 OFFICER TYLER: Well, I responded also
7 with Officer Creveling. Officer Creveling told
8 you most of the story. As we were responding to
9 the scene, we had -- an individual was actually
10 outside saying that like he is like my friend is
11 calling me and he is saying they are beating him
12 up inside. This individual like we talked to him
13 for a little bit, but he soon left.

14 Then at that time, we started to bang
15 on the door. We were banging on the door for
16 probably about, I don't know, 5 or 10 minutes.
17 During that time, Officer Creveling did say that
18 an individual looked, peeked through the
19 curtains. And then I stood up onto the railing
20 and when I stood onto the railing, I seen -- I
21 looked up and I saw two figures looking like they
22 were fighting.

1 When I looked up there, I saw, all
2 right, S1, the defendant Parrotte. He was
3 fighting S3, Mr. Dyson. At the time, it seemed
4 that Mr. Parrotte is actually a very bigger
5 individual to Mr. Dyson and was getting the best
6 of him, at the time. You could see that Mr.
7 Parrotte was punching him a lot of times and you
8 could see Mr. Dyson actually putting up his hands
9 like saying like I'm done, I'm done and basically
10 you seen it's -- the beating was still going on.

11 I actually took out my flashlight and
12 was still banging on the window and also was
13 flashing a light up into the upper area just to
14 let them know that like there is someone watching
15 you. There is someone watching you.

16 At that time, we had called for the
17 breaching kit. We actually had tried to breach
18 the door once, it did not work, but, at that
19 time, someone came on the radio and they had said
20 that hey, we're inside. We're inside.

21 We went inside. As the Investigator
22 Creveling had said, basically, he went on. We

1 arrested Mr. Parrotte for robbery and felony
2 assault. At that time, we actually got another
3 call, phonecall from an officer on-scene. I
4 actually responded back to the scene where Mr.
5 Dyson had came back to actually get a car that he
6 had said that was his, because as I remember, Mr.
7 Dyson also was saying that he could not find his
8 keys while on-scene. He just said I can't find
9 my keys. I can't go home. I can't find my keys.

10 So another individual whose car that
11 was -- actually had brought him back with those
12 keys, we had stopped that individual. We
13 actually had looked into the car and, at that
14 time, we looked into the car, we saw a stash of
15 cash in the -- where the front and back seats,
16 those little panels where you keep that in there,
17 we saw some DJ equipment and we saw some clothing
18 that Mr. Dyson had been wearing that night.

19 So at that time, actually, Mr. McLeod
20 had took us back into his video area and we
21 identified Mr. Dyson as taking the money by his
22 shoes.

1 But also to add to this, while looking
2 -- we looked at a lot more video of this and
3 looking at the assault of Mr. Dyson, it was going
4 on for a very long period of time. There was
5 another individual that we still have not
6 actually identified.

7 But during this assault, Mr. Parrotte
8 when actually he was really beating on Mr. Dyson
9 a lot, Mr. Dyson had really tried to leave. Mr.
10 Dyson actually -- Mr. Parrotte actually at one
11 time just sat in front of the door and you could
12 see that Mr. Dyson was pleading, basically, he
13 was like let me go. Let me go and stuff like
14 that.

15 And then the assault would happen some
16 more. And then basically it's just an ongoing
17 assault for a long period of time.

18 CHAIRPERSON ANDERSON: All right.
19 Sergeant Rooney?

20 SGT. ROONEY: Yes. Good morning, Mr.
21 Chairman and Board. On the night in question, I
22 wasn't working on that night, so in order to give

1 you a pretty good perspective of where I fit into
2 all of this, the community -- I actually am the
3 Nightlife Supervisor in Adams Morgan, so I get
4 calls from business owners, citizens, patrons,
5 people that know me from the area.

6 On this night in question, I must have
7 received about 40 to 50 emails, phonecalls,
8 photographs of officers outside of the
9 establishment. Not to mention when I spoke to
10 Officer Creveling regarding the incident, some of
11 the other supervisors don't have a lot of the
12 experience dealing with the nightclubs and
13 restaurants that have alcohol, you know, as their
14 main source of income.

15 So where I fit into this is when he
16 called me that morning regarding going forward
17 with charges, I spoke to the United States
18 Attorney's Office and told him about the effects
19 on the community, not to mention the perception
20 that it has on the area in Adams Morgan.

21 But basically to clarify everybody's
22 statements, you had two offenses that occurred.

1 One, you have the DJ comes in there,
2 sees somehow \$4,000. I don't know whether it was
3 in plain view, in an office area. He goes ahead
4 and takes the money, steals it and was doing an
5 audition that particular night, stashes it in his
6 vehicle. He comes back to the establishment,
7 hopefully they didn't find out, but their head of
8 security who is a big guy approaches him and
9 starts beating him down.

10 Okay? If I could speak frankly, he
11 just straight up old-school-style. Just hey you
12 are not going to steal from us, beating him down
13 and continuously beating him down.

14 It wasn't until his friend who was
15 outside of the establishment flagged down
16 officers to be able to gain entry in there, you
17 know, to keep his friend from either being
18 gravely injured or killed.

19 When they approached the door, the
20 door was locked. They can't, they cannot get in
21 and they locked it from the inside. Although
22 banging, smashing on the door, making loud, you

1 know, trying to breach the door themselves,
2 bolted twice. If I was there, it would have been
3 a kidnapping. You would have a second charge of
4 kidnapping, okay, with a serious assault. Okay?
5 So you would have two charges.

6 Two different scenes. One is the
7 theft from the DJ, that one is over. Now, they
8 approach him. They didn't get the police
9 involved. They showed their true colors. They
10 grossly ignored being able to call Metropolitan
11 Police Department or any police services, even
12 though we were right out front. Locked the
13 entire door just so that they could take matters
14 into their own hands.

15 Okay, straight up, old-school-style.
16 We are going to handle this ourselves. At what
17 point do we say that this is not a kidnapping?
18 It's a kidnapping when somebody forces, by force
19 where somebody else is not able to leave. Okay?
20 There is no real time constraint, okay? But the
21 guy continues to get beat down inside the
22 establishment. Hit over the head with a beer

1 bottle continuously. The guy is giving up. He
2 says no more. I can't take this any more. It
3 continues.

4 Okay. So to make the matter of fact,
5 when I talked to the United States Attorney's
6 Office, they went ahead and papered both of them,
7 both sides. The theft, because we have a felony
8 theft, which was the thousands of dollars that
9 were stolen and we have the serious assault on
10 the guy, the actual DJ.

11 So it was a kidnapping that they held
12 him against his will. It wasn't until the
13 officers went around the back and were able to
14 circumvent the front area to be able to stop the
15 actual assault.

16 I say that if the Police Department
17 wasn't involved and didn't make either entry by
18 breaking out a window or door or through the back
19 door, does the guy end up in the gutter? Okay?
20 Does the guy end up killed? So in my opinion, at
21 what point do they stop? Okay?

