



MEMO

Police Department

DATE: November 14, 2018

TO: David Murray
Principal Planner

FROM: Jeffrey L. Greer
Deputy Chief, Operations

RE: Planning Case P18-0572
Minor Conditional Use Permit

3700 Main Street

North NPC

Summary:

The Riverside Police Department (RPD) is submitting this memorandum to the City of Riverside Planning Department regarding the modification to the Hideaway Café's Minor Conditional Use Permit (MCUP) operation located at 3700 Main Street in the city and county of Riverside.

Recommendation:

It is the Riverside Police Department's opinion that the Hideaway Café has generated an extraordinary amount of calls for police services. The failure of management to provide competent security measures at the location has created an environment that threatens the safety of patrons and tourists visiting Riverside's Downtown Entertainment District. As a result of the continuous problems at the facility, the Police Department recommends the application for modification to the Hideaway Café's MCUP, in order to serve full liquor (type 47 license), be denied based on the below listed incidents and the fact their license is currently in a period of stayed revocation for one-year (Alcohol Beverage Control (ABC) Probation).

Rationale:

All police responses to the location were compiled for a 23-month period. Each response was then examined and data that appeared to be directly related to the Hideaway Café and its' patrons was compiled. Routine calls that do not directly reflect the business practices at the Hideaway Café, such as alarm calls, parking problems, etc. were excluded. Since October 1, 2016, through September 16, 2018, there have been approximately 79 calls for police service related to the nightclub activities at the Hideaway Café. The below listed incidents outline some of the notable calls for service that police have handled related to the Hideaway Café.

CALLS FOR SERVICE

On December 7, 2016, RPD officers were dispatched to the Hideaway Café regarding a subject refusing to leave the nightclub. Officers learned that a patron was intoxicated and trying to fight other subjects. When a security guard went to contact the patron, the patron became uncooperative. Both subjects eventually fell to the ground. When the patron began hitting the security guard, the security guard punched the patron in the face. Neither party desired prosecution. The incident was documented under RPD report #P16-224769.

On March 19, 2017, RPD officers were dispatched to contact a subject wanting to report a battery that had occurred at the Hideaway Café. The officers' investigation revealed the subject alleged the Hideaway Café security guards assaulted her. The security guards alleged the subject had assaulted one of them. Employees were unable to access the surveillance video and could not be reviewed. The video was not made available until the following day. No further action was taken. The incident was documented under RPD report #P17-049110.

On May 21, 2017, RPD officers contacted a subject who wanted to report a past battery that occurred at the Hideaway Café. The subject stated he was on the dance floor when a security guard claimed the subject elbowed him. Additional security guards arrived and one of the guards placed the subject in a chokehold without applying pressure. The security guards escorted him out of the club. Once outside of the club, security pushed the subject outside causing the subject to fall to the ground. The subject had visible injuries and was later taken to the hospital for treatment. Employees were unable to access the surveillance video and the incident could not be reviewed. The incident was documented under RPD report #P17-090665.

On July 18, 2017, RPD officers were dispatched to the Hideaway Café regarding a security guard who wanted to report a past battery. The security guard stated he was assaulted by an unknown patron on July 10, 2017, during nightclub activities. The incident was documented under RPD report #P17-129297.

On July 27, 2017, an RPD officer was dispatched to the Magnolia Station regarding a past battery report. The victim advised another subject assaulted him inside the Hideaway Café. Security guards grabbed both subjects to break up the fight. The victim was dragged outside of the bar by security and thrown to the ground. The victim stated the security guards held him down while security began to punch and kick him. The victim said he believes he may have been tased also. The victim did not desire prosecution. The incident was documented under RPD report #P17-134776.

On August 13, 2017, RPD's dispatch center received a call from a subject claiming she had been assaulted by the Hideaway Café security guards. The subject advised the incident occurred a few days ago and that she was currently in Moreno Valley. The subject advised she would contact the police when she returned to the city. The incident was documented under incident #P17-146370.

On August 19, 2017, RPD officers were dispatched to the Hideaway Café regarding a battery report. The officer contacted a security guard who stated a patron had assaulted him. The security guard did not desire prosecution. The incident was documented under RPD report #P17-150476.

On October 24, 2017, RPD officers were dispatched to a past battery call at the Orange Station. The adult victim claimed he was assaulted by the Hideaway Café's security guards on October 22, 2017. The incident was documented under RPD report #P17-192321.

On November 5, 2017, RPD officers contacted a subject who stated he had been assaulted while at the Hideaway Café. The subject stated he got into an argument with another patron in the bar when he was punched. The subject fell to the ground when additional subjects began punching and kicking him. When he got up, he realized some of his personal items had been taken. The incident was documented under RPD report #P17-199892.

On November 11, 2017, an RPD officer was dispatched to the Hideaway Café regarding a battery report. The officer learned that a security guard had been assaulted by a patron. The patron was arrested and issued a citation. The incident was documented under RPD report #P17-204511.

