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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

- - - - -X

IN THE MATTER OF: :
2323 TTTDC on 18th, LLC: Case # 16-251-00151
t/a The Town Tavern :
2323 18th Street NW :
License # 94052 :
Retailer CT :
ANC 2B :
Intoxicated Person W/Handgun :
No ABC Manager, Interfered :

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Wednesday, August 3, 2016

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

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3 BOARD MEMBERS PRESENT

4 NICK ALBERTI, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7 RUTHANNE MILLER, BOARD MEMBER

8

9 ALSO PRESENT:

10 GRACIE ANDERSON

11 DESMOND CLAYTON

12 TASHA NICOLE CALIN

13 JOSEPH MASCI

14 MICHAEL WHITESIDE

15

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

2 FACT FINDING HEARING

3 CHAIRPERSON ANDERSON: Okay, we have a
4 fact finding hearing on case #16-251-00151, The
5 Town Tavern, License #94052. That's not your
6 case, sir. Yeah. So, will the parties please
7 approach and identify themselves for the record,
8 please? All right, we'll start with -- there's
9 also a sign-in sheet that I would like everyone
10 to sign in and so we'll start from the ownership
11 representative. You can identify yourself for
12 the record, please.

13 MS. ANDERSON: I'm Gracie Anderson, I'm the
14 owner of Town Tavern, 2323 TTDC on 18th.

15 MR. SHORT: Can you speak a little louder and
16 into the microphone?

17 MS. ANDERSON: Sure. I'm Gracie Anderson,
18 I'm the owner of Town Tavern, 2323 TTDC on 18th.

19 CHAIRPERSON ANDERSON: Okay. And you, sir?

20 MR. CLAYTON: Desmond Clayton.

21 CHAIRPERSON ANDERSON: And who are you, sir?

22 MR. CLAYTON: I'm the ABC manager that was on

1 duty that day.

2 CHAIRPERSON ANDERSON: All right, thank you.
3 Yes?

4 MS. CALIN: Tasha Nicole Calin, ABRA
5 investigator.

6 MR. MASCI: Officer Joseph Masci,
7 Metropolitan Police Department.

8 MR. WHITESIDE: Lieutenant Michael Whiteside,
9 Metropolitan Police Department.

10 CHAIRPERSON ANDERSON: Good afternoon,
11 everyone. We're having this fact finding hearing
12 because the chief of police had requested this
13 fact finding hearing because I guess a patron had
14 passed out in the establishment with a weapon in
15 their waistband, and so maybe from CALIN, maybe
16 you can tell us -- provide some information, then
17 the officers can provide whatever information
18 they need to, and then I'll ask the ownership to
19 respond.

20 MS. CALIN: Okay. On Thursday, July 7th, I
21 was assigned an investigation in reference to an
22 incident that happened on Wednesday, May 18th, at

1 the Town Tavern, located at 2323 18th Street
2 Northwest. I went to Third District MPD station
3 and picked up a copy of the 251 report and in
4 that report it stated that there was an
5 intoxicated male that was sitting on the bar
6 area, passed out on the bar and there was what
7 appeared to be the butt of a gun in the back of
8 his waistband. On July -- Friday, July 8th, I
9 paid a visit to Town Tavern and I spoke with Mr.
10 Desmond Clayton who stated that he was the ABC
11 manager and he also happened to be the manager
12 that was on duty on the night of May 18th. He
13 did recall the gentleman coming into the
14 establishment on that night. He said when the
15 gentleman came into the establishment the
16 gentleman appeared to be fine. I asked Mr.
17 Clayton if they had security on the night of
18 Wednesday, May 18th. He said normally on
19 Wednesdays, unless there is a special event, that
20 they do not have security but himself, and I
21 believe he stated that the barback, they both
22 stand at the door, one or the other, and check

1 identifications of patrons that enter into the
2 Town Tavern.

3 While I was there on the night of July 8th, I
4 noticed security at the door checking
5 identification. After I went in and spoke with
6 Mr. Clayton and I conducted a regulatory
7 inspection, he and I stepped outside of the
8 establishment so we could chat further about the
9 incident and he could give me some more
10 information about what occurred that night.

