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Gale A. Brewer, Borough President

**Testimony before the New York City Council
Committee on Consumer Affairs
November 19, 2014**

Good morning Chair Espinal and members of the Consumer Affairs Committee. My name is Jim Caras and I am General Counsel and Land Use Director for Manhattan Borough President Gale A. Brewer. Thank you for the opportunity to testify today on Int. No. 467 and the subject of the licensing of solicitation by costumed individuals.

The Borough President believes that the proliferation in Manhattan, and especially in the Times Square area, of unregulated costumed individuals soliciting money in return for photographs is a continuing problem that needs to be addressed. Legislation licensing or registering these costumed characters should be a tool in addressing this phenomenon so that good actors can operate in a better environment, and bad actors can be identified and the public can be protected from them.

By now we have all become familiar with the stories of harassment of, and aggressive and inappropriate behavior toward, pedestrians, shoppers and visitors to the Times Square area by costumed characters attempting to solicit money in return for posing for a photograph. Two key factors make this phenomenon more worthy of attention: First, the behavior is targeted toward children; and second, the characters' faces are obscured by masks making identification difficult if not impossible.

That is why the Borough President applauds the efforts of Council Member King and this Committee for furthering this important discussion. We think legislation requiring registration or licensing should adhere to the following guidelines:

1. Provide that costumed characters display a license or registration with identifying information at all times while working;

2. Provide for a criminal background check to prevent predators or those with a history of violence from engaging in this type of costumed solicitation;
3. Contain restrictions on aggressive behavior – similar to those found in the aggressive panhandler laws -- as a condition of, and as violations for, any license or registration;
4. Have a minimal or nominal cost for the license or registration and a quick turnaround time so as not to unduly burden those who engage in this activity and a provision, such as that contained in Int. No. 467, for waiving the fee in cases of hardship;
5. Contain only minimal and necessary locational restrictions in order to ensure easier and more uniform enforcement and to avoid onerous regulation that may be difficult for the persons engaged in this activity to understand and follow.

Recognizing that many of the costumed characters may be immigrants, the Borough President also applauds the provision contained in Council Member King's legislation which would preclude inquiry into an individual's citizenship or immigration status.

Finally, the Borough President does not believe that any legislation can be a magic bullet to complex sidewalk activity and quality of life issues such as this. Education of both the public and the individuals engaged in this activity and enforcement of laws are critical to addressing these types of issues. The Borough President again thanks Council Member King and this Committee for their efforts and stands ready to work with the local Council Members and this Committee to address this issue.

I will be happy to answer any questions.



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FOR THE RECORD

NYC COUNCIL

COMMITTEE ON CONSUMER AFFAIRS

Int. 467: In relation to licensing of solicitation by costumed individuals

November 19, 2014

On behalf of the Hotel Association of New York City ("HANYC") thank you Chair Espinal and the Members of the Committee for the opportunity to submit comments in support of Int. 467 that will amend the Administrative Code in relation to the licensing of costumed characters. The Hotel Association represents 275 of our City's finest hotels which account for over 76,500 rooms, employing over 50,000 workers.

New York City will see a record of over 55 million visitors to our city in 2014. The higher number of visits correlates to increased hotel stays which support good middle class jobs and increased tax revenue for the city. Times Square is unique to the visitor experience and supports 10% of New York City's tourism economy. Many of our guests and their families stay in the vicinity of Times Square or will visit the area to see a show, shop, or to just take in the unique experience of the "Crossroads of the World."

Times Square has been fully revitalized over the years and now supports a growing hospitality industry along with dining, shopping, office workers and the Broadway theater. The hotel industry appreciates the unique nature of Times Square, but is concerned about the negative publicity and incidents of violent, aggressive and predatory behavior by costume characters that engage visitors. Throughout the years Times Square has been home to many unique and colorful individuals that enhance the visitor experience, but when negative incidents repeatedly take place, the attractiveness of the Times Square visitor's experience will slowly erode.

Int. 467 is a proposal that begins to address the issue of costume characters and develop an environment that is enjoyable to visitors and fair to those who perform and or work in Times Square. The Hotel Association supports the efforts of the Council, other elected officials, various city agencies, and our colleagues in Times Square to ensure that tourists, employees and others have a safe and enjoyable experience. Times Square is the center of the world and must remain a safe and popular destination for all visitors.

Thank you for your attention to this matter. HANYC looks forward to working with the Council and other interested parties on this and other matters regarding Times Square.



MARRIOTT MARQUIS
NEW YORK

TOP THE RECORD

City Council Hearing-Costume Character Legislation

Date: November 19, 2014

Presenter: George Ntim

Title: Director of Diplomatic and Community Relations

- The New York Marriott Marquis was a pioneer in Times Square when the hotel opened in 1985 and it will celebrate its 30th anniversary in 2015. The 1,957-room hotel was the first major branded hotel in the neighborhood, and its opening was considered a high business risk, in this then-challenged neighborhood. It sits on Broadway between West 45th and West 46th Streets.
- The hotel runs at approximately 90 per cent occupancy and above, year round. We welcome thousands of visitors each week, as a major tourist and business destination – and we are a flagship property for Marriott International.
- When the pedestrian walkways and new Duffy Square plaza were completed, we heard many times that these should be areas to be enjoyed by tourists and workers in Times Square, and that it was the neighborhood's responsibility to activate the areas in a good way, so that random individuals did not begin to activate the areas themselves. This is exactly what has happened with the costumed characters.

City Council Hearing-Costume Character Legislation

Page Two

- Prior to our own renovation on the Broadway side of the building, we have eyewitnesses who would see the characters “getting dressed” in our breezeway areas, on hotel property, even more than one at a time.
- Many tourists visiting our hotel feel they are in a “protected environment”, given Marriott’s reputation for high levels of service and attention. It is our impression that they continue to have that positive feel-good attitude when they step outside into Times Square, and it appears as if taking photos with the costumed characters continues the experience that the “neighborhood” has created, which is misleading.
- Aggressive solicitation by the costumed characters creates a negative impression of our neighborhood and of New York City. In addition, the negative press surrounding incidents that have occurred exacerbates the perception.
- Tourism is a great revenue generator for our city and hotels provide employment for thousands of workers. We want our guests to have a positive experience at the New York Marriott Marquis and a positive experience once they step outdoors. While we support each individual’s freedom of expression and right to make a living, we feel strongly that the current activity of the costumed characters in Times Square needs to be regulated in some way. The safety and security of our guests and associates is one of our highest priorities.

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FOR THE RECORD



Victoria Bailey
Executive Director

November 19, 2014

Good Morning. Thank you for your consideration of this important issue. My name is Victoria Bailey. I am the Executive Director of Theatre Development Fund, the not for profit performing arts service organization that builds and sustains audiences for NYC theatre and dance. Among our many activities, we run the TKTS booth in Times Square. I have many concerns about the negative impact of the Costume Character issue on business at TKTS and Broadway. But I am here today to speak to you as a parent and as a New Yorker showing out of town relatives the city.

My brother-in-law ran this year's marathon and he and his family, from Indianapolis, were here for three days. On Saturday, we took the family, including my 8 and 13 year old nieces to the theatre. Upon leaving the matinee, we walked through Times Square. I had not thought to warn them not to talk to any costumed characters. Within minutes, my brother-in-law had struck up a conversation with a Statue of Liberty character who moved from being cheerful to looming over him and starting his pitch. As I firmly said "Let's not talk to him" and attempted to move us away, I saw my eight year old darting towards Elmo who was moving towards her. Moving quickly, I interceded and moved us all to the subway.

The parents were shaken and shocked to discover that there was no way to identify the people in the masks. "Creepy" was the word used over and over. Parents have a very negative reaction to the idea of a masked, unidentifiable character being able to touch their children.

I know that there are issues with regard to individual legislative approaches and I am sure that all of us in the Times Square community understand that and know that the final legislative action will have to reflect the various concerns. It is a lack of any legislative action that concerns me – as a business, a parent and a New Yorker.

Robert Williams November 19, 2014

New York City Council

I find it incredibly disheartening that the city council of the greatest city in the world, in the greatest nation in the world would seek to violate the most basic of rights afforded to its citizens and those who wish to one day become citizens.

How dare you attempt to govern the very breath we breathe as well as the words that leave our mouths. This bill is a direct assault against our first amendment rights (freedom of speech) and our fourth amendment rights (right to privacy).

Not only does this bill smack of classism, but the power granted to police in regards to costumed individuals is redundant. If a still picture performer is found to be in violation of any kind of city code a police officer can request to see his identification and effect an arrest if need be. Aggressive solicitation is already a crime and if someone has a problem with a still picture performer they can very simply go and find a police officer to help them.

What isn't being considered are the problems that already exist within the NYPD. This police force is the worst behaved and most unprofessional bunch of incompetent people that I've ever seen in my life. They typically overstep their boundaries and misconduct themselves under the color of law. This bill gives them unlimited powers over still picture performers which will most certainly result in more misconduct and frivolous arrests, costing taxpayers more money in lawsuits. Just because we're dressed differently than everyone else doesn't mean we're no longer Americans.

To suggest that one needs to submit his or her fingerprints and submit to a background check in order to stand outside in a costume is laughable at best. If you're suggesting we be screened to the same degree as federal employees maybe the city should pay us for our services as well.

Panhandling is legal this precedent has been set. Street performing is legal this precedent has also been set. Whether you like costumed individuals or not really doesn't matter. You can't get around our nation's constitution and for you to make an attempt to do so is despicable and un-American.

If safety is an issue then maybe you should require any Muslim woman that wears a veil over her face to wear an identification tag conspicuously on her person. The last time I checked there were no costumed characters on the flights that brought down the twin towers and killed all those people. It was the Muslims.

There are nearly half a million pictures taken every month with still picture performers in and around Times Square. When you compare this number with the number of arrests that have been made as a result of misconduct of still picture performers it truly is miniscule. There are certainly more problems

in Bronx, Brooklyn, Queens. In fact I would suggest that Mr. King apply himself to correcting the problems in the crime ridden Bronx that is after he pays his fines for his unethical campaign practices.

We as still picture performers are artists. We bring your favorite characters to life and leave you with awesome memories. Most of the characters that perform in Times Square come from countries where they don't have the same liberties as we do in the United States, they have come here in search of a better life. These people are systemically discriminated against, threatened and intimidated by our police force.

Irrespective of your personal feelings regarding still picture performers the rights granted to us by our nation's constitution cannot be altered and they apply all who stand on this nation's land. Whether I made my costume or bought my costume, it's mine. I own it and don't need a license to wear it.

MEMORANDUM

TO: HON. RAFAEL ESPINAL, CHAIR, COMMITTEE ON CONSUMER AFFAIRS
FROM: DAVID W ROBINSON (TIMES SQ BUSINESS RESIDENT / LIVING IN BROOKLYN)
SUBJECT: **COSTUMED CHARACTERS ARE A NUISSANCE IN TIMES SQUARE AND SHOULD BE REGULATED LIKE ANY BUSKER OR STREET PERFORMER**
DATE: NOVEMBER 19, 2014

I love NYC and have lived here for more than 20 years. I have worked at an office building in Times Square for the last four years.

Can you sympathize with an individual New Yorker, me, who just trying to get from the subway to his office?

My 1 ½ block walk from the 7 train exit to my office building at 3 Times Square has always been an obstacle course; dodging multiple tour buses loading and unloading, a variety of hawkers, men trying to hand me flyers for “gentlemen’s clubs,” and always at least two guys asking me if I “like comedy.”

With the additional of unregulated costumed characters it’s become terrible and one of the worst moments of my day. On morning recently a bad Captain America costume leapt out in front a family on the sidewalk on 7th Avenue between 42nd and 43rd street and called out, “Photo? Photo? \$5.” Everyone behind them stopped up short and then scrambled to get around them.

On the way out that night I maneuvered around Captain America, Batman, Catwoman, and 3-4 Elmos. I was just trying to get out of work and go home. This is typical and ever more frustrating experience as these characters are ever multiplying and jamming up the streets and pedestrian malls of Times Square

Times Square is already one of the most congested areas in a city. It is always bursting at its seams. Please regulate these performers who are working for “tips.” Please rein it in so that those of us who work in Times Square can move through it and around it a little easier.

Because it’s bad now with these “characters” and it just keeps getting worse.

These unregulated and multiplying, unregulated costumed characters are obstacles to moving through and around Times Square. This is making working there difficult and awful.

**STATEMENT OF THE BROADWAY LEAGUE
IN SUPPORT OF INTRODUCTORY BILL 467**

November 19, 2014

Good morning. I am Thomas Ferrugia, the Director of Government Relations for The Broadway League. The League has been the principal trade association for the commercial Broadway theatre industry in New York State and across North America for over 80 years. We represent more than 750 theatre owners, producers and road presenters nationwide – with over 400 maintaining offices in New York City. I want to thank Chair Espinal and the other distinguished members of the Consumer Affairs Committee for this opportunity to comment on the proposal under consideration today. We also want to express our gratitude to Council Member King for his leadership in addressing this escalating problem.

The League has always encouraged adoption of legislation aimed at enhancing the flow of pedestrian traffic, encouraging visitor and resident access, and improving the overall quality of life in the Times Square area. In the past, we have appeared before this committee in support of sensible restrictions that support economic activity on the streets of the Theatre District, including licensing pedicabs and improving oversight of street vendors.

With respect to Int. 467; we feel it is imperative that the Council act to regulate what has quickly become a leading contributor to an unsafe, chaotic and disorganized atmosphere in one of the premiere tourist destinations in the world. 12.2 million Broadway theatre tickets were purchased in the 12-

month theatre season ending in May 2014 and over 80% of those tickets were purchased by patrons residing outside New York City. The majority of these buyers cite attending a Broadway show as a principal reason for visiting New York City. Therefore, it is imperative that their entire experience - from the moment visitors arrive in the area to the moment they depart - is overwhelmingly positive and lives up to what they envisioned it would be. However, we have seen a recent proliferation of anonymous vendors who aggressively solicit trusting families, take unfair advantage of their children's familiarity with the characters the solicitors portray and often attempt to embarrass or harass our guests into paying for photographs. Not only is much of this behavior arguably illegal for many reasons, but these actions damage the perception of New York City and discourage tourism. In addition, the publicity generated by their frequent acts of bad behavior, while often presented in a humorous and entertaining light by local media, ultimately deters residents from visiting Times Square and, with it, all of the businesses in the area.

We are all familiar with the ongoing plan to convert Times Square into a full-on outdoor mall. With that transformation comes the City's responsibility to manage all activity - cars, street vendors, theatre-goers, shoppers, restaurant patrons and, of course, tourism - in this new environment. All of the careful planning and hard work that has gone into this ambitious plan will have been futile if we do not take positive measures to prevent the area from deteriorating into chaos.

This bill will enhance existing laws designed to thwart aggressive panhandling, disorderly conduct, disturbing the peace and larceny. This legislation provides the public, Department of Consumer Affairs and the New York Police Department with a pro-active measure to, at a minimum,

identify whoever is wearing the costume and conducting business transactions on the streets of New York. The legislation will help remove the anonymity that supports belligerent behavior merely by granting dissatisfied consumers a way to identify the individuals wearing the costumes. It also allows for the fine and removal, permanently for the worst repeat offenders, of solicitors who engage in very carefully proscribed activities.

We would further encourage the Council to ensure that the legislation includes language delineating penalties for forging, altering, lending out or borrowing a license where the intention is to deceive the public or evade law enforcement.

The Broadway League feels this proposal is the first step in addressing several challenging issues that face Times Square. We look forward to working with this Committee, our local members, Council Members Garodnick and Johnson, various City agencies and our partners in the midtown community to continue providing a unique and safe experience to our Times Square visitors. This also includes addressing the proliferation of hustlers, hawkers and individuals who assertively solicit various services and products; people who, in some circumstances, contribute to impassible roads and sidewalks, as well as the increasing amount of buses obstructing streets and various drop-off areas.

On behalf of the Broadway theatre community, the League applauds the Council's ongoing and sincere dedication to addressing this problem in a fair and balanced manner. Again, we thank the Committee for this opportunity to testify and I would be happy to answer any questions you may have.

Mi nombre es Jorge Luis, yo soy una persona que siempre estoy en busca de superación y voy a Times Square a que la gente conozca de mi sobre, mi arte y que soy quién fabrica sus propios trajes.

Me promociono en eventos sociales, también soy cocinero de comida Mexican, Portuguese y un poco Ecuatoriana. Me gusta promocionarme en Times Square porque Estoy en busca de una mejor oportunidad.

No Estoy de acuerdo con las injusticias de la gente a los muñecos se toman muchas fotos y después se van sin decir ni gracias y que también piensen que Times Square nos paga. Cuando los jóvenes golpean a los muñecos y la policía los ve y no dice nada. Apoyo la auto regulación en la que ya estamos trabajando. El trato al turista y mejorando la calidad de vida. No Estoy de acuerdo con las licencias no le va a dar la educación a un delincuente.

Y el auto regularización aparte de saber con quién estamos conviviendo día a día.

Las licencias se les va asignar sin cualquier persona.

Por mi parte Estoy dispuesto a ir mejorando día a día como personaje y que toda la gente se siente satisfecha.

Good morning my name is Steve Mercier and I'm a member of New York City Artist United for a Smile.

Over 12 years ago, I came to Times Square from Saratoga Springs, New York as a means to follow my dreams of being performer.

Let me be outright and say that I don't understand with so many laws on the books that caught all of the "bad apples", which is why we don't need new ones that will criminalize the good bunch.

A few years ago, it was reported in several outlets that then Mayor Michael Bloomberg and the City Council were looking to impose a series of sidewalk regulations that included ticketing people for walking too slow, or walking within a massive group. Thankfully, common sense prevailed and the city realized that there are already laws on the books to deal with issues of pedestrian traffic. Hopefully after today's hearing, your body will agree that this proposed legislation is an unnecessary licensing scheme and just another classic case of over-regulation.

If we went by the logic that our city needs new regulation every time something "bad" occurs, then we need dozens of regulations pertaining to just our elected officials. How many cases of bribery, lewd behavior with young interns, or even obstruction of justice have there been within the last five years. Just as there are laws on the books to handle their inappropriate behavior, there are laws that already deal with performers who make poor choices.

If the current regulation works, then why now are we in need of new regulation? Given the fact that in the news recently there has been much regarding how the NYPD comports itself, why is the council not actively seeking means to implement body cameras. We are not as blind to realize that this regulation is being pushed by the Times Square Alliance an organization that feels as if we are threat to their associates.

This has led to the current legislation, which was created with the consultation of the NYPD, Mayor's Office, and Times Square Alliance. The only people who were left out were the performers, who could have easily told you what a day in the life of a performer is like and how we interact in our space.

According to Councilman King, the bill is meant to be a means to ensure everyone plays by a set of rules that only he knows. The truth is if what you are looking for is a person to act in a manner where they have morals and dignity then there is no fee that can afford anyone that. That must come from the individuals themselves. All this proposed measure does, it bring the city \$175 per performer in revenue and guess what the bad apples will still be rotten. The only difference is they will now have a city issued license to continue their behavior with.

Please consider this before deciding if you're going to move this bill out of committee. Thank you.

Mi nombre es Yamil Morales y vivo en Corona, Queens. Soy un artista en Times Square.

- Hace mas de tres meses, me vi en la necesidad de buscar ayuda en como navegar la polemica que se estaba viendo a diario en Times Square. La policia y los guardias de Times Square no sabian que mas inventar para intimidarnos.
- En menos de una semana, se formo los Artistas Neuyorquinos Unidos Por Una Sonrisa. Empezamos a participar 40, despues 100, luego a llegar a registrarnos mas de 200 artistas que en algun momento o otro teniamos como actividad disfrasarnos y etretener en Times Square.
- Empezaron a ver rumores de una legislacion, y imediatamente, la polica de Nueva York y la Alianza de Times Square se unieron a pasar volantes que especificamente nos senalaban a los munecos disfrazados como criminales y estafadores.
- Nos reunimos con el Concejal Andy King, que nos dijo en el momento que el proposito de la legislacion era para proteger la inocencia de los ninos que visitan a Times Square.
- En ese momento, solo dias antes de el tener su conferencia de prensa, nos dice que no tiene la legislacion lista para enseñarnos por que la Alcaldia la estaba modificando.
- Bueno, ya que hemos podido tener dos meses para analizar la legislacion, entiendo muy bien lo que tienen pretendido y lo que dice la legislacion.
- Como ustedes, el Alcalde y todo su multitud de personal, han tenido tiempo suficiente para analizar esta propuesta – y todavia yo me pregunto por que? Por que siguen pensando que esta ley no violaria nuestra constitucion, no violaria la esencia de estar en el Centro del Universo – Nueva York.

Mi nombre es William rojas, soy miembro de NYCAUS. Siento que expresar mi arte de esta manera es un derecho de nosotros. No me es necesario más regulaciones, ni licencias. Ya sufrimos tantas consecuencias hasta ahora. Cada día sufrimos acoso, abuso, discriminación y hasta racismo por las autoridades. Nosotros proponemos que la solución es una autorregulación porque nadie mejor que nosotros conoce la actividad. Que realizamos. Una licencia no compra profesionalismo. Cambiará nuestra conducta no es justo que la comunidad de performance en tiene square. Se vea afectada por una ley oportunista y discriminatoria tomada por políticos para sus propios beneficios e Interese personales.



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November 19, 2014

FOR THE RECORD

Intro 467: Licensing Costumed Characters

Testimony submitted by Nancy Ploeger, President MCC

Thank you for this opportunity to testify about the costumed characters predominantly in Times Square.

We are very concerned with the deteriorating quality of life in Times Square caused by scores of aggressive panhandlers dressed as Spider Man, Elmo, Mickey Mouse, and other familiar costume characters.

While we are generally pleased with the pedestrian plazas the City created in Times Square over the past five years, the influx of aggressive and sometimes threatening individuals harassing New Yorkers and visitors at any one time is reaching alarming levels. While some of these pan-handlers engage in subtle harassment, others use full-on intimidation tactics to try to pry money from unsuspecting families. Some have even gone so far that they have been arrested for shoving or groping children and in having altercations with other characters, members of the public and the NYPD.

