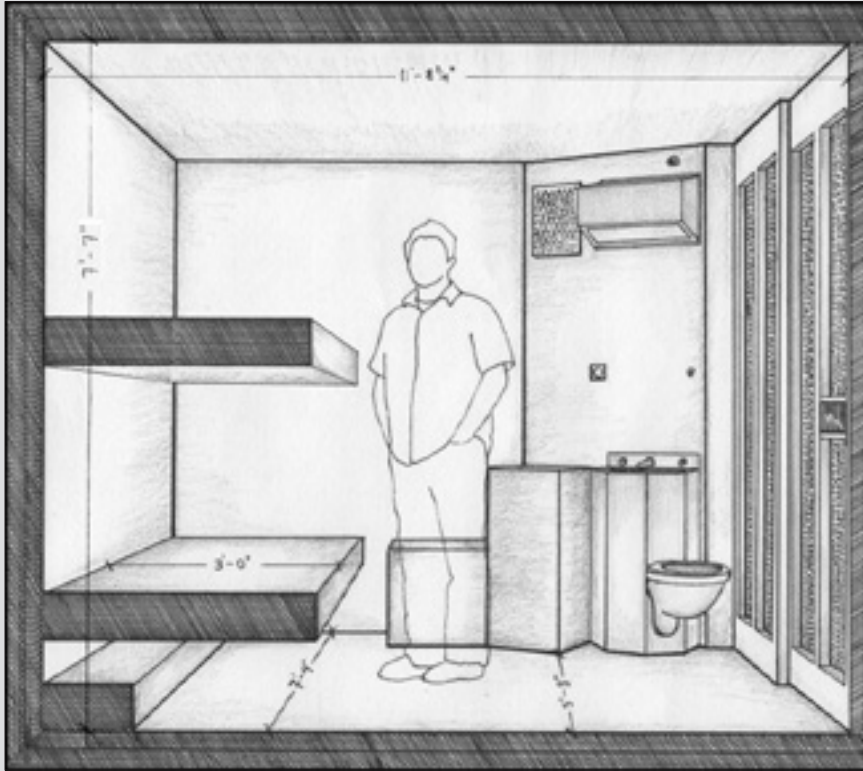


Alternatives to Incarceration: Raphael Sperry in Conversation with Tings Chak



Typical Cell, Pelican State Prison Security Housing Unit, Crescent City, California.
Image Credit: Katherine Fontaine (ADSPR)

Raphael Sperry is an architect and activist based in San Francisco, California. He is also the president of Architects/Designers/Planners for Social Responsibility (ADPSR), a non-profit organization dedicated to peace, environmental sustainability, and social justice. He has led ADPSR's work on prison issues since 2004, when he launched the "Prison Design Boycott/Alternatives to Incarceration" campaign. He currently leads the effort to amend the AIA Code of Ethics to ban the design of buildings intended for executions or prolonged solitary confinement.¹ I interviewed Sperry about some of his thoughts on the prison-industrial complex, ADPSR's position on prison building, and how they intersect with the design disciplines and the theme of excess. What follows is an edited transcript of our interview.

Tings Chak Since the Reagan-Bush era, we have seen the prison industry expand exponentially across the United States. In California alone, where your work is based, there was a doubling of prisons in the 1980s. What gave rise to the proliferation of prisons?

Raphael Sperry The proximate cause was changes in sentencing and criminal law including mandatory minimum sentences, the "war on drugs," three-strikes laws,² and changes to parole. If you have an unchanged crime rate but give longer sentences, you will end up with a larger prison population—that's just math.

To gain a deeper understanding, we should ask what was behind that whole legislative project. Here you see the move by right-wing politicians to use tropes such as "law and order" and "tough on crime" to demonize the left-wing social movements of the 1960s and 1970s and to put people of colour "back in their place" after gaining Civil Rights. Michelle Alexander describes this "Southern strategy" very well in her incredible book, *The New Jim Crow*. This was in turn part of a larger culture of fear used to justify truly excessive budgets for war abroad and militarized policing at home.

The architectural dimension, of course, is that massive prison construction was a necessary (but not sufficient) condition for implementing these strategies. Before the 1980s, many states had at most four prisons: men's, women's, high-security, and low-security. In the boom, California built over 20 new large complexes, while Texas built over 100 smaller ones.

T C What is ADPSR, and what is its position on prisons? How does the organization fit into the prison justice movement?

