



AIA Working Group on Human Rights / AIA Ethics  
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August 1, 2014

## **Why AIA should add a Human Rights Rule to the Ethics Code to prohibit the design of spaces for execution and solitary confinement**

Dear Working Group members,

The board of directors of Architects / Designers / Planners for Social Responsibility (ADPSR) appreciate that your group has been convened to consider our proposal to amend the AIA Code of Ethics. Thank you for taking the time to review this letter in its entirety; we feel these are issues of great moral and ethical weight that deserve depth and detailed care, which requires us to take some time to describe our reasons for advancing this proposal.

This letter is organized into the following parts:

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### **1. Introduction**

ADPSR is an independent, non-profit organization with a mission to work for peace, environmental protection, ecological building, social justice, and the development of healthy communities. ADPSR was founded in 1981 by architects including James Stewart Polshek, FAIA, and counts professional leaders such as Denise Scott Brown, FAIA among our long-term members. In 1993 ADPSR was given the AIA's Honor Award, which called us "A strong, resounding voice for social and political justice. The organization provides a unique vehicle for discourse and plays a critical role in shaping a brighter, more productive existence for future generations." It is in this spirit of social justice and shaping a brighter future that we propose to amend the Human Rights standard of the AIA Code of Ethics and Professional Conduct to prohibit the design of execution chambers and prisons intended for prolonged solitary confinement.

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*ADPSR is a national non-profit organization founded in 1983 that works for disarmament, protection of the natural and built environment, and socially responsible development.*

Execution chambers and isolation units are unique (and rare) building types that result in widely criticized human rights violations (for instance, there are fewer than forty execution chambers in the U.S.). While the Code of Ethics currently calls on members to “uphold human rights in all their professional endeavors” in E.S. 1.4, there are no enforceable Rules within this standard that address the specific building types that, by their very program, will lead to foreseeable human rights violations. We propose adding an ethics Rule to better fulfill AIA’s vision of architecture in support of human rights.

Architects’ professional licensing fundamentally rests on protecting public health, safety and welfare. Buildings designed to cause death and cruel or degrading treatment are in conflict with our professional mission: they harm the health, safety, and welfare of the occupants they are intended to house. The American Medical Association and many other medical professional associations have long included a ban on participation in execution and torture in their codes of ethics because they stand for the public welfare; this proposal would put AIA on a similar footing.

We hope you are all as proud as we are that AIA already recognizes human rights in our Ethics Code. Human rights embody a vision of society where people are free to pursue their individual wellbeing while living in harmony with others. Architecture is an essential part of this vision, as the Universal Declaration of Human Rights includes rights to adequate and dignified housing, education, and health care. (It does not specify how those are to be achieved, but architects will necessarily be part of the solution.) The Declaration also protects creative expression, engagement in the arts and sciences, and participation in the cultural life of one’s community – that is, it recognizes a right to be an architect. And the Declaration also protects the right to life; to dignity for people in prison; and prohibits cruel, inhuman, or degrading treatment – for obvious reasons. In committing our support to human rights, we cannot pick and choose which rights we prefer; we must take the prohibitions along with the protections.

ADPSR’s proposal has been endorsed by leading human rights groups including Amnesty International, Human Rights Watch, and the United Nations Special Rapporteur on Torture and by three chapters of AIA (Boston, San Francisco, and Portland, OR). At the time of this writing, ADPSR’s petitions in support have drawn almost 2,000 signatures including such leaders as Cesar Pelli, FAIA, James Stewart Polshek, FAIA, the deans of architecture schools including UC Berkeley (Dean Jennifer Wolch), and University of Minnesota (Dean Thomas Fisher, Assoc. AIA), and critic and curator Aaron Betsky. This public support indicates that the profession and the public are ready for AIA to take this step.

Professional ethics are not just the sum of the individual moral choices of AIA members, but are the expression of our profession’s collective commitment to the public welfare. AIA is the voice of the architectural profession and this is an opportunity for us to speak clearly and from a leadership position to reinforce the importance of human rights within the built environment—a position we have already embraced in our Code of Ethics, but one we have not made as specific as it should be.