On December 3, 2017, an RPD officer was conducting extra patrol near the Hideaway Café due to the bar closing. While in the area, the officer observed two subjects get into a fight in front of the club. Security broke up the fight by taking one subject to the ground. The subject was arrested for public intoxication. While the subject was being taken into custody, the subject's brother began to interfere with the officers. The brother was also arrested for public intoxication. Later in the day, the subject called the police to report he was assaulted by the security guards. The incidents were documented under RPD reports #P17-217387 and #P17-217547.

On January 27, 2018, RPD officers contacted a subject stating he had been robbed while leaving the Hideaway Café. The subject stated while he was leaving, he was confronted by three subjects who asked where he was from. The subjects then assaulted the subject and stole some of his personal belongings. The incident was documented under RPD report #P18-01155.

On April 29, 2018, RPD officers responded to the Hideaway Café regarding a subject making threats to blow up the business after an argument. The officer discovered that a female subject got into an argument with her girlfriend. Security attempted to break up the fight but when they did, the female subject punched the security guard. The security guard tackled the female subject who was later taken into custody. The female subject claimed that security guards had assaulted her. The female subject was arrested and later issued a citation. The incident was documented under RPD report #P18-078316.

On July 8, 2018, RPD officers assigned to the Downtown Entertainment District were dispatched to the Hideaway Café regarding a battery incident. During the investigation, the officers learned that the adult male victim had been escorted out of the club by security guards for harassing female patrons. The security guards directed the victim to

walk across the street. While the victim was standing between two parked vehicles, one of the security guards shoved the victim in the back causing him to stumble. This incident was confirmed by the officer who reviewed the city's surveillance video. No prosecution was desired. The incident was documented under RPD report #P18-126894.

On July 14, 2018, RPD officers were dispatched to the Hideaway Café regarding a subject who hit a security guard. The officers learned that the security guard was checking ID cards when he came across a subject he believed was possibly attempting to use a counterfeit ID card. The subject then punched the security guard. The security guard exchanged punches with the subject and they both ended up falling to the ground. While the security guard was on the ground, the subject believed his friends began kicking the security guard. Additional security guards came and took the subject into custody. The subject was arrested and later issued a citation. The incident was documented under RPD report #P18-130793.

On July 15, 2018, RPD officers were flagged down at the Hideaway Café regarding a security guard who had been hit. The officers learned that a patron became extremely intoxicated and was asked to leave. The patron assaulted the security guard and was detained. The subject was arrested for battery and public intoxication and later booked into the county jail. The incident was documented under RPD report #P18-131507.

On July 28, 2018, an RPD officer was dispatched to a residence to contact a subject who wanted to report a robbery that occurred at the Hideaway Café. The victim stated he was inside the restroom at the Hideaway Café when a named security guard approached. The security guard placed the victim in a chokehold for a few minutes until he lost consciousness. When the victim regained consciousness, he was able to break free from the security guard's grip. Two additional security guards came into the restroom, placed the victim in handcuffs and escorted him to an office. The victim was then told to leave. The officer noted that the victim had visible injuries. Employees were unable to access the surveillance video at the time of this investigation. The incident was documented under RPD report #P18-140594.

VIOLATIONS OF THE MCUP

On February 5, 2016, the Vice Unit was notified by Lieutenant Blomdahl that he had located approximately 50 – 70 flyers on the sidewalk and adjacent businesses in the area of Mission Inn Ave and Orange Street. The flyers were from the Hideaway Café advertising drink specials. This was a violation of section #29 and #67 of the Hideaway Café's Minor Conditional Use Permit (P15-0255). The incident was documented under RPD report #P16-019281.

On February 12, 2016, members of the Riverside Police Department's Vice Unit were conducting patrol in the Downtown Entertainment District. During this time, they located a subject standing to the front of the parking garage at 3743 Orange Street. The detectives contacted her and found out that she was handing out drink special tickets for the Hideaway Café. This was a violation of section #56 of the Hideaway Café's Minor Conditional Use Permit (P15-0255). The incident was documented under RPD report #P16-022743.

On March 31, 2017, an RPD officer took a report of a past theft of a cell phone that occurred at the Hideaway Café. Detective Fishell attempted to conduct follow-up on a later date in an attempt to retrieve surveillance video from the business. At the time, there were no employees who could operate the surveillance equipment. Detective Fishell later received a telephone call from the Hideaway Café's Attorney, Raychele Sterling, questioning why he was investigating a stolen cell phone when he should be investigating other crimes. Attorney Sterling then sent an email to city officials questioning the reason for the cell phone investigation. Ms. Sterling advised the video would only be released if City Attorney Okazaki made the request. The surveillance video was never provided to the Riverside Police Department. The incident was documented under RPD report #P17-056668.

