

MINUTES OF THE PROCEEDINGS OF THE LICENSE COMMISSION OF THE CITY OF WORCESTER

Wednesday – March 30, 2022

| Commissioners Present: | Walter Shea, Chair |
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| | Barbara Haller, Commissioner |
| | Anthony Vigliotti, Commissioner |

Commissioners Absent:

Staff Present:

Sergeant Thomas Needham, Worcester Police Department Stephen Rolle, Division of Planning & Regulatory Services Deborah Steele, Division of Planning & Regulatory Services

Call to Order – 9:15 a.m.

Sergeant Needham presented the following:

On March 26, 2022, Sergeant Thomas Needham, who was assigned to the Alcohol Enforcement Unit became aware of an incident at Hurricane Betty's.

A Worcester Police Officer, Officer Alain Gilles, was assigned a uniformed paid detail at the Hurricane Betty's and while monitoring the premises Officer Gilles heard a pop towards the back patio entrance. Officer Gilles made his way to back patio to investigate and heard two gunshots. Upon hearing the gunshots, the patrons inside started rushing towards the main entrance.

Officer Gilles heard more gunshots at and notified Police Dispatch that shots had been fired and numerous officers responded to the location.

Worcester Police officers upon arriving at the premises encountered a chaotic scene and discovered two gunshot victims.

Both victims were transported to UMASS for treatment. One victim succumbed to his injuries and was pronounced deceased shortly after arrival at the hospital.

The other victim is still being treated for the injuries sustained from the gunshots.

Worcester police investigators recovered casings and projectiles at Hurricane Betty's indicating two different caliber weapons were fired during the incident.

Pat Scorzelli, the manager of record of, and Joseph O'Grady a director of the Corporation, appeared in person for the hearing and waived their right to counsel.

Mr. Scorzelli testified that on the night of the incident they had a paid detail, off duty police officer at Hurricane Betty's in addition to four to five of their own security personnel on duty.

Mr. Scorzelli testified that the incident was a sudden escalation between people that happened in a blink of an eye and he wasn't sure what other measures they could have taken to prevent it from occurring. Mr. Scorzelli also stated that he was familiar with the two men involved in the incident as they were regular customers of the Licensed Premises and did not have any prior incidents with them.

Mr. Scorzelli and Mr. O'Grady testified that this was a tragic incident and they were willing to cooperate and implement any measures to ensure this does not happen again. Sergeant Needham testified that the Manager and Mr. O'Grady have been cooperative with the investigation and have turned their DVD footage of the incident over to the Worcester Police.

Mr. O'Grady stated that in 19 years of operation he can only remember 4-5 fights that occurred at Hurricane Betty's that security had to get involved in. They have a consistent group of patrons and they know them and have not had problems in the past. Sgt. Needham presented a report looking back 10 years confirming that there has not been any major incidents at premises.

Chairman Shea asked what type of training is provided to the security personnel and Mr. Scorzelli stated there is no formal training, other than TIPS Certification at the time.

Mr. O'Grady stated that they are going to retain a bonded security company to provide training and/or employees.

The Commission asked if patrons of Hurricane Betty's were wanded using a metal detector as they entered the Licensed Premises. Mr. Scorzelli stated that they did not have that procedure in place at the time but are planning to implement that now.

Commissioner Haller asked Mr. Scorzelli to describe what type of changes they plan to make.

Mr. Scorzelli stated that they plan to wand patrons down when they enter the premises, obtain a bonded security company to provide training and/or security personnel, continue with the Worcester Police off duty detail, and upgrade the security system.

The Commission members expressed concern about the seriousness of the incident and while Hurricane Betty's may not have a history of incidents this incident is so severe that they need to ensure that the Licensee is operating a safe establishment.

The Commission also expressed concern that the outdoor patio is easily accessible from the street.

Upon a roll call vote the Commission voted 3-0 that violation of Rule #14 did occur.

Upon a roll call vote the Commission voted 3-0 to impose, based on the evidence, the Commission finds the violation did occur and imposes a ten (10) day suspension with five (5) days to be served and five (5) days to be

held in abeyance for one (1) year from the date of the hearing. The Licensee shall serve the five (5) day suspension commencing on March 30, 2022 through April 3, 2022. If a violation occurs within one (1) year of the hearing date the remaining five (5) days shall be served along with any other suspension the Commission imposes.

The License Commission also voted to impose the following conditions on the License:

- 1. A walk through metal detector must be installed at the Licensed Premises (not a handheld wand);
- 2. A private security company shall be retained to provide training and/or security employees for the Licensed Premises;
- 3. Licensed Premises must have an off duty police officer present from 11 p.m.- 3:00 a.m. while open for business;
- 4. ID Scanner will be installed at Licensed Premises;
- 5. The video monitoring system at the Licensed Premises shall be a high definition system and the cameras shall be placed in accordance with the recommendations of the Worcester Police Department; and
- 6. The outdoor patio area must remain closed to employees and patrons at all times during the ongoing Worcester Police investigation. Once the investigation is complete the Licensee may request a status hearing with the Commission to discuss the outside patio area;

The Licensed Premises cannot reopen until the above conditions have been implemented and confirmed by the Worcester Police Department.