
Unmasking Times Square

A Needs Assessment Survey with Ticket Sellers, Costumed Characters, and Others

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Executive Summary

In the spring of 2016, the New York City Council authorized new zoning regulations in Times Square. These regulations target commercial and entertainment activity in the pedestrian plazas on Broadway between 41st and 53rd Streets. Specifically, ticket sellers, panhandlers, and performers who solicit tips for photographs are now restricted to “Designated Activity Zones.” The zones were intended to address reports of “aggressive hawking and solicitation” and to ensure that the Times Square plazas are “world class public spaces to be embraced and emulated” (Times Square Alliance n.d.a).

Individuals in violation of the new law are likely to have their court cases heard at the Midtown Community Court, a neighborhood-based court that handles most misdemeanor cases arising in the Midtown, Manhattan area. Operated by the New York court system in concert with the Center for Court Innovation, the Midtown Community Court offers defendants an array of social services and community restitution opportunities in an effort to meaningfully address the problems that underlie criminal behavior.

Shortly after the new Times Square regulations took effect, researchers from the Center for Court Innovation conducted a needs assessment survey of the individuals affected by the activity zones. The goals of the survey were to understand the needs of the population and, in turn, to recommend targeted interventions and services that the Midtown Community Court might build into its programming. This study was not designed to elicit perceptions and perspectives of the public, law enforcement, and others who may have different views.

Survey Methods

Surveying took place on four days in June and July 2016. In total, 100 individuals were surveyed: 45 costumed characters (e.g., individuals portraying Mickey and Minnie Mouse, Spiderman, Elmo, Statue of Liberty), 28 ticket sellers, 12 painted women, 10 CD sellers, and 5 panhandlers. Surveys were conducted in English (79%) and Spanish (21%), and respondents received \$10 stipends to compensate them for their time. The survey covered demographic information, employment history, experiences in Times Square (including conditions and earnings), knowledge of the new regulations, and needs (e.g. housing, health care).

Findings

Respondent Profile

- **Demographics:** Respondents were two-thirds male; the majority (69%) were between 20 and 39 years old, and about half had children (51%).
- **Immigration and English as a Second Language:** Over half of the respondents (54%) were born outside the United States. Of those not born in the U.S., 45% had been living in the U.S. for five years or less. Researchers informally observed that a sizeable proportion of the Times Square workers did not speak English as a first language or were not fluent in English.

Service Needs of the Population

- **Health and Medical Needs:** Nearly half of respondents (48%) mentioned needs relating to medical or health care issues. Of those interviewed, 41% lacked health insurance, and an additional 6% were unsure whether or not they had health insurance.
- **Financial Needs:** Respondents generally reported low pay and fluctuating earnings. A sizeable minority (39%) reported financial need. Most respondents did not have another source of income (63%), and many worked in Times Square five to seven days per week (70%). Among the different categories of Times Square workers, CD sellers reported the highest earnings, with half reporting daily earnings of \$150 or more. By contrast, 82% of costumed characters reported daily earnings under \$100, and 75% of ticket sellers reported daily earnings in the range of \$10 to \$80.
- **Employment and Education Needs:** Employment-related needs were cited by 42% of respondents; 15% reported education-related needs.
- **Housing Needs:** One-third of respondents (33%) cited housing-related problems, often speaking of high costs and difficulty paying rent. Many respondents (40%) lived in New Jersey; 16% lived in Manhattan (the city borough with the highest average rent).

Experience in Times Square

- **Job Satisfaction:** Respondents largely liked that their job involves meeting and interacting with tourists and kids (61%). Many also appreciated the flexible schedule (34%), autonomy (32%), and the atmosphere of Times Square (31%). The painted

women were particularly passionate about their work and what it represented, describing their work as “liberating,” “empowering,” and “feminist.”

- **Job Drawbacks:** Respondents’ job dislikes included the new zoning regulations (51%), negative police interactions (46%), hostile passersby (40%), and competition between different types of workers (33%).
- **Suggestions for Improving Working Conditions:** Respondents suggested ways to improve working conditions in Times Square. Specifically, they indicated the need to improve communication between the workers and city officials (such as soliciting input for future legislation affecting Times Square). They also requested that the city clarify the role of workers for tourists, for example with signs.
- **Zoning Regulations:** Respondents commonly spoke of the city’s new zoning regulations when asked about their work (e.g., 51% mentioned the zones as a job drawback). Overall, 47% of respondents reported they did not feel informed about or understand the regulations. Specifically, respondents believed the law was vague and irregularly enforced.
- **Police Interactions:** Almost half (46%) of respondents reported negative police interactions, especially regarding inconsistent enforcement of the zoning rules. Anecdotally, some respondents reported feeling bothered by police even when they believed themselves to be in compliance with the regulations.
- **Improving Zoning Regulations:** Respondents offered suggestions to reduce the negative impacts of the new zoning regulations—including clarifying the rules to workers and law enforcement. Other respondents suggested making existing zones larger, creating additional zones to address issues of competition for space between different types of workers, and/or eliminating the zones entirely.

Recommendations

Based on respondent feedback, the researchers identified four general categories of recommendations for program staff at the Midtown Community Court, city policy makers, and other stakeholders and individuals who work with this population:

1. **The Midtown Community Court should connect Times Square workers to appropriate services, informed by reported needs.** Health care and insurance, employment, housing, and financial referrals should be priorities. Midtown staff could also distribute general resource information to the Times Square population (i.e., inclusive of workers who both are and are not subject to arrest and involved in court cases), using printed materials and/or a community partner fair.

- 2. Midtown Community Court could use existing and expanded programming in response to vocational violations.** Midtown could develop an informational pamphlet distilling the nuances of the zoning rules. In addition, these individuals could attend Midtown’s existing group workshops or individual counseling sessions as appropriate. Midtown should track recidivism within this population where possible and could suggest that recidivists receive graduated sanctions.
- 3. Any agency offering employment services or placement opportunities should be mindful of this population’s interests and current job satisfaction.** Specifically, these individuals enjoy interacting with the public and value the flexibility and autonomy afforded by the work they are currently doing.
- 4. Community players should work together to ensure more consistent enforcement of the zoning regulations, and explore additional suggestions for improving conditions in Times Square.** For example, city officials should consider clarifying the regulations (including developing and distributing comprehensive, multi-lingual informational resources). The police could consider ensuring more consistent understanding and enforcement of the rules through training of officers assigned to Times Square.
- 5. Future research and data collection should strive to better understand this population.** Specifically, this survey did not attempt to capture possible mental health or substance use issues; future research should seek to fill this gap. Additionally, the Midtown Community Court should continue needs assessment efforts with those who enter the court in order to ensure that alternative service mandates are appropriate.

Chapter 1

Introduction

New York City’s Times Square has long been a hub for activity and tourism. Nicknamed the “crossroads of the world,” it is the center of the Theater District, and contains numerous restaurants, bars, and tourist attractions. In 2009, then-Mayor Michael Bloomberg eliminated vehicle traffic in sections of Times Square; the pedestrian plazas have since become “home to a hotbed of performers, an eclectic cast of costumed characters that include superheroes, Disney icons and green Statues of Liberty” (Wright 2015). In the last few years, these characters—as well as individuals who promote bus tours, sell self-produced CDs, and sell tickets to comedy shows—have received a swath of negative media. For example, there have been reports of “aggressive hawking and solicitation” (Times Square Alliance n.d.a; see also e.g., NBC News 2014).

In response to such attention, the New York City Council enacted a law authorizing the Department of Transportation to regulate pedestrian plazas across the city, including Times Square (The City of New York Local Law No. 53-2016, codified at R.C.N.Y. 34 § 4-10 and 4-16). The new regulations require all individuals who perform and work in Times Square to stay within “Designated Activity Zones,” indicated by teal-green painted segments of the plaza (frequently referred to as “zones” or “green boxes”). Those who conduct prohibited activities outside the zones risk being issued a summons.

The law took effect in June 2016. All Times Square Designated Activity Zones fall within the catchment area of the Midtown Community Court (“Midtown”)—a project of the New York State Unified Court System and the Center for Court Innovation. Because individuals found in violation of the new regulations are likely to have their cases heard at Midtown, researchers from the Center for Court Innovation conducted a needs assessment survey of individuals likely to be impacted.¹ The survey aims to provide a better understanding of the

¹ As of publication, most summonses pertaining to the zones are returnable to the Midtown Community Court. However, due to an unrelated law recently passed by City Council, some summonses are instead returnable to either the Manhattan Criminal Court or the Office of Administrative Trials and Hearings (New York City 2016). According to NYPD reports to the

population, in order to anticipate needs and develop targeted interventions and services; it was not designed to elicit perceptions and perspectives of the public, law enforcement, and others who may have different views.

The Designated Activity Zones

The Rules of the City of New York define Designated Activity Zones and Designated Activities as:

Designated Activity Zone: [A]n area in a pedestrian plaza designated as such by the Department [of Transportation] by signage and/or markings in which individuals conduct Designated Activities.

