

CPC: April 18, 2019
3 P18-0572

EXHIBIT 1

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August 12, 2016

Ted White, City Planner
Neil Okazaki, Deputy City Attorney
Rahman Gerren, Deputy City Attorney
City of Riverside
3900 Main Street
Riverside, California 92522

Subject: Proposed Revocation/Modification of Minor Conditional Use Permit (CUP) for Hideaway Café,
located at 3700 Main Street, Riverside California; Planning Case No. P15-0255

Gentlemen:

Thank you for taking the time to meet with myself and my client, Craig Johnston ("Johnston"), owner of the Hideaway Café ("Hideaway"), as well as members of his management team, on Monday, August 8, 2016, to discuss the above referenced matter. While it is still my client's contention that his establishment has been the target of disparate treatment by the City of Riverside ("City") for what is believe to be racially motivated reasons, in the spirit of cooperation, he presents the following as evidence of Hideaway security protocol and additional security measures put in place since the City's last meeting with him and his management team on February 24, 2016. Please be advised that Mr. Johnston has incurred significant expense implementing additional security measures to address the City's concerns. This despite the fact that calls for service indicate that his establishment has had far fewer calls and fewer violent offenses than other like downtown establishments, who continue to avoid City scrutiny. True and correct copies of the calls for service produced by the Riverside Police Department ("RPD") in response to a request made under the California Public Records Act are attached hereto as Exhibit "A" and made a part hereof by their reference.

The Hideaway presently employs eleven (11) Private Security Officers ("Security Officers"), ten (10) of which are certified by the State of California, or have attended the requisite training and are in the background stage of certification. The most recent new hire will also be required to attend training and secure certification. The 11 Security Officers represent a 1 to 30 ratio to Hideaway patrons, which is far greater than the 1 to 50 ratio required for like establishments, and the 1 to 40 ratio required in the Hideaway's Minor CUP. In addition, management is presently seeking to employ a female Security Officer for pat down and wandings of female patrons. All male patrons are patted down for weapons and/or narcotics. If suspicion arises during the pat down, the male patron is wanded for weapons.

Pursuant to the conditions set for in the Minor CUP, management presented a Security Handbook to the Riverside Police Department ("RPD") in April, 2016, for review and approval. Hideaway management has been coordinating with Sergeant Mike Crawford ("Crawford") in the review and edification of the document, but has yet to receive final approval from Crawford. Copies of electronic correspondences between Crawford and Hideaway management can be made available for your review, upon request. Hideaway management intends to update the Security and Employee Handbooks to

provide for annual training on its Minor CUP conditions. Intermittent training will also be provided for all new hires.

Since meeting with the City on February 24, 2016, Johnston has made substantial financial investments of over Twenty-Six Thousand Dollars (\$26,000.00), to address the City's concerns including:

- The installation of twenty-one (21) new high definition security cameras on the interior and exterior of the facility, as is evidenced in the building floor plans attached hereto as Exhibit "B" and made a part hereof by their reference. The facility has one of the most advanced security camera systems in the downtown area and its footage is often sought and utilized by law enforcement and the District Attorney for investigatory and prosecutorial purposes. However, this same footage is now being utilized to seek revocation/modification of the Minor CUP for the Hideaway. This, despite the fact that much of the footage depicts incidents that have not occurred within the facility, or Johnston's immediate area of control, as required by the Minor CUP, but rather have occurred in City streets and on City rights-of-way solely within the control of the City and RPD.

The recent purchase of a SERVALL PatronScan which employs ID scanning technology to capture identifying information about patrons which is stored in a secure database. Patronscan provides the ability to access a nationwide "banned patron list" and to add problematic patrons to that list to provide screening assistance to other establishments. Patronscan also provides a Public Safety Link for law enforcement to view live shots captured from a high definition camera of each patron entering the venue, along with a copy of the image from their identification. This allows law enforcement to quickly identify potential suspects, victims and witnesses. A photo line-up can also be created on the scene for suspect identification.

- The implementation of a more stringent weekend (Friday and Saturday) dress code, which is posted in large print on the entrance door for all patrons to view as they enter the facility. Hideaway management will employ a "no tolerance" policy regarding dress code violations. In addition, Hideaway management recently received instructional training from myself on how to implement the new dress code in a neutral and non-discriminatory manner. A true and correct copy of the dress code is attached hereto as Exhibit "C" and made a part hereof by its reference. The Hideaway would also like to request the assistance of the RPD gang unit to develop a visual chart of recognized gang monikers (tattoos etc.) that can be used to prohibit entry to gang affiliates.

- Provision of Hospitality Security Training at a Riverside Police Department facility, for Hideaway staff and 35 Riverside area security personnel from various entertainment establishments. This training was sponsored by the Hideaway and free to all attendees. Training topics included: conflict resolution, use of force, fake and borrowed identification, alcohol regulations and liabilities, and citizen's detention. A true and correct copy of the informational leaflet for this free training is attached hereto as Exhibit "D" and made a part hereof by its reference.

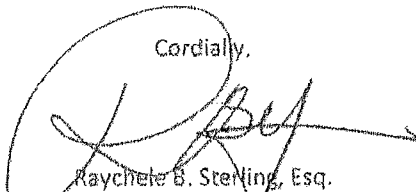
- Termination of Hideaway employee facilitating narcotic transactions referenced in the May 31, 2016, Police Memo to Travis Randel of the Planning Department. Hideaway management was able to search public court documents to positively identify a Hideaway employee charged with narcotic related offenses on the same dates referenced in the Police Memo.

Relocation of the entrance of the Hideaway from Mission Inn Avenue to the Main Street Mall to prevent the congregation of patrons on Mission Inn Avenue. This was not mandated by the City, but rather was undertaken by Johnston to appease Mario's and the Mission Inn in an effort to foster a positive relationship with neighboring businesses.

In conclusion, despite having endured disparate treatment, as compared to other downtown establishments, for reasons believed to be racially motivated, Johnston has acted in good faith and incurred significant expense to address the alleged concerns of the City regarding the Hideaway. In return, Johnston asks not to be afforded anything more, *nor anything less*, than that which other like establishments have been afforded. To ensure equity and fairness, and to extinguish unfair competitive advantages given to specific establishments, Johnston respectfully requests that he be issued a Modified CUP to utilize the full liquor license lawfully issued to him for the Hideaway by the State of California and that he, like all other downtown establishments, be permitted to advertise, distribute promotional materials and offer drink specials. With these accommodations, Johnston believes the Hideaway can become a viable entertainment asset to the City's long term downtown entertainment plan.

Should this matter not reach resolution and proceed to hearing before the Riverside Planning Commission, this letter shall be made part of the administrative record for such proceeding.

Cordially,

A handwritten signature in black ink, appearing to read 'Raychele B. Sterling', is written over a large, loopy circular mark.

Raychele B. Sterling, Esq.

Attorney for Craig Johnston and Hideaway Cafe

- c: John Russo, City Manager
- Al Zelinka, Assistant City Manager
- Rafael Guzman, Community and Economic Development Director

EXHIBIT "A"

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
MISSION INN HOTEL (3649 MISSION INN)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Finality Type	Incident Description	DISPO
02/29/16	11:15:24	P16032766	XPAT	EXTRA PATROL REQUEST	NR
03/08/16	21:14:23	P16036184	415V	DISTURBANCE - VERBAL	NR
03/08/16	23:49:34	P16038760	242	BATTERY	RPT
03/09/16	16:06:31	P16038257	488	PETTY THEFT	RPT
03/09/16	18:54:58	P16038354	XPAT	EXTRA PATROL REQUEST	NR
03/11/16	22:13:45	P16039631	647F	INTOXICATED IN PUBLIC	RPT
03/12/16	16:11:34	P16040002	SUSPER	SUSPICIOUS PERSON	NR
03/12/16	21:16:44	P16040157	CKWEL	CHECK THE WELFARE	NR
03/13/16	05:40:18	P16040323	SPEC	POLICE SPECIAL DETAIL	NR
03/19/16	20:51:30	P16040633	BOYGRL	BOYFRIEND/GIRLFRIEND DISTURBAN	NR
03/19/16	18:44:13	P16044420	469R	BURGLARY - RESIDENTIAL I/P	RPT
03/19/16	19:07:52	P16044428	FUP	FOLLOW UP INVESTIGATION	NR
03/20/16	07:53:51	P16044705	SUBBOT	SUBJECT BOTHERING	NR
03/26/16	19:52:19	P16048703	SS	SUBJECT STOP	RPT
03/30/16	01:01:45	P16050907	FPROP	FOUND PROPERTY	NR
03/30/16	15:59:58	P16051365	LPROP	LOST PROPERTY	RPT
03/31/16	19:52:15	P16052207	242	BATTERY	RPT
04/01/16	18:48:20	P16052940	XPAT	EXTRA PATROL REQUEST	NR
04/01/16	20:32:35	P16053021	911HU	9-1-1 HANGUP	JFI
04/05/16	07:41:31	P16055205	SUBBOT	SUBJECT BOTHERING	NR
04/05/16	21:15:31	P16055830	242MJ	ASSAULT W/INJ - MEDAID ER J/O	RPT
04/07/16	11:17:50	P16057018	911HU	9-1-1 HANGUP	ADV
04/10/16	09:59:30	P16058851	UNKTRB	UNKNOWN TROUBLE	NR
04/11/16	19:41:53	P16059976	SUBBOT	SUBJECT BOTHERING	NR
04/14/16	11:13:41	P16061923	537	DEFRAUDING THE INNKEEPER	RPT
04/15/16	03:16:28	P16062434	SUSPER	SUSPICIOUS PERSON	NR
04/15/16	22:51:30	P16063082	23152	DRIVING UNDER INFLUENCE	NR
04/22/16	01:10:30	P16067430	415F	DISTURBANCE - FIGHT	NR
04/22/16	22:06:37	P16067994	XPAT	EXTRA PATROL REQUEST	NR
04/23/16	20:37:24	P16068580	488	PETTY THEFT	RPT
04/25/16	12:04:17	P16069457	SUPP	SUPPLEMENTAL INFORMATION	NR
04/25/16	13:25:41	P16069506	911HU	9-1-1 HANGUP	ADV
04/28/16	20:55:40	P16072188	XPAT	EXTRA PATROL REQUEST	NR
05/01/16	20:43:08	P16074194	487	GRAND THEFT	RPT
05/05/16	00:44:31	P16076721	BOYGRL	BOYFRIEND/GIRLFRIEND DISTURBAN	NR
05/05/16	12:46:14	P16077043	602	TRESPASSING I/P	NR
05/07/16	22:01:24	P16078693	CKWEL	CHECK THE WELFARE	NR
05/10/16	02:38:23	P16080118	UNKTRB	UNKNOWN TROUBLE	NR
05/12/16	12:13:16	P16081969	MISPER	MISSING PERSON	RPT
05/15/16	01:39:48	P16084139	SUSA&O	SUSPICIOUS AUTO AND OCCUPANT	NR
05/16/16	14:00:29	P16085036	INC	MISCELLANEOUS INCIDENT	RPT
05/19/16	10:12:33	P16087178	242	BATTERY	RPT
05/20/16	18:04:15	P16088249	FPROP	FOUND PROPERTY	INFO
05/21/16	15:25:19	P16088798	10851	STOLEN VEHICLE I/P	RPT
05/22/16	02:04:13	P16089215	MUSIC	DISTURBANCE - LOUD MUSIC	NR
05/22/16	20:47:42	P16089615	242	BATTERY	RPT
05/26/16	18:29:25	P16092471	SUBBOT	SUBJECT BOTHERING	NR
05/27/16	19:41:31	P16093289	SUBBOT	SUBJECT BOTHERING	RPT
05/29/16	20:08:21	P16094617	911HU	9-1-1 HANGUP	ADV
05/30/16	19:00:50	P16095177	FPROP	FOUND PROPERTY	RPT

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
MISSION INN HOTEL (3649 MISSION INN)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Police Unit	Incident Description	Dispo
06/01/16	14:44:14	P16098816	911HU	9-1-1 HANGUP	ADV
06/05/16	03:24:48	P16099406	243J	SEXUAL BATTERY	RPT
06/05/16	09:12:20	P16099495	245J	ASSAULT W/DEADLY WEAPON J/O	NR
06/05/16	09:48:43	P16099511	594	MALICIOUS MISCHIEF I/P	RPT
06/05/16	15:55:20	P16099714	SUBBOT	SUBJECT BOTHERING	NR
06/06/16	23:54:51	P16100662	SUBBOT	SUBJECT BOTHERING	AST
06/08/16	08:14:52	P16101819	594	MALICIOUS MISCHIEF I/P	RPT
06/09/16	16:42:29	P16102813	ADV	ADVISED COMPLAINT	ADV
06/12/16	00:48:42	P16104530	NEIGHBOR	NEIGHBOR PROBLEM	RPT
06/14/16	13:24:35	P16106037	SUSCIR	SUSPICIOUS CIRCUMSTANCES	NR
06/17/16	01:24:37	P16107846	415F	DISTURBANCE - FIGHT	NR
06/23/16	14:10:52	P16112407	415V	DISTURBANCE - VERBAL	NR
06/25/16	20:27:43	P16113954	5150	MENTAL SUBJECT	NR
06/26/16	03:01:49	P16114256	DISOR	DISORIENTED SUBJ	NR
06/27/16	14:21:06	P16115122	911HU	9-1-1 HANGUP	ADV
06/30/16	15:50:55	P16117551	VEHBLK	VEHICLE BLOCKING	NR
07/02/16	23:23:45	P16119324	23152	DRIVING UNDER INFLUENCE	NR
07/03/16	19:19:13	P16119786	537	DEFRAUDING THE INNKEEPER	RPT
07/03/16	19:20:24	P16119787	911HU	9-1-1 HANGUP	ADV
07/04/16	10:38:41	P16120292	SUBBOT	SUBJECT BOTHERING	NR
07/05/16	10:49:59	P16121247	911HU	9-1-1 HANGUP	ADV
07/06/16	01:33:37	P16123262	415F	DISTURBANCE - FIGHT	NR
07/09/16	18:53:11	P16124257	647A	LEWD CONDUCT	NR
07/10/16	23:03:13	P16125023	THEFT	GENERIC THEFT	RPT
07/12/16	18:00:17	P16126232	SUPP	SUPPLEMENTAL INFORMATION	NR

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY

3660 MISSION INN

02/15/2016 - 07/12/2016

(sorted by date)

Date	Time	Incident Number	Placing Party	Incident Description	Dispo
04/08/16	13:43:26	P16056320	SUBBOT	SUBJECT BOTHERING	NR
05/01/16	02:03:49	P16073780	242	BATTERY	RPT
05/02/16	13:26:49	P16074624	314.1	INDECENT EXPOSURE	NR
07/10/16	12:55:23	P16124736	CKWEL	CHECK THE WELFARE	NR

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
SEVILLAS (3252 MISSION INN)
02/18/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Final Inc. Type	Incident Description	Dispo
02/23/16	00:21:55	P16029035	XPAT	EXTRA PATROL REQUEST	NR
02/26/16	02:08:59	P16031003	459V	BURGLARY - VEHICLE I/P	RPT
02/26/16	09:55:43	P16031142	T	TRAFFIC STOP	NR
02/28/16	12:26:17	P16032250	459V	BURGLARY - VEHICLE I/P	RPT
03/04/16	01:22:14	P16035161	CUSTOM	CUSTOMER PROBLEM	NR
03/07/16	01:01:31	P16036783	459V	BURGLARY - VEHICLE I/P	RPT
03/12/16	00:56:40	P16039702	242J	BATTERY J/O	RPT
03/13/16	01:16:38	P16040278	23152	DRIVING UNDER INFLUENCE	RPT
03/13/16	03:03:32	P16040298	459V	BURGLARY - VEHICLE I/P	RPT
03/19/16	02:18:50	P16044086	10851	STOLEN VEHICLE I/P	RPT
03/24/16	02:45:26	P16046922	459A	AUDIBLE BURGLARY ALARM	RPT
04/01/16	02:56:43	P16052406	459A	AUDIBLE BURGLARY ALARM	RPT
04/03/16	02:06:46	P16053820	244MJ	ASSAULT W/CHEMICAL, W/MEDAID ER	RPT
04/08/16	00:38:26	P16057546	415V	DISTURBANCE - VERBAL	NR
04/08/16	01:24:03	P16057559	415F	DISTURBANCE - FIGHT	NR
04/16/16	20:56:08	P16063638	415F	DISTURBANCE - FIGHT	AST
04/21/16	18:04:23	P16067159	261	RAPE I/P	RPT
04/30/16	00:56:26	P16073116	BOYGRL	BOYFRIEND/GIRLFRIEND DISTURBAN	NR
05/08/16	02:11:41	P16078887	UNKTRB	UNKNOWN TROUBLE	NR
05/10/16	11:56:47	P16080381	242	BATTERY	NR
05/11/16	12:05:54	P16081200	242	BATTERY	RPT
05/12/16	03:34:05	P16081761	459A	AUDIBLE BURGLARY ALARM	RPT
05/13/16	00:28:36	P16082523	647F	INTOXICATED IN PUBLIC	RPT
05/13/16	09:35:34	P16082703	242	BATTERY	RPT
05/13/16	23:35:12	P16083371	242J	BATTERY J/O	RPT
05/15/16	22:17:04	P16084589	INC	MISCELLANEOUS INCIDENT	RPT
05/20/16	01:01:44	P16087736	242J	BATTERY J/O	NR
05/21/16	02:24:00	P16088528	459V	BURGLARY - VEHICLE I/P	RPT
05/31/16	09:16:23	P16095532	THEFT	GENERIC THEFT	RPT
06/03/16	02:08:56	P16097891	242	BATTERY	RPT
06/04/16	03:22:50	P16098655	INC	MISCELLANEOUS INCIDENT	NR
06/07/16	23:42:50	P16101462	242MJ	ASSAULT W/INJ - MEDAID ER J/O	RPT
06/15/16	00:27:51	P16106430	242	BATTERY	AST
06/15/16	02:30:32	P16106464	242J	BATTERY J/O	RPT
06/24/16	01:28:43	P16112808	1057	UNVERIFIED CALL/USE CAUTION	RPT
06/25/16	03:45:27	P16113568	10851	STOLEN VEHICLE I/P	NR
06/26/16	00:25:36	P16114172	SUBDN	PERSON DOWN	NR
06/27/16	01:37:17	P16114777	242MJ	ASSAULT W/INJ - MEDAID ER J/O	RPT
07/03/16	10:39:26	P16119582	488	PETTY THEFT	NR
07/04/16	01:45:03	P16120175	SUBGUN	PERSON WITH A GUN	NR
07/09/16	00:07:34	P16123881	415V	DISTURBANCE - VERBAL	NR
07/10/16	01:19:03	P16124527	THREAT	THREAT OF VIOLENCE W/ORDER	NR
07/10/16	03:42:13	P16124586	CKWEL	CHECK THE WELFARE	NR

