

Best Practices For Nightlife Establishments



NEW YORK NIGHTLIFE ASSOCIATION

Developed in cooperation with the
New York City Police Department and the
New York Nightlife Association

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BEST PRACTICES FOR NIGHTLIFE ESTABLISHMENTS

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BEST PRACTICES FOR NIGHTLIFE ESTABLISHMENTS

DEVELOPING A SAFE NIGHTLIFE ATMOSPHERE

The goal of this document is to assist nightlife owners in maintaining safe bars, lounges and clubs free from illegal activity including: drug sales, underage drinking, over consumption of alcohol, violence, prostitution and sex offenses.

The NYPD together with the New York Nightlife Association have developed these guidelines as suggested ways to achieve that goal. They are meant as a general road map for owners and managers, not as a list of laws applicable to all establishments and all situations. We have also included separate sections regarding how to respond to a serious criminal incident and what you should know about counterterrorism threats and preparedness. Use your best judgment while keeping these suggestions in mind and adapting them to your specific establishment.

SECURITY

1. As a general guideline, there should be a minimum of one licensed and trained security guard in every premise when 75 or more patrons are present at the same time. For larger premises, there should be one such security guard for every 75 club patrons present. Any full time security supervisor shall be included when counting the total number of security guards employed. Discretion should be used by management to determine the appropriate number of security based on the event or crowd to ensure safety and lawfulness.
2. If the establishment uses the services of a security guard company rather than employing its own security guards, the security guard company must be licensed by the NYS Department of State.
3. Security guards should be trained in techniques to de-escalate potential violent encounters and difficult situations.
4. Establishment policy 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 club. Establishments must call 911 to report criminal activity, and may call 911 or otherwise notify police for assistance in these circumstances.

Similarly, call 911 to report serious medical emergencies such as drug overdoses.

5. It is recommended that for every five (5) security guards there be one (1) security supervisor to ensure a minimum span of control of one (1) security supervisor for every five (5) subordinates.
6. It is recommended that security guards be distinctively and uniformly attired – very easily identified.
7. It is recommended that security guards be spread throughout the establishment and not just at the door.
8. Coat check should include the customer's ability to check bags. It is recommended that establishments install anti-theft environmental designs such as drawers, shelves and hooks for customers who choose not to check bags. Ensure control and order are maintained in coat check area, especially at closing time. Customers should be encouraged to check coats and bags so as to avoid thefts.
9. Perpetrators should be detained by security through lawful means. Witnesses should be encouraged to wait for the police to arrive in order to assist in the investigation. At a minimum, they should be asked to provide their identifying information so that they may be contacted by the police in the future. They should also be encouraged to make a statement to establishment personnel regarding the incident, if the establishment so requests. Establishments should act as complainants in appropriate cases.
10. Establishments should encourage employee witnesses to go to court and testify when requested, and pay wages to them for their time.
11. Digital video of any unlawful conduct should be identified and provided to the NYPD when requested.
12. Identifying information on ejected and/or arrested patrons should be retained on a "banned list" database. These patrons should not be allowed subsequent re-entry.
13. It is recommended that properly working and maintained digital cameras be mounted in front of the establishment (both inside and outside), at all entry doors and outside the bathroom doors.
14. It is helpful to learn if all of these efforts are working. To that end, hire an independent security consultant to ensure club security and other laws and policies, including laws prohibiting sales to minors, are being adhered to.

15. Ensure that levels of lighting inside and outside the establishment are sufficient for observation by security.
16. All those awaiting admission should be placed in a line, not blocking the sidewalk. All individuals on admission lines should be informed that if they are not orderly, they will not be admitted. Individuals who will not be admitted should be encouraged to leave the area.
17. At closing, security is to ensure orderliness when patrons are exiting the establishment.
18. If metal detectors are used, **every patron should get mag'ed** in accordance with establishment policy. VIP's, DJ's, promoters, entourages, etc. **should not receive special treatment and should likewise be mag'ed.**
19. Establishments should safeguard evidence connected with commission of a crime on the premises and should maintain the integrity of any crime scene.
20. Spot checks of employees should be conducted to ensure compliance with establishment policies and applicable laws and rules, including integrity tests for false ID and underage sales.
21. Management should know and make readily available the telephone number of the local precinct and the name of the commander of the precinct cabaret squad, if applicable.

INTOXICATION

22. 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. It is of course in the best interest of everyone involved to prevent the kinds of behavior which are associated with intoxicated patrons, and all employees should be highly aware of the signs of intoxication:

Speech slurred, thick, confused, abusive, profane, antagonistic or incoherent

Appearance in disarray, clothing stained

Balance unsteady, or body swaying, using a wall or furniture as a prop

Face pale or flushed

Eyes bloodshot, red, or puffy

Fumbling or dropping of glass, ID, cash, etc., or misjudging distance

Unusual physiological symptoms, e.g., vomiting, excessive hiccupping, losing focus, sleepy or fainting

23. Ensure that all employees maintain continual awareness of the level of intoxication of patrons, as well as whether individuals are buying drinks for others who may have in fact been cut off.

SEXUAL ASSAULTS

24. 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.
25. 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 drinks, 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.
26. Establishment personnel should offer to call a vulnerable or impaired person a cab or otherwise watch as patrons leave, to see if they seem 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.
27. 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, for example, commenting on an item of clothing, or asking if they need any help getting a cab. If possible, it would be a good idea to make a note of the circumstances, the descriptions of the parties, or any other information that could become relevant at a later time.
28. Encourage groups to designate one person as a chaperone, perhaps identified by a wristband, who could be served non-alcoholic beverages at a discount for the night.
29. Regarding prevention of assaults within the premises, as recommended in Item 13, maintain digital cameras outside the bathroom doors, and consider employing a restroom attendant. Monitor the cameras throughout the night, and especially after 2 AM. Ensure that storage areas and other

restricted areas are kept locked and secured; any closed, darkened area represents a potential danger.

