

**Alcoholic Beverage and Cannabis Administration (“ABCA”)**  
**FY 24-25 Performance Oversight Hearing Questions**  
**Committee on Business and Economic Development**  
**Kenyan McDuffie, Chairperson**

**Racial Equity**

1. Describe any programs or policies where the agency has had success in building racial equity during Fiscal Year 2024 and Fiscal Year 2025 to date.

**Response:** The agency has had success in FY24 and FY25 to date in building racial equity through the agency’s implementation of recent legislative changes to the District’s Medical Cannabis Program. Specifically, the number of medical cannabis facilities grew significantly in FY24 and FY25, to date, creating significant opportunities for minority-owned medical cannabis businesses. This also included medical cannabis cultivation center, manufacturer, and retailer businesses opening that are owned by individuals that were negatively impacted as the result of a cannabis arrest or conviction. The ABC Board has also achieved racial equity by providing access to medical cannabis to qualifying patients in all eight wards of the District through a medical cannabis patient card available at no cost in FY24 and FY25, to date.

2. In the context of the agency and its mission, describe three areas, programs, or initiatives where the Department has the greatest opportunity to address racial inequity.

**Response:** ABCA and the ABC Board have identified several areas, programs or initiatives that provide an opportunity for addressing racial inequity.

First, is the District medical cannabis program. District law requires that at least 50 percent of almost all medical cannabis facility license types be issued to social equity applicants. Additionally, qualifying applicants for social equity licenses are eligible to have 75 percent of their application and licensing fees waived for the first three years.

Second, our agency is excited about the potential of the District’s Medical Cannabis Social Equity Fund (Fund) as medical cannabis sales tax revenues increase. ABCA worked collaboratively with the Department of Small and Local Business Development (DSLBD) on a memorandum of understanding to implement the Fund once monies become available. The Fund provides a great opportunity to provide equity, grants, and loans to assist social equity applicants and medical cannabis certified business enterprises in gaining entry to and operating in the Medical Cannabis Program.

Third, the forthcoming omnibus alcohol bill provides a significant opportunity to address racial inequity by helping to attract restaurants to Ward 7 and Ward 8 and make it easier for returning citizens to work at or own an alcohol licensed establishment.

3. What barriers does your agency face when trying to: (1) make progress toward racial equity or (2) better understand racial inequity within the agency's context and operations (if any)? How does your agency's spending address existing racial inequities (grant disbursement, procurement/contracting, etc.)?

**Response: ABCA has been successful at contracting with minority owned SBE businesses as part of the agency's spending and procurement efforts. This has included ABCA contracting with minority owned businesses that the agency has a long-standing relationship with as well as utilizing new minority owned businesses for the first time.**

4. Please provide data on the racial diversity among leadership and at all staff grade levels. How does retention differ by race across levels? How does pay differ by race within levels?

**Response: ABCA currently has ten managers in leadership. Five of the managers are African American, four of the managers are Caucasian, and one of the managers identifies as Pacific Islander/Hawaiian. The majority of ABCA's non-manager staff are African American. The same grade levels are available to employees in the same job positions regardless of race. Pay at the agency is dependent upon an employee's or applicant's experience and job performance.**

5. Last year, the agency wrote that ABCA's Office of the General Counsel reviews submitted settlement agreements to ensure that the agreements are fair and enforceable. Has the agency ever conducted an internal review or audit of protests and settlement agreements to assess trends and ensure racial equity?

**Response: ABCA does not track race-based data related to alcohol licensees and filed protests, as all alcoholic beverage license applications and protest petitions are race-neutral. Regarding the settlement agreement process, the agency requires mandatory mediation with an impartial agency mediator to help ensure that parties are being treated equitably and fairly. Additionally, ABCA's Office of the General Counsel reviews submitted settlement agreements to ensure that the agreements are fair and enforceable in accordance with D.C. Official Code §§ 25-446.01 and 25-446.02.**

**It should be noted that under the law, a protest may be filed by any party with standing during the protest period. Furthermore, the Board only reviews settlement agreements for legal compliance and enforceability. It should also be noted that there is no requirement to enter into a settlement agreement and any applicant that believes a protest is unfair, unjust, or without substance may reject settlement and request a protest hearing for a hearing on the merits of their application.**

6. Has the agency considered adopting a racial equity tool into the protest and settlement agreement process to mitigate potential racial bias and negative impacts? If not, why not?

**Response: No, for three reasons. First, settlement agreements are completely voluntarily on the part of the parties and the Board can only review them for legal compliance and enforceability. Second, the settlement agreement process is confidential, and the agency cannot review the substance of the negotiations. Third, it**

**has not yet been established that the agency or the Board has the legal authority to add such measures into the protest process. Please note that the agency is committed to investigating these types of concerns, but such concerns need to be articulated and described in a sufficient manner for the agency to review.**

7. Does the agency's internal Racial Equity Action Team still exist? If so, what has it pursued or accomplished in FY 24, and FY 25, to date?

**Response: The agency's team met with the Mayor's Office of Racial Equity on Wednesday, January 29, 2025. ABCA is exploring the possibility of being included in the Mayor's Office of Racial Equity Cohort four.**

8. Please provide any other updates on the agency's work to advance racial equity.

**Response: The agency promotes racial equity daily, as evidenced by its hiring practices and objective approach to licensing and regulating the alcohol and cannabis industries. ABCA encourages people of diverse groups and classes to participate in its services and programs.**

### **General Questions**

9. Please provide a current organizational chart of the agency, including the number of vacant, frozen, and filled full-time equivalents ("FTEs") in each division or subdivision, as well as the names and titles of all senior personnel. Please include the date when the information was collected. Additionally, please provide the following:

1. An explanation of the roles and responsibilities of each division and subdivision, including specific programs and projects administered by each division. Please also explain the administrative organization within each division and provide the number of personnel allocated to each division; and

**Response: Please see the attached response to Question 9 for an agency organizational chart. The organizational chart is current as of January 16, 2025.**

2. A narrative explanation of any changes made during the previous year.

**Response: Since FY24 there have been two new positions added to the ABCA organizational chart. The agency added a second Freedom of Information Act Officer position in FY 2024 and a Deputy General Counsel Position in FY25.**

10. Please provide a current Schedule A for the agency, which identifies all employees by title/position, current salary, fringe benefits, and program. This Schedule A should also indicate whether the positions are continuing/term/temporary/contract and whether they are vacant or frozen positions.

- a. For each vacant position, please state how long the position has been vacant, and provide the status of the agency's efforts to fill the position, as well as the position number, the title, the program number, the activity number, the grade, the salary, and the fringe associated with each position. Please also indicate whether the position must be filled to comply with federal or local law, and whether there are impediments to the agency's ability to fill those vacancies.
- b. For each filled position, please provide the employee's length of service with the agency. Please provide any available information on turnover rates and/or trends identified by the agency.

**Response: Please see the attached response to Question 10 for the Schedule A document.**

11. Please list all employees detailed to or from the agency, if any. For each employee identified, please provide the name of the agency from/to which the employee is detailed, the reason for the detail, the date of the detail, and the employee's projected date of return.

**Response: ABCA does not have any employees who have been detailed to or from our agency.**

12. Did the agency conduct annual performance evaluations of its employees in FY24 or FY25, to date? Who conducted the evaluations? What are the performance measures by which employees are evaluated? What steps are taken to ensure that all employees are meeting individual job requirements? What steps are taken when an employee does not meet individual job requirements?

**Response: Yes, ABCA conducts mid-year and annual performance plans for its employees, including managers. Mid-year performance plans are required to be completed by managers and reviewed with the employee. Managers are responsible for meeting with all staff members. Employees are evaluated on their ability to meet all parts of their established performance plan. The mid-year is a marker for the employee to ensure they are on track to meet or exceed their performance goals. Annual performance plans are then completed at the end of the fiscal year by the manager to evaluate the employees' performance and provide feedback. The mid-year review provides an opportunity for all managers to ensure that employees are meeting their individual job requirements. Managers are encouraged to meet with their staff regularly for purposes of providing them with feedback to assist with their professional development.**

13. What is the agency's current remote work policy?

**Response: ABCA has permitted remote work in varying capacities since March 13, 2020. ABCA permits two-types of remote work—routine and situational. FTE employees become eligible for remote work after three (3) months of employment with ABCA or one (1) month if they transferred to ABCA from another District Government agency.**

The permitted number of routine remote workdays is based upon the nature of job duties of the position filled by the employee or to attract or retain an employee filling, or applying to fill, a hard-to-fill position. For example, investigators and contact representatives are only permitted to work remotely one (1) day per week.

Employees approved for remote work may periodically request approval from their supervisor to work situationally from their personal residence or an alternate location for such reasons as illness or injury, a home repair emergency, or to complete a time-sensitive priority project.

14. Please complete the following chart about the residency of new hires in FY 24, and FY 25, to date:

**Response:** Please see the chart below:

**FY 2024**

<i><b>Position Type</b></i>	<i><b>Total Number</b></i>	<i><b>Number of District Residents</b></i>
Continuing	6	2
Term	0	0
Temporary	0	0
Contract	0	0

**FY 2025**

<i><b>Position Type</b></i>	<i><b>Total Number</b></i>	<i><b>Number of District Residents</b></i>
Continuing	2	0
Term	0	0
Temporary	0	0
Contract	0	0

15. Please provide the Committee with the following:

- a. A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency's expense in Fiscal Year 2024 and Fiscal Year 2025, to date;

**Response:** Please see the chart containing the list of employees below:

<b>FY 2024</b>	
<b>EMPLOYEE</b>	<b>DEVICE</b>
ABRA Hotline	Cellular Device - Samsung Galaxy S8
Donovan Anderson	Cellular Device - Samsung Galaxy S21
Mark Brashears	Cellular Device - Samsung Galaxy S8
Derek Brooks	Cellular Device - Samsung Galaxy S21