I have personal experience with this as my 9-year-old great niece from Boston visited me in the early fall and while walking through Times Square, we were aggressively solicited several times by any number of characters and she became frightened so much so that we just took off out of the square and onto a side street to avoid the characters and she missed the full wonder and delight of the Square. (Which by the way, has become less appealing due to the presence of these characters)

Our city has come a long way in terms of handling panhandlers on the sidewalks and subways to create a more livable city. Licensing these characters will also address the same quality of life issues and make Times Square more appealing for the 50+mill tourists who bring jobs and income to our city's residents. We cannot afford to alienate residents, employees and visitors and have them recoil from Times Square and other parts of the city due to unwelcome advances by these bad actors.

We applaud the Council for addressing this issue and proposing legislation to license these characters. We believe that this will ensure a safer and more appealing environment for our city's residents, workers and visitors alike who pass through the Square. And it will also ensure that if other destinations in the city begin to experience the overabundance of these characters, they will all be "good actors."

We are confident that working together the council and administration can craft fair licensing legislation to protect both the characters/actors and the general public.

Thank you again for this opportunity to comment.

Sincerely,

Nancy Ploeger
President

Mi Nombre es Teresa Gomez y soy miembro de artista unidos por una sonrisa y me gusta estar en square porque no tengo trabajo por eso me disfrazo con la esperanza de algunas turista me regalan unas propina para sobrevivir mientras yo consigo un trabajo. Realizo esta actividad con mucho respeto hacia los turistas y locales también espero respeto por parte de las autoridades apoyo la autorregulación. Porque yo soy una persona honesta y no quiero ser criminalizada ante de la ley.

Mi nombre es Jorge Luis, yo soy una persona que siempre estoy en busca de superación y voy a Times Square a que la gente conozca de mi sobre, mi arte y que soy quién fabrica sus propios trajes.

Me promociono en eventos sociales, también soy cocinero de comida Mexican, Portuguese y un poco Ecuatoriana. Me gusta promocionarme en Times Square porque Estoy en busca de una mejor oportunidad.

No Estoy de acuerdo con las injusticias de la gente a los muñecos se toman muchas fotos y después se van sin decir ni gracias y que también piensen que Times Square nos paga. Cuando los jóvenes golpean a los muñecos y la policía los ve y no dice nada. Apoyo la auto regulación en la que ya estamos trabajando. El trato al turista y mejorando la calidad de vida. No Estoy de acuerdo con las licencias no le va a dar la educación a un delincuente.

Y el auto regularización aparte de saber con quién estamos conviviendo día a día.

Las licencias se les va asignar sin cualquier persona.

Por mi parte Estoy dispuesto a ir mejorando día a día como personaje y que toda la gente se sienta satisfecha.

Mi nombre es Alberta Coguerra , soy miembro de Artistas unidas por una sonrisa. Soy un personaje que divierte los niños y turista, porque lo hago, porque me siento un muñeco de verdad. Tratando con la gente de diferentes países tomándose la foto conmigo dejándome un propina al gusto de el. Me gusta que la gente se fije en mi ver las niños tan tiernos y sonrientes conmigo. Yo confecciono mis propios trajes yo soy sastre. Ser artistas del times square no es pura felicidad uno como muñeco sufre, golpes de la gente mala, calor frio, hambre y sed. La licencia no va a educar la persona disfrazada porque yo tengo muchos años aquí y no he tenido ningún problema. Si se trabaja con educación no es necesaria la licencia.

Mi nombre es Diana Niampira soy Administradora de Empresas especialista en ambiente y desarrollo local. Desde que llegue me he dedicado a estudiar Ingles. En la actualidad tomo clases de diseno urbano para continuar con mi crecimiento profesional. Llegue aqui con el deseo de hacer una Maestria en Planeacion Urbana. Gracias a la actividad como performer en Time Square he podido soportar mis suenos de seguir creciendo como profesional. Gracias al apoyo y comprension de los turistas que aunque hostiles algunas veces tambien se han mostrado comprensivos y resptuosos ante nuestra profesion.

Estar en Time Square tambien me ha dado la oportunidad de aprender acerca de la ciudad y su desarrollo social. Yo puedo decir que conozco la calle y sus movimientos por que la he sentido como performer, como turista y como una local.

Por tal motivo apoyo la autorregulacion por que somos muchs personas honestas, educadas y capaces de mostrarle al mundo que a travez de nuestra voluntad podemos dar cumplimiento a las normas y mejorar la imagine de Time Square. Por que tenemos un plan para mejorar nuestro comportamiento, nuestro nivel academico, y la imagen de time square. Sabemos las inconformidades de los Newyorkinos y los negocios, y estamos abiertos a crear soluciones de la mano con la policia y los negocios de la zona.

Mi nombre es Carlos Rojas, miembro de NYCAUS. La actividad que realizo es un art, libre y disfrazarme. Lleva a desarrollar y expresarme como ser humano. La legislación no nos beneficia y pienso que la autorregulación la estamos realizando nosotros cada uno y dentro de nuestra organización. Estamos trabajando en como buenos. Personajes y ciudadanos y llevarnos en armonía con la sociedad la verdad. Respeto educación seguridad. la auto relación es fiable. Porque somos humanos, pensantes y con respeto a la comunidad.

Mi nombre es joana toro soy miembro de New york city artist united for a smile vivo en Manhattan, soy estudiante internacional de arte en hace 3 anos, y fotoperiodista profesional, performo en times square en mi tiempo libre.

como fotógrafa he tenido la oportunidad de hacer un reporte fotográfico acerca de mi experiencia como hello kitty en times square, capturo con mi cámara aspectos íntimos de nuestra actividad artística con respeto y admiración a las personas detrás de la mascara, este trabajo fotográfico fue publicado por el new york times y otros medios internacionales este ano.

estar como performances en las calles no es fácil, tenemos que lidiar con el clima el acoso policial, y con el irrespeto físico y psicológico de hostiles visitantes.

reciente hemos visto que algunos medios de comunicación tristemente nos han estigmatizado, nos hacen ver como ignorantes, enfermos mentales y criminales.

Como ejemplo quiero mencionar un sketches del show Conan O' Brien's tramp y su comic dog, donde muestra a los performance de time square como parias de la sociedad, solo por el hecho de ser inmigrantes latinos de origen humilde.

en saturday night live nuestra comunidad de performances fue comparada con enfermos de ebola. Esto es criminalizacion.

esta propuesta de ley enfatiza la estigmatizacion contra nuestra comunidad de de origen hispano, esta propuesta de ley solo refuerza los dañinos estereotipos que solo llevan al peligroso camino del racismo.

toda esta estigmatizacion nos hace ver como menos que seres humanos y nosotros somos valiosos seres humanos como pueden ver ahora.

STATEMENT OF
INSPECTOR EDWARD WINSKI
COMMANDING OFFICER, MIDTOWN SOUTH PRECINCT
NEW YORK CITY POLICE DEPARTMENT

BEFORE THE NEW YORK CITY COUNCIL
CONSUMER AFFAIRS COMMITTEE
NOVEMBER 19, 2014

Good morning, Chair Espinal and members of the Council. I am Inspector Edward Winski, and I am the Commanding Officer of the Midtown South Precinct. On behalf of Police Commissioner William J. Bratton, I am pleased to be here today to discuss Intro. 467, which would amend the Administrative Code to create a licensing framework for costumed individuals who solicit in public spaces in our City. Joining me from the Department of Consumer Affairs are Deputy Commissioners Alba Pico and Marla Tepper who can help answer questions that you may have.

Intro. 467 would enact new Administrative Code provisions that apply to any person wearing a costume who accepts or requests “by spoken word, signs, gestures or any other means, a fee, donation, tip, payment or any other form of compensation.” The bill would create a license to be issued by the Department of Consumer Affairs, and it would be unlawful for any costumed individual to accept or solicit compensation in return for posing for photos or otherwise interacting with the public without having first obtained a license. The bill also sets forth regulations regarding the behavior of these individuals, including prohibiting aggressive solicitation, limiting the locations where the individuals may solicit, and prohibiting the use of equipment, stands, vehicles, racks or displays.

Over the past few years in New York City, there has been a tremendous influx of costumed characters soliciting tips in exchange for posing for photographs, especially in Times Square. As we all know, Times Square is known as “the Crossroads of the World” and it is one of our most popular tourist destinations. Naturally, the high volume of visitors, estimated at nearly 500,000 pedestrians a day, means a large number of potential customers for costumed individuals. A problematic aspect of the business, however, is that competition for tips and donations in Times Square has become very intense, causing friction between the costumed workers themselves, which in turn, leads to aggressive solicitation of the public.

Since 2009, there have been 38 arrests of costumed individuals in Times Square, by and large for aggressive solicitation. Alarming, however, 18 of those arrests, or almost 50%, occurred this year. Most were for aggressive solicitation but some were for assaults and one was even for a sexual assault. Complaints by the public of criminal incidents involving costumed characters have been well documented in the media. Notably, on July 26th of this year, an individual dressed as Spiderman posed for a photograph with a child in Times Square. The child’s mother attempted to hand the costumed man \$1 in

exchange for the pose. When the man explained that he only took \$5, \$10, or \$20 bills, a police officer intervened and told the woman that tipping was optional. The costumed man began yelling profanities at the officer and then punched the officer in the head. The man was apprehended a short while later by other nearby officers.

In response to the public outcry about some of the more aggressive behavior of costumed individuals, together with our Deputy Commissioner of Collaborative Policing, Susan Herman, I have conducted outreach with the Times Square Alliance, as well as held meetings with groups that have been organized to represent the costumed individuals. At the meetings we explained what behavior the costumed individuals may engage in and what is prohibited. These meetings also resulted in the Times Square Alliance enacting a campaign of sign-posting in the area of Times Square alerting pedestrians that taking photographs is free and tipping of the characters is optional; the public is also advised that, if they believe they have been victimized, they should alert a Police Officer. These efforts supplemented our handing of flyers to pedestrians that contain similar information. To date, more than 100,000 flyers have been distributed as part of this educational campaign. Also, as part of our increased enforcement efforts, the Department recently conducted a decoy operation in Times Square to check against the bad practices of some of these costumed individuals.

Supplementing our educational and enforcement efforts, we welcome the creation of more tools for us to use to address this growing problem. One such tool could be a type of license for costumed characters who engage in solicitation that contains reasonable restrictions on the time, location, and manner of solicitation. We are pleased to continue the discussion of this problem and look forward to hearing other opinions and solutions.

The Administration of course recognizes that most costumed individuals are not engaging in criminal activity or intending to take advantage of unwitting tourists – they are simply trying to make a living for themselves and their families, and we respect their right to do so. But the rights of all those who live in, work in, and visit, our City must be respected as well.

We appreciate the opportunity to provide our comments. Thank you for your focus on this issue and we are happy to answer any questions you may have.



In re File #: Int 0467-2014

Licensing of solicitation by costumed individuals.

Testimony of Thomas R. Carpenter on behalf of Actors' Equity Association.

Thank you for the opportunity to speak to you today about this important legislation. My name is Thomas Carpenter, and I am the Assistant Executive Director, Eastern Regional Director and General Counsel of Actors' Equity Association.

Actors' Equity Association is a national labor union, directly affiliated with the AFL-CIO, representing over 50,000 professional stage actors and stage managers across the United States. An overwhelming number of our members live and work in New York City, where they perform on Broadway, as well as at many of the off-Broadway theatres near Times Square.

Additionally, Actors' Equity is an employer in the Times Square neighborhood. Equity employs more than 105 full-time and part-time staff in our offices and our Audition Center on West 46th Street, less than half a block from Times Square. On behalf of the union's staff and membership, we are here to express our support for legislation that would regulate the proliferation of costumed characters in Times Square.

As a national labor organization, we are firmly committed to the right of every individual to earn a decent living. We would not support a bill to ban, outright, costumed characters from the neighborhood. Rather, we support a more measured approach, such as exists in this legislation, which would regulate the burgeoning number of characters in Times Square, and to reign in the few individuals who behave in an aggressive, intimidating, or inappropriate manner.

While many of our members and staff report that they have had unpleasant interactions with costumed characters in Times Square, this is not merely about the annoyances or inconvenience of working in a neighborhood where the environment can sometimes be chaotic. For the members of Actors' Equity, this is an issue of the health of the industry that provides them employment. Live theatre is the industry that supports the actors and stage managers we represent. Moreover, media and entertainment, of which theatre is a critical component, is an important economic driver in New York City. And, of course live theatre, is intimately connected to the tourism industry, another central component of our local economy. The epicenter of the theatrical industry is in or near to Times Square.

Employers from around the country come to Times Square in order to hire and employ New York City residents. At the Actors' Equity Audition Center, members don't just audition for work on Broadway or in New York City. Theatrical employers come from regional theatres across the country—from Florida, California, or, even, say, Wisconsin—to audition Equity members at our facility on West 46th Street. In

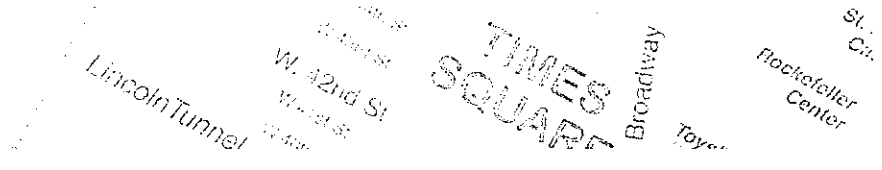
WWW.ACTORSEQUITY.ORG

the past twelve months, more than 40,000 actors were seen by producers in nearly 300 audition calls in our facility, alone—and we are only one of the many audition spaces in the neighborhood. Most of these auditioning actors are New York City residents, but actors from up and down the east coast also travel to New York City to attend Equity auditions at our Audition Center. In many cases, regional employers have the option, under Equity's rules, to audition locally, rather than come to our audition facility. We think employers know that the talent is here in New York. But if they opt to conduct local auditions to satisfy their audition requirements, it means that they don't come to New York City, and many of our New York members won't be seen for those jobs. We are concerned that the current environment in Times Square, with increasing numbers of incidents reported about racist and anti-Semitic rants by costumed characters, inappropriate physical contact, or aggressive solicitation, provides a disincentive for employers to come to this neighborhood to hire our members, and your constituents, to work in their theatres.

We're also concerned that our members have to navigate their way through throngs of costumed characters in order to try to get a job. The professional actors we represent audition frequently. We also know that our members take dance class, vocal lessons, acting lessons in and around the neighborhood. They're often shuttling from one audition in the neighborhood, to a class or another audition. But when they're trying to book their next job, they need to be able to compose themselves so that they can perform at their best when auditioning. Imagine if you were going to two, three or four job interviews a day, and shortly before walking into your interview, you experienced aggressive harassment from someone on the street. It'd be hard to feel like you nailed that interview, wouldn't it?

Moreover, for our members who are working in theatres in the neighborhood, they understand that in order to be successful as actors, the producers they work for also need to be successful. Although tourism accounts for a substantial portion of ticket sales in area theatres, there are also times of the year when theatrical employers rely on local audiences to come from the outer boroughs, or from Long Island, Westchester or New Jersey, in order to see a show. When those local audiences are making decisions about how to spend their entertainment dollar, will they buy a ticket to a show, if they know that it might mean an unpleasant interaction with a costumed character? The decision that that potential theater-goer makes has a direct impact on the livelihoods of the union members that Equity represents, and on our local economy, as a result.

As I said earlier, as a union, we strongly support everyone's right to earn a living wage. We are heartened that this legislation does not seek to ban people from trying to earn a living as costumed characters in Times Square. We are also pleased to know that there are protections for individuals who do not wish to disclose their immigration status. We recognize that there still may need to be adjustments in this particular legislation to ensure that it is not overreaching. But for our membership, for our staff, and for the industry of live theatre, a common-sense regulatory approach to deal with the relatively few bad apples is a meaningful measure that would protect union members who work in live theatre in New York City, and across the country.



Testimony by Cristyne L. Nicholas
Chairman- The Broadway Association
Hearing on Intro 467- Licensing of Solicitation by Costumed Individuals
New York City Council Committee on Consumer Affairs
November 19, 2014

Thank you Chairman Espinal and fellow committee members for the opportunity to testify here today. My name is Joshua Knoller and I am testifying on behalf of Cristyne Nicholas, the Chairman of the Broadway Association.

The Broadway Association, founded in 1911, is one of the City's oldest non-for-profit business associations formed by a group of local business leaders and civic-minded individuals that were and still are dedicated to the preservation, development and economic betterment of the Times Square and West Midtown Community. Our distinguished membership includes Broadway Theater owners and operators, hotels, restaurant owners, airlines, developers, law firms, local business improvement districts including the Times Square Alliance who is here testifying today, members of the media, sign operators and so forth.

One of, if not our core issue, is quality of life, not just for our membership but for the 13 million Broadway-goers coming through our district annually and for the over 300,000 people passing through the Crossroads of the World every single day. The Broadway Association has a distinguished history of speaking out when a particular issue negatively affects our district. In fact, the Broadway Association was founded because subway construction going on at the time was a danger to pedestrians. More recently, we were active in the 1990s supporting the creation of the Midtown Community Court which helped reduce crime and improve safety in the area and we continue to remain vocal on behalf of the membership. And now once again, we are under siege, by performers dressed as costumed characters.



The way these individuals, who are typically dressed as Sesame Street characters or superheroes, behave and conduct themselves is absolutely unacceptable by any means. I recall one incident where a young child had to witness her mother being harassed by “Elmo” because the tip the mother left wasn’t good enough.

Our membership has also seen firsthand how aggressive and intimidating these costumed characters can be and local media have regularly reported incident after incident of violent interactions amongst each other and with local law enforcement.

Everything that symbolizes the good in what these costumes represent has been tainted by the few individuals who don these costumes. We recognize there are only a few “bad eggs” or “Elmos” in this case, but it’s those few bad “Elmos” that negatively impact New York City's image as one of the friendliest cities in the world and its spot atop the leader board as the number one tourism destination in the country.

The Broadway Association supports the City Council's efforts to put a name behind the mask and provide a mechanism for law enforcement to take meaningful action and weed out those few bad “Elmos.”

While the Broadway Association feels that there is no place for these costumed characters in Times Square or anywhere on the streets of New York City for that matter, this legislation is a step in the right direction as long as the City keeps a close watchful eye on how these individuals operate and ensure they adhere to all licensing requirements and background checks.

With tourism in Times Square pumping billions of tax revenue into our City, we must put our best foot forward to make sure that anyone who visits, lives or works in the Times Square area feels safe. Thank you for the opportunity to testify here today and the Broadway Association looks forward to working with you.

####

FAO: Times Square Int. 467

Who is this bill aimed towards?

- Individuals wearing costumes (i.e. an article of clothing, accessory, mask, paint, or other object) that obscure or shrouds the face of a person beyond recognition or causes a person to resemble a character rather than his or her own personal identity.

What is considered soliciting?

- Soliciting is considered to accept, or request by spoken word, signs, gestures or any other means, a fee, donation, tip, payment or any other form of compensation.

What is considered aggressive solicitation?

- Soliciting in an aggressive manner may be considered by approaching or following a person before, during or after solicitation, if that conduct is intended or is likely to cause a reasonable person to (i) fear bodily harm to oneself or to another, damage to or loss of property, (ii) intimidated into giving money or other thing of value, or (iii) cause unreasonable inconvenience, annoyance or alarm; (2) Intentionally touching or causing physical contact with another person, an occupied vehicle without that person's consent in the course of soliciting or intentionally touching or causing physical contact with another person in the company of the person being solicited without that person's consent in the course of soliciting; (3) Intentionally blocking the safe passage of a pedestrian or vehicle in the course of soliciting by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact; or (4) Using violent or threatening gestures toward a person solicited or another person in the company of the person being solicited.

What are the requirements to obtaining a license?

- An applicant for any such license shall be fingerprinted by the department for the purpose of securing criminal history records from the state division of criminal justice services. The applicant shall pay a processing fee as required by the state division of criminal justice services.
- The following information is required (Eighteen year old minimum):
 - (i) The name and home address of the applicant.
 - (ii) Three prints of a full-face photograph of the applicant taken not more than thirty days prior to the date of the application.
 - (iii) An applicant who is a non-resident of the city shall provide the name and address of a registered agent within the city or designate the commissioner as his or her agent upon whom process or other notification may be served.

Am I required to provide immigration status papers?

- No, city officer or employee shall inquire about an applicant's immigration or citizenship status as part of an application made pursuant to this section. Information about an applicant's immigration or citizenship status shall not affect the consideration of the application for a license under this subchapter or renewal thereof.

How much are the licenses?

- The two-year license fee for a license or a renewal thereof shall be one hundred and seventy dollars. The fee for issuing a duplicate license when the original has been lost, damaged, or stolen shall be ten dollars.

How long are the licenses good for?

- Issued licenses will be valid for two years unless sooner suspended or revoked. The license will be valid up to expiration date of such license.

Am I required to carry my issued license?

- Each licensee is required to carry their license on his or her person and it shall be exhibited upon demand to any police officer, authorized officer or employee of the department or other city agency. The license will contain the licensee's name, his or her license number and a non-removable photograph of the licensee. It should be worn conspicuously by him or she at all times while he or she is wearing a costume and engaged in solicitation.

The licensee may be required by a police officer, authorized officer or employee of the department or other city agency to remove portions of a costume that obscure the licensee's face in order that the officer may verify that person wearing the costume is the authorized licensee whose photograph appears on the displayed license.

Are there any geographic/space restrictions?

- No licensee may:
- Solicit on any sidewalk UNLESS such sidewalk has at least a twelve foot wide clear pedestrian path to be measured from the boundary of any private property to any obstructions in or on the sidewalk, or if there are no obstructions, to the curb.
- Touch, lean against or be fixed permanently or temporarily to any building or structure including, but not limited to lamp posts, parking meters, mail boxes, traffic signal stanchions, fire hydrants, tree boxes, benches, bus shelters, refuse baskets or traffic barriers.
- Be located against display windows of fixed location businesses, nor shall they be within twenty feet from any entranceway to any building, store, theatre, movie house, sports arena or other place of public assembly, or within twenty feet from exits, including service exits, to buildings that are exclusively residential at the street level.
- Solicit within any bus stop or taxi stand, within the portion of the sidewalk abutting any no standing zone adjacent to a hospital, or within ten feet of any driveway, any subway entrance or exist, or any corner. For purposes of this subdivision, ten feet from any corner shall be measured from a point where the property line on the nearest intersecting block face, when extended, meets the curb. In no case shall a licensee solicit so as to restrict the continued maintenance of a clear passageway for pedestrians or vehicles.
- Solicit on the median strip of a divided roadway unless such strip is intended for use as a pedestrian mall or plaza. In the absence of rules or regulations of a city agency, this section shall apply.
- Solicit over any ventilation grill, cellar door, manhole, transformer vault or subway access grating.
- Use equipment, stands, vehicles, racks or displays in connection with activity under this subchapter.
- Solicit: within ten feet from sidewalk cafes or within five feet from (i) bus shelters, (ii) newsstands, (iii) public telephones or (iv) disabled access ramps.

