

# Progressive Planning

The Magazine of Planners Network

## Prisons, Policing and Planning



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# Zone, and Zone Out

Javier Arbona

ON NOVEMBER 15, 2011, Michael Bloomberg's urban planning commissioner, Amanda Burden, co-chaired the *Zoning the City* conference. It was the morning after police evicted the Occupy Wall Street encampment. The mayor was scheduled to open the day, but spent most of his morning dealing with the media and legal issues brought on by the violent displacement.

Other than the mayor's absence at *Zoning the City*, everything went smoothly – too smoothly one could say. Journalist Alexandra Lange remarked, “mostly it felt like the invited didn't want to go there;” “there,” as in, perhaps discuss the politics of public space at Zuccotti Park, the hub of Occupy Wall Street. Or, potentially bring up policing and free speech. In short, any number of thorny questions about social change and public life could have been broached. Ironically, Zuccotti Park's *zoning* itself, as a “privately-owned, public open space,” was on the day's agenda. But the public use of Zuccotti for Occupy? Not so much. It was the “elephant in the room,” said a reporter for *The Architect's Newspaper*. By the summer of 2014, the city had settled several lawsuits, including a \$350,000 sum paid for media equipment and a library destroyed in the Zuccotti Park raid. While New York seethed, planners had nothing to say to Bloomberg, or his urban policy bureaucrats, about his draconian rule over the city. Only silence.

But even if Bloomberg had left Occupy alone that night, there still would have been plenty to discuss



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at *Zoning the City* related to what rights the planning profession might help secure for urban dwellers in New York City. Nevertheless, at a panel on “Zoning the Equitable City,” for example, opportunities were missed. Speakers safely stuck with small businesses and commercial food distribution. Meanwhile, in 2011 alone, the NYPD stopped 648,330 individuals for questioning on the street. According to the *Wall Street Journal*, this statistic represented a 14 percent increase over 2010. The paper, which is not known as a progressive venue, estimated that over half of those stops went further, and involved the controversial frisking practice considered a violation of constitutional rights. Almost nine out of every ten people stopped – mostly men of color – were released without charges.

The same kind of street-level police harassment as the routinized practice of stop-and-frisk paved the way for the killing of Eric Garner in 2014, one of the cases that propelled the Black Lives Matter movement from coast to coast and around the world. Officer Daniel Pantaleo, who was not charged, put Garner in a chokehold, a technique prohibited, at least on paper, by the NYPD. The death was also ruled a homicide by the medical examiner. Garner said, “I can't breathe” several times before passing out. “Hands up, don't shoot!” – (an allusion to the brutal police murder of Mike Brown in Ferguson) and “I can't breathe,” became rallying cries to be heard by anyone who cared to listen to Black Lives Matter.

## Sound in planning

Silences, such as at planning conferences, and cries, such as those in the face of police violence, tell of spa-

tial patterns that reveal where and when urban planners operate. I am arguing for a substitution of silence in favor of a practice of *care* and *caring* in planning that would alter the geography and temporality of planning work. Could any audible volume – in words or in actions in the setting of the *Zoning the City* conference, for example – have led to changes that would have prevented Garner’s killing, or those of such recent victims of the NYPD as Ramarley Graham, Shereese Francis, Reynaldo Cuevas, Kimani Gray, or Akai Gurley?

Before turning to sound specifically, it is necessary to dig into the historical setting of this conference as an opportunity to foreground the relationship between urban planning and racist policing. I pose these questions: How would the city manage urban development and rezoning *without* police violence? How would gentrification be possible in New York, and elsewhere, *without* the carceral state and measures like punitive sentencing under New York’s Rockefeller Drug Laws? Does planning take place in a neutral medium outside of these conditions? As urban historian Heather Ann Thompson writes, “In the same way that rural African American spaces were criminalized at the end of the Civil War, resulting in the record imprisonment of Black men that undermined African American communities in Reconstruction and Jim Crow-era South, the criminalization of urban spaces

of color, in both South and North, during and after the 1960s civil rights era fundamentally altered the social and economic landscape of the late twentieth- and early twenty-first-century United States.” One could argue that there is an invisible labor performed by incarcerated and suspicious bodies, going back for several generations, which is coerced in order to produce the landscape of so-called blight and poverty – a landscape then exploited for development profit.