22 So I'm asking -- I appreciate you

1 listening. This Fact-Finding Hearing is very,
2 very important to us, the community. When I said
3 that I had 40 to 50 phonecalls, that was just
4 that night. It continued. I received many
5 phonecalls and many different face-to-face
6 interviews with the BID, the Business Improvement
7 District in Adams Morgan, the director of the BID
8 along with some of our higher ups in the
9 Metropolitan Police Department.

10 So we are very concerned. The
11 community is concerned and so are the other
12 businesses and the perception that it has on
13 Adams Morgan itself as a business community.

14 So we definitely appreciate you
15 listening to us. Thank you for listening to us.

16 CHAIRPERSON ANDERSON: Just a general
17 question. Sergeant Rooney, this is a business
18 that, I guess, just opened up in June.

19 SGT. ROONEY: Yes.

20 CHAIRPERSON ANDERSON: I think that's
21 what I'm hearing.

22 SGT. ROONEY: Yes.

1 CHAIRPERSON ANDERSON: So was that the
2 only time you had complaints or have you had
3 other complaints regarding this business?

4 SGT. ROONEY: I have some that I
5 cannot talk about, because they are under
6 investigation and that we are continuing to go
7 forward. Although I have met Mr. McLeod. He is
8 nice. He is upfront. I have spoke to him. I
9 said if there is any issues, you know, contact
10 me.

11 Myself and my captain went in there to
12 introduce ourselves on a couple of occasions and
13 each time, a couple of times I went in there it
14 smelled like marijuana just emanating in the
15 establishment.

16 To give you a background, I know Mr.
17 McLeod from, I think it was, Ibiza. Mr. McLeod?

18 MR. McLEOD: Yeah.

19 SGT. ROONEY: Or from another
20 establishment, I believe, was in 5D or the 1st
21 District from prior, you know, so I recognized
22 him. But he is always friendly to me. I have

1 never -- you know, but our whole thing in Adams
2 Morgan is to keep -- we want the businesses to
3 make money, but we want them to do it in a manner
4 that is controlled, you know, to a certain
5 degree.

6 If there is a fight in there, talk to
7 the police. Don't take matters into your own
8 hands. I will always go ahead and -- there is
9 one thing I tell all of our officers is if they
10 have a security plan, we will make sure that we
11 support the security staff as long as it is, you
12 know, within the law and it is reasonable and as
13 long as they are communicative.

14 You know, they have given us video,
15 given us witness statements. You know, on this
16 particular occasion, all that stuff was
17 completely ignored. Grossly ignored.

18 CHAIRPERSON ANDERSON: All right.
19 Just hold on one minute, Mr. -- Officer Seegobin,
20 did you -- do you have anything to add regarding
21 this case?

22 OFFICER SEGOBIN: I'll just add to

1 Officer Creveling's statement. I was actually --
2 I arrived to the scene, approximately, about 10
3 minutes later, and I was able to gain entry with
4 Officer Kurtz. We were climbing the ledge of the
5 back window and we were trying to gain entry
6 through -- there were two doors to the rear. We
7 were knocking on the door, climbing the windows
8 and then we were finally able to gain entry
9 through one of the back doors that was open.

10 We went in there. We opened the front
11 door and we let all the officers in the front in
12 and that's when the officers -- we cleared the
13 entire establishment, all three floors and that's
14 when officers all went ahead and placed all the
15 suspects in handcuffs.

16 CHAIRPERSON ANDERSON: Thank you. I'm
17 going to let everybody speak and then I'll have
18 everyone start asking questions. Mr. McLeod?

19 MR. McLEOD: I wasn't there at this
20 incident. And --

21 CHAIRPERSON ANDERSON: This is your
22 establishment, sir.

1 MR. McLEOD: Right.

2 CHAIRPERSON ANDERSON: So what --

3 MR. McLEOD: I just received this,
4 because --

5 CHAIRPERSON ANDERSON: But -- okay,
6 I'm sorry, so ahead, sir.

7 MR. McLEOD: Yes. I just received
8 this, so I would have the people that was
9 involved here today. We had not received this.
10 We received the other one.

11 CHAIRPERSON ANDERSON: Okay.

12 MR. McLEOD: The one for the --

13 CHAIRPERSON ANDERSON: But -- all
14 right. So you didn't receive this report?

15 MR. McLEOD: Right. I was -- I can
16 speak on it for you, if you want to speak on it,
17 but I just received this or I would have had the
18 people that was involved, I would have had them
19 here. They can tell you what happened better
20 than me.

21 CHAIRPERSON ANDERSON: All right.

22 MR. McLEOD: I was not even there.

1 CHAIRPERSON ANDERSON: All right.

2 MR. McLEOD: We --

3 CHAIRPERSON ANDERSON: But --

4 MR. McLEOD: -- wasn't even open.

5 CHAIRPERSON ANDERSON: All right.

6 Okay. So you didn't receive the report, but you
7 are aware of the incident.

8 MR. McLEOD: Right.

9 CHAIRPERSON ANDERSON: So as the
10 person in charge, now, what can you tell us about
11 this incident, sir?

12 MR. McLEOD: I was called by
13 Investigator Gilliam, yo, get up to your
14 establishment, something is going on. We wasn't
15 even open this Wednesday night. We wasn't even
16 open. No parties, no nothing. We had a DJ come
17 in to audition for a future party coming up.

18 To my knowledge and what I seen on the
19 video and what I was told, that the DJ came in
20 and before he did his audition, he saw \$4,000 by
21 the bar. He stole the \$4,000. He went to his
22 car, came back upstairs, started to DJ, audition.

1 My partner was looking for the money,
2 because he was making the deposit and couldn't
3 see the money. He went on the camera, saw that
4 the DJ stole -- took the money. He went upstairs
5 approached the DJ said hey, man, you took our
6 money, can we get it back? DJ said no, I ain't
7 take the money.

8 He pulled out his phone, showed the DJ
9 on tape him taking the money. Now, from what
10 they told me, that the DJ said I didn't take your
11 money, I'm about to pack my stuff up and I'm
12 about to leave.

13 Surely in this case right here, they
14 did everything the dumb way. They should have
15 called 911, but I was not there, so the head of
16 security stood in front of the door. The front
17 door was already locked, because no one -- we
18 were just auditioning. We are not open.

19 He stood in front of the door and said
20 hey, you're not going nowhere is what he told me.
21 Then the guy -- you can see it on the video. The
22 guy said oh, you're not holding me. I'm leaving.

1 I'm packing my stuff and I'm leaving.

2 The head of security said look, man,
3 you're not leaving here until we get our money
4 back. That's when they got into the altercation.
5 You see that all on video. Fighting, fighting,
6 fighting.

7 The DJ guy picked up a bottle, you
8 will see it, hit the security guard in the head
9 with the bottle first. The security guard picked
10 up a bottle on a tray there. Bleeding, they out
11 there fighting, craziest thing, I'm going to tell
12 you it's the craziest thing. As I'm looking at
13 it, this is crazy.

14 I'm 47 years-old and I would never
15 embark on this, that's just crazy. So they are
16 fighting. Instead of them going outside, there
17 is cops up and down Adams Morgan all day long,
18 all they had to do was grab a cop, hey, someone
19 stole our money, but they took matters in their
20 own hands and they wouldn't let the guy leave
21 without getting the money back. This is how all
22 this occurred.