11 While we were out there I noticed that security
12 was not patting anyone down or doing any type of
13 pat down or searches to see if anyone was --
14 people that were entering the establishment had
15 any type of weapons. At that time, Mr. Clayton
16 stated that, I believe his exact words were that
17 they were not allowed to conduct pat down
18 searches because there was, I believe he said, a
19 violation of -- excuse me one second, I'll look
20 back in my report -- that it was being considered
21 an assault if they patted patrons down. I
22 advised Mr. Clayton that I was a former police

1 officer in the state of Georgia. I was not aware
2 of what the actual laws were pertaining to that
3 in the District of Columbia, but I did advise him
4 that he should probably speak with the ownership
5 to have -- because there were companies that
6 would come in and train his staff that worked at
7 security on the proper procedures to conduct pat
8 down searches that would not be intrusive and
9 they would not result in them getting charged for
10 assault in any way. That was something new to
11 me, I've never heard that before.

12 I also discussed with Mr. Clayton the fact
13 that the person that was in the bar passed out on
14 the bar with the alleged weapon, if it had not
15 turned out to be a BB gun or something else had
16 proceeded prior to police being notified that it
17 could have been something more serious, and the
18 fact that they don't check bags or pat male
19 patrons down prior to entering that may be an
20 issue in the future. So Mr. Clayton did state
21 that he would speak with the ownership about
22 possibly getting someone to come in or have the

1 staff trained to start checking patrons I also
2 sent an e-mail on the night of Saturday, July 8,
3 to Officer Masci asking him if he would tell me
4 the incident that led up to him coming into the
5 Town Tavern and making an arrest on the subject
6 that had the weapon, and Mr. -- Officer Masci,
7 I'm sorry, that someone came into the precinct
8 that's located on 18th Street and advised that
9 someone was in the Town Tavern with a weapon.
10 Officer Masci and another officer made contact
11 with the Town Tavern, I believe the patron was
12 still sitting at the bar and they -- from what
13 Mr. Clayton advised me -- when the officers came
14 in the patron was still at the bar and they just
15 took the patron outside the bar. Mr. Clayton
16 wasn't aware of what transpired once the patron
17 and officers went outside. He believed that the
18 patron was arrested. According to the incident
19 report that I got of the 251, I was only given
20 the public copy, I was not allowed to pick up a
21 non-public copy for this report so I'm not aware
22 of any charges that may have been placed on the

1 patron. It did state in the report that the
2 patron had a BB gun, that was the butt of the gun
3 that was in the back of his waistband, and I
4 believe in his backpack he had a taser as well,
5 and that's all I have.

6 CHAIRPERSON ANDERSON: Thank you, Ms. Calin.
7 Officer Masci, is there anything you want to add?

8 MR. MASCI: No, sir. I'm just here if you need
9 background on the establishment.

10 CHAIRPERSON ANDERSON: Well, what, if
11 anything, can you add to these proceedings?

12 MR. MASCI: Well, I manage the PSA which
13 encompasses 18th Street and Adams Morgan area. I
14 can tell you I haven't had any problems with Town
15 nightclub in past in my roughly two years in the
16 area that I've been there [inaudible 2:50].

17 CHAIRPERSON ANDERSON: Okay.

18 MR. MASCI: I haven't had any issues with the
19 establishment.

20 CHAIRPERSON ANDERSON: Okay. All right,
21 thank you. Ms. Anderson?

22 MS. ANDERSON: Yes?

1 CHAIRPERSON ANDERSON: No relation to --

2 MS. ANDERSON: None -- I don't think.

3 CHAIRPERSON ANDERSON: All right, what is it
4 that you can add regarding these proceedings?

5 MS. ANDERSON: I actually have quite a bit to
6 add but I'm going to try and condense it.
7 There's a couple of errors in all of these
8 reports. I think we can just start off. I don't
9 know if I'm allowed to say the things that are
10 wrong.

