Attractive Nuisance

In the legal world, we might refer to technology (smartphones, GPS map screens, car dashboard displays, etc.) that causes distracted driving an "attractive nuisance" for adults. "Attractive nuisance" is an age-old legal theory that makes a property owner responsible for injuries to children even if they are trespassing, if the injury results from a hazardous condition that is likely to attract children who may not appreciate the risk from the condition. Think of an abandoned tree house comprised of rotting wood, exposed rusty nails, or an unfenced swimming pool, etc.

There are a few recognized examples of attractive nuisances for both children and adults on campus. The Barge Hall courtyard fountains, the Wildcat Statue in the east-side courtyard of SURC, and the outside amphitheater on the NW corner of Science II are easily identified as such.

With the Science II amphitheater, jokingly known as the “skateboard park”, there have been several instances of skateboarders, bicyclists, and parkour enthusiasts seen or stopped from performing their entertainment activities.

Also of concern is the walkway split going south toward Science II. A distracted walker, skateboarder, or bicyclist can easily divert from going between Science II and Hertz Hall and go toward the amphitheater. The drop-off from one tier to another can potentially cause severe bodily trauma. And with winter around the corner, snow can obscure the tiers further.

Possible solutions would be either a basalt or wrought iron bollard(s) or post(s) at the upper entrance to the amphitheater. Or a long bench spanning the opening to temporarily impede rapid throughput.