## **2. Current and proposed Ethics Code language**

### **Current Ethical Standard 1.4 Human Rights:**

Members should uphold human rights in all their professional endeavors.

### **Current Rule 1.401**

Members shall not discriminate in their professional activities on the basis of race, religion, gender, national origin, age, disability, or sexual orientation.

(there is currently no Commentary with this Standard or Rule)

**(Proposed) Rule 1.402:**

Members shall not design spaces intended for execution or for torture or other cruel, inhuman, or degrading treatment or punishment, including prolonged solitary confinement.

**(Proposed) Commentary:**

The Convention Against Torture and the International Covenant on Civil and Political Rights prohibit “torture or cruel, inhuman or degrading treatment or punishment” (ICCPR Article 7) and ICCPR also requires that “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person” (Article 10). Prolonged solitary confinement has been identified as a form of torture by the United Nations Human Rights Council, Committee Against Torture, and the Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Regarding the specific language proposed, of course alternative phrasing and word choices are possible. However, we have developed this proposal with the assistance of a number of human rights lawyers in the United States and with specific goals in mind.

In our conversation with the Boston Society of Architects Ethics Committee, BSA considered a more generic rule such as “members should not design spaces intended to violate human rights.” While this appears attractive at first, because it does not single out any project types and conveys a clear human rights message, it provides essentially no guidance to members as to what projects might be unethical. The Code must first and foremost be clear, especially at the level of Rules, and we believe it was on these grounds that BSA turned away from this concept. ADPSR has conducted extensive research on human rights intersections with architecture, and our conclusion is that the kinds of buildings that might violate human rights are limited to the projects types we have identified in the proposal (more on this below). We invite you to join us in that conclusion.

The proposed Commentary is a very important part of this proposed Rule. The Commentary links the Rule to the international human rights system (i.e. the international conventions proposed in the text), and points members and the Ethics Committee to appropriate bodies for interpretation. As you may be aware, U.S. courts interpret Constitutional rights (under which execution and solitary confinement are considered “not unusual,” and hence acceptable), while international bodies interpret the ICCPR and CAT (under which these practices are unacceptable). The reference to international interpretation is inherent in the existing reference to “human rights” rather than “constitutional rights” in ES 1.4, and particularly important given the increasingly global work of AIA members. Many Academy of Architecture for Justice members design and consult on prison projects overseas and should receive guidance appropriate to all their work.

### **3. Overview of the International Human Rights system**

- Ethical Standard 1.4 as currently written points towards human rights as an important standard. Human rights are generally recognized to be international standards recognizing and guaranteeing rights to all individuals. Their primary documents are the Universal Declaration of Human Rights, which is generally viewed as a statement of principles, and the International Covenant on Civil and Political Rights (“ICCPR”), which is a binding legal treaty.
- Human rights standards are interpreted by a group of U.N. bodies including the General Assembly (the “legislature” of the U.N., if you will), and the Human Rights Council (which is charged with interpreting the ICCPR). The Special Rapporteur on Torture (quoted below) reports to the Human Rights Council.



- **Other professions and even commercial business refuse to participate in the death penalty.** The Constitutional ban on cruel punishment requires the use of anesthesia prior to the injection of lethal chemicals; however, the American Medical Association and the American Society of Anesthesiologists (among others) refuse to participate in executions, as do the two major manufacturers of the chemicals used in the process Hospira Inc. and Lundbeck (who have stopped selling their product to State governments and have in fact stalled the execution process in many states). This sets an important precedent for our profession (see below).
- **Architects should not be in the business of killing people.** In the ancient world and middle ages, executioners were not permitted to live within the city walls. While that kind of occupation-based prejudice has ended, the negative associations with taking part even in state-ordered executions have not, because executions are not a process that the public truly accepts. Architects have nothing to gain and much to lose by being closer to executions than other professions (see medical ethics below).

