October 24, 2013

Mickey Jacob, FAIA
President
American Institute of Architects
1735 New York Ave. NW
Washington, DC 20006-5292

Re: ACLU support for proposed ethics code amendment regarding human rights

Dear Mr. Jacob:

The American Civil Liberties Union strongly supports the Architects / Designers / Planners for Social Responsibility proposal to amend the AIA Code of Ethics and Professional Conduct. ADPSR's petition asks the AIA to prohibit member architects from designing prison execution chambers and "supermax" prisons, which are built specifically to house prisoners in long-term solitary confinement. As an organization dedicated to defending human rights and individual liberties, we urge the AIA to adopt this proposal.

The ACLU is a nationwide, nonprofit, non-partisan organization dedicated to the principles of liberty and equality embodied in our Constitution and our nation's civil rights laws. The ACLU's Capital Punishment Project aims at systemic reform and ultimate abolition of the death penalty. The ACLU's National Prison Project protects and promotes the civil and constitutional rights of prisoners, by challenging cruel and inhumane conditions of confinement.

Capital punishment and prolonged solitary confinement are inherently inhumane and arbitrarily administered forms of punishment. The death penalty is not only inherently cruel; racial disparities in sentencing, as well as wrongful convictions, make the practice indefensible. Capital punishment has thus been banned in 18 states and the District of Columbia. The United States is in an extreme minority of developed, democratic nations that still enforce the death penalty at all. The only countries worldwide that execute more prisoners than the U.S. are China, Iran, Iraq, and Saudi Arabia. Recognizing the inhumanity of the practice, other professional associations, including the American Medical Association and the National Association of Emergency Medical Technicians, have officially prohibited members from participating in executions.
Solitary confinement, defined as holding a prisoner alone in a small cell for 22 to 24 hours per day, subjects people to severe social and sensory deprivation. It has been shown to cause long-term—sometimes permanent—damage to mental health and cognitive functioning. The United Nations Special Rapporteur on Torture has declared that solitary confinement can constitute torture, and called for a global ban on solitary confinement exceeding fifteen days. Like capital punishment, solitary confinement is on the decline in the American criminal justice system; many states have begun to take measures to limit the practice. Yet thousands of American prisoners are still in solitary confinement, many in supermax prisons, where virtually all prisoners are held in solitary confinement for months or years on end.

ACLU lawyers have represented countless prisoners who have endured solitary confinement or been sentenced to death. Some of these prisoners are innocent or unjustly convicted. Some are too mentally ill to understand their punishment. Some are children. Inhumane punishment at the hands of the government does not advance the cause of justice. It hinders it.

Protecting individual freedoms and promoting practices that conform to human rights standards requires the active participation of many sectors of civil society. Many voices must speak out; many citizens must act. The proposed amendment to the AIA Code of Ethics and Professional Conduct would be a strong statement to correctional officials, policymakers, and the public at large that the AIA does not condone cruel and inhumane treatment.

The proposed amendment to the AIA code of ethics would place the architectural profession on the side of progress and human rights. It is also simply the right thing to do. We urge the AIA to seize this opportunity. As the AIA considers this important amendment, the ACLU would be happy to assist in the ongoing drafting process. Please do not hesitate to contact us with any questions or concerns.

Sincerely,

David Fathi
Director, National Prison Project
American Civil Liberties Union

Cassandra Stubbs
Director, Capital Punishment Project
American Civil Liberties Union

CC: Robert A. Ivy, EVP, Chief Executive Officer, American Institute of Architects
Raphael Sperry, Soros Justice Fellow and President, Architects / Designers / Planners for Social Responsibility