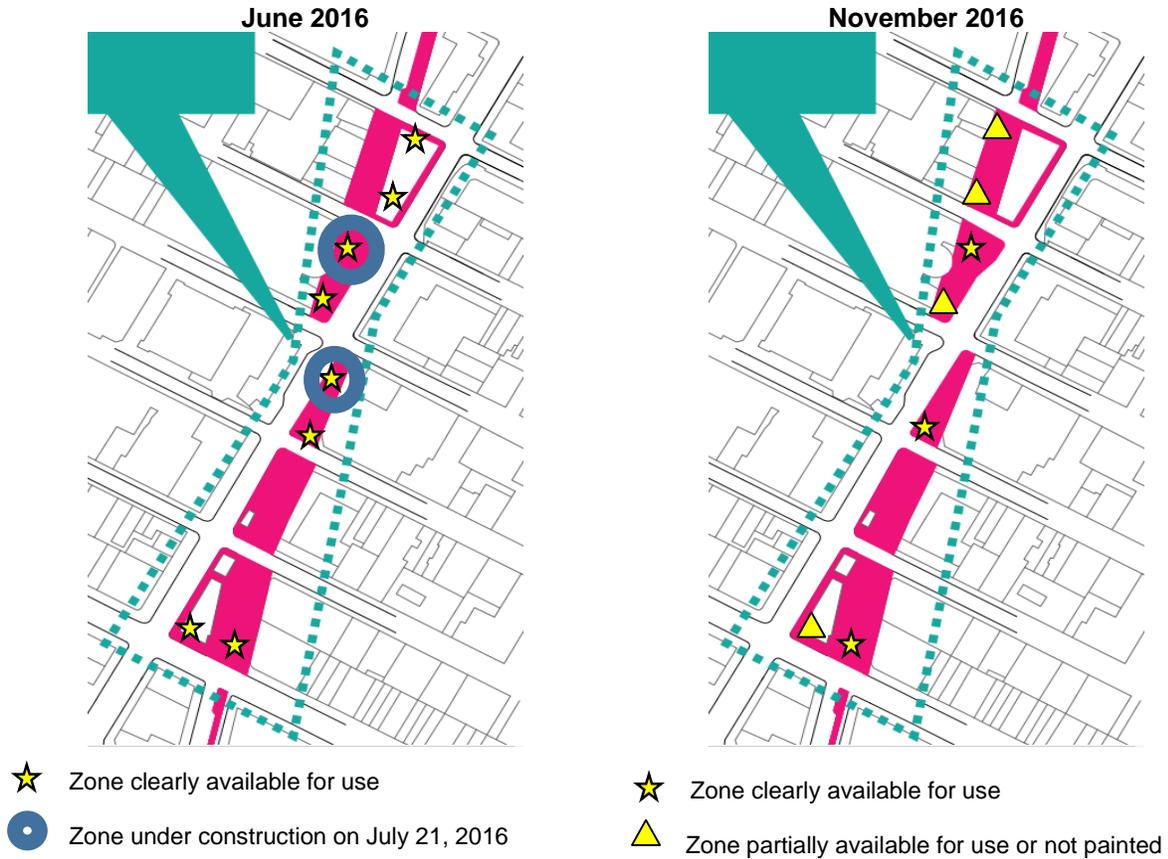
Designated Activities: [C]ommercial activities, entertainment or performances by individuals or groups, posing for or taking photographs or videos, and vending expressive matter, where any form of compensation, donation, or gratuity is requested or accepted. (Rules of the City of New York, Title 34, Chapter 4, Section 01).

Before conducting surveys, researchers canvassed the area to observe the Designated Activity Zones. Researchers observed eight zones along Broadway, between 42nd Street and 47th Street, as shown on the map in Figure 1.1. Observations took place over the course of approximately two weeks.

The zones are the approximate size of a city bus (roughly 10 feet by 50 feet) (Whitford 2016a; Whitford 2016b). They are marked by signs and painted teal-green to indicate exact boundaries. The activity zones are adjacent to flow zones (pedestrian express lanes intended to move foot traffic along efficiently) and/or chill zones where visitors can relax, sit or stand, and observe (Times Square Alliance n.d.b).

Midtown Community Court, 47 summonses returnable to Midtown have been issued as of late September 2016.

Figure 1.1 Approximate Locations of Zones in Times Square



Source: NYC Department of Transportation informational flyer; researcher observations.

On the final day of surveying, at least two zones were blocked from use by construction (see Figure 1.2). There was no indication as to whether the construction-filled zones would be reinstated or moved to another location. Based on observations in November 2016, only three zones remained in their original form; the other zones were removed, relocated, or only partially available.

Figure 1.2 Examples of Construction in Zones



Observed July 21, 2016.

Types of Times Square Workers

Long before the new regulations went into effect, community organizations began counting—on one day per week—the number of individuals working in Times Square, in order to understand the community (Table 1.1). These counts were subdivided into worker categories, which were used to inform the target survey populations for the current study.

Table 1.1. Daily Counts, Times Square Workers (2015)

Worker Type	Average Count per Day (Observed)	% of Total (Observed)
CD Sellers	10.6	6%
Costumed Characters	62.4	37%
Painted Women	3.2	2%
Panhandlers	10.4	6%
Ticket Sellers	84.8	50%

Source: Times Square Alliance observational data; daily count taken once per week throughout 2015.

For the purposes of this study, target respondents included:

- **CD sellers:** Individuals who sell recordings of their own music to pedestrians.

- **Costumed characters:** Individuals dressed up in character costumes—often as Disney characters, superheroes, or other recognizable cartoons (e.g., Mickey Mouse, Superman, Elmo)—with whom pedestrians can pose for photographs. In exchange for a photograph, the costumed characters ask for tips.
- **Painted women:** Individuals who are topless—often wearing only high heels and underwear and whose skin is decorated with body paint—with whom pedestrians can pose for photographs. In exchange for a photograph, the painted women ask for tips.² These individuals are also referred to as “desnudas” or “Flag Girls.”
- **Panhandlers:** Individuals who ask for money without offering a service in exchange (unlike the other populations who are selling an item or are requesting tips in exchange for a photograph).³
- **Ticket sellers:** Individuals who sell tickets to pedestrians. Most commonly, tickets are for bus tours, but individuals may also sell tickets to exhibitions (e.g., Madame Tussauds’ Wax Museum), comedy shows, or sporting events.

An explanation of sampling of these subgroups is included in the next chapter of this report. For simplicity, the entire population is referred to as “Times Square workers” throughout this report.

Midtown Community Court

Established in 1993, the Midtown Community Court (“Midtown”) is a neighborhood-focused court that attempts to harness the authority of the justice system to address local problems (Hakuta, Soroushian, Kralstein 2008). A hallmark of Midtown’s approach to low-level offenses is creating meaningful and visible community services opportunities—developed in partnership with local residents, businesses, and police—that respond to community needs. Midtown regularly solicits feedback from businesses, residents, police officers, and social service agencies about current community issues. This approach seeks both to restore the

² Topless women often work with “painters” who are responsible for painting the workers’ bodies, usually in patriotic colors and themes. Researchers observed that this task takes place in Times Square at the beginning of a shift.

³ The weekly TSA counts divided this population into two categories: “homeless” and “panhandler.” However, the current study categorizes both as “panhandlers,” since very few such individuals were observed and it was not possible to determine housing status before surveying. Indeed, not all of the individuals engaged in panhandling reported issues with housing or homelessness.

community and to reintegrate respondents back into the community. Rather than spending time in jail or paying a fine, individuals can offer restitution to the community for their offense.

Additionally, Midtown seeks to understand behaviors and causes underlying criminal behavior. Therefore, Midtown's approach also includes connecting defendants with social services responsive to their needs—such as drug treatment, mental health counseling, and job training.

Frequently, the Midtown judge will mandate a defendant to complete community service or social services (or both). Defendants receiving services at Midtown meet with a counselor who screens them for additional service needs. If the defendant does need services beyond the court-mandated intervention, program staff can make appropriate voluntary referrals. Staff also engage informally with clients in order to build rapport and encourage compliance with court mandates.

In 2015, Midtown handled 8,448 misdemeanor cases at arraignment, and 11,198 summons appearances. There were 2,716 community service mandates totaling almost 25,000 hours of community service, and 2,279 social service mandates—including individual counseling, and programs for youth, treatment readiness, veterans, employment, and anti-shoplifting.

Chapter 2

Methods

Center for Court Innovation researchers worked closely with staff at the Midtown Community Court to develop and implement a street-intercept survey. The survey was designed to explore the needs and experiences of the Times Square populations most likely to be affected by the new zoning regulations. Survey responses were analyzed with an eye toward informing programmatic interventions and services offered through the court.

Times Square Needs Assessment Survey

Researchers built on extensive experience conducting community surveys, but were mindful to recognize the unique nature of the Times Square population: for example, keeping in mind that this population's community is defined by the location and nature of their work.⁴

Researchers were interested in learning about respondents' experiences working in Times Square, as well as problems they may have experienced in their non-professional lives—for example, housing or family concerns.

The survey covered demographic information, employment history, experiences in Times Square (including working conditions and earnings), knowledge of the zones, and needs. Because this was a street intercept survey, researchers aimed to keep the survey brief (a maximum ten minutes estimated completion time). Also, because taking the survey may have inhibited individuals from working, respondents were compensated (\$10) for their time.

It is worth noting that this survey does not attempt to create a statistically representative sample from which population estimates can be made. Instead, researchers targeted the Times Square worker groups described above and crafted questions tailored to these groups.

⁴ Previous Center for Court Innovation community surveys were conducted in communities such as Newark, New Jersey and Brownsville and Crown Heights in Brooklyn. There, communities included significant residential populations, and those surveys sought to draw out community needs and shared concerns.

Survey Development

Researchers created three versions of the survey (see Appendix A): one for “performers” (costumed characters, painted women), one for “sellers” (CD and ticket sellers), and one for “panhandlers.” All three versions of the survey covered the aforementioned categories. Some specific survey questions however, differed in key ways. For example, sellers were asked questions that specifically related to the product they were selling and their relationship with the parent company (e.g., bus ticket company) or producer (e.g., CD sellers). The panhandling survey asked more targeted questions about needs, based on the hypothesis that this population’s needs may be more complex and immediate. Additionally, items such as what respondents liked or disliked about working in Times Square and what could be done to improve working conditions were excluded from the panhandler survey.

The full array of needs of Times Square workers was captured in two ways. First, surveys included a list of possible needs or problems (along with examples) and asked if the individual had experienced each in the past year. The participant was encouraged to respond “yes” or “no,” without giving details. Second, the survey included specific closed-ended and open-ended questions to reveal needs not captured by the list (e.g. “Do you have active health insurance?” or “What do you dislike about working in Times Square?”).

