

Testimony of Dana Sussman
Deputy Commissioner for Policy and Intergovernmental Affairs
New York City Commission on Human Rights
Before the Committee on Consumer Affairs and Business Licensing
November 13, 2018

Good afternoon Chair Espinal and members of the Committee on Consumer Affairs and Business Licensing. I am Dana Sussman, Deputy Commissioner for Policy and Intergovernmental Affairs at the New York City Commission on Human Rights, and I am pleased to be here today with my colleague from the Office of Nightlife, Senior Executive Director Ariel Palitz, to discuss the work of the Commission and the administration in combatting sexual harassment.

Because the Commission has not had the opportunity to appear before the Committee on Consumer Affairs previously, I'll briefly describe the work of the agency. By statute, the Commission has two main functions. The first is as a civil law enforcement agency, enforcing the City's anti-discrimination law, called the City Human Rights Law, one of the most comprehensive anti-discrimination and anti-harassment laws in the country. The Commission's Law Enforcement Bureau investigates complaints of discrimination from the public, initiates its own investigations on behalf of the City, and utilizes its in-house testing program to help identify entities breaking the law. The law includes 24 categories of protection, most of which protect against discrimination and harassment in practically all areas of City living – employment, housing, public accommodations, on the streets, in transit, and other spaces.

The second main function of the Commission is to perform community outreach and provide education on the City Human Rights Law and human rights-related issues, which is why the Commission also has a Community Relations Bureau comprised of Community Service Centers in each of the City's five boroughs. The Community Relations Bureau provides free workshops on individuals' rights and businesses, employers' and housing providers' obligations under the City Human Rights Law, and creates engaging programming on human rights and civil rights-related issues.

Combatting sexual harassment, particularly in the workplace, but also across all areas of jurisdiction, has been a core focus of the Commission's work since Commissioner Carmelyn P. Malalis took the helm of the agency. For example, in 2015, the Commission issued its highest civil penalty in the history of the Commission in a sexual harassment case, \$250,000 – the maximum allowable under the statute – with an additional over \$400,000 in damages to the complainant.

In December 2017, the Commission held a City-wide public hearing on sexual harassment in the workplace. We heard testimony from a diversity of industries, from construction workers, domestic workers, and restaurant workers to the modeling, fashion, and film industries; and we heard from workers, advocates, and government officials about what we, as government, could do differently or do better to combat sexual harassment. It was a powerful night where over 100 people converged from across the boroughs, some even traveling up from Washington, D.C., to

listen to people's experiences enduring, fighting, challenging, and overcoming sexual harassment. In April, the Commission issued a report reflecting on the themes of the testimony and making specific policy recommendations on how New York City and the Commission can better combat sexual harassment across industries, sectors, and communities of workers. In June, the Mayor signed a package of bills that strengthens the City Human Rights Law's already broad protections with respect to sexual harassment in the workplace and creates additional responsibilities for employers with respect to educating and training staff on their rights. The Commission will also be launching a dedicated gender-based harassment unit, with attorneys who specialize in gender-based harassment cases.

The Commission engages in strategic business outreach so that businesses know their obligations and responsibilities under the City Human Rights Law. With respect to these new requirements, the Commission is currently visiting every business improvement district in New York City (representing over 85,000 businesses) to distribute the mandated know-your-rights materials, created by the Commission, to as many businesses as possible. The Commission has worked with Small Business Services to distribute information about the new laws to their BID listserv and has provided information about the new legislation to Chambers of Commerce and other business associations throughout the City. Commission staff regularly speak before business associations, employers, and bar associations on the new legal requirements. The Commission has a dedicated webpage with fact sheets, FAQs, and materials for employers on the new sexual harassment requirements. If an employer or business owner has a question about compliance or best practices, they can email us directly and a member of the policy team will respond to them within 24 hours. The Commission is working in collaboration with the Office of Nightlife to make this information available to the nightlife industry and to ensure these businesses know how to access the Commission and its resources.

In addition, the Commission provides a free, live training on sexual harassment in the workplace and offers it to businesses, non-profit organizations, and other associations upon request. And the Commission will launch a free, online, interactive training on sexual harassment in the workplace in 2019 that will meet both State and City requirements for mandated sexual harassment training.

It is important to note that sexual assault and sexual harassment are two distinct and separate things, although they can overlap. Sexual harassment is a concept most commonly rooted in the principle of gender discrimination in the workplace, which is addressed through civil rights laws, and through civil legal actions. By contrast, sexual assault is, most commonly, addressed through criminal law enforcement. Sexual harassment and sexual assault may occur at the same time, or sexual harassment may lead to a sexual assault, but sexual harassment does not always involve a sexual assault.

The Administration's commitment to addressing these issues is also reflected in Executive Order 36, which Mayor de Blasio signed in September, and which expanded the authorities and responsibilities of the Mayor's Office to Combat Domestic Violence (OCDV) and changed its name to the Office to End Domestic and Gender-Based Violence (ENDGBV). The new Office will continue to develop and coordinate a Citywide response to intimate partner and family

violence and now has the expanded authority to address gender-based violence, which includes sexual assault, stalking, and trafficking. By creating this Office, we are continuing to respond as a City to the voices of survivors and advocates, and recognizing the need for a system-wide coordinated approach to these issues.

The new Office will seek to implement best practices and policies, develop and strengthen services and intervention initiatives, enhance coordination across agencies and disciplines and employ methods for data and information sharing. The Office will continue to operate the NYC Family Justice Centers and the Domestic Violence Fatality Review Committee and will also now operate the Advisory Committee to review individual case-level data on domestic and gender-based fatalities.

The Commission, along with the support of ENDGBV and the Office of Nightlife, is deeply committed to combating and addressing sexual harassment in the workplace and to educating businesses on their responsibilities in creating harassment-free spaces. For these reasons, we support the goals of Intros. 1185 and 1186 and look forward to working with the City Council to ensure they align with or enhance our current efforts.

**Testimony of Casey Adams
New York City Department of Consumer Affairs**

**Before the
New York City Council Committee on Consumer Affairs and Business Licensing**

**Hearing on
Introduction 930-2018**

November 13, 2018

Good morning Chairman Espinal and members of the committee. My name is Casey Adams and I am the Director of City Legislative Affairs for the New York City Department of Consumer Affairs (DCA). I would like to thank the committee for the opportunity to testify today on behalf of DCA Commissioner Lorelei Salas about Introduction 930-2018 (Intro. 930), a bill that would require the operator of a place of entertainment or its agent to disclose service fees, along with the price of a ticket on advertising and promotional materials.