30. Support staff, including porters, barbacks, busboys, and kitchen staff, should also be encouraged to be aware of patron behavior and possible dangers of sexual assault, especially as these employees work in or pass through areas which are dark or restricted. They should be instructed to immediately report any suspicious or problematic behavior to a supervisor or manager.
31. 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. Again, if possible, it would be a good idea to make notes of the observation, for later reference if needed.

EMPLOYEES

32. All employees must have a photo ID on file in the location, with a description of his/her position and contact information. Consider using ID scanning not only for patrons (see below) but also for employees, to identify all employees on the premises.
33. Establishments should also have contact information for all individuals contracted to provide operational services such as DJ's and promoters.
34. There must be a person designated to be in charge of the premises. The name and phone number of both the manager and the person designated to be in charge of the premises, if different, during the hours of operation, must be available to appropriate government agencies.
35. Designate clean-up crews inside and outside the establishment. All flyers, handbills, cups, debris, etc. should be cleaned from in front of the premises throughout the night.
36. Designate specific employees to conduct occupancy counts periodically throughout the night.
37. Managers should identify themselves to responding government agencies.

AGE VERIFICATION

38. State law (Alcoholic Beverage Control Law Section 65-b(2)(b)) specifies the types of documents that are acceptable proof of age for the purpose of purchasing alcohol in New York State. They are: a valid driver's license or non-driver identification card issued by the Commissioner of Motor Vehicles, the Federal Government, a State Government, Commonwealth, Possession or Territory of the United States or a Provincial Government of

Canada; or a valid U.S. passport, or valid passport of any other country; or a valid military ID from the U.S.

39. ID should be checked for every person seeking to enter the establishment who reasonably appears to be less than 21 years of age. There should be no exceptions made to this policy, including for anyone brought into the premises by an employee or promoter. 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.
40. **The use of ID scanning machines** is strongly recommended. While they do not reject legal ID's being used by another individual nor are they foolproof in rejecting fake ID's, they are extremely helpful in recording who is entering the establishment.
41. Some machines are able to:
 - Verify an ID is valid (ABC Law requires government issued ID only)
 - Record notes – identify problem people
42. Retain ID for 14 day minimum – must be turned over or made available to the Police Department on request and in some circumstances may be used in defending a charge of serving a minor.
43. Digital video cameras and ID scanners, when used, should be time stamped so that ID scanning information can be compared to video of patrons entering club.
44. Machines are not to be used for marketing or advertising.

PROMOTERS

45. Establishments which contract with promoters may well be held responsible if promoters engage in or encourage irresponsible activity in the premises. Therefore it is incumbent upon management to take adequate precautions when dealing with promoters, who are much less likely to suffer the consequences of illegal conduct than the establishment itself.
46. Establishments should only work with promoters who are professional. Promoters should be required to provide full contact information for themselves and anyone they hire to work in the establishment. If the promoter is insured, the venue should be listed as additionally insured on all relevant policies.
47. Management should require that all promotional materials be approved by the venue prior to being published or released to the public.

48. Management should make absolutely clear to promoters what their policies are, especially regarding admission of those under 21 years old, and make clear that promoters are expected to fully adhere to these policies.
49. Management should have representation at the door to ensure that all door policies are adhered to by promoters and their employees. Management should reserve the right to refuse entrance to any guest pursuant to their existing admission policies.
50. 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.
51. Management should check the past performance of promoters before considering contracting with them, by inquiring with other venues about what type of crowd they attract, how they operate, how responsive they are to problems or concerns, etc.

CLUB POLICIES - SHOULD BE CLEAR AND WELL KNOWN

52. **DO NOT ADMIT ANYONE UNDER 21, except that those under 21 may be admitted to establishments when operated primarily as restaurants during those hours in which meals are served.**
53. If bottle purchases are allowed, DO NOT ADMIT ANYONE UNDER 21. Establishments must take sufficient steps to ensure that the tables are closely monitored so as to prevent underage drinking or over consumption.
54. An establishment policy handbook should be in the premises at all times and should be distributed to all employees. The handbook should to the degree practicable incorporate the guidelines suggested in this document. The handbook should inform all employees how to handle situations that arise frequently and which often lead to problems, e.g.:

- illnesses or injuries
- fight
- patron refuses search or pat down
- disorderly patron
- false ID
- drug use
- citizen arrest
- recovered weapon

55. The establishment policy handbook should also include:

- emergency evacuation plan
- exit plan – gradual staged exit at closing to ensure orderliness
- order maintenance outside premises

56. A professional looking sign containing patron code of conduct rules should be displayed inside the establishment.

57. When an establishment has residential neighbors on the same block, post a sign encouraging patrons to be quiet and sensitive to the neighbors.

58. All permits must be kept up to date and readily available if needed.

59. Management is to ensure that club policies are adhered to.

60. If a criminal incident occurs, an incident report listing full details should be generated and maintained for three years. Attached is a suggested form which may be used for this purpose. Also attached is a set of best practices which has been developed for responding to serious criminal incidents.

POLICE – COMMUNITY RELATIONS

61. A list of all scheduled events should be sent to the community affairs officer in the local precinct. In the case of a special event, such as a celebrity performance or party, 72 hours' notice, when possible, should be given to the precinct, and the establishment should ensure that adequate and additional security personnel are employed to meet the specific expected crowd.

