

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
NOVEMBER 19, 2019

ESTHER HOWLAND CHAMBERS

Commission Members Present: Anthony Salvidio, Chairman
Walter Shea, Commissioner
Barbara Haller, Commissioner

Commission Members Absent:

Staff Present:

Lt. James Johnson, Worcester Police Department
Officer Patrick Harrington, Worcester Police Department
Alexandra Kalkounis, Law Department
Deborah Steele, Planning & Regulatory Services

NEW BUSINESS

Hearings

I-1: Dubai Restaurant & Lounge, Inc. 27 Pleasant Street

Violation of Rules #14-manager violation, #17-no alcoholic beverages to be consumed except in areas specified, #29-Failure to report incident to police

Luis Raul Arais the manager of Dubai along with Hector Pineiro appeared to answer to the violation.

Lt. Johnson presented the following;

On November 10, 2019, Officer Patrick Harrington assigned to the Worcester Police Alcohol Enforcement Unit went to Dubai Restaurant & Lounge after hearing a call that police officers were requesting an ambulance for an unconscious male lying in the road bleeding in front of Dubai Restaurant & Lounge.

Officer Harrington upon arrival observed that the male appeared to be a victim of an assault and asked security staff at Dubai if they had observed what happened and if the male had been involved in an altercation inside Dubai earlier and security staff responded no that they found the male outside.

Officer Harrington went to meet with Luis Arias, the manager of record, to review video footage from inside Dubai. Officer Harrington observed on the video the male from outside having an altercation with another person inside the Dubai which spilled out onto the sidewalk area by the main doors.

Officer Harrington observed on the video several other males come out from inside Dubai and gang up on the male and began assaulting him. Officer Harrington observed on the video several security guards from Dubai watching the assault but did nothing to help.

The video shows security and the manager Mr. Arias leaving the male on the ground after the assault and at no time did Dubai staff or security try to end the assault or come to the aid of the male.

Officer Harrington checked with Worcester Police Dispatch and no calls were made from Dubai reporting the assault.

A video was shown of the incident at Dubai. The video clearly depicted that security at no time tried to assist the victim of the assault which the Commission members found deeply disturbing. Mr. Arias testified that the usual security for Dubai was on vacation and he had hired other security for the evening who did not handle the situation and they were fired after the incident.

The video shows that Mr. Arias was outside during the incident and Commissioner Shea stated that his failure to handle the situation gave him a complete lack of confidence in Mr. Arias as manager.

The Commission asked Mr. Arias why no one from Dubai called 911 to report the incident. Mr. Arias testified that his phone was in the kitchen charging and after the incident he did signal to one of the wait staff to go get his phone so he could call police but Officer Withers who was on patrol in the area already noticed the incident.

Mr. Pinero stated that an off duty detail officer was requested for the evening but did not come to the premises.

The Commission asked Mr. Arais if he was contesting the fact that someone left the premises with a bottle of alcohol. Mr. Arais testified that he was not and that after the incident outside he was distracted by the events and did not notice the patron leaving with the alcohol.

The Commission noted that this license was transferred to Dubai Restaurant & Lounge, Inc. in 2017 and since that time there have been four (4) other violation hearings before the License Commission.

Upon a roll call the Commission voted 3-0 that the violations did occur.

The Commission voted to impose a sixty (60) day suspension to begin immediately as well as another sixty (60) day suspended suspension which means if any violations occur within a year from the hearing date the (60) days will be imposed along with any other suspension the License Commission imposes.

Communications

Adjournment

Upon a motion the Commission adjourned the meeting at 10:35 a.m.