Felicia Dantzler	Cellular Device - Samsung Galaxy S21
Bernell Davis	Cellular Device - Samsung Galaxy S23
George Garcia	Cellular Device - Samsung Galaxy S21
Sean Gordy	Cellular Device - Samsung Galaxy S10e
Karen Jackson	Cellular Device - Samsung Galaxy S21
Earl Jones	Cellular Device - Samsung Galaxy S20
Jovan Miller	Cellular Device - Samsung Galaxy S21
Jerrita Millington	Cellular Device - Samsung Galaxy S21
Fred Moosally	Cellular Device - Samsung Galaxy S21
Mikea Nelson	Cellular Device - Samsung Galaxy S21
Jason Peru	Cellular Device - Samsung Galaxy S10e
Vanessa Pleitez	Cellular Device - Samsung Galaxy S21
Tavril Prout	Cellular Device - Samsung Galaxy S20
Camille Robinson	Cellular Device - Samsung Galaxy S20
Mark Ruiz	Cellular Device - Samsung Galaxy S21
Jeremy Zollarcoffer	Cellular Device - Samsung Galaxy S10e

<b>FY 2025</b>	
<b>EMPLOYEE</b>	<b>DEVICE</b>
Donovan Anderson	Cellular Device - Samsung Galaxy S21
Mark Brashears	Cellular Device - Samsung Galaxy S8
Derek Brooks	Cellular Device - Samsung Galaxy S21
Felicia Dantzler	Cellular Device - Samsung Galaxy S21
Bernell Davis	Cellular Device - Samsung Galaxy S23
George Garcia	Cellular Device - Samsung Galaxy S21
Sean Gordy	Cellular Device - Samsung Galaxy S23FE
Leon Harris	Cellular Device - Samsung Galaxy S24
Karen Jackson	Cellular Device - Samsung Galaxy S21
Earl Jones	Cellular Device - Samsung Galaxy S20
Jovan Miller	Cellular Device - Samsung Galaxy S21
Jerrita Millington	Cellular Device - Samsung Galaxy S21
Fred Moosally	Cellular Device - Samsung Galaxy S21
Mikea Nelson	Cellular Device - Samsung Galaxy S21
Jason Peru	Cellular Device - Samsung Galaxy S10e
Vanessa Pleitez	Cellular Device - Samsung Galaxy S21
Tavril Prout	Cellular Device - Samsung Galaxy S20
Camille Robinson	Cellular Device - Samsung Galaxy S20
Kindell Williams	Cellular Device - Samsung Galaxy S24
Jeremy Zollarcoffer	Cellular Device - Samsung Galaxy S10e

b. A list of all vehicles owned, leased, or otherwise used by the agency and to whom

the vehicle is assigned, as well as a description of all vehicle accidents involving the agency's vehicles in Fiscal Year 2024 and Fiscal Year 2025, to date;

**Response: ABCA currently has 10 fleet vehicles that are solely utilized by the Enforcement Division. All vehicles are owned by our agency and assigned to specific personnel. ABCA's vehicles are assigned as follows:**

- One (1) vehicle is assigned to the Supervisory Investigators.

**Primary Supervisory Investigator Vehicle:**

<u>Tag</u>	<u>Make/Model</u>	<u>Year</u>
DC-10891	Toyota Camry	2017

- Utilized by three (3) Supervisory Investigators (SI).

- SI Earl Jones (Night shift – Orange Team)
- SI Mark Brashears (Day Shift – Blue Team)
- SI Jason Peru (Cannabis Enforcement Division)

- Nine (9) vehicles are assigned and utilized by Investigators on the Orange Team, Green Team and Blue Team.

<u>Tag</u>	<u>Make/Model</u>	<u>Year</u>
DC-10190	Toyota Corolla	2013
DC-10595	Toyota Corolla	2014
DC-8842	Dodge Grand Caravan	2014
DC-10596	Toyota Corolla	2014
DC-12847	Ford Taurus	2017
DC-12262	Toyota Camry	2018
DC-13079	Toyota Camry	2019
DC-13477	Toyota Camry	2020
DC-13478	Toyota Camry	2020

**For FY2024 and 2025 to date, there were four (4) driving accidents that involved ABCA fleet vehicles that occurred as follows:**

- December 3, 2023, (TAG - DC13477) 2020 Toyota Camry

- **June 3, 2024, (TAG - DC10190) 2013 Toyota Corolla**
- **November 21, 2024, (TAG - DC13477) 2020 Toyota Camry**
- **December 11, 2024, (TAG - DC12847) 2017 Ford Taurus**

- c. A list of travel expenses, arranged by employee, for Fiscal Year 2024 and Fiscal Year 2025, to date, including the justification for travel and description of activities engaged in during the travel;

**Response: Please see the attached spreadsheet in response to Question 15c.**

- d. A list of employee bonuses or special award pay, raises, and step increases granted in Fiscal Year 2024 and Fiscal Year 2025, to date; and

**Response: ABCA's Enforcement Division Staff Assistant received a special award pay amount of \$5,000 in FY24. As of February 5, 2025, ABCA has not granted any employee bonuses or special award pay in FY25.**

- e. A list of the total overtime and workers' compensation payments paid in Fiscal Year 2024 and Fiscal Year 2025, to date, including the number of employees who received overtime and workers' compensation payments, in what amounts, and for what reasons.

**Response: Please see the attached spreadsheet in response to Question 15e.**

16. Regarding the use of communication devices:

- a) Please describe procedures that are in place to track which individuals or units are assigned mobile devices (including, but not limited to smartphones, laptops, and tablet computers) and how the usage of these devices is monitored.

**Response: When onboarding new staff, managers must complete a digital form requesting workstation setup and IT devices such as mobile phones, tablets, and headsets. An IT Specialist will issue the approved devices to the employee which they must acknowledge receiving. The employee assumes financial responsibility for the devices if they are lost or damaged due to negligence. When separating from the agency, the employee must return all issued devices which the IT Specialist crosschecks against the acknowledgement form. The devices are returned to ABCA's inventory if usable or transferred to surplus.**

- b) How does the agency limit the costs associated with its mobile devices?

**Response: Since ABCA deployed Microsoft Teams Phone and the AWS Call Center approximately two years ago, the number of agency personnel requiring mobile phones has decreased. Additionally, the agency audited its mobile phone users and phone lines in 2023 and recalled 10 of 38 devices and terminated several unused phone lines. For FY25, to date, approximately 20 personnel have been issued mobile devices.**



**Most of these users are investigators who are routinely in the field and require a mobile device to communicate.**

- c) For Fiscal Year 2024 and Fiscal Year 2025, to date, what was the total cost including, but not limited to, equipment and service plans for mobile communications and devices?

**Response: Please see the attached spreadsheet in response to question 16c.**

17. For Fiscal Year 2024 and Fiscal Year 2025, to date, please list any purchase card spending by the agency, including the employee making each expenditure and the general purpose for each expenditure.

**Response: Please see the attached spreadsheet in response to Question 17.**

18. Please provide a chart showing the agency's approved budget, revised budget (after reprogramming, etc.) and actual spending, by division, for Fiscal Year 2024 and Fiscal Year 2025, to date. Include a description and explanation for any variance between fiscal year appropriations and actual expenditures.

**Response: Please see the attached spreadsheet in response to Question 18.**

19. For Fiscal Year 2024 and Fiscal Year 2025, to date, please identify any special purpose revenue funds maintained, used, or available for use by the agency. For each fund identified, please provide:

1. The revenue source name and code;
2. Legal authority for the fund (i.e. D.C. Code or DCMR citation);
3. A description of the program that generates the funds;
4. The amount of funds generated by each source or program;
5. Expenditures of funds, including the purpose of each expenditure; and
6. The current fund balance.

**Response: Please see the attached spreadsheet in response to Question 19**

20. For Fiscal Year 2024 and Fiscal Year 2025, to date, please list all intra-District transfers to or from the agency. For each transfer, include all the following details:

- a. The program and activity codes and names in the sending and receiving agencies' budgets;
- b. Funding source (i.e., local, federal, SPR);
- c. Description of memoranda of understanding ("MOU") services;
- d. Total MOU amount, including any modifications;
- e. Whether a letter of intent was executed for Fiscal Year 2024 or Fiscal Year 2025, and if so, on what date;
- f. The date of the submitted request from or to the other agency for the transfer;

- g. The dates of signatures on the relevant MOU; and
- h. The date funds were transferred to the receiving agency.

**Response: Please see the attached spreadsheet in response to Question 20.**

21. Please list any additional intra-District transfers planned for Fiscal Year 2025, including the anticipated agency(ies), purposes, and dollar amounts.

**Response: ABCA does not currently have any additional planned intra-district transfers for FY25.**

22. Please list each contract, procurement, lease, and grant (“contract”) awarded, entered into, extended, or option years exercised, by the agency during Fiscal Year 2024 and Fiscal Year 2025, to date. For each contract, please provide the following information, where applicable:

- a. The name of the contracting party;
- b. The nature of the contract, including the end product or service;
- c. The dollar amount of the contract, including amount budgeted and actually spent;
- d. The status of deliverables;
- e. The term of the contract;
- f. The Certified Business Enterprise status;
- g. Whether the contract was competitively bid;
- h. The name of the Department’s contract monitor and the results of any monitoring activity; and
- i. The funding source.

**Response: Please see the attached spreadsheet in response to Question 22.**

23. Please list all MOU entered into by the Department during Fiscal Year 2024 and Fiscal Year 2025, to date, as well as any MOU currently in force. For each, indicate the date entered and the termination date.

**Response: Please see the attached spreadsheet in response to Question 23.**

24. Please list the ways, other than MOU, in which the Department collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in Fiscal Year 2024 and Fiscal Year 2025, to date.

**Response: ABCA routinely collaborates with agencies in other jurisdictions and at the federal level. Examples include:**

- **ABCA is a member of the Cannabis Regulators Association (CANNRA) which is comprised of cannabis and/or hemp regulatory agencies. As a member, ABCA engages in policy discussions and development which has informed our licensing, legal, and enforcement activities.**

- State and federal agencies notify ABCA if a licensee has been identified to be illegally shipping, receiving, or storing alcohol across state lines.
- ABCA convenes quarterly meetings with industry trade associations including the DC Association of Beverage Wholesalers, DC Brewers' Guild, and the Regulated Cannabis Association of the District of Columbia.
- ABCA is also a member of the National Conference of State Liquor Administrators (NCSLA) to collaborate with other state alcohol regulators.

25. Please identify all recommendations identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on what actions have been taken to address these recommendations. If the recommendation has not yet been implemented, please explain why.

**Response: ABCA has not received any recommendations from the Office of the Inspector General, D.C. Auditor, or any other federal or local oversight entities during the previous three years.**

26. Please describe any anticipated spending pressures for Fiscal Year 2025. Please include a description of the pressure, the estimated amount, and any proposed solutions.

