



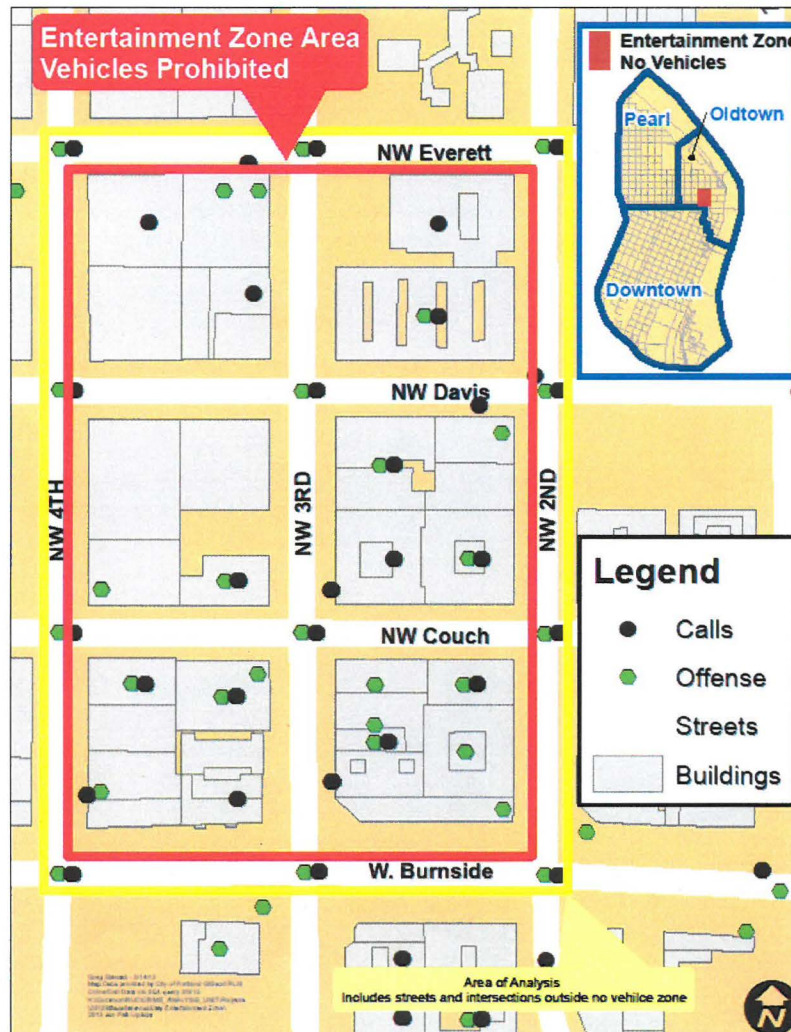
Portland Police Bureau Crime Analysis Unit

Entertainment Zone Evaluation – August 2014 Update 187355

Methodology

This report examines calls for service and criminal offenses inside and adjacent to the downtown Entertainment Zone. It includes calls occurring from 10 pm Friday until 3 am Saturday and 10 pm Saturday until 3 am Sunday for weekends January through July for 2012 and 2013 and 2014. It includes calls occurring at the intersections of the streets which bound the zone (i.e. W. Burnside at 2nd, 3rd and 4th and NW 2nd and 4th at W. Burnside, NW Couch, NW Davis and NW Everett).

Map of Zone:

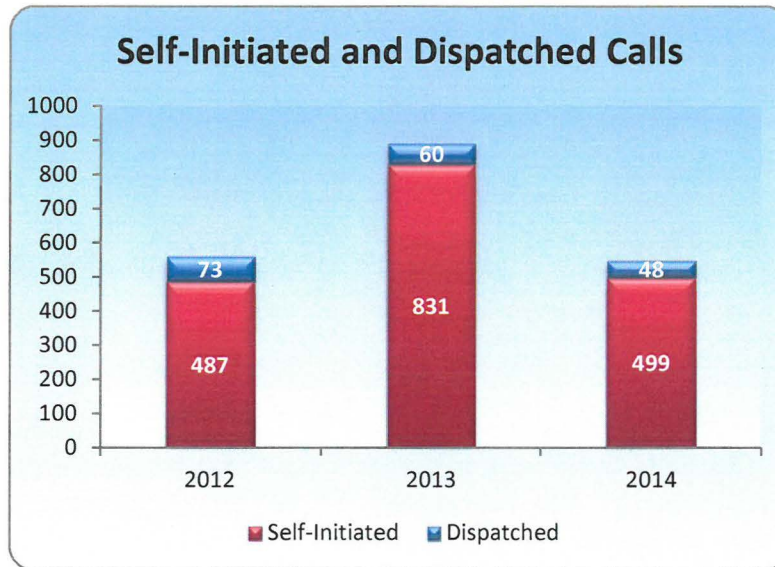




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Calls For Service



Friday-Saturday								
2012			2013			2014		
Disp	SI	Tot	Disp	SI	Tot	Disp	SI	Tot
12	79	91	8	163	171	9	103	112
19	157	176	21	239	260	18	158	176
31	236	267	29	402	431	17	261	288

