

A composite image featuring a nighttime cityscape of Boston. The top half shows a wide view of the skyline with numerous lit-up skyscrapers and the harbor. The bottom half shows a closer, elevated view of a city block with older buildings and streets. A white rectangular box is overlaid on the right side of the image, containing the title and subtitle.

Best Practices in Public Safety for Nightclubs & other Licensed Premises

Boston Police Department and
Partners in Licensed Premises Safety

2019

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Message from Police Commissioner William G. Gross

The Boston Police Department is committed to working with our partners to ensure safety for our residents and visitors in every corner of the city. On March 12, 2019 the Boston Police Department convened a meeting of licensees (owners/managers/representatives), the Licensing Board for the City of Boston, the Massachusetts State Police and the Transit Police to discuss the need for best practices for nightclubs and other establishments following a series of tragic events.

Several meetings were subsequently convened with partners to inform and support the creation of a best practices document for licensees on policies and procedures, communication protocols, use of technology, training of staff, and the use of social media.

Thank you to those partners who provided information, honest feedback, and insight that resulted in this publication. It is our hope that licensees and their employees throughout the city will find this helpful in improving public safety for the patrons of their establishments.

Message from the Licensing Board for the City of Boston

The Board's primary goal is to ensure the safety and security of patrons at all of our licensed premises. We are committed to working collaboratively with all of our Licensees to ensure that they are running safe law-abiding businesses.

Licensees should not be apprehensive about calling Boston Police in the event of an impaired or unruly patron for fear of disciplinary action by the Board. Each Licensed Premise Inspection Notice and Incident Report issued by Boston Police is reviewed and do not automatically require a hearing before the Board. The Board reviews each police report to determine whether a hearing is warranted in order to obtain more information. In making the determination whether or not to schedule a hearing or file the inspection notice without a hearing, the Board looks to whether the Licensee contacted the police, was cooperative with the police, and whether the Licensee's behavior was reasonable based on the totality of the circumstances. Many Licensed Premise Inspection Notices are filed without a hearing.

There are over 3,000 licensed premises in the City of Boston. While the overwhelming majority of licensees understand the responsibilities that come with holding a license issued by this Board and work hard to educate their staff and to improve their business practices, we are charged by the Massachusetts Legislature to regulate those licenses to ensure that the public is safe. We will continue to streamline our own board processes and efficiencies as we work to protect and improve the public safety at all of the licensed premises in the City of Boston.

Clarification of terms: The "Licensed Premise" is the physical building or space that is licensed. The "Licensee" is the business/entity exercising the License. For example, "the Licensed Premise Unit of the Boston Police Department inspected the Licensed Premise at which time the Licensee's staff cooperated with officers."

Developing a Safe Atmosphere

The goal of this document is to assist licensees (owners and managers of licensed premises) in maintaining safe bars, taverns, restaurant-lounges and clubs; free from illegal activity including: drug sales and use, underage drinking, over-consumption of alcohol, violence, prostitution, sex offenses and other crimes for the benefit and safety of their patrons.

The Boston Police Department has adopted, adapted and expanded existing best practices/guidelines as suggested ways to achieve that goal.¹ They are meant as a general road map for owners and managers, not as a list of laws applicable to all Licensees in all situations. We have also included separate sections regarding how to respond to a serious criminal incident and what you should know about counterterrorism threats and preparedness. Use your best judgment while keeping these suggestions in mind in adapting them to your specific establishment.

Licensees should establish security plans, regardless of whether one is required by the Licensing Board. Security plans should include an overview of the operations/security at the licensed premise, the locations of security cameras, training policies and procedures, policies and procedures regarding inspection of identification, and policies and procedures regarding dispersal of patrons.

Licensees should also consider incorporating the development of a counterterrorism security plan as described in the “Counterterrorism Best Practices” section of this guide, as well as adhere to the “Fire Safety Best Practices” section of this guide.

Licensees must ensure that their employees call 911 to report criminal activity or serious medical emergencies such as drug overdoses. Establishments are encouraged to call 911 or otherwise notify police for assistance when a problem patron or severely intoxicated patron is ejected. Licensees are also encouraged to report suspicious or predatory behavior.

1. These guidelines are adopted, adapted and expanded from the original “Best Practices for Nightlife Establishments,” published by the New York City Police Department and the New York Nightlife Association (2nd Ed., 2011).

Security

Security Staffing

- As a general guideline, there should be a minimum of one security guard in every licensed premise when 50 or more patrons are present at the same time. For larger premises, there should be one security guard for every 50 patrons present. Any full-time security supervisor should be included when counting the total number of security personnel employed. Discretion should be used by management to determine the appropriate number of security personnel based on the event or crowd to ensure safety and maintain good order.
- It is recommended that for every five (5) security guards there be one (1) security supervisor to ensure a minimum span of control of one (1) security supervisor for every five (5) subordinates.
- It is recommended that security guards be distinctively and uniformly attired—very easily identifiable.

Training

- Licensees should ensure employees are adequately trained for their positions. This training should include security training for security personnel that includes techniques to deescalate potential violent encounters and difficult situations as well as alcohol awareness training of bar staff. Training for security officers on identification checking, working the door and line management should also be included.
- Alcohol service awareness training can help prevent intoxication, underage drinking, and drunk driving.
- It is recommended that all staff should be trained in preventing sexual assault—see **Sexual Assault Section**.
- Training should be completed within 30 days of hire with refresher training offered on an annual basis.

Proactive security procedures

- It is recommended that security guards be spread out and roaming throughout the licensed premise and not just watching the door.
- Security personnel and/or licensed premise staff should periodically monitor restrooms for unusual behavior (e.g., more than one person in a stall).

