



March 5, 2015

**STATEMENT TO THE COMMITTEE ON ECONOMIC DEVELOPMENT,
AGRICULTURE AND PLANNING ON AMENDMENT IN THE NATURE OF
SUBSTITUTE
BILL NO. 31-0022**

**The Honorable Senator Jeanette Millin-Young
Members of the Committee**

Legislature of the Virgin Islands
St. Thomas, US Virgin Islands 00804

GOOD DAY MADAME CHAIRWOMAN AND MEMBERS OF THE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE AND PLANNING.

IN LIEU OF TESTOMONY, WE ARE SUBMITTING THIS POSITION LETTER. WE REPRESENT APPROXIMATELY 200 LOCAL BUSINESSES COMMITTED TO PROMOTING THE ECONOMIC GROWTH AND HEALTH OF THE VIRGIN ISLANDS.

IN PREPARATION FOR THIS HEARING, WE HAVE CIRCULATED COPIES OF THE PROPOSED AMENDMENT TO OUR MEMBERS AND SOLICITED THEIR COMMENTS.

THE MEMBERSHIP WHOLEHEARTEDLY ENDORSES THE AMENDMENT IN THE FORM OF A SUBSTITUTION BANNING BARKING AS A POSITIVE STEP TOWARD ENSURING THE SAFETY AND ECONOMIC INTERESTS OF RESIDENTS, BUSINESSES, AND VISITORS IN THE VIRGIN ISLANDS.

OUR MEMBERSHIP WAS VERY PASSIONATE IN THEIR RESPONSES TO THE PROPOSED AMENDMENT ESPECIALLY THOSE THAT HAVE BUSINESSES DOWNTOWN. I WOULD LIKE TO SHARE WITH YOU SOME OF THEIR EXPERIENCES.

DIAMONDS INTERNATIONAL NOTES AN INCREASE OVER THE LAST TWO YEARS OF BARKERS WANDERING IN FRONT OF BUSINESSES THAT OBJECT TO BARKING. IN THEIR LETTER, WHICH IS ATTACHED FOR YOUR

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CONSIDERATION, THEY GIVE THE EXAMPLE OF SEVEN BARKERS WHO DAILY STAND AT THE CORNER OF MAIN STREET AND RAADETS GADE, STOPPING THE FLOW OF TOURISTS AND GIVING FALSE INFORMATION ABOUT VARIOUS BUSINESSES. IMAGINE THE CHAOS THAT COULD OCCUR IF ALL BUSINESSES WERE TO DECIDE THEY NEED BARKERS TO COMBAT THE MISINFORMATION AND ANTICOMPETITIVE BEHAVIOR OF THE BARKERS HIRED BY SOME BUSINESSES. DIAMONDS INTERNATIONAL OBSERVES THAT THE BARKERS FIGHT AMONGST ONE ANOTHER, ARGUE WITH THE MERCHANTS WHO TRY TO MOVE THEM AWAY FROM THEIR BUSINESSES, AND LURE TOURISTS OFF MAIN STREET WITH SCARE TACTICS AND MISINFORMATION. AND IT GETS WORSE: IF TOURISTS DON'T GO ALONG WITH WHAT THE BARKERS ARE TRYING TO PROMOTE, THE BARKERS WILL HARASS AND INTIMIDATE OUR VISITORS.

BALLERINA JEWELERS STATES THAT THE BARKERS RUIN THE AMBIENCE OF DOWNTOWN WHERE VISITORS SHOULD BE HAVING A PLEASANT SHOPPING EXPERIENCE. THE BARKERS STAND IN FRONT OF THEIR STORE, FOR WHICH THE OWNERS PAY LARGE RENTS, AND LITERALLY WALK THE TOURIST TO OTHER STORES DOWN THE STREET.

CALYPSO REALITY REPORTS THAT A MAJORITY OF THEIR GUESTS COMPLAIN THE BARKERS ARE OBNOXIOUS AND OVERBEARING.

