

January 9, 2019

9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Thomas Graham, Chairman
Armando Camacho, Vice Chairman
Chinedu J. Iweanoge, Commissioner
Kenneth Miles, Commissioner
Tammy D. Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Derrick Anthony, Deputy Chief Liquor Inspector
Kelly Markomanolakis, Administrative Assistant
Nikole Bennett, Administrative Aide

Time: 7:10 p.m.

In the matter of **t/a Spectrum Lounge**, Class B, Beer, Wine and Liquor, Holmes Lounge, LLC, 10601 Baltimore Avenue, Beltsville, 20705 – Special Entertainment Permit.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that Spectrum Lounge is requesting a Special Entertainment Permit; that she was contacted one month ago; that it is a small space on the lower level of a commercial building; that it is a lounge with food; that there is no space for dancing; that per their Use and Occupancy Permit they are ineligible for a Dance Hall Permit; that she is comfortable with their security plan; that there will be two security officers there per night they have entertainment; that the entertainment will be mainly a DJ, but sometimes possibly a small band.

Valery Azeh stated that he is a resident of Lanham; that most of their entertainment will be Friday, Saturday and Sunday; that they put the other days on the application in case they choose to add entertainment.

Nijukang Asong stated that he is a resident of Middle River; that they may have entertainment on Holidays that fall on week nights also.

Corporal Cicale stated that she understood Thursday night would be ladies' night and that there will need to be security personnel for that as well; that they will need to notify the Police Department of any changes.

Valery Azeh stated that he understands they will need to notify the Board of any changes; that they have been open for seven months and have been good so far; that they have not had any violations since they've been open.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of **t/a Gringada Mexican Restaurant**, Class B(R), Beer, Wine and Liquor, Alamo – Gringada, LLC, 12300 Baltimore Avenue, Beltsville, 20705 – Special Entertainment Permit.

Applicant is represented by Traci Scudder, Esquire.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she met with the management for the restaurant one week ago; that it is a long standing restaurant with faithful clientele; that they are looking to have a DJ or mariachi band to enhance the dining experience only; that the band will be out of the way in a corner playing; that she is comfortable with the security plan that was provided; that they stated they may wish to extend the entertainment outside at a later date; that they also discussed the noise level.

Maritza Fonseca stated that she is a resident of Hyattsville; that the proposed entertainment will be Wednesday through Saturday; that their initial intention is to have the entertainment take place inside and maybe hold it outside later; that she understands that she must notify the Board and Police Department of any changes to this plan.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

In the matter of Jedaka Hayes, Authorized Person, Up at Night, LLC, **t/a Martini's Restaurant and Lounge**, Class B, Beer, Wine and Liquor, 725 Cady Drive, Fort Washington, 20744, is summonsed to show cause for an alleged violation of Sections 26-1103, 26-1513, 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rules 29, 32 and 75 of the Rules and Regulations for Prince George's County, to wit; That on November 3, 2018, an incident occurred involving the licensed premises, that the owner of the business has failed to cooperate with the Prince George's County Police Department; that the operation of the business is a threat to the peace and safety of the community.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she brought the matter to the Board for an incident that took place on November 3, 2018; that she has had a long standing agreement with the current and previous owners to find solutions to problems within their control and outside; that the November 3rd incident is some of the reason for concern, but overall the Police Department is concerned the security is inadequate; that on November 3, 2018 there was an assault in the parking lot; that one victim was found by police officers bleeding from the mouth and another victim with other wounds to the face; that they incurred these injuries after playing a set; that a suspect assaulted him in the parking lot and the security staff came to assist, but ended up attacking the victims; that the victims fled and called 911; that they were unable to identify the suspects, but that the main victim who suffered a broken jaw, and still currently has his mouth wired shut, was able to pick two of the security guards out of a line up; that Detective Dalton was concerned with the cooperation of the business; that one security camera is operating, but there should have been nine; that the outside camera video was not able to be viewed because the wrong password was provided.