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
MEZCAL (3737 MAIN)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Incident Type	Incident Description	Dispo
02/25/16	15:47:40	P16030709	488	PETTY THEFT	RPT
02/26/16	23:56:15	P16031540	XPAT	EXTRA PATROL REQUEST	NR
02/27/16	00:52:04	P16031554	XPAT	EXTRA PATROL REQUEST	NR
02/27/16	23:51:14	P16032032	XPAT	EXTRA PATROL REQUEST	NR
03/05/16	01:24:08	P16035762	SUBGUN	PERSON WITH A GUN	RPT
03/13/16	00:08:27	P16040251	1181	MINOR INJURY ACCIDENT	RPT
03/13/16	01:58:48	P16040291	FD	FLAGDOWN TO OFFICER	NR
03/18/16	10:28:07	P16043550	5150	MENTAL SUBJECT	NR
03/19/16	23:08:42	P16044564	XPAT	EXTRA PATROL REQUEST	NR
03/21/16	20:06:46	P16045560	SUBBOT	SUBJECT BOTHERING	NR
03/31/16	13:46:31	P16051963	CUSTOD	CHILD CUSTODY/VISITATION VIOL	JFI
04/02/16	01:05:49	P16053184	TRAFHZ	TRAFFIC HAZARD	NR
04/03/16	15:29:04	P16054141	314.1	INDECENT EXPOSURE	NR
04/03/16	22:04:38	P16054348	SUBBOT	SUBJECT BOTHERING	NR
04/09/16	13:10:42	P16058465	SUBBOT	SUBJECT BOTHERING	NR
04/11/16	21:17:12	P16060029	SUBBOT	SUBJECT BOTHERING	NR
04/12/16	08:27:52	P16060244	CKWEL	CHECK THE WELFARE	MHVOL
04/12/16	09:07:16	P16060281	911HU	9-1-1 HANGUP	ADV
04/13/16	13:24:31	P16061264	SUBBOT	SUBJECT BOTHERING	NR
04/13/16	14:30:05	P16061322	SUBBOT	SUBJECT BOTHERING	NR
04/14/16	13:11:30	P16061981	SUBBOT	SUBJECT BOTHERING	NR
04/22/16	10:50:06	P16067629	647F	INTOXICATED IN PUBLIC	NR
05/01/16	14:57:28	P16074019	SUBBOT	SUBJECT BOTHERING	ADV
05/04/16	17:48:29	P16076478	537J	DEFRAUDING THE INNKEEPER	NR
05/05/16	19:54:39	P16077386	VEHBLK	VEHICLE BLOCKING	NR
05/20/16	21:50:09	P16088408	SUBBOT	SUBJECT BOTHERING	NR
05/22/16	19:46:51	P16089580	H&S	HEALTH & SAFETY VIOL-GENERIC	INFO
05/22/16	23:05:17	P16089671	488	PETTY THEFT	RPT
05/24/16	18:41:18	P16090923	H&S	HEALTH & SAFETY VIOL-GENERIC	JFI
05/29/16	21:38:59	P16094676	211	ROBBERY	RPT
06/03/16	13:29:01	P16098137	SUBBOT	SUBJECT BOTHERING	NR
06/05/16	13:09:52	P16099638	SUBBOT	SUBJECT BOTHERING	NR
06/11/16	01:45:27	P16103904	23152	DRIVING UNDER INFLUENCE	NR
06/18/16	20:31:52	P16109000	OPENDR	OPEN DOOR	NR
06/19/16	15:57:07	P16109499	SUBBOT	SUBJECT BOTHERING	NR
06/19/16	19:48:15	P16109598	RMC	RIVERSIDE MUNI CODE VIOLATION	NR
06/24/16	09:48:42	P16112980	SUSPER	SUSPICIOUS PERSON	NR
06/24/16	20:12:42	P16113351	CUSTOM	CUSTOMER PROBLEM	AST
07/04/16	01:19:03	P16120164	SUBBOT	SUBJECT BOTHERING	NR
07/11/16	02:51:44	P16125101	459A	AUDIBLE BURGLARY ALARM	RPT

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
PIXELS (3835 UNIVERSITY)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Incident Type	Incident Description	Dispo
02/27/16	00:09:17	P16031547	XPAT	EXTRA PATROL REQUEST	NR
02/27/16	23:30:47	P16032018	647F	INTOXICATED IN PUBLIC	NR
03/23/16	00:55:43	P16046294	242MJ	ASSAULT W/INJ - MEDAID ER J/O	RPT
03/31/16	19:59:51	P16052213	T	TRAFFIC STOP	NR
04/07/16	01:23:33	P16058798	415F	DISTURBANCE - FIGHT	RPT
04/10/16	01:46:51	P16058820	242	BATTERY	RPT
04/18/16	15:49:49	P16064771	FPROP	FOUND PROPERTY	RPT
04/21/16	23:40:24	P16067387	CUSTOM	CUSTOMER PROBLEM	NR
04/22/16	00:19:49	P16067411	CUSTOM	CUSTOMER PROBLEM	NR
04/22/16	19:12:44	P16067888	FUP	FOLLOW UP INVESTIGATION	NR
04/24/16	00:41:10	P16068700	415V	DISTURBANCE - VERBAL	JFI
05/08/16	02:17:44	P16077557	415V	DISTURBANCE - VERBAL	NR
05/08/16	00:31:10	P16078824	UNKTRB	UNKNOWN TROUBLE	NR
05/08/16	00:58:59	P16078837	242	BATTERY	RPT
05/11/16	23:31:55	P16081876	XPAT	EXTRA PATROL REQUEST	NR
05/12/16	22:17:49	P16082453	XPAT	EXTRA PATROL REQUEST	NR
05/13/16	22:10:26	P16083302	XPAT	EXTRA PATROL REQUEST	NR
05/14/16	20:51:53	P16083961	XPAT	EXTRA PATROL REQUEST	NR
05/24/16	21:55:13	P16091022	211SAJ	ROBBERY - STRONG ARM J/O	NR
05/25/16	00:34:43	P16091078	23152	DRIVING UNDER INFLUENCE	NR
05/27/16	23:16:47	P16093431	AODRFD	ASSIST FIRE DEPARTMENT	NR
06/02/16	00:00:31	P16097018	647F	INTOXICATED IN PUBLIC	NR
06/10/16	02:50:57	P16103203	242	BATTERY	RPT
06/18/16	02:25:00	P16108580	415F	DISTURBANCE - FIGHT	NR
06/19/16	01:16:03	P16109205	417J	BRANDISHING A WEAPON J/O	NR
06/24/16	02:40:49	P16112838	415F	DISTURBANCE - FIGHT	NR
06/25/16	23:45:59	P16114160	CUSTOM	CUSTOMER PROBLEM	NR
07/01/16	01:53:52	P16117885	415F	DISTURBANCE - FIGHT	RPT

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
TOBACCO LOUNGE (3630 UNIVERSITY)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	First Initial	Incident Description	DISPO
02/25/16	00:04:14	P16030307	415F	DISTURBANCE - FIGHT	NR
03/11/16	02:41:27	P16039103	242	BATTERY	RPT
03/16/16	02:15:01	P16042025	415V	DISTURBANCE - VERBAL	NR
04/24/16	18:03:21	P16068040	242	BATTERY	JPI
05/04/16	00:08:27	P16075872	242J	BATTERY J/O	RPT
05/23/16	04:25:45	P16088734	459V	BURGLARY - VEHICLE I/P	RPT
05/23/16	23:09:55	P16090388	SUSPER	SUSPICIOUS PERSON	NR
06/19/16	18:18:45	P16109510	SUBBOT	SUBJECT BOTHERING	NR
06/27/16	01:36:29	P16114776	647F	INTOXICATED IN PUBLIC	NR
07/01/16	14:20:41	P16116202	SUBBOT	SUBJECT BOTHERING	NR
07/08/16	20:49:53	P16123767	CKWEL	CHECK THE WELFARE	NR

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
MENAGERIE (3581 UNIVERSITY)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Area/Type	Incident Description	Disposition
02/20/16	01:39:46	P16027494	1110	ASSIST OFFICER	RPT
02/21/16	13:32:05	P16028196	488	PETTY THEFT	RPT
03/03/16	00:58:18	P16034472	SS	SUBJECT STOP	NR
03/03/16	10:58:12	P16034657	INC	MISCELLANEOUS INCIDENT	RPT
03/04/16	21:02:58	P16035643	415V	DISTURBANCE - VERBAL	NR
03/12/16	11:37:30	P16038885	10851	STOLEN VEHICLE I/P	RPT
03/17/16	18:04:19	P16043196	LOTCK	PARKING LOT CHECK	NR
03/20/16	01:33:10	P16044623	415V	DISTURBANCE - VERBAL	NR
03/23/16	00:59:53	P16046297	THREAT	THREAT OF VIOLENCE W/ORDER	NR
04/06/16	21:01:49	P16056668	THREAT	THREAT OF VIOLENCE W/ORDER	RPT
04/09/16	02:05:57	P16058263	FD	FLAGDOWN TO OFFICER	NR
04/20/16	03:38:20	P16065884	LPROP	LOST PROPERTY	NR
04/30/16	04:22:13	P16073191	SS	SUBJECT STOP	NR
06/12/16	16:44:55	P16104968	XPAT	EXTRA PATROL REQUEST	NR
06/12/16	21:02:23	P16104981	XPAT	EXTRA PATROL REQUEST	NR
06/12/16	23:02:08	P16105034	XPAT	EXTRA PATROL REQUEST	NR
06/28/16	16:29:46	P16116122	ADV	ADVISED COMPLAINT	ADV
07/02/16	03:01:02	P16118671	MISPER	MISSING PERSON	RPT

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
PROABITION (3597 MAIN)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Rating	Incident Description	Dispo
02/19/16	23:59:38	P16027458	BUSNCK	BUSINESS CHECK	NR
02/21/16	01:28:54	P16028004	415F	DISTURBANCE - FIGHT	NR
02/27/16	00:05:00	P16031545	XPAT	EXTRA PATROL REQUEST	NR
02/27/16	23:48:27	P16032030	XPAT	EXTRA PATROL REQUEST	NR
02/28/16	01:40:15	P16032088	10851	STOLEN VEHICLE I/P	RPT
02/28/16	01:41:20	P16032089	415F	DISTURBANCE - FIGHT	AST
02/28/16	02:07:19	P16032085	FD	FLAGDOWN TO OFFICER	NR
03/15/16	01:13:38	P16041284	647F	INTOXICATED IN PUBLIC	RPT
03/15/16	22:47:43	P16041986	SUSPER	SUSPICIOUS PERSON	NR
03/16/16	22:49:02	P16042668	XPAT	EXTRA PATROL REQUEST	NR
03/19/16	19:18:29	P16044431	FUP	FOLLOW UP INVESTIGATION	NR
03/19/16	19:53:20	P16044445	FUP	FOLLOW UP INVESTIGATION	NR
03/24/16	21:38:11	P16047503	XPAT	EXTRA PATROL REQUEST	NR
03/27/16	00:05:42	P16048846	XPAT	EXTRA PATROL REQUEST	NR
03/27/16	02:07:32	P16048911	XPAT	EXTRA PATROL REQUEST	NR
03/30/16	21:14:15	P16051561	415V	DISTURBANCE - VERBAL	NR
04/03/16	02:41:54	P16053829	ADV	ADVISED COMPLAINT	ADV
04/09/16	00:55:29	P16058223	PARK	PARKING PROBLEM	NR
04/14/16	14:22:44	P16062029	242	BATTERY	RPT
04/15/16	21:13:20	P16062979	XPAT	EXTRA PATROL REQUEST	NR
05/01/16	01:18:31	P16073760	242MJ	ASSAULT W/INJ - MEDAID ER J/O	RPT
05/08/16	14:16:42	P16079106	UNKTRB	UNKNOWN TROUBLE	NR
06/15/16	20:12:20	P16108997	XPAT	EXTRA PATROL REQUEST	NR
06/26/16	02:33:05	P16114248	20002J	NON INJ HIT AND RUN ACCID J/O	NR

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
LAKE ALICE (3616 UNIVERSITY)
02/15/2016 - 07/12/2016
(sorted by date)

Date	Time	Incident Number	Incident Type	Incident Description	Disposition
02/21/16	00:37:40	P16027988	BOYGRL	BOYFRIEND/GIRLFRIEND DISTURBAN	NR
02/21/16	01:39:50	P16028010	FD	FLAGDOWN TO OFFICER	NR
03/06/16	17:17:05	P16036614	5150	MENTAL SUBJECT	RPT
03/06/16	19:29:30	P16036685	415F	DISTURBANCE - FIGHT	NR
03/13/16	17:16:41	P16040552	SUSCIR	SUSPICIOUS CIRCUMSTANCES	NR
03/16/16	22:52:07	P16042671	XPAT	EXTRA PATROL REQUEST	NR
03/18/16	00:22:43	P16043393	417J	BRANDISHING A WEAPON J/O	RPT
03/19/16	23:14:08	P16044657	FD	FLAGDOWN TO OFFICER	NR
04/01/16	17:39:18	P16052866	SUBBOT	SUBJECT BOTHERING	JFI
04/10/16	10:44:04	P16058951	242	BATTERY	RPT
04/21/16	23:49:32	P16067390	AODRFD	ASSIST FIRE DEPARTMENT	NR
04/24/16	00:39:56	P16068698	FD	FLAGDOWN TO OFFICER	NR
04/24/16	01:09:13	P16068710	242	BATTERY	RPT
04/30/16	13:33:38	P16073356	SUSPER	SUSPICIOUS PERSON	AST
05/07/16	01:29:32	P16078178	242MJ	ASSAULT WINJ - MEDAID ER J/O	RPT
05/07/16	01:49:05	P16078182	647F	INTOXICATED IN PUBLIC	RPT
05/14/16	21:24:40	P16083990	SUBBOT	SUBJECT BOTHERING	NR
05/19/16	13:22:20	P16087308	LPROP	LOST PROPERTY	RPT
06/02/16	08:46:03	P16097180	211SA	ROBBERY - STRONG ARM I/P	RPT
06/09/16	21:40:23	P16103053	SUBBOT	SUBJECT BOTHERING	NR
06/20/16	21:29:51	P16110368	SS	SUBJECT STOP	NR
06/23/16	18:56:58	P16112576	SUSPER	SUSPICIOUS PERSON	NR
06/30/16	10:18:31	P16117319	SUBBOT	SUBJECT BOTHERING	NR
07/06/16	20:11:49	P16122444	SUBBOT	SUBJECT BOTHERING	NR

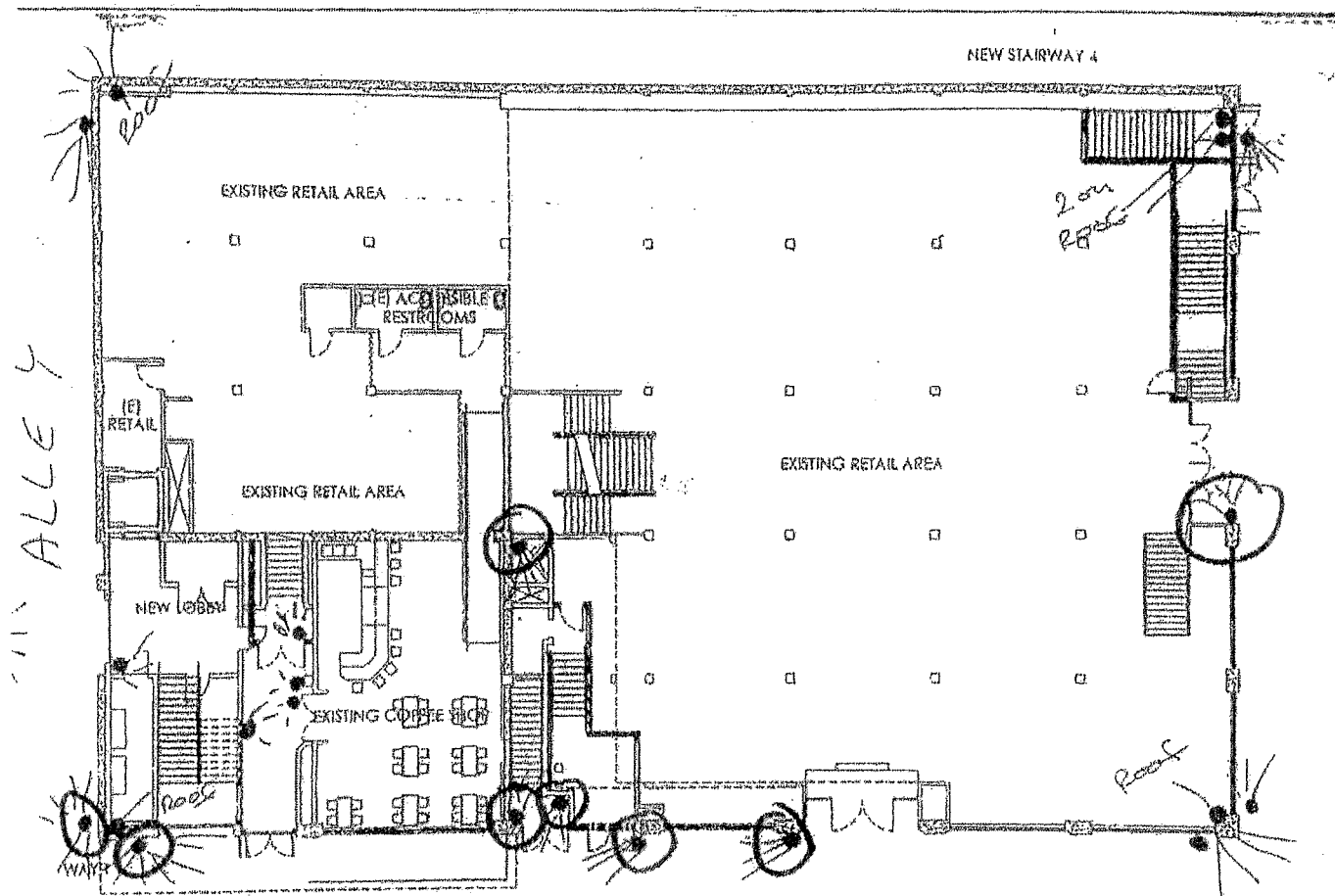
REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
 WORTHINGTONS (3887 UNIVERSITY)
 02/15/2016 - 07/12/2016
 (sorted by date)

Date	Time	Incident Number	File No	Incident Description	DISP
02/20/16	02:17:40	P16027512	10851	STOLEN VEHICLE I/P	RPT
02/27/16	00:59:43	P16031558	XPAT	EXTRA PATROL REQUEST	NR
03/11/16	22:18:28	P16039634	SS	SUBJECT STOP	NR
04/02/16	00:43:42	P16053175	SUBKNI	PERSON WITH A KNIFE	RPT
04/14/16	20:24:58	P16062268	T	TRAFFIC STOP	NR
04/28/16	00:49:51	P16071512	416F	DISTURBANCE - FIGHT	NR
04/28/16	14:50:50	P16071917	SUBBOT	SUBJECT BOTHERING	NR
05/02/16	15:33:01	P16074702	537J	DEFRAUDING THE INNKEEPER	RPT
05/11/16	04:32:36	P16080942	459A	AUDIBLE BURGLARY ALARM	AST
05/15/16	02:13:33	P16084155	416V	DISTURBANCE - VERBAL	NR
05/19/16	23:24:22	P16087697	488	PETTY THEFT	RPT
05/27/16	02:09:53	P16092724	T	TRAFFIC STOP	NR
05/27/16	14:19:40	P16093061	THREAT	THREAT OF VIOLENCE W/ORDER	RPT
07/04/16	20:57:39	P16120712	SUBBOT	SUBJECT BOTHERING	NR