**Response: ABCA does not have any spending pressures in FY25 at this time.**

27. Please list all capital projects in the financial plan and provide an update on all capital projects under the agency's purview in Fiscal Year 2024 and Fiscal Year 2025, to date, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide the following:

- a. An update on all capital projects begun, in progress, or concluded in Fiscal Year 2023, Fiscal Year 2024, and Fiscal Year 2025, to date, including the amount budgeted, actual dollars spent, and any remaining balances;
- b. An update on all capital projects planned for Fiscal Year 2025 through Fiscal Year 2030; and
- c. Whether the capital projects begun, in progress, or concluded in Fiscal Year 2023, Fiscal Year 2024, or Fiscal Year 2025, to date, have an impact on the operating budget of the Department. If so, please provide an accounting of such impact.

**Response: ABCA does not have any capital projects for any of the fiscal years listed.**

28. Please provide a list of all budget enhancement requests (including, but not limited to, capital improvement needs), for Fiscal Year 2024 and Fiscal Year 2025, to date. For each, please include a description of the need and the amount of funding requested.

**Response: ABCA works with the Mayor's Office of Budget and Performance Management and the Office of the Deputy Mayor for Planning and Economic**

**Development to develop our annual budget. The FY 24 and FY 25 agency budgets submitted as part of the Mayor's budget submissions reflects those efforts.**

29. Please list, in chronological order, every reprogramming in Fiscal Year 2024 and Fiscal Year 2025, to date, which had an impact on the agency, including those which moved funds into, out of, and within the agency. For each reprogramming, please list the date, amount, rationale, and reprogramming number, and indicate whether a reprogramming impacted the agency's ability to carry out a directive or recommendation of the Committee. Please also include the program, activity, and CSG codes for the originating and receiving funds. Finally, provide the revised final budget for the agency after reprogramming for Fiscal Year 2024.

**Response: Please see the attached spreadsheet in response to Question 29.**

30. Please list each grant or sub-grant received by the Department in Fiscal Year 2024 and Fiscal Year 2025, to date. List the date, amount, and purpose of the grant or sub-grant received. Additionally, provide the following:
1. Whether any FTEs are dependent on grant funding and, if so, how many; and
  2. A description of the terms of this funding, and, if it is set to expire, what plans, if any, are in place to continue funding.

**Response: ABCA was awarded its inaugural federal grant through the District's Highway Safety Office in the amount of \$192,558.40 to support its underage drinking initiatives in FY24. The HSO grant funding was renewed and increased to \$250,000 with a \$50,000 ABCA match in FY25.**

31. Please describe any grant the Department is, or is considering, applying for in Fiscal Year 2025.

**Response: ABCA applied in FY25 through the District's Highway Safety Office for continued grant funding totaling \$162,220 with a 20 percent match of \$32,440 for FY26. The application deadline was January 31, 2025.**

32. Please list any pending lawsuits that name the Department as a party. Please identify any lawsuits that could potentially expose the District to significant financial liability and/or result in a change to Department practices, and please include the current status of the litigation. Please provide the basis and extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation of the issues involved in each case.

**The agency provides the following information regarding pending lawsuits where the agency is named as a party. The majority of the lawsuits below relate to the agency's cannabis enforcement efforts.**

1. *Zainab Yusuff v. District of Columbia*, filed in the D.C. Superior Court (2024 CAB 005229). The plaintiff seeks damages related to an allegation of wrongful termination. In January 2025, OAG notified ABCA that the case was dismissed with prejudice.

2. ***AR Logistics LLC v. District of Columbia et al. (United States District Court for the District of Columbia, Case No. 1:24-cv-03539).*** Lawsuit seeks to enjoin the District under various constitutional rights and other laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. Removed to federal court from DC Superior Court (2024-CAB-007419). A hearing regarding a preliminary injunction remains pending.
3. ***Elevated Tours, LCC v. District of Columbia et al. (United States District Court for the District of Columbia, Case No. 1:24-cv-03538).*** Lawsuit seeks to enjoin the District under various constitutional rights and other laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. Removed to federal court from DC Superior Court (2024-CAB-007419). A hearing regarding a preliminary injunction remains pending.
4. ***Alliance for Recreational Cannabis Entities, LLC v. Pamela A. Smith, Chief, Metropolitan Police Department, et al. (United States District Court for the District of Columbia, Case No. 1:24-cv-03164).*** Lawsuit seeks to enjoin the District under various constitutional rights and other laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. Removed to federal court from DC Superior Court (2024-CAB-007419). A hearing regarding a preliminary injunction remains pending.
5. ***Organix, LLC, v. District of Columbia et al. (United States District Court for the District of Columbia, Case No. 1:24-cv-03536).*** Lawsuit seeks to enjoin the District under various constitutional rights and other laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. The court recently denied a request for an injunction against the District and the matter is currently stayed while administrative matters are resolved. Removed to federal court from DC Superior Court (2024-CAB-007419). A hearing regarding a preliminary injunction remains pending.
6. ***Capitol Hemp LLC, District Hemp Botanicals v. Alcoholic Beverage and Cannabis Administration et al. (D.C. Superior Court – 2024-CAB-00679).*** Lawsuit seeks to enjoin District under various constitutional rights and other District laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. A motion for injunction was denied and the matter is currently stayed while administrative matters are resolved.
7. ***The Safe House, LLC v. District of Columbia et al. (United States District Court for the District of Columbia, Case No. 1:24-cv-03532).*** Lawsuit seeks to enjoin the District under various constitutional rights and other laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. Removed to federal court

from DC Superior Court (2024-CAB-007419). A hearing regarding a preliminary injunction remains pending.

8. *Green Magic, LLC v. District of Columbia et al. (United States District Court for the District of Columbia, Case No. 1:24-cv-03537)* Lawsuit seeks to enjoin the District under various constitutional rights and other laws to stop the enforcement of District law regarding cannabis and intoxicating hemp products. Removed to federal court from DC Superior Court (2024-CAB-007419). A hearing regarding a preliminary injunction remains pending.

33. Please list all settlements entered into by the Department, or by the District on behalf of the Department, in Fiscal Year 2024 or Fiscal Year 2025, to date. Include the parties' names, the amount of the settlement, and, if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g., administrative complaint, etc.).

**Response: ABCA has not entered into any settlements in FY 2024 or FY 2025, to date.**

34. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, including, but not limited to, personnel complaints, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during Fiscal Year 2024 and Fiscal Year 2025, to date, along with the agency's compliance or non-compliance with any recommendations.

**Response: The agency provides the following list of ongoing investigations, audits or reports:**

1. *Countee Gilliam v. Alcoholic Beverage Regulation Administration (OHR Case No. 23-7273-DC(CN)/EEOC Case No. 10C-2023-00270)*. This matter remains pending.

35. Please provide the total number of administrative complaints or grievances filed against the Department in Fiscal Year 2024 and Fiscal Year 2025, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances. As it relates to a constituent challenging the agency's response to grievances, please indicate:

1. Whether a formalized process is in place to request a hearing by the Commissioner;
2. If so, whether the Commissioner's decision is appealable; and
3. If there is a formalized hearing process, whether that process is described on the Department's website.

**Response: There have been no formal Union grievances received by the agency in fiscal years 2024 or 2025, to date. One former ABCA employee has filed a complaint with the Office of Human Rights that is currently pending with that agency.**

36. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. Please list and describe any allegations received by the agency in Fiscal Year 2024 and Fiscal Year 2025, to date, and whether those allegations were resolved.
- Has the Department identified a primary and alternate sexual harassment officer ("SHO") as required by Mayor's Order 2023-131 ("Sexual Harassment Order")? If not, why not? If yes, please provide the names of the primary and alternate SHOs.
  - Has the Department received any requests from staff in an otherwise prohibited dating, romantic, or sexual relationship for a waiver of the requirements of provisions of the Sexual Harassment Order? What was the resolution of each request? If a waiver has been granted, are there limitations on the scope of the waiver?

**Response: ABCA complies with the requirements set forth in Mayor's Order 2017-313 issued December 18, 2017, and the more recently published Mayor's Order 2023-131 (Updated District Government Sexual Harassment Policy, Guidance and Procedures) issued October 31, 2023, regarding the investigation of allegations of sexual harassment or misconduct. ABCA has adopted the policies set forth in those two Orders and makes clear to its employees that it will not tolerate any form of sexual harassment in the workplace. ABCA employees complete refresher sexual harassment prevention training when required. There were no allegations received, or investigations conducted by ABCA regarding sexual harassment in FY 24 or FY 25, to date.**

**The primary sexual harassment officer is Administrative Officer Camille Robinson. The alternate sexual harassment officer is Chief of Staff Jared Powell.**

**ABCA has not received any requests for waivers from the District's sexual harassment policy from staff.**

37. Please provide the number of FOIA requests received by the agency during Fiscal Year 2024 and Fiscal Year 2025, to date. Please include the number of requests which were granted, partially granted, denied, or pending. Please also provide the average response time, estimated number of FTEs required to process requests, and the estimated number of hours spent responding to these requests.

**Response: In FY24, ABCA received 235 FOIA requests. Of the 235 requests submitted, eight (8) requests were pending at the end of FY24. Ten (10) requests were submitted in FY23 and processed in FY24.**

**One hundred and forty-four (144) requests were *Granted in Full* with no information withheld. Eighty-three (83) requests were *Granted in Part/ Denied in Part* with some personal information, trade secrets, and other exempt information, withheld. Ten (10) requests were *Denied in Full*. The average processing time was 4.26 days. The number of staff hours to process requests was 3,405. There were two FTE staff in FY24 to respond to FOIA requests.**

As of January 27, 2025, ABCA received 72 FOIA requests in FY25. Of the 72 requests received thus far in FY25, three (3) are still open/pending; 18 were *Granted in Full* with no information withheld; 43 were *Granted in Part/ Denied in Part* with personal information, trade secrets, and other exempt information, withheld; one was *Denied in Full*. The average processing time in FY25 is 7.35 days. The number of staff hours required to process was 261. ABCA has two FTEs on staff to respond to FOIA requests.

For FOIA requests disposed of because no records or agency records containing the requested information exist, please describe the nature of the request. Please see the chart below containing seven (7) requests.