What are potential penalties?

- Any person who is in violation of the license requirements per §20-541 or fails to provide proper issued license, will be guilty of a misdemeanor punishable by a fine of not less than \$100.00 and no more than \$1000.00, or by imprisonment for not more than 3 months/90 days or by both such fine and imprisonment.
- Any person who violates other provisions of this bill will be guilty of an offense punishable as follows: 1st violation, a fine of not less than \$25.00 no more than \$50.00. 2nd violation issued for the same offense within a period of 1 year of the date of the 1st violation, a fine of not less than \$50.00 and no more than \$100.00. 3rd violation within a period of 2 years of the date of the 1st violation, a fine of not less than \$100.00 and no more than \$250.00. For any violations within a period of 2 years of the date of the 1st violation a penalty of no more than \$500.00 will apply.
- The environmental control board shall have the power to impose the penalties prescribed under this section.
- Revocation is possible under provisions of bill per §20-549.

Is it possible for my license to get revoked?

- If any licensee commits fraud, misrepresentation, or false statements contained in the application for the license or in any renewal application; commits 4 or more violations of any provision of the regulations promulgated thereto within a 2-year period; Violation of regulations provided; or failure to answer a summons or notice of violation, appear for a hearing, or pay a fine their license will be revoked.



Principles of Self-Regulation

These principles were adopted by New York City Artists United for a Smile. More than 20 members participated in creating these principles on August 19, 2014 where they were adopted after the approval of more than 80 people present on August 26, 2014.

- 1. Presentation and Respect:** We have to present ourselves to the world with respect and dignity, no harassment of any tourist or pedestrian. Harassment of any kind is unacceptable, it could be illegal, and can also help ensure that everyone gets a bad image.
- 2. Sober and Ready to appear in costume:** The use of drugs, alcohol or cigarettes during and before is really not recommended. Cigarette use is not part of our policy - it gives us a bad image to the world and the children who see us. Arriving either drunk or under the influence of any drug can lead to legal issues. If you have a problem with alcoholism or drug addiction, please speak with La Fuente, we will direct you to a social service provider for assistance.
- 3. Do not charge a fixed fee, just ask for TIPS:** It is extremely important to understand that "charging" a fixed fee is very different than artists asking for TIPS. Do not risk your freedom to perform - you never know who is taking the photo.
- 4. Do no obstruct the flow of traffic:** Many problems can be prevented with respecting this rule. The police have become very vigilant about this and it can be used against you.
- 5. Nobody owns any public space:** You cannot impose your own rules that are neither respected by the authorities or the laws of public space in the city. No geography or place to take pictures is your own - it belongs to the City of New York.
- 6. Maintain yourself in full costume while performing:** Raising your head gear or changing in public detracts and often causes unnecessary attention. Unless it for health reason or extreme heat, please be discreet when removing your costume in public.
- 7. Do not rent suits or have other mass business with this freedom of expression:** We are part of an industry of artistic expression that is protected only if we respect it. Each artist should respect their art and try to take care of their freedom of expression. As a business, this changes the nature of your art and therefore you should be registered as a small business and abide by those relevant rules.
- 8. Participate in meetings and other activities that give us legitimacy and respect before allies and throughout New York:** Together we are strong . Being updated with group decisions is everyone's responsibility, but mainly yours. Please participate in as many events as possible. We will be documenting your attendance. Please respect the start time, everyone's time is valuable

The New York Times

The Opinion Pages | Editorial
By THE EDITORIAL BOARD

AUG. 14, 2014

Elmos' World

The forces of civic order that drove the pimps, hustlers and drug dealers from Times Square never anticipated the Elmos. In the tourist-choked, franchise-cheesy, pedestrian-mall version of the Crossroads of the World, adults in character costumes — a lot of Elmos, but also Cookie Monsters, Mickey and Minnie Mice, Sponge Bobs, Batmen, Statues of Liberty and others — are a fixture, practically an emblem.

They are also a puzzle.

They are not corporate-approved representatives from Sesame Street, which we think is a little farther uptown, or Disney. Their costumes are knockoffs. They are performers but not really buskers. Batman might flex a little and glower, Spiderman crouch, but most just hang around, posing for photos, hoping for tips.

But neither are they your classic New York City in-your-face panhandlers.

They are fee-for-service entrepreneurs, with — you have to admit — a pretty good product: They deliver smiles for cheap. They are delightful to children, and thus appreciated by out-of-towners in a way no squeegee man ever was. They are generally not down-and-outers. As Kirk Semple reported in a delightful piece in The Times this month, many are recent immigrants who are living out a working-poor, rags-to-riches story. Except there are no riches: maybe a hundred bucks on a very good day.

They do have a terrible reputation. While many are docile, some are aggressive, even abusive, when tourists don't tip. One particularly disturbing Elmo was known for shouting obscenities and anti-Semitic tirades. He was taken away, to the relief of all the other Elmos.

What keeps them in place is the First Amendment, and the tourist-rich waters in which they fish. The police have recently cracked down, passing out fliers informing people that tips are always optional. Performers say the police are quick to harass them when they block the sidewalk, abuse tourists or otherwise get out of line.

Mayor Bill de Blasio and members of the City Council have said the Elmos are a problem that needs solving, through licensing or some other regulatory arrangement. They should be careful, though, in a city that values eccentric expression and an entrepreneurial street life, to avoid cures that are worse than the disease. Free speech and association are bedrock rights, even for furry monsters.

The most promising solution might be from a place few have looked — the performers themselves, who, as The Daily News reported this week, are trying to assert their rights and escape the cloud of disapproval. **An immigrant-labor nonprofit group, La Fuente, has been meeting with performers who want to organize. They have a name, Association of Artists United for a Smile, and a plan for self-regulation, with photo IDs. The city and the Police Department should welcome this effort and help it along.**

It's a hard life, sweating in a monster suit. The Elmos can be annoying, but Times Square itself is annoying to anyone trying to move through it. If you're there just to be there, to soak up the scene and take pictures for the folks at home, a friendly Elmo or SpongeBob could be just the one you want to share the moment with. The city should not go overboard in getting the bad Elmos to behave.

Army of Elmo? Immigrant labor group mobilizing costumed characters to protest proposed licensing scheme

BY Celeste Katz | NEW YORK DAILY NEWS | Friday, November 14, 2014, 5:27 PM

Inside those big, furry Elmo costumes and slick Batman get-ups, there are actual people walking around Times Square, trying to woo tourists into exchanging a snapshot for a tip.

If one immigrant advocate has her way, next week they'll shed their disguises and flock to City Hall to speak out against proposed legislation requiring characters to wear badges with their real names and pony up \$175 for a license.

The City Council bill, sponsored by Bronx Democrat Andy King, follows a series of incidents in which some plying their trade have gotten aggressive with pedestrians and brawled with police.

But Lucia Gomez of La Fuente, which works with immigrants on labor issues, says the bill won't guarantee peace on the stomping grounds of Cookie Monster and Iron Man.

What it *will* do, she told the Daily News, is give authorities **"a reason to revoke licenses and remove people from Times Square and stop them from doing what is their Constitutional right to do -- which is friggin' panhandle."**

Gomez wants the workers -- many of whom say they are immigrants who stay within the confines of the law to earn what's often a pittance in tips -- to show up en masse to a Wednesday hearing on the bill run by the Council's Consumer Affairs Committee.

She hopes to have a turnout of as many as 50 characters -- clad in street clothes so they're not dismissed as a sideshow.

Their goal, she said: To convince lawmakers that having a license pulled might be the good news.

The ultimate fear, according to Gomez, whose organization is working with the characters to form a union: That tracking masked men (and women) who work the crowds as Spidey and SpongeBob will "create a pipeline for deportation and the separation of families through its ludicrous fingerprinting requirement."

David Franco, 38, of Union City, N.J., works Times Square as Batman and is leery of the bill.

"This just sounds like another stop-and-frisk database," Franco said. "It seems as if the City Council and other elected officials are finding new means to conduct the same old illegal profiling business."

Councilman Rafael Espinal (D-Brooklyn), who chairs Consumer Affairs, says as the son of immigrants himself, he's not trying to stigmatize anyone or steal their livelihood.

"The bill looks to create a system or a database by which we can identify who are these characters in case something goes wrong. We're not looking to ban the characters from Times Square. We're not looking to tell them that they cannot collect money doing what they do," Espinal told the News.

The issue, he said, is that the costumes obscure the workers' identities from both the public and the police.

"We're just saying, 'Let's just put your name on the list so we can know who you are in case someone decides to act inappropriately and touch a tourist or a citizen of the city,'" he said.

"I believe that the Administration and myself and the sponsor of the bill are very sensitive to the needs of the immigrant community, and we're going to make sure they're not put in a place where there's harm done to them or they're in a position to be deported," Espinal insisted.

But at least one lawmaker, Councilwoman Helen Rosenthal (D-Manhattan), has already had a change of heart on the licensing idea.

"After signing onto the bill, [Councilwoman] Rosenthal learned about alternative approaches to educate the costumed characters about appropriate behavior," said a spokeswoman, Stephanie Buhle.

"She decided that licensing would not be necessary and withdrew her name."

City Council Speaker Melissa Mark-Viverito has yet to take a public position on the bill, according to her office.

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Discutirán en audiencia licencias para muñecos de Times Square

La próxima semana se evaluará en el Concejo la medida que obligaría a estos personajes a someter sus huellas dactilares

Por: **Marlene Peralta** | Nov, 15, 2014, 5:00 am EST

NUEVA YORK - Algunos activistas pro inmigrantes temen que la legislación que busca regularizar a los personajes disfrazados de Times Square, ponga a muchos en riesgo de deportación, ya que la mayoría son inmigrantes que no tienen papeles.

El proyecto de ley del **concejal Andy King** (D-Bronx) requiere que cualquier persona disfrazada que solicite donaciones o cualquier tipo de compensación en espacios públicos, obtenga una licencia para dichas actividades. Las licencias serían emitidas por el **Departamento de Asuntos del Consumidor**. Actualmente, esa agencia no requiere huellas dactilares para emitir licencias de vendedores.

La persona que solicite la licencia debe someter sus huellas dactilares “con el propósito de asegurar los registros de antecedentes penales de la división estatal de servicios de justicia penal”, según indica el texto de la propuesta.

“Una vez que el gobierno local tenga estas huellas dactilares, esa información se puede compartir en cualquier momento con inmigración bajo Comunidades Seguras”, sostuvo **Lucía Gómez**, directora ejecutiva de la organización **La Fuente**. A través de ese programa, las huellas dactilares de individuos que pasen a manos de autoridades penitenciarias o policiales pueden ser comparadas con archivos del **Servicio de Inmigración y Aduanas (ICE)**, y determinar si la persona debe ser deportada.

La propuesta además dispone que los que no tengan licencia pueden enfrentar multas de hasta \$1,000 o tres meses de cárcel.

“Esto no es una profesión o trabajo oficial, es una forma de pedir dinero”, señaló Gómez, quien está trabajando para establecer una organización que agrupe a estos trabajadores bajo sus propias regulaciones.

La legislación fue introducida en agosto a raíz del arresto de varios muñecos por acoso y comportamiento desordenado. Un representante de la oficina de King indicó que el concejal estaba de vacaciones.

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Varios concejales latinos, incluyendo a Ydanis Rodríguez (D-Manhattan) y Julissa Ferreras (D-Queens) dijeron no apoyar la iniciativa, precisamente, por esas preocupaciones. Por otro lado, el concejal Rafael Espinal (D-Brooklyn), uno de 23 co-patrocinadores, señaló que la medida está todavía sujeta a modificaciones. “Si las huellas dactilares se convierten en un problema para inmigrantes, yo mismo abogaré porque se remueva ese requisito”, sostuvo Espinal.

La propuesta necesita un mínimo de 26 votos para ser aprobada. La próxima semana habrá una audiencia pública y luego tendrá que ser votada en su comisión antes de llegar al pleno para el voto final.

Opinan los trabajadores

Yamil Morales, 38, colombiano

No estamos de acuerdo, porque va en contra de la libre expresión. No necesitamos que impongan más leyes. Formamos una asociación de 205 miembros que vamos a ir hasta el final e interpondremos demandas. No se puede crear una diferencia entre los artistas que tienen máscaras y los que no. Hay concejales que están de acuerdo con nosotros.

Luciana López, 25, peruana

Yo sí estaría dispuesta a sacar la licencia en el **Departamento de Asuntos del Consumidor**, incluido lo de las huellas dactilares. De esa manera no viene cualquiera a competir en el negocio. De paso, dando las huellas, se sabe quién está trabajando y sus antecedentes.

Aracely Mejía, 28, mexicana

Yo sí estaría dispuesta si eso me ayuda a trabajar. Que todo se haga de modo legal. Si eso facilita el trabajo, pues estoy dispuesta a sacar el permiso y pagar lo que sea por el mismo.



**Testimony from the Street Vendor Project
NYC Council Consumer Affairs Committee
re: Intro 467 (Costumed Characters)
November 19, 2014**

Hello, my name is Matthew Shapiro, I'm the staff attorney at the Street Vendor Project. Our members sell food and merchandise from carts, trucks and tables, all across the city. We are here today to support our brothers and sisters who wear costumes and work next to us in the street.

From thirteen years of experience, we know that NYPD officers will use every chance they get to harass, ticket, evict and arrest self-employed people who make their living in public space. The police department conducts strict enforcement against vendors, every day, whether or not there are any complaints, for conduct as harmless as keeping your license in your pocket instead of wearing it "conspicuously" at all times, as this bill will now require costumed characters to do. This type of honest mistake will be punished by a fine as high as \$500. Even if they are not guilty, there is little our members can do to avoid these penalties. It is their word against the officers.

Intro 467 has more things wrong with it than I can list. The definitions of "costume" and "solicit" are vague. They may not pass constitutional muster. The bill gives officers full discretion to determine what type of solicitation is "aggressive." Its language is modeled after the most notorious criminal statute on the books – "disorderly conduct," which the police use to sweep up homeless people, LGBT youth, street musicians, and many other powerless groups.

The licensing provision may violate the First Amendment. It certainly offends our city's reputation as a welcome place for immigrants, including those who are undocumented. Apart from a blanket statement that immigration status shall not be used for licensing, the bill contains nothing to safeguard an individual's private information. Personal data can be obtained by federal agencies or large corporations that seek to remove costumed characters from the streets. Or worse.

While getting a license may sound easy, we know that often it is not. Under this bill, a license may be withheld for "unanswered summonses" – but often the Environmental Control Board does not allow a person to answer a summons once they have missed a hearing date, even if that absence is due to a valid reason like a sick child. It gets worse. We have had members who lose their wallet or have it stolen. Often they must spend a month waiting for DCA to send them a replacement. In the meantime, they cannot work. They cannot pay their rent. They cannot support their families.

Intro 467's location restrictions are copied over from the vending rules that we know well. In this context, they often make no sense. After all, costumed characters do not have tables or carts that might block the public thoroughfare, as vendors are often accused of doing. In addition, the rules are poorly drafted. No costumed character shall lean against the side of a building or sit on a park bench? No license holder, whether not they are even in costume, can stand within twenty feet of

any building entrance? It is clear that costumed characters and their advocates did not participate in this bill's drafting.

So why is Intro 467 being proposed? We know that some of the richest and most powerful corporations in the city have waged a campaign to get the costumed characters removed. It has gone on for many years. You will hear from some of them today. We often fight against these same groups, who feel that they have the right to say who is allowed in our streets and public spaces.

Please do not do the bidding of these media moguls and real estate executives. We know there have been a few times when costumed characters misbehaved. We believe some of these cases have been exaggerated by the corporate media. That is not to excuse bad behavior. Anyone who commits a crime should be punished for it, and they have been. Times Square is one of the most highly policed areas in the city, if not the world. The NYPD should be encouraged to enforce existing laws equally against all people who commit crimes. To the extent they are doing so, we commend them. New legislation is not the answer. Instead, we should explore ways for the police and the costumed characters to work together to keep Times Square, and other areas, safe for everyone. The Street Vendor Project stands ready to assist however we can.

Thank you very much for the opportunity to testify today.

FOR THE RECORD

**TESTIMONY OF ROBERT J. KAFIN
RE Intro. 0467-2014**

November 19, 2014

My name is Robert J. Kafin, and I am a resident of Manhattan. I work at Eleven Times Square, where I am a partner in the Proskauer Rose law firm. I am also the Chairperson of the Times Square District Management Association, Inc., which functions as the Times Square Alliance.

I spent 14 years in the past as the Chief Operating Partner of the Proskauer firm and would like to speak on behalf of the more than 800 lawyers and staff who work with me at Eleven Times Square. We are all ordinary New Yorkers who almost every day on our way to and from work get accosted by unlicensed costumed vendors freely using public spaces. We support legislation to regulate this business.


The current unregulated situation makes us feel menaced and unsafe while just walking and minding our own business. It requires us to observe visitors to our neighborhood being subjected to uninvited attention from unidentifiable strangers and ultimately being misled into paying for a product they didn't even know they were buying.

Make no mistake: these costumed individuals are vendors, not performers or expressionists seeking to deliver a message. They are vendors, but you don't really understand what they are selling or what the price is until after you have been lured into a transaction with them. You do not know who they are, and they often impede your escape or retreat. Regulation is a matter of preserving public safety and consumer protection.

Why is this a matter of public safety? Because there are no clear rules of conduct for these vendors and since their identity is disguised, this opens the door to behavior that creates an unsafe atmosphere where free pedestrian passage on sidewalks and pedestrian plazas is impeded, unwanted touching occurs and the need to pay just to get away arises.

Why is this a matter of consumer protection? We have unlicensed costumed vendors engaging in unrecorded transactions with customers who did not choose to enter a store to approach a stall, cart or table where it is obvious that products are being sold and free choice to buy or not exists. The circumstances are not conducive to an orderly and honest marketplace.

Two things are called for here: first, there must be a requirement that these unregulated costumed vendors be licensed. This will allow undesirables,



such as convicted sex offenders to be screened out. It will allow the identities of those who engage in bad practices to be known to the enforcement authorities. It will level the playing field between the vendors and the customers they approach.

Second, there must be some rules of conduct adopted to make it clear to the costumed vendors where and when they may sell, what selling techniques are deemed deceptive or coercive, and what use of public spaces in furtherance of their selling activities is improper.

Intro 467 contains these important regulatory items, and we urge the City Council to pass it, or an amended version that might respond to legitimate issues raised in the course of hearings and deliberations about this legislation.

My colleagues and I ought to be able to get to and from our place of work, walk to restaurants and shops near our offices, and have visitors without having to run a gauntlet of unlicensed costumed vendors misusing public spaces through which we must pass.



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NYC Council Consumer Affairs Committee
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Thank you very much for the opportunity to testify today.



**Testimony Regarding
Intro 467: Licensing of Costumed Characters
New York City Council, Committee on Consumer Affairs**

**Delivered by
Sami Naim, Esq., Director of Policy
Municipal Art Society of New York**

Introduction

Good morning. Thank you Council Member Epinal for chairing this session of the Committee on Consumer Affairs, and thank you Council Member King for sparking a discussion regarding the management and governance of the city's pedestrian plazas.

My name is Sami Naim, and I am Director of Policy at the Municipal Art Society or "MAS". I will be speaking to the issues raised by Intro 467 and how we at MAS share the concern of the City Council regarding the future of our plazas.

As you may know, MAS was established in 1893, five years before the five boroughs came together to form "Greater New York". MAS represents a coalition of architects, planners, preservationists and civic advocates that are dedicated to safeguarding the city's past while advancing the best ideas for tomorrow.

To that end, we are concerned that a great public asset, the City's network of pedestrian plazas, faces regulatory obstacles that could compromise its overall success.

About Pedestrian Plazas

Pedestrian plazas have quickly become an integral part of our landscape. Currently, there are approximately 65 plazas in place or in development across New York, in all five boroughs.

These plazas have the potential to: animate neighborhoods all over the city; spur economic development; create opportunities for arts/culture; and serve as a stage for social interaction, connecting people to one another.

Perhaps the most famous plaza can be found at the "crossroads of the world," Times Square. For all the controversy, this plaza is wildly popular and seen as a great success for civic innovation. And we are full of anticipation as a new design from Snohetta Architects will be rolled out this summer. A few benefits from the Times Square plaza include:

- Mobility. It has eased pedestrian congestion, providing space for the over quarter-million people who enter Times Square each day. It has also rationalized the traffic patterns in the area so that it is no longer known as one of the world's most famous parking lots.
- Safety. It has also improved public safety, as commuters and tourists are no longer forced to step *into* traffic simply to get to work or enjoy the energy and electricity of Times Square.
- Air Quality. It has even helped improve the air quality in an area that is frequented by so many people, by reducing the pollution emanating from motor vehicles.
- Economic Development. And local businesses have reported an uptick in revenue – a direct result of making the entire area more easy to visit, to linger, to enjoy, and to spend a dollar.



Unique Challenges Facing Pedestrian Plazas

The issues faced by the stewards of pedestrian plazas are unique. The plazas have been an innovative program that has converted streets for cars to public space for pedestrians.

Yet the law has simply not caught up to the facts on the ground. Instead, the city is left with the situation of applying “street law” to our plazas. This does not make sense.

This situation creates confusion at best, dysfunction at worst. Put simply, it is difficult to enforce the rules when it is unclear which rules to enforce. A few areas of law where there is overlapping jurisdiction and unclear guidance include:

- Street Design. Regulations governing the placement of newsracks, bus stops, and sidewalk cafes.
- Special Events. Regulations governing the ability to host corporate, artistic, and first amendment events in our plazas.
- Concessions. Regulations governing the ability for plaza managers to provide the public with amenities such as info kiosks, food carts, and other concessions.
- Vending. Regulations that govern commercial solicitation in the plazas for things like shows, tours, a slice of pizza, or a picture with a costumed character.

It is this last challenge, vending, which has triggered the drafting of Intro 467 and this hearing. However, as I just mentioned, this is just one issue among many concerning our pedestrian plazas.

MAS Supports More Dialogue Regarding Pedestrian Plazas

MAS believes that this is the first of many conversations regarding how the city can provide plaza managers with all the tools necessary to ensure that these spaces are successful and work for all New Yorkers.

