



Government of the District of Columbia
Advisory Neighborhood Commission
Box 75115
Washington, DC 20013



November 12, 2010

Mr. Charles Brodsky
Chairman, Alcohol Beverage Control Board
Alcohol Beverage Regulatory Administration
1250 U Street, NW, Third Floor
Washington, DC 20009

RE: Request to Reopen Fact Finding for Case #10-251-00198

Dear Chairman Brodsky:

At a regularly scheduled and properly noticed meeting on November 11, 2010, our Commission voted 5-0-1 (with 5 Commissioners required for a quorum) to request that the Alcohol Beverage Control Board reopen its fact finding for Case #10-251-00198. This case concerned a felony assault that took place inside XII Restaurant and Lounge on August 24, 2010.

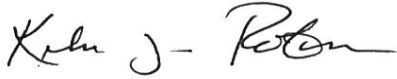
ANC 6A was given no notice of the October 27, 2010 fact-finding hearing and it appears that this hearing was only posted on the ABRA website on October 25, 2010. Because we were unaware of the hearing, we were unable to provide the Board with evidence that Mr. Allen Whittaker, ABC manager for XII, made false statements to Inspector Jones when he communicated that “the aggressor was taken directly to the two MPD Reimbursable Detail officers, who are hired every weekend, and who were waiting outside.” (ABRA Investigative Report #10-251-00198, p. 2). Our ANC contacted Mr. David Kamperin, Commander, First District, regarding this incident and Commander Kamperin replied that “There was not clubzone working that night at the establishment or the H St detail. No indication on report that the suspects were given to any MPD members-and it appears Lt. Micciche’s account is accurate as the victim was apparently driven to the hospital and the first report of the assault to MPD was apparently at the hospital.” (email from Commander Kamperin is attached as Exhibit A) Commander Kamperin’s statement is supported by the fact that the police report for this incident was filed in the Fifth District, where the Hospital is located rather than the First District where the assault took place.

Making false statements to an ABRA investigator is a very serious matter and I hope the ABC board would investigate further in a fact finding hearing. If the ANC is provided reasonable notice, we can provide a representative to attend the hearing.

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Please be advised that any ANC 6A Commissioner, as well as Adam Healy and Phil Toomajian are authorized to act on behalf of ANC 6A for the purposed of this case. Commissioner Ronneberg can be reached at ronneberg6a02@gmail.com or (202) 431-4305.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Kelvin J. Robinson". The signature is written in a cursive style with a large initial "K" and a long horizontal stroke at the end.

Kelvin J. Robinson
Chair, Advisory Neighborhood Commission 6A