11 CHAIRPERSON ANDERSON: You can state
12 whatever, it's a fact finding. The police chief
13 requested that we have this hearing --

14 MS. ANDERSON: No problem.

15 CHAIRPERSON ANDERSON: -- and this is your
16 opportunity --

17 MS. ANDERSON: Yeah.

18 CHAIRPERSON ANDERSON: To clarify the record.

19 MS. ANDERSON: Right, so I'm going to take
20 this opportunity.

21 CHAIRPERSON ANDERSON: All right.

22 MS. ANDERSON: First of all, we are not a

1 nightclub. We are a local tavern where people
2 usually come and get a burger and a beer before
3 they head home. So, on Monday through Thursday
4 we normally have an ABC manager, a barback or
5 cook, just the social staff members that always
6 take care of the maybe 10 to 15 of our local
7 patrons in the area. So, one, we're not a
8 nightclub. Two, it noted on all of these reports
9 that the person was intoxicated. I wouldn't use
10 the word intoxicated because we didn't serve the
11 person in question at all. All this person did
12 was wander in from the street. We checked IDs
13 just because you have to do that when you enter
14 our establishment at all times. And he ordered a
15 Coca Cola and a thing of nachos. And then the
16 person started acting a little -- I wouldn't use
17 the word intoxicated -- more like, high on life,
18 I would say. So, there's no law against kicking
19 someone out because they're acting a little, you
20 know, happy. But they watched them and from what
21 my ABC manager on duty and the staff and the
22 patrons that we did have there, which I followed

1 up with everyone as soon as he let me know about
2 it -- they said that they were watching to see,
3 you know, what's going on. The person seemed a
4 little not calm in terms of acting relaxed but
5 just a little in his own world. So the person
6 started walking around, went to the restroom,
7 came back, waited for their food and then laid
8 their head down on the bar. And at that time one
9 of our -- the person that we had run up to the
10 street, run outside to flag the officer in was
11 one of our employees who was actually in the bar
12 at the time hanging out with the staff members.
13 And he was the one who wanted to make sure that
14 they knew that it was the Town Tavern right here
15 without alarming anyone. So, he went out there
16 and he's the one who had passed by and noted
17 'there's something funky sticking out of the back
18 of this person's waistband,' so a couple of other
19 people, Doug and everybody else walked past and
20 they're like 'hm, that doesn't look good, we
21 don't know what it is, we know some people have a
22 permit to carry, some don't, but we're not

1 comfortable with asking this person because it
2 could escalate into something more dangerous
3 that's totally unnecessary. And honestly, not my
4 area or his area of expertise, but our local
5 police officers'. So we're like they did what is
6 the best protocol that I've been super proud of
7 hearing that they did. One, someone called 911
8 on the side; two, they had someone run up to
9 where they know officers always hang out in the
10 area, and three, we had somebody waiting right
11 outside to let them know 'we're right in here.'
12 Nobody alarmed the person, he sat there, he fell
13 asleep after his nachos, nobody wanted him to go
14 off and hurt someone else or whatever it is this
15 person had to do. We don't control the laws on
16 whether or not could or could not carry, but we
17 just didn't want to approach the subject. So,
18 once the officers came in, we were relieved
19 because now somebody who had the authority to
20 handle it can handle it. And on our end, we did
21 everything we were supposed to do. We made sure
22 that everyone was ID'd, that everyone was safe,

1 the safety of our staff, safety of our patrons
2 that were here -- were there -- on that night,
3 and overall I was very pleased with the way we
4 handled things because it could have been any
5 local place, children, not children, McDonalds,
6 TGI Fridays, Town Tavern, but we handled it, I
7 think, in the best manner that we should have and
8 better safe than sorry is what I'm going to say.
9 So I'm glad we called them. I'm glad we called
10 the police. I'm glad we sent a runner. And I'm
11 glad we had somebody outside making sure they
12 knew the right establishment to come into.

13 CHAIRPERSON ANDERSON: Do you have anything
14 else you want to say?

15 MS. ANDERSON: Probably. I'm still wound up
16 at times.

17 CHAIRPERSON ANDERSON: I'm serious. A fact
18 finding hearing is to gather facts.

19 MS. ANDERSON: Yeah.

20 CHAIRPERSON ANDERSON: Based on the
21 information that was presented to the board, I
22 mean your view is completely different from where

1 we're sitting, from the position that we have.

