



STATE OF NEW YORK
EXECUTIVE DEPARTMENT

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

80 S. Swan Street
Albany, New York 12210

317 Lenox Avenue
New York, New York 10027

125 Main Street
Buffalo, New York 14203

IN REPLYING REFER TO
Albany

MEDIA ADVISORY

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Contact: Bill Crowley (518) 486-4767

PressOffice@abc.state.ny.us

**CLUB PHENOMENON SERVED WITH EMERGENCY SUSPENSION
Drug Sales, Prostitution Charges, Violent History Leads SLA to Take Emergency Action**

ALBANY – (December 20, 2006) The New York State Liquor Authority (SLA) summarily suspended the license of 62 05 30TH Avenue Corp. at 62 05 30TH Avenue in Queens, also known as Club Phenomenon. 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 the Full Board meeting on Wednesday, December 20, 2006.

A referral provided to the SLA by the New York City Police Department (NYPD) determined that in November of 2006, undercover NYPD officers were sold drugs and solicited by prostitutes at the bar. The NYPD arrested two men in conjunction with the drug sales and three women on prostitution charges. The Members of the Authority determined the bar posed an imminent threat to the public. Effectively immediately, no alcohol may be served or consumed on the premises.

“The SLA will not tolerate violent bars or reckless owners who condone fights, shootings, drugs sales, prostitution or other violations of the law,” State Liquor Authority Chief Executive Officer, Joshua B. Toas said. “The decisive action taken today by the Members of the State Liquor Authority sends a clear message that irresponsible licensees will not be tolerated.”

Club Phenomenon was previously fined \$15,000 by the SLA on March 15, 2006. Charges included a November 22, 2003 fight at the premises where patrons, after being removed from the club, shot and killed a man in the vicinity of the bar’s parking lot. Additionally, on May 22, 2004, patrons ejected from the bar later returned and fired shots outside the club, killing the club’s bouncer. Another fight outside the bar on September 3, 2005 ended in gunshots with one person wounded.

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.

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