

Draft Testimony from Greg Miller, Greg@DanceParade.Org 917-627-7155

Hello, my name is Greg Miller and I'm the Executive Director of the non-profit organization that produces Dance Parade and a member of LegalizeDance.Org . The parade on Broadway and in the East Village has run the past 11 years and features 10,000 dancers dancing to 80 unique styles of dance and culture. It is a United Nations of Dance.

I'm here before you today in support of the proposed Office of Nightlife bill on the ~~condition that~~ the City administration repeals the prohibition era Cabaret law.

~~To give you background on my personal experience regarding these issues. Though I've had a 20 year career in corporate finance for well known international companies and do strategic consulting for non-profits, I have always loved dance.~~

~~For the past 35 years I've enjoyed the social dances of salsa, swing, roller disco, EDM and I religiously practice a conscious movement called the 5 rhythms.~~

The first Dance Parade came about in reaction to the 2007 Festa versus the NYC Department of Consumer Affairs case about the Cabaret Law in the State Supreme Court. The suit was brought on by 5 dancers who practiced ballroom, swing, country-western, tango, house/goth, and Latin forms. In the decision, the judge

upheld the cabaret law specifically citing that social dancing was not expressive activity protected by the 1st Amendment.

Our effort with the Dance Parade was then to present to the public expressive forms of dance found in our great City of New York. We were amazed at the turnout of diversity in ages, cultures and dance styles...They danced in the streets because they simply could and they were not shy!

The freestyle dances of house, techno and urban cultures were represented by Danny Tanaglia, Kool Herc (founder of Hip Hop), Victor Calderone and others along with African, Asian, Central and South American cultures who came out in beautiful traditional costumes—Popular dances of ballroom, tango, swing and salsa were out along with forms of dance we had no idea existed in both folkloric and urban dance populations...Sufi Whirling Dervishes, Zouk, Kizomba, Zydeco...The Melbourne Shuffle, Clowning, Crumping, B-boying, Locking, Popping, Vogue and Wacking.

As New Yorkers, we were proud and honored to present so many forms of dance that were founded in New York City. We came to know that Salsa in Spanish means “Mix” and began as a fusion between the Puerto Rican and Cuban Mambo beats that came about after the mass emigration from Communist Cuba in the late 60s and early 70s. Hustle then grew out of salsa in discos soon after.. And a decade later Hip

Hop was birthed in the Bronx and, as measured by music sales, is the most popular form of dance worldwide. The dance and music culture is a big reason why our city attracts top businesses, non-profits, students, consumers and tourists from around the world.

These dancers, many of whom are here today, are all affected by the 1926 Cabaret law provision that requires ALL New York City venues that serve food or drinks that have more than 3 persons dancing must have a Cabaret license.

Movement has always been key to freedom. And historically, moralists have always tried to stop people from dancing. The Waltz when it first came out was banned in several countries in Europe in the 1700's as it was considered immoral and would lead to unwanted pregnancies. During the prohibition era when the Cabaret Law was introduced, the Charleston was considered a hedonistic social dance. And ever since, the cabaret law has been arbitrarily used to fine and shutter LGBTQ clubs. And to target marginal communities and gentrification is making the situation even worse.

Since 2006, LegalizeDance.Org has been a watchdog organization that tracks cabaret law issues and media stories about the suppression of dance culture. They have cited that in the 1970's over 12,000 venues were available to dance. That number

has shrunk to 400 when we started dance parade a dozen years ago and has steadily declined to 300, to 200, and to the current 97 licenses currently held in all five boroughs.

Because there are very few places to dance legally, many dancers and venue operators have been afraid to testify today but I can site dozens of cultural groups that are underground “dancing in the shadows” of enforcement because they cannot dance tango, ballroom, swing, salsa and freestyle dance. As a result, they attempt to hold private parties in unregulated and at times, unsafe spaces and avoid taxes to our city.

To try to respond to the gentrification influences that the Cabaret Law perpetuates, we at Dance Parade have offered dance residencies at Schools, Senior Centers and Parks & Recreation centers specifically because there are few legal places to practice dance and sustain/grow culture. We do this legally by writing grants and collecting non-profit donations but it is not financially sustainable to protect and grow culture that needs to happen like it does in every other city around the world. **On behalf of the thousands of dancers that ^I~~we~~ ^{today} represent from Dance Parade, we maintain that ^{the} benign act of dancing is the wrong reason to regulate nightlife. The concerns of noise, safety and zoning are already addressed through adequate city codes. The City Council even passed Local Law 113 of 2005 which went into effect**

in July of 2007 to tighten sound requirements from bars and nightclubs. Venues should be regulated based on capacity, not because of dancing.

I'd like to thank LegalizeDance.Org for collecting over 2500 signatures to call out the cabaret law as too outdated and whose legal council has determined that the way to protect dance and our culture is to remove 7 words from the Zoning Text of the city code. Doing this would keep all the safety concerns but make dance available to all.

And thank you to Council Member Espinal and committee members for the opportunity to testify.