- Ensure that levels of lighting inside and outside the licensed premise are sufficient for observation by security.
- Licensees are encouraged to provide free phone charging stations for their patrons. This will help ensure that patrons can communicate and call for assistance if they need help, or can be located if they are missing.
- Licensees are encouraged to utilize license readers and retain the data for at least 30 days.
- Customers should be encouraged to check coats and bags in order to avoid thefts. Coat check should include the customer's ability to check bags. It is recommended that Licensees install anti-theft environmental designs such as drawers, shelves and hooks for customers who choose not to check bags. Ensure control and order are maintained in the coat check area, especially at closing time.
- Patrons awaiting admission should be placed in a line, not blocking the sidewalk. All individuals in admission lines should be informed that if they are not orderly, they will not be admitted. Individuals who will not be admitted should be encouraged to leave the area.
- At closing, security is to ensure orderliness as patrons are exiting the establishment and that all patrons depart the area in a timely manner.
- All bathrooms, hallways and other rooms should be checked at closing time for any patrons to ensure all patrons have exited the premise.
- Larger Licensees should designate a customer care area to facilitate the rendering of aid and on-scene investigations.

Video Surveillance

- It is recommended that functioning and properly maintained surveillance cameras be mounted, at a minimum, to show patrons entering and exiting licensed premises and to show patrons entering and exiting restrooms. When possible, Licensees should ensure cameras provide coverage for all blind spots, entrances, exits, service areas, hallways, stairwells, dance floors, and where necessary, outward toward parking lots and customer care areas (if they exist).
- It is recommended that the licensed premise have protocols in place to ensure selected employees are trained on how to operate the system correctly, all cameras are checked on a periodic basis to ensure they are working properly, and footage is maintained and is available if needed.
- Licensees should maintain recording for at least 30 days.

- Licensees should provide recordings immediately to BPD and Licensing Board upon request, or within 48 hours.
- Digital video of any unlawful conduct should be identified and provided immediately to the BPD and/or Licensing Board upon request, or within 48 hours.
- The licensed premise should maintain a diagram of the floor plan that includes the location of all security cameras. This information should be kept with the security plan (if applicable), and an electronic copy should be available to provide to the police if access to the premises is not possible.

Specific recommendations for Video Surveillance Equipment

- Camera Positioning and monitoring:
 - Front door and doors used for entrance by patrons.
 - Coverage in areas of congregation, outside restrooms, hallways, and stairwells.
 - Entrance and exit areas (including emergency exits).
 - Bar and serving area.
 - Dance floors.
 - Coat rooms.
 - Sidewalks surrounding the establishment, also monitoring surrounding areas and parking lots. Establish lighting in dark areas surrounding premise.
 - Frequently clean camera, especially dome PTZ cameras to prevent obstructed and/or poor-quality video.
 - Coverage of employee restricted areas and egress.
 - Infrared cameras for dark areas.
 - Motion detection and positioning can result in lost coverage. Set schedules to monitor areas continuously during business hours.
 - Ensure that times are calibrated on cameras (i.e. daylight savings time changes.)
- Digital Video Recorder/Network Video Recorder Systems
 - Service and Maintenance Contract from a professional vendor. Continued operation of the system(s), repair and upgrade of equipment when needed. Replacement of inoperable cameras for continued coverage, addition of cameras for blind spots.

- Capacity: Video storage for a reasonable amount of time (2 weeks to 1 month minimum). Replacement and upgrade of storage media.
- System should be in a secure, dry and well-ventilated room.
- Management has complete access to the data. Management should have administrative passwords of the system readily available. The ability to review and download (Export and/or Archive) data on site without having to rely on a vendor. This practice will prevent delay in providing valuable video footage to law enforcement.
- Training for management to properly operate system along with video footage recovery and archiving. Instruction manuals present.
- Display of video feed in management office to alert management of malfunctioning equipment.

Ejection Policy

- Licensed premise's policy should mandate an ejection protocol. The protocol should contain:
 - Procedures for security to separate and remove all disorderly or potentially violent patrons in a manner consistent with the law that is designed to prevent continuation of violent activity inside or outside the club.
 - Procedures for handing unruly or violent patrons over to the BPD.
 - Procedures for ejection of severely intoxicated patrons, for example:
 - Security officers/door personnel should consult with the manager before a decision is made to eject a severely intoxicated patron (male or female). If a severely intoxicated patron is to be ejected all efforts should be made to identify a companion/friend of the party prior to the ejection. If no companion can be found, the patron should be escorted out of the club by security and/or a manager.
 - Once outside or in the lobby if a responsible person cannot be located to assist this patron then the manager should call 911 to request police assistance. Reasonable attempts, absent physical restraint, should be made to prevent a severely intoxicated patron from leaving the licensed premise by themselves due to safety concerns. If a severely intoxicated patron leaves a licensed premise by themselves then security personnel should note the person's physical and clothing description and the direction the intoxicated patron was heading and provide that information to 911 and the responding police officers. If possible a photo should be taken of the intoxicated person to provide to the police upon their arrival.

Searches

- If metal detectors are used for entry, every patron should be scanned by magnetometer in accordance with the licensed premise's policy. VIPs, DJs, promoters, entourages, etc. should not receive special treatment and should likewise be scanned.
- For special events, Licensees should have a search policy and adhere to it. (This may vary from no one being searched, to all bags being searched, to random searches being conducted, to everyone being searched). This ensures that upon arrival, the responding BPD officials and police officers will have a basis to know if the occupants have been searched and what, if anything was found.

Owners/Management

- Management should establish open lines of communication with other Licensees to share information on individuals of concern (i.e. habitual offenders, "barred lists", suspicious individuals loitering outside clubs at closing time, etc.). Licensees are encouraged to utilize mobile applications for real time sharing of pertinent information.
- Management should establish open lines of communication with their local police district commander or his/her representatives. This includes having contact information on file for 24-hour access to the licensed premise in the case of emergency.
- Management should periodically review their security plan, and applicable laws and regulations with employees at staff meetings. Spot checks of employees should be conducted to ensure compliance with licensed premise's policies and applicable laws and rules, including compliance tests for false ID and underage sales. Licensees should consider conducting background checks on security personnel, or at a minimum, security managers/heads of security. Management should know and make readily available to security staff/all bar staff the telephone number of the local police district.
- Licensees should encourage employee witnesses to go to court and testify when requested.

