



Legislative Testimony  
765 Asylum Avenue, 2nd Floor  
Hartford, CT 06105  
860-523-9146  
www.acluct.org

## **Written Testimony Supporting House Bill 6400, An Act Prohibiting Hostile Architecture**

Senator Rahman, Representative Kavros DeGraw, Ranking Members Fazio and Zullo, and distinguished members of the Planning and Development Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in support of House Bill 6400, An Act Prohibiting Hostile Architecture.

The ACLU-CT believes that all members of the public have a right to exist and enjoy public space, including people who are experiencing homelessness. Hostile architecture is a relatively new addition to public spaces, but the idea of manipulating the landscape to exclude certain groups of people is not. For example, famed urban Planner Robert Moses designed bridges on parts of the Long Island Southern State Parkway with clearances too low for buses to drive under.<sup>1</sup> These bridges quite literally filtered out low-income people, primarily Black and brown people, from accessing beaches while allowing wealthier, whiter families with cars to pass unobstructed.<sup>2</sup> Hostile architecture is a similar form of defensive design that primarily works to deter homeless people from existing in public spaces. Winnie Hu writes that “hostile architecture can be as subtle as simply not providing a place to sit, as obvious as a wall or fence to keep people or animals out or as aggressive as metal studs embedded in pavement.”<sup>3</sup> The latter is a form of hostile architecture that is nicknamed “anti-homelessness spikes,” often placed on sidewalks or ledges to

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<sup>1</sup> Thomas J. Campanella, *Robert Moses and His Racist Parkway, Explained*, BLOOMBERG CITYLAB (July 9, 2017), <https://www.bloomberg.com/news/articles/2017-07-09/robert-moses-and-his-racist-parkway-explained>.

<sup>2</sup> *Id.*

<sup>3</sup> Winnie Hu, “Hostile Architecture”: How Public Spaces Keep the Public Out, N.Y. TIMES (Nov. 8, 2019), <https://www.nytimes.com/2019/11/08/nyregion/hostile-architecture-nyc.html>.

prevent people from sitting down. Similarly, many benches are made such that they are too uncomfortable or restrictive to occupy for long.<sup>4</sup> Some benches have even been replaced with “leaning bars,” requiring people to remain standing rather than even sit down at all.<sup>5</sup> Hostile architecture is built with discomfort in mind, but it also melts away into the cityscape for people who are not affected or paying attention. Although people experiencing homelessness are an obvious target, this kind of design also makes public space inaccessible to people with disabilities, elderly people, pregnant people, families with children, working people.<sup>6</sup>

This bill also comes at a time where we are experiencing a loss of “third places,” a sociological concept coined by Ray Oldenburg that refers to the spaces where people spend their time between home (“first places”) and work (“second places”).<sup>7</sup> Third places, like parks, libraries, and other public spaces, are places for community-building that can break down social and class siloes.<sup>8</sup> Third places are essential for people, like the elderly, who are at a high risk of social isolation.<sup>9</sup> But, accelerated by the pandemic, we are experiencing a dramatic shrinking of physical third places as storefronts and other places close while real estate prices rise.<sup>10</sup> The Brookings Institute identified the strong presence of third places as a way to build community and help our most economically vulnerable.<sup>11</sup>

Third places hold immense value in society and are worth investing in by increasing bus routes and mixed-use areas, ensuring accessibility, and by ending design practices like hostile architecture that shuts people out of public spaces. Hostile

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*; *Defensive Architecture: Design at its Most Hostile*, UNSW SYDNEY (Aug. 13, 2020), <https://www.unsw.edu.au/news/2020/08/defensive-architecture--design-at-its-most-hostile>.

<sup>7</sup> Stuart M. Butler & Carmen Diaz, “Third Places” as Community Builders, BROOKINGS INST. (Sept. 14, 2016), <https://www.brookings.edu/blog/up-front/2016/09/14/third-places-as-community-builders/>; Allie Volpe, *Covid Ruined Our Hangout Spots. Here’s How They Come Back*, BLOOMBERG CITYLAB (Apr. 6, 2021), <https://www.bloomberg.com/news/articles/2021-04-06/the-death-and-post-covid-rebirth-of-third-places>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Butler & Diaz, *supra* note 7.

architecture sends the message to people experiencing homelessness that they are not welcome in our public spaces. Hostile architecture also prevents so many people, like people with disabilities, elderly people, pregnant people, families with children, working people, many of whom are also more likely to be people of color.<sup>12</sup> The shameful irony of hostile architecture in public spaces is that it actively discourages use of the space by the public.

The ACLU-CT supports bills like House Bill 6400 that aim to make our public spaces more accessible to all. In addition to banning practices like hostile architecture, it is essential to divest funds that contribute to the inaccessibility and overpolicing of our public spaces and reinvest that money into making these places truly accessible and into social services that get to the root causes of homelessness. As such, the ACLU-CT supports House Bill 6400, and urges this Committee to do the same.

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<sup>12</sup> Hu, *supra* note 3.