2 MS. ANDERSON: No problem. Yeah.

3 CHAIRPERSON ANDERSON: So, that's why I'm
4 saying this is your opportunity to clarify the
5 record.

6 MS. ANDERSON: Well, the great thing is
7 nothing bad did happen, he didn't act violent,
8 they were very relaxed, chilled, if it wasn't for
9 the fact that they had leaned over a certain way
10 we would never had seen it. And luckily, we were
11 able to catch it on our end, we don't know what
12 the purpose of that was, for their own defense or
13 if they were even legally allowed to carry it,
14 but we're proud that we were able to get officers
15 in the area to handle the situation because
16 they're better equipped to handle that situation
17 than we are, so I think we reacted correctly. We
18 didn't serve this person anything besides a soda
19 and nachos. I don't know if they figured out if
20 they had any type of drugs in their system or
21 whatnot, but besides that I think we were doing
22 what was best in that situation and we've never

1 had any issues with ABRA or the police, or the
2 law, ever. We've been pretty great about it.
3 So, I want to say that we're going to keep on
4 going with that great track. That's it, so far.

5 CHAIRPERSON ANDERSON: Well, thank you. The
6 officer -- what's your name again -- officer --

7 MR. WHITESIDE: Lieutenant Whiteside.

8 CHAIRPERSON ANDERSON: Lieutenant Whitetop?

9 MR. WHITESIDE: Whiteside.

10 CHAIRPERSON ANDERSON: Whiteside has stated
11 that he's been in the PSA office for two years
12 and you have a clean bill of health, so you don't
13 need to prove to us. The officer -- the
14 lieutenant's already stated what sort of
15 establishment you -- so I think that, but it's
16 good that you stated that but to support his, the
17 lieutenant's -- yes, Mr. Short?

18 MR. SHORT: Good afternoon, Ms. Anderson.

19 MS. ANDERSON: Good afternoon.

20 MR. SHORT: You sound very interesting, you
21 sound like on that particular evening you did the
22 best that you could do. I'm not going to say you

1 could do better, but I would suggest this: Let
2 me ask you, do you have a security plan for your
3 business?

4 MS. ANDERSON: Which you actually have on
5 file.

6 MR. SHORT: Here at ABRA?

7 MS. ANDERSON: Yeah, because that's how I get
8 my extended hours, you have to have a -- submit a
9 security plan.

10 MR. SHORT: Okay, good. Okay. So, I guess
11 then I would ask that also being a business owner
12 in Washington D.C. and serving alcohol, maybe you
13 need to get a copy of the police regulations on
14 who can carry a gun and where. I think -- I
15 might be wrong --

16 MS. ANDERSON: Mm hmm.

17 MR. SHORT: -- but I think even if you have a
18 permit to carry a gun you cannot carry it into a
19 place that serves alcohol. You might want to
20 check on that.

21 MS. ANDERSON: I will do so.

22 MR. SHORT: Please do.

1 MS. ANDERSON: Yeah.

2 MR. SHORT: And that's the reason why --
3 you're saying you don't do a lot of pat downs,
4 you don't do a lot of --

5 MS. ANDERSON: Well, coming in for food we
6 don't think it's a nice thing.

7 MR. SHORT: I understand.

8 MS. ANDERSON: Pat them down before they eat.

9 MR. SHORT: You appear to be a very learned
10 person and a very astute --

11 MS. ANDERSON: Thank you.

12 MR. SHORT: -- business owner and thank you
13 for that. But, I know you hear the news and
14 what's happening in Paris.

15 MS. ANDERSON: Oh, yeah, terrible.

16 MR. SHORT: What's happening around the
17 world, what's happening in Germany, what happened
18 -- so a lot of people are saying it's not when,
19 it's if something like that could happen here in
20 America.

21 MS. ANDERSON: Right.

22 MR. SHORT: And this is the nation's capital,

1 a prime target. I would think that you would
2 want to have all the security available to you
3 and all the knowledge and information [inaudible
4 2:58]. So, have any of your staff been trained
5 by someone who knows security?

6 MS. ANDERSON: We have had many, many
7 security and they've all trained all of our staff
8 and even now I stand by my security 100%.

9 MR. SHORT: Okay.

10 MS. ANDERSON: They're fantastic.

11 MR. SHORT: Well, great. As was stated by
12 Chairman Anderson, and by the lieutenant and the
13 officers it sounds like you're doing the right
14 thing. We just want basically that you be just a
15 little safer.

16 MS. ANDERSON: Yeah, sure.

17 MR. SHORT: Somebody came in with a BB gun
18 this time.

19 MS. ANDERSON: Right.

20 MR. SHORT: And you're not checking people
21 that come in and out of your establishment --

22 MS. ANDERSON: Right.

1 MR. SHORT: -- or even if somebody's acting a
2 little bit strange, I think it was someplace
3 where even where that theater got shot up in
4 Utah, everybody noticed this person was acting a
5 little strange but no one did anything.

