



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

January 13, 2015

Chairwoman Ruthanne Miller
Alcoholic Beverage Control Board
Reeves Center
2000 14th Street NW
Washington, DC 20009

Re: A Pattern of Violence at Heritage India (ABRA-09005)

Dear Chairwoman Miller:

Given the timing the full Dupont Circle Advisory Neighborhood Commission (ANC 2B) could not meet before your hearing to discuss the above referenced matter. Therefore, I as the Chair of ANC 2B along with my colleagues Commissioner Stephanie Maltz and 2B06 Liquor Liaison Patrick Kain (who together negotiated the recent changes to Heritage India's settlement agreement) write to you in our individual capacities. ANC 2B will consider a similar letter at its January 14th meeting.

On January 3, 2015 a physical altercation and stabbing occurred inside Heritage India/Zanzibar located within the boundaries of ANC 2B at 1901 Pennsylvania Ave NW. We believe this event is indicative of an emerging pattern of violence at this establishment and we strongly encourage you and the ABC Board to consider **revoking this license and finding its owner to be unfit to hold a license.**

ANC2B is responsible with representing the best interests of the almost 20,000 residents, hundreds of business owners and innumerable visitors of the Dupont Circle neighborhood. Our Commissioners offer an educated and unique perspective on alcohol policy because of our experience with liquor-licensed establishments: over 25% of the city's liquor licenses are in ANC2B. Today we offer our perspective on dealings with the owners and representatives of Heritage India.

Chief Lanier ordered the establishment to close for 96 hours in order to protect the public safety. In her letter to Heritage India, the Police Chief summarizes the seriousness of the events well:

A review of the video recording of the activity revealed that numerous physical confrontations were occurring and they lasted approximately eight (8) minutes in duration...

During the incident, uniformed officers responding to the scene were confronted with aggressive actions by several patrons who were being removed from the establishment. The situation at the establishment was so chaotic that officers on the scene were forced to summon additional units, ultimately requiring the response of the majority of the police units in the lower end of the Second District to get the scene under control and restore order. This response diverted public safety resources from the rest of the Second District.

...something went clearly wrong when eight (8) minutes of continuous physical altercations had occurred ending in one victim almost being stabbed to death.

Chief Lanier goes on in a letter to ABRA Director Moosally to say, “the management of the nightclub clearly failed to maintain a safe environment for its patrons. The club’s security protocols allowed a knife-wielding subject to enter the club, stab one patron, and leave the Night Club without being detected by security personnel of the club. The club’s security staff also proved inadequate to manage the aftermath of this significant crime of violence.”

We could not have said it better ourselves.

This is not the first significant crime of violence to occur at Heritage India under the same owners. In November 2011 when the establishment was on the 1300 block of Connecticut Ave NW, one man was shot dead and five others were wounded when a fight inside the club spilled onto the streets at 2:45 a.m. The establishment was closed temporarily, but soon reopened on Pennsylvania Ave NW as a restaurant without significant late-night activities.

In the Spring of 2014, Heritage India approached ANC2B and requested changes to their negotiated settlement agreement to allow for entertainment and other late-night activities at the Pennsylvania Ave location. A new agreement was reached in May to allow for entertainment and promotion activities, which was contingent on the implementation of a security plan (attached), provided to the ANC as an example of how the unsatisfactory operations at the former Connecticut Ave location resulting in the shooting death of one man would not be translated to the new location. In short, the owner said he had learned his lesson and assured us violence would not occur in his establishment again.

The introduction to the security plan reads “Heritage India / Zanzibar will be operated in a manner designed to provide the best possible degree of public safety for its employees and patrons.” Clearly, this did not happen. We ask that you task ABRA investigators with determining if any specific requirements of the approved security plan were violated. If so, that should weigh on your decision to allow this establishment to open its doors again.

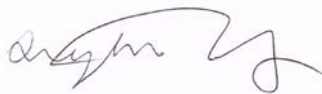
Violence cannot be tolerated. Not only are the impacts extremely serious for the victims, but there are also real and negative impacts to the character and reputation of the neighborhood. We do not feel this establishment has been operated in a manner that will ensure the public’s safety and **we do not feel that a monetary settlement or revocation of a particular endorsement will result in any safer operations.** We would be remiss if we did not express our frustration with repeat offenders such as Heritage India and ask you to strongly consider revoking their license to sell alcohol.

We thank you for this consideration and are available to answer your questions.

Sincerely,



Noah Smith
Chairman
Commissioner, 2B09



Stephanie Maltz
Commissioner, 2B03



Patrick Kain
Dupont Resident & Appointed 2B06 Liquor Liaison

Cc: Fred Moosally, Director, Alcohol Beverage Regulation Administration
Cathy Lanier, Chief, Metropolitan Police Department
Michael Reese, Commander, Second District, MPD
Jack Evans, DC Councilmember, Ward 2
Vincent Orange, DC Councilmember, Chair of the Committee on Business, Consumer
and Regulatory Affairs
Sanjeev Tuli, Owner, Heritage India / Zanzibar
Skip Coburn, Representative for Heritage India / Zanzibar