Public Records Request	Any and all documents and information pertaining to Dreams, LLC, Zakaria Jaouhari and the real property located at 1529-1537 17th Street, NW, Washington, D.C.	No records exist
Public Records Request	Please provide electronic copies of any written documents in existence that track or list the names and addresses of the 69 locations that have received embargoes from the Alcoholic Beverage and Cannabis Administration in connection with possession and/or sale of cannabis or cannabis products (the “Embargoed Locations”) as of October 15, 2024, as reported on the Multiagency Inspections of Unlicensed Cannabis Establishments Dashboard on such date (see attached screenshot). If no such documents exist, please provide a list of the names and addresses of the Embargoed Locations as of October 15, 2024.	No records exist
Public records request	We are student attorneys with the American University Washington College of Law Entrepreneurship Law Clinic, and we are submitting the	No records exist



	<p>following request on behalf of our supervising attorney Chaz Brooks.</p> <p>The Entrepreneurship Law Clinic currently represents a social equity applicant who has been issued a conditional license for a cultivation center. To help our client move forward with their business plans, we would like to formally submit a FOIA request to ABCA for the following information:</p> <ol style="list-style-type: none"> <li>1. Odor Control Plans of existing DC cannabis cultivators and associated HVAC costs.</li> <li>2. Building layouts of existing DC cannabis cultivators, so we may determine approximate square footage dedicated to growth space.</li> <li>3. Conversion rates for social equity applicants, specifically how many have gone from conditional license status to permanent status.</li> </ol>	
Public Records request	I am requesting the dates, times, and durations for any "outages" where the ABCA call center, email inbox, or online portal (any combination thereof) were not allowing for a proper and timely intake, triage, inspection, and/or notices/notifications, of inbound resident complaints	No records exist

	<p>regarding ABCA licensing establishments.</p> <p>I am requesting all such outage occurrences for any ABCA complaint/investigative intake process between January 1, 2024 and October 23, 2024.</p>	
Public Records Request	<p>any records of code violations, for all marijuana dispensary closures that took place in the last 60 days or that are slated to take place in the next 30 days, for all marijuana dispensaries that are/were located in --- or along the border of --- Washington D.C.'s Ward 2F.</p> <p>If there are any fees for searching or copying these records, please inform me if the cost will exceed \$25. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of any code violations or wrongdoings that may have been committed by any of the marijuana dispensaries within the requested jurisdiction. I am sending this request on behalf of the student news network at the University of Maryland. This information is not being sought for commercial purposes.</p>	No records exist
Public Records request	I would like to request a list of the locations who have	No records exist

	received their placard for the MCDL. This is to verify the resources I currently have including the ABCA website and DC open data for licensed MCDL.	
Public Records request	<p>Please provide a list of all violations -- consisting of both, violation complaints as well as any adjudicated matters -- with respect to the ABCA code:</p> <p>25-823(a)(1) — Violation of Any Law Outside of Title 25 of the District of Columbia Code or Title 23 of the District of Columbia Municipal Regulations.</p> <p>The above code is enumerated in "800. ABRA CIVIL PENALTY SCHEDULE". Please provide relevant paperwork -- or a list is sufficient and suffices, at this time, if it is available -- of all filed complaints and violations/adjudications on this matter.</p>	No records exist

38. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared, or contracted for, during Fiscal Year 2024 and Fiscal Year 2025, to date. Please state the status and purpose of each and attach a copy.

**Response: ABCA did not prepare or contract for any studies, research papers, reports, or analyses in FY24 of FY25, to date.**

39. Please list all reports or reporting currently required of the agency by the District of Columbia Code or Municipal Regulations. Please indicate whether the agency complies with these requirements, and if not, why (e.g., the purpose behind the requirement is moot, etc.).

**Response: The agency is in compliance with all of its reporting requirements. Pursuant to DC Official Code § 25-205, the ABC Board is required to provide an annual report to the Council detailing its activities during the previous year. This information is provided**

to the Council on a monthly basis. Additionally, ABCA is posting information related to the medical cannabis program requirements set forth in D.C. Official Code § 7-1671.05(11) to the ABCA website on a monthly basis. This information is provided to the Council on a monthly basis. Finally, ABCA files three reports annually that are required generally of District agencies, which include: (1) a FOIA Report, (2) BEGA's Filer Designation Report, and (3) the Sexual Harassment Data Collection Act Report.

40. Please identify any boards or commissions associated with the agency, and provide a chart listing the names, confirmation dates, terms, wards of residence, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meeting in Fiscal Year 2024 or Fiscal Year 2025, to date, if minutes were prepared. Please inform the Committee if the board or commission did not convene during any month. Finally, please indicate whether the board or commission met virtually or in person.

The Alcoholic Beverage and Cannabis Board (Board) is the Board associated with our agency. The table below contains the names, confirmation dates, term end dates and wards of residence of the five current members of the Board. There are currently two vacancies on the Board.

ABC Board Member	Initial Confirmation Date	Term End Date	Ward
Donovan Anderson	November 3, 2015	May 7, 2027	Ward 7
Silas H. Grant, Jr.	November 7, 2023	May 7, 2027	Ward 5
Teri Janine Quinn	October 15, 2024	May 7, 2027	Ward 5
Ryan L. Jones	October 29, 2024	May 7, 2027	Ward 5
David Meadows	October 29, 2024	May 7, 2028	Ward 8

The Board met during every month in FY24 and FY25, to date. Almost all of the Board meetings were held virtually during this timeframe. The agendas and transcripts of each public Board meeting held in FY24 and FY25, to date, can be found on the agency website at [www.abca.dc.gov](http://www.abca.dc.gov)

Please see the table below for the attendance rate of current Board members at mandatory Wednesday meetings:

**FY'24**

ABC BOARD MEMBER	ATTENDED	NOT ATTENDED	PERCENTAGE
DONOVAN ANDERSON*	34	0	100%
SILAS GRANT	28	0	100%

**FY'25 (As of 1/31/25)**

ABC BOARD MEMBER	ATTENDED	NOT ATTENDED	PERCENTAGE
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<b>DONOVAN ANDERSON</b>	<b>11</b>	<b>0</b>	<b>100%</b>
<b>SILAS GRANT</b>	<b>11</b>	<b>0</b>	<b>100%</b>
<b>TERI JANINE QUINN</b>	<b>9</b>	<b>0</b>	<b>100%</b>
<b>DAVID MEADOWS</b>	<b>8</b>	<b>0</b>	<b>100%</b>
<b>RYAN GRANT</b>	<b>8</b>	<b>0</b>	<b>100%</b>

\*The attendance rates above do not include voluntary non-Wednesday special meetings.

41. Please describe how the agency solicits feedback from customers.

1. Please explain what the agency has learned from this feedback, including specific examples; and
2. Explain how the agency has changed its practices due to such feedback.

**Response: The public can provide feedback to the agency in multiple ways including:**

- **Email and Telephone—Multiple individual and shared email and phones accounts are published on ABCA’s website and included in email communications.**
- **In-Person and Virtual Meetings—Agency staff, including senior leadership, routinely meet in-person and virtually with residents, licenses, elected officials, BID representatives, and District Government agency staff. This includes one-on-one meetings, walkalongs open to the public, and public meetings convened by the ABC Board.**

**Examples of feedback and action include:**

- **Feedback: Noise complaints from alcohol licensed businesses continues to be on the uptick. The agency has examined the current access requirements to substantiate noise violations inside of District residents’ homes which are invasive. Action: ABCA is drafting legislation to allow investigators to better respond to and substantiate noise complaints.**
- **Feedback: Lack of enforcement against illegal cannabis shops is a major public safety concern.**

**Action: New enforcement authority has allowed ABCA to close 23 illegal cannabis shops across DC as of January 31, 2025. Additional requirements that extended closure periods such as mandatory first warnings were eliminated.**

42. Please attach copies of the required annual **small business enterprise (“SBE”) expenditure** reports for the agency for Fiscal Year 2023, Fiscal Year 2024, and Fiscal Year 2025, to date.

1. D.C. Official Code § 2-218.53(b) requires each District agency to submit supplemental information with their annual SBE expenditure report, including a description of the activities the agency engaged in to achieve their fiscal year SBE expenditure goal and a description of any changes the agency intends to make during the next fiscal year to achieve their SBE expenditure goal. Has the Department submitted the required information for Fiscal Year 2024? If so, please provide a copy as an attachment. If not, please explain.

**Response: Please see the attached expenditure reports for FY23 and FY24. Expenditure report information for FY25, to date, is currently not available.**

43. Please provide the Committee with the SBE goals and spend for FY 23, 24, and 25, to date.

**Response: The SBE goals and amount spent are as follows:**

<b>FY 2023 Goal - \$320,827.60</b>	<b>FY 2023 Spent - \$330,437.30</b>
<b>FY 2024 Goal - \$192,097.50</b>	<b>FY 2024 Spent - \$356,777.48</b>
<b>FY 2025 Goal - \$291,491.50</b>	<b>FY 2025 Spent – On-going</b>

44. Please provide a copy of the agency's Fiscal Year 2024 performance plan. Please explain which performance plan objectives were completed in Fiscal Year 2024 and whether they were completed on time and within budget. If they were not, please provide an explanation.

**Response: A copy of the agency's FY24 performance plan is attached. ABCA exceeded its performance plan objectives for FY24. ABCA completed all of its performance plan objectives on time and within budget in FY24. ABCA expects to exceed all its performance plan objectives for FY25.**

### **Personnel**

45. Is the agency operating under a full or partial hiring freeze? If so, why?

**Response: The agency is not under a hiring freeze. However, the agency will delay filling some vacant positions to ensure revenue projections will be met prior to the end of the fiscal year.**

46. Please separately list each agency employee whose salary was \$100,000 or more in Fiscal Year 2024 and Fiscal Year 2025, to date. Please provide the name, position number, position title, program number, activity number, salary, and fringe for each. In addition, please state the amount of any overtime or bonus pay received by each employee on the list.

**Response: Please see the attached spreadsheet in response to Question 46.**

47. Please list, in descending order, the agency's top 25 overtime earners during Fiscal Year 2024 and Fiscal Year 2025, to date. For each, please state the employee's name, position number, position title, program number, activity number, salary, fringe, and the aggregate amount of overtime pay earned.

**Response: Please see the attached spreadsheet in response to Question 47.**

48. Please provide each collective bargaining agreement that is currently in effect for Department employees and include the bargaining unit and the duration of each agreement.