1 I gave Officer Gilliam all the
2 videotape, lots of video. I gave Detective Yusef
3 Edwards lots of video. I was cooperative 100
4 percent in this ordeal. I didn't hold nothing
5 back. I didn't go around corners. I simply said
6 what happened. The video shows what happened.
7 Yes, they took matters into their own hands and
8 they should have just called MPD.

9 I asked them why did you do that? I
10 mean, I wasn't -- if the guy would have left, we
11 would have never got the money back. Like right
12 now, this case is going on right now. We want to
13 book for this right now, so that's why I was
14 shocked when I saw this, because we're still
15 going through this with the District Attorney.

16 CHAIRPERSON ANDERSON: So let me --
17 are these people still employed by you, sir?

18 MR. McLEOD: No, not the head of
19 security, but the other guy was my partner, which
20 he is not in -- he is not fighting in the video.

21 CHAIRPERSON ANDERSON: Okay. I'll get
22 back to you.

1 MR. McLEOD: I can't let -- I can't --
2 if the head of security is going to take matters
3 in his own hands and start pounding on a guy, I
4 can't keep him on. For sure, I can't keep him on
5 the team.

6 CHAIRPERSON ANDERSON: So what about
7 the part -- sir, the officers were trying to gain
8 access to the business and your partner --
9 because you said your partner was there.

10 MR. McLEOD: He was upstairs. They
11 were all in the mezzanine.

12 CHAIRPERSON ANDERSON: So --

13 MR. McLEOD: There was only two people
14 in the building.

15 CHAIRPERSON ANDERSON: -- but one of
16 the owners was in the building?

17 MR. McLEOD: Correct.

18 CHAIRPERSON ANDERSON: So --

19 MR. McLEOD: He walked off. He -- my
20 partner walked off to go to the back to get more
21 video footage.

22 CHAIRPERSON ANDERSON: But the

1 question is, sir, an owner is there. And an
2 owner knew about that the police were trying to
3 get inside the building. And the owner did not
4 allow the officer to get in the building.

5 MR. McLEOD: I didn't see that on the
6 video. The owner walked off, went to the back
7 office. Our office is in the back. There is
8 only two people in the building. There was three
9 people counting the DJ, the security guard and
10 the owner.

11 CHAIRPERSON ANDERSON: All right. Let
12 me ask you a question, sir. Your partner --
13 Officer Crabtree and Officer McCall -- Tyler
14 McCall?

15 OFFICER TYLER: It's Officer Tyler.

16 CHAIRPERSON ANDERSON: Tyler, Officer
17 Tyler testified and Officer Seegobin?

18 OFFICER SEEOBIN: Seegobin.

19 CHAIRPERSON ANDERSON: Seegobin
20 testified that they were trying to get in the
21 building.

22 So are you saying that you weren't

1 aware that officers were trying to get in the
2 building?

3 MR. McLEOD: I wasn't there, so I
4 can't say that.

5 CHAIRPERSON ANDERSON: Based on the
6 conversation, based on the video, based on the
7 conversation that you had with your business
8 partner and head of security, were you aware that
9 the officers were trying to gain access to your
10 property?

11 MR. McLEOD: No.

12 CHAIRPERSON ANDERSON: Since this --
13 this is the first time you are being -- I'm
14 coming to you, Investigator.

15 MR. McLEOD: This is the first time
16 I'm being told that the officers said that they
17 couldn't get in the front door. I heard they
18 came in through the back door. The back door is
19 always open. The back door is never locked.
20 They came into the gate through the back door.

21 CHAIRPERSON ANDERSON: All right.

22 MR. McLEOD: We don't -- that was not

1 locked. That's how they got into the business.
2 But as to the front door, because we are not
3 open, the front door is locked because they don't
4 want no public to come walking in.

5 CHAIRPERSON ANDERSON: All right. All
6 right. Anything else you need to -- you want to
7 say?

8 MR. McLEOD: I mean, this should have
9 never happened and the security guard took it
10 upon himself to -- he said he was operating,
11 saving the money, but this should have never
12 happened. That's all I can say on my behalf. I
13 would never go to this level right here like
14 there is too many cops around there. There is
15 too many officers walking up and down that beat.
16 It shouldn't -- once you saw the guy took the
17 money, they should have automatically just called
18 the police. Because right there, you've got him
19 for theft. It's a felony offense. He stole
20 \$4,000.

21 CHAIRPERSON ANDERSON: All right.
22 Officer Creveling and then the Investigator.

1 OFFICER CREVELING: Yes, Mr. Chairman,
2 a couple of things of note. It was reported to
3 me by Officer Kurtz that the -- Mr. Dyson's
4 friend responded out front through the front door
5 to tell him, to flag him down, hey, my friend is
6 getting beat up inside.

7 Secondly, when myself, Officer
8 Seegobin and Officer Tyler cleared the location,
9 the only two people we found inside were Mr.
10 Parrotte and Mr. Dyson. The owner, this
11 secondary individual or this third individual was
12 not on-scene. He had left the premises. Is that
13 correct?

14 OFFICER SEEGOBIN: Correct, yes.

15 OFFICER CREVELING: Thank you.

16 OFFICER SEEGOBIN: There was only two
17 people in there.

18 OFFICER CREVELING: Lastly, Mr.
19 Parrotte the very next week, I saw him still
20 employed or at least on the premises acting in an
21 official capacity at the front door of Phoenix
22 Lounge. He appeared to be acting there as an --

1 in an official capacity and on premises, sir.

2 CHAIRPERSON ANDERSON: Thank you.

3 Investigator Gilliam?

4 INVESTIGATOR GILLIAM: I interviewed
5 as to -- I didn't include it in my report,
6 because after I reviewed the videos
7 documentation, I was under the impression that he
8 didn't actually commit the assault, because there
9 is a section of video where he actually assaults
10 S3. So I left his part out.

11 But when I interviewed the business
12 owner, from the video documentation when I seen
13 it, he took S3's keys, the vehicle keys where --
14 because by that time, I think he figured out that
15 he must have -- he hid the money in the car.

16 He told me he left out the back door
17 and when he left out the back door, he
18 encountered two police officers. They told him
19 to stand right there and he stayed right there
20 and that's where he stayed. And nobody never
21 came back down and he left.

22 But from this piece of my

1 investigation, he was on the way out to go to the
2 car and then the police -- when the police came
3 around, he just left the scene. And like I said,
4 I didn't include that in my report because it was
5 found that he was a suspect and we, of course,
6 interview suspects on doing our investigative
7 report.

8 And another thing to back up what
9 Officer Creveling said, the video documentation
10 will -- it does show that S3 was trying to call
11 somebody to get out of there. And it was going
12 back and forth. S1 was throwing him down, stop,
13 don't do it. He like followed behind like you
14 better not get on the phone and then eventually
15 he just snatched the phone from him and put it in
16 his pocket.

17 CHAIRPERSON ANDERSON: All right.

18 INVESTIGATOR GILLIAM: And all the
19 testimony that you hear from everybody here is
20 validated by the videotape. And you can tell by
21 the -- how I labeled it. You can see everything.
22 It's all on the video documentation.

