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EMERGENCY SUSPENSION ISSUED FOR NEWBURGH BAR
SLA Lifts License Following Multiple Fights, Assaults

Albany, NY – The New York State Liquor Authority (SLA) issued an emergency suspension of the River Rose Dry Dock at 90 Broadway in Newburgh. The suspension was ordered by Members of the SLA, Chairman Dennis Rosen and Commissioner Jeanique Greene at a special meeting of the Full Board on Friday, February 14, 2014. Effective immediately, no alcohol may be served or consumed on the premises.

From September 2013 to present, Newburgh Police Department (NPD) officers were called to the licensed premises numerous times in response to fights, assaults, disorderly patrons, crowd control and gunshots fired. From September 8th and October 12th, the NPD were called on six separate occasions to remove disorderly patrons. On November 2, 2013, NPD officers responded to multiple fights directly outside the bar involving approximately 100 patrons. Assaults continued to occur at the bar, with NPD officers called to the premises seven more times to break up fights between November 9th to December 29th, with two incidents resulting in injuries to the bar's security staff. On January 1, 2014, NPD officers responded to a patron firing gunshots at the bar's front door.

On January 31, 2014, NPD officers and SLA Investigators conducted an inspection of the bar and discussed problems at the establishment. The bar's manager was informed the establishment, licensed as a restaurant, was unlawfully operating as a nightclub. Later that evening, NPD officers responded again to gunshots fired inside the bar. A large fight broke out as the crowd exited the bar, and a NPD officer was injured in an altercation with a disorderly patron. On February 12, 2014, the SLA charged the bar with nine violations of the Alcoholic Beverage Control Law, including assault, disorderly premises, becoming a focal point for police attention, and inadequate supervision.

"The SLA will not tolerate violent bars that drain police resources," said SLA Chairman Dennis Rosen. "This should serve as a message that this agency will not hesitate to take a license when a bar poses a threat to public health and safety."

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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, considering each licensee's disciplinary history, 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 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.

The SLA regulates and controls the manufacture, sale and distribution of alcoholic beverages within the state. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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