“Zoning,” as Burden’s conference was devoted to discussing, is not strictly the urban planner’s domain; the police themselves practice forms of zoning that get little public or professional scrutiny. Under Bloomberg, the NYPD “Intelligence Division” systematically targeted Muslims, including posting NYPD spies in and beyond the entire state of New York. As a spatial practice, the NYPD spread zones of fear and racism related to, but also qualitatively different, from stop-and-frisk. Under the NYPD’s “Demographic Unit,” the police borrowed the traditional toolkit of planning. Demographics and mapping served as ways to demarcate zones of surveillance and thus impose patterns of repression and suspicion.

The Demographic Unit has since been renamed under new mayor Bill de Blasio’s chief of police, William Bratton, as the “Zone Assessment Unit.” It is allegedly less active, or at least, eerily “dormant,” under de Blasio’s tenure. But the word “zone” in the unit’s name jumps out, pointing at Bratton’s global profile as a proponent of “broken windows policing.” “Broken windows” is infamous as the approach to policing that assesses landscape clues, as geographers are trained to see, for purported signs of neighborhood decline. “Broken Windows” imposes zone-based crackdowns.

Although place-based practices like Broken Windows and Zone Assessments fall outside the traditional domain of planners, planners consent to a kind of weaponized version of “zone-ing” left in the hands of the police forces; zone-ing as the forced imposition of zoning itself. The suffix “-ing” here, that is, laying zoning bare in all of its spatial violence. Yet while police are the ones who *actually zone*, along with more direct permit enforcers, planners “zone out,” and tune out what they don’t want to know about. One might stop to consider how the mo-



Photo: Justin Steil

bilization of zoning by police neatly overlaps, as a zone-based stigmatization, with the successive project of urban planning to redevelop neighborhoods. In such a light, the silence at *Zoning the City* makes sense.

Planners' many everyday *silences* could be interpreted in myriad ways, but if planners think critically about the securitization of urban zones, one could say that, at *Zoning the City* at least, no one *cared* – or *cared enough* to say or do anything. Planners' myriad silences are inversely a form of care; a lack thereof, that is. A deadly kind of zoning out.

### The Politics of Caring

Caring is the antithesis of policing. Daniel Pantaleo's lynching of Eric Garner supplants relationships of care (*care* in the double sense of "I care" and care as "taking care" of oneself and others). Police forces routinely act in ways that violate the rules of conduct – they plant drugs or weapons, use unapproved force, falsify reports, and proceed without judicial warrants. But this does not mean that their actions are truly unwanted or unneeded in the maintenance of a certain order in the city. Neoliberal urban governance would fall apart if police behaved as they "should." The NYPD surrounded Garner for, in effect, *activating* the street – a usage of the city that, in different contexts, planners actually applaud. He was allegedly selling loose cigarettes, or just hanging out on the sidewalk, depending on the different versions of the story. Regardless, the role

of police at that moment was, precisely, to operate outside the law to maintain a desired, racist visual and spatial order. After all, police are taught the chokehold technique in the academy, as Pantaleo's union reminded the public in a perplexing defense of the cop. The chain of silences that preceded Garner's death fits with a logic of sustaining the necessary illusion of planning and policing as separate and sometimes opposed to each other. But in effect, *caring* would imperil the true, underlying relationship between planning and policing. Caring is the opposite of zoning out.

Eric Garner, like many who have died at the hands of police, made statements in his final minutes, as conservatives like to point out, that suggest he was prepared to resist the police harassment he was all too familiar with (e.g., "this stops today"). A politics of care, as opposed to the deafening planners' silences, would celebrate resistance. In fact, "this stops today" breaks with the cautious silence of urban planning. This sonic and verbal disruption is foreign to the traditional temporalities of zoning and planning that refrain from intervening in the "today." Planners, in alliance with private developers, are granted a certain power over a more stretched out future time – usually enough time to turn a private profit – but in exchange, they silently give up agency within more immediate temporal spaces. However, the present and future cannot be at odds with each other. Cops, in this sense, are nothing but planners with a badge, operating on the present to produce rationalized space for the future.