62. Each establishment should have a search policy and adhere to it. (This may vary from no one is searched, to all bags are searched, to random searches are conducted, to everyone is searched.) This ensures that upon arrival, the Precinct Commander and the officers will have a basis to know if the occupants have been searched and what, if anything was found.

63. Representatives of establishments are welcome at Precinct Community Council meetings, and should attend as many as possible.

64. The Precinct Commander and establishment owners should meet as necessary in order to discuss with each other operational issues, solutions to common problems, problem locations, etc.

RESPONSE TO SERIOUS CRIMINAL INCIDENTS –

“THE CRIME SCENE”

These best practices are designed to apply to serious criminal incidents, usually assaults that are physical and/or sexual in nature. For these purposes assaults are deemed serious when the victim of the physical assault is either unconscious, or is obviously in need of immediate medical treatment, for a serious or life-threatening injury, such as a stabbing or slashing. This is more serious in nature than a bar fight with minor injuries. An exception to this general rule is sexual assault crimes where the victim may have no visible injuries. Sexual assaults are serious criminal incidents, and as such fall within the purview of these guidelines.

Pre-Incident:

1. All establishments 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. Also maintained should be contact information for these employees to aid in contacting them as part of a post-incident investigation.
2. Establishments should request and maintain contact information for a representative of any private group who has a function or event at the establishment.

Post-Incident:

1. Call 911 immediately.
2. Establishments should make clear to all managers, employees and private contractors that they are expected to tell the truth to the police investigators.
3. Do not clean up the crime scene. Protect it from any changes. Crime scenes can be protected by temporarily surrounding them with velvet ropes or yellow “caution” tape using chairs, velvet rope stanchions, or even potted plants to support the tape. To this end, inexpensive yellow “Caution Tape” should be kept in the establishment.
4. Nightlife establishment employees should be aware that important physical evidence may not be readily visible or obvious. Incidents involving sexual assaults will rarely have recognizable evidence at the scene of the occurrence. Establishments should therefore “overprotect” the area of the crime by safeguarding an area larger than they initially believe the crime scene to be.
5. Immediately identify and preserve financial transaction information for all parties involved or who are believed to be witnesses. This includes debit and credit transactions.

6. Involved parties or witnesses should be detained if possible. There are several techniques to accomplish this, from asking them to stay, to offering them complimentary admission on a subsequent date, to asking for and retaining their ID's, and giving them to the responding police officers.

7. Establishments should know what parking facilities are commonly used by their patrons and provide this information to police investigators.

8. If the perpetrators or witnesses leave, a description of the vehicle in which they left (with license plate number), the direction and means by which they left, and the identity or description of any people they left with should be provided to the responding police officers.

9. The table or area where the involved parties sat or stood, including their beverage glasses, utensils, and any other evidence should be preserved and left untouched inside the club. This material should be identified to the responding police officers immediately. Employees of nightlife establishments should be cognizant that in certain circumstances, tampering with physical evidence can be a crime. See, for example, Penal Law § 215.35 Tampering with physical evidence; definitions of terms, and Penal Law § 215.40 Tampering with physical evidence, which are provided following item 13.

10. Video of people inside the club during the evening the crime took place should be preserved for the police, even if it appears to have no probative value. Often these videos can be enhanced to reveal important evidence. To increase the usefulness of these images in establishments which are often dark, one area of the club, such as a hallway immediately outside the rest rooms, should have enhanced lighting. This will make the images of people passing through that area more identifiable. It is recommended that properly working and maintained digital cameras be mounted in front of the establishment (both inside and outside), at all entry doors and outside the bathroom doors. These digital videos should be recorded, maintained, and provided to the responding police investigators.

11. ID scanner information should be preserved and made available to the responding police officers.

12. Serious assaults should always be the subject of a uniform incident report being completed by a managerial level employee of the establishment who was present at the time of the incident. This manager need not be a witness to the incident, but is responsible for interviewing the witnesses and completing the report. The report should be maintained by the establishment for a minimum of the three-year statute of limitations for negligence law suits.

13. Obviously, these best practices apply to serious incidents that occur inside the establishments. However, important evidence may exist inside the establishment even if the crime occurs outside the establishment, and therefore there will be circumstances where these best practices apply to incidents that

take place outside of the establishment. For example, if the circumstances of an assault are such that the involved parties were in the establishment before the assault, and the assault subsequently took place outside of the establishment, the evidence that the involved parties left behind must be safeguarded. This includes:

- financial records of their purchases
- video images of involved parties
- images of scanned ID's
- glasses and utensils used by the involved parties, which may yield identifying information such as fingerprints and DNA
- observations of witnesses which may aid in a subsequent ID of involved parties

Relevant Penal Law Sections:

Section 215.35 Tampering with physical evidence; definitions of terms.

The following definitions are applicable to section 215.40:

1. "Physical evidence" means any article, object, document, record or other thing of physical substance which is or is about to be produced or used as evidence in an official proceeding.

2. "Official proceeding" means any action or proceeding conducted by or before a legally constituted judicial, legislative, administrative or other governmental agency or official, in which evidence may properly be received.

Section 215.40 Tampering with physical evidence.

A person is guilty of tampering with physical evidence when:

1. With intent that it be used or introduced in an official proceeding or a prospective official proceeding, he (a) knowingly makes, devises or prepares false physical evidence, or (b) produces or offers such evidence at such a proceeding knowing it to be false; or

2. Believing that certain physical evidence is about to be produced or used in an official proceeding or a prospective official proceeding, and intending to prevent such production or use, he suppresses it by any act of concealment, alteration or destruction, or by employing force, intimidation or deception against any person.

