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June 25, 2008

The Honorable Patrick Leahy, Chair  
Committee on the Judiciary  
United States Senate  
224 Dirksen Office Building  
Washington DC 20510  
via Fax: (202) 224-3479

The Honorable Arlen Specter, Ranking Member  
Committee on the Judiciary  
United States Senate  
224 Dirksen Office Building  
Washington DC 20510  
via Fax: (202) 228-3675

Dear Chairman Leahy and Senator Specter,

Architects / Designers / Planners for Social Responsibility (ADPSR) is a 25 year old national non-profit organization representing over 300 design professionals including many licensed architects and city planners. We are writing to urge you to reject the nomination of Gustavus A. Puryear IV to the District Court of the Middle District of Tennessee.


ADPSR is very concerned about the state of criminal justice in the United States and the activities of private prison operators in particular, with which Mr. Puryear is very closely linked through his long service as General Counsel of Corrections Corporation of America (CCA). Simply put, private prison operators such as CCA have a direct financial stake in increasing the number of people in prison, as they receive payment on a per-person, per-day basis. More prisoners means more profit for CCA, and CCA is demonstrably uninterested in the actual guilt or innocence of the people in its charge. When Mr. Puryear has been so closely associated with a corporation that has the goal of seeing more people put behind bars, how can we reasonably expect that he will treat innocent people charged with crimes fairly? How can he avoid seeing people accused of crimes as potential "profit centers" after being a leader of a corporation that has exactly that point of view?

The public, on the other hand, has a distinct interest in seeing lower levels of crime, which is not served by the agenda of private prison operators such as CCA. In our opinion of the field, CCA operates prisons not in order to promote rehabilitation, and hence to achieve a long-term reduction in crime, but simply to warehouse people as profitably as possible. CCA, in fact, has a financial stake in seeing an increase in crime in order to be able to sell increased services to States facing increasing numbers of criminal convictions. Judges have a great deal of control over sentencing, including mandating opportunities for rehabilitation or other alternatives to incarceration. With Mr. Puryear so closely associated with a company that profits off of increases in crime and incarceration, how can the public trust he would not continue to follow an agenda that fails to provide alternatives to incarceration in favor of locking up more people on all possible charges?

We recognize and support the concerns raised by others including the American Federation of State, County and Municipal Employees (AFSCME) and the National Lawyers Guild. Mr. Puryear's career consists largely of leadership of CCA, rather than other legal experience, making him both lacking in important experience necessary for a judge and likely to face recusal in a large number of the cases he would face. In addition, Mr. Puryear has demonstrated a cavalier attitude towards people in prison, most notably in the case of Estelle Richardson, in which he apparently suggested on the public record that her violent death at the hands of CCA prison guards could have been the result of a minor accident.

In closing, we urge you to reject the nomination of Gustavus Puryear to the bench. The public has a right to judges who are fair, impartial and unbiased in the application of justice; Mr. Puryear cannot be reasonably expected to be such a nominee.

Sincerely yours,

A handwritten signature in black ink that reads "Lynne Elizabeth". The signature is written in a cursive style with a large, looping initial "L".

Lynne Elizabeth  
President, ADPSR

A handwritten signature in black ink that reads "Raphael Sperry". The signature is written in a cursive style with a long, sweeping horizontal line extending from the end of the name.

Raphael Sperry, AIA, LEED  
Director and Past President, ADPSR  
Architects / Designers / Planners for Social Responsibility

*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.*