



4660 Bauer Farm Dr. • Lawrence, KS • 66049  
785.843.7469 • Fax: 785.832.0695

February 7, 2019

Dear City Commissioners,

We understand that on February 19 the Lawrence City Commission will be considering a proposed amendment to its sale of alcohol licensing ordinance (4-106) to require "SafeBar" training for all permit holders. We write to share our concern that requiring "SafeBar" training for all our volunteer concession workers creates a significant hardship for the Theater's concession staffing while addressing a problem of patron "predatory behavior, harassment, and sexual assault" that has not existed at Theatre Lawrence and is not likely to occur, given the circumstances of the Theatre's liquor sales. Theatre Lawrence staff have never, in the 40-year history of the theatre, encountered the types of behavior which "SafeBar" training addresses.

Theatre Lawrence offers to sell alcoholic beverages (primarily wine and beer) to its audience members during the hour preceding each performance and during intermission. On any given day when a performance takes place, the concession area's alcohol service is normally limited to 1 ½ hours total. A typical patron may consume one beverage prior to the performance and possibly another at intermission.

Volunteers operate the Theatre Lawrence concession area. Our typical volunteer works in the concession area about 6 times per year; therefore, the volunteer staff changes from performance to performance. Requiring each concession area volunteer to participate in "SafeBar" training will restrict the pool of potential volunteers to those persons with the time and willingness to participate in the mandatory training and, as a consequence, will vastly increase the likelihood that there will be an insufficient number of volunteers with "SafeBar" training available for a given performance, forcing us to curtail the service.

Theatre Lawrence offers its liquor sales and other concessions to patrons as a way to enhance their enjoyment of live theatre and as a way to earn revenue for this non-profit community organization. Last year the Theatre earned \$25,713 in liquor sales out of total revenues slightly over \$910,000, or approximately 2.8% of its total revenue.

Thank you for considering our concerns. Please ask us if you have questions or need additional information. We look forward to working with the City Commission on this important issue.

Yours truly,

A handwritten signature in black ink that reads "Tom Beisecker".

Tom Beisecker, President  
Theatre Lawrence Board of Directors

*Board of Directors: Tom Beisecker, Bradley Burnside, Justin Cordova, Michael Davidson, Brandon Eisman, Lee Eldridge, Genee Figueiras, Jane Henry, David Ice, Linda Jalenak, Amy Kelly, Joseph Mastrosimone, Tom Mulinazzi, Bob Newton, Brandon Rapp, Sherri Soule, Jeff Sigler, Debbie Walker Ex Officio Charles Whitman, Robert Schwartz. Executive Director, Mary Doveton*



February 18, 2019

Mayor Lisa Larsen  
Lawrence City Commission  
6 East 6th Street  
Lawrence, KS 66044

Mayor Larsen:

Theatre Owners of Mid-America appreciates this opportunity to submit written testimony regarding the scope of the Lawrence City Commission's review of sexual violence training. TOMA is a regional trade association that represents movie theaters in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas. Our members range from the largest cinema chains in the world to the region's Main Street movie theater owners.

The movie theater industry commends the Commission for bringing awareness to staff bystander training on harassment between patrons. The laudable efforts of Vice Mayor Jennifer Ananda and her fellow Commissioners to address this critical issue is a great first step that could become difficult to enforce because of an overly broad ordinance. The city's engagement of internal and external stakeholders has highlighted that the business community is aligned with the Commission's objectives to ensure that local drinking establishments are safe spaces for customers. As drafted, however, the Commission's catch-all proposal appears overly inclusive and unreasonably burdensome as it includes business establishments that are not within the scope of foreseeable risk for the type of behavior sought to be prevented. Moreover, as drafted, the mandatory nature of the proposed ordinance for establishments without a history of harassment complaints and operating businesses that are not at high risk for this type of conduct creates significant security concerns and employment law related risks. These additional liability risks for any business that serves alcohol—without regard for the scope of risk associated with a particular business or consideration for the lack of harassment complaints—places an undue hardship on businesses that are already employing effective internal training policies aimed at protecting the safety and comfort of their patrons.

