



**CONCLUDED
PROBLEM REPORT
PS-1**

Problem ID: 48

Reporting Division : WEST

District:

Neighbourhood : WEST EDMONTON MALL

Address : 8770 -170 STREET

Reg	Rank	Last Name	First Name
1090	SGT	FRITSCH	MARK
1485	CST	BOYD	LEE
1783	CST	WILDE	ERIC

Key Description : CLUB CAUSES INCREASED DISTURBANCES AT WEM

Problem Description:

With the opening of a dance club (Club Malibu, Bourbon Street) at West Edmonton Mall in December 1993, the profile of the people frequenting the Bourbon Street area of the mall changed somewhat. Previously, most of the establishments licensed to sell liquor were closing their doors shortly after midnight with the majority of customers being served during regular store hours. The addition of the new establishment brought a younger clientele to the area who tended to stay later (03:00 hrs) and act in a more boisterous manner. The establishment played very loud youth oriented dance music and employed very large, body builder/football player type "bouncers" to keep the clientele in line. The establishment was licensed for a maximum occupancy of 400 persons. That brought the total licensed seats in the mall to over 2500. Although the proprietors of this establishment were experienced in the field, owning several other clubs in Edmonton, they were not used to being in the confines of a mall. Other establishments were complaining that the noise from the bar was causing complaints from customers and costing them business. There were also complaints of liquor service to underage patrons, over service of patrons, overcrowding of the establishment, increased disturbances caused by drunks fighting and assaults on patrons by the staff. Police and security officers received substantial increases in the number of calls for service to the area. Disturbances were occurring several times a night in an area that would rarely see such occurrences on a monthly basis before. It was apparent that the number of disturbances occurring in the area was directly proportional to the number of patrons in Club Malibu.

Problem solving strategies and results :

94 March 18 - Standard Operational Plan implemented to increase enforcement in parking lots and bar areas of the mall. Plan not supported by response members and no changes in the situation result, (copy of SOP > attached)

94 April - Increased checks of all licensed establishments in the mall by the beat constables assigned to the area. Deficiencies in bar practices to be pointed out to the bar managers with requests that they change the situation. If change was not noted in a reasonable period of time ALCB Incident Reports to be submitted.

Contacts made with Inspectors of the ALCB and an on-going rapport was built. They were informed anytime that there was a special event occurring which could possibly interest them. They were informed informally of the type of violations that were occurring even if it was not formally reported on an incident report

Three bouncers from Club Malibu were charged with assault after using excessive force when intervening in a disturbance not related to their establishment. On a plea bargain, one plead guilty to the charge with the charges against the other two being withdrawn.

It was noted on several occasions that Club Malibu had more than the allowed number of persons on the premise. As noted before, it was apparent that this would result in more disturbances. The situation was brought to the attention of management and they were given opportunity to correct the situation. On most occasions, they would then start limiting the number of patrons being allowed to enter the bar. It was apparent that they would continue to allow more than 400 patrons on the premise if they could get away with it. One 94NOV06, Csts. BOYD and WILDE entered the premise and a count of patron was conducted. There were 454 people in the bar excluding staff. Management was warned and

they failed to rectify the problem. An incident report was submitted to the ALCB and the establishment was called to an ALCB Hearing to answer to the allegations. They did not dispute the police report and received a three day suspension of their licence with the option to pay a \$1000 fine instead. They took the fine.

A tendency to serve patrons after 02:00 hrs was noted. I brought this to the attention of the manager who stopped the practice that night.

Increased efforts to insure there was not service of underage patrons in the establishment were undertaken. Security officers are very familiar with the youth in the mall and watched the line-ups and entrances to the club for youths they knew to be underage. Police made regular ID checks in the establishment and questioned patrons who appeared underage, even if they had ID. As a result, several dozen youths were charged with being in the bar underage and with possession of false/fictitious drivers licences. This process also uncovered a common practice of obtaining government issued false ID which was the subject of a separate problem solving initiative.

Efforts were also made to educate the staff of Club Malibu on use of force and powers of arrest, detention and authorities under the Liquor Control Act. Informal education did not seem to sink in so a formal seminar was conducted by Sergeant FRITSCH with the assistance of Sergeant N. LEPINSKI, EPS Criminal Law Instructor and Inspector C. MaC ADAM of the ALCB. This eliminated any excuses the staff had about ignorance of the law in regards to the subjects covered.

Discussion of the problem with mall security resulted in policies being implemented where they would maintain a uniformed presence in the area during peak times of service. They would advise any bar patrons ejected from a licensed premise that they had to leave the mall property until the next business day. This prevented problem patrons from entering other bars and causing problems there. Plans were made to erect a ten foot metal gate across the top of Bourbon Street that would isolate the area after 01:00 hrs. That would allow security to concentrate on the Bourbon Street area without worrying about drunks being able to access the rest of the mall. The beat members agreed to adjust their shifts so they were generally present on weekends until 04:00 hrs to help security maintain the peace and good order. Police also started to charge patrons causing disturbances and refusing to leave the property with offences under the Liquor Control Act. The alternative was Case Disturbance charges that would cause police to be unavailable for a longer period of time to process the criminal charge.

RESULTS:

Bouncers originally employed at the premise have been replaced. The current bouncers are more diplomatic and « present a less ominous presence. Fewer altercations are taking place between staff and patrons. It has been unnecessary to charge any employees lately.

Service after hours has been eliminated, an internal policy was implemented at the bar that would cause anyone violating the liquor regulations to loose their job.

As a result of the hearing on overcrowding, the doorman now possess two hand counters. One counts the number of persons entering the bar, the other counts the number of those leaving the bar. The difference would be the number of patrons actually in the bar. This count is quite accurate and no further incidents of overcrowding has been noted. The number of disturbances on Bourbon Street have gone down as well. The manager of the bar was reprimanded in the hearing, he was transferred to a different bar as a result. The new manager is a much more reasonable person to deal with.

Bar staff and bouncers are more vigilant when checking ID, they question patrons on the validity of their documentation and if they have apprehensions about the authenticity of ID they refuse entry and/or notify police. Patrons are aware that ID was to be very good to be accepted and if they use false ID they risk being charged by police. Incidents of underage patrons have reduced significantly.

Trouble makers are removed from the mall as soon as they are identified. Mall security takes an active role in removing people who have been evicted from licensed premises. Patrons have become accustomed to the rules set out by police and the mall. Most leave on their own accord if asked to leave. Few charges are required to deal with uncooperative patrons.

Police members rarely become involved in physical altercation now. One member, with the assistance of security, can usually take care of maintaining peace and good order after midnight on weekends.

Noise emitted from the club is still a problem for some other tenants. It has become accepted that this is caused by engineering flaws during construction and not something that should be dealt with by police. Mall administration is working with the tenants and has dedicated up to \$100,000 to rectify the problem as best possible.

Although all problem situations have not been eliminated on Bourbon Street the area has become easier to police and control as a result of the efforts undertaken by the members assigned to WEM Beats.