R S ADPSR has been around for over 30 years, but we started looking at prisons as a leading social justice issue about 10 years ago. Our members are architects and design professionals, so we approach prison justice by analyzing the role of the built environment in creating the massive problems we are now living with. We speak for architects who are shocked at the amount of resources spent on the prison system at the expense of pressing com-

munity needs like education, employment, and space for civic life. Our critique is based on that opposition. First, we recognize that money and design talent spent on prisons is not being spent building something beneficial, like affordable housing. But even more importantly, we recognize that prisons actively degrade the communities already suffering most from disinvestment—typically poor communities of colour. We propose that community reinvestment will not only be more fair, but will actually solve the problems of crime that prison construction has manifestly failed to solve.

In the past year we have focused on the worst abuses of the prison system, as seen through the lens of human rights. The two human rights abuses of execution and torture, in the form of the death penalty and solitary confinement, are common practice in the US. Both of them require specific architectural spaces to be realized: execution chambers and supermax prisons, respectively.³ Both are designed and built in the US, and our objective is to stop this practice. When we realized that the AIA Code of Ethics already mandates that "members should uphold human rights in all their professional endeavors," we decided to push the AIA to make the protection of human rights enforceable in the design of buildings. Right now we are focused on that campaign, reaching out to the architectural profession, components of the AIA, and partner organizations dedicated to stopping solitary confinement and the death penalty.

To be clear, we are not trying to demonize architects who designed these buildings in the past. The UN position was only clarified in 2012, and the psychological research on how damaging solitary confinement is has only been collected over recent decades. But knowing what we know now, ADPSR truly hopes that AIA will not continue to license designs that cause such intense suffering and death.

The first goal is to stop the expansion of execution and solitary confinement. Whenever building projects for these purposes are proposed, we want AIA architects—who are generally those in the larger firms equipped to design them—to tell their clients that they will not design them and that they need to find alternative ways to respond to the issues. With our

amendment in place, architects can have that conversation without fear of being undercut by other architects with lower standards.

As the public is still largely unaware of issues concerning supermax prisons, this campaign aims to raise broader awareness as well. AIA can only address the construction of new prisons going forward, but there are growing social movements to end executions and the use of solitary confinement. We want architects to be on board with that. If we can help challenge the legitimacy of the harshest parts of the prison system, maybe we can inspire people to look more critically at the whole enterprise and discover many of the other problems it is causing, as well as the injustices it is part of.

T^C Ruth Gilmore describes prison expansion as a “geographical solution to socio-economic problems.”⁴ Can you elaborate on how the prison-industrial complex can be seen as a response to the excesses of capital and labour? How does architecture play into this?

R^S There is a strong link between rural prisons in the US and the urban ghettos where prisoners overwhelmingly come from. The “Million Dollar Blocks” study by the Center for Justice Mapping multiplied the number of men from each census tract in Brooklyn who were held in upstate rural prisons by the costs of incarcerating a prisoner in New York State.⁵ They found many instances in which the state was spending over one million dollars to take the “trouble-makers” out of a public housing block and put them in prison. The obvious question is: what could be done if that \$1 million was spent on crime prevention and community investment instead of punitive measures. The policy response to poverty and unemployment in poor neighbourhoods in Brooklyn (and elsewhere) has not been to address the legacy of discrimination and structural inequalities troubling those places, but rather to round up large numbers of individuals and ship them away.

Architecture is also implicated by virtue of what has *not* been built. The socio-economic problems that Gilmore refers to require new community infrastructure as a piece of the solution:

affordable housing, school facilities, community centres, medical clinics, and open public spaces are some of the missing pieces. Architects would welcome the chance to work on these projects, but funding priorities (primarily public, but also private) and the broader social concerns that drive them have been misdirected into the prison system. Building prisons for people in poor neighbourhoods has reinforced the narrative of fear used to criminalize poor communities by implying that poor people are inherently dangerous to “mainstream” society. This has made architects’ engagement with those communities even more remote.

T^C The “supermax” security prison is a relatively recent model that is being exported to countries around the world. This model is characterized by extreme isolation and criticized for its excessive use of violence. What is the significance of this trend? And what is ADPSR’s response?

R^S ADPSR is very concerned with supermax prisons. In fact, we (along with many other human rights advocates, and the UN Special Rapporteur on Torture) consider prolonged solitary confinement a form of torture that is banned by international treaties. That’s why we are petitioning the AIA to address the human rights problems associated with that prison type by banning their design.

Proponents of supermax prisons justify the need to separate “the worst of the worst” from the general prisoner population in order to allow the larger system to function with less violence and disruption. Many observers have pointed out the obvious flaws in that argument. For instance, when the State of Mississippi recently closed its supermax prison and dramatically reduced the use of isolation there, violence throughout the prison system went down dramatically. In New York State, advocates have documented people being sent to isolation for trivial rule violations like having too many stamps in their possession, or refusing to stop a conversation when instructed.