Surveying Procedures

On four days in June and July of 2016 (June 25, July 6, July 14, and July 21), a total of 13 researchers surveyed 100 Times Square workers. Workers were approached and asked to participate in the survey if they were working in the Times Square plaza along Broadway, bounded on the south by 42nd Street and on the north by 47th Street.⁵ Working was defined as selling CDs, dressing up as a costumed character or as a painted woman, selling tickets, or panhandling. Interested individuals were eligible if they were 18 years of age or older, and could complete the survey in English (or Spanish on select days).⁶

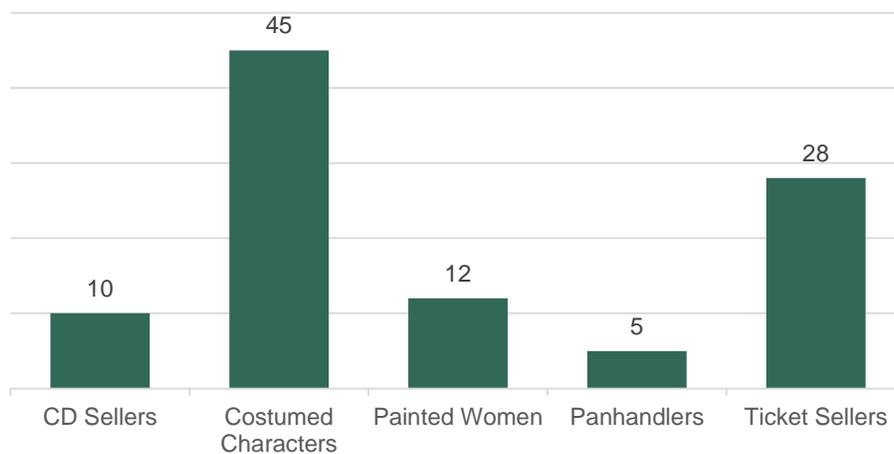
⁵ Initially, when the researchers arrived on the street to conduct surveys, they approached individuals asking for respondents. However, over the course of the surveying, workers became more interested in participating in the survey and were lining up to do so. Researchers did not ask respondents about their motivation for participating, so no further information on the reason for the increased interest can be provided.

⁶ One surveyor was able to conduct 20 surveys in Spanish, but was only available on select days (July 6, July 15). Additionally, one survey with a non-English-fluent character was conducted with the help of an English-fluent character translating. The remainder were conducted in

In order to ensure the same worker was not surveyed more than once, specific researchers were responsible for surveying specific worker populations (e.g., researcher 1 surveyed CD sellers). Researchers tracked which workers were approached using visual descriptions, and noted whether the worker participated or declined. This information was shared with other members of the research team. Additionally, prior to beginning the survey, all workers were asked whether they had taken the survey before.

Researchers employed a quota sampling method to ensure inclusion of a sufficient number of respondents from each group of workers. Based on observational data provided by local community organizations (see Table 1.1), researchers targeted similar proportions of workers in each category in order to represent the diverse experiences and needs of the target population. Over-sampling of costumed characters and painted women and under-sampling of ticket sellers was intentional, due to the fact that the new regulations were anecdotally more focused on these former populations (see, e.g., Kaplan 2016; CBS News 2016). The distribution of survey respondents is shown in Figure 2.1.

Figure 2.1 Profession of Survey Respondents



N=100; therefore the number is equal to the percent.

English. Any interested individual who was fluent only in a language other than English or Spanish was not eligible to complete the survey. Additionally, on days the Spanish-speaking researcher was unavailable, Spanish-speaking individuals were not eligible for the study. Researchers attempted to track which individuals were deemed language ineligible, but because language eligibility changed from day to day depending on the availability of the Spanish-speaking researcher, data collection regarding language was ultimately unreliable.

All surveys were conducted anonymously, and no personally identifying information was collected. Respondents were informed of their rights as research respondents, and were asked to verbally consent to participation in the survey. Stipends were matched to responses using a unique number. Researchers read each question to the respondent, then transcribed answers by hand onto a paper copy of the survey instrument.

Response Analysis

Survey responses were entered into the online survey tool, Survey Monkey, by the lead researchers exactly as recorded by the interviewing researcher, with additional coding (described below). All responses and corresponding coding fields were then downloaded and exported to Microsoft Excel and Statistical Package for the Social Sciences (SPSS) version 19 for analysis.

Analysis included descriptive statistics, particularly on closed-ended questions. Open-ended questions were coded based on emergent themes as determined by the lead researchers, informed by careful reading of responses and ongoing discussions with the survey team.

Each participant's needs were coded based on a combination of the two types of questions: if an individual said "yes" to a need in the list, that individual was coded as having that need. If an individual said "no" to a need in the list, but through other questions was determined to have a need, that individual was coded as having that need. If an individual said "no" to a need in the list and did not offer any other responses that indicated that need, an individual was marked as not having that need.

For example, many individuals reported "no" when asked about health and medical issues, but later reported being uninsured; these individuals were coded to have a health care need for the purposes of this survey. Many individuals also reported no legal issues (court case or formal interactions with police), but did report police harassment related to working in Times Square; these respondents were considered to have legal issues.

All percentages reported are of those questions completed; respondents could decline to answer any question. In general, non-response rates were very low.⁷

⁷ Maximum of three missing responses per survey question not related to earnings; maximum of six missing or declined responses for each of two survey questions relating to earnings.

Chapter 3

Respondent Characteristics & Needs

The following analysis is based on the full sample of surveys (n=100, unless specifically noted) as many of the daily experiences were similar across respondent groups (i.e., CD sellers, costumed characters, painted women, panhandlers, ticket sellers). Furthermore, two groups are discussed in greater detail. First, because of their anticipated complex needs, the panhandling population was asked different survey questions. Given the relatively small sample of panhandlers (n=5), analysis of these responses should be viewed as purely qualitative and informational, rather than necessarily characteristic of the general panhandler population. Second, some analyses focus exclusively on the ticket sellers. This group had a somewhat unique experience because they work for companies and are paid either on commission and/or an hourly or daily wage.

Demographics

Survey respondents were predominately male (66%). By worker category, CD sellers were all male, costumed characters were 57% male, painted women were all female (one male *painter* was surveyed), and ticket sellers were 89% male.

Most individuals were between 20 and 39 years old (69%); the lowest reported age was 20 and the highest was 76. About half of respondents had children (51%); of those with children, 50% responded that their children live with them. No participant reported having served in the United States military.

Table 3.1. Demographic Information

	% of Respondents
Gender	
Male	66%
Age Groups	
20-29	39%
30-39	30%
40-49	18%
50+	13%
Children	
Has Children	51%

Nationality, Immigration, and Language

The population working in Times Square was diverse in terms of nationality, language, and immigration experience.

Over half of respondents were foreign-born (54%).⁸ Of those respondents not born in the U.S., 43% were from Peru (23 respondents) and 11% were from Ireland.⁹ Other nations of origin included Colombia, Cuba, Dominican Republic, Ecuador, Ghana, Guinea, Haiti, Honduras, Jamaica, Mexico, Morocco, Nigeria, Senegal, Spain, Togo, and Venezuela. Of those not born in the U.S., 45% had been living in the U.S. for five years or less; 85% had been living in the U.S. for at least one year.

⁸ Compare to the 2011 New York City-wide estimate of 37% foreign-born population (Lobo 2013).

⁹ Respondents from Ireland were in the United States on a J-1 visa for “individuals approved to participate in work-and-study-based exchange visitor programs” (U.S. Department of State n.d.).

Table 3.2. Nationality and Immigration Information

	% of Respondents
Place of Birth	
Born in the United States	46%
Born Outside the United States	54%
Country of Origin¹	
Peru	43%
Ireland	11%
Other	45%
Time Living in the U.S.¹	
Less than 1 Year ²	15%
1 to 5 Years	30%
6 or More Years	55%

¹ Of those respondents not born in the U.S. (n=54).

² Eight individuals had been in the U.S. for less than one year; of those, most were quite new to the country: One arrived four days ago, two arrived one month ago, and four arrived between one and two months ago.

Due to practical constraints, researchers were able to interview only respondents who were fluent in English or Spanish. Although researchers attempted to collect data on the number of interested workers who were ultimately ineligible due to language constraints, methods for data collection were somewhat fluid and the population was difficult to track. Therefore, this study does not attempt to estimate the number and percentage of non-English-speaking workers in Times Square. However, based on researcher observations and interactions with this population, a sizeable portion of the population speaks only Spanish.

Additionally, respondents were asked to identify their primary language. Forty respondents identified a language other than English as their primary language. Other languages included Arabic, French, Fulani, Irish, Jamaican (Patwa), and Spanish (in several cases, respondents identified dual primary languages).

Needs Assessment

The most common needs cited by the survey respondents were related to health care or medical issues (48%), employment (42%), finances (39%), and housing (33%).

Table 3.3. Needs¹⁰

Category of Need	% of Respondents
Health Care or Medical Issues	48%
Employment	42%
Finances	39%
Housing	33%
Legal	25%
Education	15%
Government Benefits	11%
Family	9%
Immigration ¹	2%
¹ Respondents were asked if they experienced problems related to immigration; they were not asked directly about immigration status.	

Needs are discussed below with the following exceptions. Legal problems are not discussed separately because most stemmed from enforcement of the Designated Activity Zones; some respondents mentioned prior criminal cases, and at least one mentioned that he was on parole. Family needs are incorporated into other discussions. Last, although nationality, language, and immigration experience are discussed above, these characteristics may be closely related to needs, and any interventions should take relevant information into account.¹¹

¹⁰ Panhandler responses are included in Table 3.3. However, panhandlers were asked to provide their most pressing need rather than being asked about a list of needs. Therefore, it is possible that the needs presented here are under-inclusive.