**Response: A copy of ABCA's collective bargaining agreements currently in effect are attached.**

49. Does the agency conduct employee satisfaction surveys or otherwise solicit such information from employees? If so, please explain how such information is collection and evaluated, including whether responses are anonymous and/or confidential. Please explain what steps are taken to ensure that all employees are comfortable in the work environment.

**Response: The agency does not conduct employee satisfaction surveys. That said, there are multiple avenues for employees to provide feedback including:**

**Quarterly Union-Management meetings. These forums allow union stewards to convey employee concerns anonymously if requested. Additional meetings are scheduled as needed.**

**Quarterly All Staff Meetings. Staff are encouraged to ask any questions that may be relevant to them or their colleagues.**

**Managerial one-on-one meetings. Managers are strongly encouraged to maintain open door policies and regularly meeting with their team members individually.**

**Change Champion Meetings. Divisions appointed volunteer members to serve on the move committee to raise up any concerns about the agency's relocation. Questions could be submitted anonymously through the vendor or to their division liaison.**

50. Please provide the total number of complaints or grievances from employees or former employees that the agency received or was made aware of in Fiscal Year 2024 and Fiscal Year 2025, to date, including, but not limited to, matters concerning program implementation and work environment.

**Response: Please see the responses above to questions 32, 34, and 35.**

51. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each, provide the subject of the training, the names of the trainers, and the number of agency employees who participated. Please discuss whether the agency accepts requests from employees to engage in training opportunities.

**Response: In FY2025, ABCA offered a Defensive Driving Course to agency investigators led by instructor Herb Smith which was attended by 15 ABCA employees. During FY24 and FY25, to date, ABCA employees were able to attend free virtual trainings on various cannabis topics offered by the Cannabis Regulators Association. ABCA employees also have the ability to request attendance at conferences or trainings on topics related to the agency's mission.**

52. Please discuss any training deficiencies the agency identified during Fiscal Year 2024 and Fiscal Year 2025, to date, and any plans the agency has to address those deficiencies.

**Response: The agency has not identified any training deficiencies. ABCA staff were required to take mandatory cybersecurity training prior to the end of calendar year 2024. The agency educates its staff about legislative and rulemaking changes as they occur.**

### **Agency Operations**

53. Please list each new program implemented by the agency during Fiscal Year 2024 and Fiscal Year 2025, to date. For each initiative, please provide:

1. A description of the initiative;
2. Funding required to implement the initiative and the source of such funding; and
3. Any documented results of the initiative.

**Response: ABCA did not implement any new programs during FY24 or FY25, to date.**

54. Please explain the impact on the agency of any legislation passed at the federal level during Fiscal Year 2024 and Fiscal Year 2025, to date, which impacted agency operations. If regulations are the shared responsibility of multiple agencies, please note.

**Response: ABCA was not affected by any legislation passed at the federal level during FY24 and FY25, to date.**

55. Please list all regulations to which the agency is subject at the federal level. Please explain how the Department complies with those regulations and explain any non-compliance or lapses in compliance.

**Response: ABCA's operations related to alcohol and medical cannabis licensing and enforcement are not specifically tied to compliance with any federal regulations.**

56. Please list all regulations for which the agency is responsible for oversight or implementation in the District. Please list by chapter and subject heading, including the date of the most recent revision.

**Response: ABCA administers Title 23 of the D.C. Municipal Regulations (Alcoholic Beverages) and Title 22-C of the D.C. Municipal Regulations (Medical Cannabis).**

57. Please identify any statutory or regulatory impediments to the agency's operations.

**Response: ABCA is not aware of any statutory or regulatory impediments to the agency's operations.**

58. Please identify all electronic databases maintained by the agency, including the following:

- a) A detailed description of the information tracked within each system;



- b) The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and
- c) Whether each system is publicly accessible, in whole or in part.

**Response: ABCA utilizes the following systems:**

#### **Accela**

**Accela is used for all alcohol and select medical cannabis facility and employee data purposes. Accela is used to create license numbers for all new and substantial change records related to alcohol licensing and to house data regarding the licenses, including but not limited to license type, premises address, license contacts, license statuses, and related documents. Accela is also used to track data on licensed medical cannabis facilities and their employees.**

**The agency has used an updated version of Accela since 2008. Between 2015-2016, ABCA transitioned the system to the cloud-hosted option. Due to system limitations, work is underway to transition to Salesforce.**

#### **METRC**

**METRC is the District's medical cannabis seed-to-sale tracking platform. DC Health selected the METRC system in 2018 and ABCA has continued its use. The agency has used an updated version each year with various enhancements. New production version releases are ongoing.**

**The only access to METRC outside of ABCA is to registered medical cannabis facilities to track product growth, packaging, distribution and sale to patients. Patients are only identified by registration number in this system. Third party vendors can obtain access to the METRC API.**

#### **QuickBase**

**QuickBase is used by ABCA for medical cannabis program patient, caregiver, and healthcare practitioner data. The QuickBase platform was selected by DC Health and transitioned to ABCA when the agency assumed oversight of the program in FY2020. Agency staff have implemented several rounds of scaling to functionally allow the system to grow, expand and be utilized to its full potential including adding various formulas and conditional formatting to allow staff to provide greater customer service. QuickBase has public access to patients who apply for patient registrations as well as healthcare practitioners issuing recommendations for patients. QuickBase will be retired after Salesforce is operational.**

#### **PremiSis**

**PremiSis is used by ABCA to print physical identification cards for patients and caregivers. DC Health selected the PremiSis program in 2018 and ABCA continues to use it on a very limited basis since QuickBase was modified to allow printing directly from that system. The agency is aiming to sunset the legacy system at the**

**end of the calendar year. PremiSis is not a public facing application. Premises is likely to be retired after Salesforce is operational.**

59. Please provide a detailed description of any new technology acquired by the agency in Fiscal Year 2024 and Fiscal Year 2025, to date, including the cost and its purpose. Please explain if there have been any issues with implementation.

**Response: ABCA is in the process of transitioning its licensing system to Salesforce. Challenges have included:**

**Third-party system integrations. The new system must integrate with several legacy systems, including Metrc which requires extensive coordination.**

**Nature of the work. Since cannabis continues to have federal level implications, specific approvals related to setting up financial transaction features (i.e. online payments) require longer review periods.**

**Contracting process. The initial start of the project was delayed due to OCP contracting challenges which required the first phase of the project which started in FY24 to be extended into FY25.**

60. Please describe any efforts by the agency in Fiscal Year 2024 and Fiscal Year 2025, to date, to improve the transparency of Department operations.

**Response: ABCA goes to great lengths to be transparent to its customers and public alike. The following exemplifies this commitment:**

**All public meetings are streamed virtually, which enables a greater number of persons to participate as an observer or party to a case. Transcripts, decisions, and Board Orders pertaining to cases are published online.**

**In accordance with the Open Meetings Amendment Act, ABCA publishes its weekly calendars in the D.C. Register in advance of the ABC Board's meeting. In addition to publishing the weekly calendar on the website, ABCA also publishes at the beginning of every calendar year the dates of all the Board's meetings and hearings.**

**ABCA regularly distributes communications including a bimonthly e-newsletter that highlights program modifications, deadlines, and opportunities. The public can customize their subscriptions.**

**ABCA regularly publishes data online including:**

**Alcohol license issuances (weekly)**

**Current alcohol licensees (monthly)**

**Medical cannabis program metrics (monthly)**

**Licensees registered to participate in each holiday eligible for extended holiday hours (ongoing)**

**ABCA convenes meetings with key industry representatives including:**

**Medical cannabis business licensees (quarterly)**

**Medical cannabis program interagency partners (quarterly)**

**DC Association of Beverage Alcohol Wholesalers (quarterly)**

**ABCA convenes quarterly meetings with ABCA staff, distributes staff updates, and launched an agency relocation committee comprised of staff members.**

**ABCA proactively provide data to sister agencies and external partners including:**

**Licenses approved for sports wagering and games of skill (OLG)**

**License renewals for Clean Hands determination (OTR)**

**Pub crawls (Main Streets, BIDs)**

61. Please list the top five priorities for the agency, and provide a detailed explanation for how the agency expects to achieve or work toward those priorities in Fiscal Year 2025.

a. How did the agency address its top five priorities last year?

**Response: The agency's top five priorities in FY25 are to:**

- 1. Educate licensees on the District's alcoholic beverage and medical cannabis laws and regulations;**
- 2. Ensure that licensed establishments are in compliance with the District's alcoholic beverage and medical cannabis laws and regulations;**
- 3. Engage in community outreach regarding the alcoholic beverage and medical cannabis licensing processes;**
- 4. Create and maintain a highly efficient, transparent, and responsive agency in the District of Columbia government; and**
- 5. Attend community meetings to educate the public regarding the alcoholic beverage and medical cannabis licensing processes.**

**The agency intends to continue working on the priorities referenced above in FY25. The agency addressed its top priorities in FY24 by conducting 11,813 regulatory investigations and inspections and 592 sale to minor compliance checks at licensed**

**establishments. Additionally, ABCA's education efforts in FY24 resulted in 427 licensees and members of the public being trained. The agency also attended 82 community meetings in FY24.**

62. Please identify any legislative requirements that the agency lacks sufficient resources to properly implement. Please identify any statutory or regulatory impediments to your agency's operations or mission.

**Response: ABCA is not aware of any statutory or regulatory impediments to the agency's operations.**

63. Please describe the agency's current legislative priorities, whether consideration by the Committee is warranted, and if the agency foresees introducing additional measures for the Council's consideration during Fiscal Year 2025.

**Response: The agency's legislative priorities for FY 2025 are as follows:**

- 1. *Omnibus Alcoholic Beverage Bill.* This bill updates various provisions of Title 25 of the D.C. Official Code.**
- 2. *Licensing Clarification Amendment Act of 2025.* Clarifies the Board's authority to create additional permits and authority to set minimum fees.**
- 3. *Streatory Program and Protest Process Emergency Amendment Act of 2025.* Bill addressing the issue of the use of streateries by hospitality businesses.**
- 4. *Craft Preparation Endorsement Bill.* A bill to permit the licensed medical cannabis retailers to engage in the creation of medical cannabis products as part of their authorized business.**
- 5. *Noise Balance Amendment Act.* A bill amending D.C. Official Code § 25-725 to address resident concerns regarding noise.**

### **Agency Specific Questions**

**Please distinguish between alcohol and medical cannabis settlement agreements and by license type when applicable.**

64. How many protests regarding current or prospective license applicants have been initiated in fiscal years 2023, 2024, and 2025, to date? Please provide the wards and locations of those protests.