REPORTED CALLS FOR SERVICE & POLICE ACTIVITY
MARIOS (3646 MISSION INN)
02/15/2016 - 07/12/2016
(sorted by date)

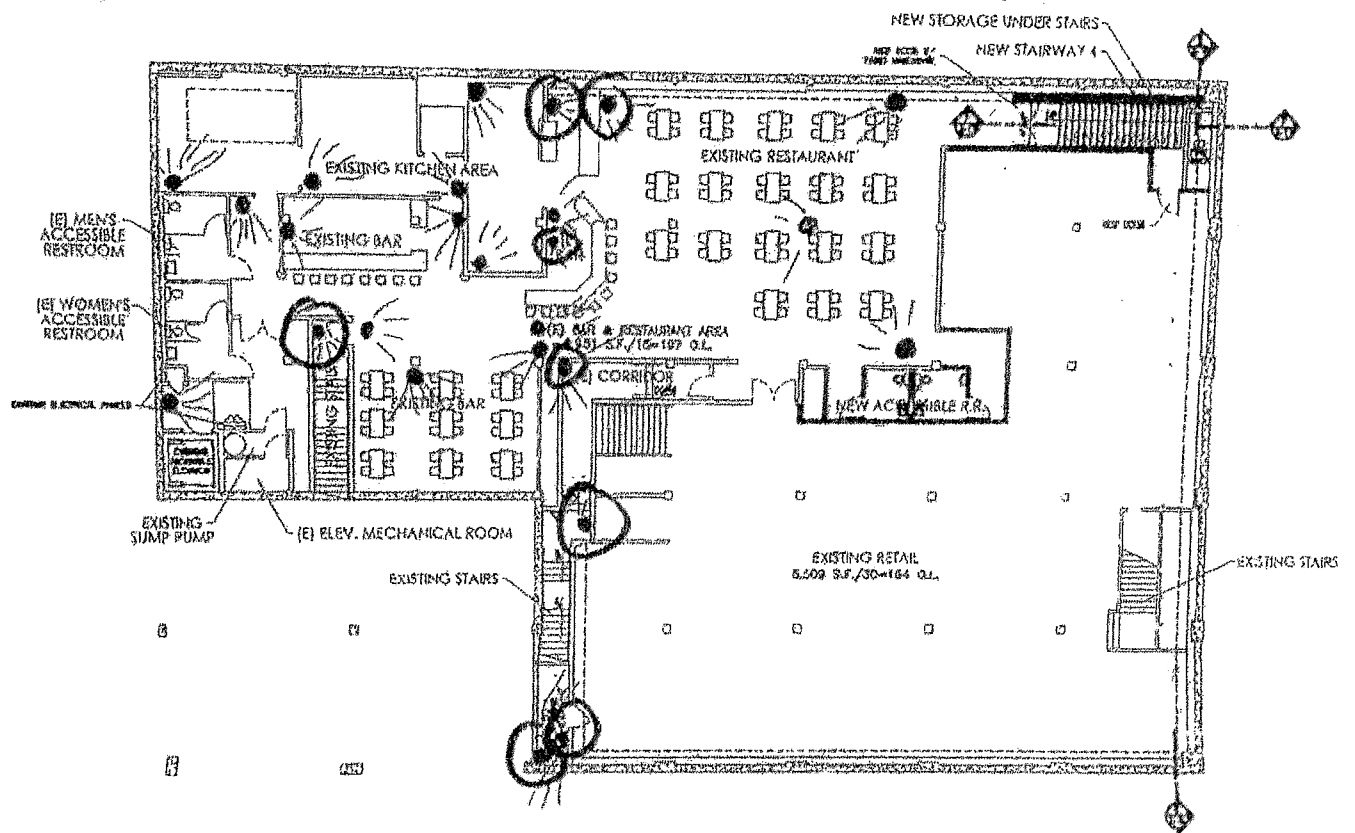
Date	Time	Incident Number	Unit	Incident Description	Dispo
02/28/16	18:41:10	P16032414	242	BATTERY	RPT
03/09/16	21:15:54	P16038419	594	MALICIOUS MISCHIEF I/P	RPT
03/11/16	22:53:54	P16039651	FD	FLAGDOWN TO OFFICER	NR
03/18/16	18:53:17	P16043835	FUP	FOLLOW UP INVESTIGATION	NR
03/19/16	20:44:53	P16043904	SUPP	SUPPLEMENTAL INFORMATION	NR
04/16/16	12:28:44	P16063377	488	PETTY THEFT	RPT
04/23/16	01:29:13	P16068107	415F	DISTURBANCE - FIGHT	NR
06/11/16	01:37:41	P16103901	415	DISTURBANCE - GENERIC	NR
06/14/16	09:55:52	P16105883	SUPP	SUPPLEMENTAL INFORMATION	SUP
06/19/16	00:22:26	P16109174	242J	BATTERY J/O	NR
06/19/16	06:25:31	P16109289	459A	AUDIBLE BURGLARY ALARM	RPT
06/21/16	21:31:03	P16111154	20002J	NON INJ HIT AND RUN ACCID J/O	RPT
06/25/16	23:09:38	P16114122	MUSIC	DISTURBANCE - LOUD MUSIC	NR
07/09/16	23:38:08	P16124451	SUBBOT	SUBJECT BOTHERING	NR
07/12/16	09:22:30	P16125897	SUBBOT	SUBJECT BOTHERING	INFO

EXHIBIT "B"

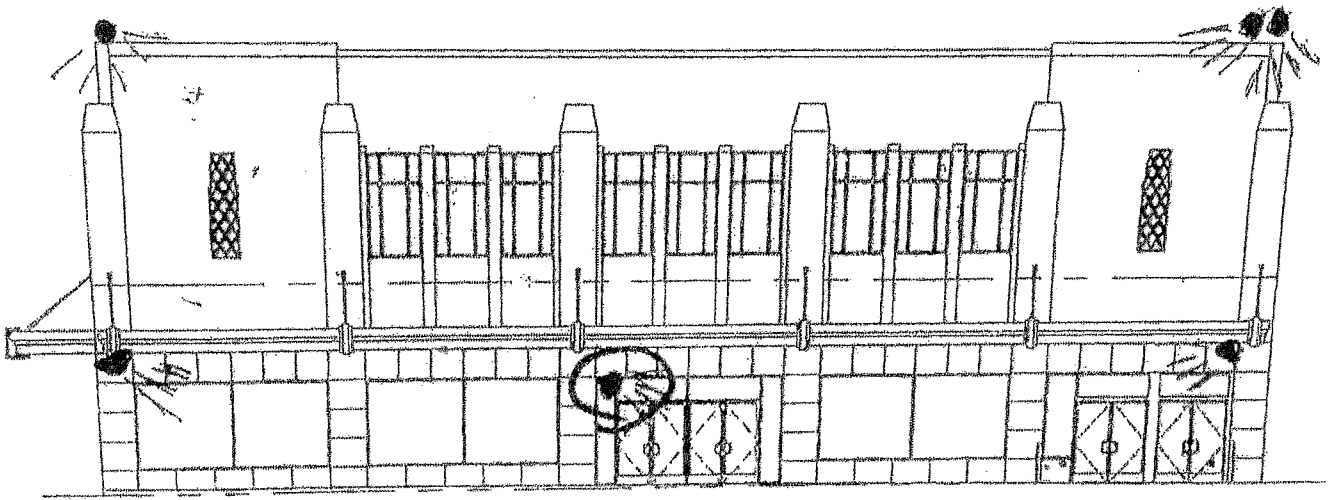


MAIN LEVEL FLOOR PLAN
 13,257 SQUARE FEET (NET)
 14,443 SQUARE FEET (GROSS)

- Cameras circled in black are new
 since Feb. meeting.



BASEMENT FLOOR PLAN
11,402 SQUARE FEET (NET)
12,644 SQUARE FEET (GROSS)



EXISTING WEST ELEVATION (MALL SIDE)

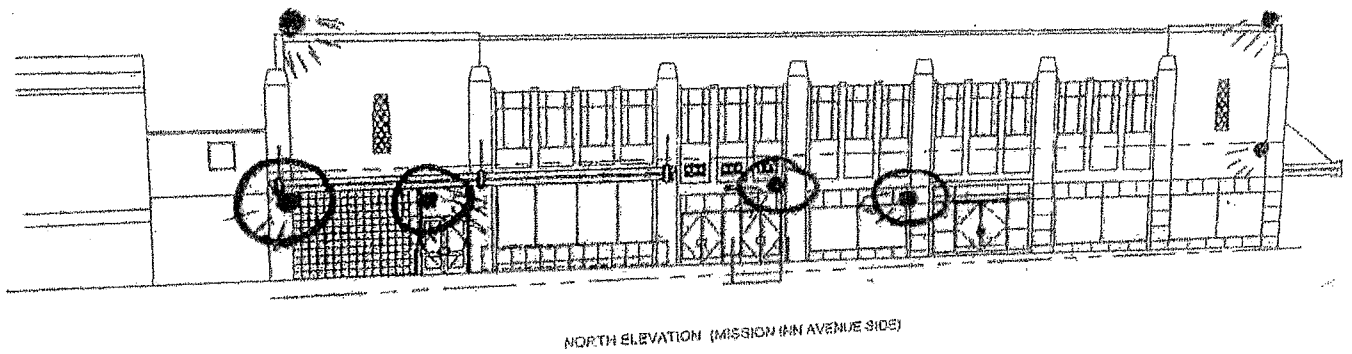


EXHIBIT "C"

DRESS CODE STRICTLY ENFORCED

**ZERO TOLERANCE
FOR BAD ATTITUDES**

**NO BAGGY OR OVERSIZED CLOTHING
NO HATS, BEANIES, BANDANAS
NO WAVE CAPS OR DU RAGS
NO JERSEYS, OR SPORTS ATTIRE
NO SOLID COLOR T-SHIRTS / PANTS /
NO EXPOSED GOLD CHAINS
NO TANK TOPS**

* NO KNIVES, WEAPONS, MACE, PEPPER SPRAY, OR ANY OTHER OBJECTS DEEMED AS POSSIBLY HARMFUL OR INAPPROPRIATE

We reserve the right to refuse service / entry to ANYONE and EVERYONE if desired.
Dress Code & Entry is on a individual basis and up to THE STAFFS discretion.
Individuals who are "sagging" their pants or have any oversized clothing will not be allowed in under any circumstances. There is no warning, you simply will not be let in.

EXHIBIT "D"

RIVERSIDE AREA HOSPITALITY SECURITY TRAINING

California PSO The New Guard Card

Proprietary Security Officer - Hospitality

NIGHTCLUB
SECURITY
CONSULTANTS

Lic.#P-000001



June 6th, 7th, & 8th, 2016
State required 16 hours - all 3 days required



2 PM to 7:30 PM each day



Riverside Police Department
10540 Magnolia Avenue, Suite B
Riverside, CA 92505



FREE OF CHARGE
Space is limited

Community Event
Sponsored by
The Hideaway Cafe



Space is Limited

manny@nightclubsecurity.com

<http://nsc-riverside-psy-june2016.eventbrite.com>

SIGN UP NOW!

click here



HOSPITALITY TRAINING TOPICS

- Powers to Arrest
- Citizen's Detention
- Alcohol Regulations
- Alcohol Liabilities
- Conflict Resolution
- Use of Force
- Fake and Borrowed Identification
- Creating Positive Guest's Experiences
-and much much more

- Civil liability resulting from the use of force by untrained security guards is the highest preventable loss in the hospitality industry! -

WHO NEEDS A PSO LICENSE?

Any person employed as bouncer or security guard who:

- is required to wear a distinctive uniform or
- is likely to interact with the public, and
- is unarmed

TOPICS

Listen to the
NSC Security Podcast



apps.nightclubsecurity.com

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The Hideaway
CAFE

TRAINING FACILITY PROVIDED BY

RIVERSIDE
Police Department

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President & CEO
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Vice President
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manny@nightclubsecurity.com



Nightclub Security Podcast
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mobile device to listen
to our regular podcast.

EXHIBIT 2

**MEMORANDUM IN OPPOSITION OF
REVOCATION/MODIFICATION OF CONDITIONAL USE PERMIT
("CUP") FOR HIDEAWAY CAFÉ DUE TO DISPARATE
TREATMENT RESULTING FROM RACIAL DISCRIMINATION**

TO: CITY OF RIVERSIDE PLANNING DIVISION
FROM: RAYCHELE B. STERLING, ATTORNEY FOR HIDEAWAY CAFÉ
AND CRAIG JOHNSTON, OWNER
SUBJECT: PROPOSED REVOCATION/MODIFICATION OF CUP
DATE: SEPTEMBER 6, 2016
CC: JOHN RUSSO, CITY MANAGER, GARY GEUSS, CITY ATTORNEY,
NEIL OKAZAKI, DEPUTY CITY ATTORNEY AND RIVERSIDE CITY
COUNCIL

I. INTRODUCTION

The following shall serve as an objection to the proposed revocation/modification of the Minor Conditional Use Permit – Permit No. P15-0255 (hereinafter, "Hideaway CUP") issued to the Hideaway Café on September 11, 2015 by the City of Riverside. As owner of the Hideaway, it is Mr. Johnston's contention that he has been "singled out" and subject to onerous regulation and enforcement due to the racial composition of his patronage. Mr. Johnston's argument is supported by evidence that: (1) like Downtown entertainment establishments (hereinafter, "like establishments"), whose patronage is comprised primarily of Caucasians and Hispanics, have operated without a Conditional Use Permit ("CUP") and/or in violation of their CUPs, and have engaged in marketing activities that are strictly prohibited under the Hideaway CUP; this despite the fact that these like establishments are subject to the same zoning regulations as the Hideaway; (2) Riverside Police Department ("RPD") personnel made statements to Hideaway management advising that the problem with the Hideaway is "ALL THE BLACKS"; and (3) like establishments have had far more calls for service and far more serious crimes, yet have not been subject to scrutiny by the City.

II. ZONING REQUIREMENTS

The Hideaway and like establishments discussed in this memorandum are located in the Downtown Specific Plan Zone ("DSP"), which is codified in Chapter 19.147 of the Riverside Municipal Code ("RMC"). The DSP is divided into nine (9) sub-districts, with the Hideaway and like establishments falling within the Raincross District. The Raincross District is intended to be the hub of the Downtown area, allowing a wide variety of uses, including cultural, arts, *entertainment*, retail, hospitality and urban residential uses. Permitted uses in the Raincross District are set forth in the adopted Downtown Specific Plan, which permits Entertainment establishments as defined in Article X of the Zoning

Code, with a Minor Conditional Use Permit. Article X of the Zoning Code, particularly section 19.910.060, defines Entertainment as:

“... (A)ny live entertainment, dancing, disc-jockey-hosted music, night clubs, comedy clubs and entertainment clubs.”

Entertainment that is deemed incidental to the underlying use, “such as a piano and guitar player providing background music within a bar or restaurant or karaoke sing-alongs, provided none of the above involve a stage or any dancing” is exempt from the Minor Conditional Use Permit requirement (See RMC §§ 19.910.060 and 19.250.020).

... Que video footage of Mario's DJ and dancing. . .

III. DISPARATE TREATMENT – CUP CONDITIONS

The Hideaway and most like establishments are regulated by a Minor CUP. However, Mario's, which is directly adjacent to the Hideaway, has been operating an Entertainment Establishment as defined in Article X of the Zoning Code without a Minor CUP and without enforcement action from the City. In fact, Mario's markets and advertises its club entertainment on its website. True and correct copies of advertisements obtained from Mario's website are attached hereto as Exhibit “A” and incorporated herein by reference. Other like establishments, including Worthington's, Mission Tobacco Lounge, Pixels, ProAbition and Sevilla are regulated by Minor CUPs, however, they are not subject to the same onerous conditions as the Hideaway or enforcement action by the City, despite numerous violations and excessive calls for police service. Please see the chart below comparing Minor CUP conditions for the Hideaway to other like establishment.

CUP Requirements	Hideaway (Proposed Modified)	Worthington's	Mission Tobacco	Pixels	ProAbition	Sevilla
Menu	Full until 1:00am (food sales must be <50%)	No Restrictions	No Restrictions	Full until 10pm Appetizers until 2am (food sales must be 30%)	Full until 10pm Appetizers until 1:30am (food sales must be <50%)	No Full Menu Requirement “Food Service” during all hours

Full Liquor	ABC issued, but not approved by City	Yes, City approved Type 48 in Sept. 2009	Yes, City approved Type 48 in Nov. 2007	Yes, City approved Type 48 in July 2012	Yes, City approved Type 48 in 2013	Yes, City approved Type 48 in April 2004
Entertainment	Wed.-Sat.	Mon.-Sunday 10pm to 1:30am	No Restrictions (hours of operation Sun.-Mon. 12pm to 8pm Tues.-Sat. 12pm to 2am)	Thurs.-Sat 9pm to 1:30am (first 6 months) May be expanded by City Planner	No Restrictions except Night Club only 3 days a week	Mon.-Sun. Night Club 8pm to 2am Live Ent. 10pm to 1:30am
Happy Hour	Prohibited	Yes, until 7pm	No Restrictions	No Restrictions	Yes, until 7pm	No Restrictions
Cover Charge	\$10.00 (starting 1 hour before events)	\$5.00 (after 9:00pm)	None	\$5.00 (after 9pm)	\$5.00 (after 10pm)	None
Drink Specials	Prohibited	Prohibited	No Restrictions	No Restrictions	Yes (not lower than 50% of original price)	Yes, not >\$2.50
Posting of Fliers	Prohibited	Prohibited	No Restrictions	Prohibited	Prohibited	No Restrictions
Security	1 to 40 with 2 extra after 10:00pm and 1 extra at City owned and operated parking	1 to 50	None Required	1 to 50	1 to 40	2 to 75

	garage from 10:00pm to 3:00am					
Video Surveillance	Yes, in high definition and in constant use	Yes, only for interior and patio No high definition requirement	Yes, covering public area Digital requirement	Yes, in constant use No high definition requirement	Yes, in constant use No high definition requirement	None Required

IV. DISPARATE TREATMENT – CALLS FOR SERVICE

On June 16, 2016, Mr. Johnston received a letter from Travis Randel, Principal Planner, advising that a public hearing had been scheduled to consider the revocation or modification of the Hideaway's Minor CUP. The agenda packet for the public hearing contained three (3) Riverside Police Department Memoranda in support of the proposed revocation or modification of the Hideaway CUP. This Memorandum will address each incident/call for service contained in the RPD Memoranda in the context of enforceability based on the conditions set forth in the Hideaway CUP. Under the terms of the Hideaway CUP, the licensee (Craig Johnston) is responsible for incidents that occur at the premise or on adjacent property "which is under the control of the licensee". Mr. Johnston does not control public rights-of-way or City owned structures. It is important to note, that these incidents reported by RPD and relied upon by the Planning Department, occurred during a time period in which several RPD officers and sergeants advised Hideaway management that the problem with the Hideaway is "ALL THE BLACKS".

... Que video footage of Hideaway management polygraph examinations regarding RPD statements ...

APRIL 27, 2016 RPD MEMO

3-19-2016

Summary: Two subjects walked "past" the Hideaway and one subject fired a gun at Hideaway crowd. Hideaway did not call police because believed a blank. Video footage allegedly showed Hideaway management chasing suspect down Main Street.