DCA's mission is to protect and enhance the daily economic lives of New Yorkers to create thriving communities. In general, DCA believes that greater price transparency and information benefit consumers by helping them make informed choices about products and services. We understand and share the Council's concern about services that don't clearly disclose fees associated with ticket purchases until consumers are several steps into a transaction. Requiring earlier disclosure of fees in advertising and promotional materials could help consumers understand the full cost of a purchase up front, rather than being surprised later. We look forward to working with the Council to ensure that the bill is crafted in a manner that captures the services intended, protects consumers, and minimizes compliance costs for businesses.



**Testimony of the Office of Nightlife
NYC Mayor's Office of Media and Entertainment
Committee on Consumer Affairs and Business Licensing
Oversight Hearing: Office of Nightlife
November 13, 2018**

Good afternoon, Chairman Espinal and members of the City Council Committee on Consumer Affairs and Business Licensing. My name is Ariel Palitz, senior executive director of the Office of Nightlife at the Mayor's Office of Media and Entertainment ("MOME"). Thank you for the opportunity to testify before you today on the establishment of the Office of Nightlife and our progress thus far.

Nightlife is vital to New York's economy as well as its identity. The industry supports nearly 300,000 jobs and generates \$48 billion of dollars in economic activity. New York's nightlife has also long been an important incubator of cultural movements and continues to provide spaces for creativity, social cohesion, and personal expression.

The Office of Nightlife cements our city's position as a global leader in a growing movement of more than 40 major cities around the world and the United States working to balance vibrancy and safety by proactively managing life at night. Similar efforts in cities such as Amsterdam, London, Berlin, San Francisco, Detroit, Pittsburgh, and Austin have yielded social benefits such as reductions in noise complaints, and healthier, more productive nighttime economies.

I would like to recognize Chair Espinal and the Council for their leadership on the creation of the Office of Nightlife, as well as the repeal of the Cabaret Law that had required nightlife establishments to obtain a permit to allow patron dancing. These steps are a sign of a new approach that recognizes what nightlife contributes to New York, while also addressing its challenges and impacts.

ABOUT THE OFFICE OF NIGHTLIFE

As you know, the Office of Nightlife was established by Local Law 178 of 2017 to:

- Serve as a liaison to nightlife establishments in relation to city policies and procedures affecting the nightlife industry;
- Assist the mayor and the heads of City agencies that have duties relating to nightlife;
- Serve as the intermediary between City agencies, residents, and the nightlife industry to pursue long-term solutions to issues related to nightlife;
- And promote an economically and culturally vibrant nightlife industry, while accounting for the best interests of the city and its residents, among other duties.

That legislation also created the Nightlife Advisory Board, a 14-member independent body, with five members appointed by the Mayor and nine members appointed by City Council, to make its own recommendations to the Mayor and City Council. That Board was first convened this August, and its members include business owners, community

advocates, DJs, hospitality advocates, musicians, performers, and regulatory attorneys, bringing a variety of perspectives and expertise.

As a lifelong New Yorker and nightlife professional, I am excited to bring my industry- and community-building experience to my new role in public service. After working in many facets of nightlife for fifteen years— including as a promoter, at live music venues and an independent record label, as well as public relations— I opened and operated Sutra Lounge in the East Village for ten years. I also served on Manhattan’s Community Board 3 and its liquor licensing committee for six years, and then ran a hospitality consulting company called Venue Advisors providing integrated commercial real estate services for entrepreneurs seeking to open nightlife establishments.

Housed at the Mayor’s Office of Media and Entertainment under Commissioner Julie Menin, the focus for our team is addressing not only nightlife, but life at night, by proactively managing, rather than restricting it. We are working to support businesses with resources and education to help them be successful in order to be better neighbors; to ensure safety and quality of life for everyone; and to enable creativity and culture to flourish. I am delighted to share some details about what we have been working on over the last few months.

ACTIVITIES TO DATE

1. Five-Borough Listening Tour

As defined by Local Law 178, the Office of Nightlife is required to “hold at least one public hearing in each borough...at which public comments and testimony shall be received.” These public hearings are designed to help inform our initiatives and policy recommendations. To date, we have completed three of our five listening sessions; we will be in the Bronx this Thursday and conclude the tour on November 28 in Manhattan.

As a liaison between nightlife stakeholders and City and State government, we invited agencies with a role in managing nightlife participate in the sessions so they could listen and respond to issues and concerns from the public. We were pleased to have representatives from NYPD, FDNY, the Departments of Buildings, Small Business Services, Buildings, Environmental Protection, Health and Mental Hygiene, City Planning, Cultural Affairs and Consumer Affairs, as well as the Office of Administrative Trials and Hearings and the State Liquor Authority.

To raise awareness about these meetings, we conducted extensive outreach to local elected officials and community boards, local business groups such as chambers of commerce and business improvement districts, nightlife organizations and advocates, local and citywide media outlets, as well as dozens of venues to reach patrons and staff. To date, over 400 people have participated in the three listening sessions, and we have received more than 300 comments from a diverse range of stakeholders, including: business owners and operators, advocates for grassroots cultural spaces, neighbors of nightlife establishments, musicians and performers, event promoters, and nightlife patrons. Among the issues raised are reports on adverse impacts of enforcement operations from the Multi-Agency Response to Community Hotspots (MARCH) task force; noise issues and other quality of life concerns relating to nightlife activity; and greater transparency in review processes.

2. Economic Impact Study of Nightlife

Later this year, we will be releasing a study of the current economic impact of the nightlife industry, which includes activity between 6pm and 6am, across all five boroughs. Preliminary findings show that New York City's 25,000 nightlife establishments account for an overall economic impact greater than \$48 billion, including nearly 300,000 jobs, \$13.1 billion in wages, \$35.1 billion in total economic output, and \$698 million in local tax revenues.

To complement the economic impact analysis, more than 1,300 nightlife stakeholders participated in surveys or interviews about their experiences. This qualitative assessment surfaced challenges faced by the New Yorkers who rely on nightlife for their livelihood as well as those living in neighborhoods dense with nightlife establishments. Much of this feedback is consistent with the themes that are emerging in our Listening Tour. Together these findings are informing the development of the Office of Nightlife's proposed programs and initiatives, including those that seek to improve the nightlife ecosystem by working to reduce red tape, address public safety and quality of life concerns, and promote economic development and cultural activity.

3. Interagency Working Group

While we have been looking to the Listening Tour as well as other outlets to inform our proposed initiatives—many of which are in formation—we are already establishing a framework for how the Office of Nightlife engages with its City partners as well as its public stakeholders. After the Listening Tour, we will be looking to convene an interagency working group to address policy challenges and coordinate existing initiatives that currently impact nightlife. This working group can evaluate potential administrative and regulatory reforms for how the City can support safe and vibrant nightlife activity, and mitigate adverse impacts where applicable. This may include a review of regulatory policy to focus on education, prevention, and correction of common issues and improve predictability in inspection processes; policies that reduce noise-related disputes between nightlife establishments and their neighbors through both physical measures such as sound insulation and human services such as mediation; and capacity building and compliance assistance for small, cultural nightlife spaces that foster creativity, performance, and art production.

