



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

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**THE CLADDAGH PUB & RESTAURANT, INC.  
D/B/A THE CLADDAGH PUB & RESTAURANT  
399 CANAL STREET  
LAWRENCE, MA 01840  
LICENSE#: 0594-00026  
VIOLATION DATE: 2/13/2020  
HEARD: 10/12/2021**

The Claddagh Pub & Restaurant, Inc. d/b/a The Claddagh Pub & Restaurant (the “Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the “Commission”) held a remote hearing via Microsoft Teams on Tuesday, October 12, 2021, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C – Possession of an alcoholic beverage to 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 Di Cicco’s Report.

The following documents are in evidence:

1. Investigator Di Cicco’s Investigative Report;
2. ABCC Form 43 Transfer of License Approval, 12/17/1991;
3. ABCC Decision, 2/13/2019;
4. ABCC Decision, 12/3/2007;
5. Photocopies of Fraudulent Driver’s Licenses;
6. Licensee Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Thursday, February 13, 2020, at approximately 10:30 p.m., Investigators Gardner, Gould, Keefe, and Di Cicco (“Investigators”) conducted an inspection of the business operation of The Claddagh Pub & Restaurant, Inc. d/b/a The Claddagh Pub & Restaurant to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and observed that it was crowded with youthful appearing individuals, some of whom appeared to be in possession of alcoholic beverages.

3. Investigators approached various youthful appearing individuals, identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 2/04/2000 (age 20) was in possession of a Bud Light beer. She presented to Investigators a fraudulent Rhode Island driver's license.
5. Underage #2, actual date of birth, 10/26/1999 (age 20), was in possession of a vodka and cranberry mixed drink. She presented to Investigators a fraudulent New Hampshire driver's license.
6. Underage #3, actual date of birth, 3/27/2001 (age 18), was in possession of a vodka mixed drink. He presented to Investigators a fraudulent Maine driver's license.
7. Underage #4, actual date of birth, 3/30/2000 (age 19), was in possession of a vodka and soda. She presented to Investigators a fraudulent Connecticut driver's license.
8. Underage #5, actual date of birth, 7/23/1999 (age 20), was in possession of a Crown Royal Canadian whisky mixed drink. She presented to Investigators a fraudulent Florida driver's license.
9. Underage #6, actual date of birth, 5/21/2001 (age 18), was in possession of a vodka and cranberry mixed drink. She presented to Investigators a fraudulent Maine driver's license.
10. Underage #7, actual date of birth, 3/27/2001 (age 18), was in possession of a vodka mixed drink. She presented to Investigators a fraudulent Maine driver's license.
11. Underage #8, actual date of birth, 5/26/2000 (age 19), was in possession of a Sex on the Beach mixed drink. She presented to Investigators a fraudulent Maine driver's license.
12. Underage #9, actual date of birth, 6/02/1999 (age 20), was in possession of a Long Island Iced Tea mixed drink. She presented to Investigators a fraudulent Rhode Island driver's license.
13. Underage #10, actual date of birth, 9/13/2000 (age 19), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent Connecticut driver's license.
14. Underage #11, actual date of birth, 5/10/2001 (age 18), was in possession of a Bud Light beer. He presented to Investigators a fraudulent Rhode Island driver's license.
15. Underage #12, actual date of birth, 9/07/1999 (age 20), was in possession of a vodka and cranberry mixed drink. She presented to Investigators a fraudulent New Jersey driver's license.
16. While in the licensed premises, Investigators made contact with many other youthful appearing individuals and confiscated approximately 43 fraudulent identifications.
17. Investigators spoke with the Licensee, Brian Farrell, who informed Investigators that his employees were checking identifications and had encountered some fraudulent identifications. Those persons with fraudulent identifications were not admitted to the

restaurant. Mr. Farrell then showed Investigators an ID book by the entrance which his staff members utilized to check for false identifications.

18. Investigators showed Farrell and other staff members some methods they may be able to utilize to help in detecting fraudulent identifications.
19. Investigators identified all the underage individuals to staff members and ensured the minors were given safe transport home.
20. Mr. Farrell was informed of the violations and that a report would be filed with the Chief Investigator for further action.
21. The Licensee has held a license under M.G.L. c. 138, § 12 since 1991 with two prior violations.
22. Mr. Farrell appeared at the Commission hearing and testified as to procedures in place to prevent underage individuals from obtaining alcohol, including posting two (2) employees at the door to check identification, utilizing a black light to inspect identification and requesting back-up identification when a patron presents an out-of-state identification. After this incident Mr. Farrell immediately invested in a scanner which he and his employees have been using ever since.

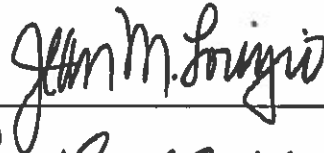
#### CONCLUSION

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. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (12 counts). Therefore, the Commission **suspends the license for a period of fifteen (15) days of which 12 days are hereby deemed served, and three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by the Commission.**

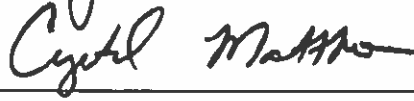
**By decision dated February 13, 2019, the Commission suspended the license for a period of one (1) day to be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation above, the Licensee violated the conditions of the 1-day suspension held in abeyance. The Commission orders the 1-day suspension be imposed and is hereby deemed served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: October 15, 2021

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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- cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Joseph Di Cicco, Investigator  
Brian Gould, Investigator  
Robert Gardner, Investigator  
Dennis Keefe, Investigator  
Administration, File