

1001 PLAYS

The ultimate video game and pinball palaces

To the City Council of Cambridge:

My name is Ralph Hoagland, I am 45 years old, a graduate of the Harvard Business School and I am addressing you to request the redress of grievances.

I have operated businesses in the City of Cambridge since 1969 and I am a small businessman by every economic, Federal and common sense definition of the term. The difficulties today in operating a small business caused by inflation, tax increases and soaring energy costs are almost insurmountable. In addition to these growing pressures I find that I have had to face harassment by some city officials that is rooted in prejudice, malice and incompetence.

I am discouraged and angry. Until now I have been quiet thinking that the elected city officials would be fair and careful in their examination of the facts surrounding the controversy engendered by the opening and the operation of 1001 Plays. Sadly, that has not been the case, and I am now making one last attempt to focus clear attention on the gross inequities in this matter and to ask for some relief.

I persist in seeking fair treatment because I came to work here in 1969 because of an abiding affection for this city and all I think it can be. I still believe Cambridge can be the finest city in America-- with the best possible mix of people, education, culture, entertainment and business. But the fact is that my affection for the city has overridden my business judgment and my investments do not yield a reasonable return here.

There is a blatant anti-business attitude among some members of this city. I hear it expressed in statements like "oh, you're cleaning up in there, what do you care about your legal fees." The fact is that in the last 10 months we have earned \$4,000 on a \$75,000 investment. We have paid over \$18,000 in legal fees and that excludes the cost of the time I and my staff have had to spend on this issue.

1001 PLAYS

The ultimate video game and pinball palaces

I see this anti-business attitude displayed when a city official stands up in public and says: "The police know that these pinball parlors are used as dope drops and by pimps." That statement was made to the Harvard Square Businessman's association and, of course, the fear it develops creates false and needless opposition to us. Unfair opposition, too, because if pinball parlors were used as dope drops then the narcotics agencies would probably fund them ---- it would be that easy to make documented, witnessable arrests. And pimps---anyone who talks to our customers or our managers would know that statement is ludicrous and senseless. But the worst part of the statement was that it was never made by the Police Department in the first place----it was strictly a fabrication by a city employee used to discredit a business, its workers and an industry. That is malicious.

On Saturdays and Sundays business and professional people drive from Newton, Belmont and Lexington to enjoy themselves with their children at 1001 Plays. They come from all over Cambridge. They have been delighted with our clean, non-smoking, carpeted and well-managed environment. Some have heard of our difficulties with the city and asked us why there is such emotional opposition. We have no answer to dissuade them from a view of the city as irrational and unfair.

A city official has said: "who needs pinball anyway. It is a waste of time and money. " For me this is a manifestation of outright prejudice. After all who NEEDS alcohol, tobacco, bars or violent TV programs for that matter? Cambridge could be a dry town like Belmont. Or Cambridge could ban smoking in its buildings if it wanted to.

The fact is that many of these activities and others like them are part of the Leisure Time Industry. It is a well documented fact that people who live in close quarters of apartment living have a genuine need for activities that give them a chance to get out. And it is also a fact that people who work hard with the stress that is part of a work day find 1001 Plays, a movie, TV or a bar a useful form of relief from stress and work.

The worst part of this whole procedure has been the repeated unwillingness of city officials actually to inspect

1001 PLAYS

The ultimate video game and pinball palaces

the premises where we operate our business. Thus we have found ourselves in court showing pictures of our business to a judge and simultaneously showing them for the first time to the City Licensing Commissioner. The Commissioner surprised by the obvious aesthetics of our operation asked: "Why are we against this?" It seems wasteful and unfair that a Commissioner should find out about the operation of a business for which their testimony is required only after they have arrived in Court.

A regrettable part of the background is that much of the attack on us has its roots in the legal department of the city. When we first applied for a license we presented over 200 pages of legal research part of which pointed out that commissions issuing licenses can not refuse to rule on an application and can not rule capriciously. Despite these safeguards long established in law, the city's legal department advised the Commission to avoid answering our request for a license in either the affirmative or the negative. In addition the Commission actually lied during our hearing by stating that no such licenses had been granted by the city, when in fact, M.I.T. had a license for many years.

Parts of our research showed that the city could not pursue a civil remedy if the Commission failed to rule and we opened our business. The Commission failed to rule, we opened and the legal department took the issue to court where their case was thrown out. The same pattern repeated itself on two other occasions and the obvious waste of time and money -- the taxpayers and ours -- was clearly avoidable.

At some point in this process the city legal department should have realized that the accuracy of our forecasts concerning the legal course of events meant that there were some defects in their own research. But that change would have meant admitting a mistake and apparently the department finds that intolerable. As a consequence they have continued a senseless and improper vendetta, tied up the police with frivolous activities and wasted taxpayers funds. For what? ----- To try and prevent a person paying a quarter to play with a ball on a 15 degree incline. Of course if a ball is larger and on a flat surface and called bowling then it is perfectly all right.

1001 PLAYS

The ultimate video game and pinball palaces

I close my comments on the legal aspects of the issue by pointing out that we have taken careful transcriptions and notes of the various meetings and court cases. We have sufficient evidence and there is U. S. Supreme Court precedent supporting us so that if this new legislation is directed against us the city will find itself not only fighting a case to the Supreme Court, but it will also be one that will carry damages as well.

By now I have learned a lot about the prejudiced viewpoint of certain people in the city and expect they will tell you that I am attacking the city. This is the age old hypocrisy of calling the victim the aggressor. Nothing could be further from the truth. I have always been a good business citizen in this community and conducted my businesses in a lawful, decent and creative manner. I have been backed into an economic corner and I am defending myself in the only way I know how. From here on it is up to the Council to bring some fairness to the issue, and to relate to the 2,000 customers who literally applaud our place. It is up to the Council to stay the hand of the city's legal department and to investigate why it has proceeded in such inept, vengeful and wasteful ways.

If, finally, I can't make progress here than I will move on as the Advents have. I may be compelled to pay attention to the businessmen who warned me in the first place to stay out of Cambridge. If I move on to the many other cities who present a better business environment I will, quite frankly, do so with regret. I will regret it because I worked hard to bring the Orson Welles here, the CVS stores, 33 Dunster St. and 1001 Plays. To the extent that I have worked to build these businesses much of my life has been a part of this city. But most of all I will regret leaving because I will have experienced the most basic lack of fairness and justice that ought to be a part of any American city-- especially Cambridge -- which should represent the highest standards.

Very truly yours,



Ralph P. Hoagland, III,
President
1001 Plays

S-707
Comm. from Paul E. Healy, City Clerk, transmitting comm. from Ralph P. Hoagland, III, Pres., 1001 Plays Re: pinball operations in the City.

In City Council,

December 28, 1981