



**ANDREW M. CUOMO**  
GOVERNOR

STATE OF NEW YORK  
**EXECUTIVE DEPARTMENT**  
**DIVISION OF ALCOHOLIC BEVERAGE CONTROL**  
**STATE LIQUOR AUTHORITY**

ALFRED E. SMITH BUILDING  
80 SOUTH SWAN STREET, SUITE 900  
ALBANY, NY 12210-8002

**DENNIS ROSEN**  
CHAIRMAN

**JEANIQUE GREENE**  
COMMISSIONER

**KEVIN KIM**  
COMMISSIONER

**MEDIA ADVISORY**

For Immediate Release

July 11, 2014

Contact: William Crowley (518) 476-4767

[PressOffice@sla.ny.gov](mailto:PressOffice@sla.ny.gov)

**EMERGENCY SUSPENSION ISSUED FOR ROCHESTER BAR**  
**State Liquor Authority Lifts License Following Shootings, Fights, Assaults**

**Albany, NY** – The New York State Liquor Authority (SLA) issued an emergency suspension of the BP DOC Inc., doing business as “Captain’s Attic” at 37 Charlotte Street in Rochester. The suspension was ordered by Members of the SLA, Chairman Dennis Rosen and Commissioner Kevin Kim at a special meeting of the Full Board on Friday, July 11, 2014. Effective immediately, no alcohol may be served or consumed on the premises.

On July 10, 2014, the SLA received a referral from the Rochester Police Department detailing a shooting on July 6<sup>th</sup>, where an unknown suspect fired rounds into a large group of patrons gathered outside the bar. Rochester Police officers on a special attention order due to the high volume of patrons leaving the bar at closing hours witnessed five shots fired into the crowd. Also on July 6<sup>th</sup>, a man was assaulted by a Captain’s Attic bouncer in the parking lot directly across from the bar. Two bouncers interviewed by the Rochester Police following these incidents provided statements that the bar’s owner recently reduced security personnel in an effort to save money. In addition, bouncers reported the owner instructed staff to ignore maximum occupancy requirements, leading to a situation where the bar was frequently packed with patrons beyond its capacity.

Rochester Police also report being summoned to the premises 248 times since the Captain’s Attic opened on May 14, 2013, including 185 service calls and an additional 63 times to respond to disturbances. Captain’s Attic has been cited by police for numerous incidents including violent assaults, shootings, intoxicated patrons, and overcrowding. On July 10, 2014, the SLA charged the bar with three violations of the Alcoholic Beverage Control Law, including sustaining a continued pattern of noise and disorder, inadequate supervision, and becoming a focal point for police attention.

“This licensee has demonstrated total disregard for the law and no concern for the health and safety of their patrons, employees or residents,” said SLA Chairman Dennis Rosen. “As the violence has escalated, rather than take steps to address the concerns of police and neighbors,

[www.abc.state.ny.us](http://www.abc.state.ny.us)



the licensee chose to cut security staff and allow overcrowding, leading to violence and mayhem. The SLA will continue working with the Rochester Police and our partners in law enforcement across the state to hold licensees accountable.”

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.

On the Web: [www.sla.ny.gov](http://www.sla.ny.gov)

###