Tampering with physical evidence is a class E felony.

COUNTERTERRORISM BEST PRACTICES

This section is intended to provide information on counterterrorism planning to nightlife businesses. It is not intended to alarm or frighten, but rather to help New York City's vibrant nightlife community achieve both safety and hospitality for its customers.

Effective counterterrorism measures can only be achieved through cooperation. To achieve the goal of a safe New York City nightlife, operators of nightlife establishments will have to work cooperatively with the police, nightlife industry associations, their landlords, their neighbors, and even their competitors.

The following is a starting point for nightlife businesses to create an effective counterterrorism plan. In creating such a plan, nightlife businesses are encouraged to consult their local police precinct, as well as private security and nightlife management consultants.

Terrorist Strategy

Terrorism is a criminal act designed to manipulate an audience beyond the immediate victims. Terrorists seek to commit acts of violence that draw local, national, and international attention to their cause. Terrorists plan their attacks to obtain the greatest publicity and choose targets that symbolize the ideologies they oppose.

Terrorist Goals

Terrorists engage in violent behaviors for the following reasons:

- A. To create fear in people they consider enemies.
- B. To create recognition for their ideology.
- C. To provoke a reaction from governments.
- D. To obtain money and equipment from their sympathizers.

Terrorist Target Selection

A. Terrorists typically use a very organized program of hostile surveillance to select targets and learn how to best attack them.

B. Target selection criteria often include: ability to inflict mass casualties; economic impact; critical infrastructure; political, religious or historical symbolism; vulnerability.

C. Terrorists have demonstrated a preference for "soft targets," those which are not protected by an effective counterterrorism plan. The process of making an entity more resistant to terrorist attacks, and therefore a more undesirable target, is therefore known as "target hardening."

Terrorism and the Nightlife Industry

The following are notable examples of terrorist attacks against nightlife establishments:

London 2007: On June 29, 2007, in London, two car bombs were discovered and disabled before they could explode. The first device was set near the Tiger Tiger nightclub at around 01:30 am, and the second was nearby, in an area of London popular for its many nightlife establishments. The Tiger Tiger nightclub is the flagship of one of England's best known nightclub chains. It is 18,000 square feet in size, and contains a restaurant, four large dance floors, and five bars. The first car was reported to the police by an ambulance crew attending a minor incident at the nightclub. The ambulance crew noticed suspicious fumes coming from the parked car. About two hours later, the car containing the second device was towed because it was parked illegally. The staff at the auto pound noticed a strong smell of gasoline emanating from the vehicle and reported it to police. The cars, both late model Mercedes, were found to contain improvised explosive devices made up of gasoline, propane gas, nails, and a remote triggering device. A member of a radical Islamic group was convicted of this attempted attack.

London 2004: Police counterterrorism investigators foil a plot to use a bomb to attack the "Ministry of Sound," the largest nightclub in London, with a capacity of 2,200 patrons. The key to foiling this plot was the alert employees of a self-storage facility where the terrorists had stored 1,300 pounds of ammonium nitrate fertilizer, the main component of what would have been a massive bomb. The employees became suspicious of the terrorists and their cache of fertilizer and contacted the police, who discovered the plot. Five terrorists were convicted and sentenced to life in prison in connection with this plot.

Bali 2002: At approximately 11pm on October 12, 2002, a suicide bomber inside Paddy's Pub nightclub detonated a bomb in his backpack, causing many patrons to flee into the street. Approximately fifteen seconds later, a secondary device, a larger and much more powerful VBIED (vehicle borne improvised explosive device, or car bomb) hidden inside a white van, was detonated in the street in front of Paddy's Pub. This bomb was designed to kill the patrons who had fled from the first bomb inside the club. 202 people were killed by the blast, and 240 were injured. The VBIED was powerful enough to destroy neighboring buildings and shatter windows blocks away. Members of Jemaah Islamiyah, a violent Islamist group, were convicted of crimes related to the bombings.

Terrorists View Nightlife Businesses as Attractive Targets for Attacks

Terrorist target selection is often based upon the ability to inflict mass casualties, the symbolism of the target, and the vulnerability of the target. Recently, there seems to be a trend to select "soft targets," those with less security than 'hard targets,' such as government or military facilities.

Islamic extremists view nightlife establishments as “dens of depravity,” which represent Western decadence and immorality. Patrons of these businesses are viewed as sinful and deserving violent punishment.

Characteristics of Terrorist Attacks

Terrorist attacks typically involve:

- Careful planning.
- The smallest number of participants possible.
- Extensive “hostile surveillance,” that is, extensive surveillance and intelligence gathering of the potential target by the terrorists.
- The use of secondary explosions which are designed to inflict mass casualties and death on fleeing victims of the initial explosion, and on emergency personnel who respond to the initial explosion.

Counterterrorism Security Planning for Nightlife Establishments

A. Responsibility for counterterrorism security planning should be assigned to one senior managerial employee, usually the same person responsible for other types of security. This individual should have sufficient resources and authority to accomplish this responsibility.

B. The establishment should have a counterterrorism security plan. The plan should be simple, clear, and flexible.

C. The security plan should include:

1. Details of the security measures to be implemented, including personnel assigned to carry them out, with designated back-up personnel assignments.