- 1) Was incident at premise or in area of licensee control? NO
- 2) Was incident in area of City control/public right-of-way? YES
 - Suspect was in middle of street on Mission Inn Avenue

- 3) Does CUP mandate Hideaway call police? NO
- 4) Does CUP prohibit chasing suspects down public mall? NO
- 5) Did incident violate CUP? NO

2-28-2016

Summary: Several groups fighting to the front of the Hideaway. Suspect dragged by security.

- 1) Was incident at premise or in area of licensee control? NO
- 2) Was incident in area of City control/public right-of-way? YES
· On City sidewalk in front of Hideaway
- 3) Did officer observe security commit offense in his presence warranting arrest? NO
- 4) Does CUP prohibit removing person from public right-of-way? NO
- 5) Did incident violate CUP? NO

2-12-2016

Summary: Female with Hideaway shirt (no verification an employee) handing out red tickets and advising of \$2 drink specials

- 1) Did the police confirm that the female was a Hideaway employee? NO
- 2) Does the handing out of a red ticket with no text constitute the "posting of flyers and other propaganda within the outdoor areas of the project site and/or adjacent public and private property, including vehicles in accordance with paragraph 29 of the Hideaway CUP? NO
- 3) Did the officer attempt to use a red ticket in the Hideaway to confirm a \$2 drink special was being offered? NO
- 4) Did incident violate CUP? NO

2-05-2016

Summary: Lieutenant finds 50-70 flyers on sidewalk offering drink specials at Hideaway.

- 1) Did Lieutenant confirm licensee or Hideaway employee generated flyer? NO

- 2) Did Lieutenant attempt to use flyer to confirm drink special offered? NO
- 3) Does finding flyers on the sidewalk constitute "posting"? NO
- 4) Did incident violate CUP? NO

1-21-2016

Summary: Police contact individual who claims he threw a bottle at a Hideaway security guard. An alleged witness said they saw security guard throw down and kick individual who threw bottle.

- 1) Was incident at premise or in area of licensee control? NO
· Contact at Orange Street
- 2) Did officer confirm credibility of witness? NO
- 3) Did officer observe security commit offense in his presence warranting arrest? NO
- 4) Did officer arrest individual who admitted throwing bottle at Hideaway security?
NO
- 5) Did officer take report? NO
- 6) Did incident violate CUP? NO

11/15/2015

Summary: Officers respond to man with gun in front of Hideaway. Found handgun on suspect and underneath vehicle group of people standing around.

- 1) Was incident at premise or in area of licensee control? NO
· Vehicle parked on City street not within Hideaway control
- 2) Was incident in area of City control/public right-of-way? YES
- 3) Did officer confirm if suspect ever in Hideaway? NO
- 4) Did incident violate CUP? NO

11-14-2015

Summary: Victim cell phone taken by force while in Hideaway. Search of robbery suspect revealed gun in her boot. Security footage revealed Hideaway security allegedly gave suspect a hug.

- 1) Was incident at premise or in area of licensee control? YES
- 2) Did security know the suspect had a weapon when she entered premise? NO
- 3) Did Hideaway have a female security guard who could search female patron? NO
- 4) Did incident violate CUP? Unknown, but could constitute verified complaint under paragraph 9 of Hideaway CUP.
- 5) Has Hideaway implemented additional security measures to prevent such incidents from occurring? YES

10-23-2015

Summary: Police respond to call of group fight in front of Hideaway. Reporting party allegedly observed a gun, but left the scene.

- 1) Was incident at premise or in area of licensee control? NO
- 2) Was incident in area of City control/public right-of-way: YES
· On public sidewalk
- 3) Did officers confirm if alleged male with hand gun ever in Hideaway? NO
- 4) Can officer confirm credibility of reporting party? NO
- 5) Did incident violate CUP? NO

There are 6 additional incidents listed on the April 27, 2016 RPD Memo. They all pre-date the issuance of the Hideaway CUP on September 11, 2015. Two resulted in no reports because reporting parties were gone before police arrived. Two allege the violation of the CUP which had not yet been issued. One was an alleged drug possession by a patron.

- 1) Did these incidents violate the CUP? NO because it had not yet issued.
- 2) Did RPD participate in the issuance process of the Hideaway CUP? YES
- 3) Were these incidents ever raised during that process? NO

MAY 31, 2016 RPD MEMO

This Memorandum concerns an undercover narcotics investigation using a confidential informant (with an alleged extensive criminal record) to facilitate undercover drug buys at the Hideaway. RPD would not advise Mr. Johnston which of his employees were allegedly involved in facilitating the drug transactions, so that he could take appropriate action. It was only after the employee was arrested and public court records could be accessed that Mr. Johnston was able to identify the employee (LaChance) and immediately terminate him. It has been brought to Mr. Johnston's attention that LaChance disputes the allegations and has asked his public defender to obtain his cell phone records to confirm that he (LaChance) never made the alleged calls to a drug dealer. LaChance contends that he advised the undercover officer and alleged dealer to take their activity out of the Hideaway, as he didn't want drug dealing on the premise. LaChance contends that he was "set up" by RPD. The matter is proceeding through the criminal courts and a disposition has not been reached on the case. LaChance is presumed innocent until his guilt is proven.

Of the five (5) different undercover operations conducted at the Hideaway between March and May, 2016, only three buys occurred. Two (2) for 3.5 grams of methamphetamine for \$75.00 and \$70.00 respectively, and one (1) for a gram of marijuana for \$20.00. As indicated above, RPD was not cooperative with Mr. Johnston in identifying the employee. However, as soon as Johnston was able to ascertain the identity of the employee he terminated him. As a proactive measure, Johnston has implemented a random drug testing requirement for all employees. Johnston is unaware of any efforts by the RPD to engage in undercover activity at other like establishments to curtail drug activity there. It is highly likely that such undercover operations would yield far more than \$165.00 worth of drug transactions. Johnston believes the undercover operations were a direct result of the RPD's desire to obtain evidence to warrant revocation of the Hideaway's CUP and get rid of "ALL THE BLACKS".

JUNE 29, 2016 RPD SUPPLEMENTAL MEMO

May 29, 2016

Summary: Officers respond to a report of "shots fired" at a City owned and operated Parking Garage at 3743 Orange Street. Two groups had been involved in an altercation at the Hideaway. There was a vehicular accident that occurred in the City garage that resulted in a verbal altercation. One subject pulled a weapon and fired towards the other vehicle.

- 1) Was incident at premise or in area of licensee control? NO
- 2) Was incident in area of City control/public right-of-way: YES
 - Vehicle accident and gunfire occurred in City owned and operated garage

- 3) Did the officers confirm that the suspects had not patronized other downtown establishments that evening? NO
- 4) Did the suspects pull a weapon in the Hideaway? NO
- 5) Have numerous crimes occurred in the parking garage at 3743 Orange Street for the past 20 years? YES
- 6) Has the City ever provided security services in the past 20 years to address the crime in City parking garages? NO
- 7) Does the City have video surveillance in the parking garage to protect downtown patrons from crime? NO

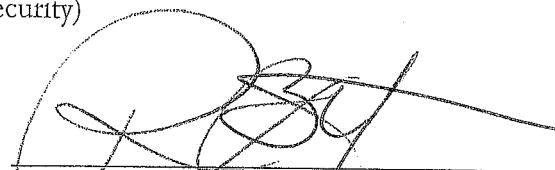
This incident is a direct result of the City's failure to properly maintain security in its parking garages. Crime in City parking garages has been a problem for decades. This was clearly an incident of road rage where a weapon was likely pulled from a vehicle parked in a City owned and operated garage. The Hideaway has absolutely no control over City owned property. Despite the City's representations to the public, Downtown Riverside is not a safe place.

In summation, these three (3) RPD Memos are the basis for the proposed revocation/modification of the Hideaway CUP. Interestingly, there was a murder in front of ProAbition (3500 block Main Street) in July 2015 (See Press Enterprise July 18, 2015). RPD officers informed Hideaway management it was believed the murder was committed by a band member performing at ProAbition that evening. Did such a violent crime warrant review of ProAbition's CUP? NO. Also, in May 2014, a man was stabbed to death in front of the Mission Tobacco Lounge (See Press Enterprise May 12, 2014). Did that warrant review of Mission Tobacco's CUP? NO. In addition, both of these establishments have CUPs that continue to permit full liquor service, yet the City is denying the Hideaway (which is murder free) the same privilege. Finally, calls for service reports, true and correct copies of which are attached hereto as Exhibit "B", show numerous like establishments with far greater calls for service and for far more serious offenses. Have their CUP's been subject to review or threatened with revocation/modification? NO. Have those with calls for service for narcotic related offenses been subject to undercover operations?

V. CONCLUSION

In light of all the evidence presented herein, it appears that the Hideaway has been unfairly targeted and subject to disparate treatment through regulation and enforcement, when others have not, because its establishment is patronized by "ALL THE BLACKS". Mr. Johnston respectfully request equal treatment through the issuance of a Minor CUP which is in line with other like establishments, including:

- 1) Full Liquor License
- 2) Happy Hour until 7:00pm
- 3) Drink Specials not less than \$2.50
- 4) Full Menu until 10:00pm, appetizers until closing
- 5) No Cover Charge
- 6) Security at 1 to 40 ratio (no parking security)



Raychele B. Sterling, Esq.
Attorney for Hideaway and Craig Johnston

EXHIBIT 3

LAW OFFICES OF RAYCHELE B. STERLING
17130 VAN BUREN BOULEVARD, STE. 363 · RIVERSIDE · CALIFORNIA · 92504
951-316-8772 · rbsterlinglaw@gmail.com

May 1, 2017

John Russo, City Manager
Sergio Diaz, Chief of Police
City of Riverside
3900 Main Street
Riverside, California 92522

Subject: Misuse of CLETS to conduct warrantless search of Hideaway security personnel

Gentlemen:

It has recently been brought to my attention that at the meeting of February 24, 2016, where Hideaway management met with City Planning and Police Department personnel to discuss the Hideaway Minor Conditional Use Permit (hereinafter, "Minor CUP"), Sergeant Mike Crawford ("Crawford") falsely advised Hideaway management that the Minor CUP required the disclosure of the names, social security numbers and birth dates of all Hideaway security personnel. A true and correct copy of the Minor CUP in place at the time of the meeting is attached hereto as Exhibit "A" for your review and reference. I direct your attention to paragraph 57, where the section entitled "Security" begins. Nowhere in the document does it mandate that the Hideaway is required to release confidential information of its employees to the Riverside Police Department ("RPD"). Furthermore, Hideaway management has confirmed that this request has never been made to any other downtown entertainment establishment, only the Hideaway.

In compliance with the unlawful directive of Crawford, Hideaway management sent electronic correspondences to Crawford to coordinate the release of its security personnel's confidential information. A true and correct copy of the electronic correspondence is attached hereto as Exhibit "B" for your review and reference. Crawford contacted Hideaway management telephonically after receipt of the attached correspondence and advised management to place the confidential documents in an envelope and leave them at the front counter, where he (Crawford) would pick them up.

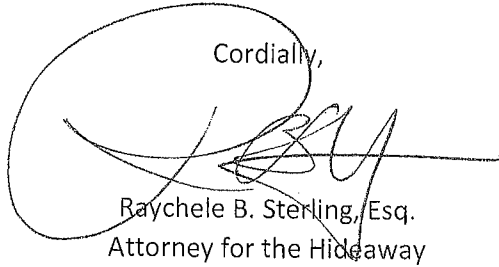
It is believed that Crawford, or someone Crawford provided the documents to, conducted a warrantless search of Hideaway security personnel by unlawfully accessing the CLETS database utilizing the confidential information provided by Hideaway management. These actions would be consistent with the ongoing "fishing expedition" for information being conducted by RPD to support its continued effort to rescind the Hideaway's Minor CUP and rid downtown of "ALL THE BLACKS".

In light of this information, it is respectfully requested that Internal Affairs investigate the alleged abuse of authority on the part of Crawford by his misrepresentation of the requirements of the Minor CUP to

Hideaway management, and any misuse of the CLETS database. All CLETS login and search information should be reviewed to identify any relevant searches which occurred at or around the time Crawford came into possession of the Hideaway security personnel's confidential information. A copy of this letter has been concurrently submitted to the CLETS Executive Secretary of the California Department of Justice, Bureau of Criminal Information & Analysis, to investigate a possible violation of the CLETS Policies, Practices & Procedures by RPD.

I thank you in advance for your anticipated cooperation regarding this very serious matter.

Cordially,

A handwritten signature in black ink, appearing to read 'RBS', is written over a large, loopy circular flourish. The signature is positioned above the printed name and title of the signatory.

Raychele B. Sterling, Esq.
Attorney for the Hideaway

- c: CLETS Executive Secretary, California Department of Justice, Bureau of Criminal Information & Analysis, 1300 I Street, Sacramento, California 95814
Gary Geuss, City Attorney
Neil Okazaki, Deputy City Attorney

EXHIBIT "A"

ORIGINAL HIDEAWAY



City of Arts & Innovation

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

Minor Conditional Use Permit (MCUP) Staff Report

PLANNING CASE P15-0255: Proposal by Craig Johnston to consider a Minor Conditional Use Permit for entertainment at an existing structure located at 3700 Main Street, and situated on the southerly corner of the Main Street and Mission Inn Avenue intersection, in the DSP-RC – Downtown Specific Plan – Raincross District, in Ward 1. **Contact Planner:** Gaby Adame, Assistant Planner.

BACKGROUND/PROJECT DESCRIPTION

The subject site will be located in the two-story Art Deco building at 3700 Main Street/3660 Mission Inn Avenue, known as Mission Galleria, which was originally built for Sears and Roebuck in 1937. It has a rectangular ground plan and is constructed of concrete. The flat roof features stepped Art Deco molding at the edge. The Mission Inn Avenue elevation is divided into seven bays by rectangular superimposed pilasters. The structure features rectangular fenestration with the first story having large store-front windows and the second story having semi-opaque glass. The color palette is beige, teal and terracotta. The building is identified as City Structure of Merit #291 and a contributor to the Mission Inn Historic District and the Seventh Street Historic District. An existing antique shop and coffee shop are currently operating in this location, as well as Hideaway Café, located in the basement.

The proposed project is requesting approval of a Minor Conditional Use Permit (MCUP) to allow entertainment in conjunction with restaurant and the sale of alcoholic beverages for on-site consumption (on-sale) in conjunction with the restaurant and entertainment venue. Proposed hours of operation are 10:00 a.m. to 1:00 a.m. Mondays and Tuesdays, 10:00 a.m. to 1:30 p.m. Wednesdays through Saturdays, and 11:00 a.m. to 1:30 a.m. on Sundays. As proposed in the Security Plan, entertainment will include open mic night Thursday 9:00 p.m. to 1:30 p.m., classic rock bands or DJ Fridays 9:00 p.m. to 1:30 p.m., DJ Saturday 9:00 p.m. to 1:30 p.m., and karaoke night Sunday 9:00 p.m. to 1:30 p.m.

A full menu will be provided until 1:00 a.m. A dress code will be enforced by security at every entrance as well as identification checks. Admittance will only be allowed to persons above the age of twenty-one (21) years. One (1) security person will be provided for every fifty (50) individuals, not including additional security for entryways. Key responsibilities of the doorman includes checking identification, head count, ensuring alcohol does not leave the premises, and ensuring noise level is not above permitted decibel level.

The building has been currently updated with a new sprinkler system under permit F11-0365 and F11-327. Building permit 14-4344 has also been issued for the replacement of the existing freight elevator with an ADA accessible elevator. Finalized construction of the elevator will be conditioned to be complete before entertainment is allowed at the site.

LOCATION/SURROUNDING LAND USES:

Project Site	Existing Land Use	General Plan Designation	Zoning Designation
	Restaurant/Coffee shop/Antiques store	DSP-Downtown Specific Plan	DSP-RC-CR -- Downtown Specific Plan, Raincross District, Cultural Resources Overlay Zone
North	Commercial/Offices	DSP-Downtown Specific Plan	DSP-RC-CR -- Downtown Specific Plan, Raincross District, Cultural Resources Overlay Zone
East	Hotel	DSP-Downtown Specific Plan	DSP-RC-CR -- Downtown Specific Plan, Raincross District, Cultural Resources Overlay Zone
South	Surface Parking Lot/ Restaurant	DSP-Downtown Specific Plan	DSP-RC-CR -- Downtown Specific Plan, Raincross District, Cultural Resources Overlay Zone
West	Open Space/ Restaurants/Offices	DSP-Downtown Specific Plan	DSP-RC-CR -- Downtown Specific Plan, Raincross District, Cultural Resources Overlay Zone

PROJECT ANALYSIS

The subject site has a General Plan land use designation of DSP – Downtown Specific Plan, a Zoning Designation of DSP-RC – Downtown Specific Plan-Raincross District, and is within the boundaries of the DSP Arts, Culture, and Entertainment District. As stated in Arts, Culture, and Entertainment section of the Downtown Specific Plan (Chapter 22), Riverside’s Downtown represents the cultural, artistic, and entertainment center of Riverside, surrounding communities, and all those who visit. The Specific Plan also indicates that the development standards for the Raincross District (Chapter 6) are designed to create a place of daytime, evening, and weekend activities, and encourage the continued use and preservation of historic structures to further propel the historic character of the City and economic health.

The DSP allows entertainment establishments subject to the granting of a Minor Conditional Use Permit and compliance with site development and operational standards related to the Zoning Codes chapter on Assemblies of People (Chapter 19.250) and Alcohol Sales (Chapter 19.450). As proposed, the project complies with all applicable standards. Due to the buildings designation as historic cultural resource, the proposed use of the building is exempted from providing parking.

Due to the site being approximately 104 feet from the Mission Inn Hotel and Spa, the applicant commissioned LSA Associates, Inc. to provide an acoustical study. The noise study, dated May 2015, determined that noise generated from the proposed use will be consistent with the provisions of the City’s Noise Code and no mitigation measures were proposed.

The applicant submitted a security plan, which was reviewed by the Riverside Police Department (RDP) and was approved with conditions. Conditions include having one security staff for every forty (40) patrons and not having entertainment more than four nights a week.

GENERAL FINDINGS

The Zoning Code requires three general findings as discussed below to be made in order for a minor conditional use permit to be approved. This proposal meets all location standards of the Downtown Specific Plan and Title 19 Zoning Code.

Required General Finding: The proposed use will be compatible with the Municipal Code and specific site location, development and operation standards of the particular use (Section 19.250.030) and will be substantially compatible with others uses in the area not posing any materially detrimental impacts to the health, safety and general welfare of the public, including factors relating to the nature of its operation, building design, site design, traffic characteristics and environmental impacts.

Evaluation: The proposed use does comply with these findings. The DSP allows entertainment establishments subject to the granting of a Minor Conditional Use Permit and compliance with the location, development, and operational standards related to assemblies of people—entertainment under the Zoning Code (Chapter 19.250.030). As proposed, the project complies with all applicable standards.

As a matter of information, a public notice was mailed to all property owners within 1,000 feet of the subject property. One written response was received by staff from Tilden-Coil in support of the proposed use as long as the proper security measures are enforced. With the implementation of the recommended conditions of approval, the concerns raised by the responded will be fully addressed such that no significant impacts should occur as a result of allowing entertainment as proposed.

ENVIRONMENTAL DETERMINATION

The project constitutes an existing facility which is categorically exempt per the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA Guidelines.

ZONING ADMINISTRATOR'S DECISION

The Zoning Administrator APPROVES P15-0255, subject to the following conditions:

CONDITIONS OF APPROVAL

The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the approval of the Planning Department.