Problem Patrons

- Identifying information on ejected and/or arrested patrons should be retained on a “barred list” database. Patrons who have been barred should not be allowed subsequent re-entry.
- Individuals suspected of committing a crime should be detained by security through lawful means. Victims of, and witnesses to crimes should be encouraged to wait for the police to arrive in order to assist in the investigation. At a minimum, they should be asked to provide their identifying information so that they may be contacted by the police in the future.
- Establishments should safeguard evidence connected with the commission of a crime on the premises and should isolate and preserve any area in which a crime was committed in order to maintain the integrity of any crime scene. Establishments should not begin cleaning up any debris, blood, or other items until so instructed by the police. Establishments should contract with a hazardous waste remediation company to respond and clean any areas that have biohazards such as blood.
- See **Response to Crimes and Serious Incidents** (p. 17) for additional information

Intoxication

MA law and common sense prohibit a licensed premise from serving alcohol to a person who is intoxicated or appears to be intoxicated, or permitting someone else to serve the intoxicated person. It is of course in the best interest of everyone involved to prevent incidents and the kinds of behavior which are associated with intoxicated patrons. All employees should be highly aware of the signs of intoxication:

- Speech slurred, confused, abusive, profane, antagonistic or incoherent.
- Appearance in disarray; clothing stained.
- Balance unsteady, or body swaying, using a wall or furniture as a prop.
- Face pale or flushed.
- Eyes bloodshot, red, or puffy.
- Fumbling or dropping of glass, ID, cash, etc., or misjudging distance.
- Unusual physiological symptoms, e.g., vomiting, excessive hiccuping, losing focus, sleepy or fainting.

Licensees should ensure that all employees maintain continual awareness of the level of intoxication of patrons, as well as whether individuals are buying drinks for others who may have in fact been cut off. Employees must notify associates of an intoxicated patron if they are present, so they may watch over the individual, provide for the safety of the intoxicated patron, and (if necessary) assist in escorting the intoxicated patron from the premise.

If bottle purchases are allowed, Licensees' staff must take sufficient steps to ensure that the tables are closely monitored to prevent underage drinking or over consumption.

Sexual Assaults

- Management and employees can help to prevent their premises from being exploited by sexual aggressors, who may seek to take advantage of vulnerable patrons. Alcohol is the most common substance aggressors use to facilitate sexual assault. Both the aggressor and the target may have impaired judgment and lower awareness as a result of alcohol consumption, leading to a greater chance of sexual violation anywhere along the spectrum from harassment to violent assault. However, the environment around a sexual aggressor can make a difference in the behavior.
- Young women are statistically more likely to be the target of unwanted sexual attention and aggression, but it's important to keep in mind that anyone may be a target, including patrons of LGBTQ establishments. Aggressors often present themselves as friendly, seeking to get to know a target, buying them drinks, or otherwise displaying a romantic interest. Aggressors may also engage in unwanted contact such as pressing up against someone on the dance floor, groping, or "up-skirt" grabbing. If bar staff notice any of these behaviors, it may be useful for them to ask the target if they would like any intervention and/or keep a close eye on the situation, and call 911 if necessary.

Escalation can also take place off-premises. A common scenario is for an aggressor to initiate an interaction on the premises, isolate the target from his/her friends, and then persuade or pressure the target to leave with him/her. Employees should be attuned to behavior that seems overly familiar or aggressive under the circumstances, especially if the potential target is visibly intoxicated or seems impaired.

- Licensed premise personnel should offer to call a cab for the vulnerable or impaired person, and closely observe as patrons leave to see if they seem to be able to navigate safely. Security personnel at the door or outside are well positioned and should observe when patrons leave. They should also take general note of whom patrons arrive with and whether they leave with the same group or someone else. Note that aggressors may seek to get targets drunk or drugged, encourage them to get some air, and then pull up in a car or hail a cab to take them away.

- If licensed premise personnel sense that something is awry, either when an aggressor is purchasing drinks for a potential target who is visibly intoxicated, isolating him/her from his/her friends, or trying to leave with them, personnel should make it clear to the aggressor that they have been observed by asking them in front of others how they're doing or if they need some help. Staff can also use distraction techniques to separate the target from aggressor, such as telling the potential target that his/her friends are looking for him/her. If possible, employees should make a note of the circumstances, the descriptions of the parties, or any other information that could become relevant at a later time. However, managers and staff should make every effort to keep patrons safe and proactively intervene if they observe any suspicious or problematic behavior.
- Encourage groups to designate one person as a chaperone and perhaps identify this person with a wristband. This person could be served non-alcoholic beverages at a discount for the night.
- For prevention of assaults on the premises, maintain surveillance cameras outside restroom doors, and consider employing a bathroom attendant. Ensure that restrooms are used by the appropriate gender/ gender identity, monitoring who is entering restrooms. Surveillance cameras should be monitored throughout the night, especially near closing time. Ensure that storage areas and other restricted areas are kept locked and secured. Closed darkened areas create a potential danger.
- Support staff, including porters, barbacks, busboys, and kitchen staff, should receive sexual assault awareness training that will help them be aware of patron behavior and recognize potential perpetrator behaviors that may lead to sexual assault, especially as these employees work in or pass through areas that are dark or restricted. As part of their training, employees should be instructed to immediately report any suspicious behavior to a supervisor or manager.
- Licensees can send a clear message that there is zero tolerance for sexual assault by posting signs letting patrons know that their safety is a priority. Signs should state that patrons should approach any staff member for assistance.
- Perhaps most important, management and employees should trust their instincts regarding possible predatory behavior they may observe. If something doesn't seem right, it probably isn't. Management should communicate to employees, ideally by establishing a written policy, that they should support proactive efforts to address suspicious, aggressive, or predatory behavior. If possible, all employees should make notes of any situation they observed for later reference if needed.

