I am Jack Friedman and I am speaking today on behalf of the Times Square Alliance. We’d like to thank Chairman Espinal and especially Council Member King for his leadership on this issue from the very beginning, starting several years ago, and also thank each of the Council Members who have helped shape Intro 467-A.

As you know, starting several years ago, residents, workers and visitors to Times Square expressed growing concern about quality-of-life issues and aggressive behavior on Times Square’s pedestrian plazas, often involving costumed characters whose identity was obscured. While an initial bill introduced by Councilmember King to address this issue, supported by the Alliance, did not pass, the mayor’s Times Square Task Force ultimately recommended a number of actions, including the passage of legislation that authorizes the Department of Transportation to write general and site-specific regulations for pedestrian plazas, a concept codified into City law this April with the passage of Intro 1109-B.

Accordingly, our top priority now is working with the City to implement the provisions of that law, specifically DOT’s ability to create zones on the Times Square plazas where designated solicitation for tips by costumed characters (and certain other solicitors) can occur, while also preserving space on the plazas where such activity cannot take place. This scheme will allow costumed characters and others to continue earning a living in Times Square, but will also let visitors and New Yorkers alike avoid solicitation if they so choose.

At the same time, we agree with Councilmember King and the authors of 467-A that the kind of registration scheme they have proposed may well be another useful tool for addressing improper behavior by anonymous characters, should it continue even after implementation of the zones. Our understanding is that attempts in the past by the NYPD and the DA to take legal actions against characters who have engaged in aggressive solicitation, intimidation, verbal harassment, and other questionable behaviors have been made more difficult by the challenge of identifying which of many identical costume characters actually engaged in the unlawful behavior.

Above all, we want to be explicit and clear that we respect and support the fact that many costumed characters are honest players trying to earn a living. Times Square has always been a place that has celebrated expression. The issue is the behavior of certain bad actors who take advantage of the cloak of anonymity to repeatedly hassle or hustle people - as we’ve said many times, quirky is fine, but creepy is not. When we cite bad incidents, we are not casting aspersions upon the many characters that we think are honestly trying to earn a living. Indeed, we think a rational registration system as outlined in this bill can potentially be an additional tool both to validate the legitimacy and affirm the innocence of the many hard and honest-working costume characters out there, whom we support.

If properly crafted and thoughtfully implemented, a registration system can potentially improve the current situation in three important ways. If someone has a recent or substantial criminal record involving harassment or predatory behavior, registration may disincentivize them from proceeding. Registration also potentially creates accountability for the characters in the same way that the name on a police badge or
the name on a taxi medallion helps create a culture where those who are interacting with the public know they can be identified and held accountable and thus are less likely to behave unlawfully. Finally, registration also potentially makes it easier for Consumer Affairs to track recidivist offenders who repeatedly engage in questionable behavior, such as a Spider-Man who was recently arraigned in Manhattan Criminal Court on his second assault charge in the last few months for kicking a tourist over a tip.

While we have not yet had the opportunity to discuss 467-A with Council or Administration staff, and thus reserve our thoughts with respect to the specifics of the bill lest there be items we do not fully understand, we do wish once again to state our deep gratitude to Councilmember King for his early and activist leadership on this issue, and to the Consumer Affairs Committee Chair and members for their thoughtful consideration of this bill.

In sum, we do believe that 467-A can potentially be an additional useful tool in addressing those who take advantage of anonymity to repeatedly engage in unlawful, predatory behavior, while also legitimizing the many honest and hardworking characters who are just trying to earn a living.