

New Orleans City Council Members  
Susan G. Guidry, District A  
LaToya Cantrell, District B  
Nadine M. Ramsey, District C  
Jared C. Brossett, District D  
James Austin Gray II, District E  
Stacy Williams, Councilmember-at-Large  
Jason Rogers Williams, Councilmember-at-Large

January 28, 2017

Dear Councilmembers,

We undersigned bar owners and industry representatives strongly encourage you to reject the changes to the City of New Orleans Alcohol Beverage Ordinance (ABO) proposed by Mayor Mitch Landrieu on January 24, 2017, specifically those changes that would require all bars to submit to 24/7 surveillance, require all bars to close their doors after 3am, and call upon the police to conduct “sweeps” to clear the streets after that time. We recognize that public safety is a major concern for most residents and visitors, but we feel the proposed measures are likely to be counterproductive and are antithetical to the free spirit of the city.

A brief, inexhaustive list of our concerns about the mayor’s proposal follows.

- Increased foot traffic is associated with lower crime rates. A curfew would empty the streets of bystanders, and likely be more dangerous for anyone that is outside as a result. Empty streets are less safe, not more.<sup>1</sup>
- Costs of upkeep for mandatory equipment are likely to fall to businesses, as has been the case with previous regulations.
- Peak times for crime occur well earlier in the evening. The shooting on Bourbon Street that led (in part) to this proposal occurred at 1am. As such, the specific 3am curfew feels more like a backdoor noise ordinance than a genuine public safety proposal.<sup>2</sup>
- Discouraging traffic outside of bars after certain hours without specific cause will increase hardships associated with the smoking ban, as patrons who wish to smoke will no longer be allowed to do so indoors or outdoors.<sup>3</sup>
- Old, historic doors, required to be kept in place by the forces for historic preservation, are often heavy and difficult to open and close for each guest. Forcing them to do so would raise fire safety concerns and effectively force said bars to close.<sup>4</sup>

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<sup>1</sup>[http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1016&context=penn\\_law\\_review](http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1016&context=penn_law_review)

<sup>2</sup>[http://www.theadvocate.com/new\\_orleans/news/crime\\_police/article\\_401ba060-e4ef-11e6-81bb-f3605d00a989.html?sr\\_source=lift\\_amplify](http://www.theadvocate.com/new_orleans/news/crime_police/article_401ba060-e4ef-11e6-81bb-f3605d00a989.html?sr_source=lift_amplify)

<sup>3</sup><http://wgno.com/2017/01/24/new-orleans-bar-owners-speak-out-against-the-citys-new-2017-safety-prposal/>

<sup>4</sup><http://www.fox8live.com/story/34349160/in-new-orleans-closing-bar-doors-at-3-am-could-be-a-fire-hazard>

- Laws concerning matters of public decency and quality of life are often enforced selectively, usually against poor people, people of color, and otherwise marginalized populations.<sup>5</sup>
- New Orleans is a popular destination in part for its commitment to personal freedoms. Even a perceived curfew or move towards widespread surveillance may have an adverse effect on tourism.

While crime and public safety are very real and pressing concerns, we must be careful. Throughout history, well-meaning but ultimately misguided overreactions to these issues have been used to unnecessarily curtail personal freedoms. We, the undersigned, share the desire to make New Orleans a safer place for residents and visitors alike, and to that end we support other aspects of the mayor's plan. However, we also share the concerns elaborated above and are united against the proposed ABO changes.

Thank you for your consideration. Please feel free to contact me directly to engage in further conversation on this issue.

Sincerely,



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Co-signers:

Jeffrey Berry, Co-Owner, Latitude 29  
 Neal Bodenheimer, CureCo.  
 Robert Clark, Owner, Sidney's Saloon  
 Susan Dandridge, Owner, Three Palms Bar and Grill  
 Liam Deegan, Managing Partner, Barrell Proof  
 Ethan Ellestad, Executive Director, Music and Culture Coalition of New Orleans  
 Jeffrey James, Owner, St. Lawrence  
 Konrad Kantor, Partner, El Libre  
 Annene Kaye, Co-Owner, Latitude 29  
 Benjamin Lee, Owner, Santos & The Saint  
 Keith Magruder, Owner, SideBar  
 Pauline Patterson, Owner, Treo  
 Kimberly Patton-Bragg, Owner/Operator, Three Muses Maple  
 Rachel Rose, General Manager, Portside Lounge  
 Jeremy Sauer, Co-Owner, Mid City Yacht Club  
 Mark Schettler, President, United States Bartenders Guild, New Orleans Chapter  
 Jeff Schwartz, Managing Partner, Bakery Bar  
 Ann R. Tunnerman, Founder, Tales of the Cocktail  
 Polly M. Watts, Owner, Avenue Pub

<sup>5</sup> <http://www.motherjones.com/politics/2010/03/texas-racist-laws-drinking-while-brown>