4. One-stop Nightlife Web Portal

Many stakeholders have called for the Office of Nightlife to post resources online that support business operations and employee and patron safety. We are also looking into the development of an online portal at nyc.gov/nightlife to assist various stakeholders. One aspect will be a tool for new and prospective nightlife establishments, directing them to information, and providing user-friendly, graphical resources that integrate or leverage other agency guidelines, forms, permits, and regulations. It will also include best practices for patron safety and workplace safety as well, working with outside advocates and experts, as well as our City partners. We also look forward to developing informational resources that address common issues related to patron safety and workplace safety. Issue areas currently under consideration include: reducing impaired driving; drug and alcohol awareness; fire safety measures; training protocols for staff for

prevention of theft, violence, sexual assault or over-consumption; "codes of conduct" and consent education for patrons; LGBTQ safety; and other preventable hazards.

CONCLUSION

I am encouraged by the partnerships we have been able to build thus far, including advocates, elected officials, industry and community representatives, and among our sister agencies. I thank you once again for the opportunity to speak with you today and want to recognize once again the Chair's leadership and passion to bring these issues to the forefront. As you can see, the Office of Nightlife is working very hard to ensure that the nightlife industry can continue to contribute to the cultural, social, and economic well-being of New Yorkers. I look forward to the exciting work ahead and to answering any questions you may have.

**STATEMENT OF THE BROADWAY LEAGUE
CONCERNING NEW YORK CITY COUNCIL INTRO 930**

November 13, 2018

Good afternoon. I am Gilbert Hoover and I serve as Vice President and General Counsel to The Shubert Organization, the city's largest owner and operator of Broadway Theatres. In addition to owning and operating 17 Broadway theatres and six off-Broadway stages, Shubert operates Telecharge®, a leading provider of ticketing services to Broadway and off-Broadway venues. I am also appearing as a representative of The Broadway League, which has been the principal trade association for the commercial theatre industry in New York State and across North America for over 80 years. It presently represents more than 750 theatre owners, producers and road presenters nationwide – with over 400 maintaining offices in New York City.

We would like to recognize Chairman Espinal and the other distinguished members of the Consumer Affairs Committee, as well as Councilman Brannan and the other sponsors of Intro 930, for holding this meeting and for your ongoing efforts to address consumer protection issues for our city's theatregoers and other consumers of entertainment.

Broadway is a vital part of the City's economic and cultural well-being. Each year, Broadway hosts millions of travelers from all over the globe, and for many of them, seeing a Broadway show is a principal reason for the visit. Of the approximately 13.8 million Broadway tickets sold in this past season (ending May 2018), about 8.8 million were purchased by theatregoers residing outside New York State, including over 2 million purchased by international visitors. Broadway's cumulative fiscal impact on New York City exceeded \$12.6 billion last year, including approximately

\$9.8 billion in audience spending (excluding the cost of their theatre tickets), and \$2.8 billion in show spending (costs of mounting and running the 67 Broadway productions that played during this past season). In addition to the thousands of unionized workers on industry payrolls, such as actors, stagehands, ushers, electricians and press agents, Broadway patrons are major economic drivers of area restaurants, hotels, shops and livery services.

The League has always encouraged transparency in the ticket-purchasing process so that consumers are fully aware of the source of their tickets, the prices of their tickets and any fees or surcharges that may be imposed prior to purchase. Recently, we advocated in the State Legislature for enhanced consumer protections that include improved market transparency. Under the new state law, Chapter 110 of 2018, which was supported by the Broadway League, every operator of a place of entertainment, and any ticket reseller, will have to disclose “in a clear and conspicuous manner” the total price of the ticket and how much of the price consists of a service charge before a sale is completed. We feel this language appropriately balances the need for transparency and consumer protection without imposing excessive regulatory constraints on the marketplace. Early drafts of the state legislation included language like that proposed in Intro 930 and would have required operators to disclose service fees, along with the ticket prices, in all advertising and promotional materials. However, the state legislature ultimately rejected that language in favor of the above-noted disclosure requirement at the point of sale.

We agree with the approach taken by the state legislature. We do not think it is practical to require disclosure of all fees in all advertisements or promotions, as prices and surcharges vary widely by the outlet and delivery method. For example, tickets sold at the box office generally have no additional transaction fee. Tickets sold on the web may include different fees depending upon whether the tickets are mailed, held at the box office or printed at home. And tickets sold over the phone may have yet another

range of service fees. Managing all this information and conveying the multitude of possibilities in one disclaimer in every advertisement would simply be impracticable.

While we are grateful that the City Council continues to take an active interest in the health of the live entertainment industry and is considering affirmative measures to improve the ticket buying experience, we believe that the newly enacted state law adequately addresses this issue and additional oversight by the City is not required at this time. Thank you for this opportunity and I would be happy to answer any questions.



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Public Hearing

Tuesday November 13, 2018
City Hall, Council Chambers

**Prepared and Presented by Joanna Alvarez on behalf of Sevonna Brown,
Assistant Executive Director of Black Women's Blueprint**

Good afternoon Council Members,

Thank you for the invitation to give testimony on the issue of Bystander Intervention in New York City Communities. My name is Joanna Alvarez and I am representing Black Women's Blueprint this morning. Founded in 2008, Black Women's Blueprint works to place black women and girls' lives and struggles squarely within the context of larger racial justice concerns and is committed to building movements where gender matters in social justice organizing so that all members of Black communities achieve social, political, and economic equity.

We are the conveners of the Black Women's Truth and Reconciliation Commission, held 2 years ago at the United Nations, as well as the March for Black Women which was held right outside of this very room less than one month ago. We are counting down the days to the end of the Violence Against Women Act (VAWA) extension, which is not likely to be reauthorized. With the recent federal Administration's threats to make vital cuts to anti-rape, anti-battery, and anti-stalking service programs guaranteed by the Violence Against Women Act (VAWA), we are running out of places to turn to for safety and justice. New York City must be on the frontlines of protecting the rights of its most marginalized residents. Women and girls in our communities are under siege - we need policymakers to listen to them and we need to institute mechanisms for public involvement and oversight over any and all gender and racial equity efforts.

The story of Janese Talton-Jackson, a 29-year-old mother of three who was killed this month in Pittsburgh, Pennsylvania for rejecting a man's advances, shouts a national anthem to Black women and girls across this country that saying "no" is not a human right. Janese' resistance was fatal. Black women continue to face a death penalty for

saying no, embodying their own personal agency, and exercising bodily autonomy. The boundaries we set as Black women continues to draw blood.

Could this women's life have been saved if bystander intervention was implemented?