## 5. Human Rights Issues with Prolonged Solitary Confinement

- Humans are social animals that require environmental stimulation. Solitary confinement removes the minimum level of social and environmental contact that human psyches require to maintain themselves, resulting in predictable and widely observed forms of **extreme mental illness, suffering, trauma, and suicide**. Some psychologists have even defined “Security Housing Syndrome” to describe the afflictions caused by long-term isolation in American prisons.
- Accordingly, **prolonged solitary confinement has been identified by a variety of international human rights bodies as a form of torture** or “cruel, inhuman, or degrading treatment or punishment” that violates the Convention Against Torture and the ICCPR. Most notably, in 2011 the U.N. Special Rapporteur on Torture called for an **absolute prohibition on the use of solitary confinement on juveniles and the mentally ill, or on anyone for more than 15 days**.
- The United States (federal plus the 50 states) keep approximately **80,000 people in solitary confinement** with an average length of stay of five years and **hundreds of cases of one or more decades. Juveniles and the mentally ill are routinely held in solitary confinement**.
- Solitary confinement typically consists of locking prisoners in cells for **23 hours per day**, with a one-hour visit to a windowless outdoor yard roughly four times the size of an individual cell four or more days per week. The amount of social contact with this arrangement is not enough for basic maintenance of prisoners’ mental health.
- This level of isolation requires **specialized buildings** that are designed for large-scale and long-term solitary confinement, generally referred to as “supermax” prisons, or portions of buildings often referred to as “Administrative / Disciplinary Segregation” or just “seg.” Supermax prisons and segregation units are unique in that they include no indoor or outdoor space for group activity, unlike even typical maximum-security prisons. In this respect they are different from almost every other architectural program that houses more than one person, where creating settings that enhance group activity and communication is typically a leading design priority. They are designed with the program of isolation in mind.
- This is a view of a typical cell from Ohio’s supermax prison. Cells in other states’ supermax prisons do not have windows, but instead borrow daylight from hallway areas (if at all). Supermax cells with windows are generally arranged to view barren, walled yards so that no communication

is possible through the window; this reinforces the lack of environmental stimulation that causes many of the mental health problems in isolation.



- The United States contains **approximately fifty supermax prisons**, which vary in size from holding hundreds to over 1,000 in some cases. As of May 2013, the State of Arizona is pursuing the design of a third 500-bed supermax prison for its state system.
- Supermax prisons and segregation wings when operated as intended lead to a level of suffering now identified as in violation of fundamental human rights standards. **It is impossible for architects to “uphold human rights” as called for in Ethical Standard 1.4 when designing for this program.**
- **A rapid shift is occurring in public opinion and correctional practice against solitary confinement.** In the past few years Mississippi, Maine, Colorado, and New York have all begun or completed processes of reducing their use of solitary confinement. The Directors of Corrections in Colorado and New Mexico have each spent 24 hours in their own solitary confinement facilities, and resolved afterwards to virtually end the practice. (See the Colorado director’s powerful New York Times editorial on the topic: <http://www.nytimes.com/2014/02/21/opinion/my-night-in-solitary.html>.) In 2013 prisoners in California’s “Security Housing Units” (SHU - i.e. long-term isolation) led the largest-ever hunger strike in US prisons protesting their conditions; at one point almost a quarter of all California prisoners joined in support. A federal court case of prisoners spending over 10 years in SHU recently advanced towards trial; it may well conclude that California’s Pelican Bay State Prison is “cruel and unusual.”
- **AIA Academy of Architecture for Justice** members and others have noted that segregation units are typical in many prison and jail projects. AAJ New York has proposed the development of “Guidelines for Best Practices in the Design of Segregated Housing” *in lieu* of ADPSR’s proposed Ethics Code amendment. We believe that it is possible to design secure housing in prisons for the most difficult to manage people without violating the prisoners’ human rights, and development of AAJ’s proposed guidelines would be a very appropriate way to explore this challenging design problem. ADPSR is co-sponsoring a panel with AAJ NY at the AAJ annual conference this fall on the topic. In fact, the proposed guidelines make great sense as an interpretive document to guide members in meeting the spirit of the current ES 1.4 and our proposed Rule 1.402. Without an Ethics rule to support their use, however, the guidelines seem likely to gather dust.
- **The American Bar Association** publishes guidelines for acceptable treatment of prisoners within a human rights framework. The ABA standards strongly limit the use of “segregated housing” and include a prohibition on the use of “extreme isolation.” ADPSR has invited the leaders of the ABA

standards committee on segregation to join our effort to develop the Guidelines mentioned above. In personal communications, these ABA leaders are supportive of ADPSR's Ethics proposal and believe it would help to strengthen the ABA standards.