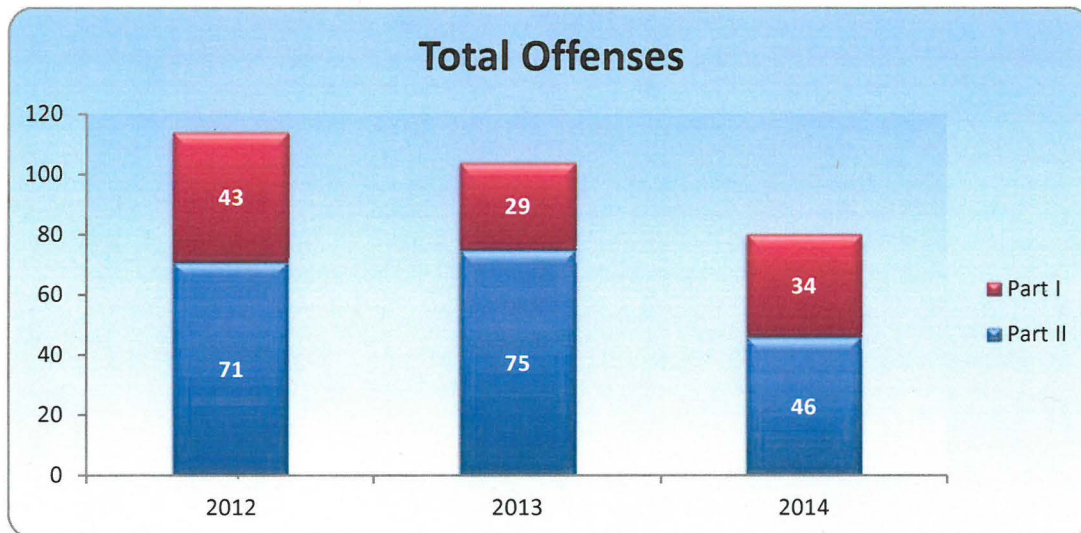
Saturday-Sunday								
2012			2013			2014		
Disp	SI	Tot	Disp	SI	Tot	Disp	SI	Tot
15	92	107	6	186	192	9	95	104
27	159	186	25	243	268	22	143	165
42	251	293	31	429	460	31	238	269

Totals			
Year	Disp	SI	Total
2012	73	487	550
2013	60	831	634
2014	48	499	558
Total	165	1577	1742



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2012 Part I Crime	
Homicide	
Rape	
Robbery	
Aggravated Assault	8
Burglary	
Larceny	30
MV Theft	5
Arson	
Total	43

2013 Part I Crime	
Homicide	
Rape	
Robbery	2
Aggravated Assault	2
Burglary	
Larceny	24
MV Theft	1
Arson	
Total	29

2014 Part I Crime	
Robbery	1
Aggravated Assault	8
Larceny	22
MV Theft	3
Total	34



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2012 Part II Crime	
Simple Assault	18
Forgery	1
Fraud	1
Embezzlement	
Stolen Property	
Vandalism	5
Weapons Laws	2
Prostitution	
Sex Crimes	
Drug Laws	3
Gambling	
Offense Against Family	
DUII	7
Liquor Laws	6
Disorderly Conduct	26
Kidnapping	
Trespass/Threats	2
Curfew	
Runaway	
Total	71

2013 Part II Crime	
Simple Assault	18
Forgery	1
Fraud	
Embezzlement	
Stolen Property	
Vandalism	5
Weapons Laws	2
Prostitution	
Sex Crimes	
Drug Laws	4
Gambling	
Offense Against Family	
DUII	8
Liquor Laws	6
Disorderly Conduct	26
Kidnapping	
Trespass/Threats	4
Curfew	1
Runaway	
Total	75

2014 Part II Crime	
Simple Assault	7
Fraud/Forgery	3
Vandalism	5
Weapons Laws	2
Sex crime	2
Drug laws	6
DUII	1
Liquor Laws	1
Disorderly Conduct	19
Total	46

10/08/2014

Street Closure Advisory Committee Recommendations

- I. The following list of recommendations have been brought forth by the Old Town/Chinatown Street Closure Advisory Committee. This group was brought together for the purpose of making recommendations to improve livability concerns associated with the neighborhood located from W Burnside to NW Everett and between NW 2nd and NW 4th avenues during weekend nights. The group was gathered once per month for two hour meetings from January 2014 to October 2014.
- II. **List of recommendations:**
 - a. Increase pedestrian comfort/access/space/environment
 - b. More ride share possibilities (transit cuts off early)
 - c. End the Street Closure
 - d. If there is a street closure open up a lane on NW 3rd, but keep NW Couch closed
 - e. In September, try an experimental modification through Better Block (this would require a relaxation of the current ordinance for a period of 1 weekend)
 - f. Reduce hours of the closure (change from 10 pm–3 am to 11 pm–3 am)
 - g. Make the street closure seasonal (open up during the winter months and for special events)
 - h. Contract the street closure to open up NW Davis
 - i. Make Davis between 3rd and 4th for taxi parking only
 - j. Have the bars in the street closure area join a Good Neighbor Agreement with the Old Town Chinatown Community Association
 - k. Support future improvements to NW 2nd, 3rd, and 4th Avenues to reduce the traffic impact and improve overall safety
 - l. Work through endorsed Old Town/Chinatown 5 Year Action Plan to improve marketing and signage in the district.
 - m. Updated PPB Crime statistics for the street closure area
 - n. Continued conversation with the Portland Bureau of Transportation on traffic improvements to NW 2nd, 3rd, and 4th Avenues.
 - o. Review of the Old Town Hospitality Group's best practices manual
 - p. Food carts could benefit the area, however it's suggested that they are only allowed to sell during street closure times as to not compete with existing restaurants. We also would like to see outdoor opportunities given to neighborhood existing restaurants first.
 - q. Find ways to enhance overall business in the area
 - r. Improve the relationship between nightlife and housing
 - s. Set up a program to give Old Town businesses in the street closure area preferential and expedited opportunities to Portland's outdoor street seats.