As yet another Black woman is slain—openly and publicly—we have to send different message to Black women and girls bearing witness to these tragedies. We have to dismantle misogyny and patriarchy that lives between our sheets, sits at the counter in the bars of our neighborhood businesses, lurks in our parks, and steals the innocence of the young women that walk through them at night.

To where do we run when the parks foster a culture of rape during hours of recreation? Black women are assaulted at all times of the day in plain sight of the community. Janese' story sends a message to Black women everywhere: you can be killed for your resistance, your autonomy, your femininity and your Blackness.

There is risk in bystander intervention and innocent bystanders also fear for their lives in those moments of advocacy. We need strategies concerning misogyny, intraracial, and sexual violence. We must center community and systematic accountability for the protection of our women.

Prevention:

Recognizing that few resources exist that are culturally relevant and focus on preventing rape and sexual assault before it occurs, we developed innovative programs focused on identifying and preventing sexual violence before it occurs. The Training Institute delivers prevention education curricula based on an understanding of the complex interplay between the individual, relational, social, cultural, environmental, historical and persistent structural factors that influence the spectrum of discrimination, oppression and violence that impact people's lives.

Intervention:

We specialize in liberatory bystander intervention models, transformative and healing models as well as asset-based community accountability models. Using proven effective pedagogy and methodologies, the Institute works to equip people, groups and /or organizations with a framework for developing strategies anchored in civil and human rights as key points for intervention.



**New York City Alliance
Against Sexual Assault**

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Good Afternoon, my name is Christina Ortiz and I am the Senior Prevention Coordinator at the New York City Alliance Against Sexual Assault (hereafter, the Alliance). Thank you to the Committee on Consumer Affairs and Business Licensing for allowing us to address you in these hearings. The Alliance is a city-wide umbrella organization that strives to prevent sexual assault and support survivors. It does this by:

- Addressing gaps in sexual violence prevention and intervention in underserved communities,
- Providing technical assistance to hospitals and programs on their response to sexual assault, and
- Delivering trainings to social service agencies, bar and nightlife staff, hospitals, medical providers, college campus communities, youth and more.

As the Regional Center for the Prevention of Sexual Assault for NYC, The Alliance has spent over 10 years working collaborative with various stakeholders to engage nightlife in sexual violence prevention. Several high-profile cases of sexual violence between 2006 and 2010 demonstrated the role bystanders and nightlife employees can play in making establishments safer and more patron-friendly. An increasing number of nightlife industry professionals acknowledged the need to combat sexual violence as part of venue security, patron safety, and responsible nightlife services. In response, a coalition of advocates, service providers, and law enforcement called the Manhattan Multidisciplinary Sexual Assault Taskforce created a sub-committee to address the issue of sexual assault and nightlife. The sub-committee membership included the New York County District Attorney's Office, the Alliance, New York City Hospitality Alliance, and the Crime Victims Treatment Center (CVTC).

As a first step, the New York City Hospitality Alliance and CVTC in collaboration with Sexual Violence Prevention and Response Program, Columbia University and Manhattan Sexual Assault Task Force conducted focus groups with venue owners, staff, and patrons. These focus group data indicated a gap in knowledge regarding what constitutes sexual assault, the laws related to sex crimes, best practices for evidence preservation, and most importantly safe intervention techniques. Likewise, patron focus group participants indicated a desire for spaces in which they could feel safe and confident that the establishment would not accept sexual harassment or violence. Nightlife venues were eager to support

trained management and staff, equipped with the necessary skills to intervene safely and prevent situations that could lead to sexual violence. The employees of these establishments also expressed interest in being part of a workplace that is free of sexual aggression.

Based on the focus groups, the sub-committee pursued a two-prong approach: on-premise training for nightlife establishments and the creation of a coalition that could lead prevention efforts in the nightlife arena. Therefore three rape crisis programs and the Alliance launched a citywide nightlife collective that would engage expertise from nightlife community and serve as an incubator of the nightlife staff training. This coalition came to be called OutsmartNYC through its collaboration with OutSmartBK, a grassroots patron safety campaign designed by and for the nightlife industry in Brooklyn.

Over the last 4 years, the Alliance and OutsmartNYC have worked together towards these goals. Funded by the NYS Department of Health, our regional center is one of six in New York. We are the only Center in the state to develop our own training for bar staff in collaboration with stakeholders from the community. The goal is simple: promote a fun, sex-positive nightlife culture where both patrons and staff of any establishment feel safe to connect in positive, exciting and healthy ways. A few accomplishments include:

- Training over 115 nightlife staff across 11 venues,
- Submitting a formal proposal to NYS Department of Health to establish OutSmartNYC staff training as an evidence informed curriculum, and
- Working with local community and nightlife stakeholders to meet the needs of both patrons and nightlife.

With regard to the legislative proposals that are the subject of these hearings, the Alliance would like to make two recommendations. First, with respect to Resolution 580 which recommends the addition of sexual assault intervention and prevention to the training received by Security Guards by the NYS Division of Criminal Justice Services. We are delighted to see consideration of this after years of proposing this to state legislators. However, we would recommend more expansive additions, including recognizing and safely responding to intimate partner violence, de-escalation techniques, conflict resolution and responding to situations when drugs and alcohol are involved. We urge the Council to consider the development of a subcommittee of the Nightlife Advisory Board that would examine the current curriculum and needs of the communities in which the guards work to make recommendation regarding up-dates in this curriculum.

Secondly, with respect to Intro. No. 1185 which would require nightlife establishments to receive training in harassment and its remedies, we again applaud the Council's attempts to address this issue. However, we wonder whether the current draft might be amended so that nightlife establishments are

not required to arrange for separate sexual harassment and harassment trainings that apply to different sized establishments and contain different requirements. We would recommend that the Council enlist the assistance of experts in the field to accomplish this.

We are grateful to the Committee on Consumer Affairs and Business Licensing for tackling these important issues. We are certain that by working together we can make nightlife establishments safe spaces that encourage violence free entertainment. Thank you for the opportunity to testify today.



TESTIMONY

To the New York City Council

Committee on Consumer Affairs and Business Licensing

by

**Virginia P. Louloudes, Executive Director
Alliance of Resident Theatres/New York (A.R.T./New York)**

**November 13, 2018
260 Broadway**

Good afternoon. My name is Ginny Louloudes and I am the Executive Director of the Alliance of Resident Theatres/New York, the service and advocacy organization for New York City's 400+ nonprofit theatres in all five boroughs.

I am here today to testify on behalf of proposed legislation that would require my members to disclose service fees charged when purchasing tickets in all promotional materials.

When I alerted my membership to this legislation several expressed their concerns with this legislation and its impact on their marketing costs.