¹¹ As briefly mentioned in Table 3.3, respondents were not asked directly about immigration status. However, if known, immigration status would help service providers understand the needs of this population, especially in the context of connection to services such as access to health insurance, obtaining government benefits, employment opportunities, and referrals to legal services.

Health Care, Insurance, Medical Issues, and Government Benefits

Forty-eight percent of respondents indicated a need relating to health care, insurance, or medical issues – including being uninsured. Thirty-five percent explicitly reported problems related to health or medical care (separate from the specific insurance status question).

Nearly half (47%) did not have or were unsure whether they had active health insurance. Five respondents indicated that although they were uninsured, their children had insurance.

Table 3.4. Health Information

	% of Respondents
Any Health or Medical Need (Including Insurance Status) ¹	48%
Explicitly Reported Medical or Health Need ²	35%
Health Insurance Status	
Insured	53%
Not Insured	41%
Uncertain about Health Insurance Status	6%
¹ Includes respondents who reported any explicit problem relating to health or medical care, answered “yes” to health needs question, or were uninsured or unsure about health insurance status.	
² Does not include individuals who reported no medical needs but later reported being uninsured.	

One respondent indicated that the Affordable Care Act health insurance marketplace helped alleviate health concerns. Another respondent reported that his son is on the autism spectrum (a diagnosis often necessitating special medical attention); this individual is one of the five who reported having children who were insured, despite being uninsured themselves. A third respondent spoke of medical bills he was unable to pay, but reported that the hospital agreed to a payment plan. This same respondent reported that his current, limited insurance covers only hospital emergencies. Six other respondents were uncertain whether they had health insurance. Researchers did not ask about mental health or substance use issues. Given the locations of the interviews, privacy could not be guaranteed for respondents; these topics were considered too sensitive and potentially invasive to include in a short street survey. However, two respondents, unprompted, did volunteer specific mental health diagnoses.

Eleven respondents mentioned issues surrounding government benefits. One said that he was waiting for benefits. Another respondent mentioned that he received Supplemental Security Insurance (benefits for low-income individuals with health problems that prevent them from working), but would be interested in receiving additional Social Security Disability benefits (supplemental income for workers with disabilities).

Education, Employment, and Finances

With respect to education, most respondents had obtained at least a high school diploma or GED (76%); approximately 24% had completed some form of higher education.¹²

Additionally, seven respondents indicated an interest in going back to school, but reported financial barriers. One mentioned existing student loans; at least two others mentioned that educational costs were prohibitive; yet another reported that they wanted assistance in obtaining financial aid for school.

Regarding employment, respondents were asked both whether they were employed before they started working in Times Square and whether they had other (concurrent) employment; panhandlers were asked only whether they had worked in the last year. Respondents who answered affirmatively regarding prior or concurrent employment were asked to provide details about their prior or supplemental work.

Sixty-one percent reported having a job before they started to work in Times Square. Of those, common employment included performance- or entertainment-related (27%); factory or warehouse work (24%); service industry (18%); office, administrative, or other professional work (14%); cleaning services (10%); school (6%).¹³

Thirty-seven percent of respondents indicated that they had an additional source of income or secondary employment.¹⁴ Of those, common second jobs were performance- or entertainment-related (28%); construction (22%); office, administrative, or professional work (22%); cleaning service (16%); service industry (13%). Approximately 41% of all reported second jobs could be classified as entrepreneurial, freelance, self-employed, and/or conducted online.¹⁵

Notably, for almost two-thirds of respondents, working in Times Square was their only source of income (63%).¹⁶ Related, over two-thirds of respondents worked in Times Square

¹² Approximately 80% of New York City residents have obtained a high school diploma or GED (U.S. Census Bureau, 2010-2014 American Community Survey 5-year Estimates).

¹³ Entertainment related includes film and TV production, performing and MC'ing at weddings, and coordinating events. Service industry includes working in a retail store or restaurant or bar.

¹⁴ As discussed, panhandlers were not asked this survey question.

¹⁵ Jobs conducted online include web design, selling goods online, and working for an online insurance company.

¹⁶ See note 14.

five to seven days a week (70%); some explicitly commented that this was to compensate for the low and uncertain daily earnings (see section on earnings p. 23). Indeed, financial problems were pervasive among respondents (39%); low and uncertain income created difficulties with paying off bills and debt (e.g., rent, student loans, medical bills), pursuing further education, and supporting themselves, children, and other family members.

Table 3.5. Education and Employment Information

	% of Respondents
Highest Level of Education Completed	
Less than High School	11%
High School, GED, or Equivalent ¹	65%
Post High School	24%
Secondary Income	
No Additional Income Source	63%
Days Worked per Week	
Up to Four Days	30%
Five to Seven Days	70%
¹ Includes one individual who completed vocational school.	

Housing

The vast majority (87%) of respondents lived in private housing (rented or owned, although anecdotally most respondents indicated that they rent); 6% lived in public housing; 5% were homeless; and 2% lived in residential facilities or long-term shelters. Although respondents were not asked for details regarding their housing situations, some did volunteer additional information.

Many of the individuals who lived in private housing were living in non-permanent housing situations. Others developed a number of strategies to secure their housing, including renting a single room within a larger home; “doubling up” with friends or relatives (National Health Care for the Homeless Council 2016); cutting back on other expenses (e.g., food) to cover the cost of a residence hotel; or providing maintenance services to an understanding landlord to defray rent costs. One respondent reported that although he lived in private housing, he had no contact with his family and had been previously homeless, illustrating how unstable housing can be for this population. One respondent noted that he was, “*not comfortable [i.e., stable] in housing, even with [a] master’s [degree].*”

Additionally, a substantial percentage of respondents (40%) lived in New Jersey, which is markedly less expensive than New York City.¹⁷ Fifty-seven percent lived in four of the boroughs of New York City (no respondents lived in Staten Island, although one reported a recent move from Staten Island).

Table 3.6 Housing Information

	% of Respondents
Housing Status	
Private (Rent or Own)	87%
Public Housing	6%
Homeless (Street or Drop-In Shelter)	5%
Group Home, Long-Term Shelter, Residential Facility	2%
Location of Residence¹	
New Jersey	40%
Bronx	18%
Brooklyn	16%
Manhattan	16%
Queens	7%
Other	2%
¹ N=95; panhandlers not included in this analysis.	

Panhandler Characteristics and Needs

As described above, panhandlers were asked a distinct set of questions based on the hypothesis that they may have different and more complex needs than the other Times Square workers. Five panhandlers were surveyed.¹⁸

All five respondents were male and born in the U.S. Two were in their 30s; three were between 50 and 80 years old. Two panhandler respondents had children, three reported having active medical insurance, and none had served in the U.S. military (although one had previously applied to serve).

¹⁷ For example, in Jersey City "...housing stock [] is a bargain compared to that of New York City" (Kaysen 2016). Also note panhandlers were not asked this question.

¹⁸ Every panhandler observed during survey collection was approached and surveyed.

Two reported that they had stable housing; the three who were without stable housing reported being unwilling to go to a shelter. Their reasons included that there were “*too many people*,” that they would have been unable to come and go at will; that shelters attracted “*criminals and drug addicts*,” and that shelters were simply “*not for [him]*.”

Only one respondent indicated that he had been employed in the past year (roofing work); this same respondent said he would be interested in assistance to find additional work. One respondent was potentially interested, “*depending on the pay*”, and the others said they would not be interested in such assistance (one was retired, one identified having a disability). No panhandlers reported receiving financial support from friends or family members; two reported that they received government benefits. Of the three who reported no benefits, one would like help getting benefits, one was unsure if he would want help, and one was not interested in help getting benefits.

To determine panhandler needs, researchers asked panhandlers to report their most urgent need (instead of reading the list of needs). In response, three said housing and two said access to medical assistance or medication. Researchers then asked what kind of help respondents would want to address their most urgent need; respondents replied “*knowing where to rent for cheap*,” getting health insurance, help finding medical providers, and help obtaining legal identification and applying for benefits.

Chapter 4

Working in Times Square

In addition to understanding the needs of this population, the survey sought to understand the experiences of the people who work in Times Square. Respondents were asked a series of questions about their experiences, including how they came to work in Times Square, how long they had been working in the area, how often they worked in Times Square, what they liked and disliked about their work, suggestions for improving working conditions, and how much they earned.¹⁹

Motivation to Work in Times Square and Job Satisfaction

Many respondents began working in Times Square in order to earn additional income (24%) or after losing a previous job (11%). Half (51%) were referred by a friend or family member who knew someone already doing this work. Others said that the job looked like fun (15%).

Nearly two-thirds of respondents (63%) had been working in Times Square for at least one year. As previously mentioned, most worked in Times Square five or more days a week (70%).

Overall, respondents seemed to enjoy their work. When asked what they liked about the job, respondents identified many benefits to working in Times Square, including interacting with tourists and kids (61%); flexible work schedule (34%); autonomy (32%); and enjoying the atmosphere of Times Square, including liking their co-workers (31%). Twenty-eight percent explicitly said that the job is fun or that they enjoy the work. At least four respondents stated that their job is better than an alternative (such as “the streets,” retail or restaurant work, or a

¹⁹ As mentioned throughout this report, due to the anticipation of panhandlers’ complex needs, panhandlers were asked a different series of questions that were less focused on working conditions and experiences. Thus, panhandlers’ experiences are discussed separately.

desk job). The autonomy and flexibility afforded was important to many of the workers.²⁰ In general, working in Times Square provides a unique workplace for many of the respondents.