MORRIS CARIBBEAN PUBLICATIONS, PUBLISHERS OF ST. THOMAS THIS WEEK, OBSERVED AN INCIDENT LATE LAST SPRING IN FRONT OF CARDOW JEWELERS DOWNTOWN WHEN ONE OF THE DIVINE DESTINATION TIMESHARE SALESPEOPLE, STANDING IN FRONT OF THE POST OFFICE, APPROACHED AND FOLLOWED A COUPLE OF TOURISTS WALKING TOWARDS MAIN STREET. THE COUPLE TRIED TO DODGE HIM BUT HE MOVED IN FRONT OF THEM AND SAID "I'M FROM THE VIRGIN ISLANDS DEPARTMENT OF TOURISM". HE HELD UP A RED, WHITE AND BLUE ID CARD THAT WAS HANGING AROUND HIS NECK. HE THEN PROCEEDED TO GIVE THEM "THE PITCH" ABOUT HIS VACATION TIMESHARE. THE COUPLE LISTENED TO WHAT HE WAS SAYING AND THEN WALKED AWAY APPEARING TO BE VERY ANNOYED. THIS IS UNACCEPTABLE BEHAVIOR AND NOT ONLY REPRESENTS OUR DEPARTMENT OF TOURISM IN A NEGATIVE WAY BUT IS INTRUSIVE AND INVASIVE TO OUR VISITORS.

THE GREEN IGUANA HOTEL ON BLACKBEARDS HILL STATES THAT BARKERS ARE ONE OF THEIR BIGGEST GUEST COMPLAINTS. BECAUSE OF THEIR PROXIMITY TO DOWNTOWN THEIR GUESTS LIKE TO EXPLORE THE AREA AND WHEN THEY RETURN TO THE HOTEL THEY REPORT THAT THEY HAVE FELT HARASSED.

AS FOR BARKERS PRESENCE AT OUR LOCAL BEACHES, **CORAL WORLD** HAS SUFFERED THE NEGATIVE EFFECTS OF BARKERS AT COKI BEACH SINCE IT OPENED. THE SITUATION HAS IMPROVED ONLY SLIGHTLY WITH A POLICE PRESENCE SINCE THERE IS NO CURRENT LAW MAKING BARKING ILLEGAL. BARKERS HUSTLE PEOPLE IN CORAL WORLD'S PARKING LOT AND RIGHT ON THE FRONT STEPS TO THE PARK SAYING THINGS LIKE IT'S TOO EXPENSIVE OR THERE IS NOTHING TO SEE, AND THEN ESCORT PEOPLE TO THE BEACH. THEY STOP VEHICLES ABOUT TO ENTER THE PARKING LOT AND URGE THEM NOT TO GO IN. THEY HAVE BEEN KNOWN TO TELL PEOPLE GOING TO THE BEACH THEY CAN PARK IN THE CORAL WORLD LOT AND THEN CHARGE THEM \$10.00 FOR PARKING – MONEY THAT GOES INTO THE BARKERS' POCKETS. THEY ARE UNKEMPT AND WALK AROUND WITH BEER BOTTLES IN THEIR HANDS LEAVING VISITORS WITH AN INCREDIBLY UNSAVORY IMPRESSION. CORAL WORLD REPORTS THAT THEY HAVE RECEIVED EMAILS FROM VISITORS WHO TURNED AROUND AND DID NOT COME INTO THE PARK BECAUSE THEY FELT SO INTIMIDATED.

TO SUMMARIZE THE OVERALL FEEDBACK FROM OUR MEMBERSHIP, THE BARKERS ARE OBNOXIOUS, ABUSIVE AND GIVE VISITORS A BAD IMPRESSION OF THE USVI. THEY HAVE A DIRECT ADVERSE IMPACT ON THE ECONOMY BECAUSE PEOPLE WHO FEEL INTIMIDATED AND HARASSED ARE LIKELY TO LEAVE TOWN AS QUICKLY AS POSSIBLE AND DEFER THEIR SHOPPING TO OTHER DESTINATIONS. EVEN WORSE, THEY ARE LIKELY NEVER TO RETURN TO THE USVI.