Conditions

- **Planning**

Operational Conditions – Applicable for all Entertainment Events:

1. All entertainment uses shall follow the strict guidelines set forth in Chapter 19.250 – Assemblies of People - Entertainment, those entertainment uses that are not contained within the definitions shall not be permitted.
2. Those entertainment uses which fall under Section 9.40.020(A)(3) – Adult-Oriented Businesses, Adult Cabaret, shall not be permitted.
3. Entertainment shall be limited to Wednesday from 5:00 p.m. to 12:00 a.m., Thursday from 5:00 p.m. to 1:30 a.m. and Friday and Saturday nights from 8:00 p.m. to 1:00 a.m.
4. Entertainment activities shall not exceed four nights per week, any request for modification shall be subject to Zoning Administrator approval.
5. A maximum of three dinner shows per evening (Thursday – Saturday), lasting no more than 15 minutes per performance shall be allowed in a clearly defined area.
6. The full menu shall be available until 10:00 p.m. and an appetizer/finger food menu shall be available until within 30 minutes of closing.
7. A last call for alcohol shall be provided nightly at no later than within 45 minutes of closing. No alcohol sales shall be allowed within 30 minutes of closing.
8. All patrons shall be 21 and over after 10:00 p.m.
9. The required Minor Conditional Use Permit is subject to a mandatory six-month review. In addition to any other stipulations made by the Planning Division, three or more verified complaints within any 12-month period received by the Riverside Police Department regarding disturbances caused at the site by patrons or staff shall be grounds for revocation proceedings.

Conditions Applicable to Banquet Events:

10. Entertainment can be allowed in conjunction with banquet events.
11. Guests shall only be allowed to enter the banquet facility “by invitation only”. There shall be no cover charge to enter the restaurant facility for a banquet event; however, the host organization is allowed to charge an advance fee, such as for a conference or workshop.
12. No alcohol specials shall be offered.
13. Banquet events shall be concurrent with regular restaurant and bar operations.
14. Banquet events shall occur in a separate “banquet room”, separate from the main dining area and lounge/bar area.

Conditions Applicable to Private Party Events:

15. The restaurant and bar shall be closed to the general public during a Private Party; guests shall only be allowed to enter the facility “by invitation only”.

16. Private Parties shall end by 1:30 a.m.
 17. Entertainment as proposed shall be allowed in conjunction with Private Party events.
 18. Private parties shall rent the entire facility and shall be subject to the granting of a Temporary Use Permit (TUP) by the Zoning Administrator.
 19. Up to six (6) Private Parties are allowed in the facility in a calendar year subject to the granting of a Temporary Use Permit (TUP). The applicant may request approval of a Temporary Use Permit to allow for six (6) additional private parties in the same calendar year, subject to review and approval by the Zoning Administrator.
 20. The full menu shall be available until 10:00 p.m. and an appetizer/finger food menu shall be available until closing.
 21. A last call for alcohol shall be provided nightly at no later than 1:15 a.m. No alcohol sales shall be allowed after 1:30 a.m.
- Operational Conditions – Applicable for all entertainment events:*
22. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.04.020 of the Riverside Municipal Code.
 23. The maximum seating capacity and/or occupancy shall not exceed that which is established by the City Fire Marshall. More than one violation of this condition shall constitute a material violation of this permit.
 24. Operation of the business, including entertainment, shall be in compliance with Title 7 (Noise Control) of the Municipal Code. Noise related directly to the business shall meet or exceed Title 7 at all times for all activities, interior and exterior.
 25. All doors shall remain closed while entertainment activities are occurring to minimize noise impacts.
 26. The outdoor speakers shall be in compliance with Title 7 of the Municipal Code at all times as measured at the site's property line and shall not be operated between the hours of 10:00 p.m. to 7:00 a.m.
 27. This Minor Conditional Use Permit shall be terminated if the operation is no longer maintained as a "Bona Fide Public Eating Place" as defined by the California Department of Alcoholic Beverage Control Act Section 23038 or as it may be amended and further as required by these conditions of approval. Such automatic termination shall be effective no later than ten (10) days following such change in operation, unless an application for revision of this permit has been submitted to the City Planning Division and has not been denied.
 28. No alcoholic beverages are to be sold or dispensed for consumption beyond the premises.

29. The posting of flyers and other propaganda within the outdoor areas of the project site and/or adjacent public and private property, including vehicles, shall be strictly prohibited.
30. A copy of the minor conditional use permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.
31. The applicant shall notify Planning Division staff upon a future change of ownership of the subject property and/or vacancy of the subject restaurant building.
32. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code. Should there be three or more verified complaints or service calls related to the operations of indoor shooting range within any six month period, the use shall be automatically scheduled for a revocation hearing before the City Planning Commission.
33. **Advisory:** This Minor Conditional Use Permit shall include only those entertainment uses listed in the entertainment table in the staff report. The applicant shall apply for a revised Minor Conditional Use Permit, if entertainment is proposed to be expanded beyond what has been approved under this Minor Conditional Use Permit.
34. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
35. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
36. This permit is issued based upon the business operations plan and information submitted by the applicant which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify City Planning Department of any change in operations and such change may require a revision to this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
37. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.

38. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
39. This conditional use permit shall be terminated if the operation is no longer maintained as a "Bona Fide Public Eating Place" as defined by the California Department of Alcoholic Beverage Control Act Section 23038 or as it may be amended. Such termination shall be effective no later than ten (10) days following such change in operation, unless an application for revision of this permit has been submitted to the City Planning Department and has not been denied.
40. The applicant shall install and maintain a video monitoring system, which provided a view of the main entrance area and which is acceptable to the Riverside Chief of Police.
41. The granting of this request shall in no way exclude or excuse compliance with all other applicable rules and regulations in effect at the time this permit is exercised.

• **Fire**

CONTACT MARGARET ALBANESE AT 951-826-5455 FOR QUESTIONS REGARDING FIRE CONDITIONS OR CORRECTIONS.

42. Provide a complete floor plan of the Hide A Way to scale with the specific locations of the dance floor areas.
43. Provide an exit analysis for the Hide A Way.
44. Shall not exceed the posted maximum occupant load at any time.
45. An inspection by the Fire Department is required prior to use. Contact Inspector Douglas @ (951) 826-5828 to schedule your inspection. NOTE: FAILURE TO CALL FOR YOUR INSPECTION IS A VIOLATION OF THE CALIFORNIA FIRE CODE AND MAY RESULT IN CRIMINAL PROSECUTION.

• **Public Utilities-Water**

46. No Water Division requirements.

• **Police**

Alcohol

47. The business shall serve primarily as a restaurant equipped with a commercial kitchen, and follow guidelines of the Alcohol Beverage Control (ABC) requirements for acting as a bona fide eating place (in compliance with Section 23038 of the Business and Professions Code).

The sale of food shall constitute more than 50% of the total revenues generated by the establishment as required by the California Department of Alcoholic Beverage Control to.

49. The business shall serve primarily as a restaurant equipped with a commercial kitchen, and follow the guidelines of the Alcohol Beverage Control (ABC) requirements for acting as a bona fide public eating place (in compliance with Section 23038 of the Business and Professions Code).
50. The sale of food shall constitute more than 50% of the total revenues generated by the establishment as required by the California Department of Alcoholic Beverage Control to maintain a Type 41 on-sale beer and wine eating place license.
51. At all times when the establishment is open for business, the sale and service of open alcoholic beverages shall be available only in conjunction with the sale and service of full meals.
52. No alcoholic beverages shall be permitted on the property adjacent to the licensed premises under the control of the licensee.
53. No alcoholic beverages are to be sold or dispensed for consumption beyond the premises.
54. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.04.020 of the Riverside Municipal Code.
55. "Happy Hour" in the restaurant shall not be made available past 7:00 p.m., and no alcohol sales shall be permitted after 1:30 am.
56. No alcohol specials shall be permitted, i.e. \$1 drink nights (or other reduced price drinks), or events allowing patrons under 21.

Security

57. The business shall utilize a licensed and bonded security firm or screen to monitor the activity of their patrons inside the facility as well as the parking lot. The firm or personnel providing security for the facility shall be subject to the review of the Riverside Police Department.
58. The written security plan shall be enforced as presented including the following items contained herein:
 - a. A minimum ratio of 1 licensed and bonded security staff member for every 40 patrons shall be on-site after 9:00 p.m. to monitor the activity of their patrons inside the facility as well as the existing concrete sidewalk area, and extending a minimum of 30 minutes past closing.
 - b. The security manager shall work directly with the Riverside Police Department at least 2 weeks prior to events where bands or other performances are expected to draw large crowds.

- c. A security camera surveillance system shall be in constant use and made available to members of the Riverside Police Department.
- d. Security personnel shall mechanically keep an accurate count of persons in the restaurant and make the count available to public safety personnel upon request.
- e. Two additional security personnel shall be stationed outside all entry and exit doors after 9:00 p.m., and shall actively work with management staff to clear the surrounding area and curtilage of all persons within 30 minutes of closing.

Entertainment

- 59. Entertainment may not exceed 4 nights a week.
- 60. Entertainment uses that are not contained within the strict guidelines set forth in Chapter 19.250-Assemblies of People-Entertainment shall not be permitted.
- 61. Entertainment uses that fall under Section 9.40.020 (A) (3)-Adult-Oriented Businesses, Adult Cabaret, etc., shall not be permitted.
- 62. Entertainment shall be limited to interior areas of the building only. No entertainment activities shall be permitted outdoors.
- 63. There shall be no external speakers for any audio amplification system. Music shall be played indoors only and shall not be projected onto the outdoor area, including the patio area or surrounding public space.
- 64. Establishment operations and entertainment must be in compliance with Title 7 (noise Control) of the Riverside Municipal Code.
- 65. Future entertainment may be denied should it be determined that the uses or conditions under which the property is being operated or maintained is detrimental to public health or welfare, is materially injurious to public safety, or constitutes a public nuisance.

Grounds

- 66. The frontage area of the premises shall be equipped with lighting of sufficient power to illuminate and make easy discernment of the appearance and conduct of all persons on or about the curtilage of the establishment.
- 67. The licensee shall be responsible for maintaining the area adjacent to the premises of which they have control, and ensuring it is free of litter and graffiti.
- 68. During hours of operation, no loitering shall be permitted on any property adjacent to the license's premises which is under control of the licensee, in order to maintain public right of way.

Compliance

69. The applicant shall participate in a Crime Prevention through Environmental Design (CPTED) inspection and implement suggested enhancements prior to the start of serving alcohol.
70. The licensee/employees shall attend a 4 hour License, Education, Alcohol and Drug (LEAD) class presented by the Riverside Office of the Alcoholic Beverage Control within 90 days of obtaining an ABC sales license.
71. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department in the enforcement of all laws. The violation of any laws, or failure to cooperate with the Riverside Police Department, will be cause for revocation.
72. The applicant must comply with the maximum occupancy established by the City of Riverside Fire Marshal. More than one violation of this condition shall constitute a material violation of the permit.
73. A copy of the Conditional Use Permit and the Conditions of Approval shall be made available at the site and presented to City staff, including the Riverside Police Department and Code Enforcement, upon request.
74. The applicant shall post a public notice regarding slavery and human trafficking in a conspicuous place near the public entrance of the establishment, or in another conspicuous location, in clear view of the public and employees where similar notices are customarily posted, as required per Section 52.6 of the Civil Code.
75. The required conditional use permit is subject to a mandatory six-month review by the Planning Division. In addition to any other stipulations, three or more sustained complaints to the Riverside Police Department within any 12-month period regarding disturbances caused by patrons or staff at the site shall be grounds for revocation proceedings.

Standard Conditions

• Planning

76. There shall be a two-year time limit in which to commence entertainment, beginning the day following approval by the Zoning Administrator unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
77. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.
78. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may

become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.

79. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
80. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
81. This permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify the Planning Division of any change in operations and such change may require a revision to this permit. Failure to notify the City of any change in operations is material grounds for revocation of this conditional use permit.
82. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
83. Failure to abide by all conditions of this permit shall be cause for revocation.
84. The subject property shall be operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
85. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to the issuance of building permits and/or occupancy.
86. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.
87. The granting of this request shall in no way exclude or excuse compliance with all other applicable rules and regulations in effect at the time this permit is exercised.
88. *Advisory:* Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. All signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, it necessary prior to any sign permit issuance.

89. *Advisory:* Exterior modifications to the existing building and/or site shall be subject to the review and approval of the Cultural Heritage Board staff.

General Information Notes

90. All decisions of the Zoning Administrator or Planning Commission shall be final and effective ten days following the notice of decision unless a member of the City Council has requested the item be reviewed or a written appeal has been filed by the applicant or an interested person with in this time.
91. Any minor conditional use permit not exercised within one year of its effective date shall become void provided, however, that the Zoning Administrator may extend the time limit no more than twice and no more than one year per extension, if a written application for such an extension showing good cause and the fee for a time extension is submitted to the Planning Department prior to the expiration of the permit.
92. A minor conditional use permit shall become void if any of the conditions listed below apply:
- a. The construction or use authorized by the minor conditional use permit is not commenced and diligently pursued to completion within one year of the effective date of the conditional use permit or within the time period granted by a time extension granted in accordance with Section 19.690 of Municipal Code;
 - b. The use of which the minor conditional use permit was granted has ceased to exist or has been suspended for one year or more; or
 - c. The owner or owner's authorized representative of the property for which the minor conditional use permit was granted requests, in writing, that the permit be voided and the Zoning Administrator approves the request.
93. Failure to comply with these conditions and/or with zoning code provisions may be cause for revocation. A public hearing to consider the revocation of a minor conditional use permit may be conducted by the Planning Commission at its own initiation or at the direction of the City Council in accordance with the provisions of Section 19.730 of Municipal code.
94. If a minor conditional use permit is denied, no reapplication for the same type of use on the same property shall be allowed for at least one year following the date of final denial by either the Zoning Administrator or the City Council. The Zoning Administrator shall have the authority to determine what constitutes the "same type of use" in all instances of requested reapplication.

APPEAL INFORMATION

The Zoning Administrator's decision or any conditions of approval can be appealed to the City Council by the applicant or any interested person within ten days of this action. To appeal this decision, submit a letter stating what you wish to appeal and why, the General Application form and a check in the amount of \$1,531.20, made payable to the City of Riverside to cover the appeal fee. The Planning Division

offers a packet on filing an appeal that you might find helpful. Appeals may be delivered in person or mailed. The Planning Division's address is:

City of Riverside
Community & Economic Development Department
Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

Appeals will be considered by the City Council within thirty days of the end of the appeal period.

cw: Gaby Adame
ZA Cycle: Sept 11, 2015

EXHIBIT "B"



Raychele Sterling <rbsterlinglaw@gmail.com>

Fwd: Hideaway Security Plan and employee info

1 message

Mon, Apr 24, 2017 at 1:09 PM

----- Forwarded message -----

From: **Hazelbrook Inc** <hazelbrookinc@gmail.com>

Date: Sat, Apr 23, 2016 at 4:00 PM

Subject: Hideaway Security Plan and employee info

To: mcrawford@riversideca.gov

Hey Mike,

Sorry for the delay in documents, my scanner went out on me so I ended up having to go to staples to scan these docs.

Here is the new and revised security plan. I've also copied guard cards for the guys who currently have them and copies of drivers license/social cards or w-4s and I-9s for my new hires waiting on the pso training

This is currently all the security we have at the moment. I had to let go several guards last week as I am cleaning house.

Please let me know if you need anything else.. txt is probably the best form of communication.

Thanks

Sent from my 4G Android device

----- Original Message -----

Subject: Documents

From: Staples Copy Center #1377 <cc1377@staplescopycenter.com>

To: hazelbrookinc@gmail.com

CC:

MAKE more Happen! for LESS

Call an associate or come on in for details!!

Staples Copy Center

Store # 1377

3439 Grand Oaks, Corona, CA 92881



Raychele Sterling <rbsterlinglaw@gmail.com>

Fwd: Hey Mike, here is the new and revised security plan. I've also copied guard cards for the guys who currently have them and copies of drivers license/social cards or w-4s and I-9s for my new hires. This is currently all the security we have at the moment. I had to let go several guards last week as I am cleaning house prior to paying for these guys to get the new licensing. Please let me know if you need anything else.. txt is probably the best form of communication. Thanks Sent from my 4G Android device

David F. [REDACTED]
To: Raychele Sterling <rbsterlinglaw@gmail.com>

Wed, May 10, 2017 at 1:36 PM

----- Forwarded message -----

From: Hazelbrook Inc [REDACTED]
Date: Sat, Apr 23, 2016 at 4:11 PM
Subject: Hey Mike, here is the new and revised security plan. I've also copied guard cards for the guys who currently have them and copies of drivers license/social cards or w-4s and I-9s for my new hires. This is currently all the security we have at the moment. I had to let go several guards last week as I am cleaning house prior to paying for these guys to get the new licensing. Please let me know if you need anything else.. txt is probably the best form of communication. Thanks Sent from my 4G Android device
To: mcrawford@riversideca.gov

Sent from my 4G Android device

----- Original Message -----

Subject: Documents
From: Staples Copy Center #1377 <cc1377@staplescopycenter.com>
To: [REDACTED]
CC:

MAKE more Happen! for LESS

Call an associate or come on in for details!!

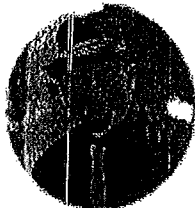
Staples Copy Center

Store # 1377

3439 Grand Oaks, Corona, CA 92881

Ph: (951) 817-9090 Fax: (909) 817-9233

--
Hazel Brook Inc





David Freselli

Cell [REDACTED]

[REDACTED]

2 attachments

 Document.pdf
2403K

 Document2.pdf
8622K

Hideaway Security Plan

This document should be considered the "Security Plan" for Hideaway Restaurant and Nightclub located in the Mission Galleria Building at the corners of 3700 Main Street and 3660 Mission Inn Avenue. This Security Plan conforms to the City of Riverside Minor Conditional Use Permit, Planning Case Number P 15-0255.

This Security Plan provides the basic security operational guidelines for The Hideaway and should not be considered a full Security Policy and Procedure Manual.

SECURITY STAFFING

Per the Minor Conditional Use Permit (MCUP), the Hideaway will supply a minimum security guard to guest ratio of 1 guard per 40 patrons for the listed capacity of the licensed premise. Additionally, per the MCUP, on nights when entertainment is provided, the Hideaway will also supply a minimum of 2 security guards for each listed Entrance and Exit after 9pm.

The following will apply to the Hideaway security guards.

1. All security guards will be licensed per State of California, Department of Consumer Affairs, Bureau of Security & Investigative Services (BSIS).
2. Per the Riverside Police Department, the Hideaway will only employ security guards with their current state license cards or those who have completed the application process.
3. The Hideaway will maintain copies of all security guard licenses or applications and have them available for any inspection.

SECURITY GUARD DUTIES

Door

1. Monitor guests for legal age and screen identification to assure guests are over the age of 21.
2. Monitor guests to prevent any guest entry who are already obviously intoxicated.
3. Monitor guests for appropriate dress code when used. Dress code;
 - a. No tank tops, muscle shirts or shirts with the sleeves removed
 - b. No sweats or jogging pants
 - c. No dirty, excessively worn/tattered or soiled clothing
 - d. No bandanas or "do-rags"
 - e. No motorcycle "colors" or known "gang" attire
4. Monitor guests who may be considered "undesirable" for the operation.
5. Monitor guests who might attempt to enter or leave with alcohol.
6. Monitor guests who are in patio, standing on sidewalk area adjacent to the Hideaway or in any line. Security guards will monitor the following;
 - a. Noise levels - will remind guests to limit noise levels.
 - b. Congregating crowds - will attempt to have guests enter, access an entry line or move on.