**Response: Please see the following information related to roll call hearings held:**

**In calendar year 2023, the Board received 49 protests.**

**Protests by Ward: Ward 1 (17 protests); Ward 2 (16 protests); Ward 3 (0 protests); Ward 4 (7 protests); Ward 5 (3 protests); Ward 6 (8 protests); Ward 7 (0 protests); Ward 8 (9 protests).**

**In calendar year 2024, the Board received 60 protests.**

**Protests by Ward: Ward 1 (3 protests); Ward 2 (7 protests); Ward 3 (2 protests); Ward 4 (4 protests); Ward 5 (9 protests); Ward 6 (10 protests); Ward 7 (11 protests); Ward 8 (3 protests).**

**In calendar year 2025, the Board received 2 protests, as of January 13, 2025.**

**Protests by Ward: Ward 3 (1 protest); Ward 5 (1 protest).**

**Please see the attached Roll Call Results sheets for the identity, ward, and location of the applicant or licensee being protested.**

65. Please include a numerical breakdown of the reason (i.e. peace, order, and quiet; residential parking and vehicular and pedestrian safety; real property values; etc.) for the protests by ward, location, and license type.

**Response: ABCA does not track protest data in this manner. However, most Advisory Neighborhood Commissions and other protestants cite the above appropriateness standards when initiating and filing a protest. Please note that the initial protest letter may not provide sufficient detail about the underlying complaints or issue causing the protestant to select this appropriateness ground.**

**In calendar year 2023, approximately 55 protests cited peace, order and quiet as a basis for the protest, 11 protests cited real property values as a basis for the protest, and 20 protests cited residential parking and vehicular and pedestrian safety as a basis for the protest.**

**In calendar year 2024, approximately 65 protests cited peace, order and quiet as a basis for the protest, 16 protests cited real property values as a basis for the protest, and 26 protests cited residential parking and vehicular and pedestrian safety as a basis for the protest.**

**In calendar year 2025, to date, approximately 1 protest cited peace, order and quiet as a basis for the protest, 0 protests cited real property values as a basis for the protest, 1 protest cited residential parking and vehicular and pedestrian safety as a basis for the protest, and 1 protest cited violations of law related to a medical cannabis application.**

66. How many settlement agreements were submitted to the ABC Board for review and approval in fiscal years 2024 and 2025, to date? Were some agreements not approved? If so, please explain why in each case.

**Response:** For FY24, 116 settlement agreements were reviewed and approved by the ABC Board. For FY25, as of January 7, 2025, 33 settlement agreements were reviewed and approved by the ABC Board. All settlement agreements submitted to the agency were approved by the ABC Board because they all met the statutory qualifications for approval and the agency works with the parties before submission to ensure that the terms of the agreement are satisfactory.

67. How many settlement agreements were either violated or terminated in fiscal year 2023 and how many have been violated or terminated thus far in fiscal year 2024? Please explain why in each case.

**Response:** ABCA does not track the number of settlement agreement violations because each settlement agreement is unique to each establishment and each settlement agreement governs a wide range of activities.

The Board terminated settlement agreements in the following six cases:

- a. *In re Spo-dee-odee, LLC, t/a The Showtime*, ABRA License No. 089186, Board Order No. 2023-013 (D.C.A.B.C.B. January 11, 2023) (Licensee met legal qualifications for termination).
- b. *In re La Libertad Restaurant, Inc., t/a The Bull Bar & Grill*, ABRA License No. 070773, Board Order No. 2023-047 (D.C.A.B.C.B. February 1, 2023) (Licensee met legal qualifications for termination).
- c. *In re Toro Bar Corporation, t/a Toro Bar*, ABRA License No. 092074, Board Order No. 2023-048 (D.C.A.B.C.B. February 1, 2023) (Licensee met legal qualifications for termination).
- d. *In re AV Resto Group #3, LLC, t/a Never Looked Better*, ABRA License No. 116062, Board Order No. 2024-476 (D.C.A.B.C.B. July 10, 2024) (Licensee met legal qualifications for termination).
- e. *In re Jumbo Liquors, Inc., t/a Jumbo Liquors*, ABRA License No. 000420, Board Order No. 2024-610 (D.C.A.B.C.B. August 28, 2024) (Licensee met legal qualifications for termination).
- f. *In re Super Investments, Inc., t/a F Street Fine Wine & Spirits*, ABRA License No. 086950, Board Order No. 2024-896 (D.C.A.B.C.B. November 20, 2024) (Licensee met legal qualifications for termination).

68. Please provide the budget and expenditures for the Reimbursable Detail Subsidy program in fiscal years 2022, 2023, 2024, and 2025, to date.

**Response: The budget and expenditures that were spent under the Reimbursable Detail Subsidy Program for FY22, FY23, FY 24, and FY25 to date, are as follows:**

<b><u>Expenditures</u></b>	<b><u>Budget</u></b>
<b>FY 22: \$737,073.40</b>	<b>FY 22: \$1,184,661.00</b>
<b>FY 23: \$819,911.70</b>	<b>FY 23: \$1,379,388.21</b>
<b>FY 24: \$382,710.43</b>	<b>FY 24: \$869,999.57</b>
<b>FY 25: Not Available</b>	<b>FY 25: \$1,000,000</b>

69. Please provide the fund balance for the Reimbursable Detail Subsidy Program at the end of FY 24.

**Response: The fund balance for the Reimbursable Detail Subsidy Program at the end of FY24 was \$487,289.12.**

70. How many participants, independently or in a group, utilized the Reimbursable Detail Subsidy program in fiscal years 2022, 2023, 2024, and 2025, to date? Please break down by category (i.e. restaurants, taverns, nightclubs, DC Main Streets, DC Business Improvement Districts, etc.).

**Response: Please see below:**

**FY22: 35**  
**FY23: 52**  
**FY24: 37**  
**FY25: Not available**

71. Please provide a monthly accounting of the funds spent from the RDO subsidy program for fiscal year 2024 and fiscal year 2025, to date.

**Response: Please see the chart for FY24 listed below. The information for FY25 is not yet available.**

<b>FY24 ABCA REIMBURSABLE EXPENSES</b>	
<b>MONTH</b>	<b>ABCA COST</b>
<b>October</b>	<b>48,313.29</b>
<b>November</b>	<b>36,011.86</b>
<b>December</b>	<b>46,822.57</b>
<b>January</b>	<b>35,382.93</b>

<b>February</b>	<b>45,266.94</b>
<b>March</b>	<b>45,351.00</b>
<b>April</b>	<b>33,803.59</b>
<b>May</b>	<b>24,802.42</b>
<b>June</b>	<b>22,460.03</b>
<b>July</b>	<b>14,413.69</b>
<b>August</b>	<b>15,879.91</b>
<b>September</b>	<b>15,202.23</b>
<b>TOTAL</b>	<b>382,710.43</b>

72. How many complaints did ABCA receive from residents regarding noise from ABC establishments in fiscal year 2024 and fiscal year 2025, to date? In addition, how many of such complaints were referred to ABCA by MPD in fiscal year 2024 and fiscal year 2025, to date? Please provide a ward breakdown of these complaints.

**Response, For FY24, ABCA received 1,210 noise complaints. The ward breakdown for the complaints is as follows:**

**Ward 1: 616**

**Ward 2: 159**

**Ward 3: 20**

**Ward 4: 129**

**Ward 5: 95**

**Ward 6: 97**

**Ward 7: 8**

**Ward 8: 86**

**For FY25, as of 1/23/25, ABCA received 425 noise complaints. The ward breakdown is as follows:**

**Ward 1: 191**

**Ward 2: 81**

**Ward 3: 6**

**Ward 4: 40**



**Ward 5: 38**

**Ward 6: 39**

**Ward 7: 0**

**Ward 8: 30**

73. Last year, ABCA said it was in the process of finalizing a new enforcement module and planned to track noise complaints by ward on or before October 1, 2024. If that did not occur, please explain why.

**Response: As noted above in the Question 72 response, noise complaints are currently tracked by ward.**

74. How many citations were issued to ABC establishments for noise violations in fiscal year 2024 and fiscal year 2025, to date? List include citation and establishment.

**Response: For FY24, the following ten noise citations were written:**

3/26/24 Posh Lounge 24-CIT-00254  
4/5/24 Thurst Lounge 24-CIT-00345  
4/9/24 Posh Lounge 24-CIT00314  
4/14/24 Thurst Lounge 24-CIT-00315  
4/19/24 Lost Society 24-CIT-00334  
6/18/24 The Dirty Goose 24-CIT-00482  
6/22/24 The Dirty Goose 24-CIT-00478  
6/23/24 Kiki 24-CIT-00477  
7/1/24 Thurst Lounge 24-CIT-00499  
9/4/24 Thurst Lounge 24-CIT-00686

**For FY 25, to date, there have been no noise citations written by ABCA.**

75. Last year, ABCA said that the Noise Task Force did not convene in FY 23 and that the Department of Buildings opted out of the task force given its ongoing rewrite of noise regulations. Did the Task Force convene in FY 24? Are there plans to resume the Task Force in FY 25?

**Response: The Noise Task Force did not reconvene in FY24. The discussion of restarting the Noise Task Force will resume following the Department of Buildings' completion of its rewrite of its noise regulations.**

76. Last year, ABCA found that there was a 49% increase in noise complaints from FY 22 to FY 23. What is the percent change in noise complaints from FY 23 to FY 24? What does ABCA attribute the increase to and has ABCA considered how to mitigate the rise in complaints?

**Response:** There is a 49.5% increase in noise complaints from FY23 to FY24. Many of the increased complaints come from residents of non-residential zones (Mixed use, etc.), which limits the agency's ability to take enforcement action. However, the Enforcement Division works closely with complainants and ABC licensed establishments to reach consensus on acceptable noise levels. In addition, when new establishments are licensed, ABCA's enforcement division addresses noise mitigation during final inspections and protest investigations.

77. The Committee has heard from prospective licensees who have raised concerns with the process for determining compliance with distance requirements. Has the process for reviewing proposed locations of medical cannabis establishments to ensure that they meet the requirements for proximity to prohibited locations (i.e. such as the location of a school or another establishment) changed at all in the last two to three years?

**Response:** ABCA's process has not changed. However, there have been key legislative changes to the statutory distance requirements that prospective applicants have been required to navigate. Of significance, the minimum distance proximity requirement between proposed retailers and internet retailers and schools or recreation centers is now 400 feet. This distance requirement was previously 300 feet.