Employees

- All employees must have a photo ID on file in the establishment, with a description of his/her position and contact information. Consider using ID scanning not only for patrons (see below) but also for employees, to identify all employees on the premises. All employee identification information and personnel files should be made available to BPD and the Licensing Board on request.
- Licensees should also maintain a file of contact information for all individuals contracted to provide operational services such as DJs, security personnel, lighting and sound technicians and promoters.
- Licensees must designate a specific person to be in charge of the premises at all times. The name and phone number of both the manager and the person designated to be in charge of the premises, if different, during the hours of operation, must be available to BPD and the Licensing Board on request.
- Licensees should provide contact information for 24 hour access to the premises in case of emergency.
- Licensees should discourage employees from drinking alcoholic beverages or taking drugs while on duty and overseeing the safety of others.
- Licensees should designate clean-up crews inside and outside the venue. Empty glasses and unnecessary loose items, which could be used as projectiles during any possible disagreement between or among patrons, should be collected on a recurring basis. All flyers, handbills, cups, debris, etc. should be cleaned from in front of the premises throughout the night.
- Licensees should designate specific employees to conduct occupancy counts periodically throughout the night and inspect fire exits and egress paths to ensure they are clear.
- Managers should identify themselves to and fully cooperate with representatives of responding government agencies.

Age Verification

- ID should be checked for every person seeking to purchase, obtain, possess, or consume alcohol. There should be no exceptions made to this policy, including for anyone brought into the premises by an employee or promoter. Management should make it clear to promoters, DJs and others that they are not to steer underage patrons around security in order to evade ID checks. If a licensed premise is not using wristbands or other means to distinguish minors from other patrons, the licensed premise should conduct a second check of the ID at the time of purchase, in addition to the time of entry into the premise.

- As discussed earlier, while there is no rule or regulation prohibiting Licensees from accepting particular forms of identification for proof of age, MGL ch 138 s 34B provides that any Licensee who reasonably relies on the following forms of identification shall be presumed to have exercised due care in supplying or delivering alcoholic beverages:
 - Massachusetts Liquor Identification Card
 - Massachusetts Driver's License
 - Valid United States Passport
 - Valid Military Identification Card

Promoters

- Licensees that contract with promoters will be held responsible if promoters engage in or encourage irresponsible or unsafe activity in the premises. Therefore it is incumbent upon management to take adequate precautions when dealing with promoters, who are much less likely to suffer the consequences of illegal conduct, incidents or administrative violations than the licensed premise itself. Licensees should work with promoters who have proven records of responsible performance with the nightlife industry, BPD and the Licensing Board.
- Licensees should only work with promoters who are professional. Promoters should be required to provide full contact information for themselves and anyone they hire to work in the establishment. If the promoter is insured, the venue should be listed as an additional insured on all relevant policies.
- Licensees should require that all promotional materials be approved by the venue prior to being published or released to the public.
- Licensees should make absolutely clear to promoters what their policies are, especially regarding admission of those under 21 years of age, and make clear that promoters are expected to fully adhere to these policies.
- Licensees should have representation at the door to ensure that all door policies are adhered to by promoters and their employees. Management should reserve the right to refuse entrance to any guest pursuant to their existing admission policies.
- All guests and members of the promotional team must be treated the same as all other patrons, with respect to the establishments search and ID checking policies.
- Licensees should check the past performance of promoters before considering contracting with them, by inquiring of any past problems, how they operate, and how responsive they are to problems or concerns.

- Licensees are reminded that promoters must abide by the license issued by the Licensing Board.

Licensed Premises Policies/ Security Plans

- Licensees are encouraged to have written policies and security plans that incorporate the guidelines suggested in this document. The security plan should inform all employees how to handle situations that arise frequently and which often lead to problems, e.g.:
 - Illnesses or injuries from fights
 - Disorderly patron
 - False ID, drug use
 - Recovered weapon
- The plan should also include:
 - Procedures for permitting patron entry
 - Emergency evacuation plan
 - Exit plan for a gradual staged exit prior to and at closing time to establish and maintain order inside and outside the premises.
 - Security training (conflict resolution, handling violent incidents, contacting BPD, crowd control, preventing overcrowding)
 - How security staff employees are stationed inside and outside of the establishment
 - The number and location of security cameras
 - Criteria for items to be entered in the establishment's "activity and incident log"
- A professional looking sign containing a patron code of conduct should be displayed inside the license premise, and the rules of this code of conduct should be enforced.
- When a licensed premise has residential neighbors in the same block, they should post a sign at the exit(s) encouraging patrons to be quiet and sensitive to the neighbors as they depart the venue.
- Licensees must keep all licenses and permits up to date and conspicuously posted for public review.
- Licensees must ensure that their policies are adhered to.

- If a crime or serious incident occurs:
 - Call 911
 - An incident report listing full details should be generated.
 - Licensed premise staff should preserve the crime scene. See **Response to Crime and Serious Incidents** section for additional information.

Police-Community Relations

- Licensees should provide a list of all special events and types of entertainment which will significantly increase the influx of patrons and vehicles within the Police District in which they are located. Notification should be sent to the appropriate District Commander 72 hours in advance. Please refer to **bpdnews.com/districts** to determine within which district they are located.
- Representatives of Licensees are welcome at BPD district community meetings, and are encouraged to attend.
- The District Commander and licensed premise owners should meet as necessary to discuss public safety, citizen concerns, operational issues, and solutions to problems.

Response to Crimes and Serious Incidents: “The Crime Scene”

These best practices are designed to apply to crimes and serious incidents, usually assaults that are physical and/or sexual in nature. For these purposes, assaults are deemed serious when the victim of the physical assault is either unconscious, or is obviously in need of immediate medical treatment, for a serious or life-threatening injury, such as a stabbing or slashing. This is more serious in nature than a bar fight with minor injuries. An exception to this general rule is sexual assault crimes where the victim may have no visible injuries. Sexual assaults are serious criminal incidents, and as such fall within the purview of these guidelines.

Pre-Incident

- All establishments should maintain a list of all employees and independent contractors (such as DJs, promoters, and other entertainers) who are present on any individual night. Also maintained should be contact information for these employees to aid in contacting them as part of a post-incident investigation.
- Establishments should request and maintain contact information for a representative of any private group who has a function or event at the establishment.

Post-Incident

- **Call 911 immediately.**
- Establishments should make clear to all managers, employees and private contractors that they are expected to cooperate with police officers, officials and investigators.
- Establishments must isolate and preserve the crime scene or incident scene. Do not clean up the crime scene. Protect it from any changes. Crime scenes can be protected by temporarily surrounding them with stanchions or yellow “caution” tape, using chairs, or even potted plants. To this end, inexpensive yellow “Caution Tape,” should be kept in the establishment.
- Nightlife establishment employees should be aware that important physical evidence may not be readily visible or obvious. Incidents involving sexual assaults will rarely have recognizable evidence at the scene of the occurrence. Therefore, establishment employees should “overprotect” the area of the crime or incident by safeguarding an area larger than they initially believe the crime scene to be.