## 6. Precedents in Professional Ethics

- The American Medical Association, American Nurses Association, and a dozen other **medical organizations** – notably including the Society of Correctional Physicians, who work specifically in prisons, Anesthesiologists, even Emergency Medical Technicians —**refuse to participate in executions** and include this prohibition in their codes of ethics. For instance, the AMA code includes:

*“An individual’s opinion on capital punishment is the personal moral decision of the individual. A physician, as a member of a profession dedicated to preserving life when there is hope of doing so, should not be a participant in a legally authorized execution.”*

Of particular note in AMA's formulation is the recognition that individual morals are not the same as professional ethics. AMA is not telling members how to vote on capital punishment in their role as citizens, but it is insisting on upholding a specific standard of behavior when members act in their professional capacity. In a similar way, ADPSR's proposal for AIA would not restrain individual members outside of their professional activities, nor would it commit AIA to lobbying on the issues of capital punishment or solitary confinement. In fact, not all members of AMA or the other medical associations agree with the position of capital punishment in their Ethics code, but this just demonstrates that professional ethics are not simple consensus standards nor are they determined based on popularity.

- AMA, ANA, the American Psychological Association, and many other **medical organizations also refuse to participate in any form of torture** in their codes of ethics. To take AMA as an example again:

*“Physicians must oppose and must not participate in torture for any reason. Participation in torture includes, but is not limited to, providing or withholding any services, substances, or knowledge to facilitate the practice of torture.*

*Physicians should... strive to change situations in which torture is practiced or the potential for torture is great.”*

- Professions dedicated to public well-being such as ours have a responsibility to take action when government policy conflicts with a profession commitment to patient care or, in our case, “health, safety, and well-being.” The public should be confident that when they enter a building designed by an AIA member architect that there **was no design intent to kill or torture** any occupant.
- Two of the most recent amendments to the Ethics Code have been to add Obligations to the Environment (Canon VI) as a core element of professional responsibility, to encourage members to engage in pro bono work (E.S. 2.2). In both cases, **AIA has amended the Ethics Code to demonstrate our dedication to broad public well-being**. This proposed amendment furthers this trend through the development of our commitment to human rights.

## 7. Endorsements of the proposal

ADPSR's proposal has received extensive support from members of the architectural profession, the human rights community, and the general public. We have received formal endorsements from a number

of significant organizations. We maintain and update the list of endorsing organizations at <http://www.adpsr.org/home/endorsements1>.

Perhaps most significantly for considerations within AIA, a number of AIA Chapters have considered the proposal and written strong letters of support. The boards of these chapters engaged in months of internal discussion before reaching their positions. We urge you to read the letters, included in our attached endorsements packet. These chapters include:

- AIA San Francisco
- Boston Society of Architects
- AIA Portland

Outside of AIA, the world's leading human rights organizations have clearly stated their support for AIA's potential action to strengthen our human rights commitment. This reinforces our contention that AIA can make a significant and lasting contribution to human rights through the proposed amendment – that this is a leadership opportunity for AIA. It also indicates the seriousness of the human rights problems within prisons that we are asking you to address. And it should help to address the misplaced concern (detailed more below) that this action would open the door to claims that further project types should be restricted within the Code of Ethics: you will not find other building types condemned by this group of human rights advocates, specifically:

- Amnesty International
- Human Rights Watch
- UN Special Rapporteur on Torture
- American Civil Liberties Union
- National Religious Coalition Against Torture

In addition, we are proud to have the support of other organizations within the world of architecture and design. ADPSR is not alone in our belief that architecture can and should be strongly aligned with human rights, and that this is the right way to do it. Other groups who share this belief include:

- ARC-Peace
- Center for Architecture and Human Rights
- DesignCorps
- Planners Network

