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SLA ISSUES EMERGENCY SUSPENSION FOR THE NEW ELBO ROOM Shootings, Assaults at Albany Bar Leads to License Suspension

Albany, NY – The New York State Liquor Authority (SLA) summarily suspended the license of Roemer and Hughes Enterprises LLC, doing business as “The New Elbo Room” at 170 Delaware Avenue in Albany. The suspension was ordered by Members of the SLA, Chairman Vincent Bradley and Commissioner Greeley Ford at a special meeting of the Full Board on Tuesday, October 4, 2016. Effective immediately, no alcohol may be served or consumed on the premises.

On September 24, 2016, a male patron was shot inside the bar. Staff from the New Elbo Room failed to notify the Albany Police Department (APD) or emergency medical services of the shooting incident. The APD later received notification from Albany Medical Center personnel regarding a male patron treated for gunshot wounds to the abdomen. APD Officers subsequently responded to the establishment that evening to evaluate the potential crime scene and observed employees cleaning the bar area. While Elbo Room staff initially advised officers that the shooting occurred in the front lobby, a bartender working that night stated the shooting occurred inside the premises, a statement corroborated by video surveillance obtained by the APD.

“This licensee has demonstrated total disregard for the law and a lack of concern for the safety of their patrons,” said SLA Chairman Bradley. “The SLA has an obligation to ensure this violence does not continue, and today’s emergency suspension will prevent episodes like this from occurring in the future.”

On October 03, 2016, the SLA charged the New Elbo Room with 6 violations, including disorderly premises for assaults, failure to supervise, failure to comply with local regulations, noise violations and for becoming a police focal point and a drain on city resources.

The September 24th shooting was one of several violent incidents reported to the SLA occurring at or nearby the New Elbo Room. APD reports the bar has become a drain on resources, regularly requiring dedicated and supplemental patrol units with APD receiving 146 service calls since January 2015, including 40 calls classified under assaults, fights, disturbances and shots fired. Recent incidents include reported shootings on February 21, 2016, July 10, 2016, and August 7, 2016 in addition to a reported assault on May 7, 2016.

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare requires emergency action. When the SLA summarily suspends a license, it also serves a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation to be sufficiently serious upon initial review to warrant an immediate suspension. The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an impartial administrative law judge. An order of summary suspension remains in effect until such time as it is modified by the SLA or a reviewing Court.

On the Web: www.sla.ny.gov