1. Most of these companies have budgets below \$2 million. They promote their shows online and via postcards. Advertising their fees could require anywhere from one sentence to one paragraph (depending upon the range of ticket prices.) This could require larger postcards and higher printing costs....money they can ill afford.
2. For our largest theatre companies, such as those who have theatres on Broadway and off, there are additional concerns. One company already includes information on their fees on direct mail or e-mail outreach created for their shows. They currently do not list such information in their advertisements, since it would require additional space.
3. They do NOT charge service fees for their outreach and special access programs; nor do they charge a fee for tickets at their smallest theatre. They also have a lower fee for the Off Broadway space than for their Broadway Theatre. Communicating the various fee rates in their advertising would be extremely expensive and confusing -- since fees vary depending on the theatre space.
4. In all cases, the service fees only apply when a patron purchases a ticket online or by phone. By purchasing a ticket in person, a patron can avoid paying these fees.

5. At online ticketing sites the service charges and fees are clearly marked when you go to your CART. At that point, the customer can choose to cancel the purchase.
6. Almost every company (those with in-house box offices as well as those without permanent theatres) employs an online ticketing firm such as Theatre Mania, Ticket Central or Brown Paper Tickets to manage their ticket sales. If the online ticketing firms make an error and do not advertise the fee, who is fined, the agency or the theatre company?

Fees exist because the credit card companies charge processing fees on every ticket purchased with a credit card. Theatres do this because they simply cannot afford to cover these costs on top of their other growing expenses.

- Theatre and office rents are soaring. Rents on 99-seat spaces can run up to \$10,000 a week!
- Before our members see one penny of ticket income, they have to pay the rent on the theater, cover the cost of rehearsal fees for artists; build the sets and costumes; rent the lighting equipment, print their post cards and hire a press agent.
- Ticket prices cover only a fraction of a production's cost. If they were to raise our prices to cover these costs, most New Yorkers would not be able to afford Off and Off Off Broadway theatre.
- A.R.T./New York administers a Bridge Loan Fund to help our members with these up-front costs. Last year we made 15 loans. In the first quarter of this year we have already made 13.

Our members are willing to add a line in their promotional materials that says, "Service fees may be applied" next to the ticket price.

I am happy to answer any questions or provide you with additional information to help you improve consumer's experiences when purchasing theatre tickets.

Thank you.



Hearing: Addressing Sexual Harassment in New York City Nightlife

November 13, 2018

Good afternoon and thank you for the opportunity to provide testimony on behalf of Hollaback!. My name is Tiffany Ketant, speaking on behalf of Emily May, the co-founder and executive director. Emily apologizes for being unable to attend, as she is moving today.

Our work on this issue:

Hollaback! is a global, people-powered movement to end harassment in all its forms. Since 2011, we have trained over 15,000 people on how to intervene when they see harassment happening in public spaces, including nightlife establishments. In 2014, our Hollaback! team in London launched the “Good Night Out campaign” to provide bystander intervention training in nightlife establishments -- and the training has scaled to over 20 cities around the world including Vancouver and Melbourne.

In May, we partnered with the NYC Human Rights Commission to integrate best practices from our bystander intervention training into their sexual harassment in the workplace training, which has been scaled citywide. As part of that training, the NYC Human Rights Commission recommends employers hire Hollaback! if they wish to train their teams further in the area of bystander intervention. We have trained government institutions like the NYPD and the NYC Department of Sanitation; civic organizations like the Brooklyn Public Library and New York Immigration Coalition; and corporations like Lyft and Vox.

Our recommendations:

As leaders in the field of bystander intervention, we endorse the bills proposed today¹ and are grateful to the leadership of the council for bringing them forward. According to our research with Cornell, the presence of an inactive bystander can lead to worsened trauma for the person being harassed.² In service industries such as nightlife, sexual harassment numbers are particularly high, so bystander trauma and bystander intervention is a critical intervention.³

¹ Int 1185: In relation to requiring nightlife establishments to post signage informing patrons about harassment and to train employees about harassment among patrons. Int 1186: In relation to requiring the Office of Nightlife to post information on its website for nightlife establishments, including resources and trainings about harassment among patrons. Res 580: Calling on the New York State Division of Criminal Justice Services, Office of Public Safety to update its mandatory security guard training curriculum to include sexual harassment prevention and bystander intervention training for all security guards who work in nightlife establishments.

² See The Experience of Being Targets at page 4, full citation at footnote 3 herein.

³ Restaurant Opportunities Centers United, Forward Together, et al. October 7th, 2014. The Glass Floor: Sexual Harassment in the Restaurant Industry. New York, NY: Restaurant Opportunities Centers United, available at <http://rocunited.org/publications/the-glass-floor-sexual-harassment-in-the-restaurant-industry/>, also referencing Hollaback!'s An Employer, Union, & Service Provider's Guide as a resource.



- **Train security guards on techniques for responding with sensitivity to shock and trauma.** Change “The responsibilities of an employee when a patron reports harassment, including the measures that an employee must take to address the report of harassment” to include “The responsibilities of an employee when a patron reports harassment, including how to respond with sensitivity to shock and trauma and the measures that an employee must take to address the report of harassment.”
- **The signage posted should note that the security guards have been trained to receive complaints and intervene in situations of harassment,** and use the language “You will be believed.”, which in London, England demonstrated a positive impact on reporting by overcoming this common reason that people do not report.
- **Training of 311/911 operators⁴ on how to effectively respond to harassment** and ensure this resource is posted on the public signage. Oftentimes when people experience sexual harassment, their first response is to flee the location. Training 311 and 911 operators to take their reports will help provide people who experience harassment with the support they need regardless of when they decide to report.
- **Funding for the Office of Nightlife to develop a high quality e-learning training with a qualified partner.** We recommend the Council allocate at least \$150,000 for this purpose in the FY19-20 budget. The current language of “online training” could be interpreted to mean a poorly done YouTube video if no budget is allocated, and bad trainings can do more harm than good for preventing harassment.

Thank you for your leadership on addressing harassment -- in all its forms, for all New Yorkers.

⁴ See *When Street Harassment Comes Indoors*; and *How to Lead a Community Safety Audit* available at <https://www.ihollaback.org/how-to-lead-a-community-safety-audit/>.

Good Afternoon Everyone,

I want to thank the New York City Council for giving us this opportunity to talk about this very important issue. My name is Eric McGriff and I am the Prevention Coordinator for the Crime Victims Treatment Center and the Director of Training Development for OutSmartNYC, and I have been involved in Domestic and Sexual Violence Prevention for over 10 years. For those of you who may not know, violence prevention is culture shift work that comes with principles and strategies we must use in order to be effective. It is about looking at our norms and our language, the media we consume, and understanding the ways how we are all complicit - as uncomfortable as that is. That is the lens through which I am giving this testimony. As a Prevention Specialist.