- c. Maintain a clean environment – will advise any smoking guests to use ash cans and will also monitor area for trash.
- 7. Monitor capacity using hand held electronic or manual "clickers".
- 8. Maintain radio communication with other security guards and management.

Deck Area / Patio

- 1. Monitor and address guest behavior related to the following:
 - a. Accidents
 - b. Injuries
 - c. Over-intoxication
 - d. Passing or receiving objects from non-screened guests
 - e. Arguments
 - f. Altercations

Downstairs

- 2. Monitor and address guest behavior related to the following:
 - a. Accidents
 - b. Injuries
 - c. Over-intoxication
 - d. Arguments
 - e. Altercations

ADMITTANCE TO THE HIDEAWAY

The liquor license of the Hideaway allows for all ages to enter during normal operating hours. However, per the MCUP, after 10pm, all entering must be over 21 years of age.

Management of the Hideaway chooses to exceed that legal and MCUP standard and not allow anyone in after 9pm.

Security guards working the doors will make every attempt to identify and refuse entry to any guest who is obviously intoxicated.

HIDEAWAY EJECTIONS

Reasons for Ejection

There are many reasons that a guest may be asked to leave. This list is a sample of some of those reasons;

1. Over-intoxication
2. Vandalizing or destroying property
3. Verbally assaulting or arguing
4. Physically assaultive or fighting

In nearly all cases of a guest being asked to leave or forced to leave, security guards will advise management for assistance.

There are some other incidents that may require a guest be warned or even asked to leave. Examples of some of these are;

1. Taking drinks into restroom
2. Narcotic usage
3. Weapons
4. Gambling
5. Loud, rude or vulgar language or actions

Ejection of a Guest

The Hideaway does not have a no hands on policy, however, the use of any force on any guest who is being ejected will be done as a LAST RESORT. When possible, diffusion and discussion should be attempted. However, if the incident involves an active altercation or other dangerous situation, security guards should be ready to go hands on immediately.

When a guest must be ejected, any employee involved will only use the amount of force that was necessary to get the guest out. If the employee feels they cannot remove the guest safely or if a manager decides, the guest will not be removed and instead, management will call 911.

When possible, when any guest is being removed, security guards will first try to notify other guards and managers. There may be certain dangerous or fast moving situations that will require security guards to act first and then notify other guards and managers.

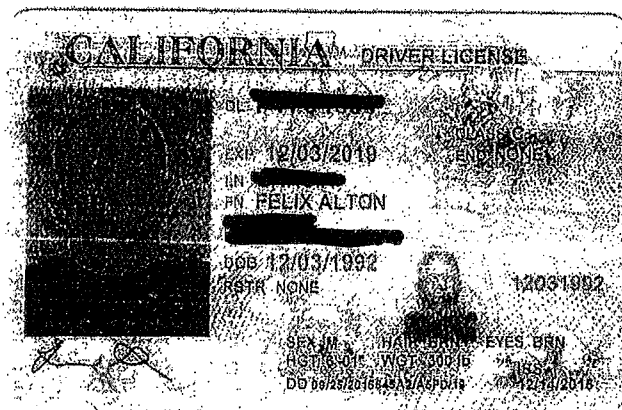
When guests are being removed, if the incident involves two or more separate parties, every attempt should be made to remove guests from opposite doors and at different times. This helps to assure the problem doesn't continue outside.

Occasionally, the ejection may be based on some sort of serious or minor crime. Depending on the seriousness of the crime, that ejection may turn into a Private Person's Detention. In many cases, that detention may require police be called in a timely manner. In these cases, managers should always be involved and, if necessary, will ask an employee to call police or will make that call themselves.

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Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

Finished board card
(course)

USCIS
Form I-9

OMB No. 1615-0047
Expires 03/31/2016

▶ START HERE. Read instructions carefully before completing this form. The instructions must be available during completion of this form.
ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

Last Name (Family Name)		First Name (Given Name)		Middle Name		Other Names Used (if any)	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Address (Street Number and Name)				Apt. Number		City or Town	
[REDACTED]				[REDACTED]		[REDACTED]	
Date of Birth (mm/dd/yyyy)		U.S. Social Security Number		E-mail Address		State	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
						Zip Code	
						[REDACTED]	
Telephone Number							

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

☒ A citizen of the United States

☐ A noncitizen national of the United States (See instructions.)

☐ A lawful permanent resident (Alien Registration Number/USCIS Number):

4m [REDACTED] authorized to work until expiration date, if applicable, (mm/dd/yyyy)

For aliens authorized to work, provide your Alien Registration Number/USCIS Number OR Form I-94 Admission Number:

1. Alien Registration Number/USCIS Number: _____

OR

2. Form I-94 Admission Number: _____

If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:

Foreign Passport Number: _____

Country of Issuance: _____

Some aliens may write "N/A" on the Foreign Passport Number and Country of Issuance fields. (See instructions)

3-D Barcode
Do Not Write in This Space

Signature of Employee:

[Signature]

Date (mm/dd/yyyy):

1/2/14

Preparer and/or Translator Certification (To be completed and signed if Section 1 is prepared by a person other than the employee.)

I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator:

Last Name (Family Name)

Date (mm/dd/yyyy):

First Name (Given Name)

Address (Street Number and Name)

City or Town

State

Zip Code



Employer Completes Next Page



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Form W-4 (2016)

Purpose. Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

Exemption from withholding. If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2016 expires February 15, 2017. See Pub. 505, Tax Withholding and Estimated Tax.

Note: If another person can claim you as a dependent on his or her tax return, you cannot claim exemption from withholding if your income exceeds \$1,600 and includes more than \$350 of unearned income (for example, interest and dividends).

Exceptions. An employee may be able to claim exemption from withholding even if the employee is a dependent, if the employee:

- is age 65 or older,
- is blind, or

• Will claim adjustments to income, tax credits, or itemized deductions, on his or her tax return.

The exceptions do not apply to supplemental wages greater than \$1,000,000.

Basic Instructions. If you are not exempt, complete the **Personal Allowances Worksheet** below. The worksheets on page 2 further adjust your withholding allowances based on itemized deductions, certain credits, adjustments to income, or two-earners/multiple jobs situations.

Complete all worksheets that apply. However, you may claim fewer (or zero) allowances. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

Head of household. Generally, you can claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependents (or other qualifying individuals). See Pub. 501, Exemptions, Standard Deduction, and Filing Information, for information.

Tax credits. You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the **Personal Allowances Worksheet** below. See Pub. 505 for information on converting your other credits into withholding allowances.

Nonwage income. If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax. If you have pension or annuity income, see Pub. 505 to find out if you should adjust your withholding on Form W-4 or W-4P.

Two-earners or multiple jobs. If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others. See Pub. 505 for details.

Nonresident alien. If you are a nonresident alien, see Notice 1398, Supplemental Form W-4 Instructions for Nonresident Aliens, before completing this form.

Check your withholding. After your Form W-4 takes effect, use Pub. 505 to see how the amount you are having withheld compares to your projected total tax for 2016. See Pub. 505, especially if your earnings exceed \$100,000 (single) or \$180,000 (married).

Future developments. Information about any future developments affecting Form W-4 (such as legislation enacted after we release it) will be posted at www.irs.gov/w4.

Personal Allowances Worksheet (Keep for your records.)

A	Enter "1" for yourself if no one else can claim you as a dependent.	A	_____
B	Enter "1" if: <ul style="list-style-type: none">• You are single and have only one job; or• You are married, have only one job, and your spouse does not work; or• Your wages from a second job or your spouse's wages (or the total of both) are \$1,500 or less.	B	_____
C	Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.)	C	_____
D	Enter number of dependents (other than your spouse or yourself) you will claim on your tax return.	D	_____
E	Enter "1" if you will file as head of household on your tax return (see conditions under Head of household above)	E	_____
F	Enter "1" if you have at least \$2,000 of child or dependent care expenses for which you plan to claim a credit (Note: Do not include child support payments. See Pub. 503, Child and Dependent Care Expenses, for details.)	F	_____
G	Child Tax Credit (including additional child tax credit). See Pub. 972, Child Tax Credit, for more information. <ul style="list-style-type: none">• If your total income will be less than \$70,000 (\$100,000 if married), enter "2" for each eligible child; then less "1" if you have two to four eligible children or less "2" if you have five or more eligible children.• If your total income will be between \$70,000 and \$84,000 (\$100,000 and \$119,000 if married), enter "1" for each eligible child.	G	_____
H	Add lines A through G and enter total here. (Note: This may be different from the number of exemptions you claim on your tax return.)	H	_____

For accuracy, complete all worksheets that apply.

- If you plan to itemize or claim adjustments to income and want to reduce your withholding, see the Deductions and Adjustments Worksheet on page 2.
- If you are single and have more than one job or are married and you and your spouse both work and the combined earnings from all jobs exceed \$50,000 (\$20,000 if married), see the Two-Earners/Multiple Jobs Worksheet on page 2 to avoid having too little tax withheld.
- If neither of the above situations applies, stop here and enter the number from line H on line 5 of Form W-4 below.

Separate here and give Form W-4 to your employer. Keep the top part for your records.

Form W-4 Department of the Treasury Internal Revenue Service		Employee's Withholding Allowance Certificate		OMB No. 1545-0074	
1 Your first name and middle initial <u>Hasarane</u>		Last name <u>[REDACTED]</u>		2 Your social security number <u>[REDACTED]</u>	
Home address (number and street or rural route) <u>[REDACTED]</u>		3 <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married, but withheld at higher Single rate. Note: If married, but legally separated, or spouse is a nonresident alien, check the "Single" box.		2016	
City or town, state, and ZIP code <u>[REDACTED]</u>		4 If your last name differs from that shown on your social security card, check here. You must call 1-800-772-1213 for a replacement card. <input type="checkbox"/>			
5 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2)		6 Additional amount, if any, you want withheld from each paycheck		7 I claim exemption from withholding for 2016, and I certify that I meet both of the following conditions for exemption: <ul style="list-style-type: none">• Last year I had a right to a refund of all federal income tax withheld because I had no tax liability, and• This year I expect a refund of all federal income tax withheld because I expect to have no tax liability. If you meet both conditions, write "Exempt" here. <input type="checkbox"/>	
Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true, correct, and complete.					
Employee's signature (This form is not valid unless you sign it.) <u>[Signature]</u> Date <u>1/10/16</u>					
8 Employer's name and address (Employer: Complete lines 8 and 9 only if sending to the IRS.)		9 Office code (optional)		10 Employer identification number (EIN)	

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Finished Guard Card
Courses

All American Security

PPO #11804

Certificate of Completion
is hereby granted to

DANIEL [REDACTED]

To certify that he/she has completed to satisfaction

MODULE 'A' 8 HR. TRAINING

Weapons of Mass Destruction-4 hours

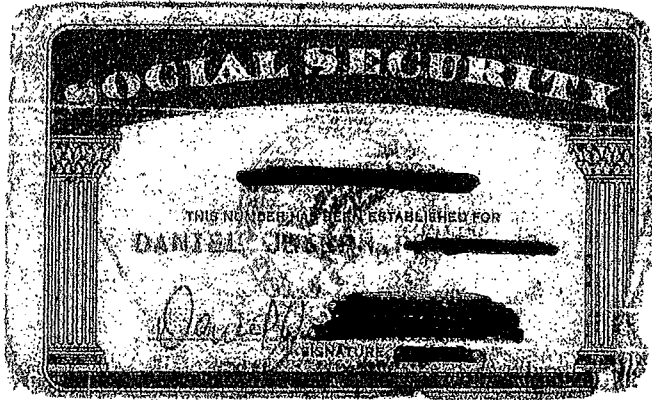
Powers to Arrest-4 hours

IN COMPLIANCE WITH THE DEPARTMENT OF CONSUMER AFFAIRS TRAINING COURSE FOR
SECURITY GUARDS

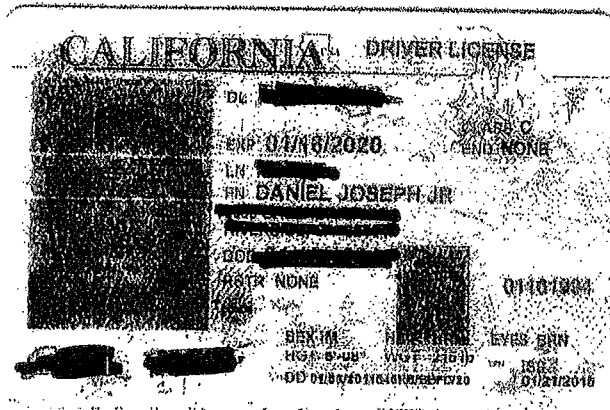
SERIAL # [REDACTED]
Granted: [REDACTED]

Eric Hale
Instructor

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4/16/2016

Breeze - State of California



Department of Consumer Affairs



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License Details

The Department of Consumer Affairs encourages you to verify the license statuses of any licensees that may appear in a 'Related License' section below. You can verify these licensees by selecting 'New Search' and conducting a new search using the 'Search by Personal or Business Name' option. Please note that the 'Related License' section will only appear below if this license is related to another license. Not all licensees have a related license.

If the License Details below include 'Date of Graduation', the month and date of graduation may not be available. In this instance it will be displayed as '01/01/YYYY' where YYYY represents the year of graduation. Please note that not all license types disclose 'Date of Graduation' on the License Details screen.

Press "Previous Record" to display the previous license.

Press "Next Record" to display the next license.

Press "Search Results" to return to the Search Results list.

Press "New Search Criteria" to do another search of this type.

Press "New Search" to start a new search.

License Number: 1929727

Name:

GERARDO

Current Date: 04/16/2016 10:39 PM

License Type:

Security Guard

License Status:

Current

Expiration Date:

Original Issuance Date:

Disciplinary Actions

There are NO disciplinary actions against the license.

Public Record Actions

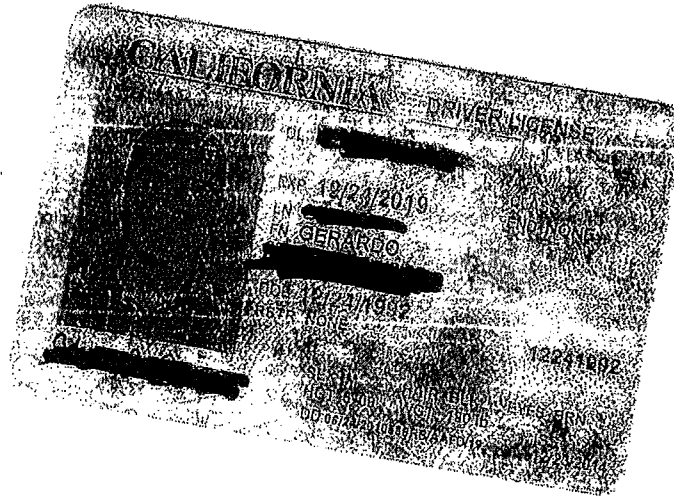
Public Documents

None found

[Previous Record](#) [Next Record](#) [Search Results](#) [New Search Criteria](#) [New Search](#) [Print](#)

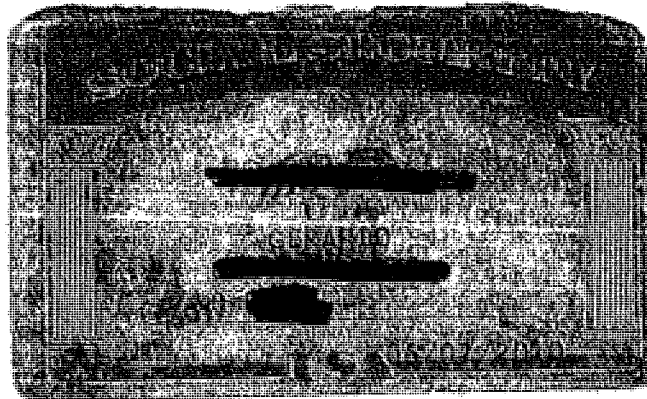
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Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 03/31/2016

START HERE. Read instructions carefully before completing this form. The instructions must be available during completion of this form.
ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Names Used (if any)	
[REDACTED]		Guy		E		
Address (Street Number and Name)		Apt. Number	City or Town		State	Zip Code
[REDACTED]			[REDACTED]		TX	[REDACTED]
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number	E-mail Address		Telephone Number		
[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]		

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

- ☒ A citizen of the United States
- ☐ A noncitizen national of the United States (See instructions)
- ☐ A lawful permanent resident (Alien Registration Number/USCIS Number): _____
- ☐ An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy) _____. Some aliens may write "N/A" in this field (See instructions)

For aliens authorized to work, provide your Alien Registration Number/USCIS Number OR Form I-94 Admission Number:

1. Alien Registration Number/USCIS Number: _____

OR

2. Form I-94 Admission Number: _____

If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:

Foreign Passport Number: _____

Country of Issuance: _____

Some aliens may write "N/A" on the Foreign Passport Number and Country of Issuance fields. (See instructions)

Signature of Employee: [Signature]	Date (mm/dd/yyyy): [REDACTED]
------------------------------------	-------------------------------

Preparer and/or Translator Certification (To be completed and signed if Section 1 is prepared by a person other than the employee.)

I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator:		Date (mm/dd/yyyy):	
[Signature]		[REDACTED]	
Last Name (Family Name)		First Name (Given Name)	
[REDACTED]		[REDACTED]	
Address (Street Number and Name)		City or Town	State Zip Code
[REDACTED]		[REDACTED]	TX [REDACTED]



Employer Completes Next Page



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Form W-4 (2016)

Purpose. Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

Exemption from withholding. If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2016 expires February 15, 2017. See Pub. 505, Tax Withholding and Estimated Tax.

Note: If another person can claim you as a dependent on his or her tax return, you cannot claim exemption from withholding if your income exceeds \$1,050 and includes more than \$350 of unearned income (for example, interest and dividends).

Exceptions. An employee may be able to claim exemption from withholding even if the employee is a dependent, if the employee:

- is age 65 or older,
- is blind, or
- will claim adjustments to income, tax credits, or itemized deductions, on his or her tax return.

The exceptions do not apply to supplemental wages greater than \$1,000,000.

Basic instructions. If you are not exempt, complete the **Personal Allowances Worksheet** below. The worksheets on page 2 further adjust your withholding allowances based on itemized deductions, certain credits, adjustments to income, or two-earners/multiple jobs situations.

Complete all worksheets that apply. However, you may claim fewer (or zero) allowances. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

Head of household. Generally, you can claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependent(s) or other qualifying individuals. See Pub. 501, Exemptions, Standard Deduction, and Filing Information, for information.

Tax credits. You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the **Personal Allowances Worksheet** below. See Pub. 505 for information on converting your other credits into withholding allowances.

Nonwage income. If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax. If you have pension or annuity income, see Pub. 605 to find out if you should adjust your withholding on Form W-4 or W-4P.

Two earners or multiple jobs. If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others. See Pub. 605 for details.

