



**MODESTO POLICE DEPARTMENT
MEMORANDUM**



Date: October 17, 2007

TO: Chief Roy Wasden
FROM: Lt. Ron Cloward
SUBJECT: Sin City Council Report

The following is the documentation of contact with members Oceans 10, also known as Sin City. During this suspension time starting on September 27, 2007, the Modesto Police Department has had numerous contacts with Tony Havens, the Manager of Sin City.

Also during this period of suspension there has been no contact with Dr. Rosalind Mitchell. Dr. Mitchell has made no attempt to contact me even after my phone call to her leaving my cell phone number.

September 27, 2007

I met with Tony Havens in front of the operations building at about 1800 hours. This meeting was pursuant to his phone call. Tony wanted me to know that he was going ahead with the "Federation" event. He said he would stand to lose a lot of money if he did not go ahead with the event. Tony wanted to run some things by me that he had in place for this event.

Tony said he had 35 security people and would keep the sidewalks clear, would move the crowd at the end of the night and wanted to bring the members of the groups through the back door.

I approved the back door and felt it might be better for public safety reasons if the group was not out in front. I also told Tony that this door could not be used for anyone else. The members of the groups were the only people to use the back door. He told me he understood and no one else would use the back door.

I also told Tony Havens that he would probably be served with his suspension on Friday evening and that his suspension would be in effect upon receipt of the council resolution.

September 28, 2007

Sgt. Ridenour served Tony Havens the council resolution suspending their dance permit for thirty days effective upon service.

Reference case number 07-92533

Two male subjects under the age of 21 were located inside the club. They were related to a bartender who allowed them to enter via the rear door.

September 29, 2007

Reference case number 07-93891

Sgt. Chamberlain observed dancing inside "Sin City" while conducting a bar check with Mike Payton from MFD.

September 30, 2007

I met with Tony havens in front of "Sin City". He wanted to show me what he had done to help stop patrons from dancing. Tony walked me inside the club and pointed out how he had placed furniture around the club to take up space and help eliminate dancing. This was on the first floor and only near the front area.

October 1, 2007

I reviewed reports from the weekend that indicated violations at "Sin City"

October 2, 2007

I contacted Tony Havens by telephone and wanted him to know about the violations. He told me he did not know about the two underaged patrons in the club, however the report indicates that the officer's informed Tony.

He also denied that there was any dancing.

Nevertheless, he was informed.

October 5, 2007

Reference case number 07-94739 (Citation Issued)

Undercover officers were used downtown tonight to monitor clubs from the inside. They visited 7 businesses/clubs and only found violations at "Sin City". They observed dancing for 20 minutes with no attempt made by management to stop it. The UC officers

notified DED officers who made contact and issued a citation to Tony Havens. Tony denied any knowledge of the dancing occurring in the basement area. However, I should point out the report written by Officer Stewart mentions that Tony Havens was standing next to him, in the basement, watching as the crowd danced.

October 6, 2007

Reference case number 07-95064 (Citation Issued)

On this night DED officers were able to see subjects dancing inside "Sin City". They entered and continued their observations. They issued Tony Havens a citation for dancing. Tony then followed the officers out of the club and told them he was going to follow them and see where else they go. He was accusing the officers of singling him out.

As officers exited they could see subjects dancing at "The Nines". They issued that business a citation as well.

October 8, 2007

I met with Tony Havens who wanted to discuss his dance permit conditions. He was trying to gain a better understanding of each condition. Tony told me he was doing everything he could to get his business on track and abide by the City Council's request.

I pointed out the four violations in a week's time and some of the comments he has made to the officers do not give me that feeling.

Tony told me the statement made by one of my sergeants was not true. I escorted Tony out and told him he would never accuse one of my sergeants of lying. I told him I would prepare a document with detailed explanations attached about each condition of his dance permit.

October 9, 2007

I e-mailed the document to Tony that outlined his dance permit conditions in great detail.

Also on this date I received an e-mail from Tony Havens regarding upcoming events at Sin City.

October 16, 2007

I received a call from Tony Havens wanting to know if there were any issues this past weekend. I told him there were none that had been brought to my attention.

October 19 and 20, 2007

This report will be completed after the upcoming weekend.

Respectfully submitted,

Lt. Cloward