EXHIBIT C

187355

Dear, Mayor Charlie Hales

I am writing on behalf of the Old Town Chinatown Community Association to express our support for allowing the current Street Closure Ordinance to sunset and to experiment with alternative traffic and pedestrian use patterns that will better support neighborhood businesses, achieve public safety, and encourage a revitalized Old Town. The NW 3rd Street Closure began as a Pilot Project and was started as a public safety measure to reduce calls for service, primarily on the corner of NW 3rd and Couch Street. The Old Town Chinatown Community Association's support for the pilot project, which became an ordinance, came with a caveat that a steering committee be convened to evaluate the street closure and make recommendations moving forward over the next year when the ordinance would sunset.

From the beginning of the Ordinance, this task force strived for a balance between the neighborhood, residents and business while addressing public safety concerns. For this Ordinance to be a success it was made clear that it needed to work for all parties. Unfortunately, the current street closure configuration has had a negative effect on many neighborhood restaurants and businesses, which have reported significant decreases in sales. This is an unintended result of the ordinance and changes need to be made to address this situation.

The Old Town Chinatown Community Association Board has reviewed a menu of alternatives to the current street closure proposed by the Hospitality Group of our Business Sub-committee. We are in agreement that a modification of the street closure is necessary when the Ordinance sunsets and we support the Hospitality Group's proposed changes in principle. We also support and appreciate the implementation of uniform best practices for restaurant, bar, and club owners in Old Town Chinatown that have been developed by the Hospitality Group.

To be specific, the street closure alternatives that we support *on an experimental basis*, are:

- Open Davis Street to vehicular traffic at all times;
- Keep Couch St closed between on NW 2nd and NW 4th
- Add stop signs on NW 3rd at Davis and Couch;
- Add crosswalks at NW 3rd & Davis, NW 2nd & Couch and NW 2nd & Davis;
- Add a stop for taxi cueing on NW 2nd & Couch;
- Reduce NW 3rd Avenue to two lanes of traffic, add a dedicated bike lane, and retain the ability to close NW 3rd Avenue between Davis and Burnside on weekends during peak seasons and major holidays; and
- Expand the street closure task force and shift leadership of the task force from the Mayor's office to the Community Association .

Our community prioritizes both a vibrant 24/7 environment and public safety at all hours of the day and night as we strive to bring new residents and businesses into the neighborhood. We appreciate the Mayor and City Council members' support for these goals and look forward to working with city leaders to achieve both revitalization and public safety in our community.

Thank you, Howard Weiner Chair of the Old Town Chinatown Community Association

The Old Town Hospitality Group

September 5, 2014

Mr. Chad Stover
Project Manager
Office of Charlie Hales
121 SW Fourth Avenue, Suite 340
Portland, Oregon 97204

Re: The Old Town Hospitality Group Street Closure Proposal for
November 2014 - November 2015

Dear Chad:

Thank you for the opportunity to present our proposal concerning the continuation of the Old Town Chinatown Street Closure.

As you know, all of the groups and businesses that are affected by the street closure, and those that have been asked to study and advise the City concerning it, have recommended it be discontinued. The Old Town Hospitality Group, Old Town Chinatown Community Association, Skidmore Old Town Chinatown Task Force, and Street Closure Stakeholder Advisory Committee, which was formed for the specific purpose of advising the City on the closure, have all recommended termination of the closure as it exists today.

The current closure is making businesses within the closure, and the entire Old Town Chinatown neighborhood, less attractive and accessible to the public. As a result, businesses within the closure and some near it are struggling to survive. Many of our businesses are reporting post-closure reductions in revenue of 20 percent and, as a result, some are losing money. It is not a sustainable situation for the health of our businesses and the neighborhood, and something must be done immediately.

However, The Old Town Hospitality Group believes there are aspects of the closure that are positive and should be retained. We have formulated and support a modified street closure plan that will retain those positive aspects while removing problematic elements that are endangering our businesses and the health of the neighborhood.

We believe PPD's Entertainment Detail is making a very positive difference and is the primary causal factor in the reduction of crime within the closure area. We want to see the Detail's presence and overall approach continue, and our plan is designed to retain the tools it needs for success. We believe our plan will open up the district to our patrons while retaining the tactical advantages and lines of sight the police need to continue the great job they are doing. Our

September 5, 2014
Mr. Chad Stover
Page 2 of 3

plan will not require any additional expenditures on the part of the City; instead, it will reduce overall costs related to the closure.

Our proposal would make the following changes to the current closure effective at the sunset of the current ordinance in October 2014. Our proposal includes two structural changes to the current closure. One of those, the reopening of Davis Street, was tested effectively in June. Our proposal includes two time-based modifications and also includes the addition of two programs designed to reduce any alcohol service-related crimes or altercations. These programs will be managed by the Old Town Hospitality Group at no cost to the City. We propose making these changes as a test for one year so that the neighborhood, businesses, police and City can assess how effective the changes have been and make further modifications as are advisable based on performance during the year.