Beyond the general job satisfaction indicated by many respondents, the painted women were particularly passionate about their work and what it represented. These women described their work as “*liberating*,” “*empowering*,” and “*feminist*.” Respondents felt they were “*educat[ing people] about nudity and laws*,” and contributing to “*feminist perspectives, education, and social change*.” The sense that they were “*standing for something*” and “*expressing [their] rights as [women]*” enhanced their work satisfaction. “*Men can walk around topless, why not women too?*” one mused.

Respondents were also asked what they disliked about their work. The most common complaint, noted by 51% of respondents, is dissatisfaction with the new zoning regulations. Other frequent concerns (which sometimes pertain to the zones) include:

- **Negative Police Interactions (46%):** Many respondents reported that police bother, harass, threaten, and mistreat the Times Square workers. Respondents noted unduly strict police enforcement of the zones, and harassment even when they believed they were following the rules. A few mentioned false arrests and tickets given without justification. The painted women in particular felt unsupported by police officers. Additionally, some reported feeling discriminated against by the police—with Spanish-speaking workers reportedly feeling particularly maltreated.
- **Hostile Passersby (40%):** Respondents reported receiving “*bad treatment*” and “*no respect*” from customers, including relatively minor issues such as “*rude and negative comments*” to more serious instances of being “*hit and assaulted by tourists*.” One reported that tourists have spewed xenophobic stereotypes, such as “*fucking Mexican*” or “*fuck you immigrants*.”²¹ Relating to the zones, one respondent reported that “*customers make fun of us not to step outside of our zone*.” In particular, the painted women felt harassed by unkind and aggressive tourists; such aggression was particularly distressing, given perceived lack of support from police officers.
- **Competition between Workers (33%):** Respondents expressed frustration about limitations created by the zones. They noted that crowding increased conflict among

²⁰ Many of the second jobs held by these workers are performance- or entertainment-related (28%), or also allow for flexibility and autonomy. For example, entrepreneurial or online work (41%) or construction (22%).

²¹ The first quote here was reported by a worker who was not from Mexico.

workers. One explained, “[*The*] zones are too small for everyone—there are a lot of people and companies here and it’s too crowded.” There were frequent reports of “*fights over turf*” and “*competition with other performers.*” Crowding also has financial implications: “[*With*] characters all together, it’s difficult to make tips.” Although many comments attributed competition to the zones, a few respondents indicated that competition for tourists’ attention existed even before the new regulations.

- **Adverse weather conditions (18%):** Some respondents referenced problems related to hot weather, including dehydration, heat rash, and heat stroke. Some suggested access to water fountains and/or shade. Ticket sellers reported difficulty using their ticket machines in the sun due to glare on the screens; in order to complete transactions, they sometimes needed to leave the zones to see their screens. A few respondents also mentioned that New York winters can be bitterly cold.²²

Earnings

Relating to dislikes about the work in Times Square, some respondents complained about low pay (21%). Additionally, respondents were asked how much they earned on a typical day and whether they shared their earnings with anyone else. Most reported keeping their daily earnings, with the exception of the painted women who often shared their earnings with the individuals who paint them.²³

Many respondents found it difficult to estimate earnings, reporting that daily and seasonal earnings varied substantially. Respondents were asked about earnings on a good day and bad day. The resulting data makes generalizations difficult; trends are summarized by worker category.

- **CD sellers (n=10):** CD sellers reported the highest earnings of all groups. They sold their own music, and took home whatever money they made. Half reported minimum daily earnings of \$150 or more; 80% reported minimum earnings of \$100 per day. Respondents reported earning as much as \$600 on a good day.²⁴
- **Costumed Characters (n=45):** All costumed characters reported that they worked for themselves and kept all their tips at the end of each day. However, throughout the

²² The fact that surveys were conducted in June and July may have contributed to the high rate of responses relating to hot weather.

²³ A common response to the question of shared earnings was “I pay taxes.”

²⁴ When asked about sharing earnings, they often reported recording and production costs, but those are overhead costs not specifically attributable to selling CDs in Times Square.

day, characters sometimes shared tips with other characters who were in a photograph with them. The lowest reported daily earning was \$10; the highest was \$170. Eighty-two percent of characters reported typical daily earnings under \$100. This group in particular noted seasonal fluctuations, with tips improving around the holidays.

- **Painted Women (n=12):** These respondents worked for themselves or, in some instances, with a painter.²⁵ Some reported splitting tips with the painters. One reported that she gave each individual tip to her painter, and then her painter paid her on a weekly basis. Another noted that tourists sometimes gave tips directly to the painter. Half of painted women declined to report how much they earned. Of those who shared earning information, they sometimes made as little as \$20 and as much as \$200 per day. Three estimated an average of \$100 per day; another estimated higher at \$150-\$160 daily.
- **Ticket Sellers (n=28):** These individuals worked for various companies and were paid through one of two arrangements: commission only, or wage plus commission. Each company operated slightly differently; some offered the worker a choice of payment options, and others offered a daily pay option until the worker sold a certain number of tickets, at which point pay switched to commission (or vice versa).²⁶ Some ticket sellers reported that some days they earn nothing. The highest reported daily earning was \$350. More commonly, ticket sellers reported earning between \$10 and \$80 per day (75%).

Zones

Although this survey was not designed to solicit responses about the Designated Activity Zones, over half of respondents (51%) expressed unprompted frustration with the zones, often coupled with complaints about the police (discussed below).

²⁵ One survey was conducted with a painter. He noted that the new regulations have caused a lot of conflict, and that no one asked the workers for their input. He commented that the boxes are in the sun with no shade and the painted women get sunburned and dehydrated. He also commented that many women, as well as himself, receive unkind comments from some tourists.

Additionally, one researcher had an informal conversation with another painter who spoke at length about the conflict between the painted women and the other workers—particularly over the shared space. He described multiple fights, both verbal and physical. He noted that “there is no one to regulate the space and how it is being used” and felt that the dancers monopolize the space and push the painted women out, causing them to lose business and potentially get arrested or fined. This painter cited high fines and high bail.

²⁶ Researchers observed at least 3 distinct bus tour companies.

Twenty-five respondents stated that the zones should be larger, and nine reported that the zones noticeably reduced interactions with customers or daily earnings.

The zones make it hard to get customers.

The zones are making me lose money, there's no freedom at all. I will leave this work because now I can't pay rent and the zones mean I don't make enough money to live now.

Just let the people have freedom to survive. I will look for other work if things stay like this with the zones and policing. I'm not selling anything now because of the zones.

Many indicated that the zones made them feel dehumanized.

Get rid of the boxes. Before everything was free and open. Now we're in cages. We're not animals.

This is jail. We should go back to how it was with no zones.

It's dehumanizing.

Additionally, as mentioned above, on the last day surveys were collected, two zones were observed to be under construction; workers physically could not occupy the zones. One respondent commented on the construction, asking, “*They're tearing up the boxes so we can't stand there. How can we comply?*”

Some workers believed that the zones were a response to specific negative altercations between workers and tourists, which received a lot of media attention. However, those same respondents did not believe that the problem had been alleviated. One stated, “*The guys who messed it up are still around. A few bad apples ruin it for the rest.*” Another suggested creating a “*list [of] people causing trouble and target them; leave the other 99% of people alone.*”

As previously discussed, respondents also noted that the zones have contributed to competition between the different types of workers (35%).

Despite the overall dissatisfaction with the zones, it is important to mention that a handful of respondents (4) had positive reactions to the zones.

Activity zones are better; we can't get in trouble now.

The boxes are good, they eliminate harassment if we work within the rules: [the government] asked us to get tax stamps, we got tax stamps. They asked us to get tables, we got tables. They ask us to stay in boxes, we'll stay in boxes.

Police are nicer now that boxes are there. If you break the rules, they're quick to give you a ticket, but nicer if you abide by the rules.

Confusion about the Rules

Because noncompliance with the regulations could lead to criminal penalties, and because of recent news articles discussing confusion about the regulations, respondents were asked if they understood or felt informed about the regulations that are relevant to their work.²⁷ (See Appendix A for survey question as written; researchers were allowed flexibility in wording of each question.) In response to this survey item, nearly half of respondents (47%) reported that they either did not understand the regulations or were not sure they understood them. (Conversely, 53% of respondents reported that they understood the current laws related to their work in Times Square.)

Regardless of whether they stated that they understood the regulations, many respondents commented that they (a) would like more information about the regulations, (b) felt there was confusion about the regulations (including mixed messages from the police, as described below), or (c) thought the law was vague and enforced irregularly.

Respondents also indicated that other parties seemed confused about the rules as well, including the police (who were reported to be enforcing the regulations inconsistently).

No one explains.

The regulations have been "learn-as-you-go."

²⁷ News articles e.g., see Chung 2016.

[The regulations] change every day, and not even police are well informed. It's not regulated.

Police need to be more clear and firm with the rules.

We're confused as to where to stand. Some officers are okay with certain places, others are not.

Further, many respondents complained that they only learned of the regulations informally, through speaking with colleagues. Respondents felt this to be inadequate, and inferior to an official explanation of the rules.

Police

Another unsolicited theme was negative interactions with police officers, mentioned by 46% of respondents. Many complaints about the police were closely related to the zones. A few respondents mentioned that police gave or threatened to give expensive tickets relating to noncompliance with the zones, even when the respondent believed himself or herself to be in compliance.

Generally, respondents reported being “harassed” or “bothered” by police, and felt they were “discriminated against” by the police. Respondents also felt that there were times when they wanted protection or help from the police, but felt ignored (this comment was most often expressed by the painted women).

Before the zones, no one bothered me and I was happy with customers. Now cops keep telling me to move and stay in the zones.

When the problem is someone [tourists] being mean to us [painted women], we end up in trouble.

Police are harassing us [about the boxes], but turn a cheek when we need help.

There is a lack of clarity around legal rights with self-defense with aggressive customers.