Nonresident alien. If you are a nonresident alien, see Notice 1392, Supplemental Form W-4 Instructions for Nonresident Aliens, before completing this form.

Check your withholding. After your Form W-4 takes effect, use Pub. 605 to see how the amount you are having withheld compares to your projected total tax for 2016. See Pub. 605, especially if your earnings exceed \$130,000 (Single) or \$180,000 (Married).

Future developments. Information about any future developments affecting Form W-4 (such as legislation enacted after we release it) will be posted at www.irs.gov/w-4.

Personal Allowances Worksheet (Keep for your records.)

A	Enter "1" for yourself if no one else can claim you as a dependent.	A	1
B	Enter "1" if: <ul style="list-style-type: none"> • You are single and have only one job; or • You are married, have only one job, and your spouse does not work; or • Your wages from a second job or your spouse's wages (or the total of both) are \$1,500 or less. 	B	1
C	Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.)	C	1
D	Enter number of dependents (other than your spouse or yourself) you will claim on your tax return.	D	1
E	Enter "1" if you will file as head of household on your tax return (see conditions under Head of household above).	E	1
F	Enter "1" if you have at least \$2,000 of child or dependent care expenses for which you plan to claim a credit. (Note: Do not include child support payments. See Pub. 503, Child and Dependent Care Expenses, for details.)	F	1
G	Child Tax Credit (including additional child tax credit). See Pub. 972, Child Tax Credit, for more information. <ul style="list-style-type: none"> • If your total income will be less than \$70,000 (\$100,000 if married), enter "2" for each eligible child; then less "1" if you have two to four eligible children or less "2" if you have five or more eligible children. • If your total income will be between \$70,000 and \$84,000 (\$100,000 and \$119,000 if married), enter "1" for each eligible child. 	G	1
H	Add lines A through G and enter total here. (Note: This may be different from the number of exemptions you claim on your tax return.)	H	1

For accuracy, complete all worksheets that apply.

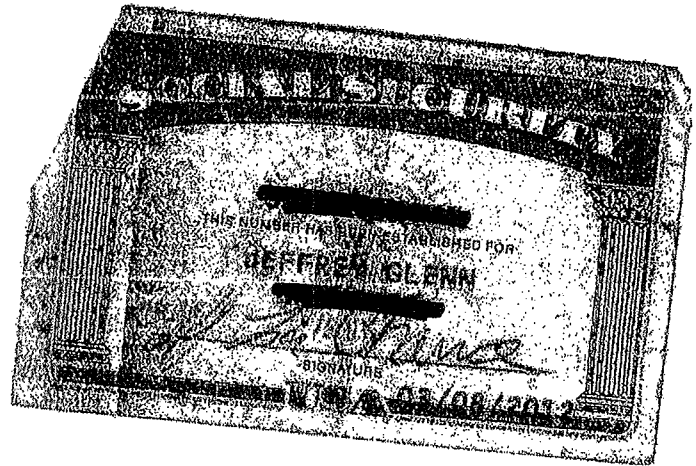
- If you plan to itemize or claim adjustments to income and want to reduce your withholding, see the Deductions and Adjustments Worksheet on page 2.
- If you are single and have more than one job or are married and you and your spouse both work and the combined earnings from all jobs exceed \$60,000 (\$20,000 if married), see the Two-Earners/Multiple Jobs Worksheet on page 2 to avoid having too little tax withheld.
- If neither of the above situations applies, stop here and enter the number from line H on line 5 of Form W-4 below.

Separate here and give Form W-4 to your employer. Keep the top part for your records.

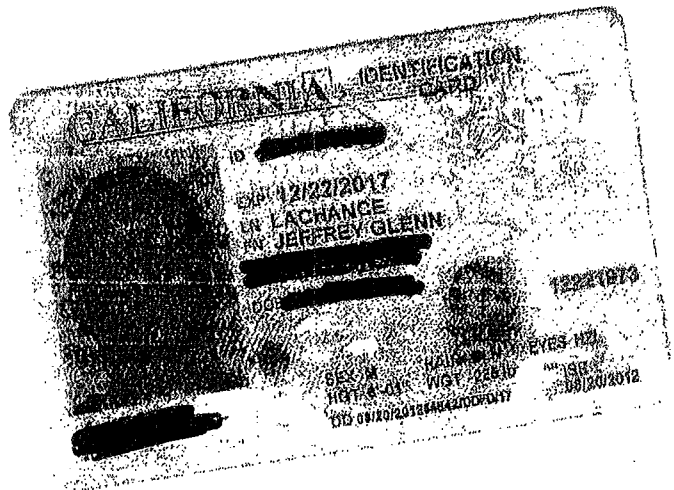
W-4 Form Department of the Treasury Internal Revenue Service		Employee's Withholding Allowance Certificate Whether you are entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS.		OMB No. 1545-0047 2016
1 Your first name and middle initial GUY E		Last name [REDACTED]		2 Your social security number [REDACTED]
Home address (number and street or rural route) [REDACTED]		3 <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate. Note: If married, but legally separated, or spouse is a nonresident alien, check the "Single" box.		
City or town, estate, and ZIP code [REDACTED]		4 If your last name differs from that shown on your social security card, check here. You must call 1-800-772-1213 for a replacement card. <input type="checkbox"/>		
5 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2)		5 1		
6 Additional amount, if any, you want withheld from each paycheck		6 \$		
7 I claim exemption from withholding for 2016, and I certify that I meet both of the following conditions for exemption. <ul style="list-style-type: none"> • Last year I had a right to a refund of all federal income tax withheld because I had no tax liability, and • This year I expect a refund of all federal income tax withheld because I expect to have no tax liability. If you meet both conditions, write "Exempt" here. 7				
Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true, correct, and complete.				
Employee's signature (This form is not valid unless you sign it.) [Signature]		Date 4-2-2016		
8 Employer's name and address (Employer: Complete lines 8 and 10 only if sending to the IRS.)		9 Office code (optional)		10 Employer identification number (EIN)

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4/16/2016

Breeze - State of California



Department of Consumer Affairs



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If the License Details below include 'Date of Graduation', the month and date of graduation may not be available. In this instance it will be displayed as '01/01/YYYY' where YYYY represents the year of graduation. Please note that not all license types disclose 'Date of Graduation' on the License Details screen.

Press "Search Results" to return to the Search Results list.

Press "New Search Criteria" to do another search of this type.

Press "New Search" to start a new search.

License Number: 1932741

Name:

NATHANIEL

Current Date: 04/16/2016 09:21 PM

License Type:

Security Guard

License Status:

Current

Expiration Date:

Original Issuance Date:

Disciplinary Actions

There are NO disciplinary actions against the license.

Public Record Actions

Public Documents

None found

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Press "Search Results" to return to the Search Results list.

Press "New Search Criteria" to do another search of this type.

Press "New Search" to start a new search.

License Number: 1922421

Name:

ROBERT ANYHONY

Current Date: 04/16/2016 09:11 PM

License Type:

Security Guard

License Status:

Current

Expiration Date:

Original Issuance Date:

Disciplinary Actions

There are NO disciplinary actions against the license.

Public Record Actions

Public Documents

None found

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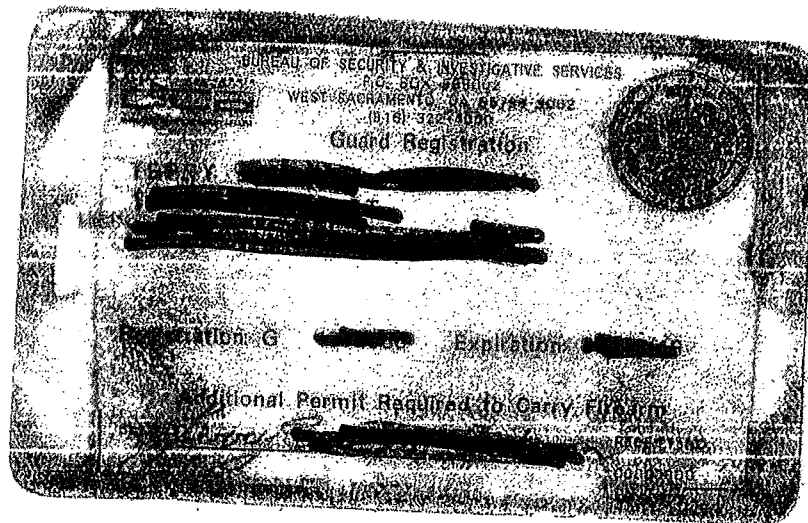
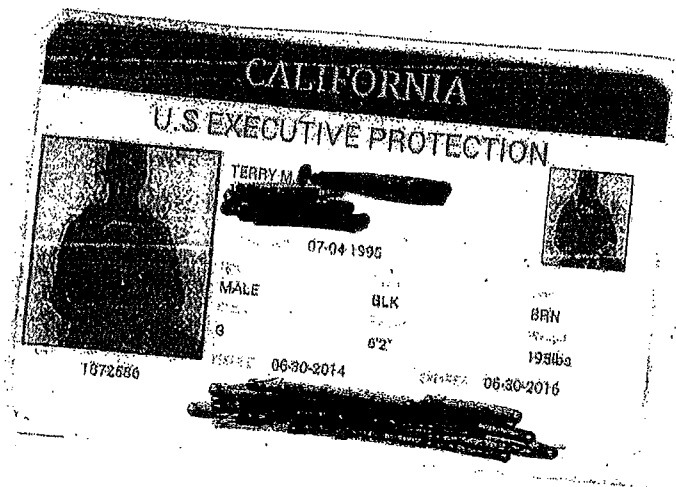


EXHIBIT 4



CITY OF
RIVERSIDE

Police
Department
Office of Internal Affairs

May 3, 2017

Ms. Raychele B. Sterling
17130 Van Buren Blvd., Ste. 363
Riverside, CA 92504

RE: CITIZEN COMPLAINT – PC1705010

Dear Ms. Sterling:

Each year the Riverside Police Department's Communications Division receives over four hundred fifty thousand phone calls from citizens. Unfortunately, most of the time these contacts involve the citizen being a victim, witness, injured, or upset. During a small percentage of these circumstances confusion, fright or anger can result in the citizen believing our employee's demeanor was inappropriate; police powers and procedures are abusive; or the law does not serve the public. However, the overwhelming majority of citizens support law enforcement, especially the community oriented policing philosophy.

That does not mean that we are always right in what we say or do. Your complaint could mean that something we are doing or have done is inconsistent with the values of the Department. As Chief, I am constantly looking to improve our service to the community and I can assure you that I take the conduct of each employee seriously.

The complaint you filed with the Riverside Police Department has been accepted and is presently being investigated by a supervisor or a member of Internal Affairs. A copy of your complaint is enclosed. Please read the statement of complaint for accuracy. If you have additional information or wish to correct the complaint, please attach a separate sheet of paper to the copy and return it to the Office of Internal Affairs. A return envelope is enclosed for your convenience.

You will be notified by mail within thirty days of the results of the investigation after it is completed.

I must also advise you that you are under no obligation to cooperate with any other investigation conducted by a representative of the involved employee.

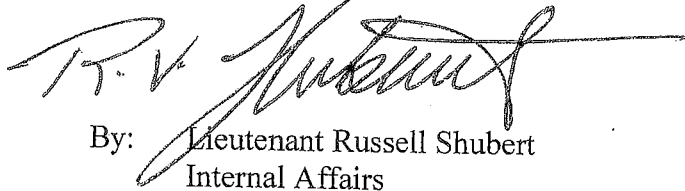
May 3, 2017

Page 2

PC1705010

If you have any questions regarding the status of your complaint, please contact the Office of Internal Affairs at (951) 353-7260.

SERGIO DIAZ
CHIEF OF POLICE

A handwritten signature in black ink, appearing to read 'R. V. Shubert', is written over the printed name and title.

By: Lieutenant Russell Shubert
Internal Affairs

SD/RS/rp

Enclosures

**RIVERSIDE POLICE DEPARTMENT
COMPLAINT CONTROL FORM**

Complaint File Number: PC1705010
Police Report/Cite Number: _____

Location of Incident: 3700 Main St. (Hideaway Café) Date: 2/24/2016 Time: _____

Received By: Raychele Sterling Date/Time: 5/2/2017 Routed to: _____

Subject Employee: Michael Crawford ID# 1213

Complainant: Hideaway Café Management Date of Birth: _____ Sex: _____ Race: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Home Phone: _____ Business Phone: _____

Business Address: _____

Witness: _____ Date of Birth: _____ Sex: _____ Race: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Home Phone: _____ Business Phone: _____

Business Address: _____

Witness: _____ Date of Birth: _____ Sex: _____ Race: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Home Phone: _____ Business Phone: _____

Business Address: _____

Complaint: _____

The Hideaway management allege that Sergeant Mike Crawford abused his authority by misrepresenting the requirements of the Hideaway's Minor Conditional Use Permit (MCUP) by requiring confidential information on their security personnel. They further allege Crawford conducted a warrantless search of the CLETS database using their confidential information. (See attached complaint)

If found true, it would be a violation of Lexipol Policy 330.3.5(e) _____

Signature of Complainant (Optional): _____

POLICE DEPARTMENT USE ONLY

Nature of Complaint: ☐ External ☐ Internal ☐ Inquiry : _____

Complaint Received: ☐ In Person ☐ Telephone ☐ Letter ☐ Other *Internal Affairs*

Complaint Result of: ☐ Radio Call ☐ Traffic Stop ☐ Arrest ☐ Investigation ☐ Other

Copy of Complaint Received by Complainant? ☐ Yes ☐ No If "No," explain: _____

Category I: _____ Category II: _____

Specify the allegation

Specify the allegation

Copy of Complaint Received by Employee: _____

Complainant Notified of Results by: _____ Date: _____ Method: _____

Employee Notified of Results by: _____ Date: _____ Method: _____

Distribution: White/Internal Affairs - Pink/Employee - Green/Division - Blue/Complainant

DECLARATION OF DAVID FRESELLI

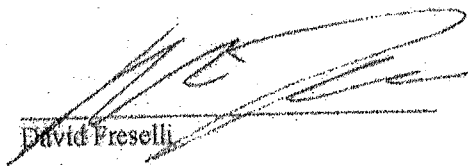
I, DAVID FRESELLI, declare as follows:

1. I am a manager at the Hideaway Café located at 3700 Main Street, Riverside, California 92501, and served as a manager during the time period that is the subject of this declaration. I have personal knowledge of the matters set forth herein, and if called to testify, could do so competently.
2. On February 24, 2016, I attended a meeting called by the City of Riverside to discuss the Hideaway Café's (hereinafter the "Hideaway") Minor Condition Use Permit ("Minor CUP"). The meeting was also attended by Craig Johnston, owner of the Hideaway, David Reickvam, Hideaway manager, and numerous City personnel from the Planning and Code Enforcement Divisions of the Community and Economic Development Department and the Riverside Police Department ("RPD").
3. During the meeting, Sergeant Mike Crawford ("Crawford"), whom I identified by his name badge and prior introduction, advised me that, in addition to the security plan requirement, the terms of the Hideaway Minor CUP required the disclosure of the names, social security numbers and birth dates of all Hideaway security personnel.
4. Based upon Crawford's position of authority and his representation of the RPD in this matter, I believed I was required to comply with his directive.
5. On Saturday, April 23, 2016, I sent an electronic correspondence to Crawford with the attached security plan and personal and confidential documents of Hideaway security personnel in compliance with his directive. A true and correct copy of the

electronic correspondence, with attachments included, is attached hereto as Exhibit A and incorporated herein by reference.

6. Sometime after sending the April 23, 2016, correspondence, I received a telephone call from Crawford requesting that I make the personal and confidential documents of Hideaway security personnel available for his pick-up at the front counter of the Hideaway.
7. Thereafter, I printed the documents, placed them in a manila envelope and left them for Crawford at the front counter, as he had requested. I was advised by Hideaway manager, David Reickvam, that Crawford had picked up the manila envelope.
8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 5, 2017 at Riverside, California



David Preselli

1 SUPPLEMENTAL DECLARATION OF DAVID FRESELLI

2 I, DAVID FRESELLI, declare as follows:

3 1. On June 7, 2017 at 8:05 a.m., I received an electronic correspondence from Greg
4 Rowe of the Internal Affairs Division of the Riverside Police Department
5 (hereinafter, "Rowe"), a true and correct copy of which is attached hereto as Exhibit
6 A and incorporated herein by reference. The following shall serve as my responses to
7 the questions posed therein of which I have personal knowledge, and if called to
8 testify, could do so competently.
9

10
11 2. Question 1(a): How did Sgt. Crawford present the request to Mr. Friselli (i.e. open to
12 everyone in meeting, private conversation or in casual conversation where others
13 could hear)?
14

15 Answer 1(a): Sgt. Crawford approached me during the meeting while others were
16 present.
17

18 3. Question 1(b): Were Mr. Johnston or Mr. Rickvam close enough to overhear the
19 conversation between Sgt. Crawford and Mr. Friselli and would they be available for
20 an interview to discuss what they heard?

21 Answer 1(b): Neither Mr. Johnston nor Mr. Rickvam advised me that they overheard
22 Sgt. Crawford's request. However, I did subsequently make them aware of the
23 request.
24

25 4. Question 1(c): Does Mr. Friselli have the names of any of the other "City Personnel"
26 who attended the meeting who might have overheard their conversation?
27

28 5. Answer 1(c): I do not recall all the names of the "City Personnel" that were present.
However, I would assume the Planning Department could easily provide that

1 information to Rowe. I would assume it is contained in City files and documents.

- 2
3 6. Question 2(a): What is Mr. Frisilli belief that the City Planning Commission meant
4 in paragraph #57 when they wrote, "The business shall utilize a licensed and bonded
5 security firm and stated "The firm or personnel providing security for the facility
6 shall be subject to the review of the RPD"?

7 Answer 2(a): I do not have access to the mental thought process of the Planning
8 Commission and therefore have no belief as to what the Commission meant in
9 paragraph 57. Furthermore, it is my understanding that paragraph 57 was not *written*
10 by the Commission, but rather by Planning Department staff. Rowe will need to
11 speak with the Planning Department for answers to this question. My understanding
12 of the "plain meaning" of paragraph 57 is that the Hideaway was *not* required to
13 utilize a licensed and bonded security firm because of the succeeding words: "*or*
14 *screen to monitor the activity of their patrons*" Regarding the language
15 "subject to the review of the RPD", it was not my interpretation that this language
16 permitted an unlawful and warrantless search in violation of Hideaway personnel's
17 privacy rights. Neither myself, nor the Hideaway, has the ability to waive an
18 individual's 4th Amendment rights.

19 Question 2(b): Does Mr. Friselli believe that paragraph #57 requires the business
20 (Hideaway) to use licensed or bonded security personnel and would that paragraph
21 require the Hideaway to provide RPD with information on the security personnel so
22 they could review and verify whether their personnel were bonded or licensed?

23 Answer 2(b): No, as indicated in the response above, paragraph 57 *did not* require the
24 Hideaway to use a licensed and bonded security firm. The Hideaway did have a
25
26
27
28

1 *“screen to monitor the activity of their patrons”* in accordance with paragraph
2
3 57, which many RPD personnel have seen for themselves. Furthermore, it is my
4 understanding that a security license can be confirmed on the State’s licensing
5 website at http://www.bsis.ca.gov/forms_pubs/online_services/verify_license.shtml.