- Establishments should immediately identify and preserve financial transaction information for all parties involved or who are believed to be witnesses. This includes debit and credit transactions.
- Involved parties or witnesses should be detained for the arrival of police if possible. There are several techniques to accomplish this, including politely asking them to stay, offering them complimentary admission on a subsequent date, asking for and retaining copies of their IDs, and giving these copies to the responding police officers.
- Establishments should know what parking facilities are commonly used by their patrons and provide this information to police investigators.
- If the suspects or witnesses leave, a description of the vehicle in which they left (with license plate number), the direction and means by which they left, and the identity or description of any people with whom they left should be provided to the responding police officers.
- The table or area where the involved parties sat or stood, including their beverage glasses, utensils, and any other evidence, should be preserved and left untouched. This material should be identified to the responding police officers immediately.
- Video of people inside the establishment during the evening the crime or incident took place should be preserved for the police, even if it appears to have no evidentiary value. Often these videos can be enhanced to reveal important evidence. To increase the usefulness of these images, establishments should ensure that sufficient lighting exists in all areas of the venue and that video surveillance files are maintained, and provided to the responding police investigators.
- If the establishment uses an ID scanner, the information should be preserved and made available to the responding police officers.
- All crimes and incidents should be documented in the establishments' activity log or on an incident report form by a management level employee, who was present at the time of the incident. This manager need not have been a witness to the incident, but is responsible for documenting the pertinent information.
- Obviously, these best practices and recommendations apply to crimes and incidents which occur inside and outside establishments. However, establishment employees must be aware that important evidence connected to a crime or incident which occurred inside the establishment may exist outside. For example, if an assault outside involved parties who were inside the establishment earlier, the evidence that the involved parties left behind must be safeguarded. This includes:
 - Financial records of their purchases.

- Video surveillance images of involved parties.
 - If the establishment uses an ID scanner, images of scanned IDs.
 - Glasses and utensils used by the involved parties, which may yield identifying information such as fingerprints and DNA.
 - Observations of witnesses which may aid in a subsequent ID of involved parties
- Establishments should be aware that all relevant items that will further the investigation of the incident may be subject to seizure; this includes, records, videos or video recorders, images, physical items such as glasses, bottles, etc. These items may be held until final adjudication of criminal or civil proceedings arising from the incident.

Nightclub Fire Safety Best Practices

Nightclubs are one of the most challenging assembly occupancies regarding fire and life safety issues. The challenges are complicated by: loud music, limited lighting, alcohol impairment, crowding, and the desire by promoters to use pyrotechnics, sparklers, and additional set-ups.

The Boston Fire Department strives to ensure the safety of patrons through enforcement, education, and engineering.

The following list serves to assist owners/managers in identifying some of the most critical and common issues regarding fire safety in nightclubs.

- Prior to opening, a Certified Crowd Manager needs to walk all egress paths and exits to ensure they are open and free of obstructions. A Certified Crowd Manager is required for 100 to 250 occupants and an additional crowd manager for every 250 occupants thereafter. (527CMR1.00, S. 20.1.5.6.1)
- The Place of Assembly Permit shall be posted in a conspicuous place as to be clearly visible (Boston Fire Prevention Code BFPC Sec. 27.02(b). The current Fire Alarm and Sprinkler reports must be on site.
- The occupant load listed on the Place of Assembly permit must be known by all staff. It must be enforced at all times.
- All staff must know and practice the emergency fire evacuation plan. Therefore, establishments must have a fire safety and evacuation plan meeting the requirements of the Boston Fire Prevention Code (BFPC) and 527 CMR 1.00.
- Staff shall be aware of the status of all exits and keep them free and clear of any obstructions both inside and outside leading to the public way. Keep the front (main) entrance clear and free of obstructions, particularly patrons entering or waiting to enter.
- Do not delay the notification of any fire incident to the fire department; **call 911 immediately!**
- Ensure that valet services do not block exits, fire hydrants and Fire Department Connections (FDC) to the Standpipe/Sprinkler Systems.
- Ensure all exit signs are illuminated and working and that all emergency lighting is functioning properly. Utilize the test button to ensure its operation. Remember some emergency lighting may be powered by the building generator system.
- Pay particular attention to fire extinguishers. They should be present, properly mounted, and fully charged. Extinguishers should have current inspection tags (within 1 year) and be of appropriate size and type.

- Furniture shall be arranged in accordance with the approved occupant/egress plan. Be mindful of the placement of valet, vendors, and event set-ups. Make sure they are not placed in such a way that would interfere with emergency and or evacuation procedures, routes, and exits.
- Propane heaters or any portable heaters are not allowed in nightclubs. Restaurants are allowed temporary heat under the following conditions:
 - Requires a Boston Fire Department Temporary Heat permit.
 - Propane heaters (High Tops) must be at least five (5) feet away from the building, public ways, tables and chairs, combustible overhangs, awnings, sunshades, decorations, etc.
 - Propane is not allowed to be used or stored in any structure. (Rooftops Included)
- Candle use in a nightclub is prohibited. The exception is the use of Votive or Tea Lights which are strictly limited to the table tops of “restaurants.” A Boston Fire Department Permit is required for any other type of candle. Refer to the Boston Fire Department document for Candle Usage Guidelines for further requirements.
- The use of pyrotechnic special effects and open flames shall be subject to the approval of the Boston Fire Department (527CMR1.00, s. 32.5.3.1). Champagne type sparklers, flaming drinks, or any open flame is prohibited in nightclubs. BFPC Sec. 27.05 (c)
- A Flame Certification Permit issued by the Boston Fire Department Chemist is required for all decorations, furnishings, and interior finishes in all places of assembly (Boston Fire Prevention Code BFPC Section 27.02(d))
- The doorperson should be readily knowledgeable as to the occupancy load within the club at any particular time. The expectation is that people get counted in and counted out, so that you always know the number of patrons and staff. A mechanical counter is recommended.
- Trash and combustibles should be removed from the building on a regular basis to avoid the possibility of ignition. Full trash cans are a ready source for ignition.
- Staff should be mindful of mechanical rooms; they are not permitted to be used as storage rooms. There must be a 3’ clearance in front of all electrical panels.
- Kitchen hoods shall have a current inspection sticker.