The real significance of supermax is twofold. First, supermax prisons (along with the death penalty) embody the tough-

est aspect of a system intended to be punitive. Even though solitary confinement was widely rejected by the end of the nineteenth century in the US, supermax marks a return to horrifying institutional conduct. This is one of the reasons why supermax prisons attract so much criticism.

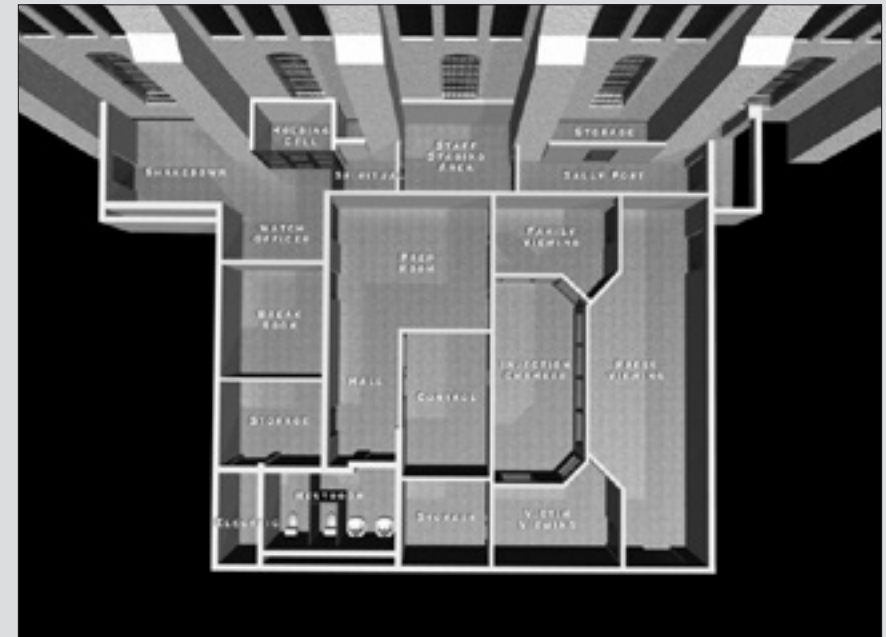
Second, supermax is the logical extension of the desire to render prisoners and prison operations invisible. They are located in extremely remote rural locations, allow virtually no press access, and have very strict visitation procedures, even for families. They shield prisoners from each other and also from guards with their remote-controlled doors and empty halls. They have generally been built with little or no public input, and the procedures for who gets sent to them, and what happens to people there, have largely resisted legislative and even court oversight. This is a very disturbing trend from the point of view of democracy: our federal government and some 40 state governments all have these almost invisible, unaccountable institutions that are among the most punitive places in the country. It exposes the deep connection between “law and order” rhetoric and authoritarian forms of power.

ADPSR’s response has been to propose that the AIA Code of Ethics add a rule prohibiting members from designing spaces intended for prolonged solitary confinement. This would help prevent the further expansion of the supermax institution, and also serve in both cultural and legal discourse to delegitimize the use of solitary confinement.

T^C How does the architectural industry contribute to the prison-industrial complex and other systems of oppression?

R^S The prison-building boom took prison design from a rare project type that architecture firms wouldn’t really invest in to a growth industry where specialized expertise could be marketed and earn substantial returns. The fact that some architecture firms devote a sizable share of their activity to the prison business is not debated: you can open *Corrections Today*—a trade journal for prison administrators—and see advertisements from architecture firms and profiles of architects. So in that sense, the relationship is really pretty basic: to expand mass incarceration, prisons need to be built, and architects participate

SQ New Injection Room, 2010. San Quentin State Prison, Marin County, California.
Image Credit: California Department of Corrections and Rehabilitation



by providing design and construction services.

But architecture is an especially significant component of the prison-industrial complex—without physical buildings the basic functions of the prison could not be executed. For instance, you could imagine prisons without a third-party company providing a specialized inmate classification database, but not without the prison building itself. William Nagel, a former correctional superintendent who became the foremost national expert on prison design, actually called for a moratorium on prison construction in the early 1970s, based on many of the same points ADPSR is making today: when prison beds are available they will be filled, but when prison beds are in short supply, judges and prosecutors will find ways to divert people towards community programs, impose fines, or use other alternative sentences.

One unique aspect of the architecture-prison relationship is in the area of prison reform. As Foucault already noted in the 1970s, prison “reform” is not a response to specific failures but rather a process that has continually accompanied the use of prisons from their inception.⁶ Architecture plays a central role in this process, as each generation of prison “reform” demands a new geometry that provides a visually legible contrast with previous designs but preserves the fundamental power and surveillance relationships between guards and prisoners. The prison boom of recent decades was also a response to the success of prisoner rights litigation that delegitimized the conditions of the previous generations of prisons. While addressing some of the concerns raised by prisoners—such as overcrowding and insufficient heating and ventilation—the new designs are also structured to keep prisoners from independently organizing in large groups and implement a more thorough level of surveillance, which preserve the essential principles of the institution.