Lastly, ADPSR has circulated a pair of petitions in support of our proposal. At the time of this writing, over 1,700 people had signed our general petition, and over 200 professors and teachers had signed the petition specific to their point of view. The complete list of signers and their comments is included in our endorsement packet. Some of the comments that struck us most were:

- "I am an architecture professional in the state of California. I also have a loved one in prison here in CA and care about his well-being. Architecture should not be used as a tool to torture and traumatize our incarcerated brothers and sisters, no matter what they've done."
- "I pledged long ago that I would never participate in any element of the building industry related to the design of prisons or anything of the sort. This is absolutely in line with that pledge of long ago and I stand behind it. I am a dues-paying member of the AIA and I want my voice to be heard."
- "Although I think it is important to design spaces for challenged populations such as for women-led families who are escaping abusive situations, prisons that do nothing to educate or rehabilitate their charges and that are cruel places should not be designed by architects."

- “This is important to me because I am a human being and feel that the AIA can contribute to the end of torture and killing of others by taking this action.”
- “We spend far more resources on punishment than promoting the betterment of humanity. This is backwards.”

Professors said:

- “I would like to be able to tell the students in my professional practice course that they, like physicians, are obliged to do no harm.”
- “It is important to all of us that architects prove their boast that we can help build a better, not just a prettier, world.”
- “This is a no brainer. How can we expect to change society without changing architecture.”
- “Because I care about the profession.”

You can view the petitions at [www.tinyurl.com/aiaethics](http://www.tinyurl.com/aiaethics) and (for professors) [www.tinyurl.com/archfacethics](http://www.tinyurl.com/archfacethics).

## 8. Some misconceptions and counter-arguments to the proposal and ADPSR’s responses

- **Misconception: This proposal aims to shame prison architects.**  
**Response: This proposal would not apply retroactively.** We are not asking AIA to censure or take any action against architects who designed those or any other facilities in the past, when the outcome of their work was less clear. In 2011, after decades of evidence and complaints had accumulated, the UN Special Rapporteur on Torture changed the human rights status of solitary confinement in a profound way. Now that there is a strong human rights conclusion about these buildings, our profession should respond to the change. ADPSR has engaged in respectful discussion with the AIA Academy of Architecture for Justice, launching our proposal at their 2012 conference, and holding an open discussion session at their 2013 conference. One of the attendees who has completed a number of prison projects commented that he had not encountered a similarly deep and thoughtful dialogue about architecture and ethics at an AIA event before. We believe that Justice Architects face extremely difficult challenges, including finding an appropriate response to clients who may request unacceptable types of facilities. Our proposal is intended to demonstrate the support of the entire profession for our collective commitment to human rights. AAJ members should know that when they stand for human rights all of us stand with them.
- **Misconception: This proposal blames architects for operational problems.**  
**Response: This proposal would not hold architects responsible for the actions of our clients.** People can be subjected to cruel and inhumane treatment in many environments. Specifically, alterations to conventional prisons could create spaces that would violate human rights, for instance by creating new isolation cells where none were originally intended, or by performing an execution in a space not planned for that function. In such a case, the architect of the initial building would not be held responsible for those changes, while an architect participating in the alterations could be.
- **Misconception: This proposal would prevent the design of more conventional prisons**  
**Response: Conventional prisons can be designed to meet human rights criteria.** We have drawn attention to the so-called “supermax prisons” because we believe these types of large-scale, isolation-only prisons are indeed human rights violations. While more conventional prisons

often contain smaller segregation units, as noted above, ADPSR has already begun to partner with AAJ to develop “Guidelines for Best Practices in the Design of Segregated Housing,” which would address these kinds of spaces. We emphasize again that we consider these proposed guidelines a very valuable complement to the proposed Ethics Rule. Members who design prisons deserve clear and detailed guidance on how to comply with the Ethics Code.