To that end, we support the conversation that Intro 467 has started, but believe that the conversation must continue, and not end with the bill in its current form. We have just begun to dive into the issues raised by this unique species of public space, and there is more work to do and more discussion that needs to take place.

Specifically, the City needs to update the regulatory framework which governs pedestrian plazas. We need to update this framework so that it: acknowledges the unique character of the plazas; addresses the unique challenges the plazas face, including but not limited to vending and costumed characters; and equip plaza managers with the tools necessary to ensure that the plazas can continue to contribute to the city's social, economic, and cultural vitality.

Pedestrian plazas are great for the city. They are a wonderful addition to the streetscape. It is now incumbent on the city to ensure that we allow them to reach their full potential, to the benefit of all New Yorkers.

Thank you for allowing me to testify. I would be happy to answer any questions you may have.



William C. Rudin
Chairman

Jennifer M. Hensley
Executive Director

Association for a Better New York
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November 20, 2014

The Honorable Rafael Espinal, Jr.
New York City Councilmember
New York City Council
250 Broadway Suite 1880
New York, NY 10007

Dear Councilmember Espinal:

Since it was founded in 1972, The Association for a Better New York (ABNY) has grown to include over 300 members, representing every facet of New York City life. Our members are a coalition of business, labor, non-profit and political leaders advocating to make New York a better place to live, work and visit.

As you know, Times Square is in many ways the entertainment and cultural heart of New York City, providing the kind of creativity, energy and edge that is unique to our great city. It is also the center of New York City's immense tourism industry, an industry which directly supports 264,274 New York City jobs and another 83,883 in indirect or induced spending sectors. However, over the past several years, there have been countless instances of costumed characters in Times Square engaging in violent and predatory behavior and using aggressive solicitation tactics that most immediately cause visitors and locals to feel uncomfortable and unsafe. In the long run, we risk ruining the reputation of Times Square and its brand that today stands for vibrancy, safety, energy and connectivity. This is a brand built over many years, with considerable time, money and effort, and ABNY wants to do all we can to help protect that brand.

I am thus writing to you on behalf of ABNY in support of the Times Square Alliance and their efforts to help restore order in the district as it pertains to costumed character harassment in Times Square. A more regulated environment is a feasible middle ground solution which will provide ample consumer protection, create accountability and discourage irresponsible behavior, and we believe it will be effective in dramatically altering the landscape in which these characters currently operate.

Thank you for your efforts to address this important issue that is impacting the quality of life in New York for so many workers, residents, and visitors. Please don't hesitate to reach out with any questions at (212) 370-5800.

Sincerely,

Jennifer Hensley
Executive Director

My name is Harris Lirtzman. I currently live in Yonkers but lived in New York City from 1981 until 2013.

One of the reasons my partner and I chose to relocate to Yonkers is its proximity to the City and I am in the City for various reasons three or four times a month, usually to go to the theater.

I have seen the transformation from the “Old” Times Square to the “New” Times Square and every permutation in between. I am one of the few native, and, yes, I still claim that proud connection, New Yorkers who will publicly admit to a love for Times Square and its vitality and unique concentration of energy, light, crowds and serendipity.

There was a stretch of six months or so early this year when I had no reason to be near Times Square. Early last July, however, my partner and I were walking from far Midtown West to Midtown East and walked down 42nd St. at about 7:00 in the evening. As we came into Times Square we sensed that something had changed—we felt a chaotic undercurrent, of something more chaotic than the usual Times Square melee.

We had begun to read about the growing number of people impersonating cartoon characters and about some of the unfortunate incidents that these impersonators had caused, either in their interactions with the public or with each other. I scanned the Square and saw dozens, if not hundreds, of cartoon impersonators moving through the area. At first, I thought it was all just cloyingly cute—another instance of the ever-changing spirit of the area. But then I began to become disturbed, first by a general sense of unease and then a rapidly growing feeling of menace. It was hard to put together in my head that these Elmos and Spidermen could be a menacing presence until I stopped to watch the dynamics of the interaction between the impersonators and the public in Times Square.

At the intersection of 7th Avenue and 42nd St. I noticed a group of impersonators taking off their costumed heads to get relief from the summer swelter. Another group actively, then more aggressively, was approaching people, usually families with small children. When a family would stop, a small swarm

of impersonators would gather around the family and the kids usually seem delighted even if the parents had a slightly guarded expression on their faces. The parents were energetically invited to take pictures of the cartoon characters with their children and several impersonators would impose themselves on the family. Once the picture-taking and smiling and “welcoming to New York” was done the impersonators closely surrounded the family and demanded, with outstretched hands and forceful commands, to be compensated for their time. I watched as this happened to several families and saw how a wonderful “New York moment” became just another street hustle for these unsuspecting people.

My partner and I were stunned. We slowly walked through the Square and saw the same process occurring up and down Broadway. I thought to myself “Yes, this is a public space, these people have a right to be here” but there was no security presence that I could see. I watched what I can only call several “attack operations” organize and regroup to execute a “bait and switch” that turned a “sweet as only in New York” kind of experience for pedestrians into a “creepy as only in New York” sense of menace. I am used to Times Square changing and evolving but decided that this was one change the City could do without.

I have since come to understand something more about who the impersonators are and that they struggle to earn a living under difficult circumstances. I have no animus whatsoever against anyone trying to make a buck in the Big City. That said, however, I fully support the implementation of some reasonably regulatory scheme like the bill being considered today that would require the impersonators to undergo a basic criminal and to wear a badge so that the “bad actors” can be separated from folks trying to entertain visitors and earn a living, however meager that living may be, while being accountable for their actions.

I do not support a punitive regime or large police presence as a response to the challenge that has been posed by the presence of the cartoon impostors. This is, after all, New York City and most people who

go into Times Square enjoy the bustle and the crowds and exercise due regard for their personal safety. No one would want to eliminate or regulate away the serendipity that is Times Square. I do believe that there is a reasonable middle ground that protects the personal rights of the impersonators while ensuring that anyone who goes into Times Square can be assured that his personal safety—and his wallet—will be protected from any form of coercive behavior.

As I said at the beginning of my remarks, I love Times Square. Many New Yorkers say they do not but when they have reason to be there I'm sure they look around and smile, at least the ones who look up from the sidewalk. Certainly, tourists unfamiliar with the Square are enchanted by a place that exists only in New York City. I urge the committee and the Council to do whatever it must, in a nuanced manner, to ensure that people, native New Yorkers and our guests, can continue to love Times Square as much as I do.

Thank you for letting me make my statement today.

Testimony of Fred Dixon, President and CEO
NYC & Company
Delivered in writing to New York City Council Committee on Consumer Affairs
November 19, 2014

NYC & Company Testimony on Intro 467

NYC & Company is the official destination marketing organization of New York City, responsible for maximizing travel and tourism opportunities throughout the five boroughs, building local economic prosperity and spreading the positive image of New York City worldwide.

New York City's tourism economy employs almost 350,000 people and generates \$3.5 billion in local tax revenue annually. Because tourism is such a fundamental part of New York City's economy, sustaining and continuing to grow the industry is essential to protecting jobs, funding of public services and lessening the burden on everyday New Yorkers.

The unregulated costumed characters in Times Square are an undeniable threat to the positive image of New York City, and have a negative impact on the tourist experience. The scores of costumed individuals obstruct sidewalks and aggressively solicit unsuspecting visitors. News of violent incidents involving costumed individuals has resulted in worldwide negative coverage of New York City and Times Square. The association of New York City with intimidation, aggressive solicitation, sexual assault, child endangerment and physical or verbal abuse damages its reputation. Costumed individuals may deter tourists from choosing New York City or visiting Times Square, negatively impacting the hotels, restaurants and institutions that employ approximately 145,000 people who live throughout the five boroughs.

Another concern is quality of life. Visitors and residents alike should be able to enjoy an iconic part of New York City without being accosted or intimidated into paying for a service they neither sought, nor desired. New Yorkers who live and work in or visit Times Square deserve to enjoy a peaceful, clean environment free of disruption and intimidation. Recently, 45 percent of surveyed New Yorkers mentioned they had experienced an unpleasant interaction with a costumed character, and 31 percent claimed to feel less safe around them. The lingering threat of aggression from unregulated costumed individuals makes it difficult for residents or visitors to enjoy the neighborhood.

We appreciate the efforts that the New York Police Department and City have made thus far to educate New Yorkers, visitors and costumed characters about the rights and responsibilities of all those who enjoy taking photos with the characters. We also want to thank the City Council for holding this hearing to receive feedback from all stakeholders who have been affected by these recent events.

NYC & Company looks forward to assisting its membership to protect and promote the City's image while creating an environment for all visitors to have a memorable time in New York City.

**PROJECT
FIND**



FIND Aid for the Aged, Inc.

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November 19, 2014

Honorable Raphael Espinal, Jr.
Chair, Committee on Consumer Affairs
New York City Council
250 Broadway, 14th Floor
New York, NY 10007

RE: Costumed Characters, Masked and Anonymous

Dear Chairperson Espinal:

I am the Executive Director of Project FIND, which for the past 45 years has provided housing and services to older adults in community district boards 4, 5 and 7. Our Woodstock Hotel at 127 West 43rd Street is home to over 280 seniors as well as a vibrant senior center that attracts over 400 persons daily from the surrounding community, six-days-a-week. As such, we hear a lot of stuff and learn a lot from the observations and concerns of our program participants.

The first observation is that the number of costumed characters has grown considerably; starting as a few amusing sidelights, much like the Naked Cow Boy who pioneered the gig, to a platoon whose numbers seem to only keep growing. The second observation is that these individuals are masked and anonymous; nobody, particularly no one in a position of authority has a clear idea as to who these individuals are. And right now, no one in a position of authority has the ability to even obtain this information. This would be less of a concern if this phenomenon of costumed characters were not proliferating, but it clearly is and the feeling is strong that it is the proper role of city government to regulate this activity and to regulate it now.

We strongly encourage this committee to quickly pass legislation to give the city government the tools to codify and screen the individuals who earn a living in this unique manner.

Sincerely,

David Gillcrist
Executive Director



NYCLU

NEW YORK CIVIL LIBERTIES UNION

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**TESTIMONY OF
THE NEW YORK CIVIL LIBERTIES UNION**

Before

**THE NEW YORK CITY COUNCIL
COMMITTEE**

On

Int. 467

November 21, 2014

The New York Civil Liberties Union respectfully submits the following testimony on Int. 467, the proposal to create a licensing scheme for masked street performers.

The NYCLU, the state affiliate of the American Civil Liberties Union, is a not-for-profit, non-partisan organization with eight offices across New York state and nearly 50,000 members. The NYCLU's mission is to defend and promote the fundamental principles, rights and constitutional values embodied in the Bill of Rights of the U.S. Constitution and the Constitution of the State of New York. We oppose the licensing scheme set out in Int. 467 as both a deterrent to activity protected by the First Amendment and a policy that will have a disproportionate impact on undocumented New Yorkers. We recommend the City explore other, less disruptive, avenues to promote safety and performance in public spaces.

I. First Amendment Issues

New York's sidewalks and squares are vibrant centers of city life, creativity, and political and artistic expression. It is vital that the City Council recognize and protect this important public space. Licensing schemes, such as the one contemplated here, can raise a number of constitutional problems and, by erecting barriers to expressive acts, can deter people from engaging in legitimate First Amendment activity. For example, an artist planning a one-time masked performance may cancel her activity rather than engage in an arduous licensing process. In light of this, the NYCLU recommends that a licensing scheme be viewed as a last resort to addressing problematic behavior among performers, rather than a first. We have included some recommendations below.

II. Int. 467 Creates Redundancy in City Law

Our state penal law and city administrative code have adequate provisions for ensuring peace and safety for pedestrians and street performers alike. The unlawful acts committed or alleged to have been committed by street performers leading up to the introduction of Int. 467 are already considered criminal acts or violations; creating a licensing scheme will make these acts neither harder to commit nor easier to enforce.

The proposed bill itself proves this position, as it provides that the substantive basis for revocation of a license is violation of the existing ordinance against aggressive panhandling (New York City Administrative Code section 10-136). In other words, under the proposed legislation, license revocation would follow only *after* enforcement and prosecution pursuant to an existing law. Given this, and the risk of deterring legitimate First Amendment activity, the City should first seek to address reported problems through enforcement of § 10-136, rather than resorting to a licensing scheme.

IV. Int. 467 Unfairly Impacts Immigrants

New York City is as a national leader in protecting the rights of documented and undocumented immigrants. The NYC ID program and the recent change in the city's immigration detainer policy are highlights of the City's collective goals of including our neighbors in all the city has to offer and beginning to build trust with immigrant communities. Mayor de Blasio and Speaker Mark-Viverito have made it clear that no New Yorkers should fear participating in the life and benefits of the City.

Int. No. 467 threatens to fly in the face of these recent strides. Street performing provides an easily accessible means of income for undocumented people, or others whose immigration status may limit traditional employment opportunities. While the law provides that no government employee may inquire about an applicant's immigration status, the application's requirements would surely reveal that information. Further this population is likely to mistrust government and completely avoid registration or licensing that might reveal their status, even if the City is careful to limit the impact of that revelation. Int. 467's list of steep requirements, including fingerprinting and background checks, will cut off access to this work for many people with unsettled status and limited opportunities for work.

IV. Public Education

In place of an overly burdensome regulator scheme, we recommend City engage in public education regarding the rights and responsibilities of costumed street performers and those who interact with them (or who wish not to). This can be accomplished through posting signs or handing out fliers in areas where masked street performers congregate. While any fliers or signs created for this end must avoid creating an atmosphere of fear or criminalizing street performers, this could be an effective avenue for empowering pedestrians and creating a sense of responsibility for street performers to self-police.

In addition, the City could explore education opportunities for the performers, such as a voluntary workshop or webinar to gain an understanding of the laws that apply to their work.

FRED ROSENBERG, PRESIDENT,
TIMES SQUARE ADVERTISING COALITION (TSAC)
HEARING ON INTRO 467 – LICENSING OF SOLICITATION
BY COSTUMED INDIVIDUALS
CITY COUNCIL COMMITTEE ON CONSUMER AFFAIRS
WEDNESDAY, NOVEMBER 19, 2014

Good morning Chairman Espinal and Members of the Committee on Consumer Affairs. I am Fred Rosenberg, President of the Times Square Advertising Coalition (TSAC) and Senior Vice President of Operations at Sherwood Equities. Thank you for the opportunity to be here today in support of Intro 467 that establishes a licensing scheme for costumed individuals seeking solicitations from the public.

TSAC is a not-for-profit trade association dedicated to the continued promotion of Times Square as the most exciting venue in the world. Our membership includes the key branding, marketing and advertising stakeholders in the Square including Clear Channel, Spectacolor, Sherwood Outdoor, the WOW Factor and P.Romotion. We are committed to preserving this iconic landscape that millions of tourists come to experience each year.

Times Square has come a long way. Over the past twenty years, both government and private investments have revitalized the Times Square area attracting new businesses and tourists alike. This includes a spectacular 42nd Street corridor, newly designed Broadway plazas and other amenities...and as recently reported in the papers; advertisers are now spending tens of millions of dollars to upgrade digital billboards to sophisticated digital displays to enhance the visitor experience. Given all this investment, we are very distressed that the City is allowing this area...which was envisioned to be a magnet for tourism and a great amenity for New Yorkers...to be overrun by aggressive costumed characters. This negative behavior, as you know, includes everything from intimidation, to inappropriate touching, to physical and/or verbal altercations.

It is clear that regulation is essential in order to provide City officials with the tools needed to protect tourists and New Yorkers from such aggressive solicitation tactics. By regulating costumed characters, those behind the masks will be held accountable for their actions, and the Square will remain safe for visitors and locals alike. It is our fear that if the Council does nothing, the quality of life in the Square will continue to diminish and all the investments made to the area will be compromised.

For these reasons, TSAC fully supports the licensing of costumed individuals that are seeking solicitations. Thank you again for the opportunity to be here today.



Thank you, Council Member Espinal, for chairing this session, and thank you again to Council Member King for starting a conversation surrounding this issue.

My name is Caitlin Lewis, and I am a member of the Communications Department at the Times Square Alliance.

As Tim stated, many of the costumed individuals in Times Square are honest and respectful individuals trying to make a living, but we have also heard countless stories of aggressive, predatory and sometimes violent behavior by a few bad actors. Times Square is the Crossroads of the World, and because of that, our audience literally spans the globe. Many of the people who have interacted with the characters are domestic and international tourists who have returned home and are unable to attend this hearing. So this morning we invited them to join a virtual public hearing by sharing their experiences on Twitter using the hashtags #SpeakUpTSq and #ElmoYouDont.

We decided to do this after a recent search of tweets dating back to March 2014 revealed that the public has been weighing in on this issue for quite some time already by spontaneously posting hundreds of troubling incidents online. I'd like to use the rest of this time to read just a few examples of what we found in the Twittersphere.











As I'm reading, I'd also like to play a video with footage of the characters acting aggressively and inappropriately in Times Square.

<https://www.youtube.com/watch?v=eaxCXLamIgo&feature=youtu.be>













[SEE ATTACHED TWEETS]

Thank you again, and I'm happy to answer any questions.





Times Square Costumed Characters | March - November 2014

<p> Mike Rhone @mikerhoneTM</p> <p>The small boy telling his father he's scared of Elmo has learned far too young what's wrong with Times Square.</p> <p>1:01 PM - 8 Nov 2014</p>	<p> Maria Dimarzo @foreverpurplexx</p> <p>These costume characters are like attacking the little kids they must be scared.. #SEBinNYC 🏙️🏙️</p> <p>Manhattan, NY</p> <p>9:54 AM - 8 Nov 2014</p>
<p> Becca Lader @beccalader</p> <p>The catcall video seems mild compared to how I just felt walking out of my office getting cornered by Times Square costume Elmo kissing @ me</p> <p>Manhattan, NY</p> <p>6 FAVORITES</p> <p>0:14 PM - 6 Nov 2014</p>	<p> Clare Stein @clarestein</p> <p>Times Square attractions include aggressive catcalls from a man whose profession is wearing a full-body Elmo suit</p> <p>1 RETWEET 1 FAVORITE</p> <p>7:01 PM - 5 Nov 2014</p>
<p> شروق @shoroukiebookie</p> <p>Got hit on by an Elmo. I hate Times Square.</p> <p>2 FAVORITES</p> <p>7:00 PM - 30 Oct 2014</p>	<p> James Dalgarno @theolthejrd</p> <p>"Welcome to New York! Welcome to New York!" /physically assaulted by Elmo in Times Square</p> <p>2:07 PM - 29 Oct 2014</p>
<p> Leslie Haines @haineshaus</p> <p>Elmo attack in Times Square! instagram.com/p/uWT-tJAgVd/</p> <p>5:09 PM - 19 Oct 2014</p>	<p> Carly DiPasquale @cdipasqualee</p> <p>Don't understand why people like Times Square.. Walking home from work and some dirty Elmo hugs me and says "take a picture!!"</p> <p>1 RETWEET</p> <p>3:30 PM - 18 Oct 2014</p>
<p> Lily Spencer @LiliumSpero</p> <p>+creepy man dressed as Elmo in Times Square who offered to let me tickle him in private. I will be an avid student, @AvidElegance, of any +</p> <p>4:23 PM - 13 Oct 2014</p>	<p> Kate Bilash @katebilash</p> <p>Ended today by nearly getting attacked by the giant Elmo walking around Times Square #HappyMonday</p> <p>4 FAVORITES</p> <p>6:19 PM - 6 Oct 2014</p>











Times Square Costumed Characters | March - November 2014

<p> Ari @ari_raid</p> <p>Follow</p> <p>@t_rex20_ there are Times Square Elmo's it's a thing just accept it they shake down tourists</p> <p>11:10 PM - 17 Sep 2014</p>	<p> Alexandra @alexandralogg</p> <p>Follow</p> <p>Remember when I took a selfie with Elmo in Times Square and he/she? whispered "Ayy MAMI" to me. #UncomfortableThings #NYPD #TimesSquare</p> <p>3:55 PM - 17 Sep 2014</p>
<p> Jessica Schwahl @RockWriterJes</p> <p>Follow</p> <p>@joemachi a Times Square Elmo hit on me once, it was extra creepy</p> <p>FAVORITE 1</p> <p>1:10 PM - 17 Sep 2014</p>	<p> Anna @againc13</p> <p>Follow</p> <p>@sadbutgreat if it makes you feel better a fake times square elmo tried to hug me today and i almost died</p> <p>9:55 PM - 19 Aug 2014</p>
<p> slamgod @slamgod</p> <p>Follow</p> <p>Elmo just approached me in times square and goes CHO CHA!wut</p> <p>4:45 PM - 18 Aug 2014</p>	<p> yung lean @vivbalan</p> <p>Follow</p> <p>Getting catcalled by the costumed characters in Times Square is not cute</p> <p>FAVORITE 1</p> <p>2:21 PM - 18 Aug 2014</p>
<p> Bobby @iRobob</p> <p>Follow</p> <p>Elmo just threw up a gang sign at me in Times Square</p> <p>FAVORITES 2</p> <p>3:55 PM - 16 Aug 2014</p>	<p> gemma @lowlight</p> <p>Follow</p> <p>Some guy in an elmo costume hit on me today in times square</p> <p>FAVORITE 1</p> <p>2:13 AM - 16 Aug 2014</p>
<p> The Shanigans @ShanigansBand</p> <p>Follow</p> <p>Went to NYC for the first time last weekend and was accosted by Elmo in Times Square #VacationFail</p>  <p>RETWEET 1 FAVORITE 1</p> <p>12:21 AM - 14 Aug 2014</p>	<p> Meredith Cummings @MeredithCummings</p> <p>Follow</p> <p>Happy about this, as I was almost jumped by a Minion: Police crack down on Times Square costumed characters gu.com/p/4vy9t/tw</p>  <p>The Guardian</p> <p>Police crack down on Times Square costumed characters Leaflets warn tourists they don't have to pay for pictures with Elmo and co after some performers attacked New York visitors</p> <p>View on web</p> <p>FAVORITE 1</p> <p>8:59 PM - 13 Aug 2014</p>