Modifications to the Current Closure:

- A. While Couch Street will remain closed, Davis will be opened as it was in the June test. Our understanding is that opening Davis during the test did not present any challenges to the police, but created a traffic issue when vehicles in the left lane on 3rd wished to turn right on Davis or vehicles in the right lane wished to turn left on Davis. The next modification addresses and solves this problem.
- B. Our plan reduces 3rd Avenue to one lane of traffic during closure hours using barricade between Everett Street and Burnside. Cars on 3rd Avenue and Couch Street will continue to be towed. The parking lanes and the closed traffic lanes will be for pedestrian use only during closure hours. This will reduce congestion and maintain police line of sight, allowing ample room for police to respond easily to any altercation or problem. Temporary stop signs could be used during closure hours on 3rd at Couch and Davis, and permanent crosswalk markings could be added at key intersections within and surrounding the closure area to ensure pedestrian safety.
- C. Our plan includes a reduction in the hours of closure, so that the closure will begin at 11 p.m. instead of 10 p.m. Even on the busiest evenings in the summer, there are not enough patrons to justify a closure at 10 p.m.
- D. Our plan will make the closure seasonal. The summer months, and certain holidays and special events during the rest of the year, are the only times when the number of visitors justifies a closure. We propose the closure will begin Memorial Day weekend and continue through October 31, with additional closures for New Year's Eve, spring break and other holidays or special events as necessary.

E. The entertainment establishments within the closure area will voluntarily adopt the Best Practices policies and procedures (attached) that the Old Town Hospitality Group has drafted based on those used in other cities. In addition, the Old Town Hospitality Group will host and manage The Bar Academy, a sustainable training program for bar and nightclub employees in Portland designed to supplement current state and local education. The Bar Academy will focus on training programs that are complementary to our Best Practices policies and procedures. The Academy will educate hospitality owners and staff on various aspects of liability, sustainability, safety and security. A draft curriculum for the Academy is attached. The Best Practices and Academy measures will ensure that the hospitality businesses within the closure are doing everything they can to prevent any crimes or incidents in the closure area related to alcohol service or operation of their businesses.

We believe these changes will retain the positive aspects and improvements we have seen in the last two years, while making the district more accessible and welcoming to our patrons and visitors. If the closure can be modified in this way, on a one-year test basis, we will support its continuation. If not, we will have no choice but to join those advocating for the termination of the closure. Thank you for your time and consideration. We look forward to continuing to work with you for the improvement of our neighborhood.

Sincerely,

The Old Town Hospitality Group

Nikki Jones
Jones Bar & Boiler Room

David Leiken
Oregon Theater Management

Dan Lenzen
Concept Entertainment

Enclosures

BEST PRACTICES- OLD TOWN PDX NIGHTLIFE draft v.11**The Old Town Hospitality Group and its Goals:**

A group of vested hospitality business owners have united to form the Old Town Hospitality Group to advocate for and work collectively to ensure a safe night time experience within our establishments. We are interested in a pro-active approach to increase professionalism in the district by self-monitoring and supporting new hospitality business owners in reducing problems. We will provide global best practices for the nightlife community, create training and educational opportunities and provide positive peer pressure in order to achieve and maintain these high standards. We will work with the PPB, ONI, OTCTCA and various city groups to reduce crime, and prevent over consumption of alcohol and violence in Old Town.

The goal of the best practices document, which is attached, is to define best practices for hospitality establishment owners in Old Town and to assist in promoting customer safety and responsible liquor service. The document will assist owners and managers in maintaining the safety of their establishments, patrons and employees and in keeping the establishments free from illegal activity including: over consumption, drug sales, underage drinking, violence and sexual assaults. The document will also help promote safe and responsible liquor service and provide the tools to achieve that in each establishment. This document is meant as a road map to guide owners and managers to adopt safe practices and make sure we are all on the same page as a community to help promote a safe and vibrant district. Adopting these best practices as a tool for your business and requiring your staff to acknowledge and respect them will help achieve the goals set forth above.

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A. General Safety

1. **Fire Safety:** The following is a list of recommendations for fire safety for all establishments

- Check exits to ensure clear pathways and working exit lights at the beginning of every shift
- Maintain proper cleaning and ½ yearly service on hoods and fire extinguishing systems
- Know your occupancy count
- Make sure staff knows all exits and extinguisher placement
- Make sure you staff understands how to implement the emergency evacuation plan

2. **Emergency Evacuation and Exit plans:** All establishments should have a written evacuation plan. All employees should be trained on the plan and understand their specific responsibilities under the plan. The evacuation plan must include clear communication to staff and patrons. All routes, exit plans and assembly areas must be well defined. Staff members should be trained to act as coordinators/leaders and contacts once the evacuation assembly area is reached.

The establishment policy handbook should include:

- Emergency evacuation plan
- Exit plan – gradual staged exit at closing to ensure orderliness
- Maintaining order outside your premises
- Keeping patrons inside and safe if an incident occurs outside your premises

3. **Communication:** Each establishment should maintain good lines of communication with the police, industry associates, landlords, neighbors and competitors. The communication strategy should be multi-layered. It is important to maintain a list of important contacts within the neighborhood, including the office of neighborhood involvement, Portland Police Bureau, OLCC and the fire marshal. If possible, the GM's and/or security managers should have the current first line of contact numbers in their phones. It is also important that you provide contact information to ONI & PPB quarterly regarding persons in charge.

4. **Person in Charge:** Each establishment should designate a person in charge of the premises. The name and phone number of the owner and the person designated to be in charge (if different) during the hours of operation should be available to appropriate government agencies and neighbors in the area.

5. **Emergency Contacts:** It is recommended that each establishment have emergency contact information posted for immediate use in case of emergency. This includes police officers on the entertainment detail, OLCC officers, CHIERS, clean & safe & 911. Other important numbers are the District Attorney, Office of Neighborhood Involvement contact, and the fire inspectors.

6. **Employee Safety** (leaving after a shift): It is recommended that all female employees be walked to their car or public transportation by security personnel or another member of the staff. It is recommended that employees leave in groups as well.

