

Frankford bar: Busted!

By William Kenny
Times Staff Writer

Shortly after 1 p.m. on a Wednesday afternoon, the Pat McGinniss Tavern was packed. Nary a bar stool was empty in the cave-like Frankford taproom as a city prosecutor, police, community leaders and news media barged into the place on March 3 looking for the man in charge.

The cops served a manager with the paperwork for a 611 action against the business — that is, a petition by the District Attorney's Office to have it shut down by an emergency Common Pleas Court injunction — as well as a drug forfeiture action against the property.

According to authorities, the bar, at 5007 Frankford Ave., was the site of at least 22 drug arrests and 70 police responses last year. Meanwhile, police were called to the surrounding block at least 462 times in the same span for complaints ranging from public urination and prostitution to assaults and shootings.

More than a rough place, McGinniss' is a nuisance, said **Assistant District Attorney Scott P. Sigman**. Nowadays, that means its days may be numbered.

"The Public Nuisance Task Force is aggressively attacking nuisance bars citywide," said Sigman, referring to the branch of the DA's office that coordinates the efforts of local police, community groups and other governmental agencies to clean up drug-infested properties throughout the city.

Nuisance locations can be homes, bars or other businesses used as fronts for the illicit drug trade and known as "weed stores."

Though the drug activity at McGinniss' involved smaller, street-level quantities, according to Philadelphia police narcotics Inspector Joe Sullivan, the volume of arrests and other incidents made the bar an ideal target for authorities.

"It's one of the major ones," Sullivan said.

"There's been drugs, fighting, underage drinking, the works," Sigman said.

Local organizations and community groups seem to agree as Frankford Hospital, the Northwood Civic Association, the West Frankford Town Watch and the Frankford Community Development Corporation have all signed on as plaintiffs in the legal actions.

"We know there are drug transactions going on. We've seen drug transactions," said Jim Howarth, president of Northwood Civic and a member of the West Frankford Town Watch.

"It adds to the (negative) atmosphere and increases the violence around here." For authorities, the topper occurred Jan. 1 when narcotics officers, while investigating

an alleged drug dealer, entered the taproom and found the suspect female sitting at the bar with a beer in her hand. She was 19 at the time.

The teen, whom they did not name, was charged with drug offenses and underage drinking.

Sigman was unaware of any sanctions filed against the bar by the state police's Bureau of Liquor Control Enforcement as a result of the underage bust. Sang R. Lee of Broomall is listed as the owner of the bar and the president of Brian Inc., the company that owns the liquor license.

According to state records, Lee's company obtained the license last September. Lee appeared in court last Thursday for a hearing on the 611 action. An attorney representing the owner first asked Judge Annette Rizzo for a postponement of the hearing, citing a lack of time to prepare a defense.

Rizzo denied that request. Subsequently, the owner's attorney requested that the court obtain a Korean language interpreter for his client, who, he said, does not understand English. The judge granted the request.

When the court reconvened on Monday afternoon, an interpreter was on hand, but the case dragged through the afternoon without reaching a conclusion.

The litigants and witnesses will return next Monday at 1 p.m. to finish testimony, Sigman said.

By law, the judge can close the business for up to a year with an injunction.

"This ties all of the individual infractions together," said Inspector Jeremiah Daley, commander of the police department's Northeast Division.

Meanwhile, the DA's office will attempt to seize title to the property, invoking narcotics provisions of state law. If that effort is successful, the property would be auctioned to the highest bidder with proceeds of the sale going to support narcotics-enforcement efforts.

A bar manager on duty on March 3 claimed that the taproom is not the problem. Instead, it's the neighborhood.

"We can't control the streets," said Daniel W. Flynn, who refused to give his name to reporters but signed the legal papers that afternoon.

"This is a drug-infested neighborhood. ... I think we're victims of the neighborhood." Patrons that day agreed.

"I only come down here during the daytime," said Tom Abernathy. "You're afraid to walk down the street here at night."

Leo Michelotti, another customer, said he wasn't aware of any problems in the place.

"But I ain't here at night," he added.

When a reporter asked Flynn if the management ever thought to move to a better neighborhood, a nearby customer blurted protectively, "This bar's been here for fifty years."

Sullivan doesn't think the bad-neighborhood excuse is a valid one.

"(This bar) is not reflective of the business community or the residential community in the area," he said. "There are bars in the area that run a good business."

"From our perspective, if we have a legitimate bar, we have no problem," Daley said. But there are plenty that give local police headaches. On top of that, it takes a lot of man-hours and money to keep order at those hot spots.

"It's certainly a drain (on police resources)," said Capt. Mark Everitt, commander of the 15th Police District. "A lot of it is more for nuisance problems than crime incidents, which is taking away from police officers addressing more serious concerns."

In addition to the McGinniss Tavern, the task force is involved in litigation against Club Evolution at 1517 N. Delaware Ave.; Tiki Bob's Cantina, at 457-61 N. Third St.; and the Purple Orchid II, 7275 Rising Sun Ave., for similar violations.

And, with the help of community complaints, it intends to keep going after nuisance bars.

"If the community wants to complain, they can call me and point out the nuisance bars, and we'll take action," Sigman said.

"We are sending a signal today," Sullivan said. "This is the way things are going to work."

To report a nuisance property in your community, call the District Attorney's Public Nuisance Task Force at 215-686-8000. ••

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