Times Square Costumed Characters | March - November 2014

<p>Fernanda Pucheu (@fernandapucheu) Follow</p> <p>Feel bad 4 tourists I see getting bullied 2 tip RT @Gawker: Iron Men, Elmo, and Spider-Man arrested in Times Square. gawker.kr/YO8mpBg</p>  <p>Iron Men, Elmo, and Spider-Man Arrested in Times Square The NYPD continues its crackdown on Times Square's fake superheroes and cartoons, arresting two Iron Men, an Elmo, and a Spider-Man over the weekend on disorderly conduct charges. Police were handing...</p> <p>View on web</p> <p>11:41 AM - 11 Aug 2014</p>	<p>Jeremy Wilcox (@jwilcox79) Follow</p> <p>I'm in Times Square too much, and many of the costumers are, let's say, politely aggressive, so no sympathy. gawker.com/iron-men-elmo-...</p>  <p>Iron Men, Elmo, and Spider-Man Arrested in Times Square The NYPD continues its crackdown on Times Square's fake superheroes and cartoons, arresting two Iron Men, an Elmo, and a Spider-Man over the weekend on disorderly conduct charges. Police were handing...</p> <p>View on web</p> <p>11:46 AM - 11 Aug 2014</p>
<p>ItsAllHere (@ComedianTyRaney) Follow</p> <p>People are getting strong armed in Times Square by Elmo!!! #NYC</p> <p>1:23 PM - 11 Aug 2014</p>	<p>Grace (@yagig) Follow</p> <p>This woman took a pic with the gross costume characters in Times Square & when she was done they all took off their masks and demanded money</p> <p>Downingtown, PA</p> <p>8:58 PM - 8 Aug 2014</p>
<p>Cristian A. Farias (@cristianafarias) Follow</p> <p>Haven't read the proposed #NYC regulations for costumed characters, but if it will keep Spider-Man from hitting on me at Times Square, good.</p> <p>11:57 AM - 1 Aug 2014</p>	<p>Denis Giron (@denis_giron) Follow</p> <p>A dude dressed like Elmo in Times Square said "dame una foquin propina" to a passerby, who quickly responded "foqiu bich". #Spanglish</p> <p>Manhattan, NY</p> <p>1:13 PM - 31 Jul 2014</p>
<p>Ed Costello (@epc) Follow</p> <p>Also unrealistic: going through Times Square without being assaulted by Elmo and/or Spider-Man. #Sharknado2</p> <p>Chelsea, New York</p> <p>10:17 PM - 30 Jul 2014</p>	<p>Sean Kullman (@SeanKullman) Follow</p> <p>Should NYC regulate costumed characters in Times Square? Umm.. Yes! This one time, an army of angry Elmos chanced us through Time Square.</p> <p>Chicago, IL</p> <p>1:27 PM - 29 Jul 2014</p>
<p>Batrisyia (@batr_) Follow</p> <p>Yeah, I saw this when I was in Times Square. I literally ran from Minnie Mouse and Elmo. yahoo.com/travel/approac...</p>  <p>Approach With Caution: Street Performers Gone Bad After a Spider-Man impersonator in Times Square gets arrested for punching a cop, Yahoo! Travel looks at other street performers who have been caught in hot water. It's all fun and games until...</p> <p>View on web</p> <p>10:28 AM - 30 Jul 2014</p>	<p>Arselia Gales (@ArseliaGales) Follow</p> <p>They scare me so much! - NYC Mayor Bill de Blasio says costumed characters in Times Square should be licensed on.wsj.com/1zoOrTH</p>  <p>De Blasio: Regulate Elmo in Times Square By Peter Gray (@petergray) The bevy of costumed characters who pose for photographs in exchange for money in Times Square should be licensed, New York City Mayor Bill de Blasio said.</p> <p>View on web</p> <p>1:10 PM - 29 Jul 2014</p>

Times Square Costumed Characters | March - November 2014

<p> Joshua Crown @jrcrown42</p> <p>I just got attacked by Hello Kitty in Times Square. Costumed characters outside of Disneyland are really creepy #whatisgoingon</p> <p>12:45 PM - 29 Jul 2014</p>	<p> Robert Robinson @robert5353</p> <p>@TimesSquareNYC My friend's ass was grabbed twice by Elmo while she was just standing and taking a picture of Times Square.</p> <p>11:56 AM - 29 Jul 2014</p>
<p> bob crawford @shaggysk8es</p> <p>when I went to times square for my all American vacation Elmo showed me a tattoo on his hand that said skin head</p> <p>1:39 PM - 14 Jul 2014</p>	<p> Emma Citron @Emmaloucbway</p> <p>I love how Times Square Alliance is talking about those creepy costumed characters in theatre district. I'm sick of Mario trying to hug me.</p> <p>12:17 PM - 10 Jul 2014</p>
<p> Andy @SpritzRoad</p> <p>When my friend & I went 2 Times Square we were forced by Minnie Mouse, Mario & Elmo 2 take a pic & they wouldn't let us leave until we paid</p> <p>5:33 PM - 9 Jul 2014</p>	<p> Scott H @realScottMH</p> <p>Finally! Sick of seeing them gang up on tourist women. RT @1010WINS: Lawmakers To Look At Regulating Costumed Characters In Times Square</p> <p>8:34 AM - 9 Jul 2014</p>
<p> dancing queer @TRUEISMS</p> <p>Also we walked through Times Square and this guy in an Elmo suit tried to hug me and I literally shrieked a bit</p> <p>12:04 AM - 8 Jul 2014</p>	<p> Haley @_HaleyHenry_</p> <p>I just just haha remembered the scary Elmo thing that like tried to grab my hand in times square 😂</p> <p>11:52 PM - 7 Jul 2014</p>
<p> sunrhé @ribbonchu</p> <p>So I was walking through Times Square yesterday & got hit on by 2 men dressed as Captain America & Elmo. I thought that was pretty hilarious</p> <p>2:12 PM - 29 Jun 2014</p>	<p> Andrew Hodge @andruhodge</p> <p>@TSqNews I've only twice in my life felt as strongly about something as I do about the need to regulate costumed characters in Times Square.</p> <p>9:57 AM - 22 Jun 2014</p>

Times Square Costumed Characters | March - November 2014

<p> Vassileia Kazee @vassileiafoxy</p> <p>Can I add "hit on by Elmo" to my resume? #timesquare</p> <p>RETWEETS 2 FAVORITES 9</p> <p>2:14 PM - 19 Jun 2014</p>	<p> Danielle Ito @ditobug</p> <p>Just got groped by Elmo in Times Square</p> <p>FAVORITE 1</p> <p>10:33 PM - 19 Jun 2014</p>
<p> megz @demilovatouk</p> <p>some random person dressed up as elmo walked up and hugged me on times square ohmygod</p> <p>12:23 PM - 19 Jun 2014</p>	<p> La Carmina @lacamina</p> <p>Got attacked by #Elmo & #HelloKitty... Just a typical day in #TimesSquare #nyc. instagram.com/p/pOucXRjJ8R/</p> <p>FAVORITES 2</p> <p>11:49 AM - 14 Jun 2014</p>
<p> Dinah Sharaf @RoclooSolid</p> <p>I just got hit on by Elmo in Times Square.</p> <p>FAVORITE 1</p> <p>12:44 AM - 14 Jun 2014</p>	<p> Renee @reeneepiner</p> <p>Was almost accosted by a dude wearing an Elmo costume. #help #timesquare</p> <p>7:12 PM - 4 Jun 2014</p>
<p> Gaby Freile 🇵🇷 @GabyTeKila</p> <p>I just got molested by Elmo in the middle of times square. 😭😭😭 that did not just happen to me. #perv</p> <p>FAVORITE 1</p> <p>12:20 AM - 31 May 2014</p>	<p> Noreen Flanagan @Noreen_Flanagan</p> <p>I was set upon by a six-foot Elmo in Times Square. #surreal instagram.com/p/opWY4BjWyf/</p> <p>FAVORITES 2</p> <p>11:27 PM - 30 May 2014</p>
<p> Mara G. @MaraAzzuma89</p> <p>Went to Times Square looking for the US national team, instead got mauled by someone in an Elmo suit and nearly run over by a bus. #NYC</p> <p>RETWEETS 2 FAVORITES 3</p> <p>5:34 PM - 30 May 2014</p>	<p> Kia Blue @KiaBleu</p> <p>Elmo just grabbed me.. #timesquare</p> <p>12:01 PM - 30 May 2014</p>

Times Square Costumed Characters | March - November 2014


 **Libby**
@bonahaver

passed by Times Square and got attacked by Elmo loooo!



FAVORITE
1

7:42 PM - 27 May 2014

 **Hannah F.**
@Hannah_Leandra

H&M take NYC #timessquare #minniemouse #elmo #theymadeustipthemforthispic [instagram.com/p/oW4lpWOKsM/](https://www.instagram.com/p/oW4lpWOKsM/)

7:20 PM - 23 May 2014

 **Jessica Brady**
@jittlebrady

Just got checked out by Elmo.
#timessquare

7:54 PM - 23 May 2014

 **McK**
@mckmil

Poppy just yelled, "LEAVE MY WIFE ALONE." At an Elmo in Times Square trying my hug my grandma.


FAVORITES
6

9:42 PM - 22 May 2014

 **Michelle Austria**
@maustria89

Elmo tapped me on the shoulder...
#NotInTheMood #timessquare


2:58 PM - 22 May 2014

 **Kathryn Bailey**
@kbailey4595

Elmo tried to hug me and Times Square and I didn't like it

FAVORITES
3

11:38 AM - 21 May 2014


 **Heben Nigatu**
@heavenrants

Today, one of the times square Elmos tried to grope me. I went to H&M and two different ppl thought I was an employee. I'm tired y'all.

RETWEET
1


FAVORITES
16

7:14 PM - 18 May 2014

 **jessica hoyt**
@jessicaamhoyt

elmo and spiderman just chased me through times square.


6:59 PM - 14 May 2014

 **Carey**
@careyshook

five minutes in Times Square and I've managed to get attacked by chew baca and Elmo

New York, NY












9:53 PM - 13 May 2014

 **lovelanewest**
@lovelanewest

@emilynussbaum Wait, before were you ok? Last time I was in Times Square, I was surrounded by three Elmos. It was vaguely terrifying.

6:50 PM - 8 May 2014

Times Square Costumed Characters | March - November 2014

<p> rosemary shea @phantomxms</p> <p>tbt to when I was attacked by Elmo in Times Square</p> <p>3:28 PM - 7 May 2014</p>	<p> jendziura @jendziura</p> <p>Had drinks with someone who works near Times Square and is regularly sexually harassed by a gauntlet of men dressed as Elmo.</p> <p>12:08 AM - 7 May 2014</p>
<p> Amanda Lo @violinistamanda</p> <p>#elmo just chased me through times square, arms outstretched, hollering, "mami, hey mami! come here." i am scarred for life.</p> <p>New York, NY</p> <p>4:52 PM - 8 May 2014</p>	<p> Paul Denis Baribeau @BaribeauP</p> <p>There are at least 4 Elmos within a single block of Times Square, and one of them takes his head off and gets pissed when people don't tip</p> <p>11:11 AM - 4 May 2014</p>
<p> Jeni Hinton @LoveDisneyMost</p> <p>@Attractions my daughter watched "Elmo" pickpocket someone in Times Square. Beware of fake characters!</p> <p>6:28 AM - 1 May 2014</p>	<p> aliy @alim216</p> <p>I got molested by Elmo in Times Square today... it was not enjoyable</p> <p>4:18 PM - 29 Apr 2014</p>
<p> coriOs8 @corisux</p> <p>I just saw a Broadway play and Times Square and had a man in an Elmo costume touch my butt I'm living the dream</p> <p>12:17 AM - 27 Apr 2014</p>	<p> Liam is ainm dumb @wp_rathed</p> <p>Elmo chasing @eamokeane in Times Square NY</p>  <p>9:29 PM - 24 Apr 2014</p>
<p> Adam Kosturko @AdamKosturko</p> <p>The field trip today was great minus the fact that I got groped by a lady in an elmo costume in times square.</p> <p>8:03 PM - 23 Apr 2014</p>	<p> MARCEL TRAN @marcelvstaken</p> <p>I just got accosted by Times square Elmo. AHHHHHHH!!!!</p> <p>New York, NY</p> <p>6:21 PM - 23 Apr 2014</p>

Times Square Costumed Characters | March - November 2014

 **gettin giggy with it**
@GiannaCollier

exploring Times Square at 1am only to get chased down by Elmo & Mickey Mouse

New York, NY

FAVORITE 1


1:01 AM - 19 Apr 2014

 **Jordan Delaney**
@jordandelaney

Elmo in Times Square came up behind me grabbed me and was rubbing all up on my shit then moaned I'm officially done I quit


RETWEET 1 FAVORITES 3

10:42 PM - 17 Apr 2014

 **Harvey Rañola**
@harvey_ranola

We just got mobbed by a pair of aggressive Elmos and Cookie Monsters in Times Square.

11:30 AM - 17 Apr 2014

 **Nadine Eliya**
@NadineEliya

Ugh a giant Elmo just tried to hug me. I hate Times Square.

1:58 PM - 14 Apr 2014

 **arthur**
@lilhops

Right after I took this picture I was accosted by one of many men in Elmo suits @ Times Square [instagram.com/p/mqoYkDSP2H/](https://www.instagram.com/p/mqoYkDSP2H/)

6:20 PM - 11 Apr 2014

 **Allison Reed**
@SmthngQuotable

Just got hustled by Elmo Mario and Cookie Monster in #TimesSquare. #I<3NewYork #NYC



FAVORITES 2

2:51 PM - 18 Apr 2014

 **Bailey Farley**
@bailey_0509

Throwback to NYC when Elmo scared me half to death #timesquare #creepycharacters [instagram.com/p/m53Ctrwyfb/](https://www.instagram.com/p/m53Ctrwyfb/)


4:17 PM - 17 Apr 2014

 **Tom Morello**
@tmorello

Just saw an Iron Man kick an Elmo in Times Square


RETWEETS 186 FAVORITES 309

7:21 PM - 14 Apr 2014

 **Karen Schay**
@KarenSchay

An elmo In Times Square literally chased me down I was scared for a moment lmao

9:09 PM - 13 Apr 2014

































































 **Lauren Roll**
@lauroll

Getting hustled by 3 Elmos and a Minnie Mouse in Times Square @GuyGerber 🤪🤪🤪🤪


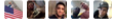






FAVORITE 1

5:05 PM - 8 Apr 2014

Times Square Costumed Characters | March - November 2014

<p> Meg Taylor  @megtaylormr </p> <p>Elmo no bullshit just grabbed my face and tried to make out with me. I hate you Times Square.</p> <p>   1 </p> <p>9:06 AM - 8 Apr 2014</p>	<p> Tashh @T_Daviesx </p> <p>It's all smiles until Elmo chases you down Times Square for a tip. #INeedADollar</p> <p>   </p>  <p>FAVORITES 2</p> <p>8:55 AM - 3 Apr 2014</p>
<p> David Apolo @D_Apolo </p> <p>"Elmo, get your damn hands off me." Girl in Times Square</p> <p> New York, NY</p> <p>   1 </p> <p>5:12 PM - 2 Apr 2014</p>	<p> helen @helen_lee </p> <p>Elmo was getting a little frisky 😏 #whyousoclosetomethough 😏 @Times Square instagram.com/p/mRIGlwE52B/</p> <p>   </p> <p>12:51 AM - 2 Apr 2014</p>
<p> romanjii @romanjii </p> <p>i thought i was gonna get jumped by Mickey, Minnie, the Cookie Monster, and Elmo in Times Square today 😞</p> <p>   </p> <p>11:29 PM - 28 Mar 2014</p>	<p> maggie @deberesswills </p> <p>literally just got ripped off by elmo in times square</p> <p>   </p> <p>RETWEET 1</p> <p>9:08 PM - 27 Mar 2014</p>
<p> Hannah Cates @hannahcates13 </p> <p>I am literally watching Elmo harass people on Times Square 😞</p> <p>   </p> <p>FAVORITE 1</p> <p>11:46 PM - 25 Mar 2014</p>	<p> MINION @MINION </p> <p>Elmo and a minion in Times Square with Sarah lol...give me as much money as you can #timessquare #roadtrip #nyc #...</p> <p>   </p>  <p>11:58 PM - 24 Mar 2014</p>
<p> Krenz @viralakrenz </p> <p>I went to Times Square today and a Elmo tried to touch me #almostscreamed</p> <p>   </p> <p>FAVORITES 2</p> <p>7:57 PM - 17 Mar 2014</p>	<p> Jon Sosis @FunnyJS </p> <p>I can't believe Elmo just called me the n-word. Like...I don't know what to do right now. #nyc #timessquare</p> <p>   </p> <p>5:28 PM - 17 Mar 2014</p>

Times Square Costumed Characters | March - November 2014

<p> Casey Metz @cmetz7 Follow</p> <p>last night some man dressed in an Elmo suit in Times Square ruined my childhood and whispered something Elmo should never say 🙄</p> <p>FAVORITES 7 </p> <p>11:14 AM - 16 Mar 2014</p>	<p> Emma Guidi @emma_guidi Follow</p> <p>Walking through times square and being chased for hugs by creepy Minnie and Elmo<<<< is this a nightmare or real life...? 🙄</p> <p>FAVORITE 1 </p> <p>10:21 PM - 15 Mar 2014</p>
<p> Juli Klein @juliiiiii Follow</p> <p>Just got attack hugged by literally every Elmo/Hello Kitty/Cookie Monster in Times Square all at once. #nightmares</p> <p>11:15 AM - 10 Mar 2014</p>	<p> Lauren Hebb @laurenlovelaugh Follow</p> <p>There's like 5 Elmo's stalking me in Times Square 🙄</p> <p>9:00 PM - 9 Mar 2014</p>
<p> Maddie Crichton @maddz99 Follow</p> <p>In a span of 30 seconds I was harassed by Elmo and Bane and asked if I was interested in comedy/illegal drugs. Only in Times Square.</p> <p>FAVORITE 1 </p> <p>10:54 AM - 7 Mar 2014</p>	



Thank you, Council Member Espinal, for chairing this session, and thank you again to Council Member King for spearheading today's discussion.

My name is Ellen Goldstein, and I am the Vice President of Policy, Planning & Research at the Times Square Alliance.

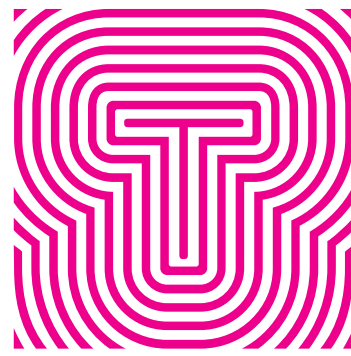
In September 2014, the Times Square Alliance contracted with Turnkey Intelligence – an independent market research firm – to conduct a series of focus groups with district employees. This is something that we do every couple of years to solicit feedback about the neighborhood and our effectiveness as a business improvement district.

This year, more than 60 employees participated from a wide range of companies and organizations. At the end of each focus group, the moderator asked an open-ended question: 'What are your favorite and least favorite parts of working in Times Square?' Nearly every person brought up the costumed characters, and I would like to show a brief video that highlights those responses.

<https://www.youtube.com/watch?v=g7w9SMIt9ml&feature=youtu.be>

Thank you again, and I'm happy to answer any questions.

TIMES
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Thank you, I'm Tim Tompkins, President of the Times Square Alliance, and I'd like to thank Council Members King, Espinal, Garodnick, Lancman and just all the folks that have been here for this very robust conversation and the acknowledgement that we've got something we need to work on.

Why is this issue being addressed?

I'll just give you three examples. Two years ago, I first learned about this issue when a female member of my staff came in and said that Elmo had grabbed her backside. On October 19, 2013—this is from a court record— “Individual dressed as Spider-Man approaches 16 year old female on a class trip to Times Square. Spiderman grabs her arm and spins her around pressing his body against her for a photo. When she does not tip the Spiderman character reaches out and grabs her buttocks. Incident is observed by adult chaperone who reports incident to police. Defendant is arrested, ended up the defendant pleads guilty to all charges and is sentenced to 90 days in jail.”

Third example, letter received out of the blue, June 2nd, 2014 from two young women in Connecticut. “My friend and I, who are sixteen-year-old Asian girls, were walking down Times Square, there were three Costumed Characters who pushed us into taking photos with them without explaining that it would cost money. They wouldn't let us go. They even tried to keep my friend with them, and they wanted me to go to the ATM and get money. The trip to Times Square that we had dreamed of was a nightmare.”

That's the problem we are focusing on. I want to be explicit and clear, that I do not think that any of the people that testified today, any of the people that have been working with the group La Fuente to come up with a set of solutions, those are not the problem people. We have never—Times Square has always been a place that has celebrated expression and different kinds of things. As I've said, quirky is fine, but creepy is not. We respect and support the fact that many people are honest players trying to earn a living, and we believe that a license system actually protects the honest players, but also protects the members of the public. That's what we're focusing on. When we cite bad incidents, we are not casting aspersions upon the people that we do think are honestly trying to earn a living.

Why is this issue important? It's important because it's a consumer protection issue (these are folks engaging in business), but it's also important for the City of New York and its economy. Tourism is one of the biggest drivers, Times Square itself generates, directly or indirectly, 1 in every 10 jobs in New York City through all 5 boroughs, and



over time, not immediately, but over time, all these negative experiences will push us back where we were before—fewer people will come to New York City, fewer hotel rooms will be filled, fewer jobs in those hotels, those restaurants and those stores will be available to people.

So how do we think this needs to be addressed? We do think that a licensing scheme is important because it does two key things. It creates a first filter to weed out people that have recent, violent or predatory criminal records, a first filter. The other thing it does is it creates accountability because someone can see who this person is and make a distinction between an honest, hardworking Elmo and one that is not honest. And also, just in the same way that the name on a police badge or the name on a taxi medallion creates a culture where someone has to behave a little bit better because they know are being watched and they know that they can be turned in. Those are the elements of a licensing scheme that are important, and we are very grateful for that introduction.



Some people have said, as Council Member Cornegy referred to, that they're concerned about negative police-citizen interactions, or that this would create more opportunities for negative police-citizen interactions. One of our arguments is that a licensing scheme actually creates a middle ground. Council Member Garodnick took us through some very complex scenarios of where someone is subtly being intimidated or talked to. We want to avoid the situation where the only choice is either do nothing, or the full power of an arrest, on these very subtle forms of behavior that are judgment calls. A licensing scheme allows you to call 311, to say, look, this person hasn't behaved well, and over time, their license can be revoked. It gives you an intermediary measure for enforcement. We think that, even if there is some time, place and manner restriction related to somebody being in a box, that you still have the problem that, under the cloak of anonymity, someone who is in that box can do something bad. So time, place and manner is not enough, we think, we need also to deal with the fact that the bad players here are taking advantage of anonymity.