6 MS. ANDERSON: Right.

7 MR. SHORT: No one called anyone.

8 MS. ANDERSON: No one called.

9 MR. SHORT: So, if someone's acting a little
10 strange or whatever I would think that maybe your
11 security would want to maybe call the officers,
12 we've got them right down the street. I know
13 there's a lot of officers there but you want to
14 be proactive --

15 MS. ANDERSON: Right.

16 MR. SHORT: -- instead of reactive. And this
17 particular case you were reactive because no one
18 checked to see if this person had a BB gun or a
19 taser or whatever else was found on him. So, I
20 would -- I would strongly suggest if I could --
21 do you have cameras?

22 MS. ANDERSON: We do not.

1 MR. SHORT: Okay, well I will just say this
2 there's not a lot of things that we can do at
3 this fact finding but find out the facts, so I'm
4 just trying to find out what security you really
5 do have. You have one on file here?

6 MS. ANDERSON: Yes.

7 MR. SHORT: Does it conform with the ABRA
8 rules and regulations?

9 MS. ANDERSON: Completely.

10 MR. SHORT: Okay. All right, good.

11 MS. ANDERSON: Completely.

12 MR. SHORT: Well, again, is there anything
13 else you could do when it comes to making sure
14 patrons don't have offensive or defensive weapons
15 on them when they come in. Or anything else you
16 can think of.

17 MS. ANDERSON: I think it's a very -- I think
18 it's a subject that I don't know how to handle in
19 terms of, like, legally how to change the law on
20 these things but right now I know that in D.C.
21 that there is no law that says an establishment
22 has to pat down people and actually I don't want

1 to scare away people that want to come in to eat
2 dinner when they're coming in to get a burger
3 and, you know, some wings, before they go home.

4 MR. SHORT: I sympathize with that.

5 MS. ANDERSON: Yeah, you know, for me if I
6 went in with my kids or myself and 'I'm like,
7 you're patting me down before I eat?' I'm not
8 going to do that, but I'm going to use our best
9 judgment on scrutinizing the people that are
10 coming in like we do all the time. It just
11 happened to be at this one instance that we let
12 someone order food and then started seeing the
13 signs were exhibiting as a little odd and that's
14 why we, on our end, the staff, took it upon
15 ourselves to be proactive in that instance and
16 call, and send a runner, and have someone outside
17 ready to flag someone in and make sure nobody was
18 anything but calm.

19 MR. SHORT: Okay, and lastly, and I'm going
20 to thank the officers and thank Investigator
21 Calin for her report, and the officers for their
22 service. When the police chief says to this

1 body, and I can only speak for myself as a board
2 member, my alerts go off a little bit. And so,
3 we're having this hearing today as our chairman
4 had already stated because the police chief was
5 interested and wanted to know more about your
6 place, so it sounds like you're doing the best
7 you can do with what you have to work with, but
8 if you need any further assistance you might want
9 to check with Investigator --

10 MS. ANDERSON: Absolutely.

11 MR. SHORT: -- Calin and she might be able to
12 give you some other suggestions or whatever.

13 MS. ANDERSON: Absolutely. And we're very
14 friendly and open communication with police
15 officers in our area, so they've been fantastic
16 and they know that they never have to usually
17 worry about us, and I'm glad we were able to call
18 them and they were able to respond quickly which
19 is what we know that they will do.

20 MR. SHORT: Well, I'm going to say, I've been
21 on the board a couple of years now and you're one
22 of the very first business owners to come in

1 who's been totally ready. I want to thank you
2 for that.

3 MS. ANDERSON: Thank you.

4 MR. SHORT: And your answers and your
5 attitude toward business seem to be very great,
6 but I still want you to check with Inspector
7 Calin or Investigator Calin, and see if there's
8 anything else ABRA can do to help you with your
9 security.

10 MS. ANDERSON: Great, yeah, no problem.

11 MR. SHORT: Thank you, that's all I have, Mr.
12 Chair.

13 CHAIRPERSON ANDERSON: Thank you, Mr. Short.
14 Mr. Silverstein?

15 MR. SILVERSTEIN: Thank you very much. Thank
16 you all for coming. This is sort of an after
17 action type report, trying to work out here or
18 figure out are there any lessons to be learned
19 here? It seems as though this ended up as well
20 as it possibly could. I would ask the officer,
21 the lieutenant, is there anything that they could
22 have done better? Anything that we learn from

1 this that moving forward, not just in this case,
2 but in other cases when someone comes in carrying
3 something concealed that appears to be a weapon,
4 what do you do?