2. How to respond to a threat, such as a bomb threat or threat of attack delivered by telephone or in person.

3. How to respond to the discovery of a suspicious device.

4. A search plan. Searches should be conducted daily, before, during and after hours of operation.

5. An evacuation plan.

6. A communications and media strategy, which includes liaison with the police and other emergency services, communication with the media, and inquiries from concerned family members.

D. The security plan should include the “SEVEN KEY INSTRUCTIONS,” which are applicable to most incidents:

1. Notify the police immediately.

2. Do not touch the suspicious items.

3. Move EVERYONE away to a safe distance. Remain behind hard cover.

4. Prevent others from approaching the suspicious item.

5. Communicate with staff and patrons in a manner designed not to create alarm.

6. Do not use radios and cellular phones in the immediate vicinity of the suspicious item.

7. Ensure that witnesses – whoever found the item or witnessed the incident – remain present to talk to the police.

E. All staff should be trained on the counterterrorism security plan so that they understand their responsibilities under the plan, and also have a general understanding of sound counterterrorism practices. Refresher training and training of new employees should be conducted periodically. Constant vigilance is the most important concept to be conveyed to the staff.

F. All staff should be trained as to when and how to notify the police and senior management. Management should be notified whenever staff notices anything unusual or suspicious in any way. The police should be notified any time a possible threat exists. Call 911 for emergencies and crimes occurring or about to occur. For example, call 911 if an employee believes the establishment is currently being subject to hostile terrorist surveillance. Call the New York City Terrorism Hot Line at 1-888-NYC-Safe if possible terrorist related activity has occurred in the past. For example, call the hot line if an employee recalls seeing activity in the past that may have been indicative of terrorist hostile surveillance. Call 311 to report non-emergency and quality of life conditions.

Physical Security and Counterterrorism

A. Access points between the private and public areas of the establishment should be minimized and controlled with an access control system. At the minimum, all such access points should be secured and monitored.

B. All patrons and independent contractors (such as promoters, dancers, DJ's, etc.) should be searched upon entering the establishment. Use of magnetometers and metal detectors should be considered (see Best Practices Item 18).

C. The establishment should be searched routinely before, during, and after hours of operation. See below.

D. Staff should be instructed to ensure that vehicles discharging or picking up passengers do not stay in place for any longer than is absolutely necessary.

E. Anti-shatter glass should be installed in the location wherever practical. Many injuries from explosive devices are caused by shattering glass. Anti-shatter film may be applied to glass already in place.

F. Integration of security systems. Alarm systems, CCTV systems, access control systems, lighting systems, and patron identification recording systems should all be integrated to the extent possible, to allow them to work together and maximize their effectiveness. For example, additional exterior lighting on the main entrance of an establishment will make the CCTV coverage of that entrance much more effective. Similarly, CCTV coverage of the alarm trigger points in the security system will allow for remote assessment of alarm conditions.

G. Establishment maintenance and housekeeping. Good maintenance and housekeeping practices keep an establishment attractive to patrons and also reduces the opportunity for the hiding of suspicious devices. Maintenance staff should be included in counterterrorism planning and training. Their vigilance is important to detect suspicious devices and events, such as disabled access control systems.

Use of Closed Circuit Television (CCTV) in Counterterrorism Efforts

A. CCTV systems are very high tech and complicated. They should be professionally installed and maintained, and the employees responsible for their use and maintenance should be appropriately trained by professionals.

B. CCTV images should be constantly monitored and recorded. Recordings should be kept for a minimum of 30 days. The quality of the recordings should be regularly checked, ensuring that the images are clear and that the date and time stamps are accurate.

C. Sufficient staff should be trained on the use of the CCTV system to allow it to be continually monitored during an incident.

D. There should be a system in place to immediately turn necessary recordings over to the police for use in an investigation or as evidence.

E. Lighting should be appropriate to ensure good image quality of the CCTV system.

F. Older analog CCTV systems use video tape to record images. These tapes degrade quickly and should be reused no more than 12 times.

Searching Establishments as Part of a Counterterrorism Security Plan

A. Search plans should be created in advance and should be memorialized onto a checklist. The checklist should be completed each time the establishment is searched. Searches should be conducted daily, before, during and after hours of operations. Searches can be incorporated as part of the routine cleaning and maintenance of the establishment.

B. The search should also be performed when accompanying the police in response to a specific threat against an establishment, such as a telephone bomb threat. In these cases it is much more effective to have the responding police officers accompanied by employees who routinely search the establishment. It will be easier for these employees to recognize out of place, unusual, or suspicious items than it would be for police officers who may have never seen the establishment before.

Door Supervisors

Counterterrorism plans should include the following instructions for door supervisors:

- A. Be alert to what is going on outside of the establishment as well as at the door.
- B. Understand and be able to identify hostile surveillance. See below.
- C. Understand and be able to identify indications of suicide bombers and VBIEDs. See below.
- D. Ensure that patrons and employees of the establishment are searched, their ID scanned, and that they are checked with a metal detecting magnetometer, consistent with the security and counterterrorism plan of the establishment.

- E. Pay particular attention to fraudulent and forged identification documents. People using apparently forged ID documents who **do not** appear to be underage are very suspicious, and should be immediately brought to the attention of the police.
- F. Management should be aware that New York State law requires that all security personnel, including door supervisors, be licensed.

Evacuation Plan

A. All establishments should have a written evacuation plan. All employees should be trained on the plan, understand their specific responsibilities under the plan, and should have a general understanding of the workings of the plan.

B. 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 marshals (leaders/coordinators) and contacts once the evacuation assembly area is reached. The plan should include at least two alternative evacuation assembly areas.