- **Argument: This proposal opens the door to banning other unpopular project types, from nuclear weapons facilities to abortion clinics.**

**Response: International human rights are a high standard that protects AIA from demands for other actions.** After more than a year of research into the intersection of human rights and architecture, we have not found any credible case that other building types violate human rights as defined by recognized international bodies. Furthermore, our list of endorsements by global human rights advocacy groups should indicate the unique depth of the connection between these particular issues and human rights. If AIA were to adopt our proposal, it would create no precedent other than to put us in the mainstream of international human rights concerns; the range of activities so widely condemned by human rights groups as execution and solitary confinement is extremely narrow and does not open the door to follow-on amendments. Specifically regarding clinics that provide abortion services, the international human rights system not only has no precedents in it to restrict abortion rights, but it is increasingly moving towards international guarantees of women’s reproductive rights - including access to abortion - as a positive part of human rights. UN treaty monitoring bodies have recommended that nations legalize and provide access to abortion for certain cases and prevent unsafe abortions, all of which would prevent AIA from restricting clinic design. While there is a fringe of U.S. domestic discourse where a “right to life” is advanced for unborn fetuses and denied to convicted criminals, these interpretations carry absolutely no weight in the human rights system referenced in E.S. 1.4 and which we propose to strengthen with Rule 1.402.

- **Argument: This is a political use of the Ethics Code.**

**Response: This proposal advances a human rights agenda, not a political one.** This proposal does not engage AIA in support of Democrats or Republicans, as political leaders of both major parties have participated in recent moves to end execution and solitary confinement, such as Republicans in Illinois, Maine and Mississippi, and Democrats in Colorado, Maryland and New York. The international human rights system was developed with decades of American leadership over many administrations and widely supported across the U.S. political spectrum. Because Human Rights are already part of the Code of Ethics, it is not a misuse of the Code to further clarify their meaning and respond to recent changes. This proposal update’s AIA’s definition of human rights to match that used by the UN Special Rapporteur on Torture, the UN General Assembly, the Inter-American Commission on Human Rights, Amnesty International, and many other organizations.

- **Argument: AIA should not engage in advocacy of this sort.**

**Response: AIA should continue to be a leadership organization.** AIA’s Repositioning effort concluded that “Members and staff feel that AIA is often slow to take a stand on important issues that define and impact the architecture profession” (i.e. this needs to be changed); AIA should be “the definitive voice of architecture in an increasingly design-savvy culture;” and that “AIA is a visionary member organization providing advocacy, leadership, and resources for architects to design a better world.” In the 2014 Convention call for proposals, AIA stated “Architects have the power to influence a broader societal culture... The AIA should be the organization for matters of civic and cultural engagement, and its members should be guiding positive change in communities.” We wholeheartedly agree with this vision of AIA, and we believe that strengthening

AIA's support for human rights presents a valuable opportunity to demonstrate engagement and leadership and to make positive change.

