



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chair

NOTICE OF SUSPENSION

May 23, 2019

**222 FRIENDS, INC. D/B/A 2TWENTY2
222 FRIEND ST.
BOSTON, MA 02114
LICENSE#: 03340-RS-0116
VIOLATION DATE: 10/20/2018
HEARD: 2/26/2019**

After a hearing on February 26, 2019, the Commission finds 222 Friends, Inc. d/b/a 2twenty2 violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (12 counts).

The Commission suspends the license for a period of twelve (12) days of which six (6) days will be served and six (6) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

The suspension shall commence on Monday, July 8, 2019 and terminate on day, Saturday, July 13, 2019. The license will be delivered to the Local Licensing Board or its designee on Monday, July 8, 2019 at 9:00 A.M. It will be returned to the Licensee on July 14, 2019.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Christopher Temple, Investigator
Joe Di Cicco, Investigator
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Mike Teehan, Investigator
Nicholas Velez, Investigator
Kyle E. Gill, Esq., Associate General Counsel
Administration, File



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DECISION

**222 FRIENDS, INC. D/B/A 2TWENTY2
222 FRIEND ST.
BOSTON, MA 02114
LICENSE#: 03340-RS-0116
VIOLATION DATE: 10/20/2018
HEARD: 2/26/2019**

222 Friends, Inc. d/b/a 2twenty2 (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, February 26, 2019 regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (12 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Photocopy of Fraudulent Driver's License;

There is one (1) audio recording of this hearing.

The Commission took Administrative Notice of the Licensee's record.

FINDINGS OF FACT

1. On Saturday, October 20, 2018, at approximately 11:35 p.m., Investigators Di Cicco, Keefe, Kujawski, Teehan, Velez, and Temple ("Investigators") conducted an investigation of the business operation of 222 Friends, Inc. d/b/a 2twenty2 to determine the manner in which its business was being conducted.

2. Investigators (Velez & Temple) observed two youthful appearing females in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 10/22/1999 (age 18), was in possession of a cranberry vodka. She presented to Investigators a fraudulent Colombian driver's license.
4. Underage #2, actual date of birth 10/08/1998 (age 19), was in possession of a shot of tequila. She stated to Investigators that she did not have any identification with her and she did not present an identification to enter the premises since she was with the group that got a table.
5. Investigators (Keefe & Di Cicco) observed five youthful appearing male individuals in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
6. Underage #3, actual date of birth 12/29/1997 (age 20), was in possession of rum. He presented to Investigators a Colombian driver's license in another's name.
7. Underage #4, actual date of birth 8/30/1999 (age 19), was in possession of a rum and Coke® mixed drink. He presented to Investigators a fraudulent Colombian driver's license.
8. Underage #5, actual date of birth 3/18/1999 (age 19), was in possession of a rum and Coke® mixed drink. He presented to Investigators a fraudulent Colombian driver's license.
9. Underage #6, actual date of birth 2/08/2000 (age 18), was in possession of a rum and Coke® mixed drink. He stated to Investigators that he presented his true identification to gain entry to the premises.
10. Underage #7, actual date of birth 10/20/2000 (age 18), was in possession of a vodka mixed drink. He presented to Investigators a fraudulent Connecticut driver's license.
11. Investigators (Teehan & Kujawski) observed five youthful appearing individuals in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
12. Underage #8, actual date of birth 7/01/1999 (age 19), was in possession of vodka cranberry. She presented to Investigators a fraudulent Florida driver's license.
13. Underage #9, actual date of birth 9/25/1998 (age 20), was in possession of was in possession of a vodka cranberry drink. She presented to Investigators a Puerto Rican driver's license in another's name.
14. Underage #10, actual date of birth 10/11/1998 (age 20), was in possession of was in possession of a vodka and tonic drink. She presented to Investigators a fraudulent Colombian driver's license.
15. Underage #11, actual date of birth 3/19/1999 (age 19), was in possession of was in possession of a vodka and tonic drink. She presented to Investigators a fraudulent Peru driver's license.

16. Underage #12, actual date of birth 3/02/1999 (age 19), was in possession of was in possession of a vodka and tonic drink. She presented to Investigators a fraudulent El Salvador driver's license.
17. Investigators identified the underage individuals to the staff and to the general manager, Tim Bartolomew.
18. Mr. Bartolomew instructed the bartenders to request identification of anyone who purchased an alcoholic beverage.
19. Investigators informed Mr. Bartolomew of the violations, and that a report would be filed with the Chief Investigator for further review.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (12 counts). Therefore, the Commission **suspends the license for a period of twelve (12) days of which six (6) days will be served and six (6) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman Jean M. Lorizio

Elizabeth A. Lashway, Commissioner Elizabeth A. Lashway

Kathleen McNally, Commissioner Kathleen McNally

Dated: May 23, 2019

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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M. Teehan, N. Velez, Investigators
Administration, File