7. **Lighting:** It is recommended that the levels of lighting inside and outside the establishment are sufficient for observation by security.

B. Security Plan

1. DPSST Certification: All security personnel primarily responsible for the safety of the customers, patrolling the floor, monitoring entrance/exits and/or checking at the door must **have current DPSST certification and be able to present their current card to authorities upon request.**

2. Uniforms: Security personnel should be easily identifiable and uniformly attired in order for patrons, other staff and emergency responders to be able to spot security personnel immediately. Recommendations:

- Jackets and/or shirts with SECURITY or STAFF on the front and/or back
- Brightly colored jackets and/or shirts
- Easily identifiable and uniform item of clothing (tie, pocket square) - In this case, work with PPB to let them know how staff personnel can be identified

3. Ratio of Security Personnel to Customers: It is recommended that there be at least one (1) security guard for every seventy five (75) customers. It is recommended that high volume nightclubs have a ratio of one (1) security guard to every fifty (50) customers. Larger concert venues will staff appropriately based on the type of show and demographics of the audience.

4. DPSST Executive Mgr & Supervisory Mgr: "Each business, employer or entity with private security professional staff of at least one (1) person must designate an individual to perform the duties of an executive manager as described in these rules. This provision applies to any business, employer or entity that provides private security services within this state, regardless of whether the business, employer or entity is located in or out of this state." (DPSST OAR 259-060-0130) It is also recommended that there be at least one (1) DPSST certified supervisory manager for every nine (9) guards on duty to assist in scheduling, supervising and ensuring all guards are in compliance with the state laws.

5. No Weapons: All security personnel and staff members will not carry, use or have on the premises a weapon of any kind which includes but is not limited to guns, knives, mace, pepper spray, and batons. If your establishment uses handcuffs, it is suggested that the DPSST certified supervisory manager be the only one to carry and use the handcuffs.

6. Security Staff Equipment- A sufficient number of security personnel should be provided radios/walkie-talkies and flashlights by management. Those at the entrance and exits should also be provided dual tally counters to maintain in & out capacity counts.

7. Security Training: All security personnel should be properly trained in the following categories upon hiring and once per year as a refresher.

- How to respond to an incident in your specific establishment
- Legal use of force
- De-escalation techniques
- Pre-attack behavior predictors- what to watch for
- Conflict management
- Identifying fake ID's
- Crowd management
- Over Service

8. Cameras: It is recommended that properly working and maintained digital cameras be mounted in front of the establishment (inside and outside), at all entry doors, within the establishment and outside of bathroom doors. The

location of all digital cameras should be part of a documented security plan. It is recommended that all cameras store data for a minimum of 2 weeks and management is knowledgeable on how to review and record footage.

9. Closing/2:30am Exit Protocol: Each establishment should have security personnel outside the establishment at closing time to help facilitate a smooth exit and point patrons in the direction they need to go. Security personnel should be posted on the sidewalk outside the establishment to keep patrons moving out of the area and to keep the street and side walk clear. Security should also remind patrons to keep their voices down and not disturb neighbors in the area. Security should remain on post outside until the area around the establishment is clear of patrons.

10. NEIGHBORHOOD LIVABILITY (Responsibility for patrons outside of your establishment) "In 1989, the Oregon Legislature passed a law that makes liquor licensees responsible for monitoring the behavior of customers **outside** as well as inside their businesses. The law is designed to insure that restaurants, taverns and package stores that sell alcohol don't disturb their neighbors... The law focuses on businesses with serious and persistent problems caused by customers who are noisy, disorderly or involved in illegal activities and the disturbances are related to the sale or service of alcohol. Licensees are responsible for customer disturbances in the **immediate vicinity of the premises**. If the problems are not brought under control, the OLCC may issue violation tickets or may refuse to renew the license. Licensees must be aware of, monitor, and avoid the following problems, specifically stated in the law: obtrusive or excessive noise, public drunkenness, fights altercations, harassment, unlawful drug sales, music or sound vibrations, alcohol or related litter, trespassing on private property, public urination." (OLCC Law Orientation for Retailers pg 18)

11. Outdoor Seating & Monitoring: Establishments with outside sidewalk seating permits should have a staff member monitor the area. Patrons with drinks must be seated in the sidewalk café. In addition, noise restrictions apply to outdoor seating and deck areas. It is your responsibility to monitor noise from patrons outside as well as noise from music being played inside.

12. Incident Response: Each establishment should have a documented plan of how to proceed when a serious incident occurs. Each establishment should maintain a list of all employees and independent contractors (such as DJ's, promoters and other entertainers) who are present on any individual night. Contact info for these employees should also be maintained to aid in contacting them as part of a post-incident investigation. All staff should be trained as to when and how to notify senior management and/or the police during and after an incident. Work to preserve video of people inside and outside of your club on the night of the incident. Utilize the incident report form to preserve pertinent information immediately after the incident occurs.

13. Logbooks and Incident Report Forms: It is recommended that each establishment maintain a log book to record incidents. Incidents include details about cutting off visibly intoxicated persons, visibly intoxicated persons that weren't let in the establishment, violent incidents, or any incident that requires police involvement. Each logbook should remain un-tampered (pages should not be ripped out or otherwise removed). It is recommended that incidents involving police and/or more serious incidents should have a logbook entry AND an incident report to record additional pertinent information. (See Addendum 1 for the incident report form). Basic information should include:

- **WHO:** The names of persons involved (include physical descriptions of unidentified individuals, suspects, etc.)
- **WHAT:** Describe in chronological detail what happened (add police report # and police officers names if applicable)
- **WHERE:** Describe where the incident took place
- **WHEN:** Date and approximate time

- **HOW:** Report statements made to you and your own observations

14. Witnesses to an Incident: Witnesses should be encouraged to wait for police to arrive (if called) in order to assist in the investigation or give security their information for the log books/incident report. At a minimum, they should be asked to provide their identifying information so that they may be contacted by the police in the future. Establishments should encourage employee witnesses to go to court and testify when requested, and pay wages to them for their time. Employees shall follow up with the District Attorney to file complaints after an arrest and/or to press charges to avoid the case being dismissed.