1 CHAIRPERSON ANDERSON: All right.
2 Questions by any Board Members? Mr. Alberti?

3 MEMBER ALBERTI: Okay. So I'm going
4 to start with Mr. McLeod, just something very
5 simple.

6 Mr. McLeod, how did you get the
7 report? How was it sent to you?

8 MR. McLEOD: They usually drop it off.
9 An ABRA Investigator come by and have her sign-
10 off on it.

11 MEMBER ALBERTI: What's your e-mail,
12 Mr. McLeod?

13 MR. McLEOD: dmc_721@yahoo.com.

14 MEMBER ALBERTI: dmc_721@yahoo.com?

15 MR. McLEOD: Correct.

16 MEMBER ALBERTI: You were sent an e-
17 mail. We have -- I have a copy of an e-mail sent
18 to you on October 26th which the report was
19 attached.

20 So I would suggest, Mr. McLeod, that
21 you be a little more diligent with your -- since
22 you are an owner with a club that has -- is very

1 busy here, I would advise you to check your e-
2 mail more often. All right.

3 Officer Creveling, I just want to make
4 sure I hear these things correctly.

5 OFFICER CREVELING: Yes, sir.

6 MEMBER ALBERTI: You said that the
7 individual who flagged you down came through the
8 front door?

9 OFFICER CREVELING: As reported by
10 Officer Kurtz.

11 MEMBER ALBERTI: Okay. So Officer
12 Kurtz told you that the individual exited through
13 the front door?

14 OFFICER CREVELING: Yes.

15 MEMBER ALBERTI: And flagged him down?

16 OFFICER CREVELING: Yes.

17 MEMBER ALBERTI: So that means, I have
18 to assume the front door was unlocked at that
19 time and it was locked after the individual
20 exited.

21 OFFICER CREVELING: It was locked
22 sometime afterward.

1 MEMBER ALBERTI: Okay. Thank you. So
2 you -- how long were you banging on -- well, let
3 me -- so when they opened they curtain, did you
4 get the impression that they saw you?

5 OFFICER CREVELING: I did get that
6 impression, yes.

7 MEMBER ALBERTI: You looked them in
8 the eye?

9 OFFICER CREVELING: No, I didn't look
10 them in the eye. I saw the curtain pop up
11 quickly. There was movement and that's it.

12 MEMBER ALBERTI: All right. How long
13 after that did you gain entry?

14 OFFICER CREVELING: That was probably
15 5 to 7 minutes.

16 OFFICER TYLER: I would say it was
17 maybe 10. It was very -- it seemed like a little
18 longer.

19 MEMBER ALBERTI: All right. And
20 you're saying that --

21 OFFICER CREVELING: I'm the one that
22 called -- we had so much time --

1 MEMBER ALBERTI: Right.

2 OFFICER CREVELING: -- that I'm the
3 one that called ABRA.

4 MEMBER ALBERTI: All right. All
5 right.

6 OFFICER CREVELING: Because I knew
7 something was up.

8 MEMBER ALBERTI: Yeah, these are small
9 facts, but they are critical here, all right, --

10 OFFICER CREVELING: Yes.

11 MEMBER ALBERTI: -- in the bigger
12 picture. And so you were banging on the window
13 and shining in with your flashlights after that
14 for 7 to 10 minutes. Is that correct?

15 OFFICER CREVELING: Yes.

16 MEMBER ALBERTI: Okay. Was it Officer
17 Tyler or you who said that the other individual,
18 meaning I guess it is -- who was charged with
19 assault? Was that S --

20 OFFICER CREVELING: Mr. Parrotte, the
21 head of security.

22 MEMBER ALBERTI: S?

1 OFFICER CREVELING: He was charged
2 with felony assault.

3 MEMBER ALBERTI: What is he S1 or S --

4 OFFICER CREVELING: S1.

5 MEMBER ALBERTI: S1, okay.

6 OFFICER CREVELING: He was charged
7 with felony assault and robbery.

8 MEMBER ALBERTI: All right. So the
9 other individual is S2. One of the officers said
10 -- told me that they couldn't -- hadn't yet
11 identified the other individual, S2.

12 OFFICER CREVELING: We have not.
13 There is still an open case. We have not
14 identified him and applied for a warrant for his
15 arrest.

16 MEMBER ALBERTI: Okay.

17 OFFICER CREVELING: And first of all--

18 MEMBER ALBERTI: What's that mean, you
19 -- do you have a name for him?

20 OFFICER CREVELING: Once we get the
21 name, ID, and we are able to ID him, the
22 detectives, officer or the --

1 MEMBER ALBERTI: So do you have any
2 information about his identity?

3 OFFICER CREVELING: We do not.

4 MEMBER ALBERTI: Did you ask Mr.
5 McLeod?

6 MR. McLEOD: I don't know him.

7 OFFICER CREVELING: That would be
8 follow-up.

9 MEMBER ALBERTI: No, Mr. McLeod, I'm
10 talking to them, please.

11 OFFICER CREVELING: Mr. Alberti, that
12 would be follow-up that would be done by our
13 Investigative Division with MPD.

14 MEMBER ALBERTI: All right. Well, you
15 now have --

16 OFFICER CREVELING: We will be doing
17 that.

18 MEMBER ALBERTI: You have now today
19 Mr. McLeod is telling you, and I'm sure you will
20 relate that back to the detectives, that it's his
21 partner, according to his testimony here today.

22 OFFICER CREVELING: Mr. McLeod, what's

1 his name?

2 MR. McLEOD: My partner?

3 OFFICER CREVELING: Yes.

4 MR. McLEOD: It's Walter Berman, but
5 that's -- I thought you were talking about the
6 S2. It will be the --

7 MEMBER ALBERTI: You said it was your
8 partner, Mr. McLeod. You said the other
9 individual who was involved --

10 MR. McLEOD: Who S2?

11 MEMBER ALBERTI: -- with S3 --

12 MR. McLEOD: Yes, my partner.

13 MEMBER ALBERTI: -- is your partner.

14 MR. McLEOD: Yes.

15 MEMBER ALBERTI: Okay. Very good.

16 Thank you.

17 MR. McLEOD: But the videotape that I
18 gave Mr. Gilliam shows the stuff from one all the
19 way to the end.

20 MEMBER ALBERTI: Yes.

21 MR. McLEOD: You can look at the video
22 and see did anyone went to the door? Lock the

1 door?

2 MEMBER ALBERTI: Absolutely. But that
3 doesn't give me -- the video doesn't give me the
4 name of an individual. This last point was just
5 to make sure that they have all the information.