Counterterrorism Best Practices

This section is intended to provide nightlife establishments with information and recommendations on counterterrorism, which will allow them to plan accordingly. It is not intended to alarm or frighten, but rather to help Boston's vibrant nightlife community achieve both safety and hospitality for its customers under varying circumstances.

Effective counterterrorism measures can only be achieved through cooperation. To achieve the goal of a safe Boston nightlife, operators of nightlife establishments will have to work cooperatively with the police, other government agencies, nightlife industry associations, landlords, neighbors, and even competitors.

The following is a starting point for nightlife businesses to create an effective counterterrorism plan. In creating such a plan, nightlife businesses are encouraged to consult their local police district station, as well as private security and nightlife industry management consultants.

Terrorist Strategy

Terrorism is a criminal act designed to manipulate an audience beyond the immediate victims. Terrorists seek to commit acts of violence that draw local, national, and international attention to their cause. Terrorists plan their attacks to obtain the greatest publicity and choose targets that symbolize the ideologies they oppose.

Terrorist Goals

Terrorists engage in violent behaviors for the following reasons:

- To create fear in people they consider enemies.
- To create recognition for their ideology.
- To provoke a reaction from governments.
- To obtain money and equipment from their sympathizers.

Terrorist Target Selection

- Terrorists typically use a very organized program of hostile surveillance to select targets and learn how to best attack them.
- Target selection criteria often include: ability to inflict mass casualties; economic impact; critical infrastructure; political, religious or historical symbolism; vulnerability.

- Terrorists have demonstrated a preference for “soft targets,” those which are not protected by an effective counterterrorism plan. The process of making an entity more resistant to terrorist attacks, and therefore a more undesirable target, is therefore known as ‘target hardening.’

Terrorism and the Nightlife Industry

The following are notable examples of terrorist attacks against nightlife establishments and examples of why it is vital that anyone who notices something strange or out of the ordinary needs to report it immediately to the authorities:

Thousand Oaks, CA 2017: Borderline Bar & Grill shooting on November 7, 2017 in which 12 people died. Newbury Park resident and former Marine Ian David Long, 28, entered the bar at 99 Rolling Oaks Drive just before 11:20 p.m. and opened fire with a Glock 21, a .45-caliber semi-automatic pistol equipped with a high-capacity magazine. Long killed 12 people, including sheriff’s Sgt. Ron Helus, and then turned the gun on himself.

Istanbul, January 1, 2017: At 01:15 am local time on January 1, 2017 a gunman shot and killed 39 people and wounded 79 others at the Reina nightclub in the Ortaköy neighborhood of Istanbul, where hundreds had been celebrating the new year.

Orlando FL, 2016: On June 11, 2016, Pulse, a gay nightclub in Orlando, Florida, was hosting “Latin Night,” a weekly Saturday night event drawing a primarily Hispanic crowd. About 320 people were inside the club, which was serving last call drinks at around 2:00 a.m. EDT on June 12. After arriving at the club by van, Omar Mateen approached the building on foot, armed with a SIG Sauer MCX semi-automatic rifle and a 9mm Glock 17 semi-automatic pistol. At 2:02 a.m., Officer Adam Gruler, a uniformed off-duty Orlando Police Department (OPD) officer working extra duty as a security guard, engaged Mateen. Mateen bypassed him into the building and began shooting patrons. Forty nine people were killed and over fifty severely injured.

Terrorists View Nightlife Businesses as Attractive Targets for Attacks

Terrorist target selection is often based upon the ability to inflict mass casualties, the symbolism of the target, and the vulnerability of the target. Recently, there seems to be a trend to select “soft targets,” those with less security than “hard targets,” such as government or military facilities.

Characteristics of Terrorist Attacks

Terrorist attacks typically involve:

- Careful planning.

- The smallest number of participants possible.
- Extensive “hostile surveillance;” that is, extensive surveillance and intelligence gathering of the potential target by the terrorists.
- The use of secondary explosions which are designed to inflict mass casualties and death on fleeing victims of the initial explosion, and on emergency personnel who respond to the initial explosion.

Counterterrorism Awareness and Response Plans for Nightlife Establishments

- Each establishment should have a “Counterterrorism Awareness and Response Plan.” It should be simple, clear, and flexible.
- Establishments should assign responsibility for counterterrorism awareness and security planning to one senior managerial employee, usually the same person responsible for other types of security. This individual should have sufficient resources and authority to accomplish this responsibility.
- The Counterterrorism Awareness and Response Plan should include:
 - Details of the security measures to be implemented, including personnel assigned to carry them out, with designated back-up personnel assignments.
 - How to respond to a threat, such as a bomb threat or threat of attack delivered by telephone or in person.
 - How to respond to the discovery of a suspicious device.
 - A search plan. Searches should be conducted daily, before, during and after hours of operation.
 - An emergency evacuation plan.
 - A communications plan, which includes instructions for liaison with the police and other emergency services, and guidance for dealing with inquiries from the media, and inquiries from concerned family members.
- The Counterterrorism Awareness and Response plan should include the “Seven Key Instructions,” for dealing with most incidents involving the discovery of an unusual situation or a suspicious item or package:
 1. Notify the police immediately.
 2. Do not touch the suspicious items.
 3. Move *everyone* away to a safe distance. Remain behind hard cover.