OUR PRESIDENT LISA HAMILTON IS THE PAST PRESIDENT OF THE CARIBBEAN SOCIETY OF HOTEL ASSOCIATION EXECUTIVES. SHE SURVEYED SEVERAL CARIBBEAN ISLANDS TO GAIN AN UNDERSTANDING OF HOW THEY HANDLE BARKERS. THE **ST. MAARTEN HOSPITALITY & TRADE ASSOCIATION**, IN RESPONSE TO COMPLAINTS ABOUT BARKERS, NOW HAS LEGISLATION IN PLACE THAT EFFECTIVELY MAKES BARKING ILLEGAL. THEY REPORTED THAT THE LAW DID HELP WITH REDUCING COMPLAINTS. I SHOULD ALSO ADD THAT ST. MAARTEN HAS MADE A NUMBER OF MAJOR CHANGES AND INVESTMENTS OVER THE PAST SEVERAL YEARS WITH IMPRESSIVE RESULTS SUCH THAT THEY HAVE SURPASSED THE USVI IN TERMS OF TOTAL AND PER VISITOR CAPITA EXPENDITURES. THE **BAHAMAS HOTEL & TOURISM ASSOCIATION** HAD THIS PROBLEM SEVERAL YEARS BACK SO THEY WORKED WITH THE POLICE ON ENFORCING THE REGULATIONS THAT PROHIBIT SOLICITATION TO INCLUDE FLYER DISTRIBUTION AND SANDWICH BOARD SOLICITATION. **CAYMAN ISLANDS TOURISM ASSOCIATION AND ANTIGUA HOTEL & TOURISM ASSOCIATION** ALSO HAVE HAD LEGISLATION IN PLACE FOR YEARS THAT EFFECTIVELY DEALS WITH BARKERS. PUERTO RICO, BARBADOS, TRINIDAD, BONAIRE, TURKS AND CAICOS, ANGUILLA, BERMUDA AND CURACAO

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REPORTED THAT "THANKFULLY" THEY DO NOT HAVE ISSUES WITH BARKERS HOWEVER WOULD IMPLEMENT LEGISLATION IF IT BECAME AN ISSUE.

GUESTS TO OUR ISLANDS SHOULD HAVE THE PLEASURE TO SHOP IN THE HISTORIC DISTRICT AND ENJOY OUR BEACHES WITHOUT BEING HARASSED BY BARKERS AND SOLICITORS. THE PRACTICE PUTS OUR TOURISM PRODUCT IN A NEGATIVE LIGHT. PEOPLE ROAMING THE STREETS, ACCOSTING AND HUSTLING TOURISTS INTO THE STORES THAT PAY THEM, IS NOT THE IMPRESSION WE WANT OUR GUESTS TO HAVE. THE VI GOVERNMENT IN COLLABORATION WITH THE PRIVATE SECTOR, THE HISTORIC TRUST AND OTHER ORGANIZATIONS IS MAKING A SERIOUS EFFORT TO REVITALIZE OUR HISTORIC DISTRICT AND CREATE A POSITIVE EXPERIENCE FOR VISTORS AND RESIDENTS; ALLOWING BARKING TO CONTINUE WOULD NEGATE THESE EFFORTS.

THE PASSAGE OF THE AMENDMENT WILL ALLOW HONEST COMPETITION TO FLOURISH. IT WILL ELIMINATE THE BOMBARDING OF OUR VISITORS AND RESIDENTS WITH FALSE INFORMATION AND DOWNRIGHT INTIMIDATION THAT SPOILS THE SHOPPING EXPERIENCE. WE COMPETE WITH OTHER DESTINATIONS THAT HAVE RECOGNIZED THE DAMAGING EFFECT THAT BARKERS HAVE ON VISITORS AND ON BUSINESSES.

IN SUMMARY, THE USVI HOTEL & TOURISM ASSOCIATION STRONGLY SUPPORTS BILL NO. 31-0002 AND RESPECTFULLY URGES ITS PASSING. THANK YOU.



Gertrude Prior
Chairman