6 MR. McLEOD: Well, I'm just saying
7 that just to state that, you know, you guys said
8 that someone ran to the door and locked it. That
9 way the guy walks out the front door. I don't
10 know if he walked out the front door. I didn't
11 see him walk out the front door. On the
12 videotape I gave him, the videotape of the
13 beginning --

14 MEMBER ALBERTI: I got that.

15 MR. McLEOD: -- yeah.

16 MEMBER ALBERTI: I got that. But the
17 officers are testifying, it's hearsay right now,
18 but one of the officers is --

19 MR. McLEOD: I just want to make sure
20 that --

21 MEMBER ALBERTI: -- saying that the
22 individual came out the front door.

1 MR. McLEOD: Right.

2 MEMBER ALBERTI: So we can draw
3 conclusions from that, Mr. McLeod.

4 MR. McLEOD: Yes, it was those three
5 people in the building. So that's why I'm saying
6 that.

7 MEMBER ALBERTI: All right. Thank
8 you.

9 CHAIRPERSON ANDERSON: Any other --
10 yes, Mr. Short?

11 MEMBER SHORT: Mr. McLeod, what is
12 your business history here in Washington, D.C.?

13 MR. McLEOD: I've been in the club
14 business for over 17 years.

15 MEMBER SHORT: 17 years. Can you name
16 the clubs?

17 MR. McLEOD: Fur Nightclub.

18 MEMBER SHORT: Which?

19 MR. McLEOD: Fur.

20 MEMBER SHORT: Fur. What was the
21 location of Fur?

22 MR. McLEOD: My first club was called

1 Insomnia.

2 MEMBER SHORT: No. Okay. That --

3 MR. McLEOD: The second club was Fur.

4 MEMBER SHORT: Okay. What's the first
5 one again? What's the name of it? Your first
6 club?

7 MR. McLEOD: Insomnia.

8 MEMBER SHORT: Insomnia. Okay. And
9 where was that located?

10 MR. McLEOD: 6th Street, N.E.

11 MEMBER SHORT: How long were you in
12 business there?

13 MR. McLEOD: That was a long time ago.
14 From 1999 to 2005.

15 MEMBER SHORT: Okay. The second one?

16 MR. McLEOD: Fur Nightclub.

17 MEMBER SHORT: Fur Nightclub. That's
18 F-R -- F-U-R-R?

19 MR. McLEOD: F-U-R.

20 MEMBER SHORT: Location?

21 MR. McLEOD: Patterson.

22 MEMBER SHORT: Patterson Street?

1 MR. McLEOD: N.E.

2 MEMBER SHORT: N.E. That's over in
3 Ward 5. Did you ever have any trouble at --
4 okay. What's the third one?

5 MR. McLEOD: Lotus Lounge.

6 MEMBER SHORT: Where is Lotus?

7 MR. McLEOD: K Street, N.W.

8 MEMBER SHORT: What hundred block?

9 MR. McLEOD: 1400. 1400.

10 MEMBER SHORT: Was that the one you go
11 down in the basement?

12 MR. McLEOD: Yes.

13 MEMBER SHORT: What's the fourth one?

14 MR. McLEOD: The fourth one would be
15 this one.

16 MEMBER SHORT: Okay. Now, can you
17 give me the business history starting with the
18 first club, Insomnia? Did you ever get any
19 violations from police or fire or ABRA?

20 MR. McLEOD: Insomnia, no, not with
21 Insomnia, no.

22 MEMBER SHORT: No violations?

1 MR. McLEOD: No big violations with
2 Insomnia. But Fur, yeah.

3 MEMBER SHORT: What happened at Fur?

4 MR. McLEOD: I mean, Fur was an 18 --
5 Fur is how I learned the business.

6 MEMBER SHORT: Okay.

7 MR. McLEOD: Fur is how -- you know,
8 it gives you a --

9 MEMBER SHORT: Okay. That's great.
10 That's good.

11 MR. McLEOD: Yeah.

12 MEMBER SHORT: Now --

13 MR. McLEOD: Fur was more like --

14 MEMBER SHORT: You learned the
15 business. What did you learn at Fur?

16 MR. McLEOD: I learned how ABRA is
17 your friend, first and foremost.

18 MEMBER SHORT: ABRA is?

19 MR. McLEOD: I learned how to call
20 911.

21 MEMBER SHORT: Oh, ABRA is your friend
22 you said?

1 MR. McLEOD: ABRA Agency.

2 MEMBER SHORT: Agency is your friend?

3 MR. McLEOD: I learned that don't
4 touch a crime scene, when it's a crime scene
5 until the police get there. I learned that --

6 MEMBER SHORT: Okay. Let me stop you
7 right there. So at Fur you had crime scenes?

8 MR. McLEOD: Yeah.

9 MEMBER SHORT: So you had the same
10 kind of incidents like we are here now today
11 about? Fights.

12 MR. McLEOD: Never. I have never had
13 this.

14 MEMBER SHORT: Okay. Well, tell us
15 what happened at Fur.

16 MR. McLEOD: Yeah, I have never had
17 this.

18 MEMBER SHORT: For the record, sir,
19 what happened at Fur?

20 MR. McLEOD: I mean, Fur was more like
21 you will get a fight, those knuckleheads want to
22 fight. We had -- I think one time we had an

1 altercation with a bottle. There was a bottle on
2 a table and somebody picked up the bottle and hit
3 someone in the head with it. That's pretty much
4 what you get with Fur. You know, like a lot of
5 fights. And that one incident with a bottle to
6 the head.

7 MEMBER SHORT: Okay. What about
8 Lotus?

9 MR. McLEOD: The major thing with
10 Lotus was when MPD got into an incident with some
11 guy the eye. The eye thing.

12 MEMBER SHORT: Who was the owner of
13 Lotus?

14 MR. McLEOD: Mike Romeo.

15 MEMBER SHORT: You weren't the owner?

16 MR. McLEOD: I wasn't the owner.

17 MEMBER SHORT: But you said -- I asked
18 you how many businesses you had and you said it
19 was one of your businesses.

20 MR. McLEOD: Oh, no, no, no. I wasn't
21 the owner. Mike Romeo was the owner.

22 MEMBER SHORT: What was your role in

1 Lotus?

2 MR. McLEOD: I was more like director
3 of security.

4 MEMBER SHORT: Okay. Let me ask you
5 this. Did they get any violations at Lotus?

6 MR. McLEOD: Yeah, we got some
7 violations at Lotus.

8 MEMBER SHORT: For what? Can you name
9 a few?

10 MR. McLEOD: I mean, we had some
11 fights. But the major one was the one with the
12 guy with the eye incident, that was the major.

13 MEMBER SHORT: The what incident?

14 MR. McLEOD: There was an incident
15 with MPD had a fight with a guy outside. He lost
16 his eye.

17 MEMBER SHORT: Okay. And so now we
18 have an incident where someone is beaten, maybe
19 kidnapped, someone does not call the police, they
20 take things in their own hand. And you said
21 earlier some testimony, you said that you were
22 negligent.

1 MR. McLEOD: Yeah.

2 MEMBER SHORT: Earlier today.

3 MR. McLEOD: Yes. I was negligent.

4 MEMBER SHORT: Do you realize that an
5 ABC License is not something that just is granted
6 to everybody? That it's a privilege.

7 MR. McLEOD: It's a privilege. I know
8 that. Definitely. I definitely know that.

9 MEMBER SHORT: But you said ABRA is
10 your friend.

11 MR. McLEOD: Exactly. I learned -- I
12 have learned to deal with ABC. I have learned to
13 deal with MPD. I have learned that if there is
14 an incident, call 911 first. Over the years of
15 me -- this stretch --

16 MEMBER SHORT: Mr. McLeod, you sound
17 great and I want to thank these officers for
18 taking time out of their busy schedule to come
19 today, because I have been on the Board now maybe
20 3 years, maybe a little longer than 3 years, and
21 this is the strongest I have heard MPD come
22 forward on any alcoholic beverage establishment

1 in Washington, D.C.