Self-regulation, we think that that is an admirable action for the folks who are honest, but the problem is that you think about any business regulation system, the good folks will say 'we'll play by the rules', but why do we regulate businesses anywhere in the world, and any commercial activity, it's because you need to have something to constrain and punish the bad players, not the good players.

There's been some concerns expressed about immigration. We were emphatic in saying that we did not want this bill to have anything where people were being asked their immigration status. The council wisely passed a law recently saying that there's



a fine line, if there's ways to add extra sense of security around this issue of not having information be shared, we support it. We want to be explicit: we do not want this to be used as a tool for federal immigration enforcement.

And then finally, we do want to say that we think that the licensing scheme is important and voluntary does not work. We are completely open to the idea that the bill can potentially be strengthened, by narrowing some of the definitions of the characters regulated (maybe it's just limited to people wearing masks as opposed to everybody in costume), maybe narrowing some of the scope of activities, maybe reducing some of the time, place and manner restrictions that were lifted from the vending law to make them more concise, perhaps lessening some of the penalties that may feel like they're out of whack so that there are still strong penalties, but only after multiple offenses. And we also agree with the idea of reducing the registration fee. So we're open to saying this bill can be stronger, and we think, but it does need to be done, and because all of our Times Square plazas are going to be opening next spring, time is of the essence.

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Costumed Character Hearing

Frequently Asked Questions

What is the issue being addressed?

Over the past several years, there have been countless instances of costumed characters in Times Square engaging in violent or predatory behavior and using aggressive solicitation tactics, causing visitors and locals to feel uncomfortable and unsafe.

In 2014 alone, costumed character incidents generated over 2.2 billion negative press impressions that have damaged the City's image. In a survey of 988 New Yorkers, 45% mentioned an unpleasant interaction with a costumed character or solicitor, and 31% of Times Square constituents said they feel less safe around the costumed characters.

Specific incidents include: Anti-Semitic Elmo ranting (Dec 2012), Super Mario groping a woman (Dec 2012), Spider-Man punching a woman (Feb 2013), Cookie Monster shoving a two-year-old boy (Apr 2013), Woody from Toy Story groping a woman (Jan 2014), two Statues of Liberty brawling (Jun 2014), Spider-Man groping a woman (Jun 2014) and Spider-Man punching an NYPD officer (Jul 2014).

Categories of negative behavior include:

- *Aggressive solicitation and intimidation* – Aggressive, demanding or intimidating behavior by costumed characters in pursuit of monetary compensation. Often one character will pose for a photo with an individual and several more will step into the photo without the individual's consent. After the photo is taken, the group of characters will surround the individual, often asking for significant compensation for each character.
- *Inappropriate touching* – Unwanted physical advances by costumed characters.
- *Incidents involving children* – Behavior directed specifically towards children, often engaging them without the consent of the parent or guardian. There have been several incidents of a character physically holding a child until receiving a tip.
- *Physical and/or verbal altercations* – Physical or verbal abuse towards other characters, members of the public and/or the NYPD.

Why is this issue important?

At its core, this is a consumer protection issue. For years, hundreds of unsuspecting individuals everyday have been intimidated and taken advantage of in Times Square. By regulating costumed characters, those behind the mask will be held accountable for their actions, and the district will remain safe for visitors and locals alike. Honest, law-abiding characters will not be adversely affected, and they will only have their reputation enhanced by eliminating these bad actors.

Tourism directly supports 264,274 New York City jobs and another 83,883 in indirect or induced spending sectors. 52% of those working in the tourism/culture sector live outside of Manhattan, and those employed in the industry tend to have higher-than-average wages and benefits. Times Square itself is a huge driver of the City's economy. Though it represents just 0.1% of New York City's total land area, Times Square supports 10% of the City's jobs and employs approximately 145,000 New Yorkers, with 61% of those living outside of Manhattan or north of 110th Street. Negative quality of life activity causes workers to feel unsafe, and it detracts from the visitor experience, mitigating everyone's desire to spend time in the area.

How might these issues be addressed?

After a series of incidents and arrests involving costumed characters engaging in violent, aggressive or predatory behavior, it is clear that regulation is essential in order to provide city officials with the tools to protect consumers from aggressive solicitation tactics.

Under a simple licensing scheme, prospective costumed characters would need to pass a standard criminal background check, pay a licensing fee and display an identification badge while soliciting as a costumed character. The background check could disqualify those with recent violent or predatory criminal history, and the identification badge would allow New Yorkers and city officials to easily identify those behind the masks. Licensing provides a middle ground whereby someone can get a summons for violating the law rather than being arrested, thus creating accountability and discouraging irresponsible behavior.

Wouldn't increased enforcement by the NYPD solve this issue? Is legislation necessary?

Pure enforcement is not the answer – it relies on “aggressive solicitation” as a basis, meaning a police officer must witness the activity and the victim must be harmed in some way (e.g. their property is confiscated or a child is withheld until a tip is given). Four costumed characters surrounding someone and seeming intimidating does not meet that standard. This fuzzy legal ground limits NYPD’s ability to effectively enforce under current circumstances.

Wouldn't regulating the costumed characters legitimize the industry?

Some have concerns that a regulatory scheme could legitimize the characters. The fact of the matter is, they are already engaging in this commercial activity, and a scheme to regulate them would ensure that visitors and locals feel safe and protected.

Isn't it unconstitutional to regulate the costumed characters?

We do not advocate banning costumed characters from Times Square or restricting anyone’s freedom of expression. Nearly every costumed character has mentioned that they are “just trying to make a living,” meaning it is legally defensible to regulate this commercial activity in the interest of consumer protection.

Why should the City Council pass legislation instead of allowing costumed characters to self-regulate?

While a group of characters have suggested self-regulating and forming a code of conduct, this does not cut to the core of the issue – namely that there are other bad actors out there acting anonymously. Self-regulation is limited to those law-abiding citizens who choose to partake, and it does not address the behavior of those who reject the voluntary scheme. This leaves those who live, work and visit Times Square and other New York City neighborhoods vulnerable to negative behavior. A simple licensing or regulatory system ensures that all who choose to operate as a costumed character must abide by a set of rules and regulations designed to protect consumers from predatory or aggressive behavior.

Will legislation require proof of immigration status in order to obtain a license?

Any legislation to regulate the characters should explicitly prohibit inquiries about an applicant’s immigration status. Additionally, thanks to a recently-passed New York City law, no information about an applicant for a license would be turned over to federal immigration authorities. The law states that the NYPD and the NYC Department of Correction will no longer honor immigration detainers issued by the federal government unless they are accompanied by a judge’s warrant.

How would legislation impact activities like busking and performances?

Legislation should only address the activities of costumed characters who operate in public spaces, solicit money for photos or other interactions with the public, and wear articles of clothing, accessories, masks or paint that obscure their faces or cause them to resemble something other than their own persons. It should not in any way limit the activities of musicians, actors, buskers, panhandlers, or people in costume who are not soliciting.



Thank you, Council Member Espinal, for chairing this session, and thank you Council Member King for starting today's discussion.

My name is Tim Tompkins, and I am the President of the Times Square Alliance.

I am submitting the following documents for the official record:

- 'Frequently Asked Questions' outlining the great majority of my testimony
- 'Disturbing Costumed Character Incidents' highlighting both the issue and several stories from both visitors and locals
- Several letters and emails that the Times Square Alliance has received unsolicited from both visitors and locals

Thank you again, and I'm happy to answer any questions.

Tim Tompkins
President
Times Square Alliance



Mr. Tim Tompkins
Times Square Alliance
1560 Broadway
Suite 800
New York, NY 10036

Dear Mr. Tompkins,

I am writing on behalf of the tourists of Times Square. For most people, Times Square is a hot spot when they go to New York. However, the visit is often disappointing to the tourist because there are many annoying Costumed Characters who force tourists into taking photos with them without explaining that it will cost money. This problem seems to be aimed at women, children and foreign people.

This past Memorial Day Weekend, I visited New York City. I had a wonderful trip until I went to Times Square. Even though I am back in Connecticut, I still feel unnerved. My friend and I, who are sixteen-year-old Asian girls, were walking down Times Square, and there were three Costumed Characters who suddenly came close to us. They pushed us into taking photos with them without explaining that it would cost money. They wouldn't let us go. They even tried to keep my friend with them, and they wanted me to go to the ATM and get money. Finally we got away, but we felt scared. Every Time we saw any Costumed Characters, we avoided them. The trip to Times Square that we had dreamed of was now a nightmare.

I know I am not the only person to be affected by this problem. It was reported in *The New York Post* on April 15, 2013 that these costumed characters were a menace to Times Square. They lure the children with the cute costumes and behavior, and then they extort money from parents to pay for the photo. If parents refuse to pay, the characters respond by signaling to other characters with threatening gestures (1). A joyful trip becomes a terrifying experience. Unfortunately, this happens all the time. At the same time, according to CBS News, children were shoved by a man dressed as a Cookie Monster. Two months earlier, a 35-year-old Spider-Man punched a woman's face. And in December 2012, a man dressed as Elmo improperly touched a young girl, and he also yelled anti-Semitic remarks (2). These incidents regretfully happened in my favorite city, and I am frightened to visit Times Squares again.

I am not sure if you have ever encountered this problem when you are traveling. This terrible experience in Times Square has destroyed my fantasy of New York. If I ever choose to return to New York, I will visit another site instead of Times Square, and suggest to my friends to avoid that area. As a result, when tourists are discouraged from visiting Times Square, business will suffer. I hope you can deal with this problem quickly and efficiently; it is not only my personal request, but also from those tourists who have had the same experience as me, especially for women, children and foreigners.

I have some suggestions for the Times Square Alliance to improve the situation. First, each costumed characters should have their own license, and they need to pay money for it. Therefore, it certainly will decrease the number of Costumed Characters. They should licensed and monitored like the food cart vendors. Second, they should put their certificate on their clothing when they are working; thereby, we could report to you with accurate information when an incident occurs. Third, the cost of taking a photo should be told to tourists in advance and should be advertised. Finally, the Times Square Alliance should think about limiting the number of licenses they issue, so that Times Square is not overrun with the same characters or too many characters in general.

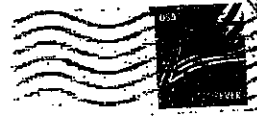
Sincerely,

Angela Liekkas Sherl

Angela Lekkias Sher
97 Whitney, New Haven, CT

10036999399

02 JUL 2014 PM 7 L



Tim Tompkins
Time Square Alliance
1560 Broadway
Suite 800
New York, NY 10036

10036999399



Caitlin Lewis

Subject: FW: encounter at the Times Square on last Wednesday

-----Original Message-----

From: In Taek Hong [mailto:hongi@carleton.edu]
Sent: Friday, June 20, 2014 4:58 PM
To: Tim Tompkins
Subject: encounter at the Times Square on last Wednesday

Dear Mr. Tim Tompkins,

My name is In Taek Hong, and I am a recent graduate from Carleton College in Northfield, Minnesota. I was the person who met you by chance after I took some pictures with the people on costumes and unexpectedly paid \$25 tips to them on the Times Square. You interviewed me about what happened with them and even reimbursed the money I lost (I interviewed with my English nickname, Nick).

First of all I want to say thank you for your explanation and reimbursement, which was not your charge at all. It was my fault that I did not deal with the people on costumes accordingly. Thank you very much for explaining that those actions of people on costumes (demanding quite much amount of money for taking several pictures with them without clear explanation) were not right. I was maybe too excited walking around boisterous Times Squares to deal with those people accordingly.

Second, I felt that I do need to repay the reimbursement you gave to me, which was not your charge at all. Of course I also must said that the reimbursement was helpful because I was able to use them for my trip back to Washington DC (I am now working in DC after graduation from Carleton). However, I do want to pay this money back to you. Could you please let me know the way to do so?

If there is any help or information I can provide for your work to improve the conditions of the Times Squares for tourists, please let me know. I am more than willing to help you or provide clearer explanation of the incident that happened on Wednesday.

Sincerely,

In Taek Hong

Caitlin Lewis

Subject: FW: Times Square Characters Are Repelling Some Tourists

From: Bartlett, Maurine [<mailto:Maurine.Bartlett@cwt.com>]
Sent: Monday, July 28, 2014 3:50 PM
To: Marianne Vernetson
Subject: Times Square Characters Are Repelling Some Tourists

Dear Ms. Vernetson. For what it's worth, my cousin, her husband and teenage daughters from Minneapolis visited NYC earlier this month and were very put off by the "characters" who have proliferated in Times Square, especially the topless painted ladies. My cousin is a sophisticated journalist who has long worked for the Minneapolis Star Tribune, so they are not prudes; and they spoke glowingly about their other NYC activities. However, it might be useful for the Times Square Alliance to know that Times Square was the one part of the city that elicited a very negative reaction and that they subsequently avoided. Having observed and welcomed the positive changes in that neighborhood for many years, I'm concerned about the possibility that it may again be seen as a "non-family-friendly" spot – all thanks to the fact that it has become a magnet for a new type of unsavory character. Am sending this email in the event that the Alliance is interested in receiving input on this topic and is searching for ways to address it.

Sincerely, Maurine Bartlett

Maurine R. Bartlett
Cadwalader, Wickersham & Taft LLP
One World Financial Center
New York, NY 10281
Tel: +1 212.504-6218
Fax: +1 212.504.6666

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Caitlin Lewis

Subject: FW: Street Characters

From: Sharon Schmucker
Sent: Monday, August 04, 2014 3:37:00 PM (UTC-05:00) Eastern Time (US & Canada)
To: Street Watch
Subject: Street Characters

As the Security Director for Ernst & Young, I find the street characters are impeding pedestrian movement on the sidewalks and at the street mall. As it is, it is very difficult to navigate the sidewalks with the amount of tourists the Time Square area sees especially during the summer months. In addition the characters at times block the entrance to the subway station (seen mostly at the 41 street entrance) as this is where they put on their costumes.

As a retired Lieutenant from the NYPD, my concern which makes me stay up at night is the ability of a person who believes that the only way to make a point is to strap a bomb vest and detonate themselves in a very thriving area.

I know a background check is not be all to end all, but at least a person with the intention of harming others might think twice.

Find us on: [Facebook](#) | [LinkedIn](#) | [Twitter](#) | [YouTube](#)

Sharon Schmucker | Security Director-Critical Facilities - FBI N.A.175 | Global Security-Americas



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Website: <http://www.ey.com>

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Caitlin Lewis

Subject: FW: Get costume characters out of Times Square!

From: Matt Kouskalis [<mailto:mk@bareburger.com>]
Sent: Thursday, July 31, 2014 6:21 PM
To: Street Watch
Subject: Get costume characters out of Times Square!

I work in the area and observe the characters on a daily basis. They are constantly a nuisance to nyc residents and visitors. They constantly have their hand out whenever someone takes a photo and they get nasty if you don't give them \$\$ or "enough" money for taking a photo. Take them off our streets!

Thanks,

Matt

Caitlin Lewis

Subject: FW: costume character issue

From: John Taboada

Sent: Monday, August 04, 2014 1:36:45 PM (UTC-05:00) Eastern Time (US & Canada)

To: Street Watch

Subject: costume character issue

Hello,

I hope this email finds you well. Personally, I find all of the characters attitudes way too aggressive for this neighborhood. Times Square is becoming more and more of a family neighborhood and the nature of these people do not match that. I have consistently heard from our guests of the characters wanting more money than what was given to them. I understand that they need to make a living. But, the cost of taking a picture with a badly costumed Elmo should not be more than a few dollars at the most. I hope that our community can either come together with an idea for how to better this situation or we can figure out a way to get rid of it all together.

Sincerely,

John Taboada
General Manager

JOHN TABOADA

GENERAL MANAGER



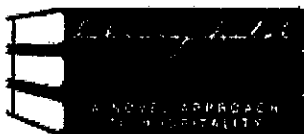
147 W 43rd Street, New York, NY, 10036

Tel; 212-869-1212 Fax; 212-391-7585

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www.libraryhotelcollection.com

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Caitlin Lewis

Subject: FW: Times Square "Characters"

Begin forwarded message:

From: Mary Sue Daniels <marysue.daniels@gmail.com>
Date: November 2, 2014 at 12:44:05 PM EST
To: mvernetson@timesquarenyc.org
Subject: Fwd: Times Square "Characters"

missed an 's' in the address

----- Forwarded message -----

From: Mary Sue Daniels <marysue.daniels@gmail.com>
Date: Thu, Oct 30, 2014 at 5:26 PM
Subject: Times Square "Characters"
To: mvernetson@timesquarenyc.org

Hello Marianne,

It was really good catching up with you last night. To further our conversation, here is a summary of my recent experience in Times Square:

Last Monday during evening rush hour I passed through a pedestrian mall after exiting the 42nd Street subway on my way to a music studio on 46th Street. I noticed several women, wearing only red thongs and boots, torsos painted with red, white and blue stripes, soliciting men to take photos with them, presumably in exchange for money. As I stood there, dumbfounded and not entertained, a man in an Elmo costume slithered up to me and under his breath said "Hey, lady" in a creepy manner. It was definitely an unpleasant experience, if I had children or out of town guests with me I would have felt very insecure and embarrassed.

Who are these people and what exactly is their purpose? It seems to me that in exchange for their "tips" there should be some added value to their presence. Times Square is blooming with tourists and families. Do we want our city represented by these ambassadors of sleaze?

The MTA has a program called Music Under New York, which regulates entertainment in the subway system. They have auditions, rules of conduct and the performers are a chosen, known quantity who take pride in what they do and how they are presented. Is it possible to implement a similar program for the pedestrian malls? If the degraded quality of life continues in Time Square, I think we would be better off letting the malls go back to traffic. I would hate to see that happen, but the presence of these characters is turning what was once a lively, unique urban experience into a frightening and ugly place.

Thank you,
Mary Sue Daniels

Caitlin Lewis

Subject: FW: Costumed characters

From: Barbara Carlson
Sent: Sunday, October 19, 2014 12:36:46 PM (UTC-05:00) Eastern Time (US & Canada)
To: Street Watch
Subject: Costumed characters

First things first...I am a middle aged woman from Nebraska.

I was enjoying my walk when Elmo approached me, I laughed, she went to hug me. I returned the hug. How Cute, I thought. Then she said, how about a picture. I said okay, but not caring ...Minnie Mouse and Cookie Monster show up...I get out my camera, thinking I was doing a selfie. Cookie says, I'll take it. OK. Then Elmo asks for money..being from Nebraska, I was startled. I had a \$20 bill and some change...I gave her \$2 in quarters and she said No, bills. I said I just have a 20...so they took it and gave me back a 10.

Now, I wasn't robbed but I sure felt I was mugged by Muppets. Afterward I saw the sign that said something like take pictures and tips are appreciated.

My reason for writing is not to get the Muppets or Minnie in trouble BUT possibly share the fact that if a tourist does not ask for a picture they should not be told they have to give them "bills". It reminded me of when I was in China and the locals wanted money for telling you where the bathrooms were. The Charm of Times Square vanished.

All my other encounters in NYC were positive.

Barbara Carlson

Caitlin Lewis

Subject: FW: Negative experience with a Times Square costumed character

-----Original Message-----

From: Michael Westbrook [mailto:michaelwestbrook@hotmail.co.uk]
Sent: Friday, August 15, 2014 12:07 PM
To: Street Watch
Subject: Negative experience with a Times Square costumed character

Hello,

I visited New York last December 2013 from the United Kingdom and visiting a Times Square was at the top of my list of things to do but upon arrival these people were everywhere even as early as 9am and some kept pestering me like touching my arm to get my attention and making a 'take a picture' gesture and saying "5 bucks take picture" plus others were doing their superhero pose at least 5ft in front of me which made me side step to move out of their way.

As an international visitor they ruined the aura and excitement of Times Square for me. When I arrived home, friends and family asked about Times Square all I could think of was the costumed people, yes the so called "centre of the universe" and I think of disney or marvel characters. When I take a vacation to New York again next year, Times Square will be a place I will not visit.

Hopefully my email will reach someone...