- a. What is the role of the Office of Zoning and the Department of Buildings' Zoning Administrator, if any?

**Response:** The Department of Buildings (DOB) is responsible for issuing certificates of occupancy to medical cannabis facilities. DOB also establishes the zoning designations regarding where a medical cannabis cultivation center, manufacturer or other medical cannabis facilities can locate.

- b. Does ABCA always make the final compliance determination?

**Response:** No, applicants for a medical cannabis facility license are required to obtain a valid zoning determination letter from the DOB Zoning Administrator indicating that the medical cannabis facility can operate at the premises in which the retailer, manufacturer, or cultivation center license is sought to be located. As noted above, prior to issuance of the medical cannabis license an applicant is required to provide a certificate of occupancy issued by DOB for the building in which the licensed premises will be located.

78. Are there any zoning challenges that the agency is aware of that prospective medical cannabis businesses are facing that the Committee can help address through legislation?

**Response:** Yes, ABCA has worked collaboratively with the Department of Buildings on legislation intended to address zoning challenges related to the craft manufacturing of

**medical cannabis. ABCA expects the craft manufacturing legislation to be submitted to the Council for consideration during the first quarter of calendar year 2025.**

79. In fiscal year 2023 and fiscal year 2024, how many applications did the agency receive for the following license categories. Please breakdown the applications by round or phase (i.e. May 1, 2023 – May 1, 2024, August 29, 2023 – October 30, 2023, etc.). Please include how many applicants were social equity and standard applicants. Please also include how many were awarded and by ward.

1. Manufacturer (including new licenses to previously licensed operators)
2. Courier
3. Cultivation center
4. Unlicensed operators – cultivation center, internet retailer, and retailer

**Response: Please see the following information related to the requested open application periods:**

**August 29, 2023 to October 30, 2023 (Social Equity and Standard)**

1. **Manufacturer -66 (40 social equity, 26 standard)**
2. **Courier-12 (9 social equity, 3 standard)**
3. **Cultivation center-76 (50 social equity, 26 standard)**

**November 1, 2023 to January 29, 2024 (Unlicensed Operator)**

**Internet Retailer-9**

**Retailer-66**

**Cultivation Center-1**

**76 applications were filed during the unlicensed operator period. 31 applications were filed by social equity applicants and 45 applications were filed by standard applicants.**

**March 1, 2024 to June 30, 2024 (Social Equity)**

**58 total applications filed for retailer and internet retailer licenses. 39 of the social equity applications have been accepted with 32 submissions from Returning Citizens.**

**July 1, 2024 to August 29, 2024 (Standard)**

**105 total applications filed during this period. 95 applications were for retailers and 10 applications were for internet retailers.**

80. In fiscal year 2023, fiscal year 2024, and fiscal year 2025, to date, how many conditional applications did the agency receive and how many licenses did the agency issue? Please

include how many applicants were social equity and standard applicants, and the type of licensee (retailer, cultivation, etc.).

**Response: Across fiscal years FY23, FY24, and FY25 to date, the agency has approved 294 conditional licenses. The breakdown of approved conditional licenses by license type is as follows: 150 retailers, 27 internet retailers, 61 cultivation centers, 51 manufacturers, 4 couriers, and one testing laboratory.**

81. As of January 10, 2025, how many licensed medical cannabis retailers and cultivation centers are in operation? How many cultivation centers does the agency anticipate opening within the next year?

**Response: There are approximately 6 cultivation centers, 6 manufacturers, 17 retailers, 1 courier, and 1 testing laboratory that are licensed and in operation. The agency currently has 61 approved cultivation center conditional licenses that can transition to full operating licensure with a location.**

82. How many medical cannabis retailers are slated to open in the next 30, 60, 90, and 120 days?

**Response: The agency expects up to 33 retailer licenses that have been approved but not issued for licensure to open by the statutory March 31, 2025 deadline for unlicensed establishments.**

83. The Committee has heard from conditional license holders that, for a number of reasons, they still face significant barriers to finding compliant locations even after the Zoning Guidance which expanded permissible zones. As of January 10, 2025, how many conditional licensees have found locations? Please include the license type and ward breakdown.

**Response: ABCA does not track conditional license information in this manner.**

84. What is the agency's assessment on how the conditional license program has fared thus far? What are your early lessons learned?

**Response: The conditional license program has been very effective. The agency has discovered that conditional licenses offer flexibility to applicants as they navigate the licensing process. Of importance, the conditional license program offers applicants a two-year window to secure a viable location. Applications for conditional Cultivation Center, Manufacturer, Courier, Retailer, or Internet Retailer licenses were required to be filed during one of ABCA's designated open application periods.**

85. Please provide an update on the issuance of any new endorsement categories (i.e. delivery, summer garden, etc.) in fiscal year 2023, fiscal year 2024, and fiscal year 2025, to date.

**Response: Only one medical cannabis retailer is currently operating with either a safe-use treatment facility or a summer garden endorsement. Most retailer licenses issued since fiscal year 2023 have been issued a delivery endorsement.**

86. Please provide an update on the agency's March 1, 2024 – April 20, 2024 and July 1, 2024 – August 29, 2024 application periods.

**Response: During the agency's March 1, 2024 – April 20, 2024 open application period, the agency received 58 applications from social equity applicants. 39 of these 58 applications have been accepted by the agency thus far. 105 standard applications were received during the Agency's July 1, 2024—August 29, 2024 open application period. These applications continue to be processed by the Agency.**

87. How long does ABCA anticipate that it will take for all outstanding business owners (conditional license holders, businesses that have been placarded, etc.) to complete the full licensure process? How long does the agency anticipate keeping the application period closed?

**Response: The timeline varies depending upon the type of license application. For example, conditional licenses have up to two years to convert to full licensure with a location. Placarded businesses with a location are required to undergo a statutory 45-day public comment period. If applicants reach a settlement agreement prior to a protest being filed, the licensure process timeline may be reduced. Overall, the full licensure process, from acceptance to approval, then issuance, can be completed within 90 calendar days provided that the applicant has all required documents necessary for the license to be issued. The agency has no plans for any additional open application periods in FY25.**

88. How many full-time inspectors are employed at ABCA as of January 10, 2025? Please list each investigator's area of focus. How many of the inspectors are specifically detailed to medical cannabis?

**Response: As of January 10, 2025, there are 17 investigators or supervisory investigators employed at ABCA. Of the 17, 16 are focused on alcohol enforcement. One supervisory investigator is solely focused on cannabis enforcement. ABCA intends to hire two cannabis investigators in FY25 and another investigator in FY26.**

89. In ABCA's budget, how many FTEs are allotted for medical cannabis investigators in FY 24 and FY 25? How many investigators in total and specifically for medical cannabis investigations were allotted in FY 23?

**Response: Three medical cannabis investigator FTEs are allotted in ABCA's budget for FY24 and FY25. One investigator position was allotted and budgeted in the medical cannabis program for FY23.**

90. ABCA planned to post two new cannabis investigator positions in October 2024. Were they posted? Have these positions been filled yet?

**Response: Yes, the two new cannabis investigator positions were posted and interviews were conducted. ABCA has identified two candidates to fill the positions and the agency is currently working through the hiring process.**

91. Please provide an update on the Medical Cannabis Task Force that the agency assembled to conduct inspections on medical cannabis facilities. How many inspections has the task force conducted in fiscal year 2023, 2024, and 2025, to date? How many violations has the task force identified in those fiscal years? What was the nature of the violations?

**Response: The MCET (Multiagency Cannabis Enforcement Task Force) includes members of DLCP, DOH, MPD, and DOB. FEMS is called as needed. The MCET goes out several times each month to conduct inspections at unlicensed cannabis businesses for possible violations under the jurisdiction of these agencies.**

a. What kind of penalties were given once an establishment was found to be in violation?

**Response: Initially, the medical cannabis law required that a written warning be issued first to unlicensed establishments for most violations. Locations that were given a written warning were subsequently revisited. If the location was found to still be selling unlicensed cannabis products they would receive a Cease and Desist order from the ABC Board. If the Cease and Desist order was violated the establishment would be summarily closed and padlocked. The most recent emergency medical cannabis legislation that took effect on November 13, 2024 no longer requires that a written warning be issued and allows for a notice of summary closure to be issued without a Cease and Desist order in place if certain criteria are met.**

b. To date, how many licensed and unlicensed establishments have sold product that tested for amphetamines in the last two fiscal years? How many of the licensed establishments with such violations remain in operation? Did they have repeat violations?

**Response: If an undercover purchase is made and product tests positive for amphetamines either a notice of summary closure or a Cease and Desist order would be issued. If a Cease and Desist order is already in place, a notice of summary closure would be issued.**

c. Please provide an update on ABCA's investigations on oversales to patients.

**Response: METRC, the current system that tracks patient purchases, has provisions in place that alert the medical cannabis retailer of a potential oversale. ABCA also has oversight of METRC and is notified if an oversale occurs. There are currently no active investigations regarding oversales.**

92. How many warnings and fines has the agency issued to unlicensed establishments to date? Please include by location and ward.

**Response: As of January 31, 2025, ABCA has issued 98 written warning letters. A breakdown by ward is as follows:**

**Ward 1: 32  
Ward 2: 31  
Ward 3: 7  
Ward 4: 8  
Ward 5: 1  
Ward 6: 17  
Ward 7: 1  
Ward 8: 1**

**To date, no fines have been issued to unlicensed establishments. The agency has focused on summarily closing and padlocking premises, which appears to be successful in preventing repeat offenses.**

93. How many unlicensed establishments has the agency closed to date? Please provide this data by month and include the names of the unlicensed establishment and ward.

