



COMMONWEALTH of VIRGINIA

Department of Alcoholic Beverage Control

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CHIEF OPERATING OFFICER/SECRETARY TO THE BOARD
TRAVIS G. HILL

February 6, 2017

TO ALL CHARLOTTESVILLE REGION 9 ON PREMISE LICENSEES,

This letter is to advise you there has been an increase of Outlaw Motorcycle Gang (OMG) activity in on premise ABC licensed establishments throughout the Charlottesville ABC Regional Enforcement area

Pursuant to § 4.1-225, The Board may suspend or revoke any license other than a brewery license, in which case the Board may impose penalties as provided in § 4.1-227, if it has reasonable cause to believe that:

1. The licensee, or if the licensee is a partnership, any general partner thereof, or if the licensee is an association, any member thereof, or a limited partner of 10 percent or more with voting rights, or if the licensee is a corporation, any officer, director, or shareholder owning 10 percent or more of its capital stock, or if the licensee is a limited liability company, any member-manager or any member owning 10 percent or more of the membership interest of the limited liability company:

g. Has maintained the licensed premises in an unsanitary condition, or **allowed such premises to become a meeting place or rendezvous for members of a criminal street gang** as defined in § 18.2-46.1 or persons of ill repute, or has allowed any form of illegal gambling to take place upon such premises;

p. **Has failed to take reasonable measures to prevent (i) the licensed premises, (ii) any premises immediately adjacent to the licensed premises that are owned or leased by the licensee, or (iii) any portion of public property immediately adjacent to the licensed premises from becoming a place where patrons of the establishment commit criminal violations** of Article 1 (§ 18.2-30 et seq.), 2 (§ 18.2-38 et seq.), 2.1 (§ 18.2-46.1 et seq.), 2.2 (§ 18.2-46.4 et seq.), 3 (§ 18.2-47 et seq.), 4 (§ 18.2-51 et seq.), 5 (§ 18.2-58 et seq.), 6 (§ 18.2-59 et seq.), or 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2; Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2; Article 3 (§ 18.2-344 et seq.) or 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2; or Article 1 (§ 18.2-404 et seq.), 2 (§ 18.2-415), or 3 (§ 18.2-416 et seq.) of Chapter 9 of Title 18.2 and such violations lead to arrests that are so frequent and serious as to reasonably be deemed a continuing threat to the public safety.

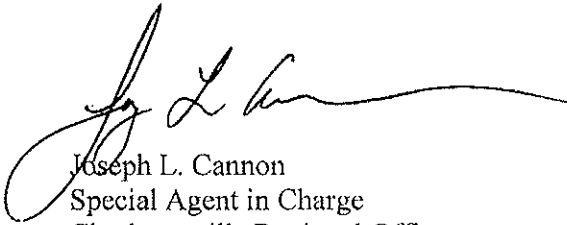
The Code of Virginia § 18.2-46.1. clearly defines what is considered a Criminal Street Gang and it's reference throughout the Virginia ABC Acts codes noted above

"Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities; (ii) which has an identifiable name or identifying sign or symbol; and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.

All Virginia ABC Licensees should take reasonable measures to prevent their establishment from becoming a meeting place or rendezvous for members of a criminal street gang or from becoming a place where patrons of the establishment commit criminal violations. Failure to comply with the ABC Act could result in suspension or revocation of your ABC license.

I can be reached at 434-977-2974 or joseph.cannon@abc.virginia.gov if you have any questions in reference to this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. L. Cannon', with a long horizontal flourish extending to the right.

Joseph L. Cannon
Special Agent in Charge
Charlottesville Regional Office