5 MR.MASCI: I wasn't on the scene at the
6 original event, I'm --

7 MR. SILVERSTEIN: I'm sorry?

8 MR. MASCI: I wasn't on the scene of the
9 original event, I work midnights. All I know is
10 what I read about the report. I can only give
11 you historical of the establishment, but looking
12 at what -- Ms. Anderson's correct what she's
13 saying, what everybody's saying. I don't know
14 what else you could do. I mean, you could pat
15 them down, I agree with you sir. But, you know,
16 if it is a tavern --

17 MR. SILVERSTEIN: 'Yeah, I'd like a
18 hamburger, fries and a pat down.'

19 MR. MASCI: I wouldn't want that.

20 MR. SILVERSTEIN: I don't think that's gonna
21 work.

22 MR. MASCI: I carry everywhere, so I -- I

1 don't know, I don't know the right answer here.
2 It's tough. But I do agree it's a matter of when
3 not if.

4 MR. SILVERSTEIN: Yeah. Mr. ? [inaudible
5 3:03]

6 UNKNOWN SPEAKER: I agree with the lieutenant
7 and Ms. Anderson, everything she said was
8 truthful. There was someone out front that
9 showed us exactly where the individual was lying
10 on the bar. So, like the lieutenant said, and
11 like Ms. Anderson she -- you know patting down
12 customers might scare individuals away, but from
13 after everything happened I think everything went
14 well.

15 MR. SILVERSTEIN: Thank you very much.

16 CHAIRPERSON ANDERSON: Any -- yes, Ms.
17 Miller?

18 MS. MILLER: Thank you all for coming.
19 Because I think this gun issue is a concern in
20 general. So, I wanted to ask you, Ms. Anderson,
21 it sounds like you have a really -- you have a
22 good line to the police. I mean, if you think

1 that something's going to happen or wrong, is it
2 a direct line to the police that are in your
3 neighborhood?

4 MS. ANDERSON: I take it upon myself to know
5 all of the local police officers, so they can
6 call me if there's like 'hey, is something going
7 on there?' or vice versa. I've even had, you
8 know, someone call me when someone broke
9 something in a window, you know, on my personal
10 line, which I think is great and I'm hoping all
11 owners have that open communication with the
12 local police officers in the area, their local
13 precinct, like have, like a great relationship.
14 That being said, we did call the general 911
15 number at the time because we thought that was
16 the best protocol to take because then they know
17 it is an emergency and we're just worried about
18 anything escalating. And I think it was great
19 that we also had staff on hand to run to the
20 local precinct as well, see which would be
21 faster. I mean, we took every available route to
22 us. I'm hoping that everyone can have more of a

1 report with them, not just us, and, you know, I
2 think the biggest thing that I was really glad is
3 that they didn't approach the individual on their
4 own. I would rather them not escalate a
5 situation that doesn't need to be. It seemed --
6 everything seemed very calm and it was the best
7 thing that everyone could do was to let the
8 proper authorities handle it. Unless there was
9 another situation that escalated from there
10 before that, we lucked out on this one.

11 MS. MILLER: So, which was faster? 911 or
12 running to get the police?

13 MS. ANDERSON: They all communicate with each
14 other --

15 MS. MILLER: Okay.

16 MS. ANDERSON: -- so I'm sure someone let
17 them know, 'hey we're on it,' and then they
18 showed up. And we luckily had somebody outside
19 saying 'it's right here.' And no one bothered
20 the guy and were like 'just let him be.' If
21 nobody's doing anything, let's let it be.

22 MS. MILLER: No, I think it sounds like you

1 handled the situation really well.

2 MS. ANDERSON: Fantastic.

3 MS. MILLER: And I just am curious in
4 general, you know, it sounds ideal that if there
5 is any concern just to be able to call the police
6 and if you get a fast response that's great. Are
7 there other people that you've scrutinized? Have
8 you turned people away because they -- for some
9 reason.