First, I want to first bring to the attention of the Council that sexual harassment and sexual assault both fall under the umbrella of sexual violence. We want to eradicate **sexual violence** in our spaces, and using the term sexual violence will allow us to be inclusive of all of the attitudes and behaviors we are looking to bring an end to. Second, it is important for us all to understand that alcohol and other drugs do not cause violence. If they did, then that means that everyone who consumes them has *no choice* but to act violently and we all know that isn't true. If we are all going to be truly invested in preventing sexual violence in nightlife community, then we have to acknowledge that very crucial point. It is important because that myth has been the source of tremendous shame toward the nightlife community, and shame does not inspire culture change. It more often causes us to *not* speak up, and to handle things internally, out of fear - thus maintaining the status quo. It causes individuals to adopt a "What happens in the home, stays in the home" mentality. Shame is a tool used to compel submission, especially when supported by such falsehoods. It is only a small percentage of individuals who act violently when drunk. It is the relative few who use alcohol as a weapon to commit sexual assault, and they do it over and over again. And limiting the options of the majority to stop the relative few from perpetrating is akin to the ineffective risk reduction tactics we often tell those who disproportionately experience sexual violence - such as women and femme individuals - to use ("Watching what you wear", "Don't flirt", "Don't drink"). Those messages allow us to avoid talking about the actual perpetrator. It also shows how we are complicit in perpetuating sexual violence, by keeping attention off of the perpetrator and by blaming the venue or the alcohol, when we may not do so in the case of a DUI or if someone has been robbed while wearing expensive clothing, for

example. Third, I want to acknowledge, that most sexual violence does not mostly happen in nightlife spaces. That is a statistical fact. Number one place for sexual harassment is in public spaces (which is partially nightlife, but not exclusively) and the number two is at work - which brings me to my fourth point, Why aren't we talking about sexual violence as experienced by staff? Some of the biggest barriers to intervention in nightlife is not knowing how to identify harm before it gets to the physical level, or how to intervene, not having the supports of staff, or knowing you may have to report to someone who doesn't see it as an issue, or doesn't know how to help. Preventing sexual violence becomes especially hard for if you are someone who experiences sexual violence from co-workers, or management and are not supported. If a venue is receiving comprehensive prevention and bystander intervention training from an employer who makes it a point to say that Sexual Violence is not tolerated, and is adamant about making resources available, then the staff will feel more empowered to intervene knowing they are supported. I also want to note that most sexual assaults do not happen in nightlife spaces, or at parties. An overwhelming majority of sexual assaults happen in or around the victims living quarters. The grooming is what often happens in nightlife spaces. Knowing this puts the need for **prevention** in nightlife spaces to the forefront of our efforts here today.

Lastly, I want to acknowledge that prevention has to be specific to the community. It is actually one of the principles of prevention. We call it sociocultural relevance. Doing so allows the communities we engage to personalize and take ownership of the work to prevent and end sexual violence. Having mandatory training is a great first step, but will not be as effective as a training specific to the industry. The industry needs to be held accountable in a way that offers tools, and give opportunities to show up and be collaborative in our interventions. We have these tools in New York City. Prevention is long-term. It is an ongoing relationship that starts with a conversation and has to be carried out in "multiple dosages", according to prevention strategies, and that is what OutSmartNYC is all about. Offering education from those who work with survivors, leveraging the expertise of industry members, and connecting them to the resources who will be there to help foster relationships and provide care for those impacted by harm. I am so glad that the City Council provided this opportunity for us to speak, and I look forward to the collaboration that will come from this.

Thank you.

My name is Amy Northup, long time nightlife professional and OutSmart Facilitator.

I'm so excited to be speaking on these topics today, and so grateful to Councilmembers Espinal, Brannan, Moya and Levine, for prioritizing sexual violence prevention in nightlife spaces. This is a topic that means a lot to me.

By trade, I'm an actress and a director, so.... I've been in hospitality for a long time ;). About 15 years, as a bartender mostly, but have worked as a waitress and manager as well. I love nightlife. I love New York City nightlife. I think, frankly, it gives NY it's lifeblood. But it's not without problems, and I agree that one of it's biggest problems is the prevalence of sexual violence.

My colleagues are going to [or have spoken to] speak a little today to some of the nuances in the language in the proposed legislation- to the definition of sexual violence vs sexual assault or sexual harassment. To what role alcohol plays in facilitating it- not causing it- (that's important). They'll speak more specifically to the normalization of sexual violence in nightlife and why nightlife staff may or may not intervene or want to intervene. (Spoiler Alert: we do. We want to be safe doing it and supported by our management and city in doing so.) And most importantly, they will speak to the crucial element of Intersectionality in these conversations. I beg you to listen to them. Closely. These are your experts.

I deeply believe- as does OutSmart- that nightlife professionals are uniquely poised to make huge- if not some of the biggest- impact in the culture shifts we are so desperately craving in these #metoo moments. We're on the ground. We are the places that the people meet. And drink. (And sometimes do drugs.) To go on dates. And laugh and play and talk and flirt. We are the places that people go to be people. And that is beautiful! And can be messy. And sometimes dangerous. It is not, by nature inherently violent- truly, y'all- these are awesome spaces, these spaces we build to be together. But we do have to be well trained to handle all this humanity. We have so much opportunity to intervene, to reduce harm, to make these spaces that we are all a part of safer.

Yes, all. I tell people all the time that everyone is in nightlife. Even if you've never worked in it, if you go to bars, if you go out to eat, if you walk by these places on your way home from a long day- you are part of the

nightlife community. And we as communities have to start taking better care of each other, and we have to start holding each other accountable, and we need better tools to do that. We have to start making each other's safety our business. We have to be trained in bystander intervention.

It's hard! Intervention sounds like a terrifying term- it sounds- at its least scary- like confrontation, which so many of us- understandably, are very adverse to. We love "I don't know man. Not my business". Yes. It is.

At OutSmart, we teach people that it doesn't always have to be dramatic or scary. That it's actually about **de-escalation**. That sometimes it's entirely non verbal, even. It can be as simple as checking in. As saying:

"how yall doing over here, everything ok?" (hint? We already do this.) As making eye contact, or pouring some water. (Yep, you guessed- we already do this.) This is about adding the lens of observation and an eye towards sexual violence prevention.

It's about checking in on someone when their date goes to the bathroom after overhearing something concerning or seeing some really uncomfortable body language. "How's it going?! I'm sorry if I'm being nosy here, but... you seem a little uncomfortable... am I misreading that? Are you ok?"

"Oh my god you saw that? (Again, we're so used to not naming it to each other that been seen is really powerful.) I'm so relieved. They're really aggressive, right?"

"Yeah, I saw that. Do you want me to help?"

Do - you - want - me - to - help.

Cause I might know how to help.

I think so often we don't intervene because we don't know how we would help if we were to.

This is what OutSmart does- we facilitate conversations with people who are already experts at what they do, ask them to add the lens of sexual violence prevention, and help them to also become experts at that – at maybe handling and maybe helping in these messy, gray area situations.