2 And they were quite compelling their
3 testimony as to what they saw on the tape and
4 them not being able to get in your business. And
5 on top of the all the other businesses you have
6 already owned, Mr. McLeod, I would say this, I am
7 just one Board Member, but I don't have a lot of
8 sympathy for you today.

9 Your business practices are a
10 detriment to the District of Columbia and to the
11 citizens who frequent the neighborhoods where
12 your businesses are. And it's going to stop.
13 It's going to stop one way or the other and I
14 hope that you help us stop it.

15 These Investigators are doing a
16 wonderful job out here. They ar spending a lot
17 of time here today because of you and your
18 business. And you don't seem to want to take
19 full responsibility.

20 MR. MCLEOD: I have no choice but to
21 take full responsibility of it. I'm the owner.
22 Like I say, I would never, ever, ever do this,

1 but I wasn't there. I wasn't -- it's still my
2 business. This right here is appalling to me. I
3 would never -- this would never happen under my
4 watch.

5 MEMBER SHORT: So from 1999 when you
6 first got into the nightclub business to 2017,
7 every establishment you have been in has been a
8 problem or had problems. Crime scene cleaning
9 up, all kinds of things, people losing their
10 eyes. And you expect to stay in business in
11 Washington, D.C. doing what you are doing?

12 MR. McLEOD: I mean --

13 MEMBER SHORT: Is that -- I mean, I'm
14 asking you a question. Do you expect to continue
15 down the road you are going here in Washington,
16 D.C. the way you are operating businesses?

17 MR. McLEOD: I mean, the eye incident,
18 that was not my fault, but I have to take the
19 blame for it. All right.

20 As for a fight in the club, yes, the
21 security is supposed to handle fights. I'm just
22 telling you -- I mean, I'm being real truthful

1 here.

2 MEMBER SHORT: Mr. McLeod, I have had
3 enough. Thank you very much. Mr. Chairman,
4 thank you, sir.

5 CHAIRPERSON ANDERSON: Mr.
6 Silverstein?

7 MEMBER SILVERSTEIN: Thank you.
8 Sergeant Rooney, I have some questions for you.

9 SGT. ROONEY: Yes, sir. How are you
10 doing, sir?

11 MEMBER SILVERSTEIN: We are deeply
12 concerned for the safety of the people and also
13 very much for the safety of the officers and
14 especially those on your detail. And I want to
15 start by asking how are the officers doing who
16 were injured this summer?

17 SGT. ROONEY: They are recovering.
18 I'm not sure if one of the officers will be able
19 to come back to work. He has still got a couple
20 more surgeries to go, but they are recovering.
21 It has been a rough summer for all of us. I
22 mean, you know, we had those two guys and then we

1 had probably four other ones that got injured and
2 are still out or one of them is still out on
3 surgery for a shoulder.

4 So it has been a pretty rough summer,
5 but now, I really appreciate it. We all
6 appreciate it. It has been a tough summer for
7 us.

8 MEMBER SILVERSTEIN: We almost lost
9 the one gentleman whose heart stopped on tape.

10 SGT. ROONEY: Yes.

11 MEMBER SILVERSTEIN: It came that
12 close. The concern for safety is so magnified
13 that the injuries suffered by the people on your
14 team weigh heavily on all of us and that makes
15 this case even more puzzling to me.

16 You have someone, who was beaten
17 brutally by staff, who was prevented from leaving
18 in a place that was barricaded. MPD tried for 5
19 to 10 minutes to get in. The victim was a bloody
20 mess. You called it a continuous beat down in
21 your testimony and a kidnapping during operating
22 hours of a licensed establishment.

1 Does this seem, Sergeant, on its face,
2 prima facie, to be -- to meet the bar of being an
3 imminent threat to the health and safety of the
4 public?

5 SGT. ROONEY: Right. If we are
6 looking at it from just this particular incident,
7 absolutely. I have talked to Mr. McLeod, you
8 know, on a couple of different occasions and
9 myself, our staff and the community is very
10 concerned.

11 Sorry. Myself, the Metropolitan
12 Police Department and the community is concerned
13 regarding the Phoenix Club.

14 MEMBER SILVERSTEIN: Well --

15 SGT. ROONEY: It -- go ahead.

16 MEMBER SILVERSTEIN: -- did you or
17 anyone recommend a Summary Closure be issued, so
18 that this matter, at the very least, would come
19 before this Board in September and not in
20 November?

21 SGT. ROONEY: We -- had it been a
22 kidnapping, that's why I said had I been on the

1 scene, it would have been a kidnapping and we
2 would have gone forward with a Summary Closure.
3 However, it wasn't -- the -- whoever the official
4 was that was on the scene, they didn't have a lot
5 of -- a lot of times when it comes to a Summary
6 Closure, they are a little nervous about making
7 that particular decision.

8 And if they are not the Nightlife
9 supervisor, like I am, some people don't want to
10 come up and be able to communicate everything to
11 not just the public, we've got the Public
12 Information Office and we have got all these
13 different legs, and we have got, you know, of
14 course the ANC, we've got all -- and also the
15 politicians that you have to talk with, so it
16 becomes a little bit nerve-racking to them, so
17 they didn't make -- I thought they didn't make
18 the proper call.

19 I just told that to them, so had it
20 been my decision, it would have been a Summary
21 Closure.

22 MEMBER SILVERSTEIN: So no one

1 specifically recommended to Commander Emerman or
2 to the Chief an issue?

3 SGT. ROONEY: No.

4 MEMBER SILVERSTEIN: This happened in
5 September, and it's now November.

6 SGT. ROONEY: Yes.

7 MEMBER SILVERSTEIN: Had there been a
8 Summary Closure issued, we would have dealt with
9 this in September.

10 SGT. ROONEY: Yes, sir.

11 MEMBER SILVERSTEIN: And my concern is
12 we have had a changing of the guard and we seem
13 to have taken the Summary Closure out of our
14 toolkit.

15 SGT. ROONEY: Right.

16 MEMBER SILVERSTEIN: And it is the one
17 opportunity that you do have to address issues
18 involving imminent danger to the community and to
19 the Metropolitan Police Department.

20 SGT. ROONEY: Right.

21 MEMBER SILVERSTEIN: And to address it
22 immediately, instantly and not six weeks later or

1 eight weeks later and during that interim --

2 SGT. ROONEY: I agree.

3 MEMBER SILVERSTEIN: -- something bad
4 can happen.

5 SGT. ROONEY: Sure.

6 MEMBER SILVERSTEIN: And I don't think
7 we have had a single Summary Suspension Closure
8 possibly all year. And this is a matter of
9 concern to me, not that anybody wants to be
10 closing places or acting --

11 SGT. ROONEY: Sure.

12 MEMBER SILVERSTEIN: -- in a rash
13 manner.

14 SGT. ROONEY: Right.

15 MEMBER SILVERSTEIN: But there are the
16 safety --

17 SGT. ROONEY: Public safety.

18 MEMBER SILVERSTEIN: -- of your
19 detail --

20 SGT. ROONEY: Absolutely.

21 MEMBER SILVERSTEIN: -- above all.

22 SGT. ROONEY: 100 percent. I, Mr.

1 Silverstein, couldn't agree more with you. In
2 fact, when Officer Creveling called me and told
3 me about this, I felt so compelled to get
4 involved and talk to the U.S. Attorney's Office
5 myself to make sure that they papered it the
6 correct way.