4. Prevent others from approaching the suspicious item. Cordon off the suspicious item with yellow tape.
 5. Communicate with staff and patrons in a manner designed not to create alarm.
 6. Do not use radios and cellular phones in the immediate vicinity of the suspicious item.
 7. Ensure that witnesses—whoever found the item or witnessed the incident—remain present to talk to the police.
- All staff should be trained on the counterterrorism awareness and response plan so that they understand their responsibilities, and have a general understanding of sound counterterrorism practices. Refresher training and training of new employees should be conducted periodically. Constant vigilance is the most important concept to be conveyed to the staff.
 - All staff should be trained as to when and how to notify the police and senior management. Management should be notified whenever staff notices anything unusual or suspicious in any way. The police should be notified any time a possible threat exists. Call 911 for emergencies and crimes occurring or about to occur. For example, call 911 if an employee believes the establishment is currently being subject to hostile terrorist surveillance. For documented or suspected terrorist or terrorist-related activities or actions, which come to light *after the fact*, contact 911, or the BPD district station. Tips can be submitted anonymously via Crimestoppers at 1-800-494-TIPS, or by texting the word TIP to CRIME (27463).

Physical Security and Counterterrorism

- Access points between the private and public areas of the establishment should be minimized and controlled with an access control system. At the minimum, all such access points should be secured and monitored.
- All patrons and independent contractors (such as promoters, dancers, DJs, sound and light technicians, etc.) should be searched upon entering the establishment. Use of magnetometers and metal detectors should be considered.
- The establishment should be searched routinely before, during, and after hours of operation.
- Staff should be instructed to ensure that vehicles discharging or picking up passengers do not stay in place for any longer than is absolutely necessary.
- Anti-shatter glass should be installed in the location wherever practical. Many injuries from explosive devices are caused by shattering glass. Anti-shatter film may be applied to glass already in place.

- Alarm systems, CCTV systems, access control systems, lighting systems, and patron identification recording systems should all be integrated to the extent possible, to allow them to work together and maximize their effectiveness. For example, additional exterior lighting on the main entrance of an establishment will make the CCTV coverage of that entrance much more effective. Similarly, CCTV coverage of the alarm trigger points in the security system will allow for remote assessment of alarm conditions.
- Good maintenance and housekeeping practices keep an establishment attractive to patrons and also reduce the opportunity for the hiding of suspicious devices. Maintenance staff should be included in counterterrorism planning and training. Their vigilance is important to detect suspicious devices and events, such as disabled access control systems.

Searching Establishments as Part of a Counterterrorism Security Plan

- Search plans should be created in advance and should be memorialized onto a checklist. The checklist should be completed each time the establishment is searched. Searches should be conducted daily, before, during and after hours of operations. Searches can be incorporated as part of the routine cleaning and maintenance of the establishment.
- The search should also be performed when accompanying the police in response to a specific threat against an establishment, such as a telephone bomb threat. In these cases, it is much more effective to have the responding police officers accompanied by employees who routinely search the establishment. It will be easier for these employees to recognize out of place, unusual, or suspicious items than it would be for police officers who may have never seen the establishment before.

Door Supervisors

The Counterterrorism Awareness and Response Plan should include the following instructions for security staff (especially door supervisors):

- Security staff should be alert to what is going on outside of the establishment as well as at the door.
- Security staff should understand and be able to identify hostile surveillance. (See page 28).
- Security staff should understand and be able to identify indications of suicide bombers and VBIEDs (vehicle born improvised explosive device).
- Consistent with the establishment's Security Plan and Counterterrorism Awareness and Reaction Plan, patrons and employees of the establishment should be searched, their ID scanned, and checked with a metal detecting magnetometer.

- Security staff should pay particular attention to fraudulent and forged identification documents. People using apparently forged ID documents who do not appear to be underage are very suspicious, and should be immediately brought to the attention of the police.

Evacuation Plan

- All establishments should have a written evacuation plan. All employees should be trained on the plan, understand their specific responsibilities under the plan, and should have a general understanding of the workings of the plan.
- The evacuation plan must include clear communication to staff and patrons. All routes, exit plans and assembly areas must be well defined. Staff members should be trained to act as marshals (leaders/coordinators) and contacts once the evacuation assembly area is reached. The plan should include at least two alternative evacuation assembly areas.
- In case of an evacuation, the establishment must notify the police regarding the reason for the evacuation, and the evacuation route and the assembly area being used.
- Establishments should notify neighboring businesses and consult with them when designing an evacuation plan to ensure that both establishments are not planning on using the same assembly areas.
- Small maps of various evacuation routes can be printed on the reverse of employee's ID cards and/or access control cards.
- When designing evacuation plans, establishments should remember that secondary explosives are used by terrorists to inflict casualties on people fleeing an initial attack. Therefore, the evacuation plan should include alternate assembly areas. This will make the use of a secondary device at the assembly area more difficult for the terrorists.

Communications

Part of an effective counterterrorism plan is to ensure an effective communications strategy is in place.

- The communications strategy must be multilayered. It is important to maintain ongoing communication on counterterrorism issues with groups such as employees and vendors who are routinely present in your establishment. It is also important to have a plan for communication with police, neighboring premises, and possibly the media.

- The communications plan must include emergency communications during an incident. Establishments will have to communicate with patrons, staff, police, and neighboring premises in these types of situations.
- Cellular telephones may not be functioning during an emergency. Larger establishments should consider the use of hand held radios for emergency communications. All establishments should consider the installation of a hard-wired (land-line) pulse dial analog telephone which will function during power failures.

Hostile Surveillance

- Terrorists use hostile surveillance as part of the target selection process and to learn as much as possible about their targets before an attack. These actions can occur weeks to years before a terrorist attack.
- Hostile surveillance is usually conducted in a covert manner, with the terrorists conducting the surveillance pretending to be tourists, students, or customers. It is often characterized by activities such as photography, videography, sketching or drawing, and note taking. Often the person or persons conducting the hostile surveillance will take particular interest in the outside of a potential target, paying particular attention to the doors, alarm systems, video surveillance system, parking lots, security personnel and security plans. Sometimes these individuals may engage employees and ask questions about the establishment's operations and its security plans.
- Another indicator of potential hostile surveillance may include an increase in bomb threats and unattended packages. These may be used as an opportunity for the terrorists to observe police and security responses to these incidents.
- Door Supervisors and security staff should also be aware of new characters on the streetscape surrounding the establishment. These could include vendors, panhandlers, and loiterers.
- All of the activities mentioned above should be reported to management, who should make a determination whether the incident is serious enough to bring to the attention of the police.