Lieutenant Ross stated that he is a shift commander with the Prince George's County Police Department in District 4; that he is in attendance on behalf of Detective Dalton; that in the past year there have been several incidents in this area and fights; that the problems occur most often when the club closes and the customers come out into the parking lot and the Police Department has to respond; that in 2018 there have been over 20 calls for service; that no other clubs in this

district has this many calls; that they take the calls and do what is necessary; that sometimes it is action, reports, or an arrest; that he does not know the final outcome for these calls; that he was not personally involved in these calls; that he is here to represent the district and printed this list prior to coming; that typically with these issues alcohol is involved; that people calling are customers and part time officers under secondary employment calling for assistance; that the calls are also for fights, assaults, weapons; that one incident was for a complaint on a security guard for a sexual assault; that security and customers also call for assistance; that on September 18, 2018 the Prince George's County Police Department prohibited officer's for working there part time because of security plan violations.

Corporal Cicale stated that part-time work was prohibited at the business because it was not effective, the officers were not all doing their job, and because they felt that the private security was acting overzealous and they did not want the officers to be caught in the middle.

PFC Nelson stated that he is an officer with Prince George's County Police Department; he read his patrol report from November 6, 2018; that he witnessed a conflict in the parking lot that involved a uniformed security guard with a rifle and the crowd; that he observed the incident while waiting for backup; that initially he thought the security officer was an officer working part time; that once back up arrived he was unable to locate the rifle; that he searched the security vehicle and found an empty rifle case, scope and 3 magazines; that he was told by the security officers they were not aware of there being a rifle; that the crowd dispersed quickly; that the officer had the rifle at the low and ready position; that he believes it is private security.

Kenneth Munday stated that he is a resident of Fort Washington; that with the incident that took place on November 3rd he worked with the Police Department; that he was very cooperative; that he gave them the video he had from the incident; that the previous officer said they saw someone with a rifle on a different night; that the club was closing; that he is not sure what happened; that he was told by the Lieutenant that they had to clear the parking lot and conveyed it to security; that they try to cooperate; that on November 3rd it was a patron vs patron incident; that he received a call one week later about the incident and was originally given the wrong date; that the two men had a fight, security put them out as required; that all they did was restrain them and put them out.

Jedaka Hayes stated that she is a resident of Fort Washington; that their security plan includes 12 cameras with a DVR; that it doesn't exactly record; that they have their DVR and a storm damaged it about one month ago; that when this happened they told the Police Department that they had no recording ability.

Kenneth Munday stated that they had a person out to repair the DVR; that it has video; that they gave them what they had; that visually you can see all 12 cameras, but it's not recording; that the Police Department still has the DVR; that it is turning over and recycling too fast.

Jedaka Hayes stated that this is the first time she's heard that the security plan is not adequate because of the security cameras or that they are required; that she always tries to accommodate.

Kenneth Munday stated that his role in the business is as an operating manager; that the police department signed off on the security plan initially; that twenty calls for service in 2018 is not ok; that not all calls are legitimate; that he caught a female patron smoking in the bathroom and when they went to remove her she said she would call rape; that he wants to know what the result of all of those calls were; that many of those calls were during the time when they had part time Prince George's County Police Officers working; that they lost those officers in September; that most of the people didn't know they had lost the officers or that there was a problem; that he

met with the Prince George's County Police Department in September and they said changes were to be made and then the part time was pulled; that they don't know why; that they are aware of there being a lot of calls, but not the outcomes.

Jedaka Hayes stated that there was a story on the news of a girl and a tow truck driver that was not from the club; that the girl got in her car and backed up to get away and hit a nail salon; that it is not fair to blame them.

Kenneth Munday stated that he had no fight, scuffles or anything that night; that it was a good night.

Jedaka Hayes stated that she believes most calls come when it's nice outside and people just don't know how to act.

Kenneth Munday stated that people have issues with the Prince George's County Police Department; that they paid them for security; how is it their fault; that the cameras were repaired from frying from the storm; that then they were recycling too fast; that they turned the DVR over to the Police Department to have it viewed; that they don't know anything about giving them a wrong password; that he tried to get ahold of the Detective to resolve and was unable to; that Detective Dalton was the one on the case; that he only talked to him once; that he didn't tell them only one camera was working that night.

Jedaka Hayes stated that it's the first time she's heard of a problem with the security cameras.