While the Commission apparently invited 181 licensees to participate in two informal meetings, the targeted audience is not representative of the much wider scope of businesses that would be impacted. For example, Regal Southwind was never approached. When TOMA reached out to



Arkansas Kansas Louisiana Missouri Oklahoma Texas  
PO Box 1532 Mission, KS 6622  
913-201-6366 | todd@TOMAonline.org

city officials, it was informed that the Commission never conceived that any proposal would include movie theaters. Accordingly, it is evident, that as drafted, the proposed ordinance exceeds its intended application which should be limited to business uses with a rational nexus or relationship between such uses and the behavior sought to be prevented.

Movie theaters in particular are not the type of social arena that encourages extended patron interaction or over-consumption of alcoholic beverages. Notably, while Regal has enhanced the moviegoing experience through initiatives such as alcohol service to accommodate a diverse spectrum of moviegoers, family engagement remains its core target audience. Additionally, the emphasis on focusing attention on feature films rather than socialization—especially within theater auditoriums—is already a significant deterrent to patron interaction. Accordingly, movie theaters are well-versed in patron monitoring and creating safe environments for guests and families.

As part of those efforts, Regal, for example along with various other movie theater chains, employs a variety of compliance and control measures. Such measures include the following: **(1)** Patrons must obtain their alcoholic beverages in person from the concession stand. Orders from and deliveries to the auditoriums are not permitted; **(2)** Guests who purchase alcohol are required to provide identification at the time of every purchase. No more than one alcoholic beverage is sold or served per person during any transaction; and **(3)** Specially trained theater management are always on duty when alcohol is available for sale.

Movie theaters recognize that sexual harassment and violence is a serious concern for business operators. However, overly inclusive and broad remedial measures that have extended collateral impacts on businesses without a high risk of such inappropriate conduct places an unreasonable burden on operators and employees. Additionally, such broad mandatory requirements create significant liability risks to both operators and individual employees who have not chosen to work in a higher risk environment. While the cinema industry in Lawrence looks forward to the opportunity to collaborate with city leaders and stakeholders to find effective, voluntary solutions that work for everyone, we urge the Commission to focus any regulatory efforts where they add the most value and target intended goals.

Again, thank you for this opportunity to submit written testimony. Please reach out if you have any questions or if we can be of any further assistance as you consider this important issue.

Sincerely,

A handwritten signature in black ink that reads "T. Halstead". The signature is stylized with a large, looped "H" and a cursive "alstead".

Todd Halstead  
Executive Director  
Theatre Owners of Mid-America

**Aliza Bidinger**

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**To:** Maria Garcia  
**Subject:** RE: SafeBar Training

**From:** Kristine Sheridan <[krismsheridan@gmail.com](mailto:krismsheridan@gmail.com)>  
**Sent:** Tuesday, February 19, 2019 11:51 AM  
**To:** Maria Garcia <[mgarcia@lawrenceks.org](mailto:mgarcia@lawrenceks.org)>  
**Subject:** SafeBar Training

I am writing to voice my support for ***IN PERSON SafeBar*** Training. Not only do I think this training is necessary and important, but all bar and restaurant staff should also receive such training through The Care Center. Video or webinar training is just not sufficient.

I am a mother of four and grandmother of five. I moved to Lawrence in 1974 and once experienced having my drink dosed at the Casbah. I was with friends and never even thought about such a thing happening. After three sips of my vodka tonic, I was unable to stand, and soon thereafter, unable to focus. I was extremely fortunate to have many friends around. My children are now grown as are two grandchildren with two more soon to be of age. They frequent Lawrence bars and restaurants. I do not want them to become victims. They might not be as lucky as I.

I urge you to support in-person SafeBar training and to include the victims and their families in any further discussions regarding this matter.

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*Kristine Sheridan*