Michael Westbrook
Sent from my Michael's iPad

Caitlin Lewis

Subject: FW: Street characters

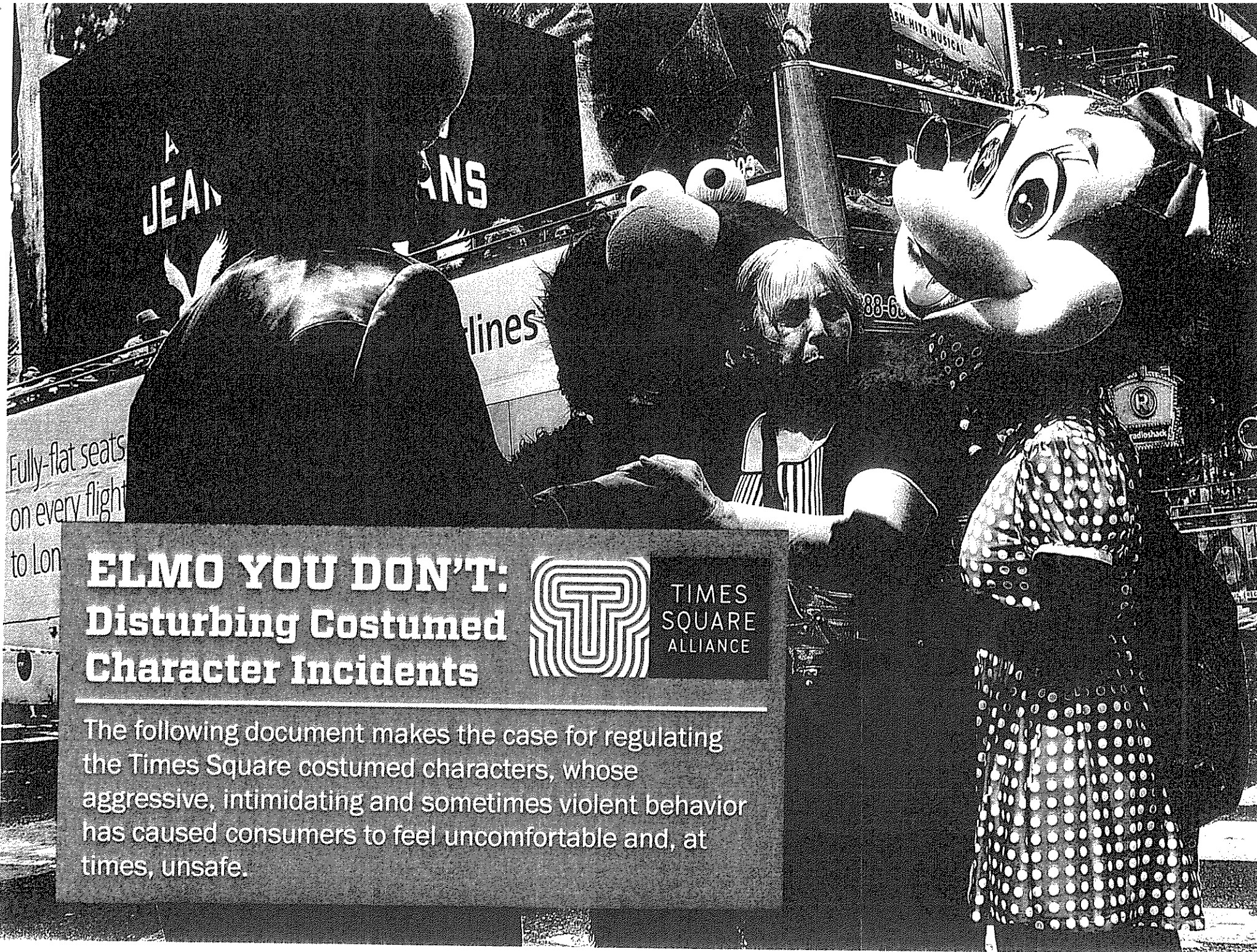
From: jodie hunt

Sent: Tuesday, August 12, 2014 3:57:57 PM (UTC-05:00) Eastern Time (US & Canada)

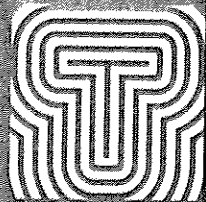
To: Street Watch

Subject: Street characters

i was there 2 years ago on a weeks holiday with my then 5 year old daughter. We spent almost 40 dollars on pictures with my child and the characters. When i paid 1 just 1 dollar, they waved their hand at me and said no no... 2 dollars!! I thought they were allowed to charge as no-one questioned them and the police that were walking by did not interveen.on Android



ELMO YOU DON'T: Disturbing Costumed Character Incidents



TIMES
SQUARE
ALLIANCE

The following document makes the case for regulating the Times Square costumed characters, whose aggressive, intimidating and sometimes violent behavior has caused consumers to feel uncomfortable and, at times, unsafe.

What Legislation Would Address

Over the past several years, there have been countless instances of costumed characters in Times Square engaging in **violent or predatory behavior** and using **aggressive solicitation tactics**, causing visitors and locals to feel **uncomfortable and unsafe**.

A simple licensing or regulatory system would ensure that anyone operating as a costumed character must abide by a set of rules and regulations designed to protect consumers. Prospective costumed characters would need to pass a standard criminal background check, pay a licensing fee and display an identification badge while soliciting as a costumed character. The background check could disqualify those with recent violent or predatory criminal history, and the identification badge would allow New Yorkers and city officials to easily identify those behind the masks. Licensing provides a middle ground whereby someone receives a summons for violating the law rather than being arrested, thus creating accountability and discouraging irresponsible behavior.

Why Legislation is Necessary

At its core, this is a consumer protection issue. For years, hundreds of unsuspecting individuals everyday have been intimidated and taken advantage of in Times Square. By regulating costumed characters, those behind the mask will be held accountable for their actions, and the district will remain safe for visitors and locals alike. Honest, law-abiding characters will not be adversely affected, and they will only have their reputation enhanced by eliminating these bad actors.

While a group of characters have suggested self-regulating and forming a code of conduct, this does not cut to the core of the issue – namely that there are other bad actors out there acting anonymously. Self-regulation is limited to those law-abiding citizens who choose to partake, and it does not address the behavior of those who reject the voluntary scheme. This leaves those who live, work and visit Times Square and other New York City neighborhoods vulnerable to negative behavior.

Pure enforcement is also not the answer – it relies on “aggressive solicitation” as a basis, meaning a police officer must witness the activity and the victim must be harmed in some way (e.g. their property is confiscated or a child is withheld until a tip is given). Four costumed characters surrounding someone and seeming intimidating does not meet that standard. This fuzzy legal ground limits NYPD’s ability to effectively enforce under current circumstances.

What Legislation WOULD NOT Do

It would not ban the characters – we have no issue with honest practitioners. We do not advocate banning costumed characters from Times Square or limiting the number of permits issued. Nearly every costumed character has mentioned that they are “just trying to make a living,” meaning it is legally defensible to regulate this commercial activity in the interest of consumer protection.

It would not ask for proof of immigration status. Any legislation to regulate the characters should explicitly prohibit inquiries about an applicant’s immigration status. Additionally, thanks to a recently-passed New York City law, no information about an applicant for a license would be turned over to federal immigration authorities. The law states that the NYPD and the NYC Department of Correction will no longer honor immigration detainers issued by the federal government unless they are accompanied by a judge’s warrant.

It would not limit freedom of expression. Legislation should only address the activities of costumed characters who operate in public spaces, solicit money for photos or other interactions with the public, and wear articles of clothing, accessories, masks or paint that obscure their faces or cause them to resemble something other than their own persons. It should not in any way limit the activities of musicians, actors, buskers, panhandlers, or people in costume who are not soliciting.

We've seen instances of bad behavior in the news...

DAILY NEWS

Times Square performer dressed as Super Mario arrested after allegedly groping woman

NEW YORK POST

Two men dressed as Statue of Liberties brawl

NEW YORK

Anti-Semitic Elmo arrested in Times Square

PIX11

Times Square Spider-Man arrested for punching NYPD officer

CBS New York.com

Man dressed as Cookie Monster accused of shoving a child in Times Square

NEW YORK POST

'Woody' from 'Toy Story' arrested on sex charges

DAILY NEWS

Times Square Spider-Man accused of groping woman

Daily Mail

Times Square Spiderman claims 'punching a woman in the face for not tipping him' was 'self-defence'

THE HUFFINGTON POST

Batman In Times Square Goes On Expletive-Filled Rant

But everyday we receive complaints from both locals...

A survey conducted by Turnkey Intelligence, an independent market research firm, asked 988 New Yorkers and Times Square constituents:

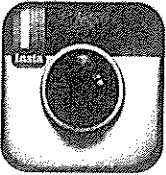
“During the past year, have you had an unpleasant interaction with a **costumed character** or **someone soliciting you** while in Times Square?”

45% of those surveyed have had an **unpleasant interaction** with a costumed character or solicitor.

31% of constituents **feel less safe** around costumed characters.



...and visitors alike.



helen__t

8 months ago · 📍 Times Square NYC

Elmo was getting a little frisky 🙄
#whyyousoclosetomethough 🙄

Follow

👤 sidoo_69 vk_29 rebecca_ug and 48 others liked this



suteki_utsu
#tips lol



its.tessy_
ahhahahahaha the second thing I saw was tips on the elmo



__prettywings__
Hahaha!! Your face! 🙄 lol



francescabryant
Mickey's purse is cute lol



vashticles
Bahahahha! This picture is brilliant



aly_marie_v
Hahahaha "don't touch me beeeetch!!" 🙄🙄🙄



rebecca_ug
lol!!!!



Leave a comment...



Mr. Tim Tompkins
Times Square Alliance
1560 Broadway
Suite 800
New York, NY 10036

Additional Testimonials

Dear Mr. Tompkins,

I am writing on behalf of my friend and I, who are sixteen-year-old Asian girls, were walking down Times Square, and there were three costumed characters who... pushed us into taking photos with them without explaining that it would cost money. They wouldn't let us go. They even tried to keep my friend with them, and they wanted me to go to the ATM and get money...

This past Memorial Day Week, I went to Times Square. Even though I am back in my hometown, I was with my friend and I, who are sixteen-year-old Asian girls, were walking down Times Square, and there were three costumed characters who... pushed us into taking photos with them without explaining that it would cost money. They wouldn't let us go. They even tried to keep my friend with them, and they wanted me to go to the ATM and get money...

I know I am not the only person who has had this experience. On April 15, 2013, that these costumed characters, who were dressed as a Cookie Monster. Two months earlier, a 35-year-old Spider-Man punched a woman in Times Square. In December 2012, a man dressed as Elmo improperly touched a young girl, and he also made anti-Semitic remarks (2). These incidents regrettably happened in my favorite city, and I am now frightened to visit Times Squares again.

A joyful trip becomes a terrifying experience. According to CBS News, children were shown in Times Square, and they were being pushed around by costumed characters. At the same time, a man dressed as a Cookie Monster. Two months earlier, a 35-year-old Spider-Man punched a woman in Times Square. In December 2012, a man dressed as Elmo improperly touched a young girl, and he also made anti-Semitic remarks (2). These incidents regrettably happened in my favorite city, and I am now frightened to visit Times Squares again.

I am not sure if you have ever encountered this problem when you are traveling. This terrible experience in Times Square has destroyed my fantasy of New York. If I ever choose to return to New York, I will visit another site instead of Times Square, and suggest to my friends to avoid that area. As a result, when tourists are discouraged from visiting Times Square, business will suffer. I hope you can deal with

“My friend and I, who are sixteen-year-old Asian girls, were walking down Times Square, and there were three costumed characters who... pushed us into taking photos with them without explaining that it would cost money. They wouldn't let us go. They even tried to keep my friend with them, and they wanted me to go to the ATM and get money...”

The Trip to Times Square that we had dreamed of was a nightmare.”

"We were walking along 42nd St. east from 8th Ave. and at 7th Ave. were surrounded by these creatures who... seem positively menacing. **Entire groups of them would come together around an obvious tourist family, use the children as 'bait' for the picture and then, hands out and jostling full into the parents, demand, rather I should say, extort, payment...** There would be five or six hands out all demanding 'compensation' for the 'service' they had rendered and, usually, the father would pull out his wallet and start handing out the ransom."

—Harris, New York Resident, Email

"The characters are out of control. There are more everyday, and I observe them getting angry at tourists that don't tip them. **I also don't appreciate their comments as a I walk by as a female.**"

—Times Square Employee, Survey Response

"I own an event planning company and work in the Paramount Building in Times Square. **Our clients are constantly harassed by the furry characters and it has a negative effect on their perception of NY.**"

—Times Square Business Owner via survey

"I feel the costumed characters should not gang up when taking pictures and expect a tip from the pedestrian. **They should not be able to chase you down the streets begging for a tip.**"

—Times Square Employee, Survey Response

"My [family] from Minneapolis visited NYC earlier this month and were very put off by the 'characters' who have proliferated in Times Square... **Times Square was the one part of the city that elicited a very negative reaction** and that they subsequently avoided."

—Maurine, Native New Yorker, Email

"Costumed characters have become a major problem. I try to ignore them, **but when they purposefully reach out & touch you in a crowded area it makes one feel very uncomfortable.**"

—Times Square Employee, Survey Response

"They walk up to my nephew with their arms outstretched, and I'm like, I don't want this... hugging my nephew. **We told him not to touch them.** But they see the child, and they open their arms!"

— Alison, Times Square Employee, Survey Response

"A lot of times unsuspecting tourists don't know that you need to tip these characters, so when they are done with pictures, **they open up the tip bag and blatantly ask for money and the person is always surprised, because they thought they were just taking a picture for their child, and creating happy memories.**"

—Times Square Local, Survey Response

"I had only \$5 in my wallet at that time and expected it would be enough. But after we took the pictures, [the characters] tried to say that they needed \$25... I showed my wallet to them and ...they found that I had €15 in my wallet. They thought that if I gave them €15, then that would be enough for the \$25. I feel bad about giving them so much money, I only hope there will be no other people than me."

-Nick, Visitor from Washington D.C., Interview

"The costumed characters **attack tourists when they don't tip. I have stepped in more than once and stopped a character from verbally abusing tourists.** It misrepresents NYC and makes me uncomfortable."

- Times Square Employee, Survey Response

"I was waiting to cross the street and a costumed character put his paw around my shoulder. **They should not be touching people who are not seeking a photo or their attention in any way.**"

-Times Square Employee, Survey Response

"When walking by, **costumed characters frequently reach out and touch my children** to try to get my attention."

-Times Square Local, Survey Response

"I was standing at the corner of 42nd St and 7th Ave waiting for the light to change. **All of a sudden there was a furry, mangy paw on my shoulder.** I stepped out from under the hand and made it very clear to the person that was wearing a panda suit that under no circumstance should he go around touching people."

-Broadway Employee, Email

"I am a 70 year old New Yorker, old enough to have known Times Square in its best of times and worst of times... I am writing to complain about the creeps who **dress up as cartoon characters and hit on women...**[and] generally make the atmosphere as gross and unappetizing as Times Square was before it was 'cleaned up'."

-Helen, New York Resident, Email



Lily Spencer
@LiliumSpere



Follow

+creepy man dressed as Elmo in Times Square who offered to let me tickle him in private. I will be an avid student, @AvidElegance, of any +

4:23 PM · 13 Oct 2014



*****Krenz**
@vivalakrenz



Follow

I went to Times Square today and a Elmo tried to touch me #almostscreeamed

FAVORITES

2



7:57 PM · 17 Mar 2014



Jake
@dr_jaked

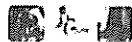


Follow

The Times Square Elmo swore at me in Spanish today.

FAVORITES

1



11:29 PM · 17 Mar 2014



Casey Metz
@cmetz7



Follow

last night some man dressed in an Elmo suit in Times Square ruined my childhood and whispered something Elmo should never say 🙊

FAVORITES

7



11:14 AM · 19 Mar 2014



Amanda Lo
@violinistamanda



Follow

#elmo just chased me through times square, arms outstretched, hollering, "mami, hey mami! come here." i am scarred for life.

New York, NY

FAVORITES

2



4:52 PM · 8 May 2014



David Apolo
@D_Apolo



Follow

"Elmo, get your damn hands off me." Girl in Times Square

New York, NY

6:10 PM · 2 Aug 2014



Böbby
@iRobob



Follow

Elmo just threw up a gang sign at me in Times Square

FAVORITES

2



3:55 PM · 16 Aug 2014



maggie
@mbersswifts



Follow

literally just got ripped off by elmo in times square

RETWEET

1



3:09 PM · 27 Mar 2014



Kelly Hoey
@jllhoey



Follow

Fake Elmo's in Times Square make me wish for the return of Squeegee Men.

3:23 PM · 23 Jul 2014



Andy
@SpitzRoad



Follow

When my friend & I went 2 Times Square we were forced by Minnie Mouse, Mario & Elmo 2 take a pic & they wouldn't let us leave until we paid

5:53 PM · 9 Jul 2014



Scott H
@realScottMH



Follow

Finally! Sick of seeing them gang up on tourist women. RT @1010WINS: Lawmakers To Look At Regulating Costumed Characters In Times Square

9:34 AM · 9 Jul 2014



Clare Stein
@clarestein



Follow

Times Square attractions include aggressive catcalls from a man whose profession is wearing a full-body Elmo suit

RETWEET

1

FAVORITE

1



7:31 PM - 5 Nov 2014



Emma Guidi
@emma_guidi



Follow

Walking through times square and being chased for hugs by creepy Minnie and Elmo<<<< is this a nightmare or real life...?



jendziura
@jendziura



Follow

Had drinks with someone who works near Times Square and is regularly sexually harassed by a gauntlet of men dressed as Elmo.

RETWEET

1

FAVORITES

6



10:08 AM - 7 May 2014



Nick Confessore
@nickconfessore



Follow

I never thought Times Square could be creepier than the 1970s, but the takeover by anonymous hard-selling costumed characters has done it.

RETWEETS

17

FAVORITES

41



6:04 PM - 24 Jul 2014



Kathryn Bailey
@kbailey4595



Follow

Elmo tried to hug me and Times Square and I didn't like it

FAVORITES

3



11:08 AM - 01 May 2014



aliv
@aliv216



Follow

I got molested by Elmo in Times Square today... it was not enjoyable

FAVORITES

3




4:15 PM - 09 Apr 2014



Meg Taylor 
@megtaylor



 Follow

Elmo no bullshit just grabbed my face and tried to make out with me. I hate you Times Square.

9:05 AM - 9 Apr 2014



Juli Klein
@JuliKlein



 Follow


Just got attack hugged by literally every Elmo/Hello Kitty/Cookie Monster in Times Square all at once. #nightmares

11:15 AM - 12 Mar 2014



Jon Sosis
@FunnyJS



 Follow

I can't believe Elmo just called me the n-word. Like...I don't know what to do right now. #nyc #timessquare

5:25 PM - 17 Mar 2014



Jeni Hinton
@LoveDisneyMost



 Follow

@Attractions my daughter watched "Elmo" pickpocket someone in Times Square. Beware of fake characters!

9:29 AM - 1 May 2014



sunrhé
@ribbonchu



 Follow

So I was walking through Times Square yesterday & got hit on by 2 men dressed as Captain America & Elmo. I thought that was pretty hilarious

1 retweet

1




1:12 PM - 29 Jun 2014



Robert Robinson
@robert5353



 Follow

@TimesSquareNYC My friend's ass was grabbed twice by Elmo while she was just standing and taking a picture of Times Square.

11:56 AM - 29 Jul 2014



Lane Beauchamp
ane1008

⚙️ Follow

Just saved @TimesSquareNYC tourists from a nasty Hello Kitty who was yelling & chasing them after hoodwinking them into pic. #neverlikedcats

↩️ Reply ↻ Retweet ★ Favorite ⋮ More

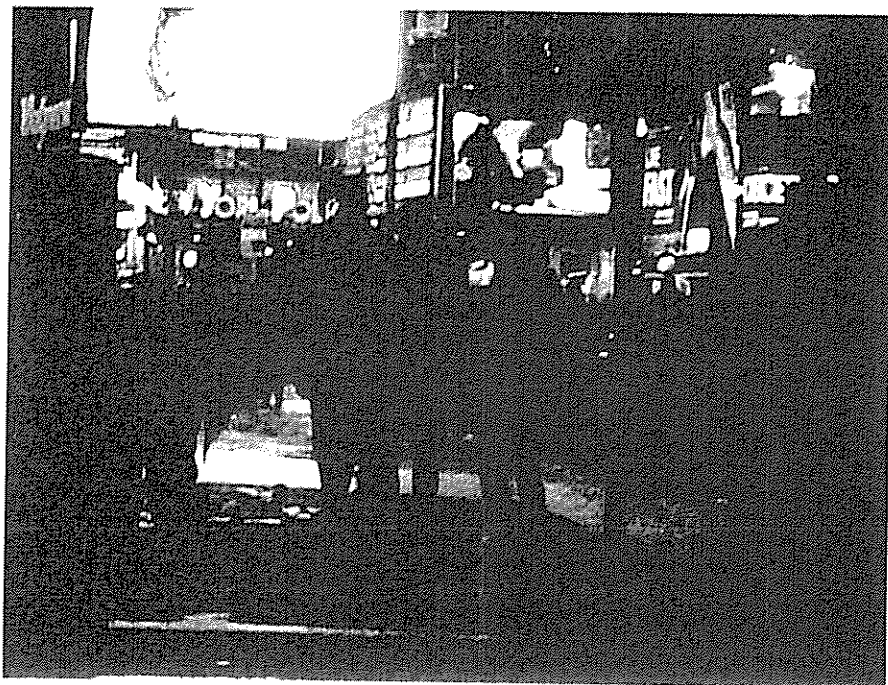


Karen
05karen_

⚙️ Follow

@TimesSquareNYC Creepy Batman guy. Very rude. Demanded a tip for a pic. Managed to sneak in a photo.

↩️ Reply ↻ Retweet ★ Favorite ⋮ More



Debs Wing-Colson Two came up to my son and I last November (Cookie and Elmo) take a picture with us ,very very pushy..we said ok but then they demanded money and were aggressive about it and I felt pressured and threatened ! I didn't give them anything because I didn't like their attitude but as i said ..i actually was afraid of them .
Like · Reply · 🔄 1 · 11 minutes ago



Michael
michael1981

⚙️ Follow

@TSqNews from the red steps until 42nd & Broadway 13 of them hassled me! As an international visitor, it ruined the experience of Times Sq

↩️ Reply ↻ Retweet ★ Favorite ⋮ More

4:58 PM · 11/18/2014



Craig Woythaler
solodey

⚙️ Follow

Just saw Elmo fondle Minnie's right boob in Times Square.

📍 Manhattan, NY

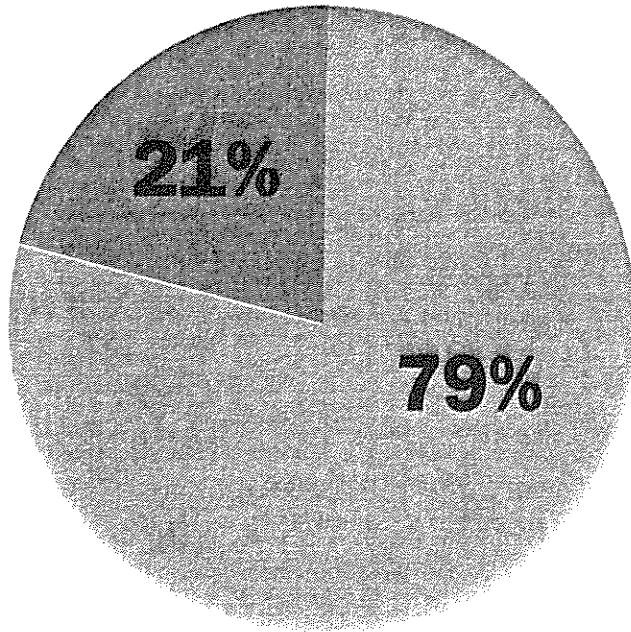
↩️ Reply ↻ Retweet ★ Favorite ⋮ More

7:57 PM · 11/18/2014

Broad Public Support for Regulation

CRAIN'S
NEW YORK BUSINESS

Should Elmo, SpongeBob and other costumed characters in Times Square be regulated?