6 There is no option to search by date of birth or social security number. True and
7 correct copies of the State of California Department of Consumer Affairs license
8 search are attached hereto as Exhibit B and incorporated herein by reference.
9

10 Nonetheless, review of the documents contained in the electronic correspondence I
11 sent to Crawford on April 23, 2016, shows that I included licensure information from
12 the State of California.
13

- 14 7. Question 2(c): In several other paragraphs throughout the MCUP (#35, #71 and #80),
15 it requires that the applicant (Hideaway) comply with all federal, state and local laws
16 and shall cooperate with the RPD in the enforcement of those laws. If there was a
17 criminal investigation being conducted into the illegal activities by the security
18 personnel at the Hideaway, while on duty, would Mr. Frisilli feel it was his
19 responsibility per these MCUP paragraphs to provide RPD with the information of his
20 security personnel.
21
22

23 Answer 2(c): At no time was I advised by Sgt. Crawford that he was conducting a
24 criminal investigation. So, this question is irrelevant to my complaint. Had anyone
25 advised that they wanted to conduct a search of any Hideaway employee without that
26 individual’s expressed written consent or a warrant, I would have immediately
27 contacted Hideaway’s attorney and let the attorney handle the matter.
28

1 8. Question 3(a): Why does Mr. Friselli "believe" his security personnel were ran
2 through the CLETS system?

3
4 Answer 3(a): It is my understanding that CLETS is the database utilized by RPD and
5 therefore, it is logical to conclude that the CLETS database would be the system used.
6 Nonetheless, my belief is "irrelevant" for purposes of determining if the CLETS
7 policy was violated. A "search" was either conducted or it wasn't. This information
8 is easily ascertainable by RPD and the Department of Justice.
9

10 Question 3(b): Does Mr. Friselli believe that running his security personnel through
11 CLETS to see if they were licensed would be a CLETS violation?

12
13 Answer 3(b): Again, my "belief" is irrelevant. Licensure can be confirmed on the
14 State's website and there is no option for search by birth date or social security
15 number. Furthermore, information regarding licensure was already provided to
16 Crawford in the April 23, 2016 electronic correspondence. Nonetheless, a CLETS
17 report should indicate what fields were searched, including whether criminal history
18 was searched. It is my understanding that all Rowe needs to do is run the report. I
19 am not a lawyer, nor a police officer, however, I would assume using an individual's
20 private information to run a search on CLETS without their written consent, a
21 warrant, or a lawful exception to the warrant requirement would be unlawful.
22

23 Question 3(c): If there was a criminal investigation into security personnel while they
24 were working at the Hideaway and the person(s) that were ran in the CLETS system
25 were the suspect(s) in that investigation, would Mr. Friselli believe that would still be
26 a CLETS violation?
27
28

Answer 3(c): I am not a lawyer. So, I cannot provide a legal opinion regarding whether a CLETS violation occurred. However, it is my understanding that law enforcement is still bound by the 4th Amendment to the United States Constitution when conducting investigations and I do not believe law enforcement can circumvent the 4th Amendment and conduct a warrantless and unlawful search by obtaining information from a third party under false pretenses. As far as I know, being an employee of the Hideaway does not constitute "consent" to search nor suffice as a warrant or a lawful exception to the warrant requirement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 7, 2017 at Riverside, California



David Freselli

EXHIBIT "A"

Hideaway while on duty, would Mr. Friselli feel it was his responsibility per these MCUP paragraphs to provide RPD with the information of his security personnel?

3. In Mr. Friselli's complaint dated May 1, 2017, he "believed" Crawford or someone Crawford provided the documents to, conducted a warrantless search of the Hideaway security personnel by unlawfully accessing the CLETS database using the confidential information provided by Hideaway.

- a. Why does Mr. Friselli "believe" his security personnel were ran through the CLETS system?
- b. Does Mr. Friselli believe that running his security personnel through CLETS to see if they were licensed would be a CLETS violation?
- c. If there was a criminal investigation into security personnel while they were working at the Hideaway and the person(s) that were ran in the CLETS system were the suspect(s) in that investigation, would Mr. Friselli believe that would still be a CLETS violation?

These are some of the questions we would have asked Mr. Friselli if we had the opportunity to sit down and talk with him about his complaint of Sgt. Crawford. If you have any questions about the above questions, would like clarification on any of them or would rather discuss them in an interview, please let me know.

Thank you very much,

Sergeant Greg Rowe

From: Raychele Sterling [mailto:rbsterlinglaw@gmail.com]

Sent: Tuesday, June 06, 2017 1:38 PM

To: Rowe, Greg

Cc: Okazaki, Neil

Subject: [External] Declaration of David Freselli re: Crawford Complaint

[Quoted text hidden]

EXHIBIT "B"



Department of Consumer Affairs

Bureau of Security & Investigative Services

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● This Site ○ California



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ENFORCEMENT

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Verify a License

To find a company or individual, select a license type from the list below. Then you may enter certain information to narrow down the search, such as a name, city, or county. Please read the query instructions for assistance.

- Alarm Company
- Alarm Company Employee
- Alarm Company Qualified Manager
- Baton Training Facility
- Baton Training Instructor
- Firearm Permit
- Firearm Training Facility
- Firearm Training Instructor
- Locksmith Company
- Locksmith Company - Employee
- Private Investigator
- Private Patrol Operator
- Proprietary Private Security Employer
- Proprietary Private Security Officer
- Repossessor Agency
- Repossessor Agency - Employee
- Repossessor Agency - Qualified Manager
- Security Guard



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EXHIBIT "C"

LAW OFFICES OF RAYCHELE B. STERLING
17130 VAN BUREN BOULEVARD, STE. 363 · RIVERSIDE · CALIFORNIA · 92504
951-316-8772 · rbsterlinglaw@gmail.com

May 1, 2017

John Russo, City Manager
Sergio Diaz, Chief of Police
City of Riverside
3900 Main Street
Riverside, California 92522

Subject: Misuse of CLETS to conduct warrantless search of Hideaway security personnel

Gentlemen:

It has recently been brought to my attention that at the meeting of February 24, 2016, where Hideaway management met with City Planning and Police Department personnel to discuss the Hideaway Minor Conditional Use Permit (hereinafter, "Minor CUP"), Sergeant Mike Crawford ("Crawford") falsely advised Hideaway management that the Minor CUP required the disclosure of the names, social security numbers and birth dates of all Hideaway security personnel. A true and correct copy of the Minor CUP in place at the time of the meeting is attached hereto as Exhibit "A" for your review and reference. I direct your attention to paragraph 57, where the section entitled "Security" begins. Nowhere in the document does it mandate that the Hideaway is required to release confidential information of its employees to the Riverside Police Department ("RPD"). Furthermore, Hideaway management has confirmed that this request has never been made to any other downtown entertainment establishment, only the Hideaway.

In compliance with the unlawful directive of Crawford, Hideaway management sent electronic correspondences to Crawford to coordinate the release of its security personnel's confidential information. A true and correct copy of the electronic correspondence is attached hereto as Exhibit "B" for your review and reference. Crawford contacted Hideaway management telephonically after receipt of the attached correspondence and advised management to place the confidential documents in an envelope and leave them at the front counter, where he (Crawford) would pick them up.

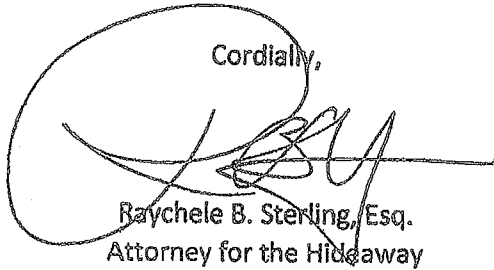
It is believed that Crawford, or someone Crawford provided the documents to, conducted a warrantless search of Hideaway security personnel by unlawfully accessing the CLETS database utilizing the confidential information provided by Hideaway management. These actions would be consistent with the ongoing "fishing expedition" for information being conducted by RPD to support its continued effort to rescind the Hideaway's Minor CUP and rid downtown of "ALL THE BLACKS".

In light of this information, it is respectfully requested that Internal Affairs investigate the alleged abuse of authority on the part of Crawford by his misrepresentation of the requirements of the Minor CUP to

Hideaway management, and any misuse of the CLETS database. All CLETS login and search information should be reviewed to identify any relevant searches which occurred at or around the time Crawford came into possession of the Hideaway security personnel's confidential information. A copy of this letter has been concurrently submitted to the CLETS Executive Secretary of the California Department of Justice, Bureau of Criminal Information & Analysis, to investigate a possible violation of the CLETS Policies, Practices & Procedures by RPD.

I thank you in advance for your anticipated cooperation regarding this very serious matter.

Cordially,

A handwritten signature in black ink, appearing to read "RBS", is written over a large, hand-drawn oval. The signature is fluid and stylized.

Raychele B. Sterling, Esq.
Attorney for the Hideaway

c: CLETS Executive Secretary, California Department of Justice, Bureau of Criminal Information & Analysis, 1300 I Street, Sacramento, California 95814
Gary Geuss, City Attorney
Neil Okazaki, Deputy City Attorney

EXHIBIT 5

RIVERSIDE POLICE DEPARTMENT
COMPLAINT CONTROL FORM

Complaint File Number: PC170206
Police Report/Cite Number: _____

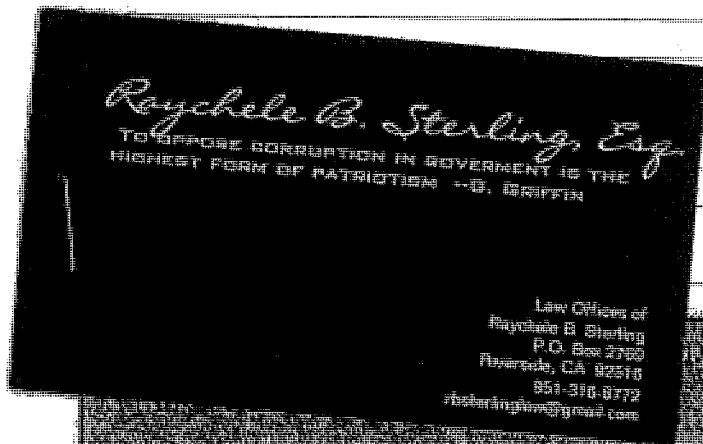
Location of Incident: Brooks Bar Date: _____ Time: _____
Received By: OPC Date/Time: 2/1/17 Routed to: 1A
Subject Employee: _____ ID#: _____

Complainant: David Freselli/Craig Johnston Date of Birth: _____ Sex: M Race: W
Address: _____ City: _____ State: _____ Zip Code: _____
Home Phone: _____ Business Phone: 951-316-87772
Business Address: _____

Witness: _____ Date of Birth: _____ Sex: _____ Race: _____
Address: _____ City: _____ State: _____ Zip Code: _____
Home Phone: _____ Business Phone: _____
Business Address: _____

Witness: _____ Date of Birth: _____ Sex: _____ Race: _____
Address: _____ City: _____ State: _____ Zip Code: _____
Home Phone: _____ Business Phone: _____
Business Address: _____

Complaint: Please see attached. All interviews and correspondences shall be directed through counsel for Complainants, as they fear further intimidation and retaliation from the Riverside Police Department.



Copy of Complaint Received by Employee: _____
Complainant Notified of Results by: _____ Date: _____ Method: _____
Employee Notified of Results by: _____ Date: _____ Method: _____

COMPLAINT CONCERNING OFFICERS WILLIAM MCGUIGAN #1829 and ANTHONY FLORES #1769

INTRODUCTION

On Monday, October 17, 2016, at approximately 12:40 a.m., officers William McGuigan ("McGuigan") and Anthony Flores ("Flores") entered upon the establishment known as Brooks Bar ("Brooks"), located at 6720 Van Buren Boulevard, Riverside, CA 92503. Brooks is owned by Dave Freselli, who is employed as a manager at the Hideaway Café ("Hideaway"), located at 3700 Main Street, Riverside, CA 92501. Officer McGuigan approached owner David Freselli and began asking him questions about the ownership of the Hideaway, its operations, and its current financial state, including whether it had any tax related issues. At no time did either of the officers advise Freselli of the law enforcement purpose for their visit to Brooks. Brooks had not contacted the Riverside Police Department ("RPD") to request assistance at anytime the evening of October 16, or the early morning of October 17, 2016. It is believed that this visit was an act of retaliation and intimidation against Hideaway management for reporting racial discrimination by the Riverside Police Department ("RPD") at the October 6, 2016, Planning Commission hearing concerning the Hideaway, as is more particularly described below.

BACKGROUND

For purposes of the Police Review Commission's review of this complaint, it is important to note the history between the Hideaway and RPD. On June 16, 2016, Hideaway owner, Craig Johnston ("Johnston"), received notice from the City Planning Department that the City was proposing the revocation or modification ("Notice") of the Hideaway's Minor Conditional Use Permit ("MCUP") due to alleged excessive police calls. Both Johnston and Hideaway management believed the majority of the police related events noted as the basis for the proposed revocation/modification of the Hideaway MCUP were not attributable to the Hideaway in any manner, as they involved incidents which occurred on public rights-of-way and in public streets, which are outside the control of the Hideaway and solely within RPD jurisdiction. Prior to receipt of the Notice, Hideaway management had been advised by numerous RPD personnel that the problem with the Hideaway, was "ALL THE BLACKS". The hearing concerning the Hideaway revocation/modification was agendized for the October 6, 2016, Planning Commission meeting. It should be noted that photographs were submitted by RPD to the Planning Commission in support of the revocation/modification, one of which contained images of

Hideaway patrons lining up next to Mario's restaurant, the majority of which were African American. Complainant observed these photographs in the Board Packet available for review at the October 6, 2016, Planning Commission meeting. A true and correct copy of the Board Packet is maintained by the City Clerk and Planning Department, should this Commission wish to review the subject photographs. Both prior to and at the October 6, 2016, Planning Commission meeting, counsel for the Hideaway submitted correspondences to Planning personnel and the Planning Commission advising that Hideaway personnel believed the proposed revocation/modification was the result of RPD's discriminatory racial profiling of Hideaway patrons, as evidenced by statements made by numerous RPD personnel to that effect. True and correct copies of the correspondences are attached hereto for your review and reference.

CITY ATTORNEY REVIEW

On November 17, 2016, counsel for the Hideaway (hereinafter, "Sterling") met with Deputy City Attorney Neil Okazaki ("Okazaki") to express concerns regarding officer McGuigan's and Flores' visit to Brooks. Okazaki was familiar with the history between the Hideaway and RPD, as he had participated in several meetings concerning the proposed revocation/modification of the Hideaway MCUP. Counsel requested the meeting specifically with Okazaki due to his demonstrated reasoning skills and knowledge of the law, as well as his consistent professionalism, during prior negotiations concerning the Hideaway MCUP. During the meeting, Okazaki advised counsel that he had spoken with the officers concerning their visit to Brooks and was told by the officers that they were there "because of the homeless man". Thereafter, Okazaki and Sterling reviewed the security video footage for Brooks which depicts the officers' visit. The security footage shows the alleged "homeless man" the officers had advised Okazaki was the purpose of their visit. However, at no time do either of the officers make any contact with the homeless man whatsoever. Rather, officer McGuigan walks right past the homeless man and enters the establishment to speak with Freselli. Okazaki seemed surprised by the video footage and advised Sterling that the officers would need to explain the inconsistency of the footage with their statements. A true and correct copy of the security video footage is attached hereto for your review and reference.

PUBLIC RECORDS REQUEST

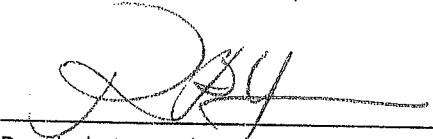
Prior to the meeting with Okazaki, counsel made a request for public records through the City's Public Records Portal for dispatch and CAD information for the officers' visit to Brooks on October 17, 2016. Pursuant to the RPD Policy Manual adopted on April 19, 2016, the visit was required to be documented

either by way of dispatch or "self initiation" reported by the officers on CAD. RPD responded to the request and provided the attached letter indicating that the officers had not been dispatched to Brooks, nor had they reported a "self initiated" response to Brooks. Basically, there was no official record of the officers ever being at Brooks that evening. True and correct copies of the request and response thereto are attached hereto for your review and reference.

CONCLUSION

In light of the lack of any evidence that the officers visited Brooks on October 17, 2016, for a legitimate law enforcement purpose, there appears to be no rational explanation for their visit other than to threaten the business and financial livelihood of Hideaway management as an act of retaliation and intimidation for reporting RPD discriminatory practices concerning African American Hideaway patrons. It is both Johnston's and Hideaway management's belief that the officers were merely "pawns" of higher management following orders dictated to them. Therefore, it is respectfully requested that this Commission not recommend the imposition of any disciplinary action against the officers, as they are likely innocents in this scheme. Rather, it is requested that this Commission undertake an investigation to determine who instructed these officers to visit Brooks and under what context. Complainant recommends that Lt. Bruce Blumdahl be interviewed, as it is believed he may have information concerning this incident.

Complainant has delayed the reporting of the discriminatory and retaliatory practices of the RPD to the Department of Justice ("DOJ") in an effort to provide this Commission the opportunity to conduct a thorough and sound investigation into this matter that will lead to the eradication of discriminatory and retaliatory law enforcement practices by RPD. However, if at any point it appears RPD is obstructing this Commission, by failing to produce witnesses or documentation, such that this Commission is not provided the necessary information to make a knowledgeable recommendation, Complainant will proceed with the filing of a complaint directly with the DOJ. Thank you in advance for your cooperation and attention to this very serious matter.



Raychele B. Sterling, Esq.
Attorney for Hideaway Café and Brooks Bar

Date: 1-31-17



Police Department

City of Arts & Innovation

October 25, 2016

Raychele Sterling

Dear Ms. Sterling,

Your California Public Records Act that you requested for any CAD or Officer initiated calls for 6720 Van Buren Blvd. (Brooks Bar) between Sunday, October 16, 2016 to Monday, October 17, 2016 is enclosed in the following attachment.

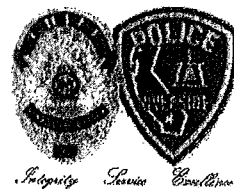
Sincerely,


J. Pedroza
Custodian of Records

/jp

Enclosure: As stated

4102 Orange Street, Riverside, CA 92501 | Phone: (951) 826-5700 | RiversideCA.gov



Your request for "any CAD or Officer initiated calls for 6720 Van Buren Blvd. (Brooks Bar) between Sunday, October 16, 2016 to Monday, October 17, 2016" must be denied in that the information is expressly exempt from disclosure under Government Code section 6254(f) as information compiled as part of a criminal investigation and contained in an investigatory record maintained by a law enforcement agency. See, *Rivero v. Superior Court* (1997) 54 Cal.App.4th 1048; *New York Times Co. v. Superior Court* (1997) 52 Cal.App.4th 97; *Williams v. Superior Court* (1993) 5 Cal.4th 337; see also, *Haynie v. Superior Court* (2001) 26 Cal.4th 1061.

Notwithstanding the foregoing, there were no officer initiated CAD (Computer Aided Dispatch) calls for the time period of Sunday, October 16, 2016 to Monday, October 17, 2016. However, on 10/17/16 at 01:11 hrs., Dispatch received an alarm company call (incident number P16191510) for an alarm located at 6720 Van Buren Blvd. (Brooks Bar). At 01:13 hrs. Dispatch received a call from the same alarm company to cancel the call. No officers were dispatched to the location.