C. In case of an evacuation of the establishment, the police **MUST** be notified of the reason for the evacuation, and the evacuation route and the assembly area being used.

D. Neighboring establishments should be consulted when designing an evacuation plan to ensure that both establishments are not planning on using the same assembly areas.

E. Small maps of various evacuation routes can be printed on the reverse of employee's ID cards, and/or access control cards.

F. When designing evacuation plans, it should be remembered that secondary explosives are used by terrorists to inflict casualties on people fleeing an initial attack. The evacuation plan should therefore include alternate assembly areas. This will make the use of a secondary device at the assembly area more difficult for the terrorists.

Communications

A. Part of an effective counterterrorism plan is to ensure an effective communications strategy is in place.

B. The communications strategy must be multilayered. It is important to maintain ongoing communication on counterterrorism issues with groups such as employees and vendors who are routinely present in your establishment. It is also important to have a plan for communication with police, neighboring premises, and possibly the media.

C. The communications plan must include emergency communications during an incident. Patrons, staff, police, and neighboring premises will all have to be communicated with in this situation.

D. Cellular telephones may not be functioning during an emergency. Larger establishments should consider the use of hand held radios for emergency communications. All establishments should consider the installation

of a hard-wired (land-line) pulse dial analog telephone which will function during power failures.

Hostile Surveillance

A. Terrorists use hostile surveillance as part of the target selection process and to learn as much as possible about their targets before an attack. These actions can occur weeks to years before a terrorist attack.

B. Hostile surveillance is usually conducted in a covert manner, with the terrorists conducting the surveillance pretending to be tourists, students, or customers. It is often characterized by activities such as photography, videography, sketching or drawing, and note taking. Often the person or persons conducting the hostile surveillance will take particular interest in the outside of a potential target, paying particular attention to the doors, alarm systems, CCTV system, parking lots, security personnel and security plans. Sometimes these individuals may engage employees and ask questions about the establishment's operations and its security plans.

C. Another indicator of potential hostile surveillance may include an increase in bomb threats and unattended packages. These may be used as an opportunity for the terrorists to observe police and security responses to these incidents.

D. Door Supervisors and staff should also be aware of new characters on the streetscape surrounding the establishment. These could include vendors, panhandlers, and loiterers.

E. All of the activities mentioned above should be reported to management, who should make a determination whether the incident is serious enough to bring to the attention of the police.

Identification of Suicide Bombers

A. Counterterrorism security plans should include training for all staff in the detection of possible suicide bombers. There are many factors which may create suspicion of this activity: inappropriate clothing for the season, time, place or circumstance; protrusions from the clothing; concealment of the hands; visible wires or tape; two or more people communicating and trying not to be observed; a suspect whose presence or behavior is inconsistent with the time or place; individuals who are obviously disguised; individuals with obvious signs of extreme stress or nervousness, such as bulging veins in the neck, profuse sweating, shaking hands, touching the face continuously, involuntary motions, apathy, distant stare or unfocused gazing, feeling the body continuously; and individuals whose speech includes stuttering, mumbling or chanting, or are hesitant or unresponsive.

B. Suspicious luggage or packages on an individual should also be noted. Indicia include: individuals holding luggage which is incompatible with the surroundings; holding a bag very close to the body or not releasing it when appropriate; weight of bag is obviously great; identical bags carried by several individuals; and bags with obvious irregularities.

C. In all situations, part of the counterterrorism security plan should be to encourage all security and establishment staff to trust their gut feelings. If they feel suspicious or uneasy about an individual or group of people they should bring that suspicion to the attention of a security supervisor with responsibility for counterterrorism security.

D. Terrorists are not confined to one ethnic or racial group. There have been documented terrorist attacks by individuals of a wide variety of backgrounds. It is therefore important to stress in counterterrorism planning the need to be vigilant and observe all people, and not to exclude individuals from suspicion because of their appearance. Personnel should be mindful of the increased participation of females in terrorist activity.

Vehicle Borne Improvised Explosive Devices (VBIEDs)

A. Terrorists have often employed explosive devices hidden inside cars or other vehicles.

B. The use of bollards or other physical barriers to vehicles may be considered, but their use must be consistent with local traffic and other City regulations and permit requirements.

C. Counterterrorism training should stress to all staff that all vehicles are to be scrutinized for irregular operation or suspicious activity, including luxury vehicles, limousines, taxicabs, and vehicles purportedly carrying VIPs.

D. Suspicious activity or irregular or unusual operation by any vehicle should be reported to the police.

Recommendations

1. Learn

Stay informed of world and local events, and any ongoing threats. The NYPD SHIELD web site <http://www.nypdshield.org/public/default.nypd> is a good source of current and reliable counterterrorism information.

2. Communicate and Cooperate

Maintain good lines of communication with the police, industry associations, your landlord, your neighbors, and even your competition. It is in all of our interests to ensure that the nightlife industry continues to provide a safe and fun environment for its customers. Terrorism is a societal problem which no single entity can address alone. To have effective counterterrorism planning, we must all work together, and communicate effectively.

3. Plan

Every business should have a counterterrorism plan. The execution of this plan should be the responsibility of a senior, management level employee. The plan should be written, with specific assignments for staff members. The plan should include back-up assignments to account for staff absenteeism, days

off, and terminations. The plan should also include initial training and periodic retraining and drills.

4. Be Vigilant

The culture of your organization must be changed to stress vigilance on counterterrorism and safety issues. Cultural change in organizations starts at the top, with ownership and senior management. All people involved in your organization must understand the focus that is to be placed on looking for suspicious activities and reporting them. Your counterterrorism plan must give specific directions as to when and how to notify the police and establishment management.