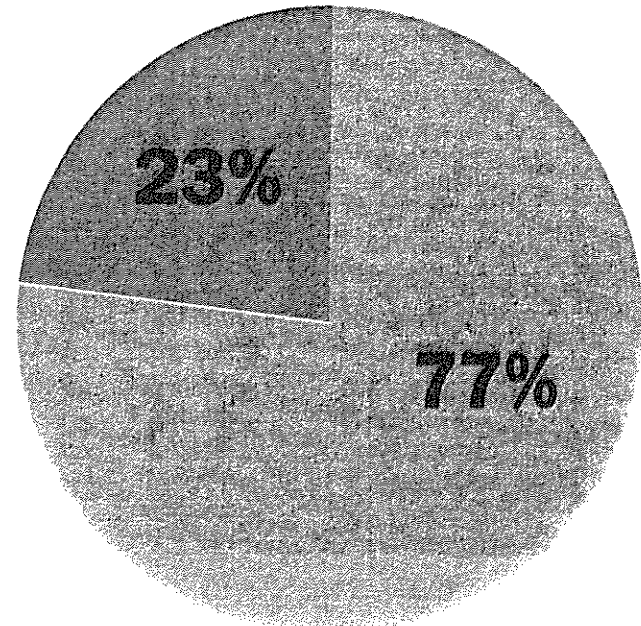


■ Yes ■ No

N = 165, Poll conducted 7/9/14

THE WALL STREET JOURNAL.

Should New York City regulate costumed characters in Times Square?



■ Yes ■ No

N = 274, Poll conducted 7/29/14



**For further information,
contact TJ Witham at**

or (212) 452-5234.



December 2, 2014

Honorable Rafael L. Espinal, Jr.
NYC Council Member, District 37
Chairman, Committee on Consumer Affairs
786 Knickerbocker Avenue
Brooklyn, New York 11207

Re: Int. 0467-2014, A Local Law to amend the administrative code of the city of New York, in relation to licensing of solicitation by costumed individuals.

Dear Chairman Espinal:

On behalf of M&M'S® WORLD® and Mars Retail Group, we are writing to you today in support of the above referenced bill that would regulate costumed characters in Times Square. We strongly support the proposed licensing of these characters, as the growing character population is a nuisance and potential danger to the safety of the millions of guests we serve each year. While the majority of these characters comport themselves in a professional manner, the periodic violence attributed to a number of these characters is a cause for concern.

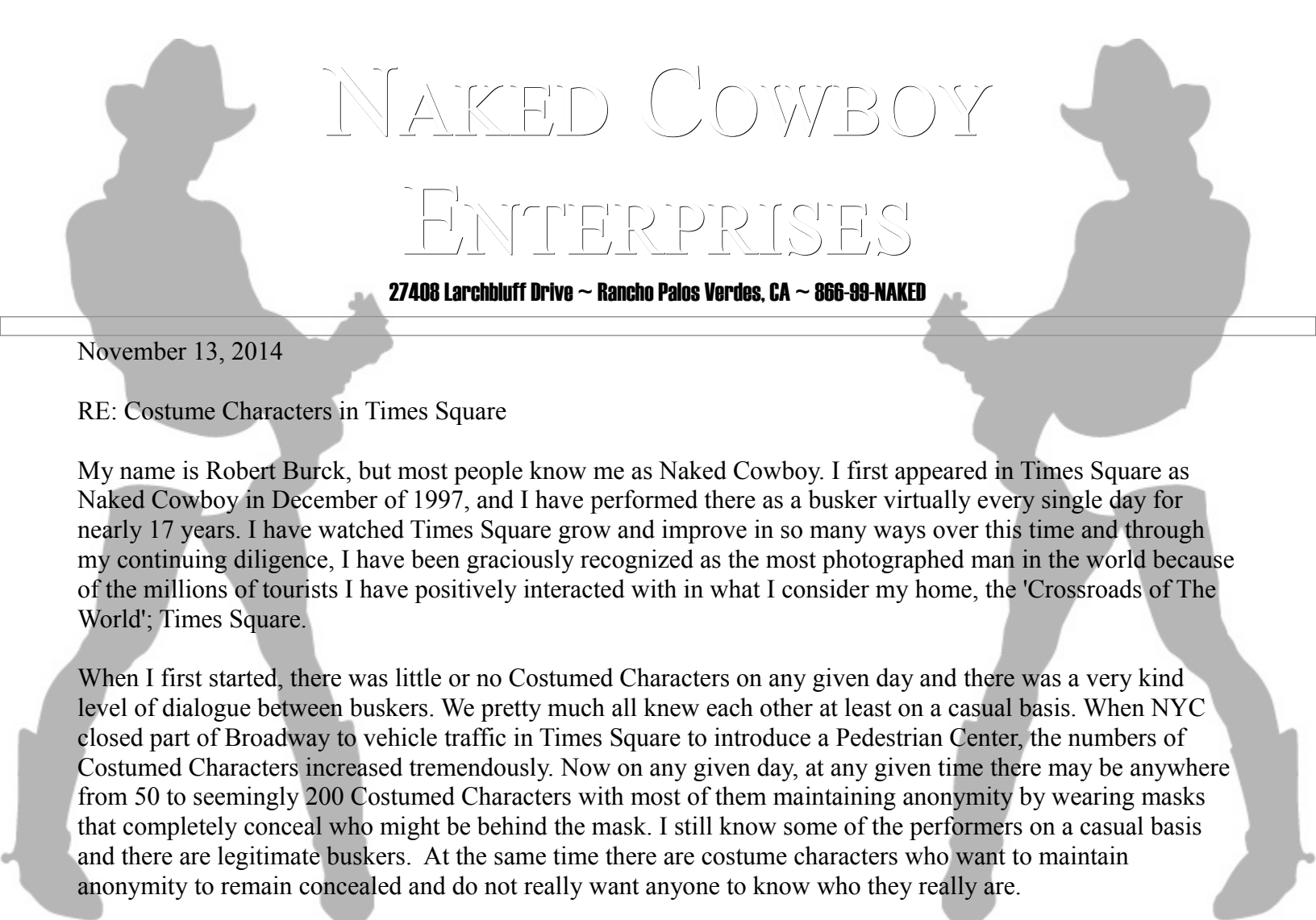
The area's tourists deserve a safe and family friendly experience and with no oversight, these character's solicitations pose a risk to the vibrant culture of the Times Square area and business community. We believe the legislation's proposed ban on aggressive solicitation, defined as "causing fear of bodily harm, intimidation or unreasonable inconvenience" is necessary and appropriate.

The Mars Retail Group creates and builds retail businesses that build the brands of Mars, Incorporated, which operates six business segments in North America. As a values driven business, our intention is to build partnerships with the communities in which we operate that serve mutual interests. M&M'S® WORLD® New York opened in 2006, and currently employs over 200 associates. Today there are only five other M&M'S® WORLD® locations – situated on three continents.

We are hopeful that you and the New York City Council take these, as well as the concerns of other Times Square businesses, into consideration in supporting this important legislation.

Very truly yours,

Patrick McIntyre
Store Director, M&M'S World New York
Mars Retail Group
Mars, Incorporated
Patrick.McIntyre@effem.com



NAKED COWBOY ENTERPRISES

27408 Larchbluff Drive ~ Rancho Palos Verdes, CA ~ 866-99-NAKED

November 13, 2014

RE: Costume Characters in Times Square

My name is Robert Burck, but most people know me as Naked Cowboy. I first appeared in Times Square as Naked Cowboy in December of 1997, and I have performed there as a busker virtually every single day for nearly 17 years. I have watched Times Square grow and improve in so many ways over this time and through my continuing diligence, I have been graciously recognized as the most photographed man in the world because of the millions of tourists I have positively interacted with in what I consider my home, the 'Crossroads of The World'; Times Square.

When I first started, there was little or no Costumed Characters on any given day and there was a very kind level of dialogue between buskers. We pretty much all knew each other at least on a casual basis. When NYC closed part of Broadway to vehicle traffic in Times Square to introduce a Pedestrian Center, the numbers of Costumed Characters increased tremendously. Now on any given day, at any given time there may be anywhere from 50 to seemingly 200 Costumed Characters with most of them maintaining anonymity by wearing masks that completely conceal who might be behind the mask. I still know some of the performers on a casual basis and there are legitimate buskers. At the same time there are costume characters who want to maintain anonymity to remain concealed and do not really want anyone to know who they really are.

This raises concern for me personally because I love Times Square, the businesses in the area, the tourists that travel from all over the world to get a glimpse of the greatest city in the world and all of my friends whom I have come to know over the years that work daily in the area trying to make an honest living. I now see continuing instances of "turf rivalry" between Costume Characters, where they may argue or fight amongst themselves because somebody is standing to close or in their supposed pre-designated area. Sometimes the Costumed Characters harass the tourists and/or get angry when the tourists take pictures with them and don't give them any money or not enough. A group of Costumed Characters may work individually to get a tourist to take a picture with them, then the remainder of the group jumps in the picture and they all demand money.

This demanding and anonymous activity generates somewhat of an unnecessary fiasco that creates tension and intimidation with our City's visitors and also produces a concern for safety. I have seen it and because of this, I wholeheartedly support and approve any legislation to remove anonymity and create accountability. The licensing requirement addresses a real problem and is worthy of support and I will gladly participate in any program that is accepted to eliminate this problem.

I love the Times Square Alliance and everything our great City stands for, and I applaud Congressman King for trying to protect the legitimate operators and buskers that bring so much joy and unforgettable memories to Times Square's tourists.

Sincerely,



ROBERT BURCK

Sharon Schmucker

Office: +1 212 773 6692 | sharon.schmucker@ey.com

To New York City Council,

I wanted to take this opportunity to express my concerns with the proliferation of the costumes characters in the Times Square area.

I have worked in the area starting in the early 80's as an undercover police officer and then as a Sergeant assigned to Midtown South. If Council members remembers the Times Square area was not a place to go as a tourist or a New Yorker as crime was high and the streets dirty. During the late 90's all of that changed due to the collaborative efforts of City Hall, Times Square Alliance and the New York City Police Department. Not only did tourism increase but those who live in New York started to enjoy and spend money for theater tickets, retail merchandise, and dining.

Fast forward and I am now a Security Director for Ernst & Young who resides in a 1 million square foot headquarters with a population close to seven thousand employees. Due to the media and the current threat and risk environment, people are scared-we are in the terrorist sights. As a Security Director what keeps me up at night is not only the aggressive behavior of these costumed characters to tourists and our employees, blocking the egress of those leaving the subway station, but a suicide bomber dressed as Elmo. This is a not only a concern I have but many security directors in the area who feel it is just a matter of time. The costumes of these characters are so bulky that it would be almost impossible to detect a bomb strapped around their body.

Dear Council members please consider some of the recommendations made e.g licensing, background checks to continue making the Times Square area a "must see" for tourist and profitable for the City.

Respectfully,

Sharon Schmucker

Sonja S. Gurneé
P. O. Box 60454
Staten Island, NY 10306
Phone: 347-631-7807

November 18, 2014

The Honorable Rafael L. Espinal Jr.
Chair of the Consumer Affairs Committee
250 Broadway, Suite 1880
New York, NY 10007

Dear Mr. Rafael L. Espinal Jr.:

I often pass the costumed characters in Times Square and on several occasions I witnessed the costumed characters requesting money for photos that were taken. I was so angered by one group of 4 characters who firmly requested \$10.00 from two German tourists who had posed with 2 sets of costumed characters that I went over to a policeman and told him what I had just witnessed. His response was, "I can't do anything unless they insist or demand the money from the tourist".

Another time I saw two male costumed characters requesting \$5.00 from a group of tourists. After the tourists handed over the money, I turned to the two male costumed characters and asked, out loud, "How much is it to take a photo with you?" Suddenly one costumed male replied, No Habla English, No Speak English, No Understand English, this was the same person who stated "\$5.00 picture".

I'm a native New Yorker raised in Bushwick and a firm believer in earning money the right way. The message that the costumed characters are sending is one of greed, insult and how we swindle in New York City!

We all benefit from tourists in New York. Let's treat them with respect, honesty and open arms, and then they'll want to return.

Sincerely,
Sonja S. Gurneé

John's World Famous Hot Dogs
46th & Broadway
Times Square, New York
646-696-4240

November 14, 2014

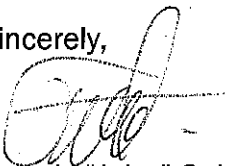
To whom it may concern,

My name is Ioannis Galanopoulos and I have operated a hot dog stand in Times Square since 1979. I am writing to show my support for licensing the solicitation by costumed individuals. I am starting to hear my customers complain about the costume characters. While some are hard-working people like me, a good percentage are aggressive and prey on the tourists and visitors to Times Square. I was in Times Square when there were no tourists because of crime and my fear is that if we continue to allow the costume characters to accost our visitors without regulations the tourists will stop coming.

I speak with many police officers and they feel bad for the tourists but unless an offense is committed they can't do anything. Also, when they do complain, there is no way to identify the offender since they are in costume and there is often several of the same character in Times Square. As a licensed food vendor I am governed by a set of rules. I have a license that I need to display so there is no doubt as to my identity. If I break a rule people can call 311 and file a complaint against me. The complaint is not addressed by the Police Department but by another city agency.

Passing this legislation would allow the city to regulate an unlicensed business that is already operating. It would also allow the business to be regulated by another city agency instead of the police department. I support the passage of a law that regulates the solicitation by costumed individuals.

Sincerely,



Ioannis "John" Galanopoulos

The proliferation of unregulated costume characters in the Times Square area has negatively impacted safety, quality of life and the New York tourist experience. These issues mentioned have in turn had a negative impact upon the businesses in our community.

The issue of safety is of course paramount to anything in this discussion. We have all read about the incidents that received local and national media attention with the unregulated characters and know that such incidents serve to perpetuate the fear of visitors entering the area with their families, which in turn affects our businesses. The safety of our employees has also been a concern as we have heard the complaints from them about not only what they have seen but personal experiences where they were harassed by the characters themselves verbally. Employees have asked that we, the management, do what we can to keep them away from the front of our building as they have repeatedly made unwanted sexually related comments publically as well as insults which were perceived as threatening. How is a child supposed to process this when they see one of their beloved cartoon characters behaving this way?

We have had to deal with refusing the characters entry into our property to attempt to use our facilities that are reserved for our paying guests which often has led to negative confrontations. They come in and feel that it is their right to change, lounge, warm up or cool down or use our restrooms and become quite belligerent when asked to leave. Our employees have expressed that they do not like to have to deal with this as they know they will have to leave the building at some point themselves and fear retaliation as they have been threatened in a roundabout way by the characters when asking them to leave.

From a guest perspective we receive comments daily about the activities of these characters. The guests relate stories of how they were made to feel they had to pay, but never wanted a photo with them in the first place, but the character jumped in and photo bombed so to speak. Or that they were disgruntled with the tip provided and felt intimidated to provide more. We have even been asked if the costumes were monitored for hygiene as they felt itchy after the character had hugged them. Our guests have related to us that they were informed they by the characters that they had to pay and threatened to call police and report them for theft of service if they did not. As they are mostly foreigners who do not know better they paid to avoid a confrontation with the law. It is a shame that this is allowed to happen and we know the tourists will go home and warn friends of this in our Times Square community. It is reminiscent of when I was told when I was younger to avoid outdoor market places when traveling abroad as it was dangerous because of the gypsy kids who were known to rob tourists. I am sure these business people were unhappy with the impact of the reputation of the area due to that.

It is also noteworthy, although I do not know if it falls in this discussion; the naked painted performers in the area are a cause of concern for the families that have young children with them. They have complained to us that it is inappropriate and relate it to whichever business they are soliciting in front of. Not the image most businesses want to portray.

Lastly I hope the issue with the comedy ticket selling population is addressed in the near future as they are as well a problem for tourists and TS businesses.

Thank You

Daniel Sarroino

Hard Rock Cafe General Manager

**Testimony of Jordan Barowitz
Director of External Affairs
The Durst Organization**

New York City Council Testimony
November 19, 2014

Good morning my name is Jordan Barowitz and I am the Director of External Affairs for The Durst Organization.

My company owns 3.9 million square feet of office and retail space on the block between 42nd and 43rd Streets and 6th Avenue and Broadway.

Our two office buildings on the block, house approximately 15,000 office workers. 4 Times Square, which was instrumental in the revitalization of Times Square in the 1990s, abuts the pedestrian plaza on Broadway.

The costume characters are more than a nuisance. Employees in our buildings complain about aggressive behavior and a sense of disorder, chaos and lawlessness that is reminiscent of the Times Square of the 1980s and early 1990s.

Clearly we have come a long way from the old Times Square, but any comparison is cause for concern. We understand that the legislation before you is not perfect, but action is needed. Good legislation solves specific problems. We have a specific and solvable problem and we urge the Council to act.

Thank you.

Helen Bohmart Pine
680 West End Avenue #5D
New York, NY 10025
212-932-7665
bohpin@aol.com

November 14, 2014

To Hon. Rafael Espinal:

I am a 70 year-old New Yorker, old enough to have known Times Square in its best of times and its worst of times.

I am writing to suggest that something be done about the creeps who dress up as cartoon characters and hit on women, even touch them inappropriately and generally make the atmosphere as gross and unsavory as Times Square was before it was "cleaned up".

I understand that on Wednesday, November 19th the City Council is holding a hearing on a piece of legislation that would require the costumed characters to be licensed, thus establishing a system that gives city officials the tools necessary to protect consumers from aggressive solicitation tactics.

I offer the following written testimony in support of this legislation as a first step to bringing the problem caused by these characters under control.

I was in Times Square on the evening of Thursday, June 19, 2014 with other members of my camera club, Park West Camera Club, as part of a photography class.

I observed a very creepy Elmo and an equally creepy Cookie Monster approach two young women from behind and shout lewd expressions as they grabbed for their behinds.

A Sponge Bob and a Mickey Mouse gave unsolicited and unwelcome hugs to other female members of my group.

If I can be of further assistance in helping you to decide this matter, please contact me.

Respectfully submitted,

Helen Bohmart Pine

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)

Name: Carlos Rojas

Address: _____

I represent: self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)

Name: Bishop JR AKA Spiderman

Address: 1788 Albany Ave Brooklyn, NY, 11210

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jose MARIN

Address: _____

I represent: _____

Address: Jose Marin

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Diana N

Address: 25-44 78th St.

I represent: Artistas Unidos por una Justicia

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 467

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jim Caras for Manhattan BP Gale Brewer

Address: _____

I represent: Gale Brewer

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Robert Williams

Address: 910 Sherida Bronx NY

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11-19-2014

Name: Keith Albalade AKA/Joker
(PLEASE PRINT)

Address: 580 Empire Blvd. Apt. 4I BKLYN

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

Name: JOSE ESCALONA MARTINEZ
(PLEASE PRINT)

Address: 640 W 139 Street NY NY 10031

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11-19-14

Name: Philip Williams
(PLEASE PRINT)

Address: _____

I represent: CATSANIC.COM

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/14

Name: Jorge Vilchis (PLEASE PRINT)

Address: _____

I represent: SELF: NYCAUS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/19/14

Name: Alberta Guerra (PLEASE PRINT)

Address: _____

I represent: NYCAUS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/19

Name: Yamil Morales (PLEASE PRINT)

Address: _____

I represent: NY Artists United for a Smile

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)
Name: Teresa Gomez

Address: _____

I represent: self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11-19-2014

(PLEASE PRINT)
Name: Steve Mercier

Address: 67 Hathera Blvd

I represent: united artist for a smile

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)
Name: Joana Torco

Address: 686 west end

I represent: AUS Artists / U opposition

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: ~~11/19/2014~~ 19 NOV 2014

(PLEASE PRINT)

Name: MARIA DELUCA

Address: 123 W 13TH STREET

I represent: COSTUME CHARACTORS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)

Name: Matthew Shapiro

Address: 40 Rector St AFL NYC 10006

I represent: Street Vendor Project @ The Urban Justice Center

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)

Name: Joshua Knoller

Address: 28 W. 44th St. Ste 1217, NY, NY 10036

I represent: The Broadway Association → ^{Chairman} Cristyne Nicholas

Address: same as above

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: ELIZABETH HOLLAND

Address: 640 W. 139th St. 10031 NYC, NY

I represent: THE COSTUMED CHARACTERS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Alba Pico

Address: _____

I represent: DCA - testifying w/ NY PD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Marla Tupper DCA

Address: _____

I represent: DCA - testifying w/ PD

Address: 332 E 11th

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Christine Nicholas

Address: _____

I represent: Broadway Association

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ~~Jack~~ Jack Friedman

Address: on behalf

I represent: Sonya Gurnee

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tom Feruggio

Address: _____

I represent: Broadway League

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Fred Rosenberg

Address: _____

I represent: TSAC / Sherwood

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tom Harms

Address: on behalf of

I represent: Naked Cowboy / Robert

Address: Burck

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Marianne Vernetson

Address: _____

I represent: John Balanopoulos, Hot Dog Vendor

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: 11/19/2014

(PLEASE PRINT)

Name: Insp. John Hart

Address: NYPD - Midtown North Precinct

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: George Ntim

Address: _____

I represent: Mamette Marquis

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ginger Mahmoud

Address: _____

I represent: Night Hotel

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tom Carpenter

Address: _____

I represent: Actors Equity

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Drew Yowell

Address: _____

I represent: Individual

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: 11/19/2014

(PLEASE PRINT)

Name: Detective Ken Rice

Address: NYPD - office of Deputy Commissioner

I represent: of Collaborative Policing

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: 11/19/2014

(PLEASE PRINT)

Name: Insp Edward Winski

Address: NYPD - Midtown South Precinct

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: 11/19/2014

(PLEASE PRINT)

Name: Oleg CHERNYAVSKY

Address: NYPD - Legal Bureau

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Robinson

Address: _____

I represent: 3 Times Square

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Daniel Sorraino

Address: _____

I represent: Hard Rock cafe

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 407 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tori Bailey

Address: _____

I represent: TDF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tim Douglas, Carter Law, E. Levin, Goldstein

Address: 156 C BROAD

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 467 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)
Name: Hamis Lirtzman

Address: _____

I represent: Individual

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 407 Res. No. _____

in favor in opposition

Date: 11/19/14

(PLEASE PRINT)
Name: Jordan Barowitz

Address: 4 Times Square

I represent: Durst organization

Address: 4 Times Square

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)
Name: Rose Marie

Address: 90 Roosevelt Queens

I represent: _____

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARIA DELUCA

Address: 123 W 13TH STREET

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JOSE ESCALONIA MALINOWICZ

Address: 690 W 139 STREET NY NY

I represent: 10021

Address: _____

Please complete this card and return to the Sergeant-at-Arms