C. Security Practices

1 Use of Force:

Use of force is the last resort and only used when a person is in IMMINENT DANGER. Otherwise putting hands on a customer is highly discouraged. The use of physical force upon another person, when not used in an effort to protect customers, other employees or property, is not condoned and should not be tolerated at any time. Security personnel must exercise discretion regarding the amount and type of physical force appropriate in a particular circumstance. Security personnel, in exercising reasonable discretion, may respond to a physical attack and protect themselves and others from physical harm by restraining the attacker until law enforcement arrives. If possible, however, security personnel and/or employees should refrain from using physical force and instead obtain assistance of law enforcement.

When breaking up a fight or escorting customers from the bar, excessive force should never be used. We encourage all establishments to have their staff sign a "no strike agreement" to keep in their personnel file. (Please see Addendum 2 for the "no strike agreement")

2. Queue Management: It is suggested that establishments that have queues outside designate security personnel to walk and patrol the line to deter against disruptive or illegal activity. Line security assesses intoxication levels, dress code, sidewalk clearance, behavior and checks for alcohol consumption outside the establishment. If individuals do not refrain from disruptive behavior, violate dress code or are visibly intoxicated, ban their admittance.

3. Removal of aggressive patrons: Establishment policy and security plans should mandate that security separate and remove all potentially violent patrons in a manner consistent with the law that is designed to prevent a continuation of violent activity inside or outside the premises. Establishments must call 911 to report criminal activity and to report serious medical emergencies such as drug overdose

4. Two (2) Person Walk-outs: When escorting a problem customer out, 2 security personnel should be involved for safety and to have a witness to the process

5. Re-Entry Protocol: When re-entering, establishments should re-ID each customer and re-check their bags.

6. Occupancy Counts: Overcrowding contributes directly and indirectly to alcohol-related aggression and violence in licensed establishments

- All security staff should know your occupancy rating
- The occupancy rating should clearly posted at the front of your establishment
- Have a clear policy on occupancy count and enforce it consistently
- Have security keep in/out counts with clickers, including re-entries

7. Dress Code

- All establishments should post their dress code at the front entrance
- All security should be able to articulate the dress code to customers.
- All security should strictly and consistently enforce the dress code at all times so as not to discriminate
- Suggested dress code: No baggy clothes, no non-local athletic attire, no torn or soiled clothing, no gang attire or colors, no bandanas, no plain white t-shirts

8. Bag Checks:

All bags should be searched upon entry to the establishment and again upon re-entry: Any bag larger than a wallet should be searched. Security personnel should ask patrons to open their bag then use a flashlight to look inside. At no time should security reach inside the bag, remove items or move them with their hand. If items must be moved inside the bag for visibility, security should ask the owner of the bag to move the items while they observe using their light.

9. Pat Downs, Metal Detectors & Wands: If metal detectors, wands or pat downs are used, every patron should walk through the metal detector, get wanded or patted down in accordance with establishment policy. VIP's, DJ's, promoters, entourages, etc should not receive special treatment and should likewise be wanded or patted down

10. Coat Checks: It is recommended that large establishments, especially rock venues and dance clubs, utilize coat checks. Ensure control and order is maintained in the coat check area, especially at closing time. Customers should be encouraged by staff to check coats and bags so as to avoid theft.

11. Ejected patrons list: Identifying information on ejected and/or arrested patrons should be retained on a list within the establishment. These patrons should not be allowed subsequent re-entry at any time.

D. Sexual Assault Prevention

1. Predatory Behavior Awareness:

- Although a sexual assault may not occur within a nightlife establishment itself, management and employees can help to prevent their premises from being exploited by sexual predators who may seek to take advantage of vulnerable patrons. Alcohol consumption can be a strong contributing factor to the loss of judgment and failure to perceive danger which can lead to a tragedy.
- In a nightlife environment, certain patrons, primarily young females, are especially vulnerable to potential attackers who may present themselves as friendly, seeking to getting to know them, buying them a drink or otherwise displaying romantic interest. A common scenario is for an attacker to initiate an interaction in the premises and then persuade or invite the victim to leave with him. Employees should be attuned to behavior that seems overly familiar, aggressive or seductive under the circumstances, especially if the potential victim is visibly intoxicated or seems to be impaired.
- Establishment personnel should call a vulnerable or impaired person a cab or otherwise watch as patrons leave, to see if they are to be able to navigate safely. Security personnel at the door or maintaining order outside are well positioned to observe when patrons leave. Note that predators may seek to get victims drunk or drugged, encourage them to get some air, and then pull up in a car or hail a cab to take them away.
- If establishment personnel sense that something is awry when a patron leaves with a person suspected of being a potential predator, they should make it clear that they have noted the departure, communicating the fact that

the potential predator has been seen and the situation noted. Make a note of the circumstances, the description of the parties, or any other information that could become relevant at a later time.

