



STATE OF NEW YORK
EXECUTIVE DEPARTMENT

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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For Immediate Release

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**QUEENS BAR LOSES LIQUOR LICENSE
Bouncer Shooting Triggers Summary Suspension**

Queens, NY - The New York State Liquor Authority (SLA) summarily suspended the license of J A Rocks Inc, doing business as Rapture at 113 12 Springfield Boulevard in Queens today. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle, Commissioner Lawrence J. Gedda, and Commissioner Noreen Healey at an emergency meeting on Tuesday, July 25, 2006.

On July 9, 2006, the New York Police Department (NYPD) responded to an altercation at Rapture. The NYPD investigation reports a bouncer working the door at Rapture allegedly shot two males during a confrontation, one fatally. The owner of Rapture admitted the bouncer was not licensed or registered with the NYS Department of State.

“Negligent bar owners who show a total disregard for the law by hiring unqualified, unlicensed and dangerous bouncers will not be tolerated,” State Liquor Authority Chief Executive Officer, Joshua B. Toas said. “The Members of the Liquor Authority sent a clear message today that irresponsible bar owners will lose the privilege of holding a license.”

The NYPD referred the matter to the SLA’s Rapid Enforcement Unit (REU) for investigation. The REU cited the bar for disorderly premises, inadequate supervision of the premises, hiring an unlicensed security guard, and disorder at the premises. The report was forwarded to the Members of the Authority who determined the bar posed an imminent threat to the public. Effective immediately, no alcohol can be served or consumed on the premises.

On April 11, 2006, Governor Pataki directed the SLA to establish a Rapid Enforcement Unit within the Division of Alcoholic Beverage Control to conduct priority investigations and institute prompt disciplinary action when allegations of criminal activity and serious repeat violations of the ABC Law occur. The REU immediately responds to allegations of criminal activity and serious repeat violations of the ABC Law. The REU coordinates with law

enforcement to quickly react to emergency situations, prosecute disciplinary charges and refer matters to the Members of the Authority for action.

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee's disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension.

The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

On the Web: www.abc.state.ny.us

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