10 MS. ANDERSON: Yeah, number one, if they're
11 too intoxicated not to have them come into your
12 establishment let alone serve them, so what's the
13 point of them being there? We've had people
14 turned away because they don't have proper
15 attire, you know. No shirt or something like
16 that, you know. Every establishment has their
17 own set of rules that they go by and we hold
18 ourselves to that to a T. Other than that, you
19 know, just looking for other signs that a normal
20 person -- or good Samaritan or parent -- you get
21 people who sense it -- I want to call them your
22 little spider senses and you know that something

1 may not be correct, what do you need to do?
2 What's the best plan of action? And I feel like
3 we followed that all of these years and that's
4 why we've been pretty good, knock on wood, but
5 everything's been -- you know -- very calm.

6 MS. MILLER: That's great. Thank you. I
7 want to ask the officers -- so I'm aware about
8 laws restricting guns in establishments serving
9 alcohol. What about the taser? Is that against
10 the law?

11 MR. MASCI: Yes, ma'am.

12 MS. MILLER: It is. Okay. So, basically it
13 just seems like what we're getting -- what I'm
14 getting from here is just, you know, as long as
15 the establishments act calmly and are alert to
16 their situations and contact, too, that's really
17 -- that works.

18 MR. MASCI: If I may just to jump in to make
19 sure we're all on the same page, 'cause something
20 came up in reference to calling 911 and flagging
21 down officers.

22 MS. MILLER: Right.

1 MR. MASCI: I just want to be very clear. I
2 think what you did was fine. You know, we have a
3 satellite stationed, the liaison unit's right
4 there and that officer happened -- you got that
5 officer -- correct me if I'm wrong, you were
6 there -- but the sergeant comes over the air with
7 the broadcast and then the officers get the
8 information so in this case flagging us down
9 definitely was quicker. However, I cannot stress
10 enough by all means please, please, please call
11 911 'cause you never know what's going to be
12 quicker and 911 is always our fallback. So,
13 please, absolutely call 911 should this come up
14 on another hearing I think that's what we would
15 prefer. But flagging the officer down at the
16 same time? Absolutely, do both.

17 MS. MILLER: Mm hmm. I guess my other
18 question it seems like this owner did all the
19 right things as far as we could tell. Do you
20 think that other establishments need any kind of
21 training as to what they should do if -- you
22 know?

1 MR. MASCI: Yes, I do think some [inaudible
2 3:09] needs to be some training up there.

3 MS. MILLER: Just for some of these basics,
4 even, just to know. Who do you think should do
5 the training? Do you think it should be the
6 police? Do you think it should be ABRA? Do you
7 think it should be, you know --

8 MR. MASCI: This is my opinion, not the
9 Metropolitan Police Department. It probably
10 would need to be a combination because it's so
11 technical. I mean there's just things we don't
12 know that ABRA absolutely is 100% a thousand
13 times better than we can do and there might be
14 some things we can do better, so it probably
15 would need to be a collaboration.

16 MS. MILLER: Okay.

17 MR. MASCI: In my opinion.

18 MS. MILLER: Yeah. Thank you. Okay. I
19 think that's all of my questions. Thank you very
20 much.

21 CHAIRPERSON ANDERSON: Do we have any other
22 questions by any of the board members? All

1 right, well thank you. Ms. Anderson, hopefully
2 this is the last time you'll ever appear before
3 ABRA in these proceedings so if you -- if you
4 want to say anything on the record, anything and
5 a closing statement that's on the record, this is
6 your opportunity.

7 MS. ANDERSON: I think that I'm glad that we
8 got all of this squared away and hopefully we
9 have, like, a good Wednesday and everyone gets to
10 go home early? That's not going to happen, is
11 it?

12 CHAIRPERSON ANDERSON: All right, any closing
13 statement by any of the officers or
14 investigators? I basically think that there are
15 no further actions that will be taken in this
16 matter, so we'll take no further action in this
17 matter, but thank you very much for appearing
18 here today.

19 MS. ANDERSON: Thank you.

20 CHAIRPERSON ANDERSON: To being -- from
21 what's represented here, a great honor, and I
22 wish you the best. All right, thank you very

1 much.

2 MS. ANDERSON: Thank you, guys.

3 CHAIRPERSON ANDERSON: Thank you.

4 (Whereupon, the above-entitled matter was
5 concluded.)

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