- e. Ensure that storage areas and other restricted areas are kept locked and secured; any closed, darkened area represents a potential danger.
- f. Perhaps most important, management and employees should trust their instincts regarding possible predatory behavior they may observe; if something doesn't seem right, it probably isn't. Make notes of the observation, for later reference if needed.
- g. Notify law enforcement if any person exhibits predatory behaviors to help identify and escort the person from your establishment.

2. Cameras & Bathroom Attendants: Regarding the prevention of assaults, it is encouraged that establishments have cameras outside of both bathrooms (as recommended in Item B.8) that are continuously monitored or consider hiring bathroom attendants.

E. Event Promoters & Party Buses

Promoters: Use precautions when dealing with promoters. Promoters should understand all club policies and their actions should adhere to such policies.

1. Ensure promoters have a valid business license. Utilize fully executed contracts and get contact info from all promoters. Don't put your business at risk by turning it over to an unlicensed, inexperienced or unscrupulous promoter- be sure to do your research.
2. Do not allow promoters to run your door, ID your customers, or collect cover charge. While it is the promoter's job to get as many people to your establishment as possible, **the bar is liable for occupancy limits, contraband, weapons, dress code, levels of intoxication, etc.** Management should monitor the door and make it clear to promoters that they are not to steer patrons around security in order to evade ID checks.
3. All guests of the promotional team must be treated as any other patron, consistent with the establishment's search and ID policies, without exception and including the promoters themselves, DJ's and employees.

Party Busses: Be aware of "**pub crawls**" and "**party busses.**" Both of these bring large groups to your establishment at once. In many cases, their patrons are extremely intoxicated. Suggested house policies on this:

1. Tell the party prior to their arrival that intoxicated persons will not be let in
2. Ask the party to make sure the driver will be available to take visibly intoxicated patrons away from the establishment
3. Establish a certain time period they may enter the establishment (ie. 9pm-11pm)
4. Only allow party buses who have made arrangements with the establishment in advance. No drive by business
5. Do not allow party buses to double park or block street traffic in any way

F. Age Verification

1. Minors:

- Under no circumstance is a minor allowed in an establishment where the liquor license dictates “no minors at any time” (underage musicians may be in a green room with security, be on stage while they are performing, then must leave the premises)
- Under no circumstances may a minor under 21 years of age be sold or served liquor, or be permitted to consume liquor in establishments with minor restrictions on the license

2. Identification Guidelines

- ID every customer who looks under the age of 26 entering the bar (It is recommended that establishments ID **every** customer)
- Know the OLCC’s acceptable forms of ID- There are only 4 forms of acceptable ID from customer’s entering the establishment: state issued driver’s license, passport, military id and state issued ID card.
- All ID must be current (not expired).
- Cooperate with all OLCC arrests and police intervention regarding fake ID’s caught by the security staff.

3. ID protocol

Card EVERY person entering the bar who looks under 26 with the recommendation that EVERY person show ID. When being presented an ID, require security personnel to confirm date of birth, expiration, visual confirmation, and level of intoxication on every entrant. All entrants must be able to maintain eye contact, be capable of conversation, and maintain balance.

4. Protocol for Calling OLCC or Confiscating an ID (when you suspect it’s a fake) (add info)**G. Over Service**

The burden of liability rests on the business owner with regards to over-service. State Law and common sense prohibit a nightlife establishment from serving alcohol to a person who is visibly intoxicated or permitting someone else to serve the intoxicated person.

1. Permits: All servers must have current/valid OLCC server permits available for immediate inspection when asked by authorities.

2. Ongoing In-House Training: It is recommended that owners and managers provide yearly in house education above and beyond the basic 5 year OLCC test regarding over-service, identifying visibly intoxicated persons and protocol and tips for cutting off visibly intoxicated persons

3. Line of Sight: All customers served a drink must be in the line of sight of the bartender/server. Drinks are not to be served to people the bartenders or servers can’t see to assess their level of intoxication.

4. Identifying Visibly Intoxicated Persons: All employees should be highly aware of the signs of intoxication including but not limited to the following:

- Thick, slurred speech
- Bloodshot, watery or glassy eyes

- Aggressive or belligerent behavior
- Balance unsteady, swaying, staggering or stumbling
- Difficulty making change or getting their ID out
- Disheveled clothing

5. House Rules Suggestions: Many of these house rules have been successfully implemented by establishments currently in the Old Town neighborhood

- Limit the number of drinks a customer can purchase. No stacking drinks
- Limit type of drinks customers can purchase close to closing time.
- Eliminate shots at last call or after a designated time period
- Consider free cover coupons for those who are cut off and angry
- Instead of announcing last call, do a slow-down of service
- Consider limiting the number of different types of alcohol in one drink (i.e. No 4 liquor drinks: long islands, AMFs)
- Consider no doubles, only one drink per person
- No consumption of alcohol not purchased on premises (with exceptions to establishments that allow unopened wine to be brought onto the premises)
- Offer free non-alcoholic beverages to designated drivers

6. Pour Count Expectations: Reduce the risk of over-service by having a standard pour count per shot expected from each bartender.

7. Good Faith Effort: Staff should understand and utilize the “good faith effort” rule when cutting off visibly intoxicated persons. According to the OLCC, the law defines a good faith effort as “placing your hand on the drink and trying to remove it, or if you have reason to believe that touching the patron’s drink could cause disturbance, you must make a verbal request to take the drink.” It is recommended to not engage in hostile or aggressive behavior. If a patron resists giving you the drink, simply do not serve them again and write in the log book that you cut them off and attempted to take the drink.