"Today," in Garner's enunciation, has an immediacy that eludes planning timeframes and that planning deliberately avoids as outside its purview. There's a politics and a labor to zoning out; there is something to be gained professionally. Progressive liberal politics idealize pacifism and "non-violent" civil disobedience. But as Rei Terada reminds us, liberalism tends to erase images, including ones from the 1960s civil rights movement, that display Black subjects acting with outright hostility towards the police. One, for example, shows a Black woman biting a white cop as he tries to force her into submission. Care-taking and justified resistance are not mutually exclusive; in fact, together these are a strength against a system we acknowledge is perversely and systematically oppressive, not to mention that these rights to self-defense are recognized the world over. A politics of care in planning practice would not only need to acknowledge and defend resistances, but also recognize the everyday as a site of a repressed-yet-desired, emergent urban life.

### The Practice of Care

I've conjoined two seemingly separate modes of urban intervention: the *zone* and the *silence*. The zone is the quintessential device in a planner's repertoire to manage urbanization, while silence is not typically conceptualized as a part of planning. Though silence might be less familiar as a tool of urban planning, silence is a tool in the management of planners' influence. Planners work with silence to side-

step the present in favor of the long-term plan as their professional domain. Zoning, and zoning out, both work together; they need each other. But zoning and silence tied together leave one to think that urban planning also needs police to pick up the slack when planners deliberately zone out. And police need planners (as well as architects, sociologists, geographers, and demographers). To disrupt this relationship, I propose the practice of care. How could care transform planning? When we introduce care into planning practice, everything changes.

In *The Urban Revolution*, Henri Lefebvre says, “Order and form tend to blur together, even though form is simultaneously perceived, conceived, and made manifest (dreamed).” For Lefebvre, police play an instrumental role in normalizing inequality and fusing it with the accepted form of the city. But beyond the “transparency” – akin to a clean glass pane one is unable to see – a different city struggles to emerge. Lefebvre adds, “Alongside the strident signs of visible power such as wealth and the *police*, (emphasis added) plots are engineered and hidden powers conspire, behind appearances and beneath the transparency.”

On a certain level, care means rejecting the weaponization of planning’s tools, starting at the level of ethics codes in the discipline, requiring professionals to do no harm if they wish to belong to the professional guilds. But planning is not strictly limited to those in a guild. Care also means thinking critically about how planning imaginations are simultaneously produced through the violent parceling of the city into uneven places of investment and disinvestment. A politics of anti-violence and anti-racism in urban planning, in other words, considers how planning as a discipline is potentiated partly through a history of criminalization, policing and imprisonment in cities. A radical planning practice would begin by deterritorializing the police – zoning *them* out – at a minimum preventing them from militarizing software, maps and landscape study, even if it means, via boycotts of the suppliers. For me, on a more conceptual level caring, as a practice, implies tuning in not zoning out. Caring means to design spatially for the amplification and positioning of sounds, voices and active listening: the opposite of silence. The practices of caring, in the wake of the uprisings of 2014, point to the embodiment of sounds – to make it and also hear it. **P<sup>2</sup>**

## 7th Generation

### **Black Lives Don’t Matter in APA’s Colorblind Planning**

By Jeffery Lowe

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serious and disproportionate numbers of incarcerated Blacks. PBCD members asked themselves a two-fold question: what are our responsibilities and what should we promote within our profession that would turn around the problem of a massive buildup of the prison industrial complex? PBCD made the connections between the prison industrial complex and employment opportunities (urban and rural), loss of voting strength and various environmental consequences.

The following year at the 2003 PBCD Conference, a symposium took place regarding planners and the Prison Industrial Complex. Presenters included Andrea Shorter, Deputy Director of the Center for Juvenile and Criminal Justice (San Francisco, California); Gary Cunningham, Director, Office of Planning and Development, Hennepin County, Minnesota; and Shane Price, Coordinator, African American Men’s Commission, Hennepin County, Minnesota. In Hennepin County, the primary means that African American men interface with the criminal justice system was through traffic stops. This phenomenon was not uncommon in other places across the nation. Also, like the nation more generally, African American men in Hennepin County were worse off than others on practically every measure. Essentially, the presenters brought into focus that for many communities experiencing deindustrialization and defense downsizing, the prison industrial complex was viewed as sound economic development planning. Furthermore, for so many lower-income communities of color, the cost of the prison industrial complex came at a premium in the loss of productive members to family, community and society.

At the 2005 National APA Conference, PBCD sponsored a session entitled Young Criminal Justice Challenges: Theory and Practice, and the Prison Industrial Complex. Presenters were Rafael Sperry, Architects/Designers/Planners for Social Responsibility (ADPSR), Gladys Inman, Inman and Associates and Sigmund Shipp, Department of Urban Studies and

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