- **Argument: Taking these projects is an individual choice of conscience for each architect.**  
**Response: AIA has a responsibility to act collectively for members and the profession.** The whole idea of being a profession, rather than a simple occupation, is that professionals use expert knowledge to protect the public interest. If professional associations are unwilling to define the public interest at all (as this mode of argument suggests; ethics can be left to individual choices), then they fail in their basic responsibility. Human rights are fundamental guarantees of dignity, equality, freedom, justice, and peace; they inextricably underlie our charge of health, safety and welfare. Members of the public must know what architects guarantee them before they hire us. If an association in a profession dedicated to public health, safety, and wellbeing cannot agree on human rights it will lose its value to the public.
- **Argument: Execution and solitary confinement are legal, so AIA cannot prevent members from accepting these commissions.**  
**Response: Professional ethics are frequently a higher standard than legal minimums.** Professional ethics are supposed to be higher than legal standards (not to mention conventional business ethics); otherwise there would be no value to society in giving our profession a monopoly over design services. To take one example, AIA's Code of Ethics currently prohibits discrimination based on sexual orientation (coincidentally under our human rights standard, Rule 1.401), which is otherwise legal in many states -- and perhaps a subject of more controversy than execution and solitary confinement, with the recent failure of the Employment Non-Discrimination Act in the US Senate. The case of the numerous medical organizations that prohibit their members from engaging specifically in "legally authorized executions" is presented in detail above.
- **Argument: This will undercut the standing of the profession or make AIA look bad.**  
**Response: Stronger ethics will reinforce the value of the profession.** Professional ethics are the basis for professional licensing – in exchange for a monopoly on professional services in an area of technical expertise, professionals pledge to use their expertise to benefit the public. Ethics is what sets us apart from contractors, for instance, who have no higher obligation than to follow contract law and building codes. So standing up for human rights at a high standard demonstrates that commitment to public protection, reinforcing our professional identity. Please see Victoria Beach's "Ethical Inquiry" in Architect magazine; as a former chair of the AIA National Ethics Council and a teacher of professional ethics at GSD she addresses this issue with great knowledge and experience: <http://www.architectmagazine.com/architects/an-ethical-inquiry-part-1.aspx>.
- **Argument: The death penalty and solitary confinement promote prison safety.**  
**Response: Neither the death penalty nor long-term solitary confinement is necessary to run a modern prison system.** 141 countries and 17 U.S. states maintain law and order without recourse to execution. Virtually all OECD countries and at least 6 U.S. states do not use supermax prisons. When the State of Mississippi closed its supermax facility (because of pending lawsuits over prison conditions), violence throughout its prison system decreased by over 60%. There are many ways to manage difficult people within a prison population (and within society at large) without resorting to torture and killing.
- **Argument: If AIA members refuse, less qualified people will design these spaces.**  
**Response: There is no "less bad" way to kill or torture someone.** Should the National Board adopt the amendment, as we hope they do, it is possible that less-well-prepared non-AIA architects or even other professions would step in to design these facilities. This regrettable outcome would not, however, result in worse outcomes for the people who suffer, and the

participation of AIA members in even the most thoughtful design cannot redeem the fundamental problems with execution chambers and prolonged solitary confinement.

- **Argument: AIA members may lose business.**

**Response: Business is a central concern of practice, but it is not everything.** We recognize that architects must find adequate compensation in the profession, and that designing prisons is important work that members undertake. The design of execution chambers is a very small amount of business: the projects are often small interior renovations with budgets under \$1 million, and often carried out by staff within state Departments of Corrections (who may not be AIA members). Rejecting these projects is not a significant business concern.

The question of changing the nature of designing more conventional prisons is more significant, although even here, supermax prisons are very rare project types (to the best of our knowledge, there is only one under design in the entire United States at present) and segregation units are a small portion of typical prison and jail commissions that can be addressed through the AAJ's proposed Guidelines. But from an ethics perspective, there are some kinds of work that are not worth any form of compensation. Just because we need work does not mean we will accept every commission. If violating human rights is not the line between acceptable and unacceptable commissions – especially with the commitment of ES 1.4 – we cannot imagine what else is.

- **Argument: The definition of “prolonged solitary confinement” is too vague.**

**Response: Interpretation will be provided.** If this amendment is approved, the **National Ethics Council** would become the body charged with interpreting the Rule and determining whether any building subject to an ethics complaint actually crosses the line -- subject to Appeals to the Executive Committee and the Board. We anticipate that the AAJ's proposed “Guidelines for Best Practices in the Design of Segregated Housing” would be very helpful to the National Ethics Council were any complaints to come up under this rule.

## 9. Media response

As you may be aware, ADPSR's proposal has generated a significant amount of discussion within the design press and mainstream media outlets. *Metropolis* magazine considered our proposal one of the top 3 ideas in “design and activism” for 2013, and we were strongly endorsed by Aaron Betsky, writing in *Architect* magazine, and by Michael Sorkin, writing in *The Nation*. CBS TV news profiled our campaign in July 2014; we have been discussed in the *LA Times*, *Architects Newspaper*, *Huffington Post*, and the *Architectural Review*; on the radio in *99% Invisible* and *DnA: Design and Architecture*; and in too many online sites to list here. To see these examples, on a longer but still partial list, please see our website at: [http://www.adpsr.org/home/links\\_resources](http://www.adpsr.org/home/links_resources).

