

Padlock's about to come off - Reservoir Hill liquor store was first test of city ordinance

By Peter Hermann, *Baltimore Sun*, June 17, 2009

On Aug. 18 at 4:30 p.m., Chang K. Yim rolled down the two corrugated metal doors to his liquor store on North Avenue and secured each with locks. Doing the work himself and a half-hour before deadline, he avoided the spectacle of his store being padlocked by a police commander with television cameras rolling.

This was the first test of police enforcing the city padlock ordinance that allowed Commissioner Frederick H. Bealefeld III to keep Linden Bar and Liquors in Reservoir Hill closed for up to a year. Police complained at a public hearing that the store was a haven for drug dealers and a magnet for violent crime.

But Yim may be able to open before his yearlong suspension is up, perhaps in a few weeks, because after meetings with law enforcement, lawmakers, residents and city officials, he has finally agreed to make changes long sought by the police to discourage criminal behavior.

Many residents are complaining that their respite from the trouble spot was short-lived, but officials say that shaving a month or two off Yim's sentence is worth it if the owner conforms to their demands to hire an armed security guard, put in a window, renovate the interior to eliminate hiding places and get rid of the Keno lottery game.

The alternative is that Yim simply waits another eight weeks and then reopens without having made a single improvement or change, and the city police would be saddled with the same issues they had last August. "At the end of the year, there is nothing that could allow the commissioner to keep it closed longer than it has been already," said City Councilman William H. Cole IV, who represents the area.

Bealefeld has ordered one other liquor establishment padlocked and targeted several others whose owners are making changes required to remain open. Using the padlock law has pitted him against business owners he says are acting irresponsibly by creating crime problems.

While Yim might have agreed to make changes, he hasn't surrendered. He is appealing a Circuit Court ruling upholding the padlock law, arguing to the Court of Special Appeals that the city ordinance illegally gives the police commissioner the power to act as a de facto administrative judge.

Yim and his attorney, Peter A. Prevas, have long maintained that police unfairly targeted the store, despite a fatal shooting inside a month before the padlock went on. They said the police kept pointing to the volume of 911 calls as proof of crime, in effect punishing Yim for calling officers.

Joseph Ronald Strickland, who lives two blocks north of the liquor store on Eutaw Place, testified on Yim's behalf. He's a former liquor board member and owner of several bars in some of the city's most crime-ridden areas.

"We as business people call the police, and we suffer," Strickland said, adding that after Linden Bar was padlocked, "drug dealers moved off the corner and up the street, and that's where they sold their drugs. ... The police have an obligation to enforce the laws involving loitering outside the place. They didn't do it at this place." Strickland did agree that Yim's decision to put Keno machines in the store "was the kiss of death" because it gave people reason to hang out and watch the television screens.

Cole said that "calls for police service have dropped tremendously, about 60 percent, since this place was closed. There was a direct correlation between the drug activity on the avenue and what was happening inside that establishment. ... I had hoped that after getting shut down that Mr. Yin was going to relocate."

But that doesn't appear likely. Asked why his client wants to return to his spot on North and Linden avenues, Prevas said: "It's his livelihood."

In a series of e-mails exchanged throughout the Reservoir Hill neighborhood, residents expressed concern that the store could soon reopen. "Not in my wildest dreams did I expect Yim to hang on this long, but his business was obviously so lucrative it was worth his wait," one resident wrote.

At least now, the police and the community get the improvements they say will make the Linden Bar a safer place.