7 They only had gone forward -- they
8 only would go forward with the robbery, which
9 kind of hamstrings me a little bit with the
10 Summary Closure, but, that as it may, it still
11 is, you know, documented with the Attorney's
12 Office, so as both felons.

13 MEMBER SILVERSTEIN: Thank you all for
14 your service. Thank you for putting yourselves
15 on the line in these cases and for keeping us
16 safe as best you can.

17 SGT. ROONEY: Thank you.

18 MEMBER SILVERSTEIN: Thank you.

19 SGT. ROONEY: Appreciate it. Thank
20 you.

21 MEMBER SHORT: Thank you.

22 CHAIRPERSON ANDERSON: Any other

1 questions by any other Board Members?

2 Well, you're not a Board Member, so
3 -- but I guess you can.

4 MEMBER ALBERTI: Pass the buck on that
5 one.

6 CHAIRPERSON ANDERSON: I guess I was
7 just told that I'm in charge, so I can do
8 whatever I want to. Yes, Mr. -- yes, sir,
9 please, come forward and identify yourself for
10 the record. And make sure you sign in on the
11 sign-in sheet, sir.

12 MR. GUTHRIE: I'm Ted Guthrie. I'm
13 Chair of ANC-1C, which is where this happened. I
14 am also the Single Member District Commissioner
15 for the location of where this happened.

16 We have been concerned about this
17 licensee from the moment he started business. We
18 anticipate that there will be more hearings in
19 front of this Board if he continues to operate
20 this business.

21 As I was sitting in the back listening
22 to the testimony, the thing that struck me most

1 was that there is currently a moratorium on
2 nightclubs, nightclub-licensed establishments in
3 Adams Morgan that has gone on for quite some
4 time.

5 And yet, the description I heard of
6 the activity of this licensee sounds like a
7 nightclub to me. It does not sound like a
8 restaurant. It was not open during prime
9 restaurant hours on a weekday when every other
10 restaurant in Adams Morgan is open and looking
11 for business.

12 They have covered over their front
13 windows, so that no one can see what in the world
14 is going on inside this establishment.

15 For a period of something like 20 or
16 30 years, the predecessor, who I believe still
17 owns the building, Meskerem, operated a well-
18 known, well-respected true restaurant. They are
19 trying to operate a nightclub under that license
20 and that's wrong.

21 And we would ask that the Board take
22 that into consideration as it is deciding how to

1 deal with this particular incident, because it is
2 our concern that unless something is done about
3 this licensee, we are going to have more of these
4 hearings and more problems. Thank you.

5 CHAIRPERSON ANDERSON: Thank you, sir.
6 All right. Any --

7 MEMBER ALBERTI: Can I ask Mr. McLeod,
8 I have just one quick question.

9 CHAIRPERSON ANDERSON: Yes, Mr.
10 Alberti.

11 MEMBER ALBERTI: Based on that, Mr.
12 McLeod, what are your hours of operation during
13 the week?

14 MR. McLEOD: We open up at 6:00.

15 MEMBER ALBERTI: Every day?

16 MR. McLEOD: Every day.

17 MEMBER ALBERTI: Every day?

18 MR. McLEOD: No, Monday, Tuesday,
19 Thursday, Friday and Saturday. We do --

20 MEMBER ALBERTI: Monday, Tuesday,
21 Thursday --

22 MR. McLEOD: Monday, Tuesday. I have

1 some Monday, Tuesday. I just -- on Wednesday, I
2 don't have it anymore. We do happy hours, so
3 basically, that's when we sell food. We sell
4 food from happy hour, because from 12:00 to 5:00
5 in Adams Morgan, it's dead. There is no -- it's
6 dead. There is no foot traffic. There is no
7 going up and down. But from 6:00 until --

8 MEMBER ALBERTI: Well -- okay, go
9 ahead.

10 MR. McLEOD: -- 2:00 in the morning,
11 there is plenty of foot traffic, plenty of people
12 coming to eat, plenty of people doing things.
13 That's the only reason why I don't open up at
14 12:00 during the day until 5:00, because there is
15 not -- there is nothing going on there.

16 MEMBER ALBERTI: Okay.

17 MR. McLEOD: It's hard to sell food
18 then.

19 MEMBER ALBERTI: Okay. So you are
20 open, except for Wednesdays, at 6:00?

21 MR. McLEOD: Well --

22 MEMBER ALBERTI: Do you serve food in

1 the evenings?

2 MR. McLEOD: I'm sorry?

3 MEMBER ALBERTI: Except for
4 Wednesdays, you open at 6:00?

5 MR. McLEOD: Yes, Wednesday -- it's
6 Wednesday -- yes, Wednesday. I'm open Monday,
7 Tuesday, yes, Wednesday, Thursday, Friday. It's
8 Monday, Tuesday, Thursday, Friday, Saturday.
9 Then I have something on Sunday, too.

10 MEMBER ALBERTI: What -- okay. Those
11 are the days that you open when?

12 MR. McLEOD: Monday?

13 MEMBER ALBERTI: No. Those days that
14 you just mentioned, what time do you open?

15 MR. McLEOD: 5:00. 5:00 to 6:00, yes.

16 MEMBER ALBERTI: Okay.

17 MR. McLEOD: 5:00 to 6:00.

18 MEMBER ALBERTI: And you have a full
19 menu until what time?

20 MR. McLEOD: I have a full menu all
21 the way up until -- on Monday through Thursday, I
22 have a full menu up until 1:00. And then on

1 Friday and Saturday, I have a full menu until
2 2:00.

3 MEMBER ALBERTI: Okay. I think one of
4 your -- a quarterly report from you was due
5 recently, was it not?

6 MR. McLEOD: I'm sorry?

7 MEMBER ALBERTI: A quarterly report on
8 your --

9 MEMBER SHORT: Sales.

10 MEMBER ALBERTI: -- sales --

11 MR. McLEOD: Sales.

12 MEMBER ALBERTI: -- was due recently.
13 Am I correct?

14 MR. McLEOD: I'm not sure. I didn't
15 see anything --

16 MEMBER ALBERTI: This quarterly report
17 would have been due at the end of October.

18 MR. McLEOD: I didn't receive anything
19 in the mail for that.

20 MEMBER ALBERTI: Have you filed it?

21 MR. McLEOD: No, I haven't received
22 anything in the mail from --

1 MEMBER ALBERTI: No, no, no, no, no.
2 You are a restaurant. You are required to file a
3 report on the sales of alcohol and non-alcohol
4 sales every quarter.