**Response: As of January 31, 2025, the agency has summarily closed and padlocked 23 unlicensed establishments. A breakdown by ward is as follows:**

**Ward 1: 9  
Ward 2: 3  
Ward 3: 0  
Ward 4: 3  
Ward 5: 1  
Ward 6: 6  
Ward 7: 0  
Ward 8: 1**

**A breakdown of the agency's enforcement action by month is as follows:**

**September 2024: 5**

**9/6/2024: Supreme Turpene, 1344 U Street NW, Washington, DC (Ward 1)**

**9/13/2024: Green Cloud Shop, 706 Kennedy Street, NW, Washington, DC (Ward 4)**

**9/18/2024:** All American Papers, at 504 H Street, NE (Ward 6); StonerzDC at 521 H Street, NE, Washington DC (Ward 6)

**9/26/2024:** Flight Pass/Green Room, 1338 U Street, NW, Washington DC (Ward 1)

October 2024: 7

**10/10/2024:** Dreams Smoke Shop, 2335 18<sup>th</sup> Street NW (Ward 1); In the Cut, 1460 Park Road NW, Washington DC (Ward 1)

**10/17/2024:** Cannabis Karma at 825 Upshur Street, NW (Ward 4); Capitol Budz, 607 Pennsylvania Ave, SE (Ward 6)

**10/24/2024:** Coupons R Us, 6234 Georgia Avenue NW, Washington, DC (Ward 4)

**10/28/2024:** VIP Clientele, 3551 Georgia Avenue, NW, Washington DC. (Ward 1)

**10/30/2024:** Safe House, 335 H Street, NE, Washington DC (Ward 6)

November 2024: 2

**11/14/2024:** Trippy Wizard, 1755 S Street, NW, Washington DC (Ward 2)

**11/26/2024:** Peace in the Air, 2118 18<sup>th</sup> Street, NW, First Floor, Washington DC (Ward 1)

December 2024: 3

**12/17/2024:** Nomad Smoke Shop, 2026 Martin Luther King Jr. Avenue SE (Ward 8); Promoco DC, 1813 18th Street NW, Washington DC (Ward 2)

**12/23/2024:** All the Buzz DC, 3232 Georgia Ave NW, Washington DC (Ward 1)

January 2025: 6

**1/15/2025:** District Tobacco Shop (second floor) 2626 Georgia Avenue NW, Washington DC (Ward 1)

**1/16/2025:** Green Department, 2720 Georgia Avenue NW, Washington, DC (Ward 1)

**1/22/2025:** Friends Smoke Shop, 1223 Pennsylvania Avenue SE (Ward 6); The Garden DC, 1541 New Jersey Avenue NW (Ward 5); Hidden Gym, 1508 14<sup>th</sup> Street NW, Washington DC. (Ward 2)

**1/29/2025:** Capital THC (second floor) 1123 Pennsylvania Avenue SE, (Ward 6)

- a. How many of those closures has the agency subsequently received notice re-opened elsewhere? Did they re-open in a new commercial location, residential location, or online/via delivery?

**Response, Of the summary closures, only one unlicensed establishment was presumed to have relocated to a nearby storefront in a commercial space.**

94. What is ABCA's assessment of its ongoing enforcement of unlicensed establishments and public critiques that enforcement is slow?

**Response: ABCA has made significant progress in taking enforcement action against unlicensed cannabis establishments. The number of summary closures of unlicensed establishments has increased over the last 30 days in large part due to the "Medical**



**Cannabis Clarification and Program Enforcement Emergency Amendment Act of 2024”, which took effect on November 13, 2024. ABCA intends to take enforcement action beginning on April 1, 2025 against unlicensed establishments that applied during the statutory open application period that are required to have their license issued and begin operations by March 31, 2025.**

95. How many medical cannabis patient registrations did the agency issue in fiscal year 2023, 2024, and fiscal year 2025, to date? How many practitioners provided medical cannabis referral or recommendations to patients in fiscal year 2023, 2024, and 2025, to date? How many patients self-certified in fiscal year 2024, and 2024, to date?

**Response: The agency issued the following medical cannabis patient registrations for the fiscal years referenced above:**

**DC Resident Patient Registrations**

**FY23 – 10,064 approved registrations  
FY24 – 12,558 approved registrations  
FY25 – 6,553 approved registrations (to date)**

**Practitioner Recommendations**

**FY23 - 288  
FY24 - 59  
FY25 – 50 (to date)**

**Self-Certification**

**FY23 - 9,731  
FY24 – 12,354  
FY25 – 6,503 (to date)**

96. What is the agency’s ongoing assessment of the medical cannabis program, and trends in sales, after Maryland legalized adult use cannabis? Last year, the agency said that the District’s medical cannabis program is in a position to succeed and grow notwithstanding Maryland’s legalization. But the Committee repeatedly hears from existing license holders in DC that given Maryland’s adult use market and the ongoing Congressional rider prohibiting DC from doing the same, they foresee themselves going out of business sooner than later. What is ABCA’s assessment of these concerns?

**Response: Medical Cannabis patient retailer sales have improved over the last four months from a recent low in retailer sales that occurred during September 2024. This increase can be attributed to both the opening of additional medical cannabis facilities and enforcement action taken against unlicensed cannabis establishments. The District’s medical cannabis program will also benefit in upcoming months as a result of the statutory March 31, 2025 deadline that requires all applicants that applied during**

**the unlicensed operator period to have their license issued and be in operation by this date.**

97. Please list how many states and territories have reciprocity with the District’s medical cannabis program. What new states or territories were added in fiscal year 2024 and 2025, to date?

**Response: ABCA currently extends reciprocity to medical cannabis patients from 40 jurisdictions. The most recent additions include:**

**FY24—North Carolina (Eastern Band of Cherokee Indians (EBCI))**

**FY25—Kentucky**

98. How much revenue has the District received from the medical cannabis sales tax in fiscal year 2022, 2023, 2024, and 2025 to date? Please provide an update on the annual sales tax holiday in April and sales in FY 22, FY 23, and FY 24.

**Response: Please see the two charts below containing the requestion information.**

	FY22	FY23	FY24	FY25 (YTD)
Medical Cannabis Sales Tax Revenue	\$2,229,000	\$2,218,672	\$1,779,189	\$268,575

	FY22			FY23			FY24		
	Tax Holiday	Rest of April (Excluding Tax holiday)	Total	Tax Holiday	Rest of April (Excluding Tax holiday)	Total	Tax Holiday	Rest of April (Excluding Tax holiday)	Total
Total Sales	\$1,339,785	\$1,924,081	\$3,263,866	\$1,601,694	\$1,986,412	\$3,588,106	\$1,510,751	\$1,362,053	\$2,872,804
Total Transactions	8,231	13,540	21,771	11,764	16,446	28,210	13,124	12,320	25,444
Avg Transaction Amount	\$163	\$142	\$150	\$136	\$121	\$127	\$115	\$111	\$113

99. Please provide an update on the issuance of the District's first testing lab license. Who received the license and when and where do they plan to locate? Does the agency have any reflections on this accomplishment?

**Response: The District's first testing laboratory license was issued in August 2024 to ClearSight Labs. They are located and currently in operation in the 200 Block of Pennsylvania Avenue, SE. ABCA worked closely with the licensee to provide start-up guidance while introducing them and the District's licensed cultivators and manufacturers to the regulatory testing process. ClearSight closely followed ABCA's guidance to phase in the testing process for all licensed cultivation center and manufacturer cannabis products. To date, ClearSight currently plays a pivotal role in the testing of medical cannabis products in the District.**

100. How many testing lab applications has the agency received in fiscal years 2023, 2024, and 2025, to date? How many prospective businesses expressed interest in applying for a testing lab license to date?

**Response: The agency has received 3 testing laboratory license applications to date. Currently, there is one licensed testing laboratory in operation (ClearSight Labs), one approved conditional license testing laboratory application, and one testing laboratory conditional license application awaiting additional documentation prior to consideration by the Board.**

101. Are there any updates on the agency's partnership with the Department of Small and Local Business Development on the Social Equity Fund and the Just Cannabis business program?

**Response: Yes, ABCA partnered with DSLBD in community stakeholder presentations across the District in collaboration with the Mayor's Office on Returning Citizen Affairs. ABCA also collaborated with DSLBD in verifying eligible medical cannabis applicants for the Just Cannabis business Medical Cultivators Grant Pitch Event where medical cannabis cultivation center applicants pitched their businesses to DSLBD for microgrant opportunities.**

102. The Committee has been in communication with ABCA about a pending omnibus alcohol bill for over two years. When does the agency now anticipate that the legislation will be introduced by the Executive?

**Response: ABCA anticipates that the pending omnibus alcohol bill will be submitted to the Council for consideration in spring 2025.**

103. Please list all Moratorium Zones that the ABC Board has adopted or denied. Please list by ward and initial date that the zone was established. Please also include pending moratorium zone applications.

**Response:** The agency provides the following list of Board created moratorium zones and their initial adoption or renewal date.

1. *Adams Morgan Moratorium Zone*, (February 1, 2023, Ward 1)
2. *Glover Park Moratorium Zone* (February 11, 2022, Ward 3)
3. *Langdon Park Moratorium Zone* (June 12, 2024, Ward 5)
4. *North Shaw Moratorium Zone* (June 12, 2024, Ward 1)

**As of January 30, 2025, the agency does not have any pending moratorium applications. There were no denials of any valid moratorium zone applications in FY 2024 or FY 2025, to date.**

104. The Committee continues to hear from a concerned Advisory Neighborhood Commissioner that data on ABCA's online system is unattainable and that community members are not able to accurately search and identify applications in their neighborhood by address or see the status of an application. Please provide an update on the online search feature and whether data is accessible to the public. Were any data compromised by reported recent outages?

**Response:** ABCA does not currently have an external facing licensing system that is searchable by the public. That said, ABCA emails license application notices of a 45 day public comment period to affected ANCs and posts two placards outside of the proposed location in accordance with District law. Additionally, notifications of license applications are also posted weekly in the D.C. Register. These notification methods advise the public of key information related to the proposed business and dates such as the protest deadline and roll call hearing date. Every two years, ABCA conducts three trainings for newly elected and reelected ANC commissioners to educate them on key alcohol and medical cannabis laws and the licensing and compliance processes so that they can be effective in representing their community's concerns and priorities as it pertains to ABCA matters. At any point, a member of the public can request a redacted license application and a business's investigative history through the FOIA process. Simple document requests such as these can be filled fairly quickly by one of ABCA's FOIA Officers. ABCA also has a dedicated Community Resource Officer to assist ANC commissioners in understanding where a specific application may be in the licensing process. ABCA is working on transitioning its licensing system to Salesforce. This is a multiple year digitization effort and the first phases will focus on enabling the application process for prospective licenses to apply and existing licensees to renew online and modify business operations more intuitive and streamlined, and to maximize efficiencies for agency staff. Future phases will include opportunities for ANC commissioners to submit protests and resolutions among other actions. Finally, ABCA is not aware of any data being compromised as a result of recent outages.