I have had some version of that conversation hundreds of times.

Sometimes they're weird. Sometimes they're easy. Sometimes they're super uncomfortable. And sometimes I'm wrong! But I'm 100 percent sure I have helped people feel empowered to get themselves out of scary situations. That I have helped mobilize someone's friends to help get them home safe. That I have kept someone who didn't mean to commit harm from doing so. And yes, that I have looked predators in the eye and without saying these exact words said "Not in my house. Not on my watch."

I am able to do this because I have the tools. Because I have made it a priority to make it my business, to create the culture I want to live in in my bars. I've learned from and been trained by professionals. I've mobilized *my* expertise, and built resilience for uncomfortable conversations. I've practiced! Because of OutSmart. Because of trainings like this.

This legislation is crucial. It is a really good start. It needs some shaping, some fine tuning. It can- I think it *must*- go deeper. It **MUST** center intersectionality. We must name and grapple with not only the existence of potential for violence between our patrons, but also between our patrons and ourselves - and we as an industry must have a reckoning with the prevalence of violence amongst ourselves. These things are not inextricable from each other. But we have to be including sexual violence prevention in our nightlife spaces, or we are deeply not doing our jobs; as legislators, as nightlife professionals, or as community members. We are the leaders in this work- bartenders, managers, bouncers. (yes! Bouncers!) Please help us give people the tools to do this work.

Hi, my name is Chauntel Gerdes. I am a clinician and community mobilization strategist with over nine years of experience serving survivors of sexual violence at Mount Sinai Beth Israel Victim Services. I am also the co-founder of OutSmartNYC- a growing partnership between the nightlife and hospitality industries and programs serving survivors of violence across New York City. We are invested in empowering the nightlife and hospitality industries in preventing sexual violence through education, training, community mobilization and supportive services.

We want to thank Councilmembers Espinal, Brannan, Moya and Levine, for their desire to make comprehensive sexual violence prevention and bystander intervention training more accessible to the nightlife and hospitality industries at large.

At OutSmartNYC we believe that nightlife personalities and professionals are uniquely positioned to be city leaders in violence prevention. As such, we are in support of legislation that acknowledges the crucial role that staff have in our safety, as they are indeed the curators of many of our memories and experiences. In the age of #metoo, it is all too easy to want to point the finger at an industry and call it the problem; to “other” as somebody else’s issue because it is much easier to throw away the symptomatic sites rather than address the systemic causes of violence. Sustainable culture change is possible when we build holistic and collaborative relationships between the industries and their surrounding communities to address issues of violence and harm together.

Mandating training for an industry that bears witness to some of our most intimate, most joyful and most liberating moments requires that we prioritize the nuanced needs of this industry and create flexible structures to address them. A club in meatpacking will require much different forms of intervention than say a DIY space in Ridgewood or a wine bar in Astoria. This means that in moving forward, the legislation proposed needs to center nightlife’s existing expertise of what works in their spaces and provides them with the support necessary to mitigate the multitude of barriers they face in intervening. Barriers such as job security, health insurance coverage, lost wages, prior victimization, lack of supportive management and much more. It means creating training and tools (such as signage and resources) that are intersectional and inclusive, recognizing how violence disproportionately impacts people of color, LGBTQI individuals, and undocumented folks. Sexual violence does not happen in a silo and it is important to recognize that both the identities of venues and the identities of staff and patrons, impacts how safe people feel to intervene and seek support.

In our work, we know that many operators and staff want tools but are denied access to effective, trauma informed resources. What many people don’t realize is that witnessing trauma without the capacity or tools to intervene, can be incredibly traumatic for staff. Many of the industry professionals we work with, have been deeply impacted by a sense of helplessness when witnessing situations they recognize as harmful. When we ignore this, we are silencing the very people who are most poised to cut off harm way before it escalates to violence.

We ask that in moving forward with any of this legislation, that the Council take into account the expertise of industry professionals, trauma treatment providers, and preventionists. We ask that you all consider how streamlining these trainings, rather than creating structures that allow for flexibility to the community being served, can minimize impact. We ask that even the very language of this legislation reflect a desire to create sustainable and safe structures for this industry to lead in very brave and radical culture change for our city. Thank you.

Empire State Restaurant & Tavern Association

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Hon. Rafael L. Espinal, Jr.
Chair
Committee on Consumer Affairs
New York City Council
250 Broadway
New York, New York 10007

November 13, 2018

Dear Chairman Espinal:

Thank you for the invitation to attend and testify at the Committee on Consumer Affairs' hearing today. Unfortunately, I will be unable to participate in person since I have a previous commitment upstate to conduct a training for on-premises alcohol beverage licensees and employees (see attached). While I cannot attend tomorrow's hearing in person, I did want to take the opportunity to offer some brief comments for your consideration on behalf of our members.

To begin with, I want to commend you and your fellow Councilmembers for raising the critical issue of harassment and proposing several public policy responses for discussion. Operators of hospitality establishments cannot be successful unless they're safe spaces and the public should expect no less. For this reason many operators have already stepped up and done the right thing – establishing harassment prevention policies, participating in sexual harassment prevention & intervention training, and establishing “no tolerance” policies – but more needs to be done.

The new sexual harassment prevention laws enacted in New York City and New York State are a good first step. They're bringing awareness of this issue to all employers and employees. While it's early in the implementation process, the requirements of these laws hold promise as a means to inform nightlife establishment operators of the seriousness of the issue and the importance of intervening to ensure all customers are free of harassment while in their establishments.

Drink Responsibly.
Drive **Responsibly.**

Our members are in the process of drafting or revising sexual harassment prevention policies to meet these new requirements. And they're searching for sexual harassment prevention training programs that will help their employees understand the problem and gain the tools to address harassment in their establishment. As a result, sexual harassment prevention will become the norm in the industry before very long.

It's against this backdrop that we review this hearing's agenda. We believe Resolution 580 is the right approach. It makes perfect sense to require security guards to be trained in harassment intervention techniques. Intervention is already expected of security guards in order to protect public safety, but under the new sexual harassment prevention laws they'll need to intervene to prevent sexual harassment.

And we think that it's helpful to publicly call on the state to update the Security Guard Training curriculum so the Division of Criminal Justice Services understands the importance of making this change. Given the large percentage of nightlife establishments utilizing security guards (whether in-house or contractors) adding this component to the security guard curriculum will provide a broad expansion of the protection from harassment with less burden and expense than some other possible approaches.

Thank you again for inviting us to participate in tomorrow's hearing. Please let me know if you have any questions or if we can be of any further assistance as you go forward.

Sincerely,

Scott Wexler
Executive Director

Testimony of Paul Seres
Vice President and Founding Trustee of the New York City Hospitality Alliance
Owner Operator

Int 1185: In relation to requiring nightlife establishments to post signage informing patrons about harassment and to train employees about harassment among patrons.