5 MR. McLEOD: Okay.

6 MEMBER ALBERTI: This report was due
7 at the end of October for the period ending
8 September 30th or September 31st, whatever.

9 MR. McLEOD: Okay.

10 MEMBER ALBERTI: I can't remember how
11 many days in September. It's 30.

12 MR. McLEOD: So I have --

13 MEMBER ALBERTI: You haven't filed it?

14 MR. McLEOD: No, I haven't filed it.

15 MEMBER ALBERTI: You haven't filed it?

16 MR. McLEOD: I filed that. I have an
17 assistant that does all of that, so I'll file my
18 sales and all of that.

19 MEMBER ALBERTI: So you are already
20 delinquent on that?

21 MR. McLEOD: Yes, you just reminded
22 me, so I'm going to get on that as soon as I get

1 back to the office.

2 MEMBER ALBERTI: All right. Thank
3 you. I'll take a look at that when it comes in.

4 MR. McLEOD: Okay.

5 MEMBER ALBERTI: Thank you.

6 CHAIRPERSON ANDERSON: Any other --
7 any final comments by any of the officers or the
8 Investigator? No?

9 SGT. ROONEY: Thank you so much for
10 having all of us here. We really appreciate it.
11 I know that's a lot of testimony here for you to
12 decipher.

13 And, Mr. McLeod, I will be getting
14 with you and talk to your security officers and
15 stuff like that.

16 MR. McLEOD: That's fine.

17 SGT. ROONEY: All right. Thanks
18 again. I appreciate the good wishes.

19 CHAIRPERSON ANDERSON: Oh, I'm not --
20 we are not quite done yet. We are not quite
21 done.

22 SGT. ROONEY: I apologize.

1 CHAIRPERSON ANDERSON: Mr. McLeod, any
2 final thoughts that you -- before I close the
3 hearing?

4 MR. McLEOD: I mean, my final
5 thoughts, this right here should have never
6 happened. I don't condone it. I would never do
7 it. We was not open at the time this happened,
8 but still it's no excuse, because I am in charge
9 of this business.

10 As Mr. Short say, yes, having an ABRA
11 license is a privilege. I take that
12 wholeheartedly. I don't just take that lightly.
13 I close early just so I can have everyone out the
14 door by 3:00. I follow all the rules in front of
15 me.

16 Just over the years of doing this, I
17 know what rules I have to follow just to stay in
18 business. I know what is wrong and I know what
19 is right. And so I have learned this over the --
20 I have learned things in the past. I learned how
21 to do it the right way.

22 And that's pretty much what I have to

1 say. I don't take anything lightly. I don't --
2 I'm not here to have public, as you say, madness.
3 No. I'm here just to run a business, try my best
4 to run it the right way. This happened on a
5 night I wasn't even open and it should have never
6 happened ever, but it did.

7 So I have no choice but to take blame
8 for it. But no, I don't condone this right here.
9 Me personally, if I was there, I would have
10 walked outside and got the cops. I converse with
11 the officers all the time. I have no problem. I
12 say hi to them. I talk to them. I have several
13 members that work for MPD. I have family members
14 that work for MPD. So me and the police are like
15 family.

16 So it's not like I'm going anything
17 sneaky behind their back whatever. I would never
18 do that. And like I say, I do not take having a
19 license -- I take it as the utmost and I
20 appreciate you guys giving me a license
21 definitely.

22 CHAIRPERSON ANDERSON: Okay.

1 MR. McLEOD: You know, just like I
2 said to the officers, if you see me -- I tell the
3 ANC if you see me doing something wrong or
4 something out of context, come tap me on my
5 shoulder and tell me hey, you're not doing this
6 the right way, because I'm not perfect. But if
7 I'm doing it wrong, then I need to do it right
8 and that's all I have to say.

9 CHAIRPERSON ANDERSON: All right. You
10 had stated earlier that you are going to provide
11 us the security plan to the Agency. When do you
12 believe you can -- you will be able to provide
13 that to the Agency?

14 MR. McLEOD: I'll have it before
15 Friday. You can have it before Friday.

16 CHAIRPERSON ANDERSON: All right.
17 Well, I'll say that -- I will ask that you
18 provide it to the Agency within the next 15 days.

19 MR. McLEOD: That's fine.

20 CHAIRPERSON ANDERSON: Okay. All
21 right. All right. I want --

22 MEMBER SHORT: He has to comply with

1 all the --

2 CHAIRPERSON ANDERSON: Well, no, he
3 said he had a security plan that he had
4 submitted, so I just want to see if it's
5 compliant with the law.

6 MEMBER ALBERTI: Well, but I think Mr.
7 McLeod's representation to us is that he would
8 submit a security plan that was -- that comports
9 with the statutory requirements.

10 CHAIRPERSON ANDERSON: That's not what
11 he had said, sir.

12 MEMBER ALBERTI: Well --

13 CHAIRPERSON ANDERSON: Hold on, Mr.
14 Alberti.

15 MEMBER ALBERTI: Did I misunderstand
16 that?

17 CHAIRPERSON ANDERSON: Yes. At least
18 what I heard, Mr. McLeod had stated that when he
19 first did the application, he submitted a
20 security plan. That's what he said. And he
21 thought that when he did the transfer, he thought
22 that it complied.

1 If we are talking about something else
2 and this is a Fact-Finding Hearing, and I can't--
3 so what I will ask you then, sir, rather than you
4 apply -- rather than you providing us with the
5 security plan, would you agree, and this is
6 voluntary, to provide the Agency within the next
7 30 days with a legally-compliant security plan?
8 Is that something that you can offer us?

9 MR. McLEOD: Yes.

10 CHAIRPERSON ANDERSON: So I don't know
11 what -- whatever plan was offered before, I don't
12 know if it is legally-compliant. So maybe you
13 can talk to her staff, so they can look at it and
14 so basically, I just want to get whether or not
15 you agree to provide us a legally-compliant
16 security plan within the next 30 days?

17 MR. McLEOD: I have no problem doing
18 that.

19 CHAIRPERSON ANDERSON: Okay. All
20 right. Okay. Thank you, sir. All right.

21 I would like to thank the Officers for
22 being here as Mr. -- I think Mr. Short or Mr.

1 Silverstein had said, I've been here for 2 years
2 and this is actually the first time I have seen
3 all these Officers show up for a Fact-Finding
4 Hearing. So I appreciate the fact that you are
5 here.

6 I thank the Investigators for the two
7 reports that they have done. They have been very
8 excellent reports.

9 Mr. McLeod, I know you didn't want to
10 be here, but thank you for being here also.

11 The Board will take this matter under
12 advisement. So thank you very much and you guys
13 have a nice day.

14 MEMBER SHORT: Thank you, Officers.

15 SGT. ROONEY: Thank you very much.

16 CHAIRPERSON ANDERSON: You guys are
17 now free to go. All right. Thank you. All
18 right.

19 (Whereupon, the Fact-Finding Hearing
20 was concluded at 11:32 a.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Phoenix Restaurant Lounge

Before: D.C. Alcoholic Beverage Control Board

Date: 11-01-17

Place: Washington, DC

was duly recorded and accurately transcribed under
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Court Reporter

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