This is a topic that resonates within the profession and with the broader public. It is also a great opportunity for AIA to demonstrate its commitment to leadership, to the public, and to its vision of “designing a better world.” We expect more stories to emerge about ADPSR's proposal over the course of 2014, and we will share them with you via the General Counsel and his staff, although you may also choose to find ADPSR on the web, join our email list, or follow our social media to keep yourself engaged with public discussion of the proposal.

We do not think that public relations should be a large factor in evaluating our proposal's merit. None the less, given the tone of media coverage so far, we expect that AIA will receive much praise for adopting the proposal, while stories about the continuing design of execution chambers and spaces for prolonged solitary confinement would likely be less favorable.

## 10. The larger context

Finally, we would like to urge you to consider the issue of human rights and the design of extreme spaces within prisons within the context of the larger U.S. prison system, which poses numerous challenges to our society. **The U.S. operates the largest prison system in the history of the world**, with an incarceration rate 6 to 8 times that of other OECD countries – in fact, with just 5% of the world’s population the U.S. holds 25% of the world’s prisoners. Some U.S. states spend more in total on Corrections than higher education. These are signs of dangerously misplaced public priorities that impact the programs offered to architects to design – especially in the public sector – and pose a deeper danger to the social fabric that underlies all our work. Signaling that the harshest prisons are not acceptable to AIA would in some small measure indicate support for alternative programs of community investment—while not, of course, creating any binding requirements in that area.

At a discussion we held with AIA Philadelphia members on this proposal in November 2012, one participant commented on a widespread **culture of violence** in the U.S.—most clearly evidenced by mass shootings—which puts everyone at risk. This culture of violence cannot be ended through the application of superior force by police or through building increasingly punitive prisons; it must instead be challenged by building a culture of non-violence and a “beloved society” along the lines laid out by Rev. Dr. Martin Luther King Jr. Because we can ultimately only control our own actions, we must all take steps to commit to non-violence as a form of leadership. In the words of Gandhi, we must “be the change we wish to see in the world.” Execution chambers and supermax prisons are a clear built expression of our government’s participation in the culture of violence, making them an appropriate place where our profession can challenge the culture of violence.

## 11. Further information

You are welcome to visit ADPSR’s online resources to find out more about our proposal:

- ADPSR’s website [http://www.adpsr.org/home/ethics\\_reform](http://www.adpsr.org/home/ethics_reform) has general information about ADPSR’s proposal.
- Selected media coverage and articles with additional valuable background information on execution and solitary confinement can be found at [http://www.adpsr.org/home/links\\_resources](http://www.adpsr.org/home/links_resources).
- Endorsements can be found at <http://www.adpsr.org/home/endorsements1>.
- The petition, the current number of signatures, and comments can be found at [www.tinyurl.com/aiaethics](http://www.tinyurl.com/aiaethics) and (for architecture professors) [www.tinyurl.com/archfacethics](http://www.tinyurl.com/archfacethics).
- The most current news on the proposal is posted to a dedicated Facebook page: <https://www.facebook.com/ADPSRArchitects>.

## 12. Conclusion

Beyond health, safety, and welfare, architects’ unique value to the public is that we give cultural meaning to building projects. We work with an owner’s desires and the construction industry’s capabilities to express our society’s values for individual and collective life. Young people join the profession to make the world a better, more beautiful place. Our profession’s values – and AIA’s code – already include respect for human rights. Designing places that kill and degrade people conflicts with the mission that

gives our work meaning and draws talented and passionate people into our profession. Strengthening our support for human rights will increase the pride we all take in being an architect and in being members of AIA, our leadership organization.

Sincerely,

The Board of Directors of Architects / Designers / Planers for Social Responsibility



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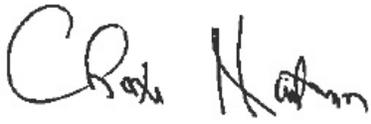
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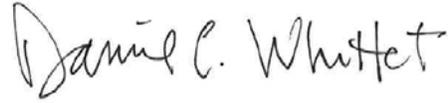
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Sandra Hernandez-Colon  
Fetzer Advisory Council, Fetzer Institute

Attachments:

- One-page fact sheet
- Endorsement letters
- Petition signatures and comments