Corporal Cicale stated that she has never had a problem with seeing camera footage before; that the computer forensic agency contacted her; that there are 15 cameras; 9 internal and 6 external; that they weren't able to view the external because the password was incorrect; that sometimes cameras malfunction and that would be ok, but they should have told them they were still having issues; that the DVR should not be wiped so quickly; that they should be able to view footage; that after the incident in June they discussed issues; that they discussed that the parking lot must be cleared; that it is part of the problem; that it is an aftermath problem and they discussed it and the owners were aware; that embarrassingly part of the problem was the part time police officers not doing their jobs; that she recommended they keep a security log for issues to combat retaliation and have back up for a situation; that she doesn't have a problem with the licensees, that the security plan was adequate, but that the security guards are overzealous and that is a problem.

Kenneth Munday stated that he informed Cicale of the issue with the cameras from the store; that the previous owner had 3 additional cameras which is some of the issue on the number of cameras discrepancy; that they had been good about communication with Cicale; that the band from the incident on November 3rd still comes to the club; that the man involved was not part of the band, but part of the entourage; that a person had been put out for weapons and threats, but no call for service was made and he was not aware there was one until the Police Department contacted him a week later; that he is not familiar with the officer that spoke this evening; only saw one officer the night of the supposed rifle incident; that the officers they had there from Prince George's County Police Department were not doing their job; that they were lazy and were not clearing the parking lot; that they would call for other on duty officers to clear the parking lot; that he was told civilians can't clear the parking lot; that there was an incident where Officer Ross called and asked for additional officers to help clear and a different officer came by and cussed her out about not doing her job; that the issue became the parking lot; that the security cleared the club, but the Police Department wasn't clearing the parking lot; that he believes the security officers are doing more.

Corporal Cicale stated that the original show cause was based on Detective Dalton; that especially it was because of the lack of cooperation and at the request of Detective Dalton; that they are cooperating in the investigation now; that the investigation was not moving very quickly; that the victim has a broken jaw with their jaw wired shut; that the victim picked two security officers out of a line up and a warrant is pending; that there are 12 pages of calls for 2018; that the most relevant to the business were picked not the exterior of the business; that ambulances have been called as well; the only incident being brought today is November 3rd; that most of the others have been resolved; that Detective Dalton believes they are a threat to the peace and safety because of the roughness of the security guards.

Jedaka Hayes stated that since the incident they have been putting security guards through TIPS training and SPO training; that they have tried to teach them to give drunk patrons some slack; that they are not just malicious.

Kenneth Munday stated that they have also discussed overserving with the bartenders and have fired two bartenders already; that they typically tried to let arguments work themselves out; that they put people out now; that he has had people threaten him with a shooting when they got mad at him.

Corporal Cicale stated that the new security is state licensed Special Police Officers; that she thinks they should hire a civilian licensed security company, not individuals.

Kenneth Munday stated that they are in uniform.

Lieutenant Ross stated that they need something; that Part Time Prince George's County Police Officers that do their job would be the best.

Corporal Cicale stated that Special Police Officers have Special Police powers, on a specific site; that it is an individual not a company; that they are not working; that the police officers didn't work; that experience officers don't want to work at a night club environment so less experience officers work and they are not doing their job; that it is not the business' fault they aren't doing their job; that the security officers on staff are currently the issue; that they are going overboard; that they need a licensed security company with uniforms and a good name behind them.

Kenneth Munday stated that they are in uniform now; that they are clearing the parking lot.

Corporal Cicale stated that inside they are using bouncers; that she's not sure who the issue is; that the bouncers may be friends, but it may be time for them to go; that the issue is either the inside bouncers, outside security or both; that she feels that they need to sit down at the table and start from scratch; that there may be some employees that are long term that can be trusted, but they need to keep with the program; that she was not there for the incident; that she holds no malice; that she feels it needs to be fixed and quickly; that it is escalating and is a liability currently.

Jedaka Hayes stated that she wanted clarification on how long they should keep video footage.

Corporal Cicale stated that it should be kept for 60-90 days.

Mr. Camacho stated they must handle the issue; that if they come before the Board it will not go the same way; that 20 calls in that amount of time is a lot.

Mr. Camacho moved to dismiss the violation, seconded by Mr. Miles and made unanimous by Mr. Iweanoge, Ms. Sparkman and Mr. Graham.

Respectfully Submitted,

Nikole Bennett

Administrative Aide

Adjourned 8:17 p.m.