Identification of Suicide Bombers

- Counterterrorism security plans should include training for all staff in the detection of possible suicide bombers. There are many factors which may create suspicion of this activity: inappropriate clothing for the season, time, place or circumstance; protrusions from the clothing; concealment of the hands; visible wires or tape; two or more people communicating and trying not to be observed; a suspect whose presence or behavior is inconsistent with the time or place; individuals who are obviously disguised;

individuals with obvious signs of extreme stress or nervousness, such as bulging veins in the neck, profuse sweating, shaking hands, touching the face continuously, involuntary motions, apathy, distant stare or unfocused gazing, feeling the body continuously; and individuals whose speech includes stuttering, mumbling or chanting, or are hesitant or unresponsive.

- Suspicious luggage or packages on an individual should also be noted. Indicators include: individuals holding luggage which is incompatible with the surroundings; holding a bag very close to the body or not releasing it when appropriate; weight of bag is obviously great; identical bags carried by several individuals; and bags with obvious irregularities.
- In all situations, part of the counterterrorism security plan should be to encourage all security and establishment staff to trust their gut feelings. If they feel suspicious or uneasy about an individual or a group of people they should bring their suspicion to the attention of a security supervisor with responsibility for counterterrorism security.
- Terrorists are not confined to one ethnic or racial group. There have been documented terrorist attacks by individuals of a wide variety of backgrounds. It is therefore important to stress in counterterrorism planning the need to be vigilant and observe all people, and not to exclude individuals from suspicion because of their appearance. Personnel should be mindful of the increased participation of females in terrorist activity.

Vehicle Borne Improvised Explosive Devices (VBIEDs)

- Terrorists have often employed explosive devices hidden inside cars or other vehicles.
- The use of bollards or other physical barriers to vehicles may be considered, but their use must be consistent with Boston traffic regulations and permit requirements.
- Counterterrorism training should stress to all staff that all vehicles are to be scrutinized for irregular operation or suspicious activity, including luxury vehicles, limousines, taxicabs, and vehicles purportedly carrying VIPs.
- Suspicious activity or irregular or unusual operation by any vehicle should be reported to the police.

Recommendations

- Learn. Stay informed regarding world and local events, and any ongoing threats.
- Communicate and Cooperate. Maintain good lines of communication with the police, industry associations, your landlord, your neighbors,

and even your competition. It is in all of our interests to ensure that the nightlife industry continues to provide a safe and fun environment for its customers. Terrorism is a societal problem which no single entity can address alone. To have effective counterterrorism planning, we must all work together and communicate effectively.

- **Plan.** Every business should have a counterterrorism plan. The execution of this plan should be the responsibility of a senior, management level employee. The plan should be written, with specific assignments for staff members. The plan should include back-up assignments to account for staff absenteeism, days off, and terminations. The plan should also include initial training and periodic retraining and drills.
- **Be Vigilant.** The culture of your organization must be changed to stress vigilance on counterterrorism and safety issues. Cultural change in organizations starts at the top, with ownership and senior management. All people involved in your organization must understand the focus that is to be placed on looking for suspicious activities and reporting them. Your counterterrorism plan must give specific directions as to when and how to notify the police and establishment management.
- **Become a Hard Target.** The goal of a successful counterterrorism plan is to make your establishment a “hard target,” one that is not perceived by terrorists as desirable to attack. Many factors lead to becoming a hard target, including: increased security, regular searches, counterterrorism drills with staff, visible CCTV cameras, counterterrorism planning, training of staff, and a culture of vigilance.
- For further information please refer to:
Counter-IED Awareness: dhs.gov/counter-ied-awareness-products
Active Shooter: dhs.gov/cisa/active-shooter-preparedness

Rideshare Safety

To stay safe when riding with a rideshare app, the following is recommended:

- Use the following safety features:
 - Emergency Assistance Button-Call 911: The app displays your location and trip details so you can quickly share them with the dispatcher. *(Available only on Uber)*
 - 24/7 Incident Support: Easy communication with customer support specialists trained to respond to urgent safety issues.
 - Share My Trip: Riders can add Trusted Contacts and create reminders to share their trip status in real time.
 - GPS Tracking: All rides are tracked by GPS from start to finish so there's a record of your trip.
 - Phone Number Anonymization: The app makes phone numbers anonymous, so personal information stays private .
- Plan ahead. Before you request a ride, think about where you're headed and review the safety features in the app so you know how to use them.
- Request your ride inside. Avoid spending unnecessary time outside alone with your phone in your hand.
- Get in the right car. When you book a ride, the app will send a confirmation message to riders with a name and photo of their driver, the license plate number of their vehicle, and a description of the vehicle, so you know who to look for. When you see the vehicle, check the plate and the car's make and model. You should also ask your driver their name, to be sure it matches the name you received in your confirmation message. Riders should never get into the car if any of the information they received in the confirmation message does not match up. Rides can only be requested through apps, so never get in a car with a driver who claims to be with the app you used and offers a ride.
- Be a backseat rider. If you're riding alone, sit in the backseat. This ensures you can safely exit on either side of the vehicle to avoid moving traffic.
- Buckle up. The Centers for Disease Control reports that seatbelt use is the most effective way to save lives and reduce injuries related to car accidents.
- Share your trip details. While en route, tap "Share status" in the app to share your driver's name, photo, license plate, and location with a friend or family member. They can track your trip and see your ETA without downloading the app.

- Protect your personal information. There's no need to share your phone number or other contact information with your driver. If a rider and driver need to contact each other, the app automatically anonymizes both phone numbers to protect everyone's privacy.
- Follow your intuition. Trust your instincts and use your best judgement when riding with a rideshare app. If you ever feel you're in an emergency situation, call 911 immediately.
- Give feedback on your trip. The app's 24/7 global support teams review feedback and will follow up with appropriate action on any reports of conduct that violate our community guidelines.
- **Remember, if you have an emergency, or there is a crime in progress, dial 9-1-1 immediately.**

KNOW WHAT YOU'RE GETTING INTO.

Check your app,
check the car,
check the driver.

The Boston Police Department
wants you to get home safely.

Mayor Martin J. Walsh
Police Commissioner William G. Gross