8. Drug Policy:

General Information

Ecstasy and Molly, in particular, have become closely associated with bar/nightclubs and places where people go to dance.

Policy

Drugs of any kind are prohibited on all of our premises. If security personnel have knowledge of drugs, they must immediately remove the person(s) associated with the drugs. Security personnel have no legal right or obligation to confiscate drugs from someone. If you remove a person from the premises, they must not remain near the establishment. A best effort must be made to keep the person from loitering near your business. Notify law enforcement if the person refuses to leave or stays in the area. If narcotics are present, notify law enforcement or OLCC officers.

9. Alcohol Monitors: For special events such as street festivals or larger outdoor concerts, employ alcohol monitors to help watch for visible intoxication and assist in cutting off patrons. (An Alcohol Monitor is a person in addition to alcohol servers and security staff who monitors the sale, service, and consumption of alcoholic beverages to help ensure that unlawful sales, service, and consumption of alcoholic beverages do not occur.)

H. Employees

1. Background checks and verification: It is suggested that all employees be background checked

2. Have Documented Training in Safety and Evacuation Plans

3. Have Documented Training in Discrimination and Sexual Harassment

4. General Behavior: It is recommended that each establishment identifies their employee expectations, has the employee sign/date a general behavior agreement and keep the document in their employee files. (Suggested examples)

- no drinking on duty
- no drug use on premises
- no harassing customers about tips
- no lying, stealing or cheating
- maintaining confidentiality agreements

5. Contractors: Establishments should have contact info for all individuals contracted to provide operational services such as DJ's, bands, outside security companies, and promoters

I. Club Policies

1. Club Permits/Licenses: Keep business permits, licenses and registrations up to date and readily available. Licenses that should be clearly visible are your Liquor License, Health License, Capacity count, pregnancy & alcohol signage, minors signage, and born on or after this date.

2. Code of Conduct: The code of conduct for patrons should be posted at front entry. Patrons who violate them should be removed from the establishment. If patrons resist or situations escalate, security staff should call PPD for assistance.

3. Neighbors Awareness: When an establishment has residential neighbors on the same block, they should post a sign encouraging patrons to be quiet and sensitive to the neighbors when exiting

4. Trash Management: Each establishment is responsible to clean up the cigarette butts and trash left by patrons at the end of the night outside of their establishments.

5. Employee Permits: Make sure all staff has proper and current certification/licenses on them during their shift- make a copy to keep in a permit book in the office as well. This includes OLCC server's permits, food handler's cards and/or DPSST permits

6. Employee Handbook: An employee handbook should be in the premises at all times and should be distributed to all employees. The handbook should incorporate the guidelines suggested in this document. The handbook should have

emergency evacuation plans and protocol. The handbook should also inform all employees how to handle situations that arise frequently and which often lead to problems which include but are not limited to:

- Visible Intoxication
- Over Service
- Illnesses or injuries
- Fights
- Patron refuses search
- Disorderly patron
- Fake ID
- Drug use
- Recovered weapon

J. Storefront Management/Noise Compliance/State & Local Laws

1. Noise Compliance (add info)
2. Know your smoking laws (add info)
3. Know your liquor laws (add info)
4. Store Front Management (add info)
5. Housing Relations (add info)

ADDENDUMS

1. Incident report form
2. No strike policy

RESOURCES

- Handbooks/Policy & Procedure from various bars & nightclubs in Old Town
- House rules from various bars & nightclubs in Old Town
- Various meetings and roundtables of the Old Town Hospitality Group
- New York Nightlife Association's Best Practices for Nightlife Establishments
- Providence, Rhode Island's Best Practices: Providence Nightlife
- Seattle.gov's Nightlife Handbook
- Toronto Entertainment District's Nightlife Establishments Best Practices
- San Francisco Entertainment Commission's Safety & Security Best Practices for Nightlife Establishments
- DC Best Practices for Nightlife Establishments
- Responsible Hospitality Institute
- OLCC Law Orientation for Retailers

Initial Incident Report

Part One: Initiation-To be completed by the Person Involved in the Incident.

Name of Person Completing Report: _____ PSID: _____

Report Start Date: _____ Time Report Started: _____ am/pm

Date of Incident: _____ Time of Incident: _____ am/pm

Signature of Supervisor/Incident Commander: _____

Date that the Report was Received: _____ Time that the Report was Received _____ am/pm.

Describe the steps taken to preserve evidence (if required): _____

Describe any and all initial actions taken to prevent a recurrence of the incident: _____

Part Four: Level of the Incident (check all that apply):

☐ Level 1 (death)

☐ Level 2 (injury to customer)

☐ Level 3 (injury to employee)

☐ Level 4 (interior property damage)

☐ Level 5 (exterior property damage)

Closing Statement (if any):

Signature: _____

Date: _____

No Strike Agreement

I, _____, understand and acknowledge the following policies as a part of my job duties.

Under no circumstances will I PUNCH, KICK or STRIKE or use any type of SUBMISSIONS on a patron within or surrounding the premises while on duty. Only passive restraint techniques are to be used with the minimal amount of force.

No self-defense weapons or devices are to be used or carried on the premises.

As a security personnel, you can **never use excessive force**. Excessive force can include, but is not limited to, application of pain, choking, or handcuff use. Foul language, discriminatory slurs, and verbal threats can also be considered excessive force.

Do not use any physical force (damaging or deadly) unless your life or another's life is in jeopardy of being taken or receiving serious injury because of the patron's actions.

Restraining an individual or standing down until the police arrive is the correct action to a physical assault.

Security Guard Signature

Date

Manager Signature

Date