The above listed incident is a violation of section #3c of the MCUP for the Hideaway Café. Section #3c states, "Installation of a security camera surveillance system consisting of high definition video technologies with the minimum requirement of having the ability to save recorded video for a thirty day period and which shall also be made available to the Riverside Police Department immediately upon request. An on-site manager shall have working knowledge on how to retrieve video when requested by the Riverside Police Department."

On August 18, 2017, members of the Riverside Police Department's Vice Unit conducted IMPACT inspections of the bars and restaurants in the downtown area. During the inspection, they located signs inside the club advertising there was free entry before 11:00 pm. Sergeant Crawford noted that this was in violation of condition 12 of the Hideaway Café's Conditional Use Permit (P15-0255). Also during this time, ABC Agent Hydar located a bottle of vodka behind the bar. The Hideaway Café is prohibited from having distilled spirits. ABC Agent Hydar conducted a separate ABC investigation.

During the same inspection, Detective Barrette noted that the Hideaway Café had signs inside the club advertising entertainment and drink specials on Sunday, Monday and Tuesday. Detective Barrette documented that this was a violation of section #5 and #9 of their MCUP. Section #5 states, "Entertainment shall be limited to Wednesday through Saturday. Modifications may be permitted to "switch" a day of the week on a temporary basis if the request is submitted a minimum of 30 days prior to the event and approved by the Planning Division and Police Department." Section #9 states, "No happy hour or other drink specials shall be permitted after 7:00 pm on nights with entertainment." This incident was documented under RPD reports #P17-151891 and #P17-157103.

On September 4, 2018, Sergeant Collopy noticed a flyer posted on the Hideaway Café's Facebook site. The flyer was posted by the Hideaway Café on August 19, 2018, (Sunday) advertising a nightclub event called "Sunday Night Service Industry" at 3660 Mission Inn Ave. Sergeant Collopy located an additional five posts on the Hideaway Café's Facebook site advertising the same event being held on Sundays. This was in violation of section 5 of their MCUP (P16-0251). The incident was documented under RPD report #P18-166946.

On September 30, 2018, Sergeant Collopy noticed a flyer posted on the Hideaway Café's Facebook site. The flyer was posted by the Hideaway Café on September 30, 2018, (Sunday) advertising a nightclub event called "Sunday Night Service Industry" at 3660

Mission Inn Ave. Sergeant Collopy drove to the Hideaway Café and noticed the club was open and a security guard was standing outside of the club. This was in violation of section 5 of their MCUP (P16-0251). The incident was documented under RPD report #P18-166946.

NARCOTICS' INVESTIGATION

On March 24, 2016, an undercover operation was conducted inside the Hideaway Café. An informant asked an employee if he had any methamphetamine to sell. The employee advised he did not have any, but could arrange for another subject to sell the methamphetamine to the informant. The employee and informant went upstairs where he was introduced to a subject. The informant and the subject agreed on a deal. The informant would purchase 3.5 grams of methamphetamine for \$70. The transaction was completed in the restroom of the Hideaway Café. The investigation was documented under RPD report #P16-047847.

On April 7, 2016, an undercover operation was conducted inside the Hideaway Café. The informant contacted the same employee who helped facilitate the narcotics transaction on March 24, 2016. The informant said he wanted to buy some more methamphetamine. The employee made a phone call. The same subject from the previous narcotics transaction arrived and a deal was agreed upon by both parties to purchase 3.5 grams of methamphetamine for \$75. The transaction was completed. The investigation was documented under RPD report #P16-057446.

On May 11, 2016, an undercover operation was conducted inside the Hideaway Café. The employee who assisted in facilitating the previous transactions was not working at the time. The informant then contacted a subject, who was working as the DJ that night, and was able to purchase 1 gram of marijuana for \$20. The investigation was documented under RPD report #P16-081612.

On May 11, 2016, after the completion of the marijuana transaction, the same employee who facilitated the methamphetamine transactions arrived. The informant told the employee he wanted to purchase more methamphetamine. The employee made a phone call and a short time later, the subject who had previously sold the informant methamphetamine arrived. The informant and the subject went to the upstairs patio and a deal was made to purchase 3.5 grams of methamphetamine for \$70. The transaction was completed. The investigation was documented under RPD report #P16-081708.

ALCOHOL BEVERAGE CONTROL (ABC) INVESTIGATIONS

As part of the August 18, 2017 IMPACT inspection, the Hideaway Café was penalized with a five-day suspension from serving alcohol. In lieu of serving the suspension, the Hideaway Café paid a fine of approximately \$3,000.00. The ABC investigation and finding was documented under ABC file #18086282.

As a result of the above-mentioned narcotics' investigations, the Hideaway Café was penalized with a twenty-day suspension from serving alcohol and period of stayed revocation for one year. The Hideaway Café began serving the suspension on August 23, 2018. This was documented under ABC file #17085417.