Design and planning also play a key role in the way that prisons render prisoners invisible, deepening their marginalization. Prison planners have worked to site prisons in increasingly remote locations, which helps keep visitors away (a policy reinforced by numerous official restrictions on prison visits and communica-

tions) and put prisons out of sight and hence out of mind. As the security level of prisons increases, the opportunity to visit or communicate with prisoners is reduced in terms of visiting hours, number of phone calls per month, etc. At the extreme, the regime of solitary confinement in supermax prisons reduces interpersonal contact to a minimum (in fact, to less than the minimum needed for psychological survival), creating an even deeper form of personal invisibility—if everyone around you refuses to see you, are you even there?

T^C Prisons have become a “natural” feature of our built environment, and it is hard for most to imagine a social structure without it. What does a world without prisons look like to you?

R^S A world without prisons would better address social and economic problems. This world would include food, housing, education, health, and community life being more accessible to everyone. Restorative justice would replace retributive justice, so that instead of responding to law-breaking as the biggest problem, the justice system would address the causes of harm and attempt to heal injuries as its first priorities. People would be prepared to resolve their conflicts without violence, which would require a dramatic shift in our culture and education.

This is actually the core vision of international human rights, which includes rights to food, shelter, education, employment, and even participation in the arts and sciences, which has special resonance for architecture. Human rights groups have been very concerned about prison conditions from the inception of prisons. Human rights programs, however, have also validated prisons by taking a reformist position, describing acceptable ways in which they can operate. But I think these two visions of human progress can converge over time, as human rights activists become more aware of the fundamental problems with prisons, and as prison abolitionists make more use of human rights as an organizational and strategic tool.

Architecture is significant here because it is a field where the “negative” goals of human rights and prison abolition—elimi-

nating prisons that violate human rights, or eliminating prisons more generally—can be coupled with the “positive” goals of expanding housing, education, etc., without compromising either side. ADPSR believes that by exposing and challenging the negative aspects of the prison industry, we are at the same time reinforcing

positive alternatives. A world without prisons is one way to think about a future where human rights are universally respected. It will require a lot of work by architects to get there, both in designing buildings for a new world, and in advocating for the broader shifts in culture, society, and government that must precede it. ✕

Endnotes

- 1 The American Institute of Architects (AIA) is the main professional association for licensed architects in the United States, with approximately 80,000 members. They maintain a Code of Ethics and Professional Conduct that members must adhere to or face possible censure or expulsion. ADPSR’s campaign can be found at www.adpsr.org/home/ethics_reform. Sperry encourages readers to join ADPSR’s petition to AIA at www.tinyurl.com/aiaethics.
- 2 So-called “three strikes laws” give increasingly longer sentences for repeat offenders, typically with a 25-years-to-life sentence for a third serious conviction. Critics counter that acts as minor as shoplifting a pair of socks can be counted as “strikes” and result in excessive punishment.

Bio

Tings Chak is an M.Arch candidate at the University of Toronto, and an artist and migrant justice organizer based in Toronto, Canada.

- 3 “Supermax” or super-maximum security prisons usually consist of solitary confinement cells exclusively. Solitary confinement is the practice of isolating inmates long-term in closed cells for 22–24 hours a day, virtually without human contact and under constant surveillance. “Segregation” cells are referred to as Security/Special Housing Units (SHUs), Intensive Management Units (IMUs), Restricted Housing Units (RHUs), or Communication Management Units (CMUs).
- 4 Ruth Gilmore, “Globalization and US prison growth: from military Keynesianism to post-Keynesian militarism,” *Race and Class* 40, no. 2/3 (Oct 1998–Mar 1999): 174.
- 5 “Million Dollar Blocks,” Spatial Information Design Lab and Justice Mapping Center, <http://www.spatialinformationdesignlab.org/projects.php?id=16>.
- 6 Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan (New York: Vintage, 1977).

Therefore an attack on architecture, whose monumental productions now truly dominate the whole earth, grouping the servile multitudes under their shadow, imposing admiration and wonder, order and constraint, is necessarily, as it were, an attack on man. Currently, an entire earthly activity, and undoubtedly the most intellectually outstanding, tends, through the denunciation of human dominance, in this direction. Hence, however strange this may seem when a creature as elegant as the human being is involved, a path traced by painters — opens up toward bestial monstrosity, as if there were no other way of escaping the architectural straitjacket.

— Georges Bataille, “Architecture”



Sam Leach, *Sleeping in a Constructed World*, 2011,
oil and resin on wood, 40 x 40cm
Courtesy the artist and Sullivan+Strumpf