My name is Paul Seres and I'm the Vice President and Founding Trustee of the New York City Hospitality Alliance. My apologies for not being able to present this testimony in person, but I found out about the hearing on Wednesday, November 7th and had prior commitments that I could not change.

In 2007, I was the President of the New York Nightlife Association, the precursor to today's New York City Hospitality Alliance when Lisa Friel, the Chief of the Sex Crimes Unit at the Manhattan DA's office, contacted us to see how we could collectively get in front of the sexual assaults that occur when the victim and the assailant meet at a licensed establishment. After Lisa shared with me some very shocking data regarding Sexual Violence and how it relates to the nightlife industry (80% of all sexual assaults happen when the perpetrator meet or knows the victim at a venue, alcohol is the number one date rape drug, etc.), she asked what could we do as an industry. My response was immediate "We need training for our staff so we know what we are looking for and what to do if someone needs help."

I was then asked to join the Manhattan DA's Sex Crimes Task Force to truly understand what was going on and how we could come up with a training program for nightlife establishments and their employees where none existed before. We decided to do research to better understand what people thought sexual assault was. In order for us to get a fundamental understanding we also wanted to hear from patrons as well.

So we set up 6 focus groups encompassing three different type of venues; high-end lounge/nightclub, pub/tavern, and LGBTQ venues and set up 2 focus groups for each venue, one for the employees of those venues, and one for the patrons of those venues. What we learned was that most people in a nightlife environment don't really think of certain things as sexual assault. For example, one busboy interviewed said that if he saw two people in a dark corner physically involved with one another, and one of them gave them a \$20 to make sure they weren't disturbed, the thought of sexual assault never entered his mind and he would take the tip and look the other way, regardless of what was going on.

In a lot of New York City's on-premise establishments, sexuality is a big part of what is being offered. So there becomes a fine line between what is acceptable behavior and what is a prelude to sexual violence.

Once we collected the data, the Task Force enlisted myself, a victim's advocate and an ADA in the Sex Crimes Unit to come up with the curriculum that we could then go out and start training the employees of the New York City establishments. We wanted all three perspectives when dealing with the training, someone from venue operations, someone from the victim advocacy perspective, and someone from the legal end to insure if any criminality has occurred that it would be handled properly.

We also wanted to make sure that the training would speak to everyone including venue ownership, as well as every staff member and ultimately the patrons. In 2014, the New York City Alliance Against Sexual Assault applied for and received a grant from the New York State Department of Health to help fund further development of the curriculum and to help roll it out. The New York City Alliance Against Sexual Assault then partnered with OutSmart, a group of young advocates for victims of sexual violence where they took the training curriculum and evolved it into what it is today, a training that works on a peer to peer model.

When I found out about this proposed legislation, my first thought was finally, someone understands the importance of mandating this type of training for our staff members. However, when I found out the legislation was being introduced without consulting those who have been involved in this process I was a bit disappointed. Organizations like The Alliance Against Sexual Assault, OutSmart, and the Manhattan DA's Sex Crimes Task Force all could've offered their valuable input derived from their experiences and knowledge.

This is important legislation, especially since #MeToo movement has brought sexual assault and violence to the forefront of our culture, something victims have known all too long. Although the research we conducted is over a decade old, the training that came out of it is still relevant today.

New York City Hospitality industry is not just for the 8.6 million resident who call New York their home. It is also for the 58 million visitors that come to our city every year. Any acts of sexual violence would be a mark on the entire industry.

As an advocate for the industry, I have been saying that we need to have more training for our staff members. One only has to look at the antiquated requirements for our security guards by New York State Department of State. The same training and the same test our guards have to take are the same that a guard would take if they were getting a job at a department store or a construction site as a security guard. Because of alcohol and how alcohol affects people's judgment, the requirements by the state don't begin to address the issues our guards would face.

We have been advocating for better training for all of our employees, which is why I support the ideas behind these new proposed pieces of legislation. But to not include the men and women who have been working on this type of training and curriculum would be doing everyone a disservice.

As a venue operator I support the training. However, as currently drafted I would need to give two very similar trainings to workers every year and keep two sets of records, which is overly burdensome for our employees as well as for us. It doesn't make sense. I believe you should amend the newly passed anti-sexual harassment training to include patron focused information as well. Ideally, there should be a single training that encompasses all the information and meets all city and state requirements.

Paul Seres

paul@helioshospitality.com

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1185/1186 Res. No. _____

in favor in opposition

Date: 11-13-18

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Name: Josanny Alvarez

Address: 279 Enclave Blvd BK NY 11225

I represent: Black Women's Blueprint

Address: _____

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Name: Anel Palitz

Address: _____

I represent: Mayors office of Nightlife @ Media Ent

Address: 1699 Broadway

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Name: Eric McGriff

Address: 40 Exchange Pl, Suite 510, NYC, 10005

I represent: OutSmartNYC

Address: 40 Exchange Pl, Suite 510, NYC, 10005

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Name: Amy Northup

Address: 23-35 31st Drive Apt 1F

I represent: OutSmartNYC

Address: 40 Evahana Place

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Name: Ginny Loulaudes

Address: _____

I represent: Alliance of Resident Theatres NY

Address: (ART/NY)

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Name: Chaunte / Gerdes

Address: 37 E 17th St NY 10003

I represent: OUTSMARTNYC #MSBT

Address: 776 Crown St Apt A17 Bk 11217

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Date: 11/13/17

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Name: Emily May
Address: 30 3rd Ave, Brooklyn, NY 11217
I represent: Hollaback!
Address: 30 3rd Ave Brooklyn, NY 11217

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 in favor in opposition

Date: 11/13/18

(PLEASE PRINT)

Name: Christina Ortiz
Address: 32 Broadway Suite 1101
I represent: NYC Alliance Against Sexual Assault
Address: _____

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 in favor in opposition

Date: 11/13/18

(PLEASE PRINT)

Name: Casey Adams, Director of City Legislative Affairs
Address: _____
I represent: NYC Department of Consumer Affairs
Address: 42 Broadway, New York

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Name: Dana Sussman, Deputy Commissioner

Address: Commission on Human Rights

I represent: _____

Address: 22 Reade St, NY NY 10027

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Appearance Card

I intend to appear and speak on Int. No. 1185 Res. No. 580
 in favor in opposition

Date: 11/13/18

(PLEASE PRINT)

Name: ANDREW KIGIF

Address: _____

I represent: NYC HOSPITALITY ALLIANCE

Address: 65 W 55 ST, #203A NY, NY 10019

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Appearance Card

I intend to appear and speak on Int. No. 930 Res. No. _____
 in favor in opposition

Date: 11/13

(PLEASE PRINT)

Name: Gilbert Hoover

Address: 234 West 44th Street

I represent: Broadway League / Shubert

Address: as above

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