



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

January 28, 2025

**D.J. O'CONNOR INC. D/B/A JOCO'S
450 MOODY STREET
WALTHAM, MA 02453
LICENSE#: 00028-RS-1320
VIOLATION DATE: 3/01/2024
HEARD: 6/18/2024**

After a hearing on June 18, 2024, the Commission finds D.J. O'Connor Inc. d/b/a Joco's violated 204 CMR 2.05(2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (5 Counts) The Commission **SUSPENDS the license for a period of seven (7) days of which three (3) days will be served and four (4) 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 this Commission.**

The suspension shall commence on Monday, March 24, 2025, and terminate on Wednesday, March 26, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, March 24, 2025, at 9:00 A.M. It will be returned to the licensee on March 27, 2025.

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.

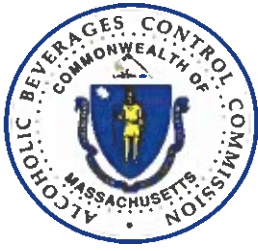
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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2024-000063-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Esq., Associate General Counsel
Dennis Keefe, Investigator
Katelyn Quinn, Investigator
Christopher Temple, Investigator
Administration, File



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DECISION

**D.J. O'CONNOR INC. D/B/A JOCO'S
450 MOODY STREET
WALTHAM, MA 02453
LICENSE#: 00028-RS-1320
VIOLATION DATE: 3/01/2024
HEARD: 6/18/2024**

D.J. O'Connor Inc. d/b/a Joco's ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, June 18, 2024, regarding an alleged violation of 204 CMR 2.05(2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (5 Counts) which occurred on March 1, 2024. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigative Report of D. Keefe;
 2. Photographs of Fraudulent, Expired and Imposter Identifications;
 3. ABCC Form 43, New License Approved 12/18/2008;
 4. Licensee's Stipulation of Facts;
- A. Photograph of Fraudulent Identifications Confiscated by Licensee.

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

FINDINGS OF FACT

1. On Friday, March 1, 2024, at approximately 11:00 p.m., Special Investigators Quinn, Temple, and Keefe ("Investigators") inspected the business operation of D.J. O'Connor Inc. d/b/a Jocos ("Licensee" or "Jocos").
2. Investigators entered the licensed premises and observed a group of youthful appearing female individuals seated at a table with each person in possession of what appeared to be an alcoholic beverage. Investigators identified themselves and asked to see proof of legal age to possess alcoholic beverages.

3. Underage #1, actual date of birth 2/11/2005 (age 18), was in possession of a fraudulent Vermont driver's license and informed Investigators she was in possession of a vodka and cranberry mixed drink.
4. Underage #2, actual date of birth 6/16/2005 (age 18) was in possession of a fraudulent Rhode Island driver's license and in possession of a vodka and cranberry mixed drink.
5. Underage #3, actual date of birth 10/09/2004 (age 19), was in possession of a fraudulent Connecticut driver's license and in possession of a vodka and cranberry mixed drink.
6. Underage #4, actual date of birth 4/05/2005 (age 18) was in possession of a fraudulent New Hampshire driver's license and in possession of a High Noon Hard Seltzer.
7. Investigators then observed two youthful appearing male individuals in possession of an alcoholic beverage. Investigators identified themselves and asked to see proof of legal age.
8. Underage #5, actual date of birth 5/24/2003 (age 20), was in possession of an expired Junior Operator Massachusetts driver's license and in possession of a rum and Coke® mixed drink.
9. Underage #6, actual date of birth 3/15/2003 (age 20), was in possession of an Ultra beer. He presented to Investigators an imposter Massachusetts driver's license (not his own name or date of birth). Investigators determined that the Licensee reasonably relied on this identification as it was an authentic Massachusetts driver's license, and the picture of the individual on the license bore a strong resemblance to Underage #6.
10. Investigators informed the manager on duty, Mark Mitchell, of the violations and that a report would be submitted to the Chief Investigator for further review.
11. Jonathan O'Connor, Licensee, appeared at the Commission hearing along with Mr. Mitchell. Mr. O'Connor testified he will be purchasing an identification scanner and will have that in place prior to students returning to the area schools in August. He stated that the Licensee's policy is to request back-up identification when patrons present out-of-state identifications.
12. The Licensee has held a license under M.G.L. c. 138, § 12 since 2008 with no prior violations.

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: Ch. 138 § 34C - Possession of an alcoholic beverage by a person under twenty-one (21) years of age (5 Counts).

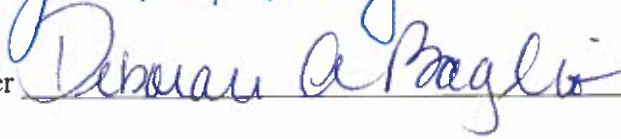
Therefore, the Commission **suspends the license for a period of seven (7) days of which three (3) days will be served and four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Deborah Baglio, Commissioner



Dated: January 28, 2025

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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