

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

_____)	
In the Matter of:)	
BEG Investments, LLC)	Case No. 14-251-00087
t/a Twelve Restaurant & Lounge)	License No.: 076366
Holder of a)	Order No. 2014-106
Retailer's Class CN License)	
at premises)	
1123-1125 H Street, N.E.)	
Washington, D.C. 20002)	
_____)	

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

ALSO PRESENT: BEG Investments, LLC, t/a Twelve Restaurant & Lounge,
Respondent

Emanuel Mpras, Counsel for the Respondent

Amy Schmidt, Assistant Attorneys General, on behalf of the
District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

The Board has the authority to “summarily revoke, suspend, fine, or restrict” a license to sell alcoholic beverages in the District of Columbia if the Board determines after an investigation that the operations of the licensee present “an imminent danger to the health and safety of the public.” D.C. Official Code § 25-826(a). If properly requested by the licensee, “[t]he Board shall hold a hearing within 48 hours of receipt of a timely request and shall issue a decision within 72 hours after the hearing.” § 25-826(c).

On March 8, 2014, the Chief of Police for the Metropolitan Police Department for the District of Columbia issued a written order summarily suspending the liquor license held by BEG Investments, LLC, t/a Twelve Restaurant & Lounge (hereinafter "Respondent" or "Twelve") in accordance with D.C. Official Code § 25-827. *Notice of Summary Suspension*, 1-3 (Mar. 12, 2014).

After receiving a request for a hearing from Twelve, the Board conducted a Summary Suspension Hearing on March 19, 2014. The parties presented an Offer-in-Compromise (OIC), which resolved the allegations raised in the summary suspension notice filed by the Office of the Attorney General. The Board formally accepts this OIC through this Order.

ORDER

Therefore, the Board, on this 26th day of March 2014, hereby **APPROVES** the Offer-in-Compromise, which requires BEG Investments, LLC, t/a Twelve Restaurant & Lounge to operate in accordance with the following:¹

- (1) BEG Investments, LLC, t/a Twelve ("Licensee") agrees to train its employees on preserving a crime scene. Licensee agrees to document the training of employees and to document their employment status. Licensee also agrees to document the subject matter of any training other employees receive.
- (2) Licensee agrees to incorporate revised training on how to aid an injured or ill patron inside the establishment, including calling for outside medical services. Licensee will provide training on situations where it is necessary to contact MPD immediately, such as a violent incident inside the establishment or when a patron needs or requests medical attention. The training will include instruction on appropriate times to call 911.
- (3) Licensee agrees to train security personnel on how to handle violent altercations in and near the establishment, including appropriate methods for detaining and controlling aggressive patrons.
- (4) Licensee agrees to use "wands" at the entrance to the establishment for the purpose of detecting metal objects, including weapons, carried by patrons when the establishment has entertainment including but not limited to a disc jockey or a live band. The wands will be used in conjunction with physical "pat down" searches to be specified in the Licensee's Security Plan.
- (5) Licensee agrees to have security personnel wear clothing that identifies them to patrons as security.

¹ The Board uses the language used by the parties in the OIC.

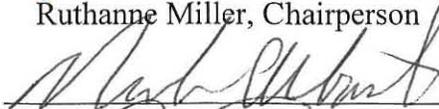
- (6) Licensee agrees to escort violent aggressors to the MPD Reimbursable Detail officer or officers customarily posted in front of the establishment when such Detail is in place.
- (7) Licensee agrees to implement a security plan. The security plan shall be submitted and reviewed by the Board prior to the establishment opening. The security plan shall cover and meet the requirements set forth in D.C. Official Code Section 25-402(d)(3). The security plan shall incorporate detailed procedures in its Security Plan on how security personnel are to handle violent altercations in the establishment, including appropriate methods for detaining and controlling aggressive patrons.
- (8) The security plan shall address the establishment's procedure for preserving a crime scene.
- (9) The security plan shall indicate the placement of security employees in the establishment.
- (10) The security plan shall include the establishment's protocol for drafting and maintaining an incident log.
- (11) Licensee agrees to document the date on which any weapons are recovered from patrons and to consult MPD on the disposition of the weapons. Licensee shall document the date and time of the consultation and include the name and badge number of the officer consulted.
- (12) The security plan will also state that cameras utilized by the establishment will be operational. The revised security plan will also state that any footage of a crime of violence or a crime involving a gun will be maintained for 30 days and that any security footage will be made available within 48 hours upon request from ABRA or MPD.
- (13) The security plan shall address what disciplinary actions will apply for violations of the Security Plan.
- (14) Cameras utilized by the licensee shall be operational. Any footage of a crime of violence or a crime involving a gun shall be maintained by the establishment for 30 days. Security footage shall be made available within 48 hours or upon request from ABRA or MPD.
- (15) The Licensee's liquor license shall be suspended until the Board determines that the requirements set forth above have been met.
- (16) This matter shall be set for a continued summary suspension hearing date by the Board that is agreed to by the parties.

IT IS FURTHER ORDERED that this matter shall be referred to the Office of the Attorney General to determine whether a show cause action is appropriate.

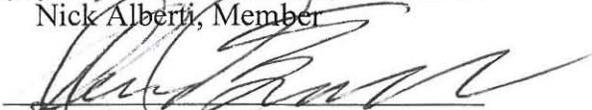
District of Columbia
Alcoholic Beverage Control Board



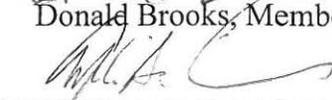
Ruthanne Miller, Chairperson



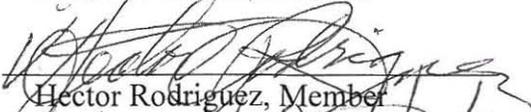
Nick Alberti, Member



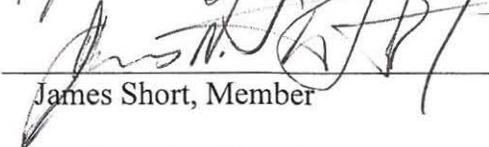
Donald Brooks, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to 23 DCMR § 1719.1 (2008), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b).