5. Become a Hard Target

The goal of a successful counterterrorism plan is to make your establishment a “hard target,” one that is not perceived by terrorists as desirable to attack. Many factors lead to becoming a hard target, including: increased security, regular searches, counterterrorism drills with staff, visible CCTV cameras, counterterrorism planning, training of staff, and a culture of vigilance.

Attached to this booklet are four useful documents:

1. NYPD SHIELD Bomb Threat Checklist, which is useful when a bomb threat is received over the telephone.
2. NYPD SHIELD Guidelines for Suspicious Mail or Packages.
3. NYPD SHIELD Criminal Description Form, which is useful whenever a description of any person needs to be recorded.
4. NYPD “If you see something, say something” poster.

BOMB THREAT CHECKLIST

CALL 911

Remain calm and try to keep caller on the line.

CALL 911

EXACT WORDS OF CALLER:

Questions to ask the caller:

1. When is the bomb going to explode? _____
2. Where is the bomb right now? _____
3. What does the bomb look like? _____
4. What kind of bomb is it? _____
5. What will cause the bomb to explode? _____
6. Did you place the bomb? _____ Why? _____
7. Where are you? _____
8. What is your name? _____
9. What organization do you represent? _____

VOICE

Loud	<input type="checkbox"/>
Soft	<input type="checkbox"/>
Intoxicated	<input type="checkbox"/>
High Pitched	<input type="checkbox"/>
Deep	<input type="checkbox"/>
Accent	<input type="checkbox"/>

MANNER

Calm	<input type="checkbox"/>
Coherent	<input type="checkbox"/>
Angry	<input type="checkbox"/>
Emotional	<input type="checkbox"/>
Laughing	<input type="checkbox"/>
Other	<input type="checkbox"/>

BACKGROUND NOISE

Street	<input type="checkbox"/>
Bar/Restaurant	<input type="checkbox"/>
Factory	<input type="checkbox"/>
Subway	<input type="checkbox"/>
Office	<input type="checkbox"/>
Other	<input type="checkbox"/>

Was caller male or female? _____

Was caller's voice familiar? _____

Did caller read a prepared statement? _____

Was caller well spoken? _____

What was approximate age of caller? _____

Telephone number where call was received? _____

Time call received: _____ Date call received: _____

Your name: _____ Your position: _____

Your telephone number: _____



SUSPICIOUS MAIL OR PACKAGES

- Leave the mail or package where it was found. Do not disturb. Do not try to clean the substance.
- Immediately call **911**
- Clear the immediate area of all persons and keep others away.
- Cordon off the immediate area.
- Instruct people in the immediate area to wash hands and other exposed skin with soap and water.
- Isolate exposed persons to a designated area away from the substance and await further instruction.
- List the names of the persons in the immediate area of the mail or package.
- Shut down all HVAC (heating, ventilation, air conditioning) systems.
- Document the location of mail or package.



CRIMINAL DESCRIPTION SHEET

Physical Description

SEX _____

RACE _____

HEIGHT _____

WEIGHT _____

COMPLEXION _____

EYES - COLOR - EYEGLASSES

(ALERT - NORMAL - DROOPY)

VISIBLE SCARS, MARKS, TATTOOS

AGE _____

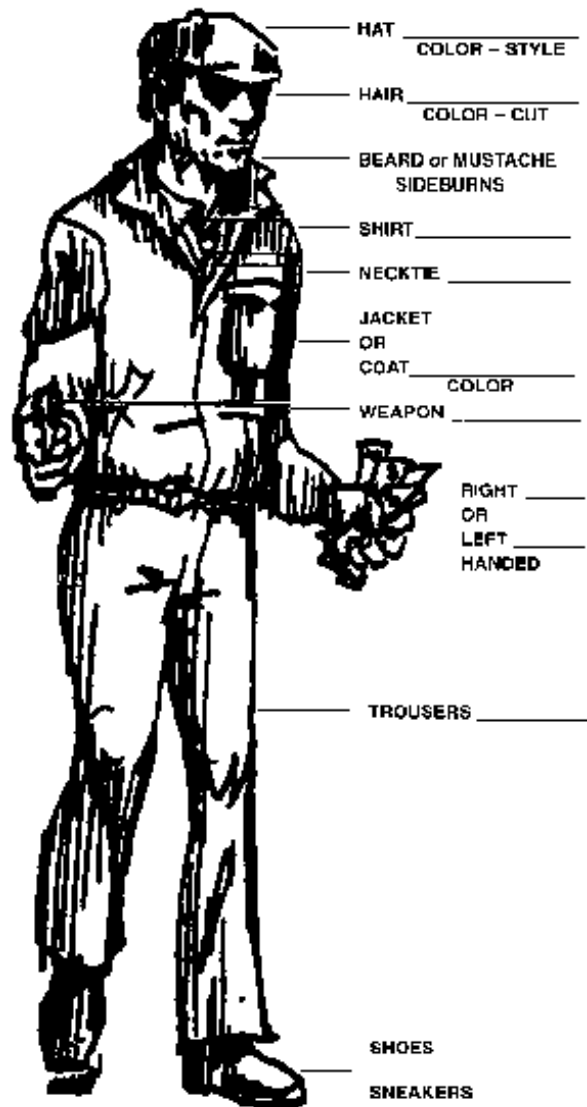
Method of Escape

DIRECTION _____

LICENSE _____

VEHICLE DESCRIPTION _____

Remarks _____



HELP THE NYPD FIGHT TERRORISM
IF YOU SEE SOMETHING,
SAY SOMETHING

TOLL - FREE TERRORISM HOTLINE:

1-888-NYC-SAFE
1-888-692-7233

ALL CALLS WILL BE KEPT CONFIDENTIAL

IN AN EMERGENCY, CALL 911
IN NON-EMERGENCIES, CALL 311

INCIDENT REPORT

PAGE 1 OF 2

ESTABLISHMENT INFORMATION

Corporate Name			Doing Business As		
Date of Incident	Time of Incident <input type="checkbox"/> AM <input type="checkbox"/> PM	Location of Incident	<input type="checkbox"/> Coat Check <input type="checkbox"/> Dance Floor	<input type="checkbox"/> Bar <input type="checkbox"/> Outside	<input type="checkbox"/> Rest Room <input type="checkbox"/> Other (Specify)
Report Prepared By			Signature		Date of Report

PATRONS INVOLVED OR WITNESSING INCIDENT (Use Additional Form(s) if Necessary)

1. Name		<input type="checkbox"/> Victim <input type="checkbox"/> Aggressor <input type="checkbox"/> Witness		Race	<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Amer. Ind.	<input type="checkbox"/> White Hispanic <input type="checkbox"/> Black Hispanic <input type="checkbox"/> Asian/Pacific Isl	<input type="checkbox"/> Other (Specify)
Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Height	Weight	Eye Color	Hair Color	Date of Birth	ID Source	
Address			Apt. No.	City	State	Zip Code	
Home Phone No.		Cellphone No.	Business Phone No.		Fax No.	Email Address	
Vehicle Make/Model/Color					License Plate or Taxi Medallion No.		
Distinguishing Marks (Describe Any Scars Tattoos etc.)							

Was Patron Asked To Leave Premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Patron Escorted From Premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, How Was Patron Escorted From Premises			
Did Patron Resist?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, Describe			Was Intoxication Noticeable Before Or After The Incident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Name		<input type="checkbox"/> Victim <input type="checkbox"/> Aggressor <input type="checkbox"/> Witness		Race	<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Amer. Ind.	<input type="checkbox"/> White Hispanic <input type="checkbox"/> Black Hispanic <input type="checkbox"/> Asian/Pacific Isl	<input type="checkbox"/> Other (Specify)
Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Height	Weight	Eye Color	Hair Color	Date of Birth	ID Source	
Address			Apt. No.	City	State	Zip Code	
Home Phone No.		Cellphone No.	Business Phone No.		Fax No.	Email Address	
Vehicle Make/Model/Color					License Plate or Taxi Medallion No.		
Distinguishing Marks (Describe Any Scars Tattoos etc.)							

Was Patron Asked To Leave Premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Patron Escorted From Premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, How Was Patron Escorted From Premises			
Did Patron Resist?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, Describe			Was Intoxication Noticeable Before Or After The Incident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. Name		<input type="checkbox"/> Victim <input type="checkbox"/> Aggressor <input type="checkbox"/> Witness		Race	<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Amer. Ind.	<input type="checkbox"/> White Hispanic <input type="checkbox"/> Black Hispanic <input type="checkbox"/> Asian/Pacific Isl	<input type="checkbox"/> Other (Specify)
Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Height	Weight	Eye Color	Hair Color	Date of Birth	ID Source	
Address			Apt. No.	City	State	Zip Code	
Home Phone No.		Cellphone No.	Business Phone No.		Fax No.	Email Address	
Vehicle Make/Model/Color					License Plate or Taxi Medallion No.		
Distinguishing Marks (Describe Any Scars Tattoos etc.)							

Was Patron Asked To Leave Premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Patron Escorted From Premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, How Was Patron Escorted From Premises			
Did Patron Resist?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, Describe			Was Intoxication Noticeable Before Or After The Incident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

INCIDENT REPORT

PAGE 2 OF 2

POLICE INFORMATION

Were Police Called? <input type="checkbox"/> Yes <input type="checkbox"/> No	Responding Officer (Rank, Name)	Officer's Shield No.
Visible Injuries to Patron(s):	Complaint Report Taken? <input type="checkbox"/> Yes <input type="checkbox"/> No	Complaint No.
SPRINT No.: (Can be obtained from Responding Officer)		

Were Medical Services Offered? <input type="checkbox"/> Yes <input type="checkbox"/> No	Were Medical Services Refused? <input type="checkbox"/> Yes <input type="checkbox"/> No	Did EMS/Ambulance Service Respond? <input type="checkbox"/> Yes <input type="checkbox"/> No	Patron(s) Removed? <input type="checkbox"/> Yes <input type="checkbox"/> No
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INCIDENT INFORMATION

Employees Involved (Describe How Below)

Name _____ Home Phone No. _____ Cell Phone No. _____

Name _____ Home Phone No. _____ Cell Phone No. _____

Name _____ Home Phone No. _____ Cell Phone No. _____

Employees Witnessing Incident

Name _____ Home Phone No. _____ Cell Phone No. _____

Name _____ Home Phone No. _____ Cell Phone No. _____

Name _____ Home Phone No. _____ Cell Phone No. _____

Is There Video Surveillance of Premises? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was Incident Captured on Video? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was ID Scanned Upon Entry? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Not, Was Record Made of ID? <input type="checkbox"/> Yes <input type="checkbox"/> No
Was Any Physical Evidence Recovered? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, Describe Evidence		

DESCRIBE INCIDENT (Use Additional Form if Necessary)

This booklet is available on the internet:
www.nyc.gov/nypd
www.nyna.org