In addition to hearing participant statements about police, researchers observed some police-worker interactions. In one instance, researchers observed an officer explaining the

regulations in English to a group of costumed characters. Just minutes before, the researchers had conducted Spanish-language surveys with almost the entire group of characters; presumably, the characters did not understand the officer's explanation. Another researcher observed a similar English explanation by an officer, and noted that the group of characters did not appear to understand.

Respondents' Suggestions for Improving Working Conditions

Respondents were asked how working conditions might be improved. Suggestions included:

- **Creating significantly larger zones, adding more zones, or eliminating the zones entirely.**²⁸ Some workers noted that outside of the activity zones and pedestrian flow zones, there were many empty, non-designated spaces. Respondents suggested that these spaces be converted into additional activity zones. Some respondents simply requested that things “*go back to how they were before the zones.*”
- **Reducing competition between workers—both within types of workers and between types of workers.** Some suggested organizing or regulating the workers in an official way, in order to limit overlap and the number of people working at one time. Some complained that, “*there’s too many characters.*” One suggested “*try[ing] to regulate the characters: allow one of each type.*” Another suggested that the city license workers to enable regulation. Multiple respondents suggested separating the workers based on the type of work they do: “*[have] different boxes for different types of performers.*”
- **Improving communication between the city (and relevant regulating authorities) and Times Square workers.** Respondents noted that when creating the zones, the City Council “*didn’t ask what we needed.*” Many felt left out of the process. Another stated that he doesn’t “*like the way the government has approached dealing with [workers] in Times Square.*”
- **Clarifying the role of the workers.** Some workers mentioned that, “*tourists think the city pays us [the costumed characters].*” These respondents believed that letting tourists know that workers are paid only through tips could improve interactions

²⁸ A few media outlets reported that the zones were widened by two feet after one week of enforcement. However, widening the zones by two feet is only a small expansion of the space, and respondents requested larger space or more zones even after the reports of widening. E.g., Rajamani, 2016; Barone, 2016, Goldenberg, 2016.

between workers and audiences. One suggested putting up large, clear signs stating that performers work for tips, so that everyone walking by understands the job.

- **Improving relationships between the police and Times Square workers.** Related to the complaints about the police, many workers mentioned improving police-community relations, including “*better treatment from authority*” and “*better understanding on both sides.*”
- **Creating zones where workers would be protected from bad weather.** Many respondents mentioned bad weather as a downside of the job. They noted that the zones make it almost impossible to hide from the elements: in summer, none of the zones are in shaded areas and there is no access to water. Respondents suggested redesigning the zones with better access to shade, and some requested water fountains.
- **Designate individuals to help direct traffic.** One participant mentioned that tourists crowd around so that it is hard to move through the area, and suggested employing “*someone [to] help the flow in certain areas.*” A few also mentioned that tourists walk through the boxes but do not take photographs—which further limits the space of the Times Square workers. They suggested, “*people should not walk through boxes unless they are taking pictures.*”

Specific Feedback from Ticket Sellers

Given that they work for a company rather than for themselves, ticket sellers’ experiences were distinct from those of other workers. Therefore, respondents in this group had some concerns and suggestions that apply specifically to their work, and not to other groups of Times Square workers.

First, they felt strongly that about the importance of their role in helping tourists.

We are the first people tourists see [in NYC] and they come to depend on us. We should be seen as instruments of tourism development [by the city and police].

I help the customers by giving them a map and orienting them— “There’s the Flatiron Building.” I help tourists to know the city better, recommend places to visit.

Second, ticket sellers also felt strongly about the need for communication and coordination—both between the numerous ticketing companies, and between the companies and the city. They felt this would reduce conflicts brought about by competition and would also increase

sales.²⁹ One respondent suggested having booths (shared by multiple companies), at which tourists could purchase tickets; his impression was that tourists would be more willing to approach a formal-looking booth than an individual. One respondent explained, “*Customers don’t trust you and would rather buy online or at a booth.*”

Related, at least two respondents mentioned that, “*Tourists don’t trust ticket sellers because of information they’ve received from guide books and travel guides.*” One ticket seller suggested that the city could play a more active role by, “*having the city/tourist board let tourists know it’s okay to come [to Times Square] and spend money, that it’s a safe area.*”

Panhandler Experiences

As mentioned throughout this study, panhandlers were asked a different set of questions regarding their experiences in Times Square and so are not included in the preceding experiences analysis. However, many of the concerns that emerged from the other respondents were also raised by panhandler respondents.

First, two panhandlers mentioned that the police bothered them even when they were not causing problems. One respondent however, spoke highly of his interactions with the police; he said he has been in Times Square for years and he likes having the officers around. (Two respondents mentioned that they previously worked in law enforcement: one was a sheriff and one was a police officer.)

Second, two respondents complained about other Times Square workers (i.e., the costumed characters, CD and ticket sellers, and painted women). One had witnessed negative interactions involving other Times Square workers (e.g., altercations between workers and police, workers and tourists, and workers and other workers). Last, regarding the theme of hostile passersby, one respondent reported that tourists have taken photographs of him against his wishes.

²⁹ A few ticket sellers highlighted another reason why the work is more competitive than collaborative: the companies themselves seem to encourage internal competition. One respondent noted, “*I prefer to work in a team. This way [i.e., alone], there is no camaraderie. Instead, the company encourages competition. They make you work individually. The company discourages working together and moves you.*”

Chapter 5

Discussion and Recommendations

This study is the first known to attempt to systematically learn about the individuals who work in Times Square.³⁰ By speaking directly with the individuals who work in Times Square, this study sought to gain a better understanding of their needs and experiences in order to inform an appropriate justice system response as workers increasingly enter the courts. The populations targeted for surveying were (for the most part) forthcoming and willing to engage with researchers; their responses have provided invaluable information to be considered by Midtown Community Court and its partner organizations.

Study Limitations

This study has several limitations. First, the sample surveyed was not a random, representative sample, so results cannot be generalized to all workers in Times Square. As discussed, costumed characters and painted women were oversampled because of the perceived impact of the regulations on these populations. Additionally, the researchers were limited by language barriers and the availability of Spanish-speaking research staff. Further, participation in the survey was voluntary, so individuals who declined to participate ($n \approx 14$) may have systematically different experiences compared with those who participated.

Next, this study relied entirely on self-reported answers to a street-intercept survey. Problems inherent in self-report apply here. For example, individuals may not have been honest in their answers, especially when asked about their needs. However, throughout the survey, respondents were reminded of the anonymity of the survey and were encouraged to answer truthfully. Additionally, a number of questions and topics (such as needs) were asked in multiple ways in order to capture more robust data. Still, future studies of this population

³⁰ Journalists have interviewed and observed Times Square workers, but to the authors' knowledge, no systematic, large-sample research focusing on this population has been published. See, e.g., Chung, 2016; Goldenberg, 2016; Rajamani, 2016; Whitford, 2016a; Whitford, 2016b; Wright, 2016.

should include more in-depth, private, and less time-restricted assessments to fully evaluate needs.

Recommendations

Based on the survey findings, the authors offer the following recommendations:

1. Midtown Community Court should connect Times Square workers to appropriate services, informed by reported needs.

Midtown Community Court should continue to refer clients to local service providers. Midtown could also provide additional information about resources to the Times Square population, through fliers or perhaps a resource or community partner fair that would include mental health, drug treatment, health care, vocational, education, and immigration services. A fair could serve both defendants who have violated the city's new zoning regulations, as well as workers who have not been charged with violating the regulations (the latter as a preventative measure to help individuals avoid the criminal justice system). Any referrals or resources made available should consider language barriers and the fact that a substantial number of these individuals live outside of New York City, in New Jersey.

According to the survey findings, the most frequently-cited needs among Times Square workers were related to medical issues or access to health care or insurance. Therefore, assisting this population in accessing Medicaid or the marketplace (or even just obtaining necessary forms of identification) should remain a priority. Midtown could continue to partner with programs such as NADAP and Project WHEN to make health care and care coordination enrollment available to all defendants, including Times Square workers.³¹ Midtown should also seek to obtain more information relating to the specific health needs of this population through further assessment at intake where appropriate (see also Recommendation 5).

³¹ NADAP is a private nonprofit corporation assisting residents of the New York City metropolitan area with health insurance enrollment, and providing other health-related services, assessments and referrals (NADAP, 2016). Project WHEN (Women's Health Education Navigation) is a collaboration between Midtown and the March of Dimes to improve access to and knowledge of women's health services (Center for Court Innovation, n.d.).

The second most common need was related to employment. Midtown’s existing “Pathways to Employment” class could be an appropriate option for individuals who seek alternative employment options.³² Midtown could also use the compiled lists of second or previous jobs in order to determine the skills held by and interests of this population. For example, given the information gathered on respondents’ work history, there may be an opportunity to provide individuals with information on starting a business or freelance working (or connecting them to organizations that provide free advice around this). Additionally, a number of respondents mentioned wanting to pursue additional education; Midtown could explore ways to assist clients in finding educational programs that match their career goals, and connect them to relevant financial assistance.

Closely related to employment was the third-most cited issue: financial need. Although the average income of this population is not known, it is likely that this population lacks financial resources—placing them at risk for inter-related health-, employment-, and housing-related problems. One important finding is that the earnings in this work can sometimes be as low as \$0 on a given day. Therefore, financial stability could be a focus for potential assistance, especially for individuals supporting family members. Midtown should continue its current work connecting individuals to Neighborhood Trust financial counselors as appropriate.³³

Finally, Midtown already provides contact information for housing-related service providers, and should continue to do so with this population (housing was the fourth-most frequently cited need). Midtown partners with the New York Legal Assistance Group (NYLAG) to provide free on-site legal assistance on civil law issues such as housing—a service that may

³² Pathways to Employment is a four- to six-session group designed to help those struggling to find employment connect with helpful resources that facilitate their reengagement with the world of work. Group sessions focus on helping respondents learn important networking and interviewing skills, navigate their online job search, create a resume, and learn about the benefits of full time, sustainable employment. Upon completion of the program individuals are afforded the opportunity for additional job search support through staff-guided application completion and interview preparation.

