Police harass street performers in New York's Times Square

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Recent incidents have focused attention on a pattern of police harassment of street performers who are active in New York City's Times Square area, which is thronged by tourists at most hours of the day and evening.

The street performers, many dressed in elaborate costumes of well known fictional and children's cartoon characters, including Sponge Bob, Superman, Batwoman, Elmo, Super Mario and others, try to earn a living by entertaining tourists. They are not employed by any agency, but rather work as independent street artists and rely solely on gratuities for their efforts.

The process is similar in some respects to that by which busking musicians on the city's subway system appeal for support from listeners and passersby. Although these musicians have also faced their share of harassment, the street performers are forced to rely on a more direct appeal to the public. In recent months the authorities, in the guise of enforcing regulations against "aggressive panhandling" or demands for tips, have gone so far as to put up notices telling tourists that tipping in exchange for a photo with the cartoon characters is not required.

Times Square has been transformed in the past decade or two, and has become one of the city's main tourist attractions in its own right, not merely to take in a Broadway show or dinner. Every day many tens of thousands of visitors from all over the world literally rub shoulders with New Yorkers who work in the area.

In the 1970s Times Square was noted for petty crime and pornography. There were also some working class pubs, as well as pinball and video arcades. Prostitution and drug dealing was often out in the open despite (or perhaps because of) the police presence.

More recently law firms, hedge funds and other corporate customers have moved their offices into the many high-rise commercial towers that have been built. This process accelerated after the September 11 attacks in lower Manhattan and the consequent shift of business to Midtown. As part of this development, and driven by the administrations of both Rudolph Giuliani and Michael Bloomberg, Times Square has been "cleaned up." Many small business owners have been driven out of the area using the power of eminent domain laws. Mega-corporations from the entertainment and hospitality industries have been among the newcomers to the area.

Times Square is now chockablock with national chain restaurants, retailers and expensive hotels. The public square has become a far bigger center of advertising than it ever was in the heyday of Times Square in the World War II and postwar decades. Huge electronic billboards hawk every imaginable product and service.

Of course the area remains an entertainment district, in addition to being a destination in itself. Theater tickets to a hit Broadway show can and do run as high as $200 a seat. Dinner for two at some of the more popular restaurants can easily come to $150.

Despite these high prices, Times Square continues to attract vacationing tourists from the US and around the globe. A fantasy image is carefully cultivated—the idea that there are no economic worries in the world. For a handful of the more affluent visitors that is indeed the case, although most others add heavily to their credit card debt as they take in the sights.

These are the conditions that have attracted the street performers. Many of them are immigrants, lacking a firm command of English. They told WSWS reporters of working long hours, sometimes 12-14 hour days, standing outside in all sorts of weather, in a difficult struggle to support themselves and their families. They are denied entry by most businesses in the area to simply sit and have a cup of coffee or to use the restroom. The more expensive establishments are off limits because of their price ranges.

When asked why they were doing this kind of work the performers explained, almost universally, "there are just no jobs out there." Deindustrialization, in New York as elsewhere, has eliminated hundreds of thousands of factory jobs in recent decades. Most of the office jobs that are available require fluency in English.

Even though immigrants have somewhat less reason to

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fear inquiries on their immigration status when they are in New York City, they still face other forms of harassment. Every single one of the costumed characters we spoke to told us they were routinely bothered and belittled by the police, and that police intimidation was the biggest obstacle to earning a meager living. Almost to underscore this point, we saw a police officer brandishing an assault rifle and standing behind the Cookie Monster and Catwoman as we spoke to them.

Often while the performers are posing for photographs with tourists the police will come by and advise the visitors not to tip. The cops routinely comment, "they're illegals, you don't have to tip them."

A young woman in an Elmo costume, Virgilia, told of having a child with special needs. Her relatives could assist only at odd times. She needed flexible work hours to care for her child, and this was not available in the more traditional jobs she had applied for.

Virgilia said, "I was working with my husband, who was Buzz Lightyear, and we had a bad day. Tips weren't doing so great, and a young lady comes up and she says, 'Let's take a picture together.' I say, 'Sure, not a problem,' and me and my husband pose for the picture. Then a police officer comes out of nowhere behind me, and she says, 'You don't have to pay them. They're not paying taxes, and they're immigrants.' Those were her exact words. I have this on video and caught her badge number and everything. I went into a police station to report this, filled out the report, and when I walked out, I could see them in the mirror throwing the report in the garbage."

Another performer, dressed in a reptile costume, explained, "I used to do eight hours here but with the harassment, I have to spend 12 or 13 hours a day now."

Another man in costume said he felt the police often try to provoke him and others into behavior for which they could be arrested. They are subjected to taunts and provocations from the police. An immigrant worker from Mexico said, "They treat us like a piece of crap. They keep watch on us all the time. I go to college and I'm raising my family. There may be a few guys who cause trouble, but why should we be paying for them? To be honest, I don't like the NYPD. I'm doing this because I'm raising money for college, Passaic County Community College, in New Jersey. I'm trying to learn English fluently, but it's not easy."

Of course among the many street performers in Times Square there are some who are struggling with drug or alcohol abuse. These individuals don't get assistance, but instead are arrested or threatened with arrest. And all of the costumed characters are stigmatized in the process.

A young man in a Batman costume who wished to remain anonymous said that, in addition to the police, the performers also had to deal with the tabloid press recently. "The media have been following us lately, stalking us, but they don't ask us what our situation is at home, if we have kids to take care of. I've tried to look for other work, but where I live is very suburban and everything is far apart, and I don't have a car. This is the closest job and I can stay with my child if I need to. It is hard."

The police harassment is not accidental. It aims at driving a wedge between the large numbers of working people among the tourists, and the largely immigrant and poorer sections of workers who are attempting to earn money as street performers.

The dilemma faced by the performers was summed up in a comment from the director of the Street Vendors Project, an organization which aims to protect street vendors and performers. "The city created a new Times Square for tourists, and when the tourists come, people come to do business here," he told the *New York Times*. "Now that they're here, the city doesn't like them anymore. The city created a Disneyland here, and now they're upset that it's Disneyland."

The harassment is also part of the "broken windows" theory of policing pioneered by Police Commissioner William Bratton 20 years ago, continued by his successors and continuing today, after Bratton has returned to the post under Mayor Bill de Blasio. The police are determined to keep the working class, especially its poorer and immigrant sections, in its place.

The authorities are acutely aware that Times Square is itself a study in contrasts between wealth and poverty, and it is blocks away from the many high-rise condominiums in which apartments are being sold for tens of millions of dollars. The police are charged with upholding "law and order" in this crowded area, and the city's political and economic elite are conscious that under conditions of unprecedented social polarization a spark can set off a social explosion.

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