

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Office of the Inspector General

Inspector General



### EXECUTIVE SUMMARY CONCERNING AN INVESTIGATION INTO MISCONDUCT VIOLATIONS BY AN EMPLOYEE OF THE ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

2013-0420 (S)

---

#### SYNOPSIS OF INVESTIGATION

The D.C. Office of the Inspector General (OIG) completed an investigation, which concluded that an ABRA investigator provided conflicting statements to the Metropolitan Police Department (MPD), an ABRA supervisor, and OIG investigators regarding his/her presence at an ABRA-regulated lounge after hours and while off-duty. Events that day culminated in the ABRA investigator being assaulted, and cash and other items were taken from his/her personal vehicle.

The ABRA investigator told MPD officers that s/he observed the owner of a lounge outside the establishment, stopped to say hello, and subsequently entered the building. While inside the location, two individuals rushed inside the lounge and accused the ABRA investigator and the owner of the lounge of stealing their car. As the ABRA investigator was leaving the lounge, s/he was confronted once again by one of the individuals. As the ABRA investigator turned to walk away, the individual grabbed his/her collar and punched him/her several times in the back of the head.

The ABRA investigator told his/her supervisor that s/he saw the owner of the lounge, who appeared to be in distress and possibly in danger, standing in the street. There were three men and one woman yelling at the lounge owner. The ABRA investigator stopped to intervene, in hopes of defusing the situation. The ABRA investigator was informed by the angry group that their car was missing and the lounge owner was responsible. The ABRA investigator was assaulted and following the assault, the attacker removed from the ABRA investigator's personal vehicle a cell phone, cash, and the ABRA investigator's badge.

The ABRA investigator first told OIG investigators that s/he was driving to a gas station and, upon arrival, noticed a group of individuals blocking the entrance to the gas station and yelling across the street at an individual whom s/he recognized as the lounge owner. The ABRA investigator walked over to the lounge owner, who told him/her that the group was upset that the valet service had taken their vehicle. The ABRA investigator said s/he followed the lounge owner into the lounge to ensure that it was not operating after hours. The ABRA investigator later revised his/her statement to say that s/he did not initially speak to the lounge owner in front of the lounge; rather, the lounge owner walked into the lounge as the ABRA investigator was pulling up in front of the establishment, and the ABRA investigator walked into the lounge to speak with the lounge owner. After checking the first

and second floors, and satisfied that the lounge was not operating, the ABRA investigator went back downstairs. At that point, four individuals then entered the lounge, began yelling, and backed the owner of the lounge into a corner by the front door. The ABRA investigator, owner of the lounge, and the group then walked back outside the lounge. As the group became increasingly aggressive, the ABRA investigator instructed the owner of the lounge to call 911. While walking away from the group, the ABRA investigator reported that s/he was assaulted by one individual. The ABRA investigator fled across the street, where s/he observed a male enter the ABRA investigator's personal vehicle and take cash from the glove box.

In the second OIG interview, the ABRA investigator stated that when s/he arrived at the gas station across from the lounge, there were three to four males blocking the entrance to the station and yelling across the street at the owner of the lounge. The ABRA investigator parked his/her vehicle and walked over to the owner of the lounge, whom s/he recognized. The owner of the lounge explained to the ABRA investigator that the group was upset because the valet service had taken their vehicle. The ABRA investigator went inside the lounge to ensure it was not operating. As the ABRA investigator was coming back downstairs to the first floor, the group of males kicked in the door and began arguing with the owner of the lounge. The ABRA investigator, the owner of the lounge, and the group of males went outside, where the ABRA investigator was assaulted and money was stolen from his/her personal vehicle.

The ABRA investigator's recollection of certain events, when s/he first saw the lounge owner, and what occurred at the lounge also differed from those of the lounge owner and a lounge employee.

### **ANALYSIS/CONCLUSION**

Due to inconsistent and conflicting statements that the ABRA investigator made to MPD, his/her supervisor, and OIG investigators, the OIG was unable to determine why the ABRA investigator was at the lounge after hours and while off-duty. The ABRA investigator's version of events changed each time s/he spoke with someone about what occurred at the lounge. The lack of truthfulness ultimately affects the public's confidence in ABRA investigators. Accordingly, the investigation **SUBSTANTIATED** that the ABRA investigator violated DPM § 1803.1 (a)(6) (Affecting adversely the confidence of the public in the integrity of government).<sup>1</sup>

### **RECOMMENDATIONS**

Based on the results of this investigation, the OIG recommends that ABRA:

- Address the ABRA investigator's conduct with appropriate administrative action; and
- Implement policy regarding the off-duty conduct of ABRA investigators at ABRA-regulated establishments.

*October 23, 2014*

---

<sup>1</sup> Effective April 11, 2014, this provision of the DPM was removed.