³³ A nonprofit organization providing financial empowerment services to low-income individuals in the U.S. (Neighborhood Trust, 2016).

particularly benefit the Times Square workers.³⁴ NYLAG also provides advice on issues related to public benefits, disability benefits, healthcare benefits, debt management, consumer credit, immigration, custody and child support, and employment.

2. Midtown Community Court could use existing and expanded programming in response to vocational violations.

In terms of specific programming to respond to zone violators, Midtown could develop an informational pamphlet distilling the nuances of the zoning rules (see Recommendation 4). In addition, these individuals could attend Midtown’s monthly “Resource Group,” which covers FAQs about seeking alternative employment and provides community resources in areas of need; the group could even include a detailed explanation of the designated zones to alleviate any confusion regarding the rules.³⁵

For those charged with aggressive panhandling or disorderly conduct (i.e. charges not directly related to the zones) in the Times Square region, Midtown could offer their existing “Quality of Life” group workshop—a one-session class that educates defendants about the impact of their low-level offenses on the surrounding community. Finally, an individual counseling session could be appropriate for defendants who have higher level social service needs such as housing, immigration, or serious health care needs.

Finally, due to the findings that many of these individuals have been working in Times Square for a long time and are there most days, and because their exposure to arrest is relatively high (related to the frequent police interaction), it is possible that individuals could receive tickets on multiple occasions for violating the new regulations. If this is the case, Midtown should track recidivism within this population where possible. As with other vocational populations that the community court serves (such as pedicab drivers or vendors), Midtown could suggest that recidivists receive graduated sanctions whereby a first-time offender receives an informational pamphlet, while subsequent offenses could require more intensive sanctions like community service, group programming, or individual counseling (Recommendation 1).

³⁴ NYLAG operates a “Mobile Legal Help Center” where legal representatives provide advice on issues. The Mobile Help center is stationed quarterly at Midtown Community Court. (NYLAG, 2016).

³⁵ Perhaps including an intensive review of the aforementioned informational pamphlet.

3. Any agency working with this population—especially relating to employment issues—should be mindful of their interests and current job satisfaction.

Because many respondents' needs are closely related to the financial instability of their work, an initial reaction may be to connect this population to more traditional and stable jobs. However, respondents seemed to genuinely enjoy their current work: it affords financial flexibility (workers can earn more by working more, as opposed to a salaried job or a job with set hours), schedule flexibility (workers can set their own hours, often important to those with families and children, autonomy (workers can work for themselves and not report to a boss), and is reportedly better than many alternative options). Many reported that they find the work fun and that they enjoy being in Times Square and interacting with tourists. Thus, although many reported employment and financial issues, they may not actually want a different kind of job. This is not necessarily true of all workers in Times Square, but when engaging this population, it should not be assumed that individuals would prefer alternative work.

4. Community players should work together to ensure more consistent enforcement of the zoning regulations, and explore additional suggestions for improving conditions in Times Square.

Many of the complaints about the work and suggestions for improving working conditions were related to the new Designated Activity Zones. Improvements in conditions could enhance the quality of life for all those working in, living in, or touring the area. The Department of Transportation, Times Square Alliance, the New York Police Department, the New York City Council, and other relevant actors could think through modifications to the current regulations. Specifically, these players might consider efforts to:

- Develop concrete, specific interpretations of the rules;
- Inform all workers, police officers, and other relevant players of the appropriate interpretation of the rules to ensure due process and uniform enforcement; and
- Provide workers with alternate space when construction in the existing zones is unavoidable.

Specifically, Midtown Community Court could work with relevant partners to develop an informational pamphlet for individuals charged with violating the zones – and preemptively, for all individuals whose work is affected by the zones. The pamphlet could explain the relevant regulations and provide guidelines for working in Times Square in a safe and legally compliant way. Any such materials should be brief, have low literacy requirements, and be available for Spanish-speakers.

Additionally, the sometimes fraught relationship between Times Square workers and police officers was mentioned frequently, especially in relation to the zones and their enforcement. The police department could develop strategies to improve the interactions between these two groups. Specifically, the department could develop clear protocols for enforcing the Times Square regulations and train officers as appropriate. Additionally, the police department could consider recruiting and deploying more Spanish-speaking officers in the area due to the large Spanish-speaking population working in Times Square.

Finally, Midtown Community Court could also continue its longstanding relationship with community players to improve conditions in Times Square. Because community service is a common sanction at Midtown, there is an excellent opportunity for defendants to assist with meaningful local improvement projects. By completing the community service, individuals can offer restitution to the Times Square community for their offense.

5. Future research and data collection should strive to create a better understanding of this population.

Although the current analysis provides an in-depth look at this population, there are limits to short, street-intercept surveys. Gathering more information will deepen the understanding of the services needed by this population.

Future research should seek to fill this gap. Specifically, probing more deeply into questions of employment history, financial resources, and access to health care and housing could lead to more targeted interventions.³⁶

³⁶ Relatedly, the present survey did not ask about possible labor or sex trafficking in this population; it would be more appropriate to ask such questions in a clinical setting.

Midtown could capitalize on its unique position as a service provider in order to gather additional information from those workers who are brought to court. For example, a clinician could ask more probing and specific questions than are appropriate to ask on the street—such as problems relating to substance abuse and mental health diagnoses that were not explored here.

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Appendix A.

Times Square Needs Assessment Survey Instrument

PERFORMERS

Surveyor Initials: _____

Envelope #: _____

Pre-survey Questions (complete after completing survey)

Type of performer/character (surveyor completes - can ask to confirm; add detail)

- Costumed Character _____
- Painted woman _____
- Other/specific _____

Gender (surveyor completes - if known)

- Female
- Male
- _____

Introductory Script

Hello, my name is _____. I'm with the Center for Court Innovation, an independent non-profit organization. We're conducting a survey to learn about your experience as a [performer] here in Times Square, and also about whether you have experienced certain common issues or problems recently. You will be compensated for your time with \$10 cash. The survey will only take 10 minutes and it is completely confidential. We will not ask for your name. Your participation is voluntary and you can stop at any time. Would you be willing to participate? Thank you!

Eligibility Questions

Before we start, I have a few quick questions to ask to make sure you are eligible to participate in the survey. And, would you be willing to remove your mask/headpiece of your costume so it's easier for us to talk?

1. **How old are you?** _____ (if under 18 do not proceed with survey)

If they do not want to tell their age, ask if they will provide date of birth (must be born before today's date in 1998). If still no, ask if they are 18 years old or older. Only proceed if they are 18 or older.

2. What language do you speak at home? _____

a. If not English: are you fluent in English? (circle) Yes No

3. Have you taken this survey before? _____

If ineligible: thank you for answering these questions. Unfortunately, you do not meet our criteria so we can't have you complete the survey right now. Thank you for your time.

START SURVEY

Current Experience

4. How long have you been [working/performing] here in Times Square?

_____ months/years (circle)

5. What did you do before becoming [a performer] in Times Square? (Prompt: did you have another job before this one?)

6. Can you tell me how you got into this work? (Prompt: How did you find this work in Times Square?)

7. What do you like about this work?

8. What do you dislike about it?

Like:

Dislike:

9. Do you want to share any ideas on how your working conditions could be improved? Or, if you were in charge, what would you change about your work? (Prompt if relevant: what about to improve the experience of your customers?)

10. How much do you estimate you make on a typical day out here? (OR range: good day vs slow day) _____
a. Do you keep all of that for yourself? (circle) Yes No _____
11. In a typical week, how many days are you doing this work (in Times Square)? ____
12. Do you currently have another way of making money? (circle) Yes No
a. If yes, what is it? _____
13. Do you feel you are well-informed about current regulations that are related to your work? (Prompt if necessary: For example, rules regarding designated activity zones or vending regulations.) (circle) Yes No Not sure

***If participant wants to talk about the current regulations/zoning, please respond:** I know I just asked a question about understanding the regulations and you can talk about this more at the end of the survey, but the aim is to find out about your experience and needs in general so we need to move on for the moment. But again, we can come back to this at the end of the survey.*

***If they have questions about the zoning, please respond as follows, and give them the DOT handout:** I cannot give legal advice or information about regulations. But I can give you a publically-available flyer from the NYC Department of Transportation which may be able to provide more clarity or additional information.*

Needs

I'll now ask you about some problems or issues you might have encountered in the past year -- even if the problem began before then. Please just answer yes or no to each category; you don't need to give me any other details – your honest answers will be very much appreciated.

14. **Have you experienced IN THE PAST YEAR any problems with:**
(Interviewer note: Place a check mark next to each problem that is mentioned/ answered 'yes'. Use prompts if necessary; any details/notes put in text box below)
- Money** (prompt: credit cards or other outstanding debt/loans, etc.)
 - Employment** (prompt: became unemployed, looking for work longer than expected, etc.)
 - Housing** (prompt: eviction, trouble paying rent, need repairs etc.)

- Health care or medical issues** (prompt: finding a doctor, making an insurance claim)
- Government benefits** (prompt: applying for disability, food assistance, etc.)
- Education/school system for you or your children** (prompt: finding a school, etc.)
- Family situation** (prompt: divorce, child support payments)
- Immigration, naturalization, citizenship** (prompt: problem applying for green card or finding an immigration lawyer)
- Legal issues** (prompt: court case, interaction with police)
- Other** _____
Prompt for "other": Have you had any other types of problems you want to tell me about?

Notes on needs:

We're almost finished... just a few quick questions about you.

