

Testimony on:
Oversight - Enforcement of New York City's Cabaret Law.
before the
The New York City Council Committee on Consumer Affairs
by Jamie Burkart
Monday June 19th, 2017

Honorable Council Members,

My name is Jamie Burkart. I'm a member of the New York City Artist Coalition. I am asking the New York City Council to Repeal the Cabaret Law.

The Cabaret Law was created in 1926 to halt interracial dancing in jazz clubs. It was used by Mayor Giuliani in the '90s to target and shutter gay bars, decimating culture. This civil rights issue law was used time and time again. It's still on the books and its prejudicial history is still felt today.

Because of the Cabaret Law, there are no legal spaces to dance in Bed-Stuy nor El Barrio for instance. There are zero Cabaret Licenses in Council Member Cumbo's district where I live, nor in the Speaker Melissa Mark-Viverito's district. Today there are fewer than 100 active Cabaret Licenses in all five boroughs. There is nowhere legal to dance in the vast majority of New York City's neighborhoods.

Everywhere our communities gather, at a friend's performance, at coffee shop or a wedding in a restaurant, it is almost certainly illegal to dance.

My life as an advocate began with the loss of another, my good friend Nick Gomez Hall. He was one of the 36 people killed in the Ghost Ship tragedy earlier this year.

From the minute I heard he was missing, I knew he was gone, they all were. I was filled shock, then grief.

Our first response was safety. We facilitated fire safety walk-throughs and workshops. Our study groups for the Fire Department's Fire Guard Certification exam have a 100% pass rate.

Working directly with spaces we found that though they were up to code, some were afraid to engage with the fire department because they knew they didn't have the Cabaret License.

For those who claim the Cabaret Law is about safety. We know what makes community spaces safe. And it is not a ban on dancing. Improve the relationship of trust to save lives. Repeal the Cabaret Law. Give low-income community spaces seats on the Nightlife Task Force.

For those who say the Cabaret Law is not being enforced, it can easily be used in the future by extreme conservative groups to arbitrarily shut down spaces. In the past few months there have been targeted alt-right attacks against community spaces in New York. They use the Internet to incite others to call authorities on spaces anonymously. They posted my home address on their website. At least one space I know of was visited by authorities. A teenage prankster in Wyoming can shut down spaces in New York with this outdated law.

Repeal the Cabaret Law, Legalize Dance. Don't ask don't tell isn't good enough.