



September 6, 2016

Commissioner Jonathan Harris
Department of Consumer Protection
165 Capitol Avenue
Hartford, CT 06106

RE: Request for Summary Suspension of Liquor Permit
904 Farmington Avenue, West Hartford, CT 06119

Dear Commissioner Harris:

As the Chief of Police and the Mayor for the Town of West Hartford, we are requesting the Department of Consumer Protection issue a summary suspension of the restaurant liquor permit issued to Mr. Ernesto Leon, the owner and operator of Los Imperios Restaurant and Lounge located at 904 Farmington Avenue in West Hartford.

As you are aware, Conn. Gen. Stat. § 4-182(c) gives you the authority to summarily suspend a liquor permit without prior notice or hearing “[i]f the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order.” As detailed below, the inability of Mr. Leon to properly control his premises is clearly imperiling the public health, safety, or welfare and requires emergency action in the form of the immediate suspension of Los Imperios’ permit.

On Saturday, September 3, 2016, a fight occurred inside Los Imperios around 1:50 a.m. between two groups of patrons. The fight continued outside where bouncers for Los Imperios reported that they were unable to break it up. The group continued to fight, which ended only when one of the participants fired at least thirteen rounds from a nine millimeter handgun into an automobile which is believed to have belonged to participants involved in the fight. The victims in the car fled the area and have not come forward. Two other cars belonging to neighborhood residents – residents who were not patrons of Los Imperios - were also damaged by this gunfire.

It is important to note that at no time did any representative from Los Imperios contact the police department about the fight or the gunshots. The police department only became aware of the incident after receiving numerous 911 calls from area residents.

The motive for the shooting is unknown, however, there is a concern from the Police Department that since the participants have not come forward, it may indicate that this was more than a disagreement at a bar. If the people involved in the fight and the subsequent shots fired are regular patrons at Los Imperios, it is not unreasonable to believe that some type of retaliation could be planned – perhaps at Los Imperios itself.





This is not the first serious incident that has occurred at Los Imperios, and the West Hartford Police Department has routinely had every available police unit at that location to keep order. This strips the rest of the community of police coverage on Thursday, Friday and Saturday nights and is causing some delays in responding to other emergencies in town.

Since receiving its liquor permit in November, 2014, West Hartford police have been called eleven times for fights or assaults and thirty-nine times for disturbance complaints. There have also been nine DUI's stemming from Los Imperios, and four motor vehicle accidents with a nexus to Los Imperios where either pedestrians or automobiles were struck.

Besides the gunshots last Saturday referenced above, other recent examples include:

- On August 25, 2016, a patron reported that she was struck in the head by a thrown glass while on the dance floor. She suffered a significant cut that required two stitches to close the wound. No one from Los Imperios called the police. The owner denies that it happened.
- On August 21, 2016, a patron complained that she was struck in the face, had her hair pulled and was then thrown to the ground while inside Los Imperios. She stated that as she was speaking with the bouncers, another woman attacked her mother, who was also present. No one from Los Imperios contacted the police about any problem. The victim called the police after she left. Another patron later called the police to report that he was also assaulted in the bar during the same incident.
- On July 22, 2016, every patrol car on duty was tied up at Los Imperios handling a large, disruptive crowd of approximately 100-200 people outside at closing. The rest of the Town had no police protection during that time. Had an emergency come in, either mutual aid assistance would have been required or an officer would have been pulled off of the call leaving the other officers at Los Imperios short-handed.
- The police department regularly receives complaints from neighborhood residents about excessive noise and fights as patrons leave Los Imperios, and intoxicated drivers passed out in their vehicles.

Based on conversations and interactions between Mr. Leon by the police and Town staff, it appears that Mr. Leon is unwilling to assist with ensuring a safe environment for Los Imperios patrons and West Hartford residents. Besides not contacting the police when fights and assaults occur at Los Imperios, when officers requested video from Mr. Leon that could assist in the shots fired investigation, he said that the video system was inoperable.

Of further concern is that the permittee, Mr. Leon, has had numerous negative contacts with police departments since opening his establishment. He has recently been convicted of DUI for which he received probation. He currently has pending domestic violence charges based on an arrest that occurred





at the West Hartford Motor Inn which is next door to Los Imperios, and he informed police that he is living at the restaurant. The West Hartford Police Department has also responded to two previous incidents in which Mr. Leon was causing a disturbance. In all these incidents it is believed Mr. Leon was intoxicated. Referrals to the Liquor Commission were made on each of these incidents, which you should have in your files.

As you may know, the Town is currently involved in litigation against Los Imperios and the owner of the property for repeated and willful zoning violations.¹ The Town hoped that initiating a civil action would result in complaints and issues at the location, however to the contrary the activity is clearly getting worse.

Los Imperios is creating a true public safety threat to its patrons and to the residents of West Hartford. Besides the direct threat that gunfire in a densely populated area represents, every indication we have is that the problems will not only continue at this location, but get worse unless something is done immediately to correct the problem. Based on all of the above, the Town requests that the liquor license for Los Imperios be immediately suspended until such time as a plan can be developed to ensure the safety of the patrons and the community.

Very truly yours,


Tracey Gove
Chief of Police


Shari Cantor
Mayor

c: John Suchy, Director, Liquor Control Division, Department of Consumer Protection
Julianne Avallone, Legal Director, Department of Consumer Protection

¹ In a Superior Court hearing on August 16, 2016, Mr. Leon stipulated that he had been denying access to Los Imperios to minors (a violation of state liquor regulations) and charging a cover fee to enter the restaurant, both of which are violations of the Town's zoning ordinance.