Demographics

- 15. What is the highest level you completed in school?**
 - Less than high school/secondary school or GED
 - High school/secondary school or GED
 - Post high school/secondary school (e.g. university, professional, vocational)
 - Currently in education: _____
- 16. Were you born in the U.S.?** (circle) Yes No
 - a) If **no**, where are you from? _____
 - b) If **no**, how long have you been in the U.S.? ____ months/years (circle)
- 17. Do you have children?** (circle) Yes No
 - a) If **yes**, do they live with you? (circle) Yes No
- 18. Do you have active health/medical insurance?** (circle) Yes No Not sure
- 19. Have you ever served in the United States military?** (circle) Yes No
- 20. What area do you live in?**
 - Manhattan
 - Brooklyn
 - Queens
 - Bronx

- Staten Island
- Long Island
- New Jersey
- Other: _____
- Or neighborhood _____

21. What type of housing do you currently live in?

- Private – rent or own
- Public housing
- Group/long-term shelter/residential facility
- Homeless (street or drop-in shelter)
- Other _____

22. Anything else you want to add?

Thank you for completing the survey!

SELLERS

Surveyor Initials: _____

Envelope #: _____

Pre-survey Questions (complete after completing survey)

Type of performer/character (**surveyor completes - can ask to confirm; add detail**)

- Tickets (bus, comedy) _____
*Note company name or describe logo/jacket if unsure:

- CD Seller _____
- Other _____

Gender (**surveyor completes - if known**)

- Female
- Male
- _____

Introductory Script

Hello, my name is _____. I'm with the Center for Court Innovation, an independent non-profit organization. We're conducting a survey to learn about your experience as a [performer] here in Times Square, and also about whether you have experienced certain common issues or problems recently. You will be compensated for your time with \$10 cash. The survey will only take 10 minutes and it is completely confidential. We will not ask for your name. Your participation is voluntary and you can stop at any time. Would you be willing to participate? Thank you!

Eligibility Questions

Before we start, I have a few quick questions to ask to make sure you are eligible to participate in the survey. And, would you be willing to remove your mask/headpiece of your costume so it's easier for us to talk?

1. **How old are you?** _____ (if under 18 do not proceed with survey)

If they do not want to tell their age, ask if they will provide date of birth (must be born before today's date in 1998). If still no, ask if they are 18 years old or older. Only proceed if they are 18 or older.

2. What language do you speak at home? _____

a. If not English: are you fluent in English? (circle) Yes No

3. Have you taken this survey before? _____

If ineligible: thank you for answering these questions. Unfortunately, you do not meet our criteria so we can't have you complete the survey right now. Thank you for your time.

START SURVEY

4. How long have you been [working/performing] here in Times Square?

_____ months/years (circle)

5. Do you get paid an hourly wage from the [the club/company] plus commission?

Or are you paid commission only? _____

6. Can you tell me how you got into this work? (*Prompt: How did you find this job?*)

Why did you choose to work here in Times Square?)

7. What do you like about this work?

8. What do you dislike about it?

Like:

Dislike:

9. *If not covered above:* Do you set your own working hours or does the company tell you when to work? Do they tell you where to sell? (i.e. Times Square)

10. Do you want to share any ideas on how your working conditions could be improved?

If you were in charge, what would you change about your work?

(Prompt if relevant: what about to improve the experience of your customers?)

11. How much do you estimate you make on a typical day out here? (OR range: good day vs slow day) _____

a. Do you keep all of that for yourself? (circle) Yes No _____

b. Follow-up if necessary: Other than taxes, do you pay a portion of your earnings to someone else? (circle) Yes No _____

12. In a typical week, how many days are you doing this work (in Times Square)? ___

13. Do you currently have another way of making money? (circle) Yes No

a. If yes, what is it? _____

14. Do you feel you are well-informed about the current regulations that are related to your work? *(Prompt if necessary: rules regarding designated activity zones or vending regulations)* (circle) Yes No Not sure

***If participant wants to talk about the current regulations/zoning, please respond:** I know I just asked a question about understanding the regulations and you can talk about this more at the end of the survey, but the aim is to find out about your experience and needs in general so we need to move on for the moment. But again, we can come back to this at the end of the survey.*

***If they have questions about the zoning, please respond as follows, and give them the DOT handout:** I cannot give legal advice or information about regulations. But I can give you a publically-available flyer from the NYC Department of Transportation which may be able to provide more clarity or additional information.*

Needs

I'll now ask you about some problems or issues you might have encountered in the past year -- even if the problem began before then. Please just answer yes or no to each category; you don't need to give me any other details -- your honest answers will be very much appreciated.

15. Have you experienced IN THE PAST YEAR any problems with:

(Interviewer note: Place a check mark next to each problem that is mentioned/answered 'yes'. Use prompts if necessary; any details/notes put in text box below)

- Money** (prompt: credit cards or other outstanding debt/loans, etc.)
- Employment** (prompt: became unemployed, looking for work longer than expected, etc.)
- Housing** (prompt: eviction, trouble paying rent, need repairs etc.)
- Health care or medical issues** (prompt: finding a doctor, making an insurance claim)
- Government benefits** (prompt: applying for disability, food assistance, etc.)
- Education/school system for you or your children** (prompt: finding a school, etc.)
- Family situation** (prompt: divorce, child support payments)
- Immigration, naturalization, citizenship** (prompt: problem applying for green card or finding an immigration lawyer)
- Legal issues** (prompt: court case, interaction with police)
- Other** _____

Prompt for "other": Have you had any other types of problems you want to tell me about?

Notes on needs:

We're almost finished... just a few quick questions about you.

Demographics

16. What is the highest level you completed in school?

- Less than high school/secondary school or GED
- High school/secondary school or GED
- Post high school/secondary school (e.g. university, professional, vocational)
- Currently in education: _____

17. Were you born in the U.S.? (circle) Yes No

a) If **no**, where are you from? _____

b) If **no**, how long have you been in the U.S.? ____ months/years (circle)

18. Do you have children? (circle) Yes No
a) If yes, do they live with you? (circle) Yes No
19. Do you have active health/medical insurance? (circle) Yes No Not sure
20. Have you ever served in the United States military? (circle) Yes No
21. What area do you live in?
- Manhattan
 - Brooklyn
 - Queens
 - Bronx
 - Staten Island
 - Long Island
 - New Jersey
 - Other: _____
 - Or neighborhood _____
22. What type of housing do you currently live in?
- Private – rent or own
 - Public housing
 - Group/long-term shelter/residential facility
 - Homeless (street or drop-in shelter)
 - Other _____
23. Anything else you want to add?

Thank you for completing the survey!

PANHANDLERS

Surveyor Initials: _____

Envelope #: _____

Pre-survey Questions (complete after completing survey)

Gender (surveyor completes - if known)

- Female
- Male
- _____

Introductory Script

Hello, my name is _____. I'm with the Center for Court Innovation, an independent non-profit organization. We're conducting a survey to learn about your experience here in Times Square, and also about whether you have experienced certain common issues or problems recently. You will be compensated for your time with \$10 cash. The survey will only take 10 minutes and it is completely confidential. We will not ask for your name. Your participation is voluntary and you can stop at any time. Would you be willing to participate? Thank you!

Eligibility Questions

Before we start, I have a few quick questions to ask to make sure you are eligible to participate in the survey.

- 1. How old are you?** _____ (if under 18 do not proceed with survey)
If they do not want to tell their age, ask if they will provide date of birth (must be born before today's date in 1998). If still no, ask if they are 18 years old or older. Only proceed if they are 18 or older.
- 2. What language do you speak at home?** _____
 - a. If not English: are you fluent in English?** (circle) Yes No
- 3. Have you taken this survey before?** _____

*If **ineligible**: thank you for answering these questions. Unfortunately, you do not meet our criteria so we can't have you complete the survey right now. Thank you for your time.*

START SURVEY

4. How often would you say you are here in Times Square?

- Every day
- Most days
- Once a week
- Once or twice a month
- Today is first time

I'll now ask you about some common problems or issues you might want help with— your honest answers will be very much appreciated.

Needs

5. What type of housing do you currently live in?

- Private – rent or own
- Public housing
- Group/long-term shelter/residential facility
- Homeless (street or drop-in shelter)
- Other _____

Details:

6. If appropriate from Q2: Do you have stable housing?

- (somewhere safe that you can stay regularly) (circle) Yes No
- a. If **no**, are you looking for stable housing? (circle) Yes No
- b. If **no**, do you have somewhere to sleep at night (e.g. a shelter?)
(circle) Yes No
- i. If **no**, would you be willing to go to a shelter? (circle) Yes No
- If **no**, why not?

7. Have you been employed at any point in the last year? (circle) Yes No
a. If yes, what type of work? _____

8. Would you be interested in getting help to find work? (circle) Yes No Not sure

9. Do any of your friends or family members support you? (Prompt: for example financially or in other ways?) (circle) Yes No Not sure

10. Do you receive any government benefits? (circle) Yes No Not sure
a. Would you be interested in getting help to access them?
(circle) Yes No Not sure

11. Right now, what is the most urgent issue for you? (*prompt*: finding employment, finding stable housing, a medical issue, family issues, court case, etc.)

12. What would you need to help you get assistance with that (Q11)? In other words, how could someone help you? (*Prompt*: for example, if you said you want government benefits but you would need assistance filling out the forms.)

We're almost finished... just a few quick questions about you.

Demographics

13. What is the highest level you completed in school?
- Less than high school/secondary school or GED
 - High school/secondary school or GED
 - Post high school/secondary school (e.g. university, professional, vocational)
 - Currently in education: _____

14. Were you born in the U.S.? (circle) Yes No
a) If no, where are you from? _____
b) If no, how long have you been in the U.S.? ____ months/years (circle)

15. Do you have children? (circle) Yes No
a) If yes, do they live with you? (circle) Yes No

16. Do you have active health/medical insurance? (circle) Yes No Not sure

17. Have you ever served in the United States